

April 23, 2020

Dear Vice President Biden,

Now that you are the presumptive nominee for the Democratic nomination, you are almost certainly making preparations for a possible transition to the presidency. We recognize that candidates in your position often conduct transition work quietly to avoid appearing presumptuous. However, as you know, the need for such pre-election planning is recognized in federal law, including a 2016 [update](#) to the original Presidential Transition Act that was sponsored by your longtime aide, Senator Ted Kaufman.

Now more than ever, it is vital that you conduct your transition work in a manner that both allows you to enter the White House at full speed if you are elected and provides reassurance to the public that your administration will restore public confidence in the integrity and competence of government.

Therefore, we urge you to announce principles guiding your transition that demonstrate a high regard for good governance. We make the following recommendations:

1. **Announce both who is leading your transition effort and who is ensuring compliance with its policies.** We recommend that you announce who is leading your transition effort within weeks, if not days. We also recommend that you outline your transition team's governance policies by June 1 at the latest and, at that time, announce an "ethics czar" in charge of ensuring compliance with those policies.
2. **Make your ethics policy rigorous.** An update to the Presidential Transition Act [passed](#) this year requires major party nominees to publicly disclose the ethics policies that they have adopted for their transition teams. This important disclosure requirement leaves much of the details about implementation to the candidates. We ask you to design ethics guidelines to maximize the public's confidence that the people serving on your transition team will be working for the public, not for themselves, corporate special interests or foreign countries.

To achieve this objective, we recommend that you disclose who is working for your transition team – whether paid or unpaid – as they come aboard. We also recommend that your transition team disclose the financial interests of team members, as well as the identities of team members' recent clients. Additionally, we recommend that you adopt a policy, similar to that of President-elect Obama, prohibiting team members from communicating with the executive branch on particular matters relating to their transition work for 12 months after departing the team, should you be elected.

The updated Presidential Transition Act requires party nominees to publicly announce how they will address their personal conflicts of interest if elected. We recommend that you

pledge to divest within 30 days of inauguration of any assets that have a potential to present a conflict of interest, such as by converting those assets to diversified mutual funds or U.S. Treasuries funds.

3. **Make your transition transparent.** President-elect Obama's transition team broke new ground by disclosing the details of meetings that team members held with people and groups outside the team, and posting policy documents submitted to the team on the internet. We recommend that you do the same.
4. **Limit fundraising.** Current practices regrettably require candidates to cover a significant share of their transition team's costs through private fundraising. We recommend that you pledge to accept contributions only from individuals and, at that, not from lobbyists or foreign principals.
5. **Establish sound vetting process.** Presidents-elect Obama and Trump used starkly different vetting processes for potential nominees, with Obama requiring candidates to answer an exhaustive list of questions about their backgrounds and Trump apparently conducting little due diligence at all. The outcomes reflect the differences. We urge you to adopt the former approach, which has proven to avoid conflict-of-interest and other scandals.
6. **Surprise us.** President-elect Obama instilled his transition with many innovative features, such as disclosing meetings and documents submitted to the team. We ask you to challenge yourself to design new policies that will speak to your commitment to governance that embodies democratic ideals.

Transition teams' governance principles carry symbolic, as well as practical, significance because they set the tone for the new administration, should the candidate win election. Because administering a transition is an act of leadership, laying out guidelines for one's transition team offers a rare opportunity to essentially fulfill campaign promises in real-time. We ask you to embrace this chance wholeheartedly.

Sincerely,

20/20 Vision

African American Ministers in Action

American Economic Liberties Project

American Family Voices

Americans for Financial Reform

Campaign for Accountability

Citizens for Responsibility and Ethics in Washington (CREW)

Clean Elections Texas

Common Cause

Concerned Citizens for Change

Defend Democracy

Demand Progress

DemCast USA

Democracy 21

Democracy Matters

End Citizens United / Let America Vote

Claire Finkelstein, Professor, University of Pennsylvania Law School and Faculty Director of the

Center for Ethics and the Rule of Law

Government Information Watch

Greenpeace USA

Indivisible

Iowa Citizens for Community Improvement

Move On

NETWORK Lobby for Catholic Social Justice

Open the Government

Richard Painter, Professor, University of Minnesota Law School

People for the American Way

Progressive Change Institute

Progressive Turnout Project

Public Citizen

Revolving Door Project

Social Security Works

Voices for Progress