

TIME: How many more Mike Browns are out there?

By MARK THOMPSON, KAREN TUMULTY, MIKE ALLEN / WASHINGTON

Tuesday, September 27, 2005; Posted: 12:49 p.m. EDT (16:49 GMT)

A TIME inquiry finds that at top positions in some vital government agencies, the Bush Administration is putting connections before experience.

In presidential politics, the victor always gets the spoils, and chief among them is the vast warren of offices that make up the federal bureaucracy. Historically, the U.S. public has never paid much attention to the people the President chooses to sit behind those thousands of desks. A benign cronyism is more or less presumed, with old friends and big donors getting comfortable positions and impressive titles, and with few real consequences for the nation.

But then came Michael Brown. When President Bush's former point man on disasters was discovered to have more expertise about the rules of Arabian horse competition than about the management of a catastrophe, it was a reminder that the competence of government officials who are not household names can have a life or death impact. The Brown debacle has raised pointed questions about whether political connections, not qualifications, have helped an unusually high number of Bush appointees land vitally important jobs in the Federal Government.

The Bush Administration didn't invent cronyism; John F. Kennedy turned the Justice Department over to his brother, while Bill Clinton gave his most ambitious domestic policy initiative to his wife. Jimmy Carter made his old friend Bert Lance his budget director, only to see him hauled in front of the Senate to answer questions on his past banking practices in Georgia, and George H.W. Bush deposited so many friends at the Commerce Department that the agency was known internally as "Bush Gardens."

A plan from day one

The difference is that this Bush Administration had a plan from day one for remaking the bureaucracy, and has done so with greater success. As far back as the Florida recount, soon-to-be Vice President Dick Cheney was poring over organizational charts of the government with an eye toward stocking it with people sympathetic to the incoming Administration.

Clay Johnson III, Bush's former Yale roommate and the Administration's chief architect of personnel, recalls preparing for the inner circle's first trip from Austin, Texas, to Washington: "We were standing there getting ready to get on a plane, looking at each other like: Can you believe what we're getting ready to do?"

The Office of Personnel Management's Plum Book, published at the start of each presidential Administration, shows that there are more than 3,000 positions a President can fill without consideration for civil service rules.

And Bush has gone further than most Presidents to put political stalwarts in some of the most important government jobs you've never heard of, and to give them genuine power over the bureaucracy. "These folks are really good at using the instruments of government to promote the President's political agenda," says Paul Light, a professor of public service at New York University and a well-known expert on the machinery of government. "And I think that takes you well into the gray zone where few Presidents have dared to go in the past. It's the coordination and centralization that's important here."

The White House makes no apologies for organizing government in a way that makes it easier to carry out Bush's agenda. Johnson says the centralization is "very intentional, and it starts with the people you pick ... They're there to implement the President's priorities." Johnson asserts that appointees are chosen on merit, with political credentials used only as a tie breaker between qualified people. "Everybody knows somebody," he says. "Were they appointed because they knew somebody? No. What we focused on is: Does the government work, and can it be caused to work better and more responsibly? ... We want the programs to work."

But across the government, some experienced civil servants say they are being shut out of the decision making at their agencies. "It depresses people, right down to the level of a clerk-typist," says Leo Bosner, head of the Federal Emergency Management Agency's (FEMA's) largest union. "The senior to mid-level managers have really been pushed into a corner career-wise."

Concerns in the agencies themselves

Some of the appointments are raising serious concerns in the agencies themselves and on Capitol Hill about the competence and independence of agencies that the country relies on to keep us safe, healthy and secure. Internal e-mail messages obtained by TIME show that scientists' drug-safety decisions at the Food and Drug Administration (FDA) are being second-guessed by a 33-year-old doctor turned stock picker.

At the Office of Management and Budget, an ex-lobbyist with minimal purchasing experience oversaw \$300 billion in spending, until his arrest last week. At the Department of Homeland Security, an agency the Administration initially resisted, a well-connected White House aide with minimal experience is poised to take over what many consider the single most crucial post in ensuring that terrorists do not enter the country again.

And who is acting as watchdog at every federal agency? A corps of inspectors general who may be increasingly chosen more for their political credentials than their investigative ones. Nowhere in the federal bureaucracy is it more important to insulate government experts from the influences of politics and special interests than at the Food and Drug Administration, the agency charged with assuring the safety of everything from new vaccines and dietary supplements to animal feed and hair dye.

Scott Gottlieb at FDA

That is why many within the department, as well as in the broader scientific community, were startled when, in July, Scott Gottlieb was named deputy commissioner for medical

and scientific affairs, one of three deputies in the agency's second-ranked post at FDA.

His official FDA biography notes that Gottlieb, 33, who got his medical degree at Mount Sinai School of Medicine, did a previous stint providing policy advice at the agency, as well as at the Centers for Medicare and Medicaid Services, and was a fellow at the American Enterprise Institute, a conservative think tank.

What the bio omits is that his most recent job was as editor of a popular Wall Street newsletter, the Forbes/Gottlieb Medical Technology Investor, in which he offered such tips as "Three Biotech Stocks to Buy Now." In declaring Gottlieb a "noted authority" who had written more than 300 policy and medical articles, the biography neglects the fact that many of those articles criticized the FDA for being too slow to approve new drugs and too quick to issue warning letters when it suspects ones already on the market might be unsafe.

