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Presidential transitions and think tanks

By Heath Brown, assistant professor, Seton Hall University, New Jersey -05/21/12 11:37 AM ET

The once clear line between interest groups and think tanks has become increasingly blurry during the well-publicized struggle for control of the Cato Institute. Scholars, such as Tevi Troy, have recently criticized the rapid drift of some well-known think tanks from their core values of impartiality and nonpartisanship which defined their historic mission (Winter 2012 edition of *National Affairs*). More and more, think tanks of the left and right blur the line between simply informing the policy process and advocating for particular policy outcomes. In doing so, they may sacrifice their trusted position as purveyors of policy information and possibly their status of nonprofit organizations.

In light of this year's campaign, nowhere can this phenomenon be as clearly observed as during recent presidential transitions. While interest groups dominate voter mobilization, campaign finance, and issue advertising, it is think tanks which control transition planning. The Brookings Institution was the first in 1960 to play this role; siding up to both Richard Nixon and John F. Kennedy with an array of technocrats who had planned out the necessary steps the new president would need to take upon election--they even offered free office space and use of their library. In a largely non-ideological fashion, Brookings opined on the manner in which a transition should be executed, which policy areas were most critical, and which federal positions needed to be filled first. Kennedy's victory signaled the ascendancy of Brookings as the voice of rational, non-partisan government planning.

Brookings played this role for a generation, with Democrats and Republicans alike, until conservatives grew tired of their left-leaning outlook, and empowered the newly-formed Heritage Foundation to plan for the Reagan transition. Heritage mounted a massive effort to prepare for the transition, organizing dozens of sympathetic scholars, interest group officials, and think tank researchers to author *Mandate for Leadership*, a best-selling articulation of how Reagan could transition to power. Heritage was clear: they aimed to provide the Reagan's transition with advice based on conservative principles and beliefs, not simply the practical suggestions typically offered by Brookings.

Heritage's efforts during the 1980 transition had a lasting influence on Washington politics and subsequent transitions. The transition period has increasingly been seen as the first, and arguably most effective, point in the presidency to foment change. By starting early, long before Election Day, an eager think tank can shape the presidency through ideas, people, and policy.

This was never clearer than in 2008. The Center for American Progress (CAP), a 501c3 nonprofit and think tank, had worked as a Democratic government-in-exile for much of the Bush Administration. Headed by Clinton Chief of Staff John Podesta, CAP was peripherally involved in the campaign, but at the center of the transition. Podesta was chosen to lead the Obama transition planning during the summer of 2008 and CAP, as Heritage had in 1980s, began to author a comprehensive set of recommendations called *Change for America*. Dozens of those contributors to *Change for America*

were chosen to serve on transition teams and several were then hired to staff the White House and other key federal positions. Most importantly, many of the very ideas CAP advocated for, such as the creation of National Energy Council, were soon established by executive order and directed by those affiliated with CAP, such as new Energy Czar Carol Browner.

The slow drift from the role played by Brookings to that of CAP has been met with little opposition. The federal regulations on think tank activities, either those administered by the Federal Election Commission for campaign activities or by the Internal Revenue Service for tax-status and lobbying, are largely silent on the pre-election and post-election transition period. While President-Elect Obama forbid lobbyists from donating to his transition planning efforts, think tank officials rarely register as lobbyists, and were thus immune from these restrictions.

The transition period is then ripe for influence from think tanks, emboldened by changing views of their fundamental mission and free from most regulatory impediments. While the country pays increasing attention to the presidential campaign, think tanks, particularly those whose views align with Governor Romney, operate in the shadows. Without public scrutiny, they are left to discretely establish what a Romney victory might mean in practice with little transparency or public oversight.

If Governor Romney wants to limit the uncertainty surrounding his transition planning, he could soon announce his pre-election transition team, those think tanks which are likely to help him plan his transition, and a vision for how he intends to solicit ideas from a wide array of stakeholders. Such a move would compel think tanks to reconcile the role they want to play in the policy process: either as the voice of reason and impartial advice or as just another well-positioned interest group. It would also clarify that the same principles of democracy, public input, and transparency that are at the heart of the election are also fundamental to transition planning.

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