

Was Donald Trump an Effective Leader of Congress?

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Abstract

Donald Trump came to office with a problematic strategic position in dealing with Democrats. Successful bipartisanship would take a skilled legislator, one sensitive to the nuances of coalition building. The president did not rise to the challenge. His shifting positions, inconsistent behavior, willingness to exclude the opposition in developing policies, and use of threats and ridicule squandered whatever potential for compromise might have existed. As a result, he received historically low levels of support from Democratic senators and representatives.

The president's relations with his own party presented another challenge, one that the president could not negotiate successfully. Although he received high levels of support from Republicans in both chambers of Congress and although their leaders kept votes that he might lose off the agenda, little significant legislation passed at his behest. Some of his signature issues split the party, and when he could not convince members to support him, he turned to his customary tools of threats and disparagement. They gained him little. Moreover, some Republicans joined with Democrats to pass resolutions that forced Trump to endure symbolic defeats.

It is not possible to characterize Trump as a successful party leader. The president was successful in preventing many bills he opposed from passing, as are most presidents with party majorities in Congress, but he struggled to win enactment of legislation.

Donald Trump came to office with an ambitious agenda for policy change, most of which required legislative approval. To obtain congressional support, he employed a variety of strategies for governing. One approach centered on creating opportunities for change in Congress by appealing to the public. I have shown elsewhere that there was little prospect for such a strategy to succeed, that he was not a skilled communicator, and that, indeed, his efforts failed. The president found it difficult to move the public. Nevertheless, he enjoyed the advantage of support among rank-and-file Republicans.¹

Aside from moving the public, there are two other presidential strategies for governing in Congress: obtaining bipartisan support and leading one's own party. These strategies are not necessarily mutually exclusive, and most presidents try both. Although senators and representatives of the president's party usually form the core of his governing coalition, the White House often has no choice but to seek additional votes from the opposition.

This paper focuses on the president's approach to bipartisan and party leadership. On the one hand, Trump followed traditional patterns of working closely with Republican leaders and soliciting the votes of Democrats. Yet, he could not resist his combative urges. Machiavelli said it is better for a leader to be feared than loved, and the president took this advice to heart. He told the *Washington Post*, "Real power is—I don't even want to use the word: 'fear.'"² It is not surprising, then, that he frequently—and publicly—disparaged and threatened members of Congress, including Republicans.³

Bipartisanship?

The Framers created a deliberative democracy that requires and encourages reflection and refinement of the public's views through an elaborate decision-making process. Those opposed to change need only win at one point in the policymaking process—say in obtaining a presidential veto—whereas those who favor change must win every battle along the way. To win all these conflicts usually requires the support of a sizable majority of the country, not just a simple majority of 51 percent. As a result, the Madisonian system calls for moderation and compromise.

The principal mechanism for overcoming the purposefully inefficient form of government established by the Constitution is the extraconstitutional institution of political parties. Representatives and senators of the president's party are almost always the nucleus of coalitions supporting the president's programs. Thus, parties help overcome the fractures of shared powers. Yet, unless one party controls both the presidency and Congress and has very large majorities in both houses of Congress, little is likely to be accomplished without compromise.

When parties are broad, there is potential for compromise, because there will be some ideological overlap among members. When the parties are unified and polarized, however, they exacerbate conflict and immobilize the system. Critical issues such as immigration, environmental protection, taxation, and budgeting go unresolved. We expect political parties in a parliamentary system to take clear stands and vigorously oppose each other. Such a system usually works because the executive comes from the legislature and can generally rely on a supportive majority to govern. Partisan polarization has given the United States parliamentary-

style political parties operating in a system of shared powers, virtually guaranteeing gridlock. Moreover, minority interests that want to stop change are likely to win, raising troubling questions about the nature of our democracy.

For the US system to work, then, there must be a favorable orientation toward compromise. Such a temperament is found in the very roots of the nation. Recalling the events of the Philadelphia Constitutional Convention, James Madison observed that “the minds of the members were changing” throughout the convention, in part due to a “yielding and accommodating spirit” that prevailed among the delegates.⁴

Because presidents typically require substantial support from the opposition party to pass significant legislation, bipartisanship is a central concern for the White House.⁵ Of course, divided government magnifies the president’s need for bipartisan support. However, polarization diminishes the likelihood of receiving it.⁶ After analyzing Trump’s prospects for success in winning bipartisan support elsewhere, I predicted there was little chance of obtaining it for his core initiatives.⁷

A bipartisan strategy put strains on both sides. The White House knew it was unlikely to receive much support from the Democrats, and the president complained frequently about his frustrations with them. Nevertheless, the president had no option but to try to win over some Democrats. A key question is how well he handled the challenge.

High Points

In another work, I have shown that the president made little attempt to engage Democrats on his failed effort to pass health care legislation.⁸ By September 2017, he had no choice but to turn to the opposition party.

The government once again approached the debt limit. In July, treasury secretary Steve Mnuchin told Congress that the limit would be hit in late September, and that he was implementing extraordinary measures to keep the government afloat. Negotiations between the White House and Congress broke down in August, with Trump criticizing Republican leaders Paul Ryan and Mitch McConnell for creating “a mess” with the debt ceiling.⁹ Debt limit negotiations were further complicated when the president threatened to veto spending bills and cause a government shutdown if Congress did not appropriate funds for a border wall with Mexico.¹⁰

Administration officials sent mixed signals, with Mnuchin supporting a “clean” debt limit increase that had no other language, but OMB director Mike Mulvaney insisted that the increase should be tied to spending cuts. Although he quickly backed off that position, congressional conservatives saw it as an opening to push for policy concessions (as they did in 2011 and 2013).¹¹ Other congressional Republicans wanted to tie a debt ceiling vote to other pressing matters, such as disaster relief in response to damage caused by Hurricane Harvey.

Republican leaders had been planning to tie Harvey aid to a bill to raise the debt ceiling for at least eighteen months (since after the November 2018 midterm elections). Democrats offered to extend the debt ceiling and budget fight for three months and revisit it in December.

Paul Ryan called that proposal “ridiculous and disgraceful.” He also noted, “What the President doesn’t want to do is to give more leverage where it shouldn’t occur on the debt ceiling.” Nevertheless, Trump made a snap decision to accept the Democrats’ deal—much to the surprise and irritation of members of his own party—and the humiliation of Ryan.¹² Knowing that the president was more popular with Republican voters than they were, Republican leaders had no choice but to get on board.

Democrats believed that extending the debt limit and budget decisions into December would increase their leverage to win concessions from Republicans on spending, immigration, and health care issues. Conservatives agreed, which is why they opposed the deal. The short-term extensions for the debt ceiling and government funding also meant that the issues would continue for months, just as Republicans were hoping to coalesce around a plan to cut taxes. Apparently, the president was thinking of tax policy himself but had a different view. “We believe that helping to clear the decks in September enables us to focus on tax reform,” White House director of legislative affairs Marc Short told reporters. “I think it puts pressure on all of us to get tax reform done before December.”¹³ Setting aside his opposition to the deal, Mnuchin agreed.¹⁴

The debt ceiling deal was the first time Trump reached across the aisle to resolve a major dispute. After weeks of criticizing Republican leaders for failing to pass legislation, the president signaled that he was willing to cross party lines to score some much-desired legislative victories. His meeting with the House and Senate Democratic leaders was the first time he had seen Senator Charles Schumer in person since shortly after his inauguration in January. Since then, they had spoken by phone only once or twice.¹⁵

Nevertheless, the bipartisan deal was not the result of a sudden change of heart. If the president wanted to manage the debt ceiling, keep the government open, and pass aid for the victims of Hurricane Harvey, he had no choice but to deal with the Democrats. Republicans would not give Trump what he wanted, so they were in no position to drive a hard bargain and had to cede power to the minority. As Representative Mark Walker, chair of the Republican Study Committee, remarked, “If Republicans won’t work with the president . . . then maybe he goes and finds somebody who’s willing to.”¹⁶

The Democrats understood the situation well. House Minority Leader Nancy Pelosi summed it up clearly: “Here the currency of the realm is the vote. You have the votes, no discussion necessary. You don’t have the votes, three months.”¹⁷ “If they had the votes, we wouldn’t have been having the meeting. The clarity of that situation I think the president was fully aware of.” The Democrats went into the meeting with the president prepared to deliver the votes he needed, but on their terms.¹⁸ He had no option but to accept.

