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Reflecting on Trump's presidency one year after his election

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CONTRIBUTORS:

Host:

FRED DEWS

ELAINE KAMARCK

Founding Director, Center for Effective Public Management

Senior Fellow, Governance Studies

MOLLY REYNOLDS

Fellow, Governance Studies

(MUSIC)

DEWS: Welcome to the Brookings Cafeteria, the podcast about ideas and the experts who have them. I'm Fred Dews.

One year ago this week, Donald Trump triumphed over Hillary Clinton in the 2016 presidential election. While Clinton won nearly three million more votes than Trump his expected wins in states such as Wisconsin, Michigan, and Pennsylvania put him over the top in the Electoral College.

To look at where we've been and where we're going on this anniversary of one of the great political upsets in American history, I'm joined by Senior Fellow Elaine Kamarck, founding director of the Center for Effective Public Management here at Brookings.

Stay tuned in this episode for “What's Happening in Congress,” our regular commentary from Governance Studies Fellow Molly Reynolds. Follow the Brookings podcast at work on Twitter @policypodcasts to get the latest information about all of our shows. And now on with the interview. Elaine thanks for calling in and welcome back to the Brookings Cafeteria.

KAMARCK: Thanks, Fred. Thanks for having me.

DEWS: So we're recording this exactly on the one year anniversary of the 2016 presidential election. And as I reflect back on that day I remember going into the day with nervous but hopeful anticipation about the result I hoped for, and then as the evening went on those hopes collapsing. Can you tell me what your thoughts and expectations were going into Election Day 2016?

KAMARCK: Well I had a very interesting Election Day 2016 because my newest granddaughter was being born that day. My daughter went into labor in the morning so I spent much of the day thinking how exciting it is going to be to tell my granddaughter that she was born on the day that the first woman president was elected.

As you can imagine at about 10:00 o’clock at night I figured out whoops, that was not going to happen. So it was a very mixed emotion. The baby came, she's fine, she’s great, and she is a year old today and so is Donald Trump's election.

DEWS: We'll happy birthday to your granddaughter. So Trump was elected, on November 9th he was the president elect and then we went into the transition period and you and your colleagues in Center for Effective Public Management have written a lot about the importance of transitions. How did Trump do in that transition, and does that experience still matter today?

KAMARCK: I think in that transition we saw three of the problems that still matter today. Problem number one was the lack of discipline that President Trump has and the fundamental lack of understanding of the job.

So we saw him do this sort of ridiculous things like go to the CIA, stand in front of the wall commemorating those who had given their lives in service to their country, and rather than talking about the importance these people play in the United States government and their mission, he complained about press reports on the size of his inaugural crowd. It was a nails on the blackboard kind of moment it was so inappropriate and we've continued to see that from Trump. So we saw this kind of bizarre-nonpresidential behavior which he continues.

The second thing we saw was his lack of attention to policy detail and his lack of understanding of the government. He did not consult the Department of Homeland Security when he issued that first immigration order which was issued a couple of days if not the day after his inauguration. And of course it was ill conceived and ultimately unconstitutional, but even before then it plunged everything around the world into chaos. And I think that you've seen that. So you saw his lack of discipline, you saw his lack of familiarity with the federal government, and then you saw the odd ways that he put together his Cabinet relying on other billionaires with no governmental background and no governmental experience.

He seemed to understand the need for an experienced team when he picked Mike Pence to be his vice president, but then when he went about picking this Cabinet it

was a Cabinet of sort of billionaire cronies. No one with a heavy resume in government or public policy. And those three problems that emerged during the inauguration have continued to plague him throughout the first year.

DEWS: Despite the way that his administration started and a lot of the continued issues that a lot of us have seen, now I don't want to focus too much on some of the specific episodes, what would you say –just looking at it from a positive point of view— what would you say would be among the president's most significant accomplishments to date?

KAMARCK: Well I think the most significant accomplishment is probably the emphasis on jobs and deregulation, which is fueling, finally, some business expansion or helping to fuel some business expansion, a robust stock market, [and] low unemployment.

