FIRST YEAR: POTUS 2017

COPYEDITED TRANSCRIPT

LEGISLATIVE AFFAIRS ROUNDTABLE

August 2, 2016
Washington, D.C.

Participants

Former Directors of the White House Office of Legislative Affairs
Fred McClure (George H. W. Bush)
Pat Griffin (Clinton)
Dan Meyer (George W. Bush)
Phil Schiliro (Obama)

Miller Center
Bill Antholis
Jeff Chidester
Tony Lucadamo

Brookings Institution
Molly Reynolds

Audiotape: Miller Center
Transcription: The Audio Transcription Center, Boston, MA
Transcript copyeditor: Gail Hyder Wiley

FIRST YEAR: POTUS 2017

COPYEDITED TRANSCRIPT

LEGISLATIVE AFFAIRS ROUNDTABLE

August 2, 2016

Jeff Chidester: Let's start with the transition, and that can mean your own transitions into the position and then looking ahead to the 2016–17 transition. I'd love to get everyone's thoughts on how you came into the office and what were the expectations.

Phil, let me start off with you. I found it interesting that you were selected, on November 5th, to run the Congressional Affairs shop during the transition, and then it was just ten days later that it was announced that you were going to be the head of Legislative Affairs come January 20th. You were already briefing congressional members and staffs about the stimulus plan in December. Talk about the process of getting in that position that early, and the head start that you think it might have given you to hit the ground running come January 20th.

Phil Schiliro: Well, I even had a little more of a head start than that, because in July of '08, I opened up the campaign's [Washington] D.C. office. I did that until November and it had two parts. July and August were more focused on the convention, but September and October became much more policy focused, especially September. Dan was in the White House trying to get TARP [Troubled Asset Relief Program] passed, and the President, at that time Senator Obama, made the decision, based on the advice he was getting from his economic team, that it was essential to get it passed.

So we set up our own lobbying operation for the second TARP vote and it was really functioning as a miniature Legislative Affairs office: going to the caucuses with the members and working with the President on call sheets to Members. It was an interesting dynamic,

because—I'm talking about it here, but it's never been written about, that he did that—it wasn't in his political interest to do that during the campaign, but he felt it was substantively important, so he did it.

Chidester: Was this because of the times that we were in? I would love to hear more about this from you [Dan], and Phil.

Schiliro: The stock market was imploding.

Dan Meyer: So, there are two different parts to this. The second part, though, was the Friday before the inauguration, so that was—

Schiliro: No. I'm talking about the first tranche of TARP. The first vote failed.

Meyer: But that vote was five days later.

Schiliro: Right. So the first vote and then we had the second vote. On the first one, the President wasn't engaged; the second one—

Bill Antholis: This is still during the campaign?

Schiliro: This is September. We had two different tranches of TARP: the first 350 [billion] and the second 350. The second 350 came about a week before the inauguration.

Meyer: The vote, I think, was the Friday before the inauguration.

Schiliro: And this one I'm talking about, during the campaign itself, was mid-September or so.

Meyer: October 3rd was when it passed.

Schiliro: So that's when it was.

Meyer: The first one failed the previous Monday; it passed the House on Friday.

Schiliro: I remember it.

Meyer: It's *seared* in my mind. That was just about the whole tick-tock for that week.

Chidester: Something like this obviously came out of a crisis period, but is there value to us that even in a time not of crisis, that this might help the onramp for the next administration?

Schiliro: It's really challenging to get involved in substantive legislation while in a campaign. Leading up to the first vote, I spent a lot of time in the House caucus and did my own count on the Democratic side—the votes didn't seem to be there. After it failed, it was clear we were in an emergency situation, so then Senator Obama became involved. He was calling House Members and we did our work while Dan and President Bush were trying to get the votes on their side. Anyway, sorry for that digression for a second.

Chidester: No, no, there are no digressions here.

Schiliro: Then from November to January, in the actual transition, I became head of Legislative Affairs for the Obama-Biden transition, and then shortly after, for the White House. But it was a very busy time, because the economic situation was so dire. As soon as the transition started, we began working on a stimulus bill. Then Dan and I worked together on the second TARP vote.

Meyer: Yes, we made a connection relatively early after the election, as I recall. I don't remember how long.

Schiliro: In terms of the functionality of coming in, Dan was great, because just integrating our teams, letting us know what we were in for, was terrific.

Meyer: I can remember you coming in with Pat, because Pat and I had a long relationship. I didn't know Phil back from the Clinton-Gingrich days. You guys came in and we met, and then we—My perspective is that transition, I haven't been through any others, so other people here might have—

That was a particularly unique transition, it seemed to me, in the sense that we did have this crisis, that we had just gone through this period in late September, early October, where

there were projections that the economic system of the world was going to collapse. It really focused people's attention, but it wasn't done by the time of the election. We passed TARP on October 3rd, it was signed into law October 3rd, but there were still problems yet. It did bifurcate the votes. You had the second vote coming up in January, you had the auto bailout issue, where the economic teams met. I don't know if that's ever gotten much publicity. We talked that through. So there was—It was so fragile.

Plus, from President Bush's perspective, he wanted the transition to work well. That was a priority for him, whether it was going to be Obama, [John] McCain, or whomever, especially if it was going to be Obama, I think. There was an assumption it would have worked OK if it was McCain. Josh Bolten was the chief in charge of the transition, and that sent a signal to everybody: *OK, we are going to cooperate, we're going to make this work*. So it was a high priority, but I suspect that we spent more time in conversation and working together than in an average transition.

Schiliro: And I really would break it down into two parts. There's the functionality part, where Dan was very generous personally and with his team. After Dan and I met with Pat Griffin, Dan brought in his person running the Senate and House teams and we talked about different issues and the operations of the office. That was great. And then there's the substantive part. During Thanksgiving weekend 2008, we had a meeting at the Treasury Department, with Larry Summers, me, and other members of our team.

Meyer: Surreal.

Schiliro: It was about five or six people.

Meyer: Yes. On our side it was Hank [Paulson], Keith Hennessey, and myself, and I can't remember who else was there.

Schiliro: I can't remember if Tim Geithner was there or not, but because the auto industry was on the brink of going down, it was an emergency meeting. I think that's atypical. [*rapping table to knock wood*] I *hope* that's atypical.

Chidester: But I guess what I'm wondering is did you stumble on a model that's worth doing if you're the next—Say you're the outgoing person; you're in Dan's old position. And then you're in Phil's old position, coming into an administration. Is this something that you should try and build from? By all accounts, it was a very successful transition between the two teams.

Fred McClure: As an outsider who was not a part of that, I would argue this way. I think there are several models of the transition. I think this one worked for Dan and for Phil because, number one, the principals were anxious to do something, but more importantly, we had a crisis going on in the country that demanded some attention. And as you know, President Bush had already bitten the big bullet, it was not of his political desire. And then President Obama was inheriting this. That made for a circumstance where having that kind of cooperation, particularly since Bush I [George H. W. Bush]—It happened, it worked.

It is different from a situation like mine, for example, where I had a guy who's the sitting Vice President, who's just going to change offices, and there's not a crisis that's going on and we're not changing political parties, and we have people who've been working together for the last eight years, who are now going to still be working together, which makes it then a little bit different from the one that we had, with President Clinton.

Pat Griffin: Yes, I wasn't there.

McClure: I know you weren't there, but what—

Griffin: But when the new President has defeated the sitting President, the atmosphere is a little different.

Chidester: Fred, then I think your experience could end up being the most appropriate when you think about it. Eight years of a President and you might have a succession of a President from the same party.

McClure: It would be easier if it is Secretary Clinton. It will not be easy if it's Donald Trump, and that's taking aside the personalities. It's the political party thing more than anything else. Even though there may be differences in philosophy with what Secretary Clinton would like to do as President and what President Obama did, it doesn't really make any difference. It's really a continuation of the same people. There will be people who will come back to work in her administration that worked with President Clinton, who worked with President Obama early on.

Griffin: Who have an investment in making it work.

McClure: Who have an investment in making it happen, yes.

Chidester: So you have eight years of an administration that the incoming President was either part of, for some or all the time, and certainly agreed with. What's your charge then, coming in, for the new administration, year nine of a twelve-year run? If that happens in 2017, let's say it's a President [Hillary] Clinton, what advice do you have for that person taking on that job?

McClure: Well, it depends upon the tone that is set by the person who is occupying the Oval Office, and what sort of tone she sets if she follows President Obama. She will probably take on a position of trying to differentiate herself, in some measure, from President Obama, much like President Bush did following Ronald Reagan. We did some things to try to *not* be Ronald Reagan, in terms of—I mean, we had Members up in the personal residence, the private residence at the White House, that had never been invited to the White House, less-known members of Congress upstairs, milling about in the private quarters, which was something that Bush wanted us to do. It happened immediately after he started the administration, which was

not something that would have happened during President Reagan's tenure, for whatever the reason might be.

There will be what tone she wants to set to be different from President Obama, to carve out her own niche, and then what policy things she decides she wants to toss up in the first year, and what she has to get done or try to get done during her honeymoon. One of the big things is going to be dealing with the Supreme Court, because I do not believe that Judge [Merrick B.] Garland will be confirmed by then. That will be a huge sign on her part. And a lot of this, of course, has to do with what the congressional makeup looks like come the day after the election.

Tony Lucadamo: A lot of the literature on the transitions talks about the competing factions that want to be personnel in the new administration. Did you feel it was really important to have part of, or a large group of, the transition team in the new administration right away, just to keep things running as smoothly as possible?

Schiliro: It's probably helpful. I'm trying to think how many people went from the transition over to the White House, at least to the West Wing. I don't think it was a lot, but some of the pivotal people, like Rob Nabors or Jason Furman, certainly did. Rob was with me on the OLA [Office of Legislative Affairs] transition. It was very important in developing the stimulus package. So yes, there's an advantage to that, but it probably wouldn't be a lot of people. Again, for us it was dictated more by economic crisis than anything else, so it had to start functioning as a White House before we had the infrastructure of the White House.

Meyer: I wanted to go back to something that Fred said though, because the key component to a successful transition—I'd like to think what we did was a model, but I really do believe the key component is, as Fred said, the perspective of the person who is occupying the Oval Office. Most of us around this table probably expect Secretary Clinton to be the next President, but if lightning

should strike and Trump actually wins, that's the much harder thing, to ask President Obama to preside over a successful transition. He should do it, based on their model, but it's—

McClure: It's because of the institution.

Schiliro: And I want to underscore that point, because as the incoming person, it really is a terrific model. Dan, in addition to being generous with personal time and his team, also gave us a handbook that was very, very useful as we're first trying to figure out how to do some aspects of the office. Having a blueprint that the previous people have done made it much easier as we did things.

Meyer: And every presidential campaign nominee now has a transition team that's similar to what Phil presided over. So whether it's the Clinton team or the Trump team, they have people whose purpose in life is to figure out this stuff. Once that election takes place, a group of people can dive in on Day One or Two after the election, and at least begin some institutional transfer of information.

Griffin: There's also a measure of the attitude of the people who are taking over. It's not only about reaching out to the other side; it's about whether they are smart enough to tap the historical experience on their own side. Now, Phil was brilliant to allow me to come in, [*laughter*] but as a general matter, I thought the Obama administration was *not* very inviting about tapping the experience of the Clinton administration. In fact, I was told on repeated occasions that they had to distance themselves. I think that was a loss to them in the transition in some ways, and in some of the governing strategy. So I think it's something in the family, as well as the relationship to the other party.

Schiliro: Let me try to explain Pat's point for your transcript. Pat worked on the transition with me, as part of the OLA team. We had about twenty people working on the Legislative Affairs

transition, from November until the inauguration. Pat was great because of his institutional knowledge and experience, not just for me but for other people who might be coming into the White House. And then if we're looking prospectively, the combination of Pat's knowledge and then Dan's generosity and getting me on training wheels was a terrific combination.

Griffin: Thank you for that. It was an incredible opportunity, to be able to find some way to be helpful, but I don't think that was the general practice in that administration, and I have no confidence that that's going to be the practice of this administration. You're getting a generation or a generation and a half away, and you get this attitude of we did this, the world has changed. It's smart to reach out for everything you can, both on the other side and inside, but there's no guarantee.

McClure: Let me add this. The transition between President Clinton and President [George W.] Bush—Nick [Calio] is not here to talk about it, but I can shed a little bit of light on that. Remember the transition for the forty-third President was led by the Vice President-elect. When [Richard B.] Cheney became the head of the transition, it took on a whole different tone in terms of what the transition operation looked like. One of the guys who had worked for me in Leg Affairs, Brian Waidmann, was responsible for nominees, for example. Bush doesn't become President until what, the twentieth, or whatever, of December, so it's kind of late as compared to what we all enjoyed otherwise.

I'm just taking the Legislative Affairs side of this, and the confirming cabinet members piece. Brian reached out to those of us who had been in Leg Affairs previously in the Senate, and assigned us cabinet members to handle. I volunteered and came up and did [John] Ashcroft, for example. Nick was in the operation, doing—Who was the first Treasury Secretary? Nick had him.

Chidester: [Paul H.] O'Neill?

