# FIRST 100 DAYS: THE EXECUTIVE ORDERS

Well if you are going to be completely unimaginative, you could write a summary of the first 100 days of the Trump White House. Admittedly, the Legislative achievements are just a bit lacking. Feel free to overharvest bears in Alaska's various wildlife refuges (Public Law 115-20) or to visit the Abie Abraham VA Clinic if you are ever in Butler County, Pennsylvania (Public Law 115-9). (For what it's worth, Abraham had quite a life and we should definitely name a VA Clinic for him). Congressional action is most notable for a vote not even taken.

But Donald Trump's much-publicized Executive Orders? Maybe that's what is really getting America back on track. As a tribute of sorts to the lunacy coming out, I thought it would be fun to go through them all and see what we've won.

1. *January 20, Executive Order 13765: Minimizing the Economic Burden of the Patient Protection and Affordable Care Act Pending Repeal*

This was the start of Trump's effort to subvert the ACA. The idea being that hurting the healthcare system would presumably bring Democrats to the table, so they could further harm the healthcare system. Interestingly, this EO wasn't entirely bad; it included a couple common-sense changes. On the first day of his Presidency, Trump had clearly not yet formulated his plan for how he would deal with the ACA.

2. *January 24, Expediting Environmental Reviews and Approvals for High Priority Infrastructure Projects*

Intended to streamline approvals for infrastructure projects, it was followed by memoranda approving two new pipelines. It was supposed to be part of a larger infrastructure push; no progress has been made there.

3. *January 25, Border Security and Immigration Enforcement Improvements*

Directs a wall to be built along the US-Mexico border. Of course, there is no money coming. So, it is dependent on Mexico paying the cost, but Trump is working very hard on this.

4. *January 25, Enhancing Public Safety in the Interior of the United States*

This was Trump's attempt to prevent cities acting as "sanctuaries" for undocumented immigrants. It has mostly been held up or blocked by the courts. Of course, undocumented immigrants are less dangerous than other residents, so not clear how this relates to the stated goal of public safety.

5. *January 27, Protecting the Nation from Foreign Terrorist Entry into the United States*

The first version of the infamous Muslim Ban. The clear (if unstated) religious discrimination made it clearly illegal and major provisions were properly blocked by various courts. There is no data that those prevented from entering posed any real


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threat to safety of the American people. On the other hand, the harm done to our image caused great damage in the international community and especially our strategic position in the Muslim world.

6. *January 28, Ethics Commitments by Executive Branch Appointees*

Prohibited Executive Branch appointees from serving as lobbyists in any form for five years after departure; and for life, with respect to lobbying for foreign governments. Of course, the President has the ability to waive this requirement for any reason; he isn't shy about issuing waivers of similar types. Given the high rate of foreign agents among his senior staff, the lifetime ban on foreign lobbying…well it isn't exactly draining much swamp.

7. *January 30, Reducing Regulation and Controlling Regulatory Costs*

This one directs agencies to repeal two existing regulations for each new regulation. It also says that the total expenditure shouldn't increase due to new regulations.

Number of regulations might sound like a good metric – but it is easily avoided (just include the text of the two old ones in the one new one). Similarly, "regulatory cost" is a great buzzword – but most analyses say that the benefits of regulations outweigh their costs. Which makes sense – they weren't put in for no reason. If there are specific regulations that are bad – he should repeal those regulations. This EO just passes the buck.

8. *February 3, Core Principles for Regulating the United States Financial System*

A statement of principles and request for review, this one probably got less attention than it deserves. In case you missed it, here are the Trump Administration Core Principles for Financial Regulation:

- Empower Americans to make independent financial decisions and informed choices in the marketplace, save for retirement, and build individual wealth
- Prevent taxpayer-funded bailouts
- Foster economic growth and vibrant financial markets through more rigorous regulatory impact analysis that addresses systemic risk and market failures, such as moral hazard and information asymmetry
- Enable American companies to be competitive with foreign firms in domestic and foreign markets
- Advance American interests in international financial regulatory negotiations and meetings
- Restore public accountability within Federal financial regulatory agencies and rationalize the Federal financial regulatory framework.

Honestly, this EO doesn't drive me crazy – except for the hint at "Fed Audit" in the last Principle.

9. *February 9, Enforcing Federal Law with Respect to Transnational Criminal Organizations and Preventing International Trafficking*

I don't have a lot of color here – it seems to be what it says. Some plans to work on criminal organizations and trafficking. Well outside my comfort zone to really understand any broader implications

10. *February 9, Preventing Violence Against Federal, State, Tribal, and Local Law Enforcement Officers*

Another statement of principles, this one about fighting the War on Cops™. No disrespect to Cops. But as a point of data: Police work is not among the ten most dangerous jobs in America.

11. *February 9, Providing an Order of Succession Within the Department of Justice*

Acting Attorney General Sally Yates was fired for refusing to enforce the illegal Muslim ban (see #5 above). This EO allowed Trump to get who he


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wanted as the new Acting Attorney General. It was revoked when the new AG was approved.