Now you can argue over how much of this is Obama's actions during the recession finally happening. But I think there's a sort of positive business environment out there which is interesting, and I think he probably has something to do with that. Whether it's sustainable, I don't know. Whether it collapses if this tax bill collapses, I don't know. But I think that he has managed to preside over a pretty good economy and he'll probably take a lot of credit for it even if, in fact, he's only really due partial credit.

DEWS: And any actions that he's taken to contribute to these outcomes has been mostly through executive orders rather than actual legislation that he signed, is that right?

KAMARCK: Yeah, he has a very, very thin almost non-existent legislative record. I mean he hasn't he hasn't passed any significant legislation yet. In fact he's lost some pretty big battles. So, everything he's doing is either in the area of talking up the economy or making some changes in regulations. Most of them unfortunately environmental.

DEWS: There was this notion that was discussed even during the campaign and during the transition and I think it's still discussed today that Donald Trump would grow into the presidency. Everybody knew that he didn't have any political experience but that the trappings of the office and the institution would somehow allow him to grow into the presidency. Do you think he has grown into the presidency, and whether or not he has what would growing into the presidency actually look like? How would we know?

KAMARCK: I don't think he's grown into the presidency and I think we would know if he in fact was able to offer sincere condolences to Americans who suffered some sort of calamity. The fight he got into with Puerto Ricans is just unseemly. He calls up a gold star mother and rather than making a simple condolence call gets into a controversy over it.

For most presidents these have been no brainers, right. They've been able to execute condolence calls. They've been able to console people in time of crisis. They've done a pretty good job at this. And this president can't seem to get that right and that's pretty basic, and so don't think he's grown into it.

DEWS: One political writer that I read recently, he said that Trump's not a legislator presidency which you've just said, but it is a cultural presidency. Can you discuss what that could mean?

KAMARCK: Well, first of all we've had rhetorical presidencies, we've had imperial presidencies, the cultural presidency is pretty damn thin as far as I'm concerned. I just can't imagine what that means. And if it means that he's bringing a culture of hate speech and insulting to America, well I don't know that that's so good.

Presidents aren't evaluated on their changing of the culture because they don't tend to change the culture, but they can bring forth some pretty awful parts of the culture and that's what he's doing. If he is evaluated as a cultural presidency it's not going to be a very good evaluation that's for sure.

DEWS: Let's shift over to some of the institutional issues about the executive branch. You said in an event that we had at Brookings just a year ago the day after the election that we have to trust the Constitution to work in this situation. There are

institutional constraints that you've talked about throughout the U.S. government that every president faces. Would you say that these institutional constraints, these institutional parameters of our government are operative for President Trump? And if he wanted to could he break those?

KAMARCK: I think the Constitution has been working pretty well. I think the three branches of government have maintained their independence against a president who clearly would like to be a dictator or a king. Congress has had no trouble turning down his healthcare proposal; not once, not twice, but three times. And the biggest constitutional check which almost nobody talks about is that early on there was a Russian sanctions bill passed. And in that Russian sanctions bill, which is to continue sanctions on Russia for its actions in Ukraine and Crimea, in that Russian sanctions bill it limited the power of the president to lift sanctions.

Now it passed overwhelmingly in both the House and the Senate. The White House made some tepid remarks about how this was an unconstitutional limit on presidential power, which it might be, but the fact of the matter is they didn't take it to court, right. Another president might have taken this to court, it's exactly the sort of separation of powers issue that the Supreme Court would end up having to decide, and no it didn't. This was the Congress saying very clearly to Donald Trump "whatever you think you're going to do, whatever you did do, you are not lifting sanctions without us."

And that strikes me as the most powerful constraint on Trump's power that has happened. And the second most powerful one is again three times the courts have turned down his immigration executive order. And of course we have a special prosecutor and indictments of his former campaign manager. So the judicial branch seems to be doing a pretty good job. They don't seem to be cowed by Donald Trump. And Congress, frankly, doesn't seem to be cowed by Donald Trump.