McClure: Under [Bush] 43.

Schiliro: Paul O'Neill.

McClure: It was O'Neill, Paul, that's right. OK, so a lot of us volunteered to do this who had been in previous Legislative Affairs shops in Republican administrations.

Meyer: Didn't Gary Andres do one of those?

McClure: Gary did one, and what happened was that Nick then ultimately was asked to be the Legislative Affairs head in that process, and he dropped out of the handling nominees.

Griffin: But it's not a certainty, it's not a certainty.

McClure: But that worked really well when you had to do something quickly, because those of us who came back to volunteer had been through the wars before, and it was like *OK, fine, I got the job, and mine was the longest one.* [*laughter*]

Chidester: You were battle tested.

McClure: Very much, yes.

Chidester: So, how much of the culture is set by the President, and not just in the transition itself, but when you're thinking, *How am I going to engage Congress in the first year?* Pat, let me turn to you, because you worked for—I know you came in eleven months into the first year, but you worked for a President who clearly enjoys engaging with people and was very active. How much does the President set the tone? Phil, with President Obama, for instance, the reports are that he doesn't enjoy engaging with members of Congress quite as much. How much leadership and guidance on how you all do your jobs as you come into office is set from the top?

Griffin: Well, the tone is always set from the top, but as a general matter, in the direction the administration wants to take, and whether it's engagement or not, and what the inner workings of

that strategy are, a lot depends on how the internal structures are organized, where the Congressional Affairs person is in the hierarchy of senior advisers. Like with Phil, there couldn't have been any higher input. I don't think that was true of how the rest of the administration was run, but he was an exception. In our case, Howard [Paster] was a very important player, but the organization that was set up by the Chief of Staff did not allow for direct involvement or important involvement as when it was when Leon [Panetta] came in. So it's about the President, but there's a lot inside that can make it work better or worse.

The campaign also has a major influence on how that administration starts out, and usually that first year is a honeymoon, but it's where you get all your scrapes and bruises and you begin to adjust and see whether or not that's the play you want for the second year or the third year, depending on what you're up to. So there are a lot of things that are shaping.

There's the general tone set by the President, but how that's operationalized has a lot of dimensions to it and I don't think it's static. It evolves, depending on how it's received, the pushback. This whole question of where Hillary goes if she's elected, who's going to shape that overall strategy, whether it's engagement, you could say sure, it's going to be engagement, but is it going to be engagement with Democrats or is it going to be engagement with Republicans? There's a case to be made that she should ignore the Democrats in some fundamental way to change the narrative, so you guys can't continue to call it an extension of Obama. Triangulate out of the box and have some conversation, and that's a different conversation and maybe one worth pursuing, but it will dictate whether you're attacking left, attacking right, or taking a short hit, whatever.

That's the general philosophy, but how it's operationalized will depend on who the Chief of Staff is, where that OLA person sits in that scheme, and whether or not they're in the first tier

or second tier of advisers or executing because your Chief of Staff thinks he or she is the head of Congress and the world.

McClure: There are those who do.

Griffin: There are those who do. [*laughter*]

Antholis: To Phil and Fred, I'm curious, since you were there for first years, were you aware of a conversation in the early months, around the time of inauguration, during the transition, right after inauguration, about those decisions being made, what Legislative Affairs would be included in, in the sequence of early-in-the morning meetings, the flow of decision making. Was that a present issue in those early days?

McClure: I can talk about mine, and let me make a broad statement about Legislative Affairs. Most of us who have had the privilege of serving in the position have spent time on Capitol Hill, doing battle with and against each other on behalf of our principals. A President is well-served by having somebody who has spent time on Capitol Hill, rather than necessarily going outside and getting some guys who haven't had that experience. That's number one.

Secondly, I had had two years already doing Legislative Affairs for President [Ronald] Reagan on our Senate team, when we did tax reform, so I had an idea of what I was getting into and I had an idea of how the White House staff worked, because I was there during the Don Regan period of time, which was different from Jim Baker's.

Meyer: I'll bet it was. Or Howard Baker's.

McClure: Or Howard Baker for that matter, that's true. So my expectation levels going in, when I took the job, were sort of set at a position. For example, we were going to do Clean Air and Americans with Disabilities and all that kind of stuff early on, which we did. One of the things that I insisted on, which fortunately, I had agreement from domestic policy head Roger Porter,

was that whoever on my legislative teams had responsibility for the substantive subject matter area actually sat in and was involved in *all* of the policy meetings internal to the White House as we were developing it. They were the guys who were going to have to go sell it to the appropriate persons on Capitol Hill. They needed to be involved in the development of the policy rolling out.

Reynolds: And was that a departure from previous practice?

McClure: That was a departure. That was not the case when I was in the White House, working for President Reagan. Now, there may have been people higher up than me, but I was a special assistant and I was having my special assistants in meetings with higher, senior-level White House staff people because I felt that they needed to be not just given marching orders. They needed to be involved substantively in the subject matter. Actually, then I had a person from both teams—one from the Senate team and one from the House team—who had the ability to sit in and be involved in those policy decisions.

My bigger issue, because we were involved in a little economic thing going on too, for that time—Getting ready for the first budget, my bigger issue was I had a very aggressive director of the Office of Management and Budget, who was dealing with a very aggressive Chief of Staff, who had not spent any time in Washington, but had been a Governor in the state of New Hampshire. And John [Sununu] and Dick [Darman] were feeding off of each other. They each had their view of—and over the years I've told them this—their own view of what they perceived Congress would or would not do. So, because I did have relationships with members of the House and Senate—which is I guess why I got the job in the first place—sometimes I had to intervene in the policymaking process by having phone calls coming from Capitol Hill, as

opposed to from elsewhere in the policy apparatus, which was very easy to orchestrate, because I knew the guys and they liked me. [He knows what I'm talking about.]

Lucadamo: Is the criteria for the whole Legislative Affairs team similar to that of the assistant or the director of the office?

McClure: What do you mean? Say that again.

Lucadamo: In terms of bringing on the team that's going to be under you in Legislative Affairs?

McClure: I hired everybody. The commitment I got from the President and from Sununu was that I would be able to hire everybody on my staff, and that if they had somebody they wanted to suggest, I had veto power. I also got that same commitment for the Assistant Secretaries in each of the departments.

Lucadamo: And did you look for the same criteria that you cited for yourself, Legislative Affairs background, potentially?

McClure: Yes, everybody. I did get some folks who had been in the private sector, like Andres, who was at Southwestern Bell, but I got guys from across the political spectrum, from Capitol Hill. I actually held on to some people who had worked for us on the last Reagan team, so I had a mixture of expertise in that regard.

Molly Reynolds: I'd love to hear others' perspectives on this issue.

McClure: The staffing?

Reynolds: Yes.

Meyer: I came in at the end—

Reynolds: Sure.

Griffin: —so I inherited this, so I would defer to others who were setting up. I had inherited Howard's staff, which he complained, in some ways, that he had to follow almost a social formula.

McClure: To create?

Griffin: Yes, and it showed. There was a lot of pressure about being politically correct in setting up the team. So it looked great, but it wasn't the strongest team, and I had complete latitude to hire whomever I wanted to replace, and I moved some people out, and I also got the same authority as Fred, in that I could, for any Assistant Secretary job that wasn't filled or that would become vacant, that I could be involved, and I was. It wasn't a heavy-handed involvement, but you certainly wanted to shape.

McClure: Let me do one before you go, this might jog you, this might help you. One of my first battles that I had at the White House was kind of twofold, but it involved the same person. It was a person who was the chairman of the Republican National Committee, my good friend, the late, departed, Lee Atwater. Lee had decided that he needed to have his people on my Legislative Affairs team, which I promptly was able to stop. Secondly, he insisted that he be invited to come to congressional meetings in the Cabinet Room, when we would have bipartisan ones, less known the partisan ones that we had, the meetings at the White House, and I had to stop that too.

Meyer: The chairman of the RNC wanted to come to your bipartisan meetings?

McClure: The chairman of the RNC wanted to come.

Meyer: That's highly irregular. [*laughter*]

McClure: I know. I know! I was thinking, *No, Lee, you can't do that!* But those were the early days of 1989 when we got started, and those two factors, because I felt I didn't need a spy for the RNC in my Legislative Affairs shop, and I found people that I knew, who were loyal to me.

Chidester: Phil?

Schiliro: Based on the strong advice from previous heads of Legislative Affairs, including Howard Paster, I was allowed to select everyone on the Legislative Affairs team, and the head of legislative affairs at the different departments would be by mutual agreement with each Secretary. That made coordination during the first two years much more effective.

Chidester: The people working with Congress, you mean?

Schiliro: Who worked with Congress, yes, and I thought that was great. It was great advice and made all the difference in the world. We had one limitation—we couldn't bring on registered lobbyists—but that ended up working out OK, because I was able to pick the best people from the Hill. So the people who came on were talented chiefs of staff, staff directors, or senior staff.

In Legislative Affairs, there is a Director of Legislative Affairs, then three chief deputies. My Senate deputy, Shawn Maher, had been the staff director of the Senate Banking Committee, which was going to be key, because we had to do Wall Street reform. So, Shawn was somebody who was substantively terrific, but also was great legislatively.

Meyer: He had been central in the TARP issue.

Schiliro: Dan Turton had been the staff director of the House Rules Committee, and in that position you have to know something about every piece of legislation moving to the floor. Dan knew all the chairs, all the staff directors, and most of the senior staff. So Dan was perfect for the House deputy. And Lisa Konwinski became the in-house deputy, the person who attends countless White House meetings and needs to know both the House and Senate. Lisa had been a senior staff person on the Senate Budget Committee and was the Committee's expert on reconciliation. So, being able to have the freedom to make those decisions without another criterion layered onto it was really important.

Going back to a couple of other issues briefly. You [Dan] said something before about the President, that he doesn't like doing things with Congress, and that wasn't my experience. His message to me when we started was he wanted constant cooperation and communication with Congress. He was hampered a little bit, in that as soon as he got to D.C., on January 3rd, I think, he had to start doing meetings on the Hill on substance, because we were doing the stimulus. He wasn't able to do a ramp-up, where a President might just be able to do social events.

Dan mentioned earlier about the TARP vote. The President went up to the Senate Democratic Caucus the week before he was inaugurated to ask for votes on TARP. It's not the ideal situation for a President to be in. Notwithstanding that, after that, he did *constant* outreach to Congress: one-on-one meetings. Pat has heard me talk about this, because it's frustrating that the perception is so different than the reality. The first four months, we had cocktail parties every Tuesday or Wednesday at the White House, until every Senator and House member who was willing to come had participated. The President and the First Lady usually met with thirty folks at a time, the President also had private lunches, small-group meetings, and phone calls.

One thing that I found out that might be useful in the future is, the feedback I was getting that first year, from both Democrats and Republicans, was they had never seen anything like this, the outreach. I'm not saying this to be mean to Dan, but the comments we were getting was that the outreach they were getting from the White House was so different than anything they had experienced before. The thing I found, by mid-2010, was they thought the outreach they were getting was terrible and the previous administration had done a much better job. [*laughter*]

Meyer: If I can just mention, that's what we heard all the time, and I'm just making the point,

again not to be mean to Phil, sometimes people tell you what they think you want to hear, so you had the best and we had the best.

McClure: We had ours.

Meyer: Exactly.

Griffin: I'm going to throw a little twist on it. We had a very aggressive outreach in a lot of directions, and it got to a point where, when we'd use the tactic that Phil did, where you came in, you brought in twenty or thirty to have an afternoon reception, sun setting up in the residence—you know, a perfect setting, and I could tell they weren't working. You're fighting for a piece of the President's time, you're trying to get two or three hours over the next four weeks, three weeks, for this purpose, so I just shut them down. It wasn't the kind of reception—so when I left, Bruce Lindsey called—John Hilley, who replaced me, really wasn't into outreach much at all. Bruce Lindsey calls and he says, "Pat, tell me how we should structure this out. I want to get that time back on and do these receptions." I said, "Bruce, it will kill you, don't do it, you'll lose ground," because that wasn't—that interaction was one that the members, after the few glasses of wine and some shrimp, really resented, because it became a dynamic where they felt like they were brought in for some lecture. It didn't work, so we had to find other ways to recast that, and when you're fighting for limited time with the President, it's a challenging, challenging business, to do outreach by ones or twos.

Schiliro: And that was a common complaint, especially the first year and a half, was that the President—It's too much of his time. And it was true a disproportionate amount of his time was with Congress. There was one cleanup point I wanted to make, because you were asking about the message the President sends. At least in our case, the President was very clear about his approach to Congress. He wanted it bipartisan, he wanted a lot of cooperation, he wanted a lot of

communication. There are other people in the White House who may have had different views about Congress and wanted more distance, and some of that message gets to Congress almost more than the President's message does.

Griffin: But if I can—I made the point, the campaign has an inordinate impact on that particular issue in that first year. When I got there, it was clear, the campaign folks from the '92 election still had their fingers in how we were going to deal with the Congress, and those were some of the folks who were on the campaign that came in, and those that were outside, still advising the President. Often, as Phil says, it is not, "We don't need them, we didn't need them to win, you don't need them to be the guy you can be," and it is really problematic unless there is a structure or a process that allows you to process that in some real time, rather than be drawn to that, because those guys have so much influence.