Congressional Republicans were less obliging. Stung by the president’s deal, Mitch McConnell argued that the short-term waiver of the debt ceiling preserved the treasury’s ability to apply “extraordinary measures” and shift money within government accounts to pay off debt and extend federal borrowing power, delaying the need for another increase in the debt limit well beyond December. Thus, he claimed, the Democrats would lose their leverage at the time Congress needed to pass the spending bill, including further hurricane relief, and Republicans

could vote for spending without also voting to raise the debt limit. Democrats responded that the Republicans would still need their votes for the spending bill, giving them leverage over it and other issues such as immigration and health care. Moreover, separating the spending and debt bills would give the Democrats a second round of opportunity to exercise leverage when the debt ceiling came due, and their votes would be necessary, as some Republicans would be reluctant to raise the ceiling so close to the midterm elections.¹⁹

On September 8, 2017, the president called Pelosi and Schumer to reinforce his willingness to keep working across party lines. He was effusive about their consensus, telling reporters that the debt ceiling deal may signal a new era of bipartisanship. “I think we will have a different relationship than we’ve been watching over the last number of years. I hope so,” he declared.²⁰

In another gesture toward bipartisanship, on September 7, Trump responded to a request from Pelosi and tweeted that young, undocumented immigrants who received temporary work visas under the DACA program did not need to worry about his administration acting against them over the next six months. “For all of those (DACA) that are concerned about your status during the 6-month period, you have nothing to worry about—No action!” the president tweeted. Trump also signaled support for a Democratic effort to pass legislation that would shield those covered by the DACA program from deportation. Referring to the Senate and House minority leaders Charles Schumer and Nancy Pelosi, the president declared, “Chuck and Nancy want to see something happen—and so do I.”²¹

The president argued that he had no choice but to collaborate with the Democratic minority to get business done, especially because the opposition had the power to block bills in the Senate, where Republicans did not have the sixty votes required to overcome a filibuster. “Republicans, sorry, but I’ve been hearing about Repeal & Replace for 7 years, didn’t happen!” he wrote in a series of morning tweets, referring to the failure of party leaders to pass legislation overturning the Affordable Care Act. “Even worse, the Senate Filibuster Rule will never allow the Republicans to pass even great legislation. 8 Dems control—will rarely get 60 (vs. 51) votes. It is a Repub Death Wish!”²² A few days later the president goaded Congress to “move fast” on what he called the “biggest Tax Cut & Tax Reform package in the history of our country,” a swipe at Republicans’ inability to resolve their differences over tax legislation.²³

Trump had lost confidence in his own party’s leadership. “Republicans have shown they can’t keep 50 out of 52 members in line, even after six years of promise to repeal and replace Obamacare when given the opportunity,” said Marc Short. Another senior White House official explained that Trump saw Schumer as an exciting and energetic contrast to McConnell.²⁴ The president came to believe that he could not trust Republicans to pass bills by themselves and saw it as his responsibility to create a better environment for garnering support for his legislative agenda. He was more interested in winning than in the specifics of a bill, according to one congressional Republican. Moreover, he wanted to teach the intractable conservatives in his party that he liked them but did not need them.²⁵

On September 13, 2017, the president hosted a dinner with Schumer and Pelosi during which they discussed immigration, tax reform, infrastructure, and China trade issues.²⁶ Mitch

McConnell and Paul Ryan were not included among the guests, sending the message that Trump was willing to exclude the leadership of his own party in the interest of scoring fast legislative victories.²⁷

The president also displayed rhetorical flexibility toward a few Democrats. For example, at a signing ceremony in 2018, he thanked Senator Heidi Heitkamp for her support of legislation that rolled back banking regulations passed in response to the 2008 financial crisis²⁸—much to the irritation of Kevin Cramer, her opponent in the November election.²⁹ Heitkamp was also one of just seven Democrats who voted to confirm Trump’s pick of Mike Pompeo for secretary of state and one of the six who voted for Gina Haspel to be CIA director.

Reversion to the Mean

How long would any respite from partisan warfare last? “Seeing is believing,” declared Charles Schumer.³⁰ There was good reason to be skeptical. “Looking to the long term, trust and reliability have been essential ingredients in productive relationships between the president and Congress,” reflected Phil Schiliro, who served as director of legislative affairs under Barack Obama. “Without them, trying to move a legislative agenda is like juggling on quicksand. It usually doesn’t end well.”³¹ Trump was not a reliable partner and kept pushing the envelope, undermining his ability to win bipartisan support.

The critical stumbling block to passing a Dream Act to replace DACA was the level of additional border security and enforcement Trump would require. On October 8, the White House delivered to Congress a long list of hard-line immigration measures the president demanded in exchange for any deal to protect the Dreamers, including the construction of a wall across the southern border; the hiring of 10,000 immigration agents, 370 additional immigration judges, and 1,000 government lawyers; tougher laws for those seeking asylum; and denial of federal grants to “sanctuary cities.” The White House also demanded the use of the E-Verify program by companies to keep illegal immigrants from getting jobs; an end to people bringing their extended family into the United States; a hardening of the border against thousands of children fleeing violence in Central America; and limits on legal immigration. A White House official added that Trump was not open to a deal that would eventually allow the Dreamers to become United States citizens.³²

Democratic leaders in Congress reacted negatively, declaring the demands threatened to undermine the president’s pledge to work across the aisle to protect the Dreamers through legislation. Schumer and Pelosi denounced the president’s demands as failing to “represent any attempt at compromise.” They called them little more than a thinly veiled effort to scuttle negotiations before they began in earnest.³³ Pelosi threatened to withhold support for must-pass spending bills later in the year if Congress could not reach agreement on how to protect Dreamers from deportation. The Congressional Hispanic Caucus went further and insisted on a path to citizenship for the Dreamers.

Advocates on both sides of the debate said they did not interpret the administration’s principles as nonnegotiable but as an opening bid,³⁴ but no one really knew whether the president was trying to please his base with symbolic gestures, had given up on compromising with the Democrats, or was seeking to extract as many concessions as possible from them.

Making matters worse, Trump reached out to Schumer to propose yet another effort to repeal and replace the Affordable Care Act. The president announced his phone call in a tweet on October 7: “I called Chuck Schumer yesterday to see if the Dems want to do a great HealthCare Bill. ObamaCare is badly broken, big premiums. Who knows!”³⁵ Schumer rebuffed the president, however, telling him that Democrats would work with the White House only on fixing the weaknesses in the Affordable Care Act, not on replacing it. An aide to Schumer said the timing of Trump’s call was particularly awkward, given that the administration had just announced rules to expand the right of employers to deny women coverage for contraception on religious grounds—a move widely condemned by Democrats. The Trump administration, the aide stated, needed to stop sabotaging the law before bipartisan negotiations could begin.³⁶

Further decreasing the potential for bipartisan cooperation, on October 12, the president decided to cut off critical payments to health insurance companies. Experts predicted the move could cause chaos in insurance markets, sending insurers fleeing from the Affordable Care Act’s marketplaces, raising the federal government’s costs, and pricing some consumers out of the market. About seven million people benefitted from the cost-sharing subsidies. The decision came just hours after the president signed an executive order that also undermined the health law by encouraging the development of lower-cost insurance policies not subject to the Affordable Care Act’s rigorous coverage standards. The president’s decision, by destabilizing insurance markets and driving up premiums, could also adversely affect millions of others who bought insurance on their own and did not receive federal subsidies.

The president suggested that he was trying to move Democrats to the negotiating table by ratcheting up the pressure on Congress to act to protect consumers from soaring premiums. Republicans were divided, however. Some worried that ending the subsidies would hurt their constituents. Others were loath to do anything that could be seen as propping up the health law that they had promised to repeal.³⁷ In general, most Republicans were not devoting time and energy to cutting a bipartisan deal to save the insurance subsidies and were not broadly supportive of the deal worked out by Republican senator Lamar Alexander and Democratic senator Patty Murray.³⁸

In a year-end interview in 2017, Trump expressed frustration and anger at Democrats, who he said refused to negotiate on legislation. He highlighted Senator Joe Manchin, who he said was representative of Democrats who claimed to be centrists but refused to negotiate on health care or taxes. “He talks. But he doesn’t do anything. He doesn’t do,” the president asserted. “‘Hey, let’s get together, let’s do bipartisan.’ I say, ‘Good, let’s go.’ Then you don’t hear from him again.” Nonetheless, Trump said he still hoped Democrats would work with him on bipartisan legislation in the coming year to overhaul health care, improve the country’s crumbling infrastructure, and help young immigrants brought to the country as children.³⁹

Tax Cuts. Yet it seems that the president did not exploit his opportunities. Tax cuts were the primary agenda item for the White House and Republicans in the fall of 2017, and Trump at one point concluded he would need the Democrats to pass them. Nevertheless, the White House and the Republican congressional leadership omitted Democrats from discussions as they drafted the legislation. The president also relied more on threats than negotiations.

