The Almost First 100 Days

By Corey B. Bearak, Esq.

Presentation to The Executive Group of Gotham City Networking, Inc. Wednesday, April 19, 2017, Hub International Northeast Limited, New York

I'm not a fan of big hour-long speeches. And usually when I get a speaker, if I get a speaker, let's say at my political club or a civic club, I usually say to them 10 to 15 minutes. I do not know if I'll I'm going to go on necessarily 10 to 15 minutes but I did not time it when I went through it but usually I have a good sense of how long something is and I think it will be a bit shorter than that. As Mitch (Tublin) and I scoped this out, we were talking about this being the First 100 Days, but when we did the arithmetic it's 90% of that. So It's The Almost First 100 Days. And I want to start basically out and I always like to interject music in my talks but I'm not going to click on my iPhone as I mention it but....

The Doors' second LP was called Strange Days, and it featured a song, People Are Strange.

And certainly these are Strange Days indeed I think those are one of the phrases – part of the lyrics – as one considers the world around us. And I think we'll have more on that later.

Frankly, in my practice, I strategize. I plan. And not all the time but certainly when things matter.

Sometimes, for some matters, I might need to think fast, almost to the point of brinkmanship.

But you expect those things to occur not and too often because you plan; you think things out; you anticipate, often in concert – common cause – using a phrase from the (Fernando) Ferrer (2001) Campaign (for Mayor) not just because Tony (Suber) is here that Freddy (Ferrer) used – in common cause with others.

When I consider my own assessment of the almost first 100 days of the administration of "Real Donald Trump" because his twitter handle is @realDonaldTrump, I see an administration in crisis mode like almost all the time – more in reaction than thoughtful deliberation.

Some argue – and you hear that a lot by the pundits – that campaigns and governing remain distinct; and that excellence at one mode often fails to equate in the other. And I've been on bother sides my entire career, and I never bought into that. I never bought into that. The constituencies sometimes may differ somewhat but not as much as one would think.

The only distinction involves an incoming official and his/her team's knowledge and experience of the processes of government.

I recall in a mayoral campaign – and I think I was just out of college at that point how we were developing briefing papers and this was in the spring – you know the primary was in September and the general election was in November – we were developing briefing papers and that outlined the functions of the various agencies and departments and boards; and as I said that occurred early on.

It aimed not to aid in the transition if the campaign proved successful but it was really so that the candidate would be able to demonstrate a handle on governing to justify that candidate's worthiness.

And nothing of that sort seemed to occur with Team Trump from day one.

And I often talk about the notion of knowing enough to know what you know not at all.

In the case of this administration one gets the feeling of "Being There," that Jerzy Kosinski book later made into a movie starring the late Peter Sellers.

But unlike the "Chauncey Gardiner" character, most Americans and many abroad get no benign feeling but a borderline fear I think, perhaps worse.

So I want to start with a nod to my good friend Bob O who Tony (Suber) knows, who I think Arthur (Goldstein) knows, and he is also in Gotham (City Networking) so some of you may have met him. Bob Olivari attends more than a few events involving our constitution and loves to raise the sanctity of that document. That document really remains our saving grace.

What really sets the United States apart as a nation of laws involves how laws protects us from the corrupt, the incompetent, the unknowing, the dangerous; it imposes limits and thus things can go bad but not worse. It becomes our saving grace.

And that's important as we assess the first 100 days, or today 90% of that run.

What always bothered me about politics involved folks looking the other way if someone in the right place would help move an agenda.

Thus we start with GOP Senators, House Members and activists who might not think well of the president, his ethics, his competence, etc.

Because we are dealing with a situation where these GOP stalwarts see Trump as a tool to appoint certain kinds of judges – we already got Judge (Neil) Gorsuch, and to sign off on certain pieces of legislation and policies.

We saw that with the hit on funding Planned Parenthood which will likely lead to many more abortions as a result of a diminution of family health planning.

So these guys knock something out because it fit with their philosophy and we are going to get MORE abortions not less because of this action by abortion opponents. Always interesting!

So to borrow from The Donald: Very Smart! Yeah right. Because that's the type of thing he would tweet.

And we did not see this also when a repeal of ObamaCare failed.

We do not see any plan to change the tax codes – I refuse to call anything that was going to inject regressivity into the IRS code, reform. They always like to call it tax reform. But it is only reform when you are making positive changes and introducing progressivity.

People in the administration may be individually competent – there seem to be some people with distinction that are appointed – but the overall team – the way it comes together – it takes the title of of this old Jimmy Breslin book, "Can't Anybody Here Play This Game?"

A good executive builds a good team; and that just did not happen here. Maybe it'll occur down the road but nothing to date suggests that outcome anytime soon.

It's really like an accidental administration.

In City & State this week, an old friend, Bruce Gyory and I knew him when he was almost like a teenage, I think Arthur (Goldtein) knows him, I think Tony (Suber) knows him, recalled the comment in (his commentary in) City & State newspaper and magazine of Professor Richard Neustadt, who was a presidential scholar and wrote one of the really great books ("Presidential Power") about how a President can succeed. Professor Neustadt wrote, "The Presidency is no place for amateurs." And that is really what we are dealing with.

Perhaps a saving grace of sort involves all the eyes on the doings of this administration because it is really an administration where Ignorance, Lies, Bad Policy rule the day.