Meyer: Just to make an observation. Again, I came in at the end of an administration, but I was a chief of staff for the Speaker, working with the Clinton administration—Being a student of all this, the dynamic of the congressional makeup makes a big difference. What you [McClure] had to deal with, following the '88 election, coming in with a Democratic Congress was much different.

In one of these articles that you sent me, some article for the Hill, and I thought, unusual for me in most articles, *I actually made a salient point in this one*, [*laughter*] which was, Phil's experience would be much different. His priority, considering that they had a Democratic majority in the House, and I think at the time, sixty votes in the Senate?

Schiliro: Fifty-nine when we came in. We got sixty in June.

Meyer: OK.

Schiliro: Lost it in January. Had that one window. [*laughter*]

Meyer: His priority had to be to stitch together—basically become part of the Democratic leadership, assuming that his priority was to get a legislative agenda done; much different than what my experience was at the end of the [George W.] Bush White House, with a Democratic majority, where yes I had to be concerned about the Republican leadership, but I wouldn't get a darn thing done if I didn't have some bipartisanship. And I'm not saying he ignored Republicans, I'm not saying that at all. His priority to serve his boss in those circumstances had to be the Democratic leadership. The circumstances of the moment dictate some of this as well.

McClure: My numbers were such that I had to make sure I could have veto sustainability. So if I'm fighting for the Hyde amendment, or fighting for some of those in appropriations bills, I had to make sure I had enough people that we could show, in a test vote, that we could sustain a veto. Then we'd go back into negotiations and then we'd come out with something that we could ultimately sign.

Griffin: And you guys were brilliant, you lost one veto override.

McClure: And that was after I left, and it was Calio, where is he? [*laughter*] I had twenty-three consecutive sustained vetoes, and Calio came in and lost it.

Meyer: I was running the Whip Office then. One of those votes was literally 146 votes, which is the minimum you can get to sustain a veto. I can't remember if that was—it was fetal tissue, or Title X or something.

Schiliro: It was fetal tissue.

Griffin: The thing that Fred brings to my mind again is, it is the strategic framework that the new President, second-year, third-year, fourth-year President, that he or she is creating a frame within to operate. And if it's about leaning in, the Leg Affairs operation has to deal with that, and depending on who they're dealing with on the Hill. If it's about pulling back, then your

Legislative Affairs shop has to adjust to that. So I think the new President—What lessons, God knows, that Hillary is going to take out of this campaign, or a Trump, will decide what the overall strategic framework is and will have a major impact on how that Leg Affairs shop may be set up, and certainly how it operates.

Chidester: Could we take just a couple more minutes on this, because we're jumping around a little bit, but this is an important theme, because you all governed in really interesting and different times, and there are a lot of things that could happen in January. We've looked at four different scenarios, for instance, that could be, or are actually possible in some way, and you've all experienced sort of all four of them. Phil, you talked about when [Arlen] Specter moved to become the sixtieth vote in the summer of '09. Pat, you had the '94 midterms, that obviously changed things quite a bit from a strategic point of view. Fred, you were dealing with a Democratic Congress in both houses. Can you give a flavor of how the makeup of Congress during your time affected your own strategy, especially when big shocks to that makeup happened during your time, and then what advice that might give to the next person coming in?

McClure: Well, let me back up and go back, and then I want to make a side comment about the cabinet, so don't let me forget. What we experienced during tax reform when I was in the Reagan White House was a different dynamic than what I had in the Bush White House. For example, starting in 1981, with the Congress, the Republicans controlled the Senate and Democrats controlled the House, but there was this big mass of Southern Democrats who could flip both ways, and so for us to be able to get tax reform done, we had to figure out a way to get something through the Senate in a bipartisan fashion, where we could flip some Democrats from the—What's the name of the caucus?

Chidester: Boll weevils?

McClure: From the boll weevils. And we had a big-enough group in those, because we were going to lose ten Republicans in the Senate no matter what, because we had the [John] Chafees and the [James] Jeffords and all those guys, from up in the Northeast. So you had to play this count game that started with—sixty wasn't the objective then, the objective was how to get to fifty-one, so that changed the dynamic of how we operated when I moved in and came over to the Bush team.

The other thing that affected our Legislative Affairs operation was the makeup of the cabinet. We all had different experiences, but most of our guys and gals in the cabinet had been around Washington for quite some time, so this wasn't a new deal for them, and each of them had their constituencies, whether it was a [Elizabeth] Dole or a [Jack] Kemp or a [James] Baker or whoever we had, and then Cheney once the [John] Tower nomination fell apart. So as opposed to, which was a different situation, when the forty-third President came in, where a lot of the guys and gals in his cabinet were not of this world, I don't know whether that affected you guys in terms of how your Leg Affairs operation went, but mine, it's kind of like what I was mentioning about Darman and Sununu earlier. I had the same thing with all these cabinet members who all had their independent relationships, and a President who had been a member of Congress and was still hanging around. So that affected the strategies that we employed, dependent upon what the legislation was that we were trying to pass.

Chidester: Insiders, as you said—Is that good, people who have been in there? "Insiders" might not be the best word, but people who have experience on the Hill?

McClure: I agree with Phil, from my personal staff standpoint, very valuable.

Schiliro: Because the relationships are so fresh. It is really, really helpful. Somebody said at the very beginning, it's hard to translate this into something that's useful advice for the next people,

because situations are so different. So going to your question about looking ahead, when we first got everybody together who looked like they might be going to the White House, off the campaign, this was probably mid-November—it was our first big meeting and Rahm [Emanuel]—who was terrific for me to work with—wanted me to talk about what was coming up.

The first thing I tried to do was remind everyone about the congressional calendar. The agenda and the calendar are like an Olympic event: There are the compulsories, the bills that have to be done, and then there are other items Congress and the President might want to do. So we had our compulsories, but we didn't want that to be the entire agenda.

In the first year of the Clinton administration, they passed a $16 billion stimulus that took until July or August to get done. We couldn't do that; we couldn't spend that much time. So in that meeting, I laid out the compulsories. The first thing the President was going to have to do, whether he wanted to or not, was TARP, and that was going to be $350 billion. We hoped it was going to happen before he came in, but if it didn't, he was going to have to do it.

Meyer: It ended up he had to do it even before he came in. [*laughter*]

Schiliro: Second was the stimulus. In October, people were stunned that it might need to be $300 billion. By November, it needed to be $600 billion. And by the time we got to December—and this wasn't because people were adding on, this was just the economic team saying what you have to do—it was one trillion. My assessment was we could get close to a trillion, but not a trillion.

In addition to that, none of the appropriations bills had been done for the previous year, so in March, we had to do the CR [continuing resolution] for $1 trillion. In April, because of the calendar deadline, we worked with Congress to pass the budget. That's another $1 trillion. And

in May we had to do the war supplemental, which was about $100 billion. So as we're sitting there in November looking ahead, and everybody has grand visions of what they want to do, the calendar is sobering. The big items for the first five months weren't discretionary…they had to be done. And when we added up all those numbers, the cost is close to $4 trillion. That's what we had to ask members to vote on right from the get-go.

At the same time, the President didn't want to be limited to just that mandatory agenda. He wanted to pursue his other priorities—health care, climate change, and financial reform. So we had to figure out a way to make that work in that timeframe and then schedule it so we could be doing other things, like the first bills he signed—Lilly Ledbetter [Fair Pay Act] and SCHIP [State Children's Health Insurance Program], public lands legislation, and bills dealing with credit cards, housing, and tobacco. It's critical to get the calendar and the schedule right.

In addition to that, the first things he wanted to do were the outreach to Congress on key issues, so the first big meeting we had was a bipartisan summit on deficit reduction. As we were coming in, deficits were going up. So we brought in about seventy member Senators and House members, both parties, to talk about that. A couple of weeks later, we did one on health care.

The point Dan made before, I agree in part and disagree slightly in part. The part I agree with is to get a legislative agenda through, we had to work with Democratic leadership, but the President was insistent we try to get as many Republicans as we could to support. So when we were working on stimulus, Rahm felt strongly about meeting with some House Republicans in his office. About twenty-five Members came and we asked them what changes they wanted in the bill. A few of them suggested changes, which we then made, and then they voted against the bill. [*laughter*]

McClure: No.

Schiliro: On health care, Nancy-Ann DeParle probably spent as much time meeting with Republicans as she did Democrats. We kept trying to figure some way to make this so it wouldn't have to be partisan—because it wasn't in anybody's interest to do that.

Griffin: One of the things implicit in what Phil is saying, is it's not just showing a list. It's the consequences politically, not only of time but of politics, which is a finite resource of having to do all those things. So if we're doing this, it's not just the time it takes, it's the demands, it's the price for getting to 218 or getting to sixty. So it really is not linear math, it's really, I don't know, I never got beyond simple math. [*laughter*] There's a lot going on in that responsibility of the Leg Affairs person, as early as they can in the transition, to begin to educate about that dynamic, how costly it is and how complex it is and what the tradeoffs are, because that's not going to be the experience of the campaign people that are coming in, the President's old confidant, you know, necessarily. So there's a big education role.

Schiliro: And on that excellent point Pat is making, think of the list I just gave you, the list we had to do. It's TARP, it's stimulus, it's budget, it's the previous year's appropriation and it's the war supplemental. We had some very astute people in the White House, and it was obvious to them that not a single thing on the list would be a political winner.

Meyer: Good point.

Schiliro: So right from the beginning, there are questions in the White House whether we really have to take on so many difficult political battles. That dynamic is very real. But there wasn't a choice.

Griffin: And it's the most powerful in that first year.

Antholis: Say that last bit again.

Griffin: It's most powerful in that first year, where the campaign people are trying to convince—"That's how you run and now that's how you govern"—and it's completely—

Meyer: Going full circle, back to something that Fred said earlier, about having Leg Affairs people in all of these meetings. There's a whole policy apparatus that gets set up in the White House and starting at a lower level, and then it gets kicked up. There's a deputy process, where they get brought in, and there's a principals' process, a policy process with the President. There's a structure there that a lot of administrations have followed, and it's important to get in on the ground floor. What Fred was saying, or just what Pat was saying, is you're so often in these meetings and you have somebody who's never been on the Hill, ever, who is saying, "Well, let's just do X," and you're sitting there thinking, *That's going to get three votes, out of 435 in the House of Representatives.*

Then going back to what Phil said—

McClure: You have to have a reality check.

Chidester: So what's the reality vision of the first year, because I've been doing this project and I find this utterly fascinating, what you're talking about. I want to have you keep going, Pat, on the point you mentioned, which is you were painting a picture of the first year as much more complex than I think a lot of people imagine. I never even thought of the compulsory things first.

Schiliro: And I didn't mention the confirmations.

McClure: It's on the list.

Antholis: It's the next thing we have on the list.

Schiliro: Confirmations, it's your ante.

Meyer: Yes, those are mandatory.

Schiliro: You have to do them, and we had to do 900 of them.

Chidester: This is sort of a simplistic approach. It says, "OK, new administration, you have one, maybe two big things you can push," and that's what you're thinking about. But in reality, it is exponentially more complicated than that.

Meyer: Just to add one thing. I'm sorry to interrupt you.

Chidester: No, no. Go.

Meyer: If you do some of those compulsories poorly, let's say you screw up one nomination, it affects your whole agenda. You have to get the basics right. It gives you the credibility to do the other things you want to do.

Griffin: You look like you're stumbling, and then the whole story becomes *Will he be able to do anything?*

McClure: I'd forgotten about some of those early stories.

Chidester: We took care of that for you.

Schiliro: Just to feed on Dan's point for a second. I know I'm biased, but we did them right, because we got them all done, we got them exactly on schedule, because we had great cooperation with the Democratic leadership: Nancy Pelosi, Harry Reid, John Lawrence, Gary Myrick. We really worked in sync, so we were able to hit our marks for each one and get them done.

But a new President starts off with a goodwill bankroll, and in each one of these, even if they are done right, the account is drawn down. In the same way some people in the White House say, "There's no political benefit to this," people on the Hill feel the same way. Dan remembers this on the second TARP vote; people wanted no part of that TARP vote. It was politically toxic at the time. So one of the first things the new President has to do is ask people to

vote on something that they know is against their political interest, and you're appealing to them because of the good of the country. You're drawing down your account very, very quickly.

Griffin: And you might not even know it. Hillary would be an exception to that rule, maybe not with George Bush, but Senator Obama or President Clinton didn't have a clue of how Congress really worked. President Obama is here, but not really, and whatever made them successful at being a Senator and getting elected was not necessarily the formula for being successful as a President. You pay more for your successes than you would otherwise, particularly when you have so many people who have no clue of Congress trying to help you.

Schiliro: Just on that point, the same way the President has a goodwill account, as the head of Legislative Affairs, you have your own goodwill account within the White House. So when we were going to do the CR in March, for the previous years' appropriations bill, there was a compelling argument by some White House staff that the President should veto the bill, because it had some earmarks in it.