When he staged his first event to promote his tax reform proposal, in Missouri in late August, the president singled out the state's Democratic senator, Claire McCaskill, who faced reelection in 2018, for a pointed threat. "She must do this for you," the president said. "And if she doesn't do it for you, you have to vote her out office."⁴⁰

A week later, Trump visited North Dakota to advocate tax cuts. This time, he included the state's Democratic senator, Heidi Heitkamp, in his traveling delegation aboard Air Force One. Trump won North Dakota by 36 percentage points in 2016, so Heitkamp was fighting an uphill battle for reelection in 2018. She probably concluded that being seen as friendly with the president was a political advantage. Trump did not disappoint. He called her onto the stage with her Republican colleagues in Congress. "Everyone's saying, 'What's she doing up here?'" Trump asked. "But I'll tell you what—good woman. And I think we'll have your support. I hope we'll have your support. And thank you very much, senator." The president also included a threat, however. "If Democrats don't want to bring back your jobs, cut your taxes, raise your pay, and help America win, voters should deliver a clear message: Do your job to deliver for America, or find a new job. Do something else. Just do something else."⁴¹

The White House did little to follow up with Heitkamp. She was eager to reengage, and in October approached a senior administration official to say she hoped to continue working with them on taxes. Nevertheless, she heard little after that. Other Democrats had similar experiences. When reports surfaced that Trump might want to visit Montana to put pressure on Democratic senator Jon Tester to support a tax deal, the senator sent a letter to the White House saying he wanted to collaborate "in an open and transparent manner" and that he would be happy to meet with Trump if he opted to visit his home state. In the weeks that followed, Tester's aides heard from lower-level White House staffers, but Trump did not contact the senator, nor did any other senior Republican. Similarly, Claire McCaskill, who sat on the Senate Finance Committee, spent weeks pushing the White House to work more closely with Democrats on the tax plan. Even though she was up for reelection in 2018 and represented a state Trump won handily, she resisted the White House's tax plan. Joe Manchin told Mike Pence he wanted "to be involved and help in any way I can." After that, Manchin met twice with Marc Short but was not involved in substantive negotiations on the tax bill.⁴²

The president did hold a bipartisan gathering of House members on September 12, and then hosted several moderate Senate Democrats, including Joe Donnelly, Heidi Heitkamp, and Joe Manchin, for a bipartisan working dinner that evening to discuss tax reform and infrastructure projects. Being seen as working with Trump could be a boost for their 2018 reelections.⁴³ Moreover, the next day the president told reporters, "The rich will not be gaining at all with this plan. I think the wealthy will be pretty much where they are." He added about their tax rates, "If they have to go higher, they'll go higher."⁴⁴ Thus, the president seemed to give Democrats what they most wanted from tax reform.

Trump soon reverted to his more aggressive approach, however, apparently concluding that he did not have to negotiate with the Democrats on taxes. In late September, he invited Donnelly, who was up for reelection 2018, to join him on Air Force One to travel to Indiana, where he was speaking on taxes. During their conversations on Air Force One, the president

pledged that they could work together on taxes and build a bond. He also asked the senator to ride with him in the presidential motorcade. In front of the large crowd at the state fairgrounds, however, he abruptly changed his tone. “If Senator Donnelly doesn’t approve it—because, you know, he’s on the other side—we will come here, we will campaign against him like you wouldn’t believe,” he threatened.⁴⁵

Donnelly was not amused. “This is something I have not experienced before,” he said. “I actually told his folks, ‘You have one of the most unusual sales tactics I have ever seen. In my experience when you are trying to have someone like your product or buy your product, you’re usually nice to your customer.’” More important, the ultimatum did little to get the president closer to winning Donnelly’s support. “I happen to be an Irish-American,” he said, adding, “Threatening me is like waving the red flag in front of the bull.”⁴⁶

Trump’s actions in mid-October illustrated his schizophrenic approach to bipartisanship. On October 16, he predicted, “We may get no Democrat support and that’s because they are obstructionist and they basically want us to do badly.”⁴⁷ The next evening, however, the president’s daughter and son-in-law hosted a bipartisan dinner at their home that included Senators Joe Manchin, Heidi Heitkamp, and Claire McCaskill to discuss tax policy. Nevertheless, on October 18, Trump tweeted, “The Democrats will only vote for tax increases. Hopefully, all Senate Republicans will vote for the largest tax cuts in U.S. history.”⁴⁸ Later in the day, he told a bipartisan group of senators on the Finance Committee that he wanted Democrats’ help in cutting taxes. He also advised Democrats that they had political incentives to support the plan, declaring he would not want to be a Democrat in 2018 or 2020 who voted against a tax cut plan. After the meeting, the White House released a statement stating, “The administration looks forward to continued opportunities to reach across the aisle in an effort to provide tangible quality of life improvements for the American people.” However, Trump did not commit to make any changes that would scale back tax benefits for the wealthy, which had long been a demand of Democrats.⁴⁹

There was another meeting between a number of Democratic senators, Marc Short, and Gary Cohn, director of the National Economic Council, in November 2107. Despite being shut out of the tax debate, the Democrats insisted they were eager to reach accord with Republicans.⁵⁰ Once again, the administration made no concessions and no effort to include Democrats in writing the bill. This pattern of symbolic gestures and ultimate exclusion characterized the crafting of the tax bill.⁵¹

Erratic Behavior. 2018 was not a year distinguished by bipartisanship on presidential initiatives.⁵² The president started campaigning early in the midterm elections and actively sought to maintain Republican majorities in Congress. He attacked Nancy Pelosi and demonized the Democrats in apocalyptic terms, claiming they were too dangerous to govern.

Nevertheless, in a White House press conference the day after the Democrats won the House, the president declared, “The election’s over. Now everybody is in love.” Trump said he looked forward to working with the Democrats on “a beautiful bipartisan-type situation” and thought the two sides could find common ground on rebuilding the nation’s infrastructure, lowering the cost of prescription drugs, and refashioning trade policy. “Now we have a much

easier path because the Democrats will come to us with a plan for infrastructure, a plan for health care, a plan for whatever they're looking at, and we'll negotiate," Trump declared. He added, "From a deal-making standpoint, we are all much better off the way it turned out" than if Republicans had kept control of the House.⁵³

As was his wont, Trump coupled this invitation to compromise with a threat, promising to react aggressively to any attempt to investigate possible corruption in his administration, his personal finances, or his conduct in office. He vowed to respond with "warlike posture" that would extinguish any hopes for bipartisan progress. "They can play that game, but we can play it better, because we have a thing called the United States Senate," Trump said, referring to the enlarged GOP Senate majority following the election. "I could see it being extremely good for me politically because I think I'm better at that game than they are, actually, but we'll find out."⁵⁴ The partial government shutdown that occurred in December 2018–January 2019 undercut whatever potential there was for bipartisanship. As I have discussed elsewhere, Trump mishandled the episode and, naturally, blamed the Democrats.⁵⁵ The White House sought support from centrist Democrats and failed completely. Many would not even accept a meeting with the president.⁵⁶

After the Democrats took charge of the House in January 2019, they channeled some of their energy into vigorously investigating Trump and his administration. The president's response was one of broad defiance in which he claimed the Democrats were only playing politics, vowed to fight *all* subpoenas, filed lawsuits against corporations to bar them from responding to subpoenas, and ordered aides and former aides not to testify. The president abandoned even the pretense of negotiating accommodations and compromise with his political opponents. This strategy set the stage for open warfare with House Democrats heading into the 2020 election.

The president found he needed the Democrats, yet he could not refrain from annoying them. For example, in May 2019, the president announced he was directing a bipartisan group of lawmakers to create legislation that would provide relief for people who were surprised by bills they received from out-of-network health care providers after both emergency and scheduled medical visits. Yet he also took the occasion to attack some Democrats, including Representative Jerrold Nadler, the chairman of the House Judiciary Committee, bragging, "I beat him all the time."⁵⁷

Similarly, surprised by bipartisan blowback that threatened to scuttle his rewrite of NAFTA, he solicited Democrats' feedback on what he needed to do to win their support. Democrats had treaded cautiously rather than flatly reject the deal, at least partially because US trade representative Robert Lighthizer had kept them and union leaders updated on developments and sought their input.⁵⁸ Within a month of his meeting with Democrats, however, he threatened Mexico with tariffs on all its exports, infuriating members of both parties.

Ironically, the impeachment of the president provided some opportunities for bipartisanship in trade policy. In December 2019, the House voted 385–41 to pass the USMCA. Earlier the president had called it "the most important trade deal we've ever made by far."⁵⁹ Hyperbole aside, and there was plenty, the president trumpeted the agreement as a signal success

and a 2016 campaign promise kept.

