Bringing the **TRANSITION** Plane in for a Soft Landing

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ARRIVAL and DEPARTURE
Start Planning Early

• Our internal transition team actually started over a year ago...February 2016

• We began by gathering materials from the ‘08 and ‘12 transitions...mostly focusing on ‘08 - President Obama’s first term

• We talked to those in HHS who went through the transition to find out what worked well, what didn’t work so well, what was done that shouldn’t be done again and what if anything could have been done to make their transition smoother.

• Who did we speak to:
  • My predecessor, PDAS for ASFR
  • Dep Sec – part of the Obama Landing Team
  • ASPR – part of the Obama Landing Team
  • About 10 others who were intimately involved in the transition efforts
GOVERNANCE:
• Three Levels:
  • HHS Transition Team – 8 members
    • 3 – Administration
    • 4 – Financial Resources
    • 1 – General Counsel
  • HHS President’s Transition Council
    • Comprised of senior career members from each OPDIV & StaffDiv
    • Met Monthly
  • Agency Transition Director’s Council (ATDC)
    • Chaired by OMB & GSA
    • Met Monthly
    • Comprised of senior career officials from each Department
  • At a higher level the HHS Deputy Secretary attended a monthly
    President’s Management Council Meeting where Transition was
    always on the agenda
LEGISLATION:

- Presidential Transition Act of 1963 – officially set up transition; GSA is the lead agency
- Presidential Transitions Effectiveness Act of 1988 – private funding can assist transitions
- Presidential Transition Act of 2000 – training and orientation during transition
- Subtitle F of the Intelligence Reform and Terrorism Prevention Act of 2004 – Intel info and clearances
- Pre-Election Presidential Transition Act of 2010 – after national conventions candidates access information/services; POTUS can use bodies (e.g. PMC) to assist transition
- Presidential Transitions Improvements Act of 2015
• Presidential Transitions Improvements Act of 2015
  – Builds upon the previous laws around Transition
  – Enacted to ensure a smooth and safe transition of power from one administration to the next
  – Contains the following mandates:
    • Establish a White House transition coordinating council and an agency Transition Directors Council
    • Designate a senior career employee for the agency and each major agency component to oversee Transition activities
    • Designate a qualified career employee to serve in an acting position if the political position becomes vacant
    • Requires that the Administration “negotiate an Memorandum Of Understanding (MOU) with the transition representative of each eligible candidate regarding the conditions of access to employees, facilities and documents of Agencies by transition staff”
RESOURCES:
    - MOU
      • Statutory Requirement-
        – Presidential Transitions Improvement Act of 2015 requires that the Administration “negotiate a memorandum of understanding with the transition representatives of each eligible candidate regarding the conditions of access to employees, facilities and documents of agencies by transition staff”
      • Timing-
        – Negotiated by November 1 with both transition teams to the extent practicable
        – Signed with the President-Elect Transition Team (PETT) after the election
        – **Final** was signed on 11/10/17 by Vice President-Elect Pence who was also serving as the Chair of the President-Elects Transition Team
      • Content-
        – Describes ethics and public disclosure requirements to be met by the PETT members
        – Establishes process by which (1) PETT provides agency review team (ART) member names to the Administration and (2) Administration provides agency POC to PETT
        – Delineates mechanism by which non-public information may be shared with the PETT members should the need arise
RESOURCES (cont.):

- **Partnership for Public Service**
  - Major player in bringing the federal career officials together in a series of Transition Roundtable discussions where:
    - We shared ideas and best practices
    - Talked about issues we were facing and how others were dealing with similar issues
    - Heard from other Presidential Transition Teams (Obama and Romney) and what worked well for them and what were some of the issues they faced
Materials

- The single largest lift during Transition was the development and the production of the briefing materials
- By statute the needed to be available by November 1st, even though the election wasn’t until November 8th
- Within HHS each OPDIV and StaffDiv prepared briefing materials
- Briefing materials consisted of two separate volumes:
  - Landing Team Book – more high level information
  - Owner’s Manual Book – more detailed information
- All were reviewed centrally to ensure consistency of tone, numbers were accurate, and that no pre-decisional or non-public information was contained in the books as we fully anticipated these books would be requested through FOIA requests.