DEWS: Let's turn to the White House staff then. There's also this notion that's been talked about that perhaps the role of White House Chief of Staff John Kelly and maybe other senior officials in the White House itself are containing or constraining the impulses of this president and giving him room to vent in certain places but then trying

to direct him toward, you know, kind of more normal outcomes. Do you think that's what's going on in the White House?

KAMARCK: Yeah, I think so. I think they know that they've got an unusual boss on their hands. There are many times when they have said something a matter of policy and he has contradicted them or he's gone out and said something in a tweet or in an interview and either the White House staff or one of the Cabinet officers has contradicted him. It's just happened over Puerto Rico not too long ago where the OMB director said “no, we're not going to do that,” and he hasn't been fired. I mean people don't seem to get fired for this. So it's almost as if Donald Trump sort of operates on his own and then the staff and the Cabinet sort of clean up around him.

DEWS: Let’s discuss Donald Trump's relationship with Congress, again another area that Governance Studies and Center for Effective Investment has looked at a lot. The institutional relationship between the White House and the legislative branch is vitally important. Would the President be scoring more legislative victories if he had a better relationship with Congress?

KAMARCK: Of course he would. I mean, of course he would. He would also be proposing probably better legislation. His relationship with Congress is exceedingly poor. He does not golf with members of Congress. He goes off to his private club every weekend and he golfs. Other presidents have golfed with members of Congress and made friends with them, and you know, learned what they were like and what they knew and what they wanted. This president has no relationships with Congress. In fact he seems to have outsourced all of that to his vice president Mike Pence who has excellent relations with Congress.

So he doesn't have any relations and what's more he's gone one step further, because let’s face it Obama didn't have great relationships with Congress either, but Trump has gone even a step further and he has by my count absolutely insulted or gotten into fights with 14 Republican senators. Now that's kind of astonishing. This is the president who goes to war with senators of his own party on a more or less regular basis and without seeming to be aware of the fact that the only people that could boot him out of office are two thirds of the United States Senate. So this has been an

amazing thing to watch. I can't remember a president going out of his way to be hostile towards members of his own party in the Congress.

DEWS: I remember one example he called Tennessee Senator Bob Corker “liddle Bob Corker” in a tweet, and Bob Corker is the chairman of the Senate Foreign Relations Committee. So how does that…when the president has such a terrible relationship with say that person, the chairman of the Senate Foreign Relations Committee, and in fact insults that person what does that kind of on the ground really do to the foreign policy agenda of the White House vis a vie that one senator who is the chairman of that important committee?

KAMARCK: Well it obviously doesn't help the relationship. On the other hand it's been pretty clear since the Munich Conference, security conference in I think February of 2017, that there seems to be a troika of Mattis, MacMaster, and Kelly that is running foreign policy—oh, and Pence—that seems to be running foreign policy that have the relationships with the government and with the Congress.

So you will notice that when Donald Trump got to North Korea last week he was very muted; there was no rocket man, there was no yelling and screaming. Now he got a little bit more contentious in his actual speech in South Korea, but the fact of the matter is that there's a seesaw going on here between Donald Trump's kind of random chaos method of doing policy, whether it's national security or domestic, and the people in his White House and in his Cabinet that are trying to constrain him or fit that into a more conventional policy.

DEWS: You have a piece on the Fix Gov blog on our website that you just published “The Trump presidency: Looking back one year and forward one year,” in which you write that “President Trump is settling into a pattern.” What is that pattern?

KAMARCK: I think the pattern is a pattern of he gets something in his head for some reason. He tweets it. The government then has to respond or interpret his tweet, and they do so and then he seems to forget about it [and] move on to the next thing. So his tweet that absolutely there will be no more transgender people in the military, which kind of stunned everybody and seemed to come out of nowhere because that seemed

to be a settled issue, turned into the secretary of defense saying no transgender people currently serving we're going to be thrown out and there will be a six month study.

