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Inside the Infamous 'Malek Manual'

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One resource that sheds light on how whistleblowers are maltreated is called 'The Malek Manual'. I first learned about it in 2012, years after some of its more sinister strategies were used against me (more about that at posts/pages related to the Lewis-FAA case). The so-called Malek Manual is an 80-page guide created in the early 1970's, during the darkest days of the Nixon administration, which notably ended with the resignation of a U.S. president on 8/9/74. Also notably, the practices discussed within The Malek Manual resulted in the 1978 passage of the Civil Service Reform Act (CSRA) - *not to protect*

whistleblowers but to eliminate them.

Some aspects of politics are quite predictable, including the fact that any new president can appreciate the advantages of cleaning out those civil servants who are (or might become) disloyal to that new president's political agenda. The unique thing about The Malek Manual is that here, under Nixon, was a very methodical compilation, showing who to get rid of and how best to do it. Some could reasonably argue that this conservative extremism was in response to the Vietnam protests, and to the 'attack' felt by release of the **Pentagon Papers**. This has since become known as The Malek Manual, but in fairness to Mr. Fred Malek, this may be a misnomer. In fact, to be completely fair to Mr. Malek, he has declared the true author was Alan May in 1974, which he says was reported by both the Washington Post and National Journal. Mr. Malek's blog statement includes a theory that his name was used after... *"...it was found in my files because a copy was sent to me as a 'courtesy.' I found it distasteful. But did not in fact have anything to do with creating it..."* Maybe not, but deeper research shows that HEW employees in the late 1960's considered Mr. Malek to be a gung-ho hatchet man (he had been appointed as a deputy secretary); that Mr. Malek was then appointed to Nixon's Whitehouse, as personnel director under Haldeman, in 1970; that one of his key projects then was the "responsiveness program," which he designed, organized and implemented in 1972 to politicize the federal government in support of Nixon's reelection; and, that he was a lead director within CREEP, the committee to re-elect the president (yes, the people behind Watergate). So, putting Mr.

Malek in the best possible light, perhaps he did not directly author any portions of The Malek Manual, but it looks like he may have had a great influence indirectly, with his groundwork in the Whitehouse, from 1970-1973.

“...there are several techniques which can be designed, carefully, to skirt around the adverse action proceedings...”

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And what exactly is in The Malek Manual?

The first few pages discuss past presidencies, focusing on efforts by Kennedy and then Johnson to clean out disloyals. This theme repeats often in later portions of the 80-page Malek Manual; alleged shenanigans by the Johnson and Kennedy administrations are found at pages 3-5, 7, 39, 43, 65, 72 76 and 79.

At pages 19-20 there is a recommended methodology to compiling... “...*the necessary data to establish whether any incumbent of a ‘target’ position meets the required qualifications for that post....*” It suggests assignment one of four letters to civil servants, so as to decide which are worth keeping (loyal to the president), which need to be watched, and which should be gotten rid of. The letters are ‘K’ (for keep), ‘O’ (for out, as in go away), ‘L’ (for ‘let’s watch this fellow’), and ‘N’ (for ‘neuter’). Wow!! It looks like 1974 was a rough time to be a Federal civil servant!

“...data to establish whether any incumbent of a “target” position meets the required qualifications for that post. A recommended evaluation system might be:”

Code

Explanation


K = A substantively qualified, dependable member of the team.
Keep

O =	Either unqualified or lacking in dependability as a member of the team, or both.
Out	
L =	A person whose qualifications and/or dependability have raised questions but there is not sufficient data to make a decision.
Let's Watch This Fellow	
N =	A qualified individual who can ordinarily be depended on to follow instructions but cannot be regarded as personally, on his own volition, a member of the team.
Neuter	

Many pages of boilerplate follow, describing the different types of appointments, the appointment process, and other materials that will stretch your eyelids. Then, at page 53, a quick mention is made of the 'Geographic Reassignment Method'. Yes, it implies things may be getting more interesting if you read on when it states, "...geographical reassignments are frequently used as a hopeful removal technique and these are outlined in Section III, Chapter 3 of this Manual."

