America’s Latinos are strongly committed to public service at all levels of government, and possess a wealth of knowledge and skills to contribute as elected and appointed officials. The number of Latinos in our nation’s civic leadership has been steadily increasing as the Latino population in the United States has grown, and Latino candidates achieved historic victories in Election 2016. A strong Latino presence in the highest level appointments of President Donald Trump’s Administration is crucial to help ensure that the Administration develops policies and priorities that effectively address Latinos’ concerns. Throughout their tenure, and particularly during times of transition following elections, Presidential administrations seek to fill thousands of public service leadership and high-level support positions, and governing spots on advisory boards, commissions, and other bodies within the federal government.

The National Association of Latino Elected and Appointed Officials (NALEO) is committed to ensuring that the Trump Administration appoints qualified Latinos to top government positions, including those in the Executive Office of the President, Cabinet-level agencies, and the federal judiciary. This Primer provides information about the top positions available in the Trump Administration and how to secure them through the appointments process.
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During the 1980’s, there were very few Latinos considered for appointments in the federal government. The first Latino to hold a Cabinet post was Lauro Cavazos (Secretary of Education under Presidents Ronald Reagan and George H.W. Bush). Some of the others who held high-level positions in the 1980’s and early 1990’s were Manuel Lujan (Secretary of the Interior under President George H.W. Bush), Bob Martinez (Director of the Office of National Drug Control Policy under President George H.W. Bush), Antonia Novello (Surgeon General under Presidents Bush and Bill Clinton), Cari Dominguez (Assistant Secretary of Labor under President George H.W. Bush and later Equal Employment Opportunity Commission Chair under President George W. Bush), Patricia Diaz Dennis (National Labor Relations Board Member and Federal Communications Commission Commissioner under President Ronald Reagan; Assistant Secretary of State under President George H.W. Bush), Stella Guerra (Assistant Secretary of the Interior under President George H.W. Bush), and Sylvia Chavez-Long (Assistant Secretary of Veterans Affairs under President George H.W. Bush).

Starting in 1993, the Bill Clinton and George W. Bush Administrations substantially increased the number of Latinos holding top federal positions. Both Presidents appointed Latinos to Cabinet and other top-level positions. Clinton appointees included Henry Cisneros (Secretary of Housing and Urban Development), Federico Peña (Secretary of Transportation and Secretary of Energy), and Bill Richardson (Ambassador to the United Nations and Secretary of Energy). Bush appointees included Mel Martinez (Secretary of Housing and Urban Development), Alberto Gonzales (Attorney General), and Carlos Gutierrez (Secretary of Commerce). President Barack Obama also made deliberate efforts to nominate Latinos to top positions. High-profile Latino Obama appointees included Sonia Sotomayor (Supreme Court Justice), Ken Salazar (Secretary of the Interior), John King, Jr. (Secretary of Education), Hilda Solis and Thomas Perez (Secretaries of Labor), and Julian Castro (Secretary of Housing and Urban Development).

Looking forward, there are many highly-qualified Latinos who would bring a wealth of talent and expertise to President Trump’s Administration. Numbering more than 56 million, Latinos comprise more than one of every six U.S. residents (17.6%). The appointment of highly-qualified Latinos to top federal positions will help ensure that the Trump Administration represents America’s diversity.
A comprehensive listing of all the jobs a President can fill is set forth in the publication formally titled, “United States Government Policy and Supporting Positions,” informally known as the “Plum Book.” The Plum Book is published every four years, usually in December of each Presidential election year, by either the Senate Committee on Homeland Security and Government Affairs or the House Committee on Government Reform. The 2016 Plum Book is available in pdf format, and the Government Printing Office’s website includes additional information about the Plum Book’s content.

The 2016 Plum Book includes just over 1,200 positions that require Presidential nomination and Senate confirmation. In addition, nominees to the federal judiciary, U.S. Attorney, U.S. Marshal, and military and foreign service officer positions – the precise number fluctuates with vacancies – undergo Senate confirmation. Most of these positions requiring Senate consent are full-time jobs in executive branch agencies.