Marc Short, now chief of staff to Vice President Pence, argued that the Democrats only agreed to support the trade pact because they were feeling constituency pressure, at least partially the result of Pence's visits to swing districts represented by vulnerable Democrats. By contrast, Democrats claimed the deal materialized because they extracted nearly every concession they wanted from the administration, including strong enforcement mechanisms. The president needed to show success during the impeachment process, and this need provided leverage to the Democrats. According to Nancy Pelosi, "We ate their lunch."⁶⁰

Some Republicans, especially those committed to conservative trade policies, agreed. "The only reason Pelosi moved on USMCA is because she took Lighthizer, flipped him upside down, and shook all the money out of him and destroyed him," said one Republican leadership aide. This person added: "Democrats won on substance; Trump won on the politics of USMCA. And that's because Trump doesn't care about substance."⁶¹ "Taken as a whole, it looks more like an agreement that would've been negotiated under the Obama administration," declared Senator Rob Portman, a former trade representative during the George W. Bush administration. "There are some aspects to it that Democrats have been calling for, for decades." Senator Patrick J. Toomey, one of the most ardent critics of the deal, called the pact "a complete departure from the free trade agreements we've pursued through our history" and urged fellow Republicans to vote it down.⁶² Mitch McConnell was candid about his view of the agreement on its merits. "From my perspective, it's not as good as I had hoped." Senator John Cornyn added, "My concern is that what the administration presented has now been moved demonstrably to Democrats, the direction they wanted. And anything that gets the AFL-CIO's endorsement . . . could be problematic."⁶³

In fact, the outcome was the result of months of negotiations that took place without Nancy Pelosi or Donald Trump ever speaking directly and with little involvement of the president. Instead, Democrats worked directly with Lighthizer, who agreed to make numerous adjustments to garner their support. Trump's desire to pass the bill accorded Pelosi leverage, an opportunity she exploited aggressively. House Democrats and their Senate counterparts achieved substantial changes. They jettisoned pharmaceutical protections sought by drug companies and added provisions ensuring higher labor standards in Mexico, quicker dispute resolutions, a rollback of a special system of arbitration for corporations that had drawn bipartisan condemnation, higher environmental standards, higher thresholds for how much of a car must be made in North America in order to avoid tariffs, the inclusion of additional provisions designed to help identify and prevent labor violations, particularly in Mexico, and stronger enforcement of all elements of the deal.⁶⁴ The Senate passed the agreement by a lopsided bipartisan vote of 89–10. Reflecting the Democrats' role in achieving this unity, Democratic senator Sherrod Brown exclaimed, "I never thought I'd be voting for a trade agreement during my Senate tenure that I wrote a big part of."⁶⁵

Also in December 2019, Congress unveiled a defense bill that included twelve weeks of paid parental leave for federal workers, despite the additional government spending that the new benefits would entail and the opposition of Republicans. The parental leave provision was part of a deal that included a Space Force branch of the military supported by the president. When

Trump gave Democrats what they wanted, they were willing to support him.

Immigration was a continuous source of partisan strain. At various points in 2019, the administration announced that it would be carrying out nationwide raids to deport undocumented families. If the plans had gone forward, some immigrant children—many of whom are American citizens because they were born in the United States—would have faced the possibility of being forcibly separated from their undocumented parents. The president tried to leverage the threat of the raids to win Democratic support for changes in asylum law and other aspects of immigration policy they had long opposed. In the end, the Democrats did not budge, and the raids that did occur arrested only a modest number of people.

A bipartisan effort in May 2020 produced legislation that would revive expired FBI tools to investigate terrorism and espionage and add privacy protections for Americans subjected to wiretapping for national security purposes. The bill appeared poised to become law after approval of both the House and Senate. However, just as the House was to vote on a final compromise version, the president abruptly announced that the reforms did not go far enough and threatened to veto the bill if it passed. Trump did not put forward any alternative, and it appeared that he was largely interested in keeping alive his grievances about the FBI investigation into whether his campaign was involved with Russia's efforts to interfere in the 2016 election. House Democrats had to withdraw the bill and send a previously passed version to the conference committee to be reconciled with the Senate version. Months followed with no action by either the White House or the Republican Senate.

Coronavirus Pandemic Relief. In the wake of the coronavirus pandemic of 2020, Congress passed several bills in the spring, the total cost of which was about \$3 trillion. One provided \$8 billion of emergency funding for the health care system. A second offered paid sick and child care leave, expanded food assistance for the poor and elderly, extended unemployment insurance, increased spending on health insurance for the poor, and provided free coronavirus testing at a cost of \$100 billion. The third bill was of historic proportions, spending \$2.3 trillion on aid to state and local governments; grants for states to adjust elections; loans and grants to airlines; grants to hospitals and health care providers; funds for FEMA, the Department of Defense, and Congress; checks to individual Americans; loans and tax cuts for businesses; and expanded unemployment assistance.

The president had little direct role in the negotiations with Congress. Instead, Democratic leaders dealt largely with treasury secretary Steven Mnuchin. Trump insisted on instituting a broad payroll tax cut to stimulate the economy. On March 13, for example, he tweeted that such a cut was essential to any recovery package. “Only that will make a big difference!” he wrote.⁶⁶ Nevertheless, lawmakers in both parties reacted coolly to the proposal, expressing qualms about its cost and the fact that it was not targeted to those directly affected by the pandemic. None of the bills included a payroll tax cut. Although sending checks to citizens was a congressional initiative, Trump insisted on his name being printed on each check.

In the giant \$2.3 trillion bill, Republicans balked at some of the Democrats' demands. Mitch McConnell twice called up a bill that included only Republicans' priorities, daring Democrats to vote against it. The Senate majority leader's gambit failed: Democrats stuck

together, and some of their demands even attracted GOP support—including oversight and transparency rules for new corporate lending programs. The Democrats also extracted changes focused on greater protections for workers.

The negotiations over a fourth bill followed a similar pattern. The president and Republicans wanted a clean bill providing \$250 billion of additional funding for small businesses. The Democrats wanted to include a similar amount for hospitals, state and local governments, and food stamp recipients. They also wanted to ensure that much of the business funding went through community-based financial institutions serving farmers and businesses and nonprofits owned by families, women, minorities, and veterans, and they proposed new disclosure requirements on the administration and new guidelines to streamline the lending process.

“We do not have time for the partisan games, and we don’t want that, the obstruction or the totally unrelated agendas,” Trump declared.⁶⁷ He also continued his pattern of insulting his opponents in highly personal terms. On April 16, he tweeted, “‘Crazy’ Nancy Pelosi, you are a weak person. You are a poor leader. You are the reason America hates career politicians, like yourself,” adding that “She is totally incompetent & controlled by the Radical Left, a weak and pathetic puppet. Come back to Washington and do your job!” On April 19, he opined that “Nervous Nancy is an inherently ‘dumb’ person.”⁶⁸

Republican leaders refused to negotiate with the Democrats. Democratic leaders dealt with Mnuchin, however, and used the president’s desire for money for small businesses as leverage. As was the case in the previous bills, the Democrats won substantial concessions from the White House. In addition to grants and loans to small businesses, the law added \$75 billion for hospitals and \$25 billion for a new coronavirus testing program with a mandate that the Trump administration establish a strategy to help states vastly step up the deployment of tests throughout the country—a move Republicans had opposed. An additional \$60 billion was added to the bill reserved for lending by small- and medium-size financial institutions, and there were requirements for participation by lending institutions serving minority or underserved areas, language sought by the Congressional Hispanic Caucus and others.

The pandemic lasted longer than many officials anticipated, requiring, yet another relief measure. In May, House Democrats passed a bill providing an additional \$3.4 trillion in relief. This package continued the \$600 unemployment payments that were cushioning millions of Americans from the worst of the recession through January 2021 and also included billions of dollars for state and local governments and schools, food and rental assistance, and additional aid for election security and the Postal Service.

Senate Republicans waited until late July to unveil their own \$1 trillion plan, arguing that they needed time to assess how the previous aid bills were working, all the while hoping the coronavirus would abate. They presented their plan just before protections against eviction and expanded unemployment benefits were to expire. The small business program, considered crucial to preventing a total economic collapse, was also soon set to end. Republicans could not pass any bill, however, because they were divided. One group, including endangered incumbents, wanted to act, while a second group of 15-20 senators wanted to do nothing at all.⁶⁹

McConnell told reporters. “There are some members who think we’ve already done enough, other members who think we need to do more. This is a complicated problem.”⁷⁰ The Republican plan would slash jobless benefits — in an unworkable way, according to many experts — and failed to provide aid for struggling state and local governments. It also rejected the administration’s plan to omit money for coronavirus testing and to defund schools that failed to resume in-person classes in the fall.

Once again, the president played little direct role in the negotiations. Instead of providing a strategy or a set of proposals behind which Republicans could rally, he undercut his own party. A day after the McConnell announced the Republican plan, Trump dismissed it as “sort of semi-irrelevant.”⁷¹ He sent mixed signals on the only provision that McConnell called a “red line” in the measure — a broad legal liability shield for businesses.⁷²

Trump did continue to insist on a payroll tax cut, however. For example, he told an interviewer, “I would consider not signing it if we don’t have a payroll tax cut.”⁷³ Ultimately, the White House backed down. The idea was unpopular among Republicans in Congress and had no chance of passage. Trump blamed the Democrats, however. On July 23, he tweeted, “The Democrats have stated strongly that they won’t approve a Payroll Tax Cut (too bad!). It would be great for workers. The Republicans, therefore, didn’t want to ask for it. Dems, as usual, are hurting the working men and women of our Country!”⁷⁴

The president also wanted to include funding for a new FBI building—on the location of the current building—in the bill. It was probably not a coincidence that the FBI was located across the street from his hotel and posed potential competition if it moved, opening the location to commercial development and competition for Trump’s enterprise. Republicans balked at Trump’s request. Senator Lindsey Graham, declared, “I don’t know, — that makes no sense to me. I’d be fine, OK, with stripping it out.”⁷⁵ Rick Scott added, “I just don’t get it, I mean, how’s it tied to the coronavirus? During the pandemic, let’s focus on solving the problem.”⁷⁶ The president responded to Republican resistance by telling them “should go back to school and learn.”⁷⁷

Previous efforts to convene a bipartisan meeting of the minds at the White House had proved disastrous, and the president had a toxic relationship with Nancy Pelosi. With Senate Republicans split, Treasury secretary Steven Mnuchin and Mark Meadows, the White House chief of staff, took the lead on negotiating with the House Democrats. They refused to go above \$400 a week for unemployment benefits and were unwilling to agree to more than \$150 billion in additional aid to state and local governments, although they did stop pushing for cuts to coronavirus testing and the Centers for Disease Control and Prevention. They also insisted on a five-year liability shield aimed at protecting health-care providers, schools, employers and others from lawsuits from people who become ill from the virus.