Meyer: That would have gone over well. [*laughter*]

Schiliro: So this goes to Pat's point. This became a battle within the White House, with Rahm and me on one side and other people on the other, saying to the President, "This is a great moment, you should just do it. You'll send a message. We're going to show that we brought change." And we're sitting there saying, "Well, you *could* do that. And if you did it, then you're going to go to them and say, 'Ok, now let's do health care.'"

Griffin: Yes. "Let's do climate change."

Meyer: "Help me on this confirmation, after I vetoed some project in Nevada." [*laughter*]

Griffin: The campaign guys are ready to use the stick and you, who have to go up there and, as Dan said, ask for this and then that, and then that, and then that—Everybody strings it all

together. You know, you have to play the carrot, and after a while, you look like you're a shill for the Congress. It creates a very difficult dynamic inside the Oval.

McClure: "Who are you working for?"

Griffin: "Oh, he's just protecting his own butt. He's just protecting his buddies. This is not what's in your interests, Mr. President." That conversation goes on.

Chidester: Interesting.

Schiliro: To pick up on that for a second, the same thing is happening on the Hill, because they want you to say yes to everything and you're going up there and you say no, no, no, no. And so they think you're a shill for the White House, [*laughter*] and so the longer—

McClure: "Who's your master?"

Schiliro: So the longer you're in the job, right? Which is what I concluded, two years was as much as you could do it, to be—

McClure: I did three. I can't believe I got through three.

Schiliro: But to do two, because your goodwill account, if the job is being done right, at the end of the two years—

Griffin: You're done.

Schiliro: Your account is spent in the White House.

Chidester: The bankroll is out. Does the bankroll always go down?

Meyer: Yes.

McClure: There are no deposits.

Meyer: The dynamic you're talking about, the suggestion of vetoing the CR—I wasn't there, but earlier in the Bush 43 administration too, with the growth of the earmarks, it became more controversial and more controversial, and I know they were getting advice that they needed to

veto some of this. But [Dennis] Hastert's—and this was with a Republican Congress—Hastert's primary objective, one of the primary objectives of his speakership, was not to have anything vetoed that they passed. So there was that at least, some inside the White House—The President didn't veto anything until the last two years.

Griffin: Well, you just tipped me to another point. Your strategy has something to do with what the strategy is of your opposition. Hearing Dan say that Hastert's strategy was to make sure nothing vetoed that they passed, that creates opportunities as well as obstacles. But then you listen to a [Mitch] McConnell, who says, "My goal for the next three or four years is to make sure nothing passes," that influences how everything is done, maybe not on a specific day, but it sets the tone and the strategic framework on which you're going to operate.

McClure: Or, like in my situation, where you have twenty-three vetoes that you issued—some on some exciting issues like civil rights bills—But you have twenty-three vetoes that have been issued, so to protect our Republicans, although both in the minority on both sides, we'd go back and forth between which house we'd use to do the veto test on. So, deciding who would walk the plank, so that our guys wouldn't have to do it ten times, because we started in the House, we'd move it back and forth between the two bodies, to give them a little break.

Griffin: Can I jump back to a point that you were saying? You were making some statements about if you have supermajorities, your strategy is likely to be shove it all through, as much as you can, because you're going to lose those majorities at probably the midterm, anyway. If you have working majorities but not supermajorities, how that might affect you, or and then as the sequence goes down, to having control of one house and not the other, or no houses. As these guys that are coming in now to guide Mrs. Clinton or Trump, I'm not sure conventional wisdom is going to necessarily dictate what the strategies are.

If there are supermajorities, I would back off on that, and I would say either President is going to try to run the table, but as President Clinton did. I think the triangulation piece that he did when Dan and I were working together, where going up to the triangulation, we thought we beat the Republicans on message and on the budget, and using congressional Democrats as the hammer. We were in sync. And then President Clinton, afterwards decided, along with Dan's boss and [Trent] Lott, that it would be better if we worked together. It wasn't that we were forced to work together, because we could have continued the strategy of working with Democrats and maybe won the election anyway, and probably would have protected a few Democrats had we—

Meyer: You're talking about '96?

Griffin: Ninety-six. But Clinton made a calculated decision to go against conventional wisdom, and work with Republicans. Now, he couldn't have done it if they weren't ready to do that and saw it in their interest.

Meyer: But it was in their interest, because you had successfully beaten the Republican leadership.

Griffin: But the Democratic leadership, and the guys in our job, they couldn't *believe* that we were going to separate ourselves from the Democrats and work with Clinton. It worked for Clinton, it worked for Newt [Gingrich] and Lott, and they gained seats and our Democrats lost seats. So it's not arithmetic. There's a calculation and the next President—As I alluded to before, Mrs. Clinton could come in and say, if she has a supermajority, she runs the table for as long as she can, or there's some other calculation where she says it might make sense not to throw all the Bernie [Sanders] folks under the bus and lean into the Republicans to change the narrative, change the dynamic. Now she may come back to that, but there's a choice the President has. It's

not dictated only by the numbers. It dictates what the goal is and that goal changes at different times, influenced by the numbers, but I don't believe determines.

McClure: I want to go back to something that I mentioned earlier. If she is elected, her first thing out of the bag is going to be her Supreme Court nominee, and who that person is, is going to have an impact on how her first year turns out, I believe, not only dealing with the Senate, but if that drags on for eight months.

Antholis: In other words, you think that Merrick Garland will not be confirmed before she comes in?

McClure: Well, I'm going to do my caveat. My caveat is, if she's elected, whether or not the Republicans will make a decision that they're going to go ahead and confirm Garland, thinking he's a better deal than what they might get.

Antholis: Than what she might get, right.

Meyer: See, I would make the point that the timing, whether it's lame duck or after January, is not that significant, because the Democratic—

Antholis: It becomes hers.

Meyer: The Democrats in the Senate won't confirm him if she says stop it. So she's going to have to acquiesce whether it's in the lame duck or not. It's a little bit like some of the lame-duck stuff that we did. So I agree, it sends a signal, but if McConnell all of a sudden says, "OK, this didn't work out the way I thought. I think we should confirm this guy," it's not going to happen unless she signs off on it, in my view.

[BREAK]

Antholis: We did four internal scenarios for a paper that we're writing for this Jackson Hole meeting, a narrow Hillary win, where maybe she gets one house, she gets the Senate, but it's really narrow; a big Hillary win, where she gets the Senate and cuts into or maybe even gets the House.

Meyer: It's a big difference.

Antholis: It's obviously a big difference.

Meyer: The House cutting in versus winning is a big difference.

Antholis: Talk a little bit about that. Let's start with the first one, where it's what people had been expecting, say two weeks ago, which is, if she does win, it's going to be close, and we're sort of redoing the battle that's been done a couple of times before. What is that moment like and what kinds of options are presented to her, on everything, not just on passing legislation, on doing the basic business of government, on getting confirmations done? What does that year look like, with both houses of Congress Republican, or at best from her perspective, a narrow Senate win and not many inroads in the House?

Chidester: Can I add one more given to that? As of now, both candidates are the most unpopular presidential candidates that have ever run against each other, so that's another element of how the next President is going to be able to engage the Congress. They're likely going to be going in less popular than the average new President.

Schiliro: Can I ask Dan a question too—

Chidester: Please.

Schiliro: —since I'm sitting on this side of the table? Could you describe for them Paul Ryan's life if a majority, [*laughter*] or if he's in the minority, just down by five seats, what a difference it will make in the quality of his life?

Meyer: Let me go to Bill's question first. I think it's easier to answer. I tend to agree with Pat. When Pat talks about the triangulation after the budget fight, I think Republicans would concede that the President won that public relations battle. We came out of that feeling threatened in terms of the majority, so that was early '96, and concerned about potentially losing the House in the '96 election, and made the determination that it was in our interests to try to get some stuff done, show that we could govern. Fortunately, the motives that we thought were motivating the Clinton White House was the fact that he needed to get reelected too. So, this was of mutual interest, and we did get a lot of legislation done. People forget how much got done in 1996—Kennedy-Kassebaum, Clean Water reauthorization, and a farm bill, the telecommunications rewrite—there was a lot that got done. Of course in late April, the funding stuff got wrapped up, and then an agreement to adjourn by September 30th, for a mere $6 million in presidential priorities, which seems like a bargain these days.

The reason I mention all that is because there could be a similar mutual interest this time around. Pat's right, she may want to distinguish herself. No President wants to just be the next term of his predecessor, it's just human nature. You want to make your own history and distinguish yourself, and that would be the most dramatic way, in my mind, for her to distinguish herself, to at least initially try to get something done on a bipartisan basis.

I would argue, from Paul Ryan's perspective and the establishment Republicans, that they need to get some stuff done too. If she gets elected with a Republican House or Senate, or both, and all that the Republicans do for the next four years is obstruct, you're going to end up with the next Donald Trump in 2020. That's my view of the world. And so there's political risk, obviously, in this current Republican Party, based on the dynamics of this primary season, in cooperating, but there's a pretty large risk in not cooperating as well

So, the potential exists—They obviously can't abandon their principles totally, neither side can, you do have to pay attention to your base. On the Democratic side, as Pat has said, there are a lot of new people involved, through the Sanders campaign. The Republican side obviously has their extreme as well, but at some point you have to roll the dice and say we're going to go this path to try and change the dynamic down the road. There's an opportunity there, maybe on an infrastructure bill, or maybe you try to do something on a tax reform bill, or tie the two together or do something bold.

Griffin: It has to be big enough, though. Can I remark on one thing? It's not just the Bernie base. She has to do it in a way that pisses [Chuck] Schumer off. It will be a horrible, horrible experience, but it's not just not responding to Bernie, which is what I suggested, but the Democratic leadership is not going to want to do this. It does not work for *them*, it works for *her*, and that was the case in '96. We had polling that would suggest we could win either way, and so the Democratic leadership, I think it was Pelosi or [Richard] Gephardt, and [Tom] Daschle, were absolutely ripped and upset that we were taking this tack. So that kind of triangulation, whether it's big or small, is extremely costly and painful. I think Harry Reid learned the lesson, from our triangulation, that he wasn't going to let Obama even say hi to [John] Boehner without him intervening, because they don't want to be left not at the party.

McClure: From a Ryan standpoint, the turmoil that is existing within the Republican Party, in the Congress—Let's say it's the same people who come back. That might provide an opportunity for a Clinton Presidency to do something that's bipartisan, because Ryan will have to depend upon getting Democratic votes, or else he's going to lose so many Republicans.

Griffin: Well, if that's the formulation, you say, "Let's work with the Democrats and try to get Republicans." That's conventional; the Democrats like that. But if you say, "No, I'm going to go to both sides equally," that's when the Democratic leadership goes off.

Schiliro: But you have to layer in the reality. When you're going through your scenarios, I can't do Trump scenarios, because I don't know the dynamics.

Antholis: We'll come back to that.

Schiliro: No, but I don't know the dynamics that exist in the relationships. But if Secretary Clinton wins—and let's assume we have a scenario where Democrats get the Senate by two or three seats, and Republicans have a five- to ten-seat majority in the House—Democrats will be euphoric the first day. But two days after Election Day, some Democrats will be saying, "Great, we have the majority, but there are tough reelection races in 2018—how are we going to hold the map? We have to be careful what we do!"

Paul Ryan—that's why I was asking the question before—has a five- to ten-seat majority in the House. Even if she wanted to do what Pat was suggesting, he's going to have a bigger component, if that's the case, of Freedom Caucus members who I think are going to be harder to bring along on even things that you would say, "Well, that's easy to do." And so early on, Paul Ryan will have to make a calculation.

Griffin: He would have to make his own calculations.

Schiliro: Does he work with Democrats to get votes or does he just stick with the Republican caucus being pulled to a place he substantively wouldn't want to be pulled to, by the Freedom Caucus people?

Griffin: I also think it matters how Clinton plays it. Does she just throw it out there and he says no, which I believe President Obama said, "Oh, I guess I can't do it," when Boehner said he'd be—

Schiliro: You mean on the big deal? But that's later, that was 2011.

Griffin: I know. I'm just talking about the dynamic. The dynamic doesn't change, whether or not the opposition believes this is in their interest or not. You can make a gesture to them and they can say, "No, we don't want to do it. It's too complicated," for all the reasons Phil said, or you make that gesture strong enough, and persistent enough, that it makes it harder and harder for them to walk away. As you're doing that, though, you're probably further enraging your own party.

Schiliro: But what's the most basic thing you're doing if you're Legislative Affairs? You're saying, "Where are the votes," right? None of this matters unless you have the votes. One of John Boehner's problems was not having the votes in his caucus for what he wanted to do. That could be a bigger problem for Paul Ryan.

Antholis: That was going to be my question back to Dan.

McClure: That's where I am. Paul is going to have a difficult situation and he's moving toward Boehner-land if it gets down to five to ten votes in the House in terms of the—

Meyer: And I'm just saying long-term, getting to Boehner-land is bad for the party.

Griffin: Then I would think that Clinton is doing it wrong. She has to do it where she's working with Ryan, he's doing his best effort, and she's able to offset it, like we did; deliver enough Democrats to make the vote.