Sure enough, in the final nine-pages of the 80-page Malek Manual, the real meat gets ground with Chapter 3: Techniques for Removal Through Organizational or Management Procedures. This is the internal 'black-playbook', the 'how-to' for destroying your undesirable employees. It leads off with this:

"The Civil Service system creates many hardships in trying to remove undesirable employees from their positions. Because of the rape of the career service by the Kennedy and Johnson Administrations, as described in the Introduction, this Administration has been left a legacy of finding disloyalty and obstruction at high levels while those incumbents rest comfortably on career civil service status."

The Malek Manual then summarizes how difficult a firing can be, and goes on to present some alternative techniques. The actual pages, with some emphasis and color to improve readability, are provided by aiREFORM at this link:  Tricks to help you, the ever-caring federal manager, to work around the cumbersome rulebook (yeah, those worthless guidelines that actually support the right of your employees to be 'disloyal'). How about a 'Frontal Assault Technique'? Or, a 'Transfer Technique'? Or, you might consider either the 'Special Assistant Technique' or the 'Layering Technique'. Then, too, we have the 'Shifting Responsibilities & Isolation Technique'; and the 'New Activity Technique'. So many creative ways for federal managers to build up their federal pension while destroying the lives of whistleblowers and their families. Be careful, though; some of the more clever

'disloyalists' are developing tactics, so be sure to also read about 'Bureaucratic Countermeasures'. Wow. Reminds me of the 'Spy vs. Spy' cartoon in the old Mad magazines I read back then...

*“...isolating those bureaucrats who
have not quit in disgust into
meaningless technical positions out
of the mainstream...”*

Finally, the conclusion. Here's the entire paragraph. I have taken the liberty to add yellow highlights for portions that most trouble me, as an FAA whistleblower forty years later.

Oh, as for 'neutering' of the undesirables? Mine happened 22-years into my FAA Air Traffic Controller career, though thankfully I was 'only' fired on 11/6/2008.

...an excerpt from the 1974 'Malek Manual', at pgs. 79-80...

CONCLUSION:

There is no substitute in the beginning of any Administration for a very active political personnel operation. Whatever investment is made in positions, salaries, systems, training and intelligent work in this area, will yield a return ten-fold. Conversely, the failure to invest what is necessary to a political personnel program, will cost the Administration and the Department or Agency fifty-fold what they might otherwise have invested. These estimates are borne out by experience. Where Departments and Agencies, and Administrations, have failed to invest the manpower and other necessary aforementioned items into an effective political personnel program—blindly paying lip service to such a function and proceeding immediately to invest heavily in the management and program functions they have only been plagued by such folly. The time consumed of high level Administration appointees, and the manpower and expenses involved in the creation of firefighting forces, caused by acts in attempt to frustrate the Administration's policies, program objectives and management objectives, as well as to embarrass the Administration, engaged in by unloyal employees of the Executive Branch, as far exceeded the investment a political personnel operation would have required. In those few organizations where an effective political personnel office was the forerunner of "new directions" in policy, program objectives, and management objectives, the ease and low visibility with which they were accomplished was markedly contrasted to the rest of the Administration. There is no question that the effective activities of a political personnel office will invoke a one-shot furor in the hostile press and Congress. But there is no question that these costs are far less than the costs of the frequent crescendos of bad publicity that are sure to occur frequently and indefinitely if you do not. In short, it is far better and healthier to swallow a large bitter pill in the beginning, and then run rigorously

toward your objectives, than to run toward your objectives stopping so frequently for small bitter pills that you become drained of the endurance, the will and the ability to ever reach your objectives. As one of the ranking members of this Administration once put it: "You cannot hope to achieve policy, program or management control until you have achieved political control. That is the difference between ruling and reigning" [emphasis added].

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