*Not only did we need to provide the information referenced above…but we felt compelled to provide support for our out going leadership teams. As such we put together our;*

In it we provided information on the following:

- Separation Check List
- Streamlined Departure Days
- Letter of Resignation
- Benefits
- Ethics
- Personnel Security
- Information Security
- Records Management

This document was recognized by OMB at the President’s Management Council (PMC) as a best practice and shared with all of the PMC members.
Engagement with the New Incoming Team

- Even though the election was Nov. 8\textsuperscript{th} our Landing Team/Agency Review Team (ART) didn’t arrive until Nov. 20\textsuperscript{th}...Thanksgiving week.
- It’s important to remember that at this time the ART members are not Federal employees so we needed to be careful with the information we shared with them.
- ART members did fill out and sign conflict of interest and non-disclosure forms to allow for the possibility of sharing non-public and/or pre-decisional materials.
- We had 15 ART members who joined HHS.
- During the days leading up to the inauguration we coordinated a multitude of meetings between the ART members and the HHS career staff.
- As we approached the inauguration the ART morphed into the Beachhead Team. These Beachhead Team members became the initial group to be on-boarded as federal employees beginning Jan. 20\textsuperscript{th} at 12:01 pm.
- These Beachhead Team members were brought on into temporary appointments until such time as their permanent positions were determined and then they were converted to those positions.
Communications

• As with any undertaking of this magnitude...COMMUNICATIONS is paramount.
• Having said that it was also the trickiest issue we encountered.
• Knowing who you can say what to wasn’t always clear.
  – Whether you were talking to the current HHS leadership, the ART, our HHS Presidential Transition Council or our employees...everyone was clamoring for information.
• We were also getting bombarded with FOIA requests, media requests and requests from the public.
• I would say communications was probably the 2nd most difficult issue we dealt with.
• With the governance structure we set up in HHS, including having General Counsel on our main transition team, we were able to stay away from any major communication blunders.
• As with any communications you can never satisfy everyone...but through feedback we received most people were appreciative of the amount of communications they did receive
On the previous slide I said communications was the 2\textsuperscript{nd} most difficult issue we faced...the first was trying to serve two masters at the same time. We still owed allegiance to our current political leaders...but we also needed to show the newly elected leadership we were here to help them move their agenda forward.

We had a great concern that the Landing Team/ART/Beachhead Team members would take on the same demeanor as candidate/ President Elect Trump. The good news was they didn’t, they came in very respectful, professional, understanding and appreciative for all that was being done for them.

Logistics;
- Office facilities
- Parking
- Badging
- Equipment

Trying to anticipate their needs, wants and their questions.
Final Thoughts...

- The peaceful transfer of power has been the hallmark of American democracy for more than 200 years!
- Transition is a massive CHANGE MANAGEMENT EXERCISE!
- It’s all about relation building and public relations.
- It was a great experience to be part of such a major undertaking and if ever giving the opportunity I would highly recommend taking advantage of it.

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- THANK YOU for the opportunity to talk to you this morning about my HHS Transition Experience!
The Transition Process & Timeline

The Presidential election and transition period is made up of several key stages and inflection points throughout.

- **...2015**: Primary Season Begins
- **February ‘16**: Campaigns build momentum; Key themes emerge
- **July ‘16**: Campaigns strive for differentiation; Recess begins to tighten up
- **November ‘16**: Candidates secure party nominations; Transiton teams are created; Agency review teams plan their approach
- **January ‘17**: Agency reviews conducted; Budgets & priorities defined; Appointees identified and vetted
- **May ‘17**: New leaders step into their roles; Open season for confirming appointees begins; Major campaign proposals transform into legislative and executive action

**Key Activities**
- Campaigns build momentum
- Campaigns strive for differentiation
- Candidates secure party nominations
- Transition teams are created
- Agency review teams plan their approach
- New leaders step into their roles
- Open season for confirming appointees begins
- Major campaign proposals transform into legislative and executive action

**Considerations**
- Relationships are key, experts and those with experience will be core advisors
- New leaders often have no government background will be overwhelmed
- Closely engaging with current / acting leaders will be key

**Setting the Stage**

United States Department of Health & Human Services

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Career Civil Servant Journey

The career civil servant faces many uncertainties on the future of his/her agency through the presidential transition process.

Define Transition Strategy
- Pre-Convention Feb-July 2016
- Need to start preparing for the transition
- There are a lot of different potential options

Prepare
- Pre-Election July-Nov 2016
- There are a lot of different potential options

Agency Review
- Transition Nov-Jan 2017
- Waiting for direction from leadership
- Starting to understand the different scenarios for my agency

Planning
- Governing Feb 2017
- Nominee is confirmed
- Find out who the nominee is

First 100 Days and Beyond
- Realize appointee's term is ending and the process will begin again soon

During this part of the journey, consider employee engagement strategy to improve the transition experience.
New Appointee Journey

The new appointee faces a high degree of ambiguity during the vetting process and often must become acquainted with their organizations in a short timeframe.

[Diagram showing phases of the transition process, with milestones such as Pre-Convention Feb – July 2016, Pre-Election July – Nov 2016, Transition Nov-Jan 2017, and Governing Feb 2017.]

Source: interviews with experienced transition stakeholders.