Schiliro: But the difference is—If that's the situation, if the Freedom Caucus is a bigger part of his caucus, they could begin with constant challenges to him. We always had that undercurrent

with Boehner. So Paul Ryan will have to figure out whether he wants to take the position of "If you want a different Speaker, get a different Speaker, but this is what we're doing."

Griffin: You can make a compelling case that that's going to happen to Ryan, and you can make a compelling case that Hillary should not do that. I would make a compelling case that if she goes in there and plays it straight with the Democrats, gets into a dynamic of just do nothing, you have [Ted] Cruz holding court outside and influencing these guys. I think her term is done, we've lost whatever gains we've made in the—Well, she can't really be concerned about the midterms, but the dynamic remains, she's defined by the first six months.

Schiliro: But again, it goes back to where are the votes.

Griffin: Well, you can count once or you can count twice, you can move into it. We didn't have the votes when we first started, with you guys. We had to work. We had to work through deals.

Schiliro: No, but the difference is his Republican majority was different than what Ryan's Republican majority is.

Griffin: I understand that.

Schiliro: Which means you need a whole lot more Democrats to offset it, and if you're doing your original thesis, you get a mutiny on their side very quickly.

Griffin: Well, you could assume that. I'm saying it's untested because Obama never did it. Clinton did do it. It was a different dynamic, but there's another—God knows what the lessons are going to be learned from what—

Antholis: There is often a pattern in first years, if I stitch together on the Bush 43 first year and the Clinton first year where, in the spring of the first year, something gets passed, largely on a partisan basis, with the new President. It would be difficult if she has a divided government.

Meyer: I was going to say, in both those circumstances you had a united government.

Antholis: Right. But then in the fall semester, as it were, in the fall term, they end up passing a centrist piece of legislation. For Bush it was No Child Left Behind, working with [Edward M.] Kennedy. For Clinton it was NAFTA [North American Free Trade Agreement]. In an overwhelming Hillary victory, if she gets a big victory, she has to pay off her base coming in. Is there a fall-semester opportunity to swing back to the middle? In other words, if she comes in and does something big with her own party in the spring, shortly after election, is there a second act in the fall that goes back to the middle, or is that not worth trying for?

Griffin: I think she has to. Phil was right on the face of it, but the numbers don't suggest it. I think she has it. She's going to be defined the day she walks in, unless she mixes it up somehow. Maybe it's unrealistic to think that you could find a way to work with Ryan, to get the votes for any major deal, but if she doesn't, she's going to be Obama's third term, and I don't think that's going to bode well for the trajectory after that. Now that doesn't mean there won't be change and opportunities that arise and all that kind of stuff.

Meyer: And the fact that the makeup of the Senate elections in 2018 so overwhelming has the Democrats at risk. The conventional wisdom going into it is that they're going to lose the Senate again in 2018, if they get it in 2016. But that has a big impact.

Schiliro: It has a moderating impact on how far she can go.

Griffin: But you're assuming that the President is going to care as much as the Majority Leader is going to care, to protect those guys. That's the assumption.

Meyer: Not necessarily. Well, there's a chance that your point about having to piss Schumer off—Schumer might be a lot more agreeable, because of the 2018 dynamic, than you might otherwise think.

Antholis: Because he's writing off 2018.

Meyer: No, no, because he's trying to protect all these moderate Dems in red states.

Schiliro: If you're Chuck Schumer coming in, you don't want any Senators to have to cast any tough vote they don't have to do.

Antholis: I see, voting for any left votes.

Schiliro: Yes. And it's not going to be close to sixty in the Senate, so coming in, there's a group that's not going to be offset by any moderate or liberal Republican in the Senate.

Meyer: No, you lose them.

Schiliro: If Mark Kirk and a few other Republican Senators are defeated, the Senate moderate Republican caucus would be very small.

Griffin: And Schumer protecting those five, which is still not a strategy, but a consideration, he's going to have fifty very angry, angry, angry people. He's going to have a national constituency that's going to be ripped about this, but again the idea of changing the narrative, even if it's briefly, will allow her to do more things, more credibly, over the course of the four years. If she falls into the default of what everybody's expecting—

Schiliro: I don't think anybody is expecting the default you're saying.

Griffin: To work with Democrats and to please the base?

Schiliro: When people are looking at the governing, it's for a little of the reason that Fred alluded to before with Garland. First, if she gets elected, the first interest is a Supreme Court justice, which is not going to be easy.

Griffin: But I don't think that that's going to be defining.

Schiliro: No, that's the first thing out of the gate. The second thing out of the gate is the CR, and you have to figure out some way to keep the government open and we're going to have, as Molly was saying before, another debt-limit vote. It's not like when we came in, in '09. In addition to

the compulsory stuff, we had pent-up stuff we wanted to get through, that the Bush administration didn't want. So we had SCHIP and we had Lilly Ledbetter, and other bipartisan bills. Everything we did was bipartisan, through June, and the numbers kept going higher as we were doing it. Bill's point before, about you go one way and moderate. If you go back and look at the numbers, especially in the House, on all those bills that we did on lands, credit cards, housing, tobacco, between January and May, our Republican numbers got close to a hundred.

Meyer: When was the stimulus?

Schiliro: The stimulus was done by February. We did that by President's Day.

Griffin: But Phil, President Obama came in under very different circumstances.

Schiliro: Well, we did it on the Senate side, We got three Republicans.

Griffin: President Obama came in under very different circumstances than Mrs. Clinton might come in.

Schiliro: Right.

Griffin: And he wasn't following a two-term Democrat. They didn't know how much magic he had and how he was going to bring—whether that could come to governing or not. I think she is in a different situation. I think you go right first and then come back to the left. I think that those issues are right, Phil, but to me, going back to our earlier conversation, you don't let them be isolated issues. You begin to wrap them together, as ways of getting what you want done, what the other side wants done, and that becomes defining. This is a very—I'm describing a very, very tricky play, but that becomes defining. A sophistication, a *practical* outreach to the other side that produces, and then I think she gets some running room with that, if she can mix up that narrative a little bit, that's all. Now how you do it?

Schiliro: But what I'm saying back is go ahead to next year's possible agenda items: a Supreme Court justice nomination, CR/debt limit, infrastructure, tax reform. Those are the four issues. You can see, two of them have to be teed up.

Griffin: And I see opportunity in that.

Schiliro: So you do that. So now you do infrastructure. The dynamic in the House, unless there's a Democratic majority in the House, is there's going to be real pressure on Paul Ryan, from his caucus, not to reach a deal. So that complicates the play you're saying.

Griffin: Of course.

Schiliro: Because you can't go straight Republican there, you have to—One of the things that's underappreciated is, there is at least a functional relationship with Nancy Pelosi and Paul Ryan, so they have had some success doing things in the past. So I don't think it's strictly the play you're seeing.

Griffin: I'm not talking about a strict play at all, but I do see a situation where we recognize what the limitations are. I can imagine a situation when Nancy Pelosi is not in the room, but there is also a play where you're going around, getting Democratic votes, to make up the difference that the Republicans can't provide. This is tough, tough politics, and again, when we did it back then, we had a Republican opposition that was receptive to it.

McClure: Beaten into it.

Griffin: Again, I keep looking at the opening. If she comes in and just plays out a third hand of Obama, I don't think she's going to have much running room.

Meyer: Let me point out one thing in terms of a Republican majority. Even with Boehner, in a lot of those difficult situations, it wasn't necessarily a vote issue, it was a management issue. You had, on appropriations bills, debt limit, you had plenty of votes. You had enough votes on

the Republican side if you got some Democrats. The issue became, you know, did it blow up the caucus, and that's where I said Ryan has to make a determination on whether he's going to let that constrain him over the next two years. I'll be surprised if he serves as Speaker beyond the next Congress. I think he is interested in running for President in 2020, so that becomes a calculation of course as well, but my point simply is, even internally, on the Republican side, all the obstruction isn't necessarily the play.

There's a paradox here. Part of the Trump dynamic—and I see it when I go to every one of these new-member orientations up at Harvard, on a panel up there—is all these new members come in and say, "My constituents hate the dysfunction of it, and they want us to work together." You have the freshmen Democrats, freshman Republicans, all staring at each other saying, "I'm going to work with you. I'm going to work with you. My number-one priority, I want to work with you," and they do. That's how they feel in December the month after they got elected, and then they get to Washington and all the forces pull them the other way. The point I'm making is there is an opportunity. I don't know that they'll take it. I would think the conventional wisdom will be, if Republicans lose fifteen seats in the House, to hunker down and wait out the 2018 election. Everybody will assume that's going to be a good election for the Republicans, but Ryan is going to be thinking longer term than that, in my view.

McClure: So what would be different if the other guy won, or the other person running for President won?

Meyer: I'll let you take that one.

McClure: Let's take the same numbers that you posed. Let's say there's a very narrow margin or a Senate flip. I'll ask the question, so I don't have to answer first. [*laughter*]

Meyer: Do you think Trump can win and still have the Senate flip? I assume, if Trump wins—

Antholis: I can imagine that.

Lucadamo: Republicans hold the Senate.

Schiliro: Yes, that's my sense.

Antholis: Well, I could imagine though, a narrow Senate win, a narrow Trump win, in those battleground states where he turns out traditional white, working-class Democrats to vote for him, and they still vote Democratic on the Senate side.

Lucadamo: I don't know.

Antholis: It threads the needle. You don't see it?

Meyer: I don't either.

Schiliro: I don't think that's a high percentage.

Griffin: It saves [Rob] Portman, that saves Casey.

Schiliro: It saves [Ron] Johnson in Wisconsin, if Trump is winning there, and—Let's go the other way, because it's so hard to—because if that happens, if he wins and he's got a Senate majority and a House majority, it's probably a straight reconciliation play, and so that becomes their first year.

Meyer: I agree with that.

McClure: Yes, I think you're right.

Griffin: But strategically, you have the same question that Obama had to face. Could he take his popularity and turn it into a governing strategy, where he drives the Congress and he's speaking over the heads of the Congress. Obama had mixed results on that, and it was a function, also, of the conviction Republicans had to stopping him. But what's going to be the play on Obama? Does Trump bring in a power that could make these guys do things that they would not otherwise think of doing? If he won, I think people will, at least initially, be very cautious of how

hard they push back, and particularly the Republicans, if maybe they played it wrong. I don't think it will be difficult for Democrats.

McClure: No, that's easy for Democrats.

Chidester: Does he completely delegate it?

McClure: "It's all yours."

Chidester: "Come up with something and I'll sign it."

Griffin: Well, he may be on the issues, but I can't believe he won't have his—Look for his honeymoon specials and test whether or not—It's like him saying, "I could walk up and shoot somebody right in front of everybody else and nobody will do anything." I think he'll give that a go legislatively, whatever that means, and we would have to see whether or not it's effective.

Chidester: I'm still curious about the impact of the Supreme Court nomination, whether it's Garland or someone else. Within this room, you all have ushered through at least five nominees. Can you talk about your role in that process and working with the Senate? What type of impact does that have on a legislative agenda?

McClure: Well, you get the opportunity to do deals, because there's always a transaction that can take place, so that you can ensure that somebody is going to vote the way that you want him to vote, if they don't lie to you. I had three, because when [William] Rehnquist was elevated to Chief, when I was the special assistant, I ended up doing [Antonin] Scalia, which was like a waltz. But then I had [David] Souter and [Clarence] Thomas.

Meyer: You had some good ones. [*laughter*]

McClure: Hey, at one time a third of the Court was beholden to me, what do you mean? Besides the fact that there's the transactional part of it, it can be disruptive in the legislative flow process, because you have to go spend time doing it. I kind of stopped doing—well, other than staying on

top of everything. I went to every single Senatorial visit that each of those candidates did, which took away from some of the other stuff, and invariably, the list arose, eventually in terms of what kind of deals we had to do.

But those were all three different kinds of nominations, so my comment about it originally, for Secretary Clinton or for Trump—because this particular decision is going to be so dispositive in terms of the way the Court functions over the next few years, absent somebody else retiring—is that it sends a signal in terms of which way you want the country to go. If Secretary Clinton, let's say she sticks with Garland. Garland might be a safe thing for her to do, given the fact that he's been out there and he's been vetted, he put his name on the line, blah-blah-blah, but if she chooses to go do somebody who, say leans really, really left, or at least has documentation that shows that they are really, that might send up a flag to the Republicans in the Senate: "Well, we're going to just mess with you if this is what you're going to do. We will fight this nomination and we will fight anything else you send up here, because we know what you're trying to do."

Chidester: So is the nominee and the first CR a good opportunity to signal, if you do want to try to get a bipartisan agreement? You're shaking your head, Pat.

Griffin: I don't think the nominee—I don't think it's going to be defining. I think she's going to try to make that a nonissue. She's not going to send up somebody. I think she doesn't want to lose the fight—

McClure: Right.

Griffin: —since it's almost done on the Garland. I don't know if you guys had the experience—I never had the experience—of starting the year with a nominee in play, but I don't think it will be

defining. I think she will try to make it a rational, reasonable play, and then pick another aspect of policy agenda, to either shove it through the Congress or to look like she's being cooperative.

McClure: But she doesn't separate herself if she chooses Garland, because that's a continuation of the guy who is President now. It doesn't make her any different.