Now you know that's all very mild compared to the tweet. So I think that this is the pattern which is that the government itself, the permanent government and the political appointees, are kind of interpreting if you will President Trump's more rash statements.

DEWS: Part of this piece that you wrote is looking ahead to the 2018 midterms especially after the big election for the Democratic Party this week in Virginia, New Jersey, and other places in the country. Thinking about that, and then thinking about looking ahead to the 2018 mid-term elections, what do you think are going to be the driving forces for Democratic and Republican candidates?

KAMARCK: Well I think that if things go as they've been and as they seem to have happened this week, I think the 2018 election could be a nationalized election and it could be a referendum on Trump. And that's what we need to see. If it is a referendum on Trump then he will do worse than usual in terms of Republican losses.

All incumbent presidents lose House seats in their first term and the average is around 30. Democrats only have to pick up 24 to gain control of the House and to the extent that a president is unpopular, each point in unpopularity tends to lose them some more seats in the Congress.

So Trump is now the most unpopular president we've ever had during his first year. So that certainly doesn't bode well for the Republicans. And there is always the tendency to lose seats in the first midterm anyway. So everything looks like it's set up for the Democrats and we'll see what happens. If they pass the tax bill they might get a little bit of credit for being able to you know actually execute some policy. We'll see if that happens. Basically this is looking like at this point in time a referendum on Trump and that's not good for the Republicans.

DEWS: Well let's look ahead in one more way. You and I on this podcast have talked a lot about presidents and political history, which I always love talking about, but let's look ahead beyond the Trump presidency to the next president either in 2020 or

2024. The worry is that Americans perhaps are becoming used to President Trump's style. You and others have talked about norms of governance and norms of presidential behavior and President Trump seems to be breaking a lot of these norms. What do you think President Trump's style of behavior, his style of being president, portends for the American public's expectations of future presidents?

KAMARCK: You know often we elect presidents who are the opposite of the president we just had. So we had a cool, calm, intellectual President Obama. And we've got now an anti-intellectual bully and bombastic sort named President Trump. My expectation is that we will revert back to normal. That the next American president, Democrat or Republican, will be kind of boring compared to Trump, will be much more of a traditional politician, will be much more knowledgeable about policy. And you know we may have more swear words in our political conversation, I seem to hear more damns and other swear words from politicians in the recent years that I used to, but other than that I think that we will revert back.

Now I'm in the minority I think because I think Trump is an anomaly. I don't think he is the future. I think there's a variety of reasons why he is an anomaly and one has to do with Russian efforts to create chaos and distrust in the American election, but we'll see. I think we'll revert back to a much more normal kind of president.

DEWS: Well let's leave it there, and as always Elaine I want to thank you for sharing your time and expertise today.

KAMARCK: Thanks for having me Fred and take care.

DEWS: And now here Molly Reynolds with What's Happening in Congress.

REYNOLDS: My name is Molly Reynolds and I'm a fellow in the Governance Studies program at the Brookings Institution.

Since House Republicans released their proposal for changing the American tax system, Capitol Hill has been largely focused on Republicans efforts to get the bill across the finish line on the ambitious timeline Party leaders have identified. There's been lots of discussion about specific provisions like the corporate tax rate, the estate

tax, [and] various tax credits and deductions, but on the strategic level the Republican bill has illustrated an important tool for legislating in the contemporary Congress: punting.

We see punting on display prominently in the structure of the House bill. Take for example, the provision in the House bill that creates a $300 per person tax credit for household members other than kids. That provision disappears after 2022 in part to help satisfy Senate budget rules that mean that the bill cannot increase the federal deficit more than 1.5 trillion dollars over 10 years. Given the likely popularity of that provision which has much broader benefits than many other provisions in the bill, Republicans may see punting on the question of whether to make it permanent as a political winner.

In five years Congress will have to decide whether or not to extend the credit. If Republicans participate in a successful extension they can claim credit for doing so. And if an extension fails they're likely the logic is they'll try to blame the Democrats. Compare that to other less popular provisions in the tax bill like repealing the estate tax. The estate tax was initially phased out as part of tax legislation passed using the budget reconciliation process during the George W. Bush administration but returned to 2013 while Democrats controlled the Senate and the White House.