So we have a situation where the same attention – actually much more so – that was given Trump campaign during the election in the print, in the cable and all that media coverage puts the foibles of Team Trump in our daily consciousness.

And so that in essence he got elected by playing the media. And now all that attention because their ratings covering this guy still stays up. Their ratings are even higher than during the campaign. And as a result that free coverage keeps that administration now to a large degree in check, even if Team Trump does not realize it. Because they're doing the same playbook of working the press and trying to feed it as best they can.

Watch the news, read the papers in print or on line, cable, twitter, Facebook. There is no end to how this administration is getting covered.

Many things the Trump administration and GOP may seek to undo, especially on the environmental side may really play out in court or a rule-making process that could take us to a new administration that appears at least likely according to polling the we have now, and there are some people who may argue that this administration may come to an end much sooner but that is not part of my talk – but on the way in here that was a little part of a discussion.

The budget process and the Hastert rule – remember the Hastert rule – it is a rule that requires majority of the majority – so it's a majority of the majority rule so that makes it hard for a divided GOP house of representatives to reach any consensus on difficult issues. Of course some people find it great that we should always mention that it is the Hastert rule because of what sort of caused him to leave Congress. Not that I want to mention it but not a good thing.

Further we also learn how language matters. Because apparently more Americans found fault with ObamaCare but many of the same folks appear very happy to rest secure with coverage under the Affordable Care Act. Just fascinating.

So one of the things to watch for is <u>if</u> Secretary of Health and Human Services Tom Price takes any actions that weakens Health Care delivery under an act that basically followed Romney Care and many nods to GOP imperatives despite their refusal of any Republicans to support the bill when it was originally passed under a Democratic Congress.

If Secretary Price acts, we actually may see a great public clamor in support of a single payer/ Medicare for All health care system.

And as I mentioned before I spoke, my research and writing on single payer demonstrates it offers more cost effective care than the current system, and it pays for itself.

And so in many ways, the media and the commentary and the commentators appear to lower the bar on the expectations of this Presidency. And I think that's one of the things we are seeing. We do not really expect a lot of success here and when something sort of happens it gets some play.

But there are so many faux pas.

Just consider some:

*The call to Taiwan during the transition.

*And more recently the call to President Erdogan from Turkey who is probably on his way – and it troubles me – on his way to a dictatorship.

*And then how the president repeatedly demonstrates an extraordinary lack of knowledge about foreign affairs in general – probably in many ways the least educated and least knowledgeable person to ever step into the oval office in that role.

*he had no problem antagonizing the leaders of our allies, Australia, Germany, Mexico.

*you know to have a diplomatic mess with Australia, one of our best allies and it was there (for us) always sending troops to the conflicts we were involved in, just over the refugees;

*the many threats he made with Mexico,

*and all the craziness including mentioning the wiretapping with Angela Merkel.

*Suggesting the United States confiscate Iraqi oil.

There seems to be no end.

And here's more:

* the refusal to release the tax returns, and I that will come up a lot in the questions and answers.

*And even disputing the size of the Inaugural audience – Why did he have to do it?

*And then we go to the ties with Russia and its influence of the election results – though last fall I made clear and a new book supports my view that the Clinton campaign still lost the election.

*And I did not even raise all the false equivalencies when the president hits his predecessor on playing golf as he did often but now the current president already spent more time on the links than his predecessor did in eight years.

*And there is the argument that he made that millions voted illegally in the November's election.

And here are some also interesting things just two-thirds of the way in if you will in the first 63 days in office

The Washington Post reported that he only made 317 "false or misleading claims" – about five a day.

Through March 30 – there were 32 press briefings and I love the press briefings, it's great theater, whenever I am near a TV set, whenever Sean Spicer does it, I love to watch it.

But 22 of 32 press conferences—about two-thirds were dominated by the tweets the President made.

When I think about messaging, and about strategizing and what doing what you are supposed to do, that's taking time from that.

You should be using the precious time to advance an agenda, and responding to tweets is not advancing an agenda, especially those tweets are not about advancing a policy agenda.

Maybe he thinks so but I guess he does not know enough to know.

We can only hope for some professionalism with the lowered bar perhaps, I am really doubtful it would occur.

What we really all need to be is be vigilant to watch, and to really speak out.

So I am going to end with a couple of perhaps movie titles which could be applicable to what is going on with this administration:

One that was suggested is, The Gang That Couldn't Shoot Straight

Somebody else said, Swamp Fever

Somebody else [former Assemblyman Jerry Kremer] shared with me, *The Madness of King George*

Somebody raised a James Bond movie – anyone want to venture a guess? *From Russia With Love*

Somebody else even suggested a John Belushi movie, *Animal House*. I do not know if I would go that far.

Silence of the Lambs

And I'll end with, Land of the Lost

So it's really an upsetting troubling thing that we face. But again just going back to it that there is so much coverage and scrutiny with cable and the TV, what the New York Times did by essentially taking really some the best reporters that they could cull that had started in City Hall in New York who really know this administration and have ties where people in the administration who came out of New York and are comfortable with speaking to them *off the record* all the time because we are reading about all of these leaks, there is going to be so much that I think would sort of help quell or keep this administration from doing too much damage.

And I'll be glad to take some questions now.

[video playlist of above presentation]