Griffin: You don't need the nominee to be defining, the Garland thing is not where she wants to pick a fight, and you can't sit around worrying about a nomination when you're putting together a government. These issues that Phil raises are going to be coming front and center. They do present opportunities to make some kind of deal or to pick some kind of fight. I don't think the nominee is what she's going to pick the fight on.

McClure: The easy choice would be to do it. That gives her room to do what you're talking about, in terms of where she's going to—

Griffin: The economy, where it has to—

Meyer: In terms of evaluating, if she rejected Garland just because her predecessor made the choice and she wanted to distinguish herself, that would show something about her that would be concerning, in my mind, because I agree with Pat.

Griffin: Particularly if she went left.

Meyer: In some respects, she's been given a great opportunity.

McClure: She just keeps it.

Meyer: Keeps it and could even get it off the table before she takes office.

Schiliro: Before you ask that question, Molly, I wanted to respond, because I never disagree with Pat, and I'm not sure I'm disagreeing now. In our situation, we didn't know at the time, when the President came in, that the Republican leadership met on inauguration night, Senator McConnell met with his caucus, and the message was "Don't give them any victories," right? So

that's the mindset coming in, and notwithstanding that, we were able to make inroads, as I said, the first six months, not with the leadership, they were absolute in where they stood, but we were able to make inroads with the Republican causus. If Hillary Clinton wins this election, the Republican Party will obviously do some soul searching right afterward. The question will be, "Is it something we're doing wrong, is that why we lost? Or was it a referendum on Trump, and we should stick where we are, doing what we're doing, because this was all about Trump." That's probably where someone like Senator Cruz will be, and he'll take that position, right?

Meyer: So, everybody takes a position that reinforces their preconceived ideas.

Schiliro: So if that's the case, and looking at what happened in 2009, 2010, where it was good politics for the Republican leadership to take that position, because they could get the House back in '10. You don't seek compromise, you dig in. If that becomes the dominant view, then it's likely, whether it's Merrick Garland or anybody else, notwithstanding what they're saying, that she doesn't *have* to make it a defining issue; other people will *want* to make it a defining issue, because that's going to work better with the base. And so you don't do the calculated political approach the Republican leadership took before President Obama was even inaugurated, "Don't give him any easy victories; put a price on everything." So then Merrick Garland could become that. The appropriation that's going to be up probably in March, could end up being that as well, a defining issue, even if she doesn't want it to be.

Griffin: Well, Phil, I don't disagree. If the Republican leadership sits down, the day after the election or before she gets inaugurated, and says just what you said, "Over my dead body," that's going to create a dynamic that she's going to have to deal with. But now, we've seen that once eight years ago, repeated for four years. The question is, does she repeat what Obama did and just play it—

Schiliro: But how do you do it differently?

Griffin: Well, that's a different conversation. She could be more—She *has* to be, I think, more aggressive than Obama was, in the response to that, or she is going to be defined in a way that really limits what impact she could have as a President. I don't disagree with you, that that's going to be very difficult, but the question would be, are you sure the Republicans are going to take that strategy. When Dan talks about Ryan, you know, is he going to play that hand the same way McConnell and Boehner played the hand? Are they going to repeat everything that their predecessors did before? I'm simply saying that I don't think it's in her interest simply to repeat, to get herself in that box.

Now she may not be able to get out of that box. The Supreme Court thing, frankly, I don't see how that works so poorly for Democrats. Keep it out there. What are they going to do with this court ruling in North Carolina? Eventually it begins to work on serious public policy. So, I just don't think that is going to be defining, notwithstanding the fact that they might decide to resist it. I don't know how long that works in the interest of Republicans, to resist it, but I don't think she can afford to do the same thing Obama did.

Schiliro: With their indulgence for a second, because this is way off topic now, but suppose Hillary Clinton wanted to do the safe thing? Suppose she said, "I'm going to renominate Merrick Garland," and Republicans decide to filibuster that. We're in February, OK, and now there's a filibuster, and the Democratic leadership says, "We have to change the rules. You can't filibuster Supreme Court nominees." [*laughter*] Where are we then, in the next two years?

Griffin: But what's wrong with that?

Schiliro: Because you just said, about cooperation, now we're in a holy war.

Griffin: If the leadership decides to do that, well of course it's not going to help. [*laughter*]

Meyer: Part of the resistance to Garland so far has been the nuclear option, so these things have consequences.

Antholis: I'm sorry, say that again?

Meyer: The Republicans, even though Garland is a much more reasonable pick than they might have expected, there's hangover from invoking the nuclear option.

Antholis: Got it. What I wasn't sure if you were saying is that essentially, this is a Republican nuclear option, or that this sets up, should she get back the Senate, a nuclear option to get him through. In other words, if she's elected and they propose to filibuster him and go into holy war, then a nuclear option might get used to get a Supreme Court—

Meyer: Well, that's what Phil was saying.

Schiliro: But if you do that, you can't do Pat's strategy.

Griffin: I would argue, it makes it *more* compelling to find some way to reach over that, or she's done, she's done.

Meyer: I don't think Republicans can filibuster Garland. I just don't think so; that is the lowest bar for cooperation. The Supreme Court is a big deal, but President Hillary Clinton is not going to appoint a pro-life Republican. It ain't gonna happen. So, following an election with a moderate Court nominee, if the Republicans choose to filibuster, I think the country turns on them. I'm even more so—

Reynolds: This is the question I was going to ask, which is that we—so we're talking about this hypothetical—

Antholis: Molly studies filibusters, we should say.

Reynolds: We talked about this hypothetical Supreme Court consideration early next year, but all of our previous experiences with Supreme Court nominees were not preceded by an eight-

month filibuster of the nominee. So, do we think that what we know about, or expect about, how this process works, is going to be any different, because we've just come out of a long period of something we've never seen before?

Meyer: My view of the world: the President selected somebody to make it harder for the Republicans to filibuster, and they did it anyway, largely because of presidential politics. And once the presidential politics are settled, I think Garland will get done pretty quickly.

Griffin: It's like we've done the dance. We have to put another quarter in and we're going to start up the dance again, and filibuster.

Schiliro: And the only reason I'm reserving my right to object [*laughter*] is because I did work on two Supreme Court nominees that should have been easier. We got them both done, but they should have been easier than they were. The fight that made the biggest impression on me was Ben Bernanke, because that should have been automatic, in January of 2010, when his term was up, and the President wanted to renominate somebody who was nominated originally by a Republican President. It became a fight and we were really scrambling on that one, because his support on the Republican side was going in the wrong direction.

We had to invest in the same way you were talking about capital and accounts before. We had to invest a lot of time in that, which should have been [*snaps his fingers*] like that. So I don't know that any of the old rules apply, I just don't know. If I were Ted Cruz, it seems like it's in my political interest, very early, to find anything I could fight on and raise my visibility, even if most of my caucus doesn't want to be there.

Reynolds: And what about the idea, that I think it was Fred floated earlier, that even if you get the nomination done, the nomination sort of takes all of the oxygen out of the room for everything else.

McClure: Let me tell you, Clarence Thomas took all the oxygen out of the room, when we had sexual harassment. David Souter didn't and that took oxygen out of the room.

Meyer: I just don't see Merrick Garland taking oxygen out of the room.

McClure: And I don't see Merrick Garland taking oxygen out of the room. That's my—

Chidester: But did they make you want to spend as much of your bankroll as possible? You had two people that had gotten in the sixties votes. Is that normal now?

Schiliro: It's very hard to get in the eighties or nineties now, because people have built-in reasons just to oppose it, no matter who the person is.

McClure: Thomas was fifty-two, by the way.

Meyer: Fifty-two to forty-eight, yes.

Schiliro: I do think, when we're talking about oxygen in the room, that whoever is at Legislative Affairs, working with the congressional leadership has to make it a priority not to lose control of the calendar. So if there's going to be a Supreme Court nominee, that can't be a three-month fight. You have to contain it, do it early, so you can get on to the other issues before August of next year.

Antholis: Maybe this is a perfect segue for something that traditionally comes up on the calendar with the cabinet nominees, but extends into foreign policy. A huge number of the nominees that have to go through are Ambassadors and Assistant Secretaries and other people in the Defense and State Departments and other places. And then sitting on the sidelines, there are questions about military funding, authorization for use of force, which never happened, which Tim Kaine was a driver of in the Senate, that never happened. So, I'd love to talk a little bit about foreign policy and national security. It strikes me that, because of the calendar, the easiest thing to start is nominations, but go with that. As you think about your job, how much of the time are you

thinking about the national security dimension as a separate and separable entity, or is it tied in with everything else nowadays?

Schiliro: Well, nominations take up valuable floor time, so let's go back to the calendar. In the first two years, the Senate confirmed 899 confirmations, and there's a point where there's only so much floor time to run a process. You get the situation of Cassandra Butts, who was pending at least a year and a half.

Meyer: For which?

Griffin: The Bahamas.

Schiliro: The Bahamas, that's right.

Griffin: She died.

Schiliro: She died recently.

Griffin: Before she got it.

Meyer: To be Ambassador to the Bahamas? Somebody's blocking that?

Schiliro: And it wasn't anything to do with her.

McClure: It had nothing to do with her.

Schiliro: The message was, she was friends with the President, so we're sending a message to him, and she was just collateral damage. Her life was on hold for a year and a half, two years. That's why a lot of the old rules that we used to think of, you're not going to go in with.

Meyer: We've already slotted that spot in the Clinton White House, for Pat Griffin.

Griffin: I'm ready.

Antholis: This meeting is going to finally pay off for all of us.

Griffin: Phil, do you know how many nominees are still out there? I heard there was like a phenomenal number still at large. So what becomes permissible in terms of blocking issues, and

the arguments for setting up—Gary Andres and I wrote a couple of articles on this, that there should be some criteria that it's not permissible to block them indefinitely. And then there are some that are on the margin.

Meyer: There should be less confirmable positions too, by the way, and we did.

Griffin: Yes, yes.

Schiliro: We did. The numbers were cut back, so some of the Legislative Affairs slots are no longer confirmable. About a hundred were taken off the list a few years ago. It's not a huge change.

Antholis: I think it went from 1,200 to 1,000, because Brookings was a big part of that.

Schiliro: I used to have a weekly meeting on confirmations with—We had a couple of people and we had the personnel office on it, and every week, they'd come to my office. We'd sit down and we'd look at the queue. We'd look at how long people were waiting, and we'd go back to priorities: OK, who's the biggest priority for us, who's the biggest priority for Senator Reid, and we go through that back and forth, but everyone can't get done because there's not enough floor time. Our goal coming in, and I'm sure this was your goal too, was we wanted everybody confirmed that first week, that was our goal, for the cabinet.

McClure: For the cabinet, yes.

Schiliro: And we ran into one little glitch with Secretary Clinton, that had nothing to do with her, it had to do with an obscure pay raise issue relating to Senators entering the Cabinet.

McClure: Yes, that's right.

Schiliro: So we had to work that through and that delayed that a couple of days, and we ran into the problem with Senator Daschle. So even though everybody else was smooth, we had the Senator Daschle issue and that threw that off a little bit. So we didn't get everybody done the

first week, I think. HHS [U.S. Department of Health and Human Services] probably took another three to four weeks. So you get those done and then you're trying to get through everything right under that.

McClure: I forgot about that. It's kind of like George W.'s situation. The Senate cooperated with the incoming President, like they did much with President Obama, and so you were able to get some stuff done even before swearing-in day took place. You just moved it down the road to the 20th.

Two scenarios: If she is elected President, the speed with which these people you were talking about—Let's get beyond the cabinet level—but the subcabinet level and Ambassadors and stuff, is not as important, because you have people who are hopefully of the same political persuasion. So we weren't in a hurry, to get down to the Assistant Attorney General for tax, because we knew—Assuming that people didn't leave, we knew that the people there were of the same, at least political persuasion, so there wasn't as much of a sense of urgency. We wanted to get them done, because they were Reagan people, not Bush people, but at least we were able to function comfortably with those guys in place, until we could fill in the rest of the blanks. It's different if you have to switch parties.

Griffin: Let me ask the Republicans. Is it inconceivable that there will be some pressure for Republicans once again, to appear to be cooperative, and that the cooperation becomes around nominations, which really are, in most cases, inconsequential, so that they can remain ready to fight on all the—?

Meyer: You would think so. Historically, you pick and choose your battles, right? And historically, you pick fewer battles than they do now, but yes, I would agree with the premise, if you're just going to lay down and oppose everything, there's a political risk to doing that.

Schiliro: But you'll be in a campaign where there's such intensity built up against the idea of a President [Hillary] Clinton, after people who want to work with the base on it, and this is different than it was thirty years ago. You can be more entrepreneurial. It doesn't take a lot of people to go out and start fighting that fight.

Meyer: No, and people will start fighting that fight. But on the other hand, the view of many Republicans, assuming she wins, will be, we kicked this one away. We nominated the one person who could lose to her—she's the second most unpopular presidential nominee, right, and the most unpopular person *we* selected. So how did this happen? You could say it's going to be a referendum on Trump, OK, yes, so how is that?

McClure: How did he get to be there in the first place?