Republicans have reason to expect that something similar could happen again if they don't remain in power so making the change permanent now has become a higher priority. Republicans seem to be thinking that punting on policy choices that are likely to be popular and thus easier to potentially extend is easier than those that are likely to be unpopular. Importantly, Republicans aren't just punting on some policy questions because they think they will create favorable political conditions in the future. If the bill gets from the house to the Senate, budget experts who have looked at the House's proposal believe that it could run straight into the Senate's version of special team’s coverage also known as the Byrd rule.

As observers of this summer's health care debate know, the Byrd rule limits the content of bills handled through the filibuster proof reconciliation process. In the case of the current tax legislation the component of the Byrd rule is likely to matter the most is

the one prohibiting a reconciliation bill from increasing the deficit outside a 10 year period covered by the current budget resolution

The House sending the Senate reconciliation bill that it suspects will run afoul of Senate budget rules is hardly unprecedented. We saw it happen in the health care debate this summer as well as in the deliberation over the ACA repeal reconciliation bill that President Obama vetoed in 2016. Going back to the 1990s, we saw evidence when House Republicans were attempting to reform welfare, Medicaid, and other social programs through the reconciliation process that they also sent the Senate reconciliation bill riddled with potential Byrd rule issues.

If House Republicans know their bill probably can't pass the Senate as written, why would they bother to send it to the upper chamber in the first place? In political science we often think about one chamber of Congress including a provision that it knows is unlikely to ultimately become law in its version of a piece of legislation as a bargaining move. The house is more aggressive on something in the Senate and then the two chambers split the difference in negotiations. That's a possibility here, though the Senate's procedural environment may give it an advantage in being able to insist on its position in order to accommodate its rules.

Another possibility is that House Republicans are prioritizing solving one problem, how to get 218 of their members to vote for a tax bill, over another, how to actually produce a piece of tax legislation that satisfies the Senate’s budget rules. Assuming no House Democrats chose to support the bill, House Republicans have 22 votes to spare. That's not an especially slim margin by recent standards. The House Republican majority is about average for congressional coalitions since 1980. Importantly though, within that coalition is the House Freedom Caucus which has enough votes to sink a bill if they choose to stick together. So as with health care, Republican leaders need to make sure that measure has a sufficiently conservative center of gravity. But at the same time they need to make specific concessions to more moderate members to keep them on board. We've seen this for example with the ongoing debate over the state local tax deduction. Put these two dynamics together and accommodating the other chambers budget rules simply isn't that high of a priority.

For this strategy to work however, House Republican leaders must believe that their members will be willing to back down from some of their more problematic policy proposals once the Senate has taken its turn. If the recent experience with the budget resolution, which [is] the high level blueprint that unlocked the ability to use reconciliation for tax legislation is any indication, leaders may well be right.

House Republicans had called for a reconciliation process that made significant spending cuts as well as tax changes, but when the Senate refused to take that approach the house backed down. A real challenge could arise if the Senate itself can't come to an agreement on what it wants a tax bill to look like. Remember that the final negotiating tactic used by Senate leaders in trying to build support for the July version of the health care bill in the Senate was “just pass this bill and we will fix it in negotiations with the House.” Ensuring that the bill would actually be reopened and changed was a difficult promise for Republican leaders to keep.

Punting can be a powerful political strategy but only if the members of the two chambers believe that it is actually possible to reach an acceptable outcome in the next stage the process whether that’s a future policy choice or a coming step in negotiations between the chambers. Add in the political pressure that Republicans are under to get something done and the next several weeks are likely to bring many interesting developments. That's what's happening in Congress

DEWS: Hey listeners want to ask an expert a question? You can by sending an email to me at BCP@Brookings.edu. If you attach an audio file I'll play it on the air and I’ll get an expert to answer and include it in an upcoming episode. Thanks to all of you who have sent in questions already.

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