The Partnership for Public Service’s Center for Presidential Transition also provides job descriptions for more than 100 Presidential appointments subject to Senate confirmation, as well as for agency positions including Chief Financial Officer and Deputy Secretary, which are Presidential appointments. Information and resources for potential political appointees are on the Center’s website.

Nearly 500 positions, such as Chief of Staff to the President, are filled by Presidential appointees not subject to Senate confirmation. In addition to these, the Plum Book lists Senior Executive Service, Schedule C, and other positions in the Executive and Legislative branches that must or may be filled by political appointees not subject to Senate confirmation. Appointments range from Senior Advisor and Deputy Director positions in executive agencies to leadership roles – sometimes held in a part-time capacity – on federal advisory boards, commissions, and other bodies.
LEVELS OF APPOINTMENT & COMPENSATION

The number and structure of federal appointments are subject to federal guidelines, budgetary constraints, administrative priorities and political considerations. Most political appointments fit into one of four categories:

1. Presidential Appointments Requiring Senate Confirmation (PAS)

These are the highest-level appointed positions, which typically include Cabinet Secretaries, Undersecretaries, Assistant Secretaries, and Administrators. PAS appointees must undergo vetting, and must gain approval from the Senate. Consequently, they are sometimes the focus of intense political battles which can delay or derail their appointments.

2. Senior Executive Service (SES)

Certain positions at this next highest level – up to 10% of all SES positions – are filled by appointment, while other SES positions are permanent jobs that are filled through a competitive, non-political process. SES positions include those serving as second-in-command to an Assistant Secretary, and those with responsibility for managing major programs. The most common job titles at this level are Deputy Assistant Secretary, Associate Deputy Secretary, and Deputy Director. The 2016 Plum Book indicates that there are at least 761 SES positions that may be filled by political appointees.

3. Schedule C

Schedule C positions are exempted from competitive service requirements because of their confidential or policy-determining character. Individuals in these posts are often close aides to those in charge of agencies or programs. Typical Schedule C job titles include Special Assistant to the Assistant Secretary and Confidential Assistant to the Director. The 2016 Plum Book indicates that there are 1,538 Schedule C positions available.

4. Other Presidential Appointments (PA)

In addition to PAS, SES, and Schedule C positions, there are positions requiring a Presidential appointment but not Senate confirmation. Flexibility and presidential discretion are key features of most PA assignments. In some cases, the President may simply need a PA for a particular task. The President may also designate someone a PA because he expects that the person may face political obstacles to Senate confirmation for a PAS post. In other cases, PA appointments are regular standing positions, on Boards or Commissions, for example. These appointees may not hold their positions for a fixed period, but may instead remain in their posts at the pleasure of the President, for as long as he requests their service. The 2016 Plum Book indicates that there are 472 PA jobs in the new Presidential Administration.
Many positions filled by Presidential appointment come with salaries determined in accordance with the Executive pay scale. However, the holders of some part-time positions are not compensated, or are paid a daily rate for their days of service. Paid PAS, SES, and PA positions are ranked I through V on the Executive pay scale, with Secretaries paid at level I, Deputy Secretaries paid at level II, Undersecretaries at level III, Assistant Secretaries at level IV, and Administrators, Directors, and Commissioners at level V. The maximum pay for an SES position is the rate for level II or level III, depending upon whether the particular position is covered by a certified SES performance appraisal system. According to the 2016 Plum Book, the Executive pay scale amounts in effect on January 1, 2016 were $205,700 at level I, $185,100 at level II, $170,400 at level III, $160,300 at level IV, and $150,200 at level V.

On the other hand, most Schedule C positions are paid in accordance with the General Schedule, or GS, pay grade system, which currently has a maximum pay range of $128,082-$160,300 at its highest level of GS-15. An executive order prohibits Presidential appointees serving in full-time, non-career positions, including Secretaries and Deputy Secretaries, from receiving any earned income from outside activities for the duration of their service.
Before you begin the application process, give some thought and dedicate some research time to identifying particular positions, agencies, and areas of work that are of most interest to you, and for which you are best qualified. You should also privately assess your ability and willingness to undergo an extensive background check process, which will require that you provide comprehensive personal and financial information and documents to government investigators. Be aware that the Trump Administration has indicated that it will require individuals registered as lobbyists to cancel their registration before joining the Administration, as well as require that all appointees agree not to lobby the federal government for a period of five years immediately following their service.