Meyer: We knew he was a problem before he won all these primaries.

McClure: There were sixteen other folks out there.

Meyer: Yes that's right. [*laughter*]

Antholis: But does the focus then go on the primary selection process or on the organization of the Republican Party, the agenda?

Meyer: I've become a huge new fan of superdelegates.

McClure: When the Democrats are going in the other direction. What is this?

Antholis: I really am curious about that. I don't know how much it extends to Legislative Affairs, but if he does lose, the Republican Party will be the Republicans in Congress, right? Doesn't that become the party? Is it just about them fixing their nomination process for the next time around, or is there something in the agenda, in the priorities, in the makeup of the party, that they get focused on, because it wasn't just Trump.

Meyer: I think it's much deeper than the primary process.

McClure: Yes, I don't think that's—

Griffin: It's not that they had anything prior to that.

Antholis: The second least popular person in the Republican Party, or on Capitol Hill, is the person who came in second to Donald Trump, right?

Meyer: And he may have lost too, by the way. It's a catchier sound bite to say he's the only one who would have lost, but there probably were two.

Antholis: But I'm curious then, what dynamic happens within the GOP? It's taking me away from where I wanted this to go, because I do want us to spend some time on foreign policy. But is there something that happens in the way congressional Republicans operate, vis-à-vis her, that changes, to set them up for Congress?

Meyer: In my mind it's not the problem with the primary process. You could change it, you could make it more like the Democrats, with or without superdelegates. Theirs is absolutely proportional other than the superdelegates, ours is not. You had certain minimums; sometimes you get a winner take all. He won it fair and square, and if you change the rules a little bit, he would have won it anyway. In my mind it's much more fundamental about what is going on in the party, that a guy like that can come out on top.

McClure: What are we doing wrong?

Meyer: Exactly.

McClure: Is it because of positions that we have taken? Why are we not able to connect with these people, the people who dominated the process, and emerge with him there? That's the question that, internally, the party is going to have to ask, which may, frankly, if there's a Clinton win, have Republicans in Congress so flatfooted by the time she gets into office that she may have a very good first year, because we won't know how to respond.

Meyer: Well, yes. One of the paradoxes here, going back to Phil's point, is that there's a little different narrative on the Republican side, about why cooperation broke down. But having said that, there was very little cooperation, right? Yet, a lot of the internal heat on Republicans is because of President Obama, because they were so ineffective at stopping him.

Antholis: At stopping him. He was ineffective at working with them. They were ineffective in stopping him.

Meyer: I would argue part of it is unrealistic expectations. So you actually wanted us to stop him at the risk of having the government default? Have you thought through those implications? We did shut down the government one time and that didn't work out so well politically either. There are deeper fundamental problems to try to figure out. That's why, if I were Paul Ryan, if I were advising Paul Ryan, I'd say take a risk at trying Pat Griffin's approach—Internally, I'd be advocating the same thing, and we hadn't talked before. You have to go make it one of the more successful legislative years. Yes, you put at risk, perhaps, some of the gains you might otherwise get in 2018, but you want to think longer term, in my mind. Otherwise, you could have a repeat in 2020, of what happened in 2016, and that's going to be a disaster.

Chidester: So let's go back to national security. So you can come in with a really great strategy and you can decide who are the members of your team that you want to try and push through or add to your staff, appoint to your staff, but a lot in foreign policy is reactive. So, Fred, I'm sure that the fall of the [Berlin] Wall in November came as a surprise.

McClure: No, Tiananmen Square came as a surprise.

Chidester: Tiananmen Square came as a surprise. But the pace of what happened in Eastern Europe I think was—even if there were signs that it was coming, it was a game changer and I don't think it was—

McClure: And I don't think that affected our ability to do other things so much.

Chidester: So that's the question.

McClure: Bush was the best guy to be there when all this was happening, because of his foreign policy bona fides. We didn't want to do any harm and we wanted this process to develop on its own. So it was managing the guys in Europe and managing [Mikhail] Gorbachev, which the President did fairly well. So I don't think it exacerbated any of the other Legislative Affairs operations that we had. It didn't affect it. We had, I guess you guys did too, but the woman who was head of Legislative Affairs for the NSC [National Security Council] also met with my staff every morning. So we were totally wrapped in with her and then we had Baker and Cheney doing their thing over at Defense and State, and so there was a pretty cooperative bunch of folks leading the process and [Brent] Scowcroft was basically managing it.

Chidester: So not necessarily the unexpected then, but just foreign policy matters, crises, wars, lead-ups to wars—

McClure: Or defense spending, or whether you're going to continue doing missile systems. Those kinds of things play into the foreign policy analysis as well. It's not just who's invading who.

Chidester: Right, right.

McClure: And immigration reform now is going to be a big one that's in the foreign policy arena.

Chidester: The global economy was melting down, that's a foreign policy question.

Schiliro: Well, we also had two wars.

Chidester: Yes, we had two wars going on. [To Pat] Should Congress weigh in on the President intervening in Haiti? Do you have the same experience as Fred, where this is something that you

can continue to mush forward as planned, on your legislative agenda, or is the experience different?

Griffin: Some of it, and this goes to Phil's point, is going to be on the calendar, and things that have to be dealt with, but the dynamic between the opposition and the President, on foreign policy, has changed so dramatically since—

McClure: Since my day, since my time.

Griffin: It started to change under Clinton, when you guys voted—We had troops in the air and you guys voted against the—?

Meyer: Bosnia?

Griffin: Bosnia. And Newt called me, as did Sheila Burke, said they wanted to be helpful, and this was the first time that had ever happened, but they said, "We just can't control our troops." I think we met with Newt and Dole, in the Oval. They said they'd go back and try to sell it, and by that afternoon it unraveled. I think it was a turning point, and that's where President Obama is, without having authorization. Everything is permissible now, in terms of what could be a battle, rather than putting down our differences at the water's edge and trying to build a consensus. So it's hard. As you say, it's all reactive, and it's compounded itself where it also can be partisan, in a very fierce way.

Chidester: Phil, I'd love to hear your thoughts.

Schiliro: I agree with the way Pat just said it. In our—I'm trying not to make it so much our case, but we had to do a $100 billion war supplemental and we had Democrats running the House and the Senate, most of who opposed the war. So you have to come in and say, "OK, here's some more spinach for you, [*laughter*] after we gave you that nice big helping of TARP. Just, you finish that one."

Meyer: We had to get a war supplemental with the Democratic Party.

Schiliro: Right. And then there are external events in the first year. We had three major events, one domestic, two external, all happening at the same time: Gaza exploded, Greece imploded, and we had the oil leak in the Gulf, and all three were going on. So part of your question is what impact do these external effects have? They tie up the White House and the administration, and everybody starts focusing on those issues because they're taking up space from everything else.

On the Gulf, which is not what you're asking about, but there was Steve Chu, who was the Secretary of Energy, a brilliant scientist. He was over at the White House one day, sitting and trying to figure out how to plug the hole.

Griffin: Working out a strategy.

Schiliro: No. He was trying to work out the engineering of how we would plug the hole, because it's a disaster. And so the White House constantly has to deal with the unexpected. In the same way Pat was talking about foreign policy, the threats have morphed. So, the battlefield piece is going well right now, ISIS is being destroyed, but it's morphed into more homeland terrorism, which is much harder to deal with. So the next President coming in is going to be faced—I don't know if this is labeled as national security, foreign policy, or domestic terrorism, but it's going to be in a group and it's going to be a much bigger issue in 2017 than it's been for any other previous President, unfortunately.

Reynolds: I want to follow up on something real quick before we move on. So, when Fred was talking about how he had his staff meet every morning with the Legislative Affairs person at the NSC, I noticed some heads nodding. Did that kind of cooperation seem important to you, as a way to make—?

McClure: Well, first of all, she was on my team.

Reynolds: OK.

McClure: After I got done with senior staff meeting, which Scowcroft was in, as the National Security Advisor, then I had my team meet, and Ginny [Virginia Lampley Mulberger] was in our group, and the other guys, she had two other guys. Plus, I had the OMB [Office of Management and Budget] guys there, from Legislative Affairs.

Meyer: Ours was exactly the same.

McClure: We did OMB, NSC, and my staff.

Reynolds: So that level of cooperation and collaboration was effective?

Meyer: OLA was in on the hiring of the NSC Leg Affairs person.

Griffin: The same for us; it was seamless. I've talked to Scowcroft about it, whether or not he thought it was a good idea to have, even have a Leg person for NSC, and we were on some panel and he—

McClure: I hope he said yes.

Griffin: He thought he shouldn't rely—He was raising the possibility of just relying on OLA to do it. Ours wasn't integrated initially.

Antholis: Oh, is that right?

Griffin: Yes. Jeremy Rosner had the job under Harold [M. Ickes], but he really was a speechwriter, so it never really worked. When Bill Danvers came in, we had a great fit.

Antholis: And there's a technical reason for that as well, which is that much of the NSC conversation happens on a secure e-mail system, which is separate, and to have one of those e-mail terminals, you have to be in a locked room, with a security keypad, to get into it, a SKP. And if it really is important to the NSC, they're going to have a Legislative Affairs person to be in one of those offices, so they can read the e-mail that all the other NSC staffers are reading—It

goes to talking points for meetings and all of that. The key is to make sure that that person also gets to attend Fred or Pat's meetings every day and knows what else is going on up on the Hill, because if foreign policy Legislative Affairs operates separately, independently, when you get into a discussion about what's going to the floor, you don't know what those other things are. So that's how the integration can happen.

McClure: Well, the second thing that helped me—First of all, we didn't have e-mail, that's number one.

Antholis: Oh, right. That's fascinating.

Meyer: That's why you were sitting there, really?

McClure: There were things that Brent told Ginny, and that Ginny was able to relate to us, because of whatever conversations Brent had been having independently, as the National Security Advisor, or stuff coming from meetings that he had with Baker and Cheney. And likewise, there were times when we communicated stuff through Ginny, to him, when we wanted him to do something that we thought he was uniquely qualified to do. So it was totally a communications thing, and sometimes there were strategic advantages to having—and the same thing was, you know, finding out what Darman was doing on the Hill, coming in from [Thomas] Scully and those guys, who were in the Leg Office over in OMB, was *extremely* helpful.

Antholis: A relatively technical point, but I'm curious. Did Darman hire his own Legislative Affairs person?

McClure: Yes.

Antholis: And you were consulted, but not—?

McClure: No, Darman had—But I knew the guys. I had been around town just long enough that I knew him. In fact, I would have hired him if I had had the opportunity.

Antholis: And with respect to Dan, he was already in the State Department system?

Griffin: He was in the mix.

Antholis: Right.

Griffin: At OMB, Leon and I worked very, very closely, and he picked up a big piece of business. His goal was to get all the appropriations through. We never got to the big CRs, where it became bigger than appropriations, so I was quite comfortable in letting him run with that. He had two or three people working for him, and then when he became Chief of Staff, it became completely consolidated. But NSC was different. NSC, I worked regularly with Sandy [Berger], I mean the guy before Sandy—

Chidester: Lake.

Griffin: —Tony Lake. We were talking as much as we could, on the subject.

Schiliro: Every week—I think I probably did this at Pat and Dan's suggestion and they probably did it at Fred's suggestion—every Friday, we would have a meeting of all the OLA people, from all the departments and agencies, to coordinate, which is a pretty big group of people, but that gets you in there at least once a week with the Defense and the State folks.

McClure: And they did a lot of lifting for us, because there's no way a staff of seven or eight in the White House can handle all of the interactions that you have to have with the folks on the Hill.

Meyer: Did you meet, physically?

Schiliro: Physically.

McClure: We did it by phone.

Antholis: So from that technical narrative, and the big question of foreign affairs, and something the Miller Center has been pretty involved in, which is looking at war powers in general, there's

the inability to get authorization for use of force. I guess the question is, given the general dysfunction between Congress and the White House, how hard it is to get business done? Are we now at a point where we're writing off the idea of Congress having an explicit voice in major decisions about the use of force? Is it just too difficult?

McClure: I'll give my view and then you guys can bat me down. First of all, most presidents believe that that is unconstitutional, OK?

Antholis: If the presidents believe it's OK.

McClure: The presidents believe that the War Powers Act is unconstitutional, so screw them if they can't take a joke. And that's presidents of either party. That's why, when we did the Kuwait thing, [George H. W.] Bush came up with this approach, which was, we're going to get the UN [United Nations] to do this, and then we'll go to Congress and let Congress tell us that we have the power to enforce the UN resolutions. So it's kind of a sneaky way to get Congress, to give them a role, in what we thought we had the role to do independently, but to authorize us to enforce the UN resolutions, which we had gone to the UN and gotten, and that's how we did Kuwait.

Beyond that, and you guys might have done this too, any time there was anything that appeared as though there might be something that might, if it were constitutional, fall under the War Powers Act, we'd do informational phone calls to the leadership before—whether it was Panama for us, or a couple of other things that we did, and say, "Hey, guys, I just want you all to know," and then we did what we wanted to do. I don't know if you guys have any of your experiences different from that?

Griffin: You were in a different era.