On August 3, the *New York Times* reported,

On the first day of the first full week when tens of millions of Americans went without the federal jobless aid that has cushioned them during the pandemic, President Trump was not cajoling undecided lawmakers to embrace a critical stimulus bill to stabilize the foundering economy. He was at the White House,

hurling insults at the Democratic leaders whose support he needs to strike a deal.”⁷⁸

Although the president received regular updates on the negotiations, he did little to persuade reluctant legislators. When asked why Trump did not simply bring congressional leaders to the Oval Office and keep everyone there until there was a deal, White House chief of Staff Mark Meadows prompted laughter when he replied, “You’ve seen that movie before.”⁷⁹

Reflecting the failure of the negotiations with the Democrats, on August 8, Trump signed one executive order and three memoranda actions aimed at restoring some enhanced unemployment benefits, deferring payroll taxes and student loan payments, and protecting renters and homeowners against eviction. However, state officials, businesses, economists, and Democrats criticized the president’s actions as confusing, unworkable, inadequate, and possibly unconstitutional. Even the president acknowledged at his news conference announcing his actions that they left unaddressed multiple critical needs,⁸⁰ including billions of dollars to help schools safely reopen; a second round of \$1,200 stimulus payments; and a replenishing of funds for the Paycheck Protection Program for small businesses. A few days later, the White House acknowledged that the president’s actions would only guarantee \$300 per week in unemployment benefits, not the \$400 he had initially claimed. The assistance to renters and homeowners was largely symbolic.

Taking unilateral action was a familiar tactic of a president who portrayed himself as the ultimate dealmaker, but who in practice showed little skill for negotiating with Congress. His executive actions also amounted to an about face from Trump’s promise as a presidential candidate to cut deals and not rely on executive orders. “We have a president that can’t get anything done so he just keeps signing executive orders all over the place,” Trump said on MSNBC’s “Morning Joe” in January 2016, adding that, he preferred “the old fashioned way, get everybody into a room and get something people agree on.”⁸¹ Similarly, he told the audience at a Republican primary debate in March 2016, “We don’t want to continue to watch people signing executive orders because that was not what the Constitution and the brilliant designers of this incredible document had in mind. We need people that can make deals.”⁸²

Trump’s analysis was correct, but it did not foreshadow his own behavior. Instead, as he did on funding the border wall, gun control, and immigration, he regularly pivoted to signing executive orders—with great fanfare—after failing to negotiate legislative deals that would have broader and more long-lasting impact.

Disparaging Democrats

Undermining the potential for bipartisanship was the president’s personal style of criticizing those who disagreed with him. Unsurprisingly, the president did not hesitate to disparage Democrats, both as a group and as individuals. He seemed more interested in destroying enemies than producing legislative products. Frightening people about the evils of the opposition is often the most effective means of obtaining attention and rousing one’s supporters, but such rhetoric discourages the comity necessary for building coalitions. It is difficult to compromise with someone who relentlessly vilifies you.

A few examples illustrate Trump's approach. At various points, the president blamed Democrats for his problems with health care reform and proclaimed in anger that the lack of support from Democrats in both chambers meant that they would "own" Obamacare when it exploded.⁸³ He typically criticized Democrats as obstructionists, as when he told reporters, "The Democrats have terrible policy. They are very good at, really, obstruction."⁸⁴

On July 24, 2017, ahead of a crucial Senate vote on health care, Trump delivered an afternoon address from the White House Blue Room. Calling the Democrats' signature achievement during the Obama presidency a "big fat ugly lie," he chided Senate Democrats for their refusal to support the Republican health care bill, which was designed to undo as much of Obamacare as possible and the development of which they were given no role. "The problem is we have zero help from the Democrats. They're obstructionists—that's all they are," Trump declared. "The Democrats aren't giving us one vote, so we need virtually every single vote from the Republicans. Not easy to do." Heating up his rhetoric further, he continued to deride Democrats: "They run out. They say, 'Death, death, death.' Well, Obamacare is death. That's the one that's death."⁸⁵ Such words were unlikely to win the hearts, much less the votes, of Democrats.

On January 30, 2018, President Trump delivered his first State of the Union address, asking for unity. "Tonight, I call upon all of us to set aside our differences, to seek out common ground, and to summon the unity we need to deliver for the people we were elected to serve." He also called for a compromise on immigration policy "where nobody gets everything they want, but where our country gets the critical reforms it needs." There was a dichotomy between the teleprompter Trump and the Twitter Trump, however. Within days, he accused Democrats of doing nothing to help Dreamers and not caring about violent MS-13 gang members "pouring" into the United States.

Most dramatically, in a rambling speech at a factory near Cincinnati, he complained about the Democrats' failure to applaud during his speech. Trump told the crowd "they were like death and un-American. Un-American. Somebody said, 'treasonous.' I mean, yeah, I guess, why not? Can we call that treason? Why not? I mean, they certainly didn't seem to love our country very much."⁸⁶

The president's insults came as he was seeking bipartisan support for immigration reform and rebuilding the nation's infrastructure, two of his marquee initiatives. "Treason is not a punchline, Mr. President," declared Jeff Flake on the Senate floor, wondering aloud why Trump would follow up a State of the Union address that seemed designed to foster unity with such a divisive comment.⁸⁷

Although White House press secretary Sarah Huckabee Sanders said Trump "was clearly joking," Democrats were outraged by the president's comments. Sanders made it worse when she added, "it's un-American not to be excited" about progress being made on unemployment and other measures of economic strength. "Democrats are going to have to make a decision at some point really soon: Do they hate this president more than they love this country? And I hope the answer is no," she declared.⁸⁸

The president told lawmakers in early January 2018, “I’ll take all the heat you want to give me, and I’ll take the heat off both the Democrats and the Republicans” on the immigration issue.⁸⁹ Actually, he emphasized turning up the temperature on the opposition. For example, in early December 2017 he declared, “The Democrats are really looking at something that is very dangerous for our country.” “They want to have illegal immigrants pouring into our country, bringing with them crime, tremendous amounts of crime.”⁹⁰

Trump attacked individual Democrats as well as their party. After only a few days in office, the president mocked Senate Democratic leader Charles Schumer: “I noticed Charles E. Schumer yesterday with fake tears. I’m gonna ask him who is his acting coach because I know him very well, I don’t see him as a crier. If he is, he’s a different man. There’s about a five percent chance that it was real, but I think they were fake tears.”⁹¹ In a March 28, 2017 tweet, Trump called Schumer a “head clown.” It is not clear what possible legislative benefit could result from such rhetoric. It certainly was unlikely to advance the cause of bipartisanship.

Nevertheless, the president continued his insults. At the beginning of 2018, Schumer voiced opposition to the White House’s immigration proposal aimed at breaking a congressional impasse over a long-term budget deal. In a tweet, Trump taunted the Senate minority leader for taking a political “beating” in the recent government shutdown fight and accusing him of making an immigration deal “increasingly difficult.” Using the derogatory nickname “Cryin’ Chuck” again, the president mocked Schumer for being “unable to act on immigration.”⁹² At a luncheon before his 2019 State of the Union message, he told television news anchors that the Democratic leader “can be a nasty son of a bitch.”⁹³

On April 2, 2020, during the coronavirus pandemic, Trump complained about partisanship during his daily briefing with reporters. At the same time, he released a letter to Schumer, mocking the senator for being “missing in action” and too busy with the “impeachment hoax” to prepare for the COVID-19 outbreak that was ravaging his home state of New York—as if that was Schumer’s responsibility. “I’ve known you for many years,” the president added, “but I never knew how bad a senator you are for the state of New York, until I became president.”⁹⁴

While in France to commemorate the seventy-fifth anniversary of the D-Day landings, Trump took the opportunity to pronounce Nancy Pelosi “a nasty, vindictive, horrible person” for her commenting that she would like to see him in prison. “She is a disaster,” he added. The president also described Schumer as a “jerk.”⁹⁵ The next day, he called Pelosi “a disgrace to herself and her family.”⁹⁶ A week later, Trump called her criticism of him a “fascist statement.” “When Nancy Pelosi makes a statement like that, she ought to be ashamed of herself,” he declared. “It’s a disgrace.”⁹⁷

The president accused Adam Schiff, then the ranking minority member of the House Intelligence Committee, of being “one of the biggest liars and leakers in Washington,” and mocking him as “Little Adam Schiff.” “Adam leaves closed committee hearings to illegally leak confidential information. Must be stopped!” the president demanded.⁹⁸ Similarly, he often attacked Senator Richard Blumenthal for exaggerating his military service. On January 29, 2019, for example, he tweeted, “How does Da Nang Dick (Blumenthal) serve on the Senate