FDA Commissioner Lester Crawford, who resigned suddenly and without explanation last Friday, wrote in response to e-mailed questions that Gottlieb is "talented and smart, and I am delighted to have been able to recruit him back to the agency to help me fulfill our public-health goals."

But others, including Jimmy Carter-era FDA Commissioner Donald Kennedy, a former Stanford University president and now executive editor-in-chief of the journal Science, say Gottlieb breaks the mold of appointees at that level who are generally career FDA scientists or experts well known in their field. "The appointment comes out of nowhere. I've never seen anything like that," says Kennedy.

Financial ties to the drug industry

Gottlieb's financial ties to the drug industry were at one time quite extensive. Upon taking his new job, he recused himself for up to a year from any deliberations involving nine companies that are regulated by the FDA and "where a reasonable person would question my impartiality in the matter."

Among them are Eli Lilly, Roche and Proctor & Gamble, according to his August 5 "Disqualification Statement Regarding Former Clients," a copy of which was obtained by TIME. Gottlieb, though, insists that his role at the agency is limited to shaping broad policies, such as improving communication between the FDA, doctors and patients, and developing a strategy for dealing with pandemics of such diseases as flu, West Nile virus and SARS.

Would he ever be involved in determining whether an individual drug should be on the market? "Of course not," Gottlieb told TIME. "Not only wouldn't I be involved in that ... But I would not be in a situation where I would be adjudicating the scientific or medical expertise of the [FDA] on a review matter. That's not my role. It's not my expertise. We defer to the career staff to make scientific and medical decisions."

Behind the scenes, however, Gottlieb has shown an interest in precisely those kinds of deliberations. One instance took place on September 15, when the FDA decided to stop the trial of a drug for multiple sclerosis during which three people had developed an unusual disorder in which their bodies eliminated their blood platelets and one died of

intracerebral bleeding as a result.

In an e-mail obtained by TIME, Gottlieb speculated that the complication might have been the result of the disease and not the drug. "Just seems like an overreaction to place a clinical hold" on the trial, he wrote.

An FDA scientist rejected his analysis and replied that the complication "seems very clearly a drug-related event."

Osteoporosis drug rejected

Two days prior, when word broke that the FDA had sent a "non-approvable" letter to Pfizer Inc., formally rejecting its Oporia drug for osteoporosis, senior officials at the FDA's Center for Drug Evaluation and Research received copies of an e-mail from Gottlieb expressing his surprise that what he thought would be a routine approval had been turned down. Gottlieb asked for an explanation.

Gottlieb defends his e-mails, which were circulated widely at the FDA. "Part of my job is to ask questions both so I understand how the agency works, and how it reaches its decisions," he told TIME. However, a scientist at the agency said they "really confirmed people's worst fears that he was only going to be happy if we were acting in a way that would make the pharmaceutical industry happy."

The Oporia decision gave Pfizer plenty of reason to be unhappy: the drug had been expected to produce \$1 billion a year in sales for the company.

Pfizer's stock fell 1.4% the day the rejection was announced. The FDA has not revealed why it rejected the drug, and Pfizer has said it is "considering various courses of action" that might resuscitate its application for approval.

Health experts note that Gottlieb's appointment comes at a time of increased tension between the agency and drug companies, which are concerned that new drugs will have a more difficult time making it onto the market in the wake of the type of safety problems that persuaded Merck to pull its best-selling painkiller Vioxx from the market last year.

The agency's independence has also come under question, most recently with its decision last month to prevent the emergency contraceptive known as Plan B from being sold over the counter, after an FDA advisory panel recommended it could be. That Gottlieb sits at the second tier of the agency, critics say, sends anything but a reassuring signal.

David Safavian, U.S. procurement czar

David Safavian didn't have much hands-on experience in government contracting when the Bush Administration tapped him in 2003 to be its chief procurement officer. A law-school internship helping the Pentagon buy helicopters was about the extent of it. Yet as administrator of the Office of Federal Procurement Policy, Safavian, 38, was placed in charge of the \$300 billion the government spends each year on everything from paper clips to nuclear submarines, as well as the \$62 billion already earmarked for

Hurricane Katrina recovery efforts.

It was his job to ensure that the government got the most for its money and that competition for federal contracts -- among companies as well as between government workers and private contractors--was fair. It was his job until he resigned on September 16 and was subsequently arrested and charged with lying and obstructing a criminal investigation into Republican lobbyist Jack Abramoff's dealings with the Federal Government.

Safavian spent the bulk of his pregovernment career as a lobbyist, and his nomination to a top oversight position stunned the tightly knit federal procurement community. A dozen procurement experts interviewed by TIME said he was the most unqualified person to hold the job since its creation in 1974. Most of those who held the post before Safavian were well-versed in the arcane world of federal contracts.

"It's one of the most powerful positions in terms of impacting what the government does, and the kind of job -- like FEMA director -- that needs to be filled by a professional."
....xxx cut xxx

See complete article at: <http://www.cnn.com/2005/POLITICS/09/26/mike.brown.tm/>

With reporting by Massimo Calabresi

Copyright © 2005 Time Inc.

FAIR USE NOTICE: This may contain copyrighted (©) material the use of which has not always been specifically authorized by the copyright owner. Such material is made available for educational purposes, to advance understanding of human rights, democracy, scientific, moral, ethical, and social justice issues, etc. It is believed that this constitutes a 'fair use' of any such copyrighted material as provided for in Title 17 U.S.C. section 107 of the US Copyright Law. This material is distributed without profit.