You can learn more about the range of positions filled by Presidential appointment by consulting the Plum Book, the Resources section of the Center for Presidential Transition’s website, and by reviewing menus of positions, agencies, boards, and commissions included in the new Administration’s online application for individuals interested in Presidential appointments, available at https://apply.ptt.gov. After the President-Elect takes office, his Appointments team transitions into positions with the Office of Presidential Personnel in the Executive Office of the President; this Office will maintain information about open positions and the qualifications sought in potential appointees.

Once you know which positions you may seek, apply by following the instructions provided by the Presidential Transition team at https://apply.ptt.gov until January 20, 2017; thereafter, you should follow instructions from the Presidential Personnel Office (PPO). As you are completing the formal application process, gather support for your application, including letters of recommendation. Administrations receive thousands of job applications and resumes; therefore, if you have personal access to and relationships with Administration officials or members of Congress, their recommendations may be helpful in securing careful consideration of your application. The White House is under no obligation to follow these recommendations, but is likely to find them helpful.

Typically, the President (or President-Elect) is able to be personally involved in choosing personnel, particularly for the most prominent political positions in the Cabinet, diplomatic corps, and agency leadership. As a result, individuals who seek such positions should take care to make their interest and superior qualifications known to the Transition team or White House as soon as possible, and should systematically cultivate connections and relationships with Presidential advisors. As former head of the National Oceanic and Atmospheric Administration Dr. James Baker put it, “It isn’t merit alone that gets you a job. You have to do a campaign… Other people will be pushing their names and you have to do that, too.”

The large number of positions filled by appointment ensures that the President and his closest advisors cannot be intimately involved in the selection of a candidate for each opening. The
team that staffs the PPO can be expected to play a central role in recruiting and screening candidates and assisting the President in choosing nominees. In recent Administrations, Presidents have typically agreed to the recommendations provided by their personnel staffs.

Once a nominee has been selected, he or she will undergo a vetting process that requires submission of additional information and forms that cover topics including personal finances, policy positions, and private and professional relationships that could become politically important. Applicants should begin the process prepared to subject their private as well as public lives to scrutiny. If and when cleared by the Counsel to the President, nominees are either appointed by the President, or forwarded to the Senate for its confirmation. Nominees subject to Senate confirmation should be aware that the information gathered by the White House is not necessarily provided to the Senate. Nominees should be prepared to provide personal, professional, and financial information anew to Senate staff.

Most nominees subject to Senate confirmation must be approved first by a standing committee, then by the full Senate. It is a good idea for nominees to seek meetings with each of the Senators who sit on the committee that will consider the nomination, and to form and use relationships with Senate offices during the confirmation process. Note that Senators agreed by a 2011 resolution to exempt 272 positions from committee consideration unless any Senator objects to a particular nominee going through an expedited process. Thus, certain nominations to Boards, Commissions, Chief Financial Officer appointments and other positions will now generally proceed directly to consideration by the full Senate.

While a nomination is in consideration, candidates should put some energy into cultivating contacts with members of the House of Representatives as well, especially those lawmakers who hold key positions on the authorizing and appropriations committees for the department in which one hopes to work. While they do not have a vote on nominations, House members still play a large role in determining what gets done in Washington. House committee staff work closely with their Senate counterparts and may know ways to move your nomination along.