12. *February 9, Task Force on Crime Reduction and Public Safety*

Another statement of principles; nice to see that it is the policy of the Administration to reduce crime. And I'm sure a Task Force will get it done!

13. *February 24, Enforcing the Regulatory Reform Agenda*

The new Administration is serious about reducing regulatory overhead and simplifying government. So Trump created a new Task Force to add a layer to government in order to simplify government. Also, each department needs new "Regulatory Reform Officer." I'm far from the first one to point out the irony of adding a new layer of bureaucracy in order to help cut the bureaucracy.

14. *February 28, Restoring the Rule of Law, Federalism, and Economic Growth by Reviewing the "Waters of the United States" Rule*

It's not exactly clear what the end goal is in this one. But I'm skeptical when Trump asks for a review of the Clean Water Rule. We probably won't end up with cleaner water.

15. *February 28, The White House Initiative to Promote Excellence and Innovation at Historically Black Colleges and Universities*

Another Task Force with lofty, vague guidelines. I can feel the efficiency of the Trump Organization flowing through the veins of government.

16. *March 6, Protecting the Nation From Foreign Terrorist Entry Into The United States*

The New Muslim Ban! Ten percent less illegal than the Old Muslim Ban. But still illegal and blocked by the courts.

Pro-tip: if you don't want your actions struck down for religious bias, don't make continued repeated statements of intentional religious bias.

17. *March 13, Comprehensive Plan for Reorganizing the Executive Branch*

"Proposed Plan to…as Appropriate, to Eliminate or Reorganize Unnecessary or Redundant Federal Agencies."

Well, there are a lot of Trump Administration officials whose sole "qualification" is that belief that their personal Agency should be eliminated. So, this was hardly a surprise. On the other hand – once they bother to learn what the Departments do, even Trump appointees tend to oppose their elimination.

18. *March 27, Revocation of Federal Contracting Executive Orders*

In his second term, President Obama issued several Executive Orders instructing the government in the way it procured and contracted. In short, these orders said that when buying goods and services from private actors, departments should make reasonable efforts to ensure that said actors comply with the Fair Labor Standards Act, the Occupational Safety and Health Act, the Civil Rights Act of 1964 and a bunch of other workplace protections.

Under Trump, it apparently is not so important to consider whether contractors follow the law.

19. *March 28, Promoting Energy Independence and Economic Growth*

This is the big one – repealing many of the Obama-Era attempts to address climate change. Without much fanfare, Obama's second term made many small policy changes with regards to emissions and other climate issues. Taken together, these actions formed a full re-orientation of the government, with all of its agencies better able to focus on preparing for this imminent disaster.


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In a couple strokes a pen, Trump wiped many of them out. However, a big one remains on the books. Many expected the "Climate Change EO" to pull out of the recent Paris Agreement. At least so far, the US is still a participant.

If you are going to read further on any Trump EO, this is a good candidate. The Atlantic has a very strong write-up.

20. *March 29, Establishing the President's Commission on Combating Drug Addiction and the Opioid Crisis*

Another new Commission. Not that there is anything wrong with Commissions.

But I'm not sure exactly how serious this one is, given that the Commission membership includes noted addiction experts like New Jersey Governor Chris Christie and Secretary of Defense James Mattis. And, of course, Jared Kushner.

21. *March 31, Establishing Enhanced Collection and Enforcement of Antidumping and Countervailing Duties and Violations of Trade and Customs Laws*
22. *March 31, Regarding the Omnibus Report on Significant Trade Deficits*

For a campaign based largely on "fixing" the nation's trade agreements, these two executive orders appear to be the only real action the Administration has taken to date. For what it's worth, the signing was accompanied by statements from Commerce Secretary Wilber Ross and National Trade Council Director Peter Navarro that these were just the "first step." The specifically noted that Chinese dumping of steel was the type of abuse they wished to combat.

Many Trump properties, such as his Las Vegas hotel, were built with Chinese steel.

23. *March 31, Providing an Order of Succession Within the Department of Justice*

We've reached the end. All this one does is revoke Executive Order number 11 above and tinker again with who can serve as acting Attorney General.

Well, this was an interesting exercise; what did we learn?

I count five Executive Orders that are truly deplorable: sanctuary cities, the two Muslim bans, federal procurement and climate change. Several others are attempts to undermine or revoke important (and fairly popular) Obama-era policies, like Obamacare. About a half-dozen new Task Forces are created, none of them plainly evil, but unlikely to do much. The lobbying/ethics is a non-event as it is being waived at will. And we'll get right on that wall – as soon as we cash the check from Mexico, because there is no other source of funding. There could be a lot of bad here, or a lot of nothing. It depends on what the real end goal is.

It's also interesting to just see what executive orders contain generally. This is my first time to really look through Eos in detail. There are a lot of statements of principles and policy, often without implementation. Also, a surprising amount of "important minutia" – things that "need to get done." The EO is just the simples vehicle for these.

At a high level, I also learned the importance of watching this type of executive action. Reading these in order made me realize the whole is greater than the sum of the parts. I'd love to see a place that keeps up steadily with Executive Orders. No, LobbySeven will not be that place; this is a one-off.


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