

Testimony

STATEMENT OF SEAN O'KEEFE
BEFORE
THE UNITED STATES SENATE COMMITTEE ON
GOVERNMENTAL AFFAIRS

“THE STATE OF THE PRESIDENTIAL APPOINTMENT
PROCESS”

APRIL 4, 2001

Mr. Chairman and Members of the Committee, thank you for the invitation to participate in this important hearing. The Committee is to be commended for your thoughtful inquiry into the Presidential appointment process. Your collective attention to the challenges provides cause for optimism that your search for remedies to current problems will yield much needed solutions. The successful outcome of your inquiry and subsequent action will be nothing less than a significant contribution to the quality of public governance.

During the course of my professional life I have been privileged to serve the public in a variety of capacities, initially as a career federal servant, on the professional staff of the Senate, and on three separate occasions as a Presidential appointee following Senate confirmation. It has been an honor and I have been most fortunate.

For each of the three Presidential appointments I have been honored to receive, I was treated to the most expeditious consideration of almost any appointee below the level of Cabinet officer. Indeed, this Committee's prompt treatment of the President's nomination of me to be OMB Deputy Director accounted for a small fraction of the six weeks of accelerated consideration from the date of the President's preliminary decision to Senate confirmation. My previous appointments were, similarly, mercifully brief in the consideration phase. As such, I am not here to complain by way of testimony before this Committee. Rather, my objective is to offer observations on how this process has become more difficult in the span of my public service experience which, in my judgment, has

deprived the public of talent that would otherwise be called to public service.

In short, all of the parts leading to confirmation have become more extensive, more onerous and more complicated by a factor of at least two since last I was privileged to be appointed nearly a decade ago. While there is a fair degree of repetitiveness in terms of the information required at each level of the process, it is more the depth of information and disclosure required which is at least intimidating, and at worst, deters candidates who might otherwise be disposed to considering service. For example, the background investigation process, I've come to learn, takes longer if the candidate has been previously investigated and there is considerable reluctance to share information between the investigative units. These kinds of impediments are thoroughly explored by the Brookings Institution's Presidential Appointee Initiative, so I won't dwell on them and risk repetition of testimony the Committee has or will hear. On these matters, I associate myself with the observations expressed by Senator Kassebaum and former OMB Director Raines.

Mr. Chairman, I conclude with an observation of what I believe will be the consequence of this ever more difficult process. Fewer and fewer citizens of my comparatively modest financial means and geographic diversity are likely to respond to the call to public service. In the quest to remove conflicts of interest, the process has reached near perfection in leading to the inevitable conclusion that candidates must eliminate significant if not all financial interests. While this is equally onerous for any potential nominees, it has a particularly shuddering effect on those of us who can least afford to divest interests particularly at a directed time – especially during a market slump. The consequence translates to a diminished standard of living which is acutely felt by families. Public service at these levels could tend to default to those of more substantial means who can withstand the consequences of this policy. This is not my condition, to be sure. Rather my presence here is testimonial to the extraordinary support, sacrifice and tolerance of my wife and children, despite the cost.

In tandem with the financial impact is the near absence of support for relocation to the Capitol City. My family is still in upstate New York and will hopefully join me here this summer. In the interim, there is no provision for easing that

transition. We, nonetheless, have elected to weather that range of challenges by virtue of our commitment to the important public service task. Many others would not choose to withstand these challenges and would find cause to withdraw from further consideration. Unfortunately, the effect of these two factors, could yield a more dominant tendency toward those who can withstand the financial penalty and/or who live in the Washington, DC metropolitan area. The increasingly more complicated, intrusive and lengthy confirmation process further compounds this result. In either or both events, this hardly augers in favor of attracting Americans from all backgrounds, walks of life, and diversity in its widest definition, to answer the call to public service.

Again, Mr. Chairman, it is a privilege to be here and I thank the Committee for the opportunity to testify.

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