Judiciary Committee when he defrauded the American people about his so called War Hero status in Vietnam, only to later admit, with tears pouring down his face, that he was never in Vietnam. An embarrassment to our Country!”⁹⁹

We discussed earlier how Trump publicly threatened Democratic Senators Joe Donnelly, Claire McCaskill, and Joe Manchin with defeat if they failed to support tax cuts. Manchin argued that Trump had not really made the transition from negotiating tactics that work in the private sector—like bluster and intimidation—to those that work in the public sector. “It takes a little more diplomacy in the public sector,” Manchin said.¹⁰⁰

Donnelly was in the front row at a White House signing ceremony for “right-to-try” legislation—allowing people with life-threatening illnesses to bypass the Food and Drug Administration to obtain experimental medications—that the senator had helped to write. “Senator Donnelly, thank you very much,” Trump said. “That’s really great. Appreciate it. Thank you.” Shortly after the event, Donnelly issued a statement that highlighted Trump’s praise. “I was proud to join President Trump at the White House, as he signed my right to try bill into law,” the senator said. Earlier in the month, however, Trump traveled to Elkhart, Indiana, to tout the candidacy of Mike Braun, Donnelly’s challenger. At a rally in the state, Trump disparagingly labeled Donnelly “Sleepin’ Joe” and ticked off other White House priorities the first-term senator had opposed. “Joe Donnelly voted no on tax cuts, no on better health care, and he voted no on canceling job-killing regulations, which may be even more important than those incredible tax cuts,” Trump told the crowd.¹⁰¹

In yet another departure from the norms of party competition, Trump publicly and privately campaigned for the Israeli government to block Democratic representatives Ilhan Omar of Minnesota and Rashida Tlaib of Michigan from visiting Israel. “It would show great weakness if Israel allowed Rep. Omar and Rep. Tlaib to visit,” Trump tweeted. “They hate Israel & all Jewish people, & there is nothing that can be said or done to change their minds. Minnesota and Michigan will have a hard time putting them back in office. They are a disgrace!”¹⁰²

It is rare for a government entity to directly criticize a sitting member of Congress. However, the president broke from the practice of past administrations of refraining from posting overtly partisan content, singling out public figures on official accounts. The White House used its official Twitter account to attack two Democratic senators who opposed the president’s immigration agenda, falsely equating their criticisms of the Immigration and Customs Enforcement agency with support for criminals and murderous gangs. “@SenWarren, why are you supporting criminals moving weapons, drugs, and victims across our nation’s borders?” asked a tweet addressed to Senator Elizabeth Warren from the @WhiteHouse account. “@SenKamalaHarris, why are you supporting the animals of MS-13?” queried a tweet posted by the same account about an hour later to Senator Kamala Harris, which referred to the transnational gang with roots in El Salvador.¹⁰³

Criticism of Trump’s Iranian policy heated up after US drones killed Iranian general Quasem Soleimani. On January 13, 2020, the president retweeted a volley of incendiary posts accusing Nancy Pelosi of supporting the Iranian regime. One of them included a fake photo of

the Speaker and Senate Minority Leader Schumer wearing photoshopped Islamic head coverings and standing in front of the Iranian flag. Another retweet showed a graphic picture of what appeared to be a man's body, along with the claim that Pelosi "supports this mullahs' crime." The tweet was later removed from Twitter and replaced with a note saying it "violated the Twitter Rules."¹⁰⁴

The Case of Infrastructure

Observers have always viewed infrastructure development as a prime opportunity for the two parties to come together to create jobs and bolster economic growth. There was widespread agreement that the country's bridges, railroads, broadband, and other structures were badly fraying and in need of repair and rebuilding. If approved, the policy would have been the most significant bipartisan achievement of Trump's presidency. The issue illustrates the president's problematic approach to bipartisanship.

On one level, the president was upbeat about the prospects of working with the Democrats. On December 22, 2017, he tweeted, "At some point, and for the good of the country, I predict we will start working with the Democrats in a Bipartisan fashion. Infrastructure would be a perfect place to start. After having foolishly spent \$7 trillion in the Middle East, it is time to start rebuilding our country!"¹⁰⁵ As we have seen, however, the White House never developed an infrastructure plan, and it never involved the Democrats in any effort to do so.¹⁰⁶

After the 2018 midterm elections, the president again named infrastructure as a policy on which he hoped to work with the new Democratic House majority. Democrats were conflicted. How would they balance investigating the president with cooperating with him in areas of mutual interest?¹⁰⁷ They did move forward, however, and Trump and the Democrats reached a tentative accord on a \$2 trillion price tag—proposed by the president himself—in early May 2019. However, this agreement ran into immediate opposition from Republicans, including acting White House chief of staff Mike Mulvaney and Senate Majority Leader Mitch McConnell, who balked at the hefty price tag, and from conservative allies who were pushing lawmakers to block it.¹⁰⁸

On May 21, the president complicated the effort further when he sent Democratic leaders a letter saying that infrastructure should wait until after Congress passed the USMCA, his revised version of NAFTA.¹⁰⁹

The next day, the president walked into the White House Cabinet Room, ostensibly for a meeting with Democratic congressional leaders on an infrastructure bill. He never took his seat, however, and shook no hands. Instead, he lashed out at Nancy Pelosi for accusing him of a cover-up and declared that he could not work with the Democrats until they stopped investigating him. After just three minutes, and before anyone else could speak, he marched out into the Rose Garden and delivered a statement bristling with anger, demanding Democrats "get these phony investigations over with." Trump followed up his comments with a series of tweets, charging in one that the "Democrat leadership is tearing the United States apart."¹¹⁰

May 23 saw a further escalation of the spat in which each questioned the other's mental

fitness. At a news conference, the president called Pelosi “crazy Nancy” and proclaimed, “she’s a mess” and “She’s lost it.” after the Speaker told reporters that Trump’s family and White House aides “should stage an intervention for the good of the country.” He also questioned Pelosi’s intellectual capacities, saying that she was incapable of understanding the details of a proposed new trade agreement with Canada and Mexico. In contrast, the president reprised his self-assessment as an “extremely stable genius.”¹¹¹ Later in the day, Trump shared a video on Twitter that spliced together several verbal stumbles of Pelosi at a press conference earlier in the day. Meanwhile, some Trump allies shared a video, which rapidly spread across social media, which slowed the sound to make it look like Pelosi was drunkenly slurring her words.

There was reason to think that Trump’s eruption was staged to end negotiations over infrastructure spending, because he had not come up with a way to pay for such an enormous package.¹¹² Despite his insults of the Democratic leaders, and with seemingly little sensitivity to their impact, the day after the aborted White House meeting he nevertheless demanded that the House pass his revised trade agreement with Canada and Mexico.

Whatever the president’s motivation, his blowup was reminiscent of a meeting in January 2019 when he erupted at Pelosi during the partial government shutdown as he sought money for his promised border wall. After she refused to go along, he snapped, “bye-bye” and stormed out, later blasting the negotiations as a “waste of time.”¹¹³ Trump was still relying on a negotiating style that had proven to be a failure, but it was his *modus operandi* and he seemed unable to adapt. He was neither a reliable nor a skilled negotiator. Moreover, his own party constrained his ability to win Democratic support.

Impeachment

The final break in the president’s relations with Democrats occurred when the House opened an impeachment inquiry in September 2019. Calls for the president’s impeachment had grown among Democrats throughout his tenure, but the immediate catalyst for the inquiry was Trump’s efforts to pressure the Ukraine to investigate Joe Biden and his son, Hunter. For most reluctant Democrats, this behavior was the final straw, and Nancy Pelosi agreed to begin the inquiry. Trump frenetically sought to delegitimize the proceedings and refused to cooperate.¹¹⁴ He also grew increasingly abusive in his criticism of the opposition.

On October 16, 2019, congressional leaders met with the president to be briefed on fighting in Syria. Trump began the proceedings in the Cabinet Room by making it clear that he did not want to be there. “They said you wanted this meeting,” he told his guests. “I didn’t want this meeting, but I’m doing it.” The atmosphere deteriorated further, with the president ultimately calling Nancy Pelosi a “third-grade” or a “third-rate” politician.¹¹⁵ At that point, the Democratic leaders walked out of the meeting.