McClure: Yes, and I agree with your earlier comment. We had a much more cooperative era, and I didn't really have to worry about people leaking.

Griffin: I don't think the Constitution is driving the behavior of the times.

Antholis: No, quite the contrary. When McCain and [Tim] Kaine, and then Kaine and [Bob] Corker, tried to push for use of force, Congress didn't want to exercise its side of the bargain.

Griffin: It's all political. The assessment is completely political. Even if they agree, if it undermines them politically, I think they were just trying to have President Obama hang out there, completely exposed.

Antholis: Right, exactly. Members could criticize, but didn't want to take up the responsibility of acting in those situations. Do you see it again? Given the issues in the GOP, thinking through if Hillary wins, will they continue to be in that mode on the foreign policy side? One of the things that was quite striking to us, because we have, on our staff, two former senior Republican officials: Philip Zelikow and Eric Edelman, and both of them were in a "Never Trump" set of foreign policy advisers. So I guess one question that the GOP, on the foreign policy side—If Hillary wins, do you have any sense, on the congressional side, will they continue to be in an oppositional mode or will they see this as an opportunity for cooperation?

Meyer: Well, I'd like to think there might be a new day. I'm a little pessimistic that that's the case. This is a case where leadership matters, and I don't just mean presidential leadership. It depends who the people are in some of these jobs, who is the Speaker of the House, who are the chairmen of the Armed Services and Foreign Relations and Foreign Affairs committees, in terms of what your world view is. So I would like to think that it will improve. Most of the foreign policy establishment is in the Never Trump category, and a good chunk of them have come out for her. A lot of the Never Trump is just saying, "Never Trump"; they haven't taken that next

step, but a number of foreign policy people have. I don't know the reason that there're so many external forces that cause this dysfunction right now, that aren't going to change, at least not immediately. The other ones, I'd have a little more hope; this one, I probably don't.

Schiliro: The point Dan just made, about the external forces, is really important, because it's asymmetrical in the Republican and Democratic side. There's still no Democratic equivalent to talk radio and Fox [News]. So even if the Republican leadership wants to compromise, if Sean Hannity, Rush Limbaugh, and that group goes a different way, it puts incredible pressure on the rank and file.

Dan said something about two hours ago, about what he does in December. I remember him saying, "We want to work together," and that's great. But the reality in a lot of congressional offices starts with the phones. When the phones start ringing off the hook because talk radio starts a phone campaign, that gets through to some Members. It creates a distorted reality, but it often works. That's a different kind of leadership and over the last twenty-five years has really become much more of a force. By the way, and you also get letters that come in.

Griffin: That come in with that intensity.

McClure: And it would take like almost ten days after the *60 Minutes* broadcast before we got the letter, which said, "Why don't you all stop that?"

Lucadamo: Does the paradigm that Pat primarily put out there, that everybody likes, at least for now, to move away from war powers, does that shift under a President Trump—where he does try to act on the isolationism and the ideas he's espousing right now that are *so* far afield of everyone—so that suddenly Congress surges toward war powers, because they want to rein him in?

Meyer: Fred is laughing, because none of us knows, in particular, what will happen. I do think an interesting phenomenon of a Trump Presidency would be to drive more bipartisan foreign policy, against his interests.

McClure: That's scary.

Griffin: I suspect also, for very different reasons, that we may be moving toward a more bipartisan foreign policy potential, because we're out of the transition of a war that nobody liked and President Obama feeling he was winding it down. That's made big gaps in the philosophy. As President Obama stepped up the game a little bit on being more aggressive, I think Hillary will be there. At least policy differences will not be as challenging. They won't be as significant, the differences, as when there's a constituency for winding down and there's still one that we should have done more. So my hope would be that there's some potential also—

McClure: For Secretary Clinton.

Griffin: —for more cooperation.

McClure: I'd like to think that too, for no other reason than based upon her experience.

Meyer: For no other reason than what?

McClure: Her experience and what she has seen as a Senator or being First Lady, with President Clinton. She knows the town far better than Trump knows the town, and there is, I hope, once you get past the animosity of the fact that you got beat, meaning Republicans got beat because of whatever, with the candidate we chose, that there might be an opportunity for it to swing back in the direction that could be helpful in terms of foreign policy, from a bipartisan standpoint.

Chidester: I hate to say this, but we are near our allotted time, so let's close with a few more big-picture questions and questions about the present time, and everyone jump in. We did an event at the DNC [Democratic National Committee], we did events at both conventions, and at

the DNC, I thought Bob Rubin made an interesting point, which was start engaging Congress right now.

Meyer: Excuse me?

Chidester: Start engaging Congress right now, that's what he suggested that the campaigns do.

Meyer: Who said that?

Chidester: Bob Rubin. Another member of our panel tweaked that a bit to say, you don't have to engage them, but don't burn any unnecessary bridges during the campaign. What are your reactions to what the campaigns can be doing at this point, either avoiding unnecessary pain or actually establishing bonds that could be of use if they do get elected?

Meyer: Well, Phil worked on the campaign, so I'll defer to him. It's easy to say, in a room like this, "Don't burn any bridges." You're trying to win a presidential election, so if you're Secretary Clinton and it requires you to take a whack at someone in the leadership—

McClure: Take the whack.

Meyer: Call her campaign staff up and say, "Whack him."

Chidester: What about burning *unnecessary* bridges? [*laughter*]

Meyer: Well, that's all in the eye of the beholder. I'm totally onboard with Mr. Rubin that she should avoid the unnecessary ones.

Griffin: Be selective. I think Dan is so right, and this is also true in governing. The President needs to do what he or she needs to do to protect and prolong his or her survival. Winning in the campaign is paramount, and I believe that that will be a significant influence. The idea that we're one big happy family as Democrats, or one big happy family as Republicans, is a myth. It may align every once in a while, but I don't think it's always the determining factor, and certainly not in a campaign.

Chidester: One more from me and then I yield the remainder of my time. You all have given really terrific advice as to what the next Legislative Affairs director should do. If there is one thing that you can think of, that they should absolutely *not* do, what would it be?

Schiliro: That's a long list. In Legislative Affairs, you can't cede a role in policy, because that's really important, to have that input, and you can't get tired of the incoming flak that comes from many places. I worked in the House and Senate for twenty-five years, I love Congress, and I'm a big believer in it. But it is a very difficult institution, and if you're working in an administration, it's an extraordinarily difficult institution, because there are 535 people and despite best intentions, the President can't be meeting with them all, all the time. This is more job advice for somebody coming in: Don't take the job if you discourage easily or are afraid of getting yelled at. [*laughter*]

Meyer: Or if you're afraid to say no to members of Congress.

McClure: And remember that when the telephone call ends and you've been yelled at, you can hold it up here, as one of my predecessors, Will Ball did. And Will used to love to wait until the conversation was over, hopefully the Senator was off the line, and then slam the phone down as hard as he could. [*laughter*] Yes, that was advice he taught me.

Griffin: I agree with Phil. You *cannot* become cynical. You have to remain an advocate for them in some fashion and you have to be smart about it. Sometimes you have to throw them under the bus so you don't lose your credentials internally, but you *cannot* afford—the President doesn't need a cynical Congressional Affairs person handling the Congress. You can do that when you leave, and it takes a lot, as was being suggested here. You have to be really mindful of that.

Meyer: Yes. And you have to remember, so this is advice of what *not* to do. This is the most what *to* do. A lot of what I learned on this—and I'm not just saying this because he's here—I

learned from Pat, because I was relatively young when I became his chief in the majority. I learned a lot from Pat about opening up those lines of communications and building a trust relationship and not burning each other, so that you did learn that you could share sensitive information in an attempt to find solutions to things. That's what I tried to do then, when I went to the other end of Pennsylvania Avenue, with the John Lawrences and the Gary Myricks of the world.

So the piece of advice is this: it's a people business, you have to understand that and understand that trust matters, and you can develop trust relationships with people of a different party, which you *need* to do if you're in divided government. It's extraordinarily important to spend time and try to develop that trust. It's personality based. I felt like I had a good relationship with Pat. I didn't have as good of a relationship with his successor, because I didn't trust him, because I felt I was trying to be manipulated all the time, in almost every conversation I had with him. So it takes trust on your part and risk, I guess, to try to develop those relationships. It's really important if you're going to make government work.

Griffin: And we did that when the President and Newt were not talking to each other. It was very hostile, hostile times.

Meyer: I know. We were shutting down the government.

Griffin: And we were talking.

Schiliro: I don't know if it falls into this advice, but we had a lot of signing ceremonies, and other White House staff were very good at making sure members of Congress were behind the President as he signed a bill. But Members of Congress nationally don't poll very well, and so at a later point in that process, some people started wondering if we could have more grassroots people and fewer Members of Congress behind the President. The Legislative Affairs Director

can't get worn down by that. If you get worn down by it, it's time to leave the job and have somebody else come in who has a clean slate and will fight those fights.

Griffin: But we fought that on announcing grants, being on Air Force One. It never, never stops. You have to protect your flock.

Reynolds: I was going to follow up on this question. Do you think it's gotten harder over time, to build those kinds of relationships that you've just said are so crucial to the job?

Meyer: I felt like I had them, with Gary and John, which was the 2007, 2008 timeframe. Again, that's personality based too.

Reynolds: Sure.

Meyer: So it depends on the individuals. I know Boehner's chief and one of Phil's successors, Katie [Beirne Fallon], they developed a very close relationship. Again, it depends on the individuals and their personalities. So if you're in a divided government, you need to find people who can do that. If you have the biggest partisan hard-ass and you put them in as head of Legislative Affairs, in a divided-government situation, it's not going to end well.

McClure: And that trust goes beyond staff, beyond the head of Legislative Affairs and chief of staff to the Speaker. It also goes to the members, because it is important that the person in Legislative Affairs develops a trust relationship—hopefully on both sides of the aisle, I had to do that; of course, my guys were of a different party, but on both sides of the aisle—that you could have conversations with, that were confidential, that you could trust and take to the bank. The only thing you have is your word, and making that the centerpiece of the relationship will make for the most effective service in the position.

Meyer: The other thing, let me go to your original question, Jeff, in terms of what *not* to do. Don't get overly turf conscious, and by that I mean if you have people in the administration who

can be a resource on the Hill, use them. Now, you have to manage them; you have to create a system, so that you're actually managing the communications back and forth. Rove drove some of my predecessors crazy. He had left by the time I became the assistant, but he drove them crazy, because he basically was his own one-man Leg Affairs shop, and he wouldn't keep Leg Affairs informed, which is very disruptive. Phil and I had this conversation when he was going in. He had a President and a Vice President who were sitting Senators on Election Day, a Chief of Staff who had been in the Democratic leadership, and my point—

McClure: They feed you to the job. [*laughter*]

Meyer: But he did very well. My point is, if you develop a system with all these people, that you're never surprised, that you know of every communication, and you're managing it. In my case, I developed a good relationship with Speaker Pelosi. I didn't have a personally close relationship with Harry Reid, but he *really* liked Josh, who was the Chief. I used that relationship all the time: "We need Reid to sign off on this, would you—?" "Yes, sure." "Hey, Josh," I'd be calling him, and vice versa. But if Reid called Josh, the first call he'd make would be to me, to let me know what was going on. So, the point is simply, a lot of Leg Affairs people get anxiety ridden when other people in the White House are talking to the Hill. These guys are laughing; this is a big issue with most Legislative Affairs offices.

Griffin: Howard Paster wrote two letters to the entire White House staff, "Do not me cut me out on the Hill."

Meyer: That's just silly, because a lot of your people are going to come from the Hill. I had an NEC director at the end, who had worked in the Senate, and he was a conservative guy. I made him do a lot of hard work. He was my Jeff Sessions guy.

Griffin: You can make him your staff, you make them part of your staff.

Meyer: And you give them all the lousy assignments.

McClure: If you have any involvement with—if the OLA director has any role to play in the Assistant Secretary for Legislative Affairs arena, for cabinet members, never say yes to a member of Congress as being the Assistant Secretary for Legislative Affairs.

Meyer: I agree with you. Have there ever been any?

McClure: I had a fight with Jack Kemp and I won. There was a member of Congress who got beat, and Jack wanted him to be the Assistant Secretary for Legislative Affairs.

Griffin: We had several.

McClure: I yelled and screamed and cried and finally Sununu helped me.

Schiliro: Part of the premise of your question is that your relationships on the other side of the aisle, your relationships in your own party, are really important to maintain. If someone of your own party says, "This is not going to happen," you really have to learn how to interpret that. Does that really mean it's not going to happen, or are they're saying, "I'm telling you it's not going to happen, but I understand it is going to happen"? That's a subtle thing, and whoever has that job, that's a really important nuance.

Chidester: Interesting. Bill, do you want to bring us home?

Antholis: I was going to ask for final thoughts. Is there something that we've missed or something that you want to emphasize in a sentence? What is your 140 characters—in the age of Trump—to your successor, the central takeaway?

Schiliro: Whoever the next President is should hire Fred, Dan, and Pat. [*laughter*]

Griffin: Mine would be that whoever the OLA director is, he or she has to be as far upstream in the decision-making process as possible.

Meyer: I agree with that. You can't say it better than that.