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Reality check: Many of Trump's early vows will probably never happen

By Ashley Parker and Sean Sullivan January 27

No one can accuse Donald Trump of campaigning in poetry. But after just one week in the White House, the new president is bumping up against the hard reality of governing in prose.

Many of the sweeping actions President Trump vowed this week through his executive orders and proclamations are unlikely to happen, either because they are impractical, opposed by Congress and members of his Cabinet, or full of legal holes.

The reality — that yawning gap between what Trump says he will do and what he can do — underscores his chaotic start, which includes executive actions drafted by close aides rather than experts and without input from the agencies tasked with implementing those actions.

On a host of issues, including health care, trade and immigration, Trump began his presidency with executive orders intended to both placate and excite his base by keeping his bold campaign promises — in rhetoric, if not immediate, tangible results. And the White House says Trump's executive actions should be viewed as initial moves to enact his agenda.

"We're taking the first steps to get it done, with the understanding that some of these things may be a process, but you have to begin the process and that's what he's doing — taking bold action and doing everything he can to make sure these things happen," said Sarah Huckabee Sanders, the principal deputy White House press secretary. "I have no doubt these things are going to happen."

But the reality is far more complicated. On immigration, for instance, Trump's call for a border wall paid for by Mexico has to be funded first by Congress. And the possibility that Mexico would pay for the wall — always a long shot — grew even more remote this week after Mexico's president on Thursday canceled his planned visit to Washington to meet with Trump, citing disagreement over the wall. The White House said that one possible option would be to pay for the project with a border tax on Mexican imports.

On trade, Trump can withdraw from and renegotiate trade agreements, as he promised during the campaign. But there is no guarantee that he will have willing partners with whom to renegotiate better trade deals, and certainly not necessarily with better terms. And change will hardly be instantaneous: Under the terms of the North American Free Trade Agreement, for example, the president or any other leaders must give six months' notice of his or her intention to withdraw.

Trump has also promised to order an investigation into his false claims that 3 million to 5 million people voted illegally in November for Democratic nominee Hillary Clinton, who won the popular vote by nearly 3 million. But there is no evidence to support Trump's claim, and although he has the authority to launch a fact-gathering investigation, it is unlikely to unearth the extensive election fraud he is asserting.

One national security executive order he is considering would allow the Central Intelligence Agency to <u>reopen "black site"</u> prisons abroad, as well as reconsider the agency's now-shuttered enhanced interrogation program. But it does not have buy-in from Defense Secretary James Mattis or CIA Director Mike Pompeo, both of whom privately told lawmakers they were not consulted. Many lawmakers in both parties have also expressed strong opposition to the directive.

The ad hoc nature of Trump's executive orders — including some finalized at the last minute or prompted by an off-the-cuff conversation Trump had with a friend or business executive — has further undermined their impact.

Trump, for example, said that only after a discussion with industry leaders this week did he realize that the nation's pipelines are not necessarily made with U.S. steel. The epiphany scrambled aides to draft an executive order requiring that they be constructed with solely American-made materials. But specifying U.S.-made steel is a violation of the World Trade Organization agreement, except in cases of national security — which this is not.

"It would certainly be subject to challenge at the WTO," said Rob Shapiro, a Commerce Department official under President Bill Clinton. Although it could take five years to adjudicate at the WTO, he said, there is also "the possibility of retaliation by whoever does produce them. The truth is that 'America first' is contrary to global trade."

Trump, however, does not seem to realize the limited power of his executive orders and has made public signing ceremonies a trademark of his first week.

"President Trump needs to go back to civics class, because he can direct his employees to do various things, but he cannot repeal a bunch of laws through his executive orders because he needs congressional consent — and the executive orders themselves say that," said Rena Steinzor, a professor at the University of Maryland's law school.

Steinzor, who is also a member of the Center for Progressive Reform, added that the language in many of Trump's executive orders explicitly acknowledges that they can be done only in accordance with the law. "He can't just sit there and show people pieces of paper with his overly emphatic signature and say, 'I have changed the world,' because that's not how we do it," she said.

Some of Trump's actions have caught fellow Republicans on Capitol Hill off guard. "I haven't seen the new action or what's being proposed," Senate Republican Conference Chairman John Thune (S.D.) said as he was peppered this week with questions about Trump's draft order revisiting interrogation practices.

And although there is broad consensus among Republicans about the need to repeal and replace the $\underline{\text{Affordable Care Act}} - a$ process Trump began with $\underline{\text{an executive order the day he was sworn in}} - \text{there is far less harmony on exactly when and how to}$ handle the issue. Trade, infrastructure and tax restructuring have also exposed rifts in the party.

"Punitive tariffs are not helpful," said Rep. Charlie Dent, a Republican centrist from Pennsylvania. "Trade wars do not end well."

In many ways, Trump is simply experiencing the stark difference between campaigning and governing, a riddle that has bedeviled nearly every incoming president, including Barack Obama.

Neil Newhouse, a Republican pollster, said that although "it would be a serious mistake to underestimate the patience Trump supporters have for him and his agenda," he wondered if Trump himself may grow frustrated. "He's going to find that running a business is a lot simpler than running the government," Newhouse said.

David Axelrod, a former senior Obama adviser, pointed to Obama's executive order his first week in office to close the Guantanamo Bay detention center, noting that he faced stiff congressional opposition and never completed his pledge.

But Trump, he said, could face an even more difficult challenge, in part because he presented himself — rather than his policies — as the linchpin.

"The appeal he had as a candidate is that people clearly want someone to snap their fingers and just make something happen, and he saw that desire and played to that desire," Axelrod said. "Now comes the reality, and he's going to be snapping in the dark."

Axelrod added, "He campaigned as an autocrat and now he's the president, and the president isn't an autocrat — and he's going to find that some of the things he wants to do are difficult."

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Many Republicans, however, say that Trump's supporters may give him a generous amount of time and latitude before demanding concrete results. Whit Ayres, a Republican pollster, said a goal such as building a wall along the border with Mexico is largely symbolic.

"It's symbolic of greater security and greater control," Ayres said. "If he gets part of a wall built and Congress has to pay for it, the response from his supporters will be, 'Well, we didn't get Mexico to pay for it, but at least we got the wall.'

Judd Gregg, a former Republican governor and senator from New Hampshire, said that for Trump supporters, concrete changes may be beside the point, at least initially.

"They're more interested in the verbal jockeying and the confrontational verbal approach than the results," he said. "So as long as he's poking a stick in the eye of the people his constituency feels are a problem, the rest won't matter."

Steven Mufson contributed to this report.

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