Later in the day, Trump tweeted a picture of Pelosi standing in the Cabinet Room pointing her finger at the president. He thought it showed her in an “unhinged meltdown.”¹¹⁶ To Democrats—and some Republicans—however, the picture conveyed the Speaker standing up to the president after the House overwhelmingly voted to condemn his decision to pull out of northern Syria. Indeed, Pelosi made the photo her Twitter profile picture.¹¹⁷

As the impeachment inquiry accelerated, the president's criticism of Democratic leaders went into overdrive. For example, on November 1, 2019, he called Pelosi and House Intelligence Committee chair Adam Schiff "corrupt politicians."¹¹⁸ The day after his acquittal during a televised speech at the White House, he assailed Pelosi and Schiff. "They're vicious and mean," Trump said. "Adam Schiff is a vicious, horrible person. Nancy Pelosi is a horrible person."¹¹⁹

Unsurprisingly, the president had additional grievances. Joe Manchin voted with Trump more than any other Democrat in the Senate and was the only Democratic vote in favor of confirming Brett Kavanaugh to the Supreme Court. When he voted to convict the president of impeachable offenses, however, Trump was enraged. On February 8, he called Manchin a "puppet Democrat Senator" who was "weak & pathetic." He gave the senator a new nickname: "Joe Munchkin" and suggested that Manchin was too stupid to understand a transcript of his telephone call with President Volodymyr Zelensky of the Ukraine. Adding insult to injury, the president took credit for the senator's signature legislative achievement: a bipartisan bill to secure miners' pensions. Manchin was not cowed, however. "The people of America and the people of West Virginia want some adults in the room," he said, and Trump was not behaving like one.¹²⁰

Democratic Support

The best test of the success of a bipartisan effort is the support the president wins from the opposition. One would not expect a high level of support, but Donald Trump's record is especially dismal. Table 1 shows that House Democrats voted with the president only 9 percent of the time on contested votes during 2017–2019, the lowest level they had ever accorded a Republican president. Trump did not do much better in the Senate, where Democrats supported the president's stand only 13 percent of the time. Once again, this level of opposition support was the lowest ever for a Republican president.

Insert table 1 here

Examining votes on specific issues clarifies the division further. Not a single Democrat in either House supported any version of the Republican, Trump-backed efforts to repeal and replace the Affordable Care Act. Similarly, no Democrat voted for the 2017 tax cuts, despite the president's campaigning and threats. The president did no better on his signature efforts to alter immigration policy. For example, when the Senate voted on February 15, 2018, on a bill the president favored, only three Democrats (Heitkamp, Donnelly, and Manchin) supported him. He won no House Democratic votes for either version of the immigration bill voted on in June 2018. Only Manchin voted to fund his \$5.7 billion request for a border wall during the 2018–2019 government shutdown. Thus, when the chips were down, the president could not rely on the Democrats to give him a winning coalition.

Part of the president's problem was the increasing polarization in Congress.¹²¹ Democratic support has decreased for every succeeding Republican president since Eisenhower's tenure in the 1950s. It is difficult to say how much Trump contributed to intensifying this polarization, but it is reasonable to argue that his approach to bipartisanship left much to be desired, and his disparaging of Democrats, collectively and individually, only reinforced the opposition's disinclination to grant him the benefit of the doubt. The president's alienation of

the Democrats' constituents made it even more difficult for them to compromise with the White House.

Congressional Initiatives

A number of important bills that were not presidential initiatives passed with bipartisan support in the 115th Congress. Congress approved a law intended to address the opioid crisis by, among other things, expanding the availability of addiction treatment. It took a bipartisan approach to the legislation, while the White House adopted a mostly hands-off but supportive approach. Other bipartisan, Congress-led efforts resulted in a major overhaul and extension of veterans' educational benefits; a bill designed to help veterans obtain health care;¹²² the Music Modernization Act, which rewrote music copyright and royalty rules for the digital age; and the first comprehensive NASA authorization bill in more than six years.

Two important bills passed late in the 115th Congress. Lawmakers approved a twice-a-decade farm bill. The legislation was largely the work of bipartisan bargaining among members of Congress. The primary contribution of the Trump administration was a proposal to add new work requirements for many food stamp recipients. The bill passed by wide margins in both the House (369–47) and the Senate (87–13), but it did so after scrapping the president's proposal.

The other significant legislation dealt with reforming the criminal justice system. An unusual alliance of liberal groups such as the ACLU and the Center for American Progress and conservative groups such as those funded by the Koch brothers and law enforcement organizations supported the bill. Conservatives saw an opportunity to reduce the high costs of the nation's growing prison population, while liberals were enthusiastic about shortening mandatory minimum sentences for some nonviolent drug offenses and reducing the sentencing disparity between crack and powder cocaine offenders. Both sides liked incentives and new programs aimed at improving prison conditions and preparing prisoners for reentry into their communities. This First Step Act had a lengthy gestation period and was the product of years of bipartisan cooperation in Congress. Trump did not endorse the bill until November 14, 2018. The president's essential contribution was encouraging Mitch McConnell to bring it to the floor.¹²³ When he did, eighty-seven senators voted for it on December 18.

In 2020, Congress passed the Great American Outdoors Act, a measure that for the first time guaranteed maximum annual funding for the Land and Water Conservation Fund, the premiere federal program to acquire and preserve land for public use. The president signed the bill although his budget earlier in the year proposed eliminating spending on the program altogether. The bill received widespread bipartisan support, and two Senate Republicans from the West facing tough re-election fights — Cory Gardner of Colorado and Steve Daines of Montana — seized on the measure as beneficial both for their states and for their election prospects. They talked Trump into signing the bill.¹²⁴

When the White House stayed out of the negotiations and when the issues had the potential for consensus, Congress was able to legislate.

Even when the president tried to intervene in a congressional initiative, legislators could

ignore him. A bill providing billions in financial aid to places across the country besieged by natural disasters since 2017 was a high priority in 2019. Trump called for Republicans to “stick together” and reject the “BAD DEMOCRAT” bill,¹²⁵ apparently because it provided help to Puerto Rico. He also wanted the bill to include additional funding for border security.¹²⁶ Congress, by votes of 85–8 in the Senate and 354–58 in the House, easily passed the bill, which did not include the border funding the president requested.

Leading the Party

Managing and maintaining a supportive majority coalition of those predisposed to support the president, members of his party, has always been the key strategy for winning votes in Congress. The difficulty of winning support from the opposition party has only increased the White House’s reliance on party leadership. President Trump enjoyed a comfortable majority in the House and a narrow one in the Senate during 2017–2018. By 2019, Democrats had taken the House, greatly reducing the prospects of passing significant White House proposals.

It is common for presidents to rely on party leaders and to receive support from them, and Trump was no exception. His relationships with them were sometimes stormy, however. We have seen how he publicly criticized Mitch McConnell, especially over the failure of the Senate to pass a health care bill in 2017, a departure from the modern tradition. McConnell sometimes voiced differences with the president in public. Recognizing he had a problem, Trump held an impromptu news conference with McConnell, claiming their relationship was “outstanding.” He also promised to try to talk former aide Steve Bannon out of at least some of his plans to field hard-right primary candidates to challenge sitting Republicans.¹²⁷ (Taking nothing for granted, McConnell’s allies launched a concerted effort to personally attack Bannon in hopes of blunting his impact in Republican primaries.¹²⁸)

Trump also followed the well-developed White House routines of providing favors and amenities for congressional party members. He even created opportunities for favors. On September 4, 2019, he tweeted, “At the request of Senator Thom Tillis, I am getting the North Carolina Emergency Declaration completed and signed tonight.” Tillis was a Republican facing a tough reelection fight in 2020. Under federal law, however, requests for disaster declarations are made by governors. Roy Cooper, the Democratic governor of North Carolina had made such a request two days before.¹²⁹

In addition, the president was accessible, routinely calling some members of Congress. His calls tended to be unfocused, however, and often did not concentrate on policy development. Instead, he may have chatted about golf, some news in a member’s state, or something he saw on television. Sometimes, he batted around ideas with senators, asking for their thoughts about a policy move or a nomination. Congressional Republicans reciprocated, dialing up the president directly to gauge his thinking or to express a complaint. They knew that ultimately no one spoke for Trump but Trump himself. Lawmakers rarely had to wait for Trump to return their calls, as he was prone to taking them immediately. Republican senators said they also called Trump just to offer positive reinforcement and praise.¹³⁰ Mitch McConnell was among the most frequent of the president’s phone partners, as were Paul Ryan and Kevin McCarthy.¹³¹

Working with Republican leaders had advantages for the president, in addition to

rounding up votes. Ryan and McConnell were able to use their control over the congressional agenda to aid the president by rushing votes before Congressional Budget Office estimates were available to avoid evidence that repealing the Affordable Care Act would increase the number of uninsured and the cost of health insurance—which would make it more difficult to secure votes. Similarly, the leaders brought tax measures to a vote before Joint Tax Committee estimates of their consequences were available.¹³² When it came time for the Senate trial on impeachment, McConnell made it clear he was “taking my cues” from the White House and that he would follow White House counsel Pat Cipollone’s lead. “Everything I do during this, I’m coordinating with the White House counsel,” he announced.¹³³

Despite the veneer of normality, Trump was a disruptive influence on the Republican caucuses on Capitol Hill. His negotiating style made it more difficult to form winning coalitions. More important, his rhetoric and policy stances on spending, immigration, trade, and foreign policy strained the party, while the president’s ill-considered broadsides against opponents, international leaders, and domestic activists increased the burdens of defending him. As conservative commentator Max Boot put it:

Republicans now found themselves making excuses for a boorish, ignorant demagogue who had no respect for the fundamental norms of democracy and no adherence to conservative principles. The party of fiscal conservatism excused a profligate president who added \$2 trillion in debt and counting. The party of family values became cheerleaders for what Democratic presidential candidate Pete Buttigieg has witheringly and accurately called the “porn star presidency.” The party of law and order became accomplices to the president’s obstruction of justice. The party of free trade did nothing to stop the president from launching trade wars. The party of moral clarity barely uttered a peep at the president’s sickening sycophancy toward the worst dictators on the planet—or his equally nauseating attacks on America’s closest allies. The party that once championed immigration eagerly joined in the president’s xenophobic attacks on refugee caravans. And the party that long castigated Democrats for dividing Americans by race pretended not to notice—or even cheered—when the president made openly racist appeals to white voters.¹³⁴

In addition, the president lacked a strategic sense. The issue of infrastructure is a good example. We have seen that the White House had several rollouts of an infrastructure initiative, but it often stepped on its own story.¹³⁵ Equally important, the administration never developed a plan to present to Congress, nor did it prepare the groundwork of building a supportive coalition. Instead of enumerating problems with the nation’s infrastructure and specifying what the president’s plan was to remedy, it simply announced an aspiration. Similarly, the White House offered no plan for funding the spending.