Finally, nominees should keep a low profile and avoid giving interviews or making speeches prior to confirmation. Senators want to hear from candidates in private and at confirmation hearings before they start reading about their views in the newspaper. Nominees often fail to enhance their chances of being appointed and confirmed by courting press coverage and other forms of public attention.
While high-level appointments usually receive prompt Congressional attention and move from nomination to confirmation in a matter of weeks, other appointments – whether or not subject to Senate confirmation – often take longer to be made official. Interviews and background checks can last for weeks in some cases, and months in others, as can the Senate confirmation process. Candidates for appointments should be prepared for extended waits in limbo, particularly if their financial, professional, or personal backgrounds are complex or potentially controversial.
NECESSARY CREDENTIALS

Although Transition and Presidential Personnel staff ostensibly look for applicants from all political parties, applicants’ chances for key appointments are best if they are members of the President’s party, or are in a non-partisan elected or appointed position, politically well-connected, and expert in the subject areas involved in the appointment sought. At the same time, it is important to note that the law requires that member positions on certain boards, commissions, and committees be filled on a bipartisan basis. As a result, the President is certain to choose at least some appointees from both major parties.

Top-level government officials come from a wide range of careers in both the public and private sector. According to a Brookings Institution survey of senior-level appointees conducted in 2000, the vast majority of those who occupied the highest political offices within a Presidential Administration had a background in federal government work, or employment with a business or corporation, a law firm, or an educational or research institution. A study published in 2010 by Professor David E. Lewis found that a selected group of political appointees who served between fiscal years 2004 and 2006 were more likely than career employees to have private sector management experience, and to have previously worked in Congress or the White House.

A manual prepared for individuals seeking career SES positions is instructive in providing a sense of the skills needed to be successful in a top Executive Branch job. In addition to the abilities highlighted in this guide – aptitude at leading people, envisioning and achieving change, and getting results – political appointees need to be able to work constructively with different personalities, and to be sensitive to the many competing demands and considerations weighing on policymakers. Previous experience in elected or other political office may be particularly helpful in this regard.
 obtaining and keeping a political job can be an arduous process, and applicants should carefully consider whether the benefits outweigh the potential costs. the hours are typically long for a political appointee in a full-time position, and the pace of work is intense. appointees are subject to probing public and press scrutiny, not only during the nomination and confirmation process but once installed in a job. appointees must be prepared to disclose full personal background information. as noted, appointees’ dealings with the federal government will also likely be restricted for a period of time even after they leave their political positions, in order to prevent possible conflicts of interest. in addition, political appointments come with no job security, and for a host of political reasons successful nominees may be pressured to leave their posts at any time.

the potential rewards of political appointment are great, however. for example, former assistant secretary of the treasury lee sachs commented, “the quality of people that i’ve had a chance to work with…and the issues that i got to wrestle with – well, you can’t match that combination in the private sector.” former secretary of labor hilda solis said of her experience as an appointee, “i saw the prospect of serving as labor secretary as a wonderful opportunity to further the policies that i have been fighting for my whole life, and i had to seize it.” white house counsel to president reagan, arthur culvahouse jr. added, “i’ve never done anything as a lawyer in private practice as much fun as the 22 months i had in the white house.” during his tenure as hud secretary, mel martinez said “it was an incredible thrill and privilege [to be asked to join the president’s cabinet], and every day i enter the white house i am always in awe of the history of the place and the symbol of democracy it is for the world.” appointees gain significant opportunities to add to their areas of expertise and develop contacts and relationships; they provide important service to the nation and shape public policy. qualified latino appointees further latino political progress and open the door to the federal government for future generations.
The NALEO Educational Fund has long been a strong advocate for the appointment of qualified Latinos to top federal positions. To ensure the Obama Administration’s accountability to the Latino community, we worked closely with partners including the National Hispanic Leadership Agenda (NHLA) to identify and promote qualified Latino candidates for Cabinet, judicial, and political appointments across the Administration. Looking forward to the Trump Administration, we plan to continue to serve as a point of connection between Latino candidates for appointments, and top officials with the Transition team and White House, with whom we maintain relationships. We will urge the incoming Administration to actively recruit and hire Latino candidates, and hope to launch a formal effort to collect interested candidates’ credentials and host networking opportunities that will bring Latino professionals and key Executive officials together.

For more information about the Presidential appointment process, contact Laura Maristany, Director of Policy and Legislative Affairs, at lmaristany@naleo.org or 202-546-2536.