

As a Political Appointee, Always Be Ready to Clear-out Your Desk

Egos do not count, but leadership does

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As President Trump fleshes-out his administration, we have heard the rally cry “drain the swamp” applied to that, too. Each president has the right to hire and fire each and every political appointee, both to fill vacancies, and to replace appointees from previous administrations. This includes every one of the 93 U.S. Attorneys and is considered standard operating procedure to ensure that everyone working for the president is loyal and singing from the same sheet of music. Only on rare occasions are holdovers tolerated.

When George W. Bush took office in 2001, he started to gradually replace U.S. Attorneys through June of that year who had all been appointed by Bill Clinton. Oh! The indignation! How dare he, said the news media. They conveniently forgot that this happens every time a new president comes to town. They also forgot to mention that Bill Clinton asked for the immediate resignation of every single U.S. Attorney when he took office. Bush’s replacement plan, on the other hand was a more deliberate process to minimize turbulence.

When any president takes office or starts his second term, every U.S. Attorney knows he may be asked to submit his resignation and should do so respectfully. Now, enter President Donald J. Trump. Last week 46 Obama-appointed U.S. Attorneys were asked to submit resignations, including Mr. Preet Bharara, the U.S. Attorney for Manhattan (Southern District, New York). Bharara refused to submit a resignation and President Trump executed the command he made famous: “You’re fired!”

Bharara expressed indignation, probably because he had met with President-Elect Trump shortly after the election in November and was supposedly asked if he would consider staying-on in that position. So, instead of submitting the letter, he forced Trump to fire him. Realistically, he had no hold on the position at all. If he

was indeed asked to consider staying on, one can understand his indignation, but not the public beating he asked for.

So, why did Bharara balk? His decision to publicize the issue could have been purely political, seeking to embarrass the new president. But his personality may indicate a pride issue that has in fact preceded his fall.

But making a public display may work against Bharara in the long run. When applying for a follow-on job, fighting against a foregone conclusion may be viewed as bad judgement. In Bharara's case, he went against the power of the president and also over 200 years of tradition.

But there is another aspect here that bears discussion. In the course of the firing, the fact that his office was handling several high-profile cases such as a fundraising issue with New York Mayor Bill de Blasio, the Roger Ailes sexual harassment case, and the internet pornography investigation of former NY congressman, Anthony "Carlos Danger" Wiener among many others. The intimation here is that there were just too many important things ongoing in his office to have him leave just yet.

So, was Bharara handling every aspect of every case? Of course not. His staff was doing the actual work and keeping their boss informed. A well-run U.S. Attorney's office and staff should be able to have the boss walk out, completely disappear, and never miss a beat with the cases being processed.

So, here is a leadership lesson I would like to share with you. In almost any large organization, no position should be only one-deep. In other words, never allow the responsibilities of keeping the function of the office to rest with one individual. Rather, train others to be familiar enough with the job to be able to take over in the event of a temporary or even permanent loss. Every U.S. Navy ship is run this way. To do otherwise is foolish and simply bad leadership.

The other facet is the employee who seeks to make himself indispensable by deliberately keeping all pertinent operational information to himself. In the

leadership classes I have both taken and taught, the clear consensus was that a person who does that should be the first to be let go.

An employee who places his own ego and goals ahead of his organization's, is not being loyal to that organization. Preet Bharara was correctly shown the door.