The most distinctive aspect of Trump’s party leadership, however, was his criticism of and threats against members of his own party.

Intimidation

As I have shown elsewhere, Donald Trump was not an effective negotiator or dealmaker. He had difficulty making a sale or closing a deal. His passivity, vagueness, inconsistency, and lack of command of policy made him an unskilled, unreliable, and untrustworthy negotiator. His

lack of success at legislative leadership and his customary way of dealing with others led him to try intimidation to sway members of his party.¹³⁶

On March 21, 2017, Trump went to Capitol Hill to speak to the House Republican Conference about the leadership's health care bill. The president told Mark Meadows, the chair of the House Freedom Caucus, whose members Trump had lobbied intensively, to stand up and take some advice. "I'm gonna come after you, but I know I won't have to, because I know you'll vote 'yes,'" asserted the president. Nevertheless, after the meeting, Meadows told reporters that the president had not convinced him or other caucus members. "I didn't take anything he said as threatening anybody's political future," said Meadows. "Oh, he was kidding around," said Hal Rodgers of Kentucky, a supporter of the bill. "I think."¹³⁷

The bill failed to come to a vote, and Trump was angry. On March 26, he blamed conservative interest groups and far-right Republican lawmakers, tweeting, "Democrats are smiling in D.C. that the Freedom Caucus, with the help of Club for Growth and Heritage, have saved Planned Parenthood & Ocare!"¹³⁸ Less than an hour later, White House Chief of Staff Reince Priebus appeared on television to echo his boss's sentiments, saying his missive hit "the bull's eye." As if to rub salt in the Republicans' wound, Priebus hinted that Trump might try forging more consensus with moderate Democrats in future legislative battles. Priebus pointed to the Freedom Caucus and the Tuesday Group for heavily resisting the health care bill. Although one member of the Freedom Caucus, Ted Poe of Texas, resigned from the group and criticized its opposition to the health care bill, there was little sign of successful intimidation.¹³⁹

Trump was not finished, however. In the early hours of March 30, the president tweeted, "The Freedom Caucus will hurt the entire Republican agenda if they don't get on the team, & fast. We must fight them, & Dems, in 2018!" That afternoon, Trump stepped up his Twitter attacks on the caucus, singling out three of its members by name. "Where are @RepMarkMeadows, @Jim_Jordan and @Raul_Labrador? #RepealANDReplace #Obamacare," he asked, claiming that with their support "we would have both great healthcare and massive tax cuts & reform." Trump's aides reported the president intended his tweets to make members of the Freedom Caucus think twice about crossing him again after they blocked his Affordable Care Act repeal the previous week.¹⁴⁰

Many in the bloc met Trump's threat with defiance. Republican Justin Amash of Michigan responded to Trump's tweet with a taunting reference to the president's promise to "drain the swamp" of Washington: "It didn't take long for the swamp to drain @realDonaldTrump. No shame, Mr. President. Almost everyone succumbs to the D.C. Establishment." Amash also told reporters that Trump's tactic would have been "constructive in fifth grade. It may allow a child to get his way, but that's not how our government works." "Intimidation may work with some in the short term, but it never really works in the long run," said Republican Mark Sanford of South Carolina. Tom Garrett of Virginia, another Freedom Caucus member, was even more blunt. "Stockholm Syndrome?" he asked on Twitter above a copy of Trump's taunting post, suggesting the president had become captive to the Republican establishment he gleefully flayed during the campaign.¹⁴¹ When White House chief strategist Stephen Bannon told Freedom Caucus members that they must stop waffling and vote for the legislation, Republican Joe Barton of Texas icily told Bannon that the only person who ordered

him around was “my daddy”—and that his father was unsuccessful in doing so.¹⁴²

House Freedom Caucus members were electorally secure, representing solidly conservative districts. They typically won with greater margins of the vote than Trump received in their districts. They were also very conservative, unlikely to generate primary opposition from the right. Moreover, the Freedom Caucus acted as a bloc, making it more difficult for opponents to focus on individual members, and it received substantial outside support, such as from the Koch Industries Inc. PAC, which lessened its reliance on Republican Party coffers.¹⁴³ Two Koch-aligned groups pledged to spend upward of \$1 million on ads defending any Republican who voted against the replacement legislation. (Some of the same groups began an online advertising campaign attacking the border tax proposal.¹⁴⁴) It is no surprise that leaders of conservative groups, including Heritage Action for America, FreedomWorks, and the Family Research Council, expressed sharp indignation at Trump when he criticized the Freedom Caucus.¹⁴⁵

Nevertheless, Trump kept up his threats. In April, during the push for the revised health care bill in the House, the president sent an emissary to Sanford to tell him, “The president hopes you vote against this because he wants to run somebody against you if you do.” Sanford said Trump “has made those kinds of threats to any number of members. . . . But I don’t think it’s productive to his own legislative agenda. It doesn’t make anybody’s day when the president of the United States says, ‘I want to take you out.’”¹⁴⁶

After a revised health care bill passed the House, the focus turned to the Senate. Once again, the president won few, if any votes, and some of his efforts seemed to be counterproductive.

Senator Dean Heller of Nevada, the only Republican running in 2018 from a state won by Hillary Clinton, was a consistent holdout from supporting the versions of the Senate health care bill cobbled together by Mitch McConnell. Heller followed the lead of Nevada’s Republican governor, Brian Sandoval, who was far more popular in his state than Trump and never backed off his opposition to the health measures, even after a phone call from the president and a series of one-on-one meetings with senior administration officials at the National Governors Association annual meeting.¹⁴⁷

Trying to exert pressure on Heller, Trump sat next to him during a July 19 White House meeting with Republican senators, convened to rekindle interest in voting on a clean repeal of the health care law before the August recess. At the lunch, the president also threatened electoral consequences for senators who opposed him, suggesting that Heller could lose his reelection bid in 2018 if he did not back the effort. The president began with a lightly veiled threat, urging the senator to back his third push for a Senate repeal. “This was the one we were worried about,” Trump said, turning to Heller. “Look, he wants to remain a senator, doesn’t he?” Trump asked. “You weren’t there. But you’re gonna be,” the president said. “And I think the people of your state, which I know very well, I think they’re gonna appreciate what you hopefully will do.” The president also invited conservative opposition against anyone else who stood in the way. “Any senator who votes against starting debate is really telling America that you’re fine with Obamacare,” he declared.¹⁴⁸

There was no sign that the president changed any minds, however. Other stories emerged of the president trying to employ some Oval Office muscle on Republican Senator Ron Johnson of Wisconsin. Johnson, however, noted that he received more votes than did Trump in 2016. In addition, few Republicans were up for reelection in 2018, making a threat of retaliation somewhat toothless. One Republican senator put it bluntly: the president, he said, scared no one in the Senate, not even the pages.¹⁴⁹ After he returned from lunch at the White House, Dean Heller reflected, “That’s just President Trump being President Trump.”¹⁵⁰

In the meantime, conservative activists were aggressively targeting centrist Republicans who opposed the Senate bill. A pair of conservative groups launched an “Obamacare Repeal Traitors” website attacking Republican Senators Lisa Murkowski of Alaska, Rob Portman from Ohio, and Shelley Moore Capito of West Virginia. The Trump-aligned super PAC, America First, started an ad campaign against Heller with the White House’s blessing. Mitch McConnell called the president’s chief of staff, Reince Priebus, to complain that the attacks were “beyond stupid.”¹⁵¹ Trump allies also encouraged major GOP donors to reach out to senators who opposed the bill. For example, Las Vegas casino moguls Sheldon Adelson and Steve Wynn both spoke with Heller to prod him along.¹⁵²

Republican Senator Lisa Murkowski of Alaska was one of only two Republicans to vote against starting debate on health care. On July 26, the president tweeted “Senator @lisamurkowski of the Great State of Alaska really let the Republicans, and our country, down yesterday. Too bad!”¹⁵³ If publicly criticizing a crucial vote was not enough, Ryan Zinke, the interior secretary, called both Murkowski and Alaska’s other senator, Dan Sullivan, blatantly warning them that the administration might change its position on several issues, given Murkowski’s vote. Since Trump took office, the Department of the Interior had indicated it was open to constructing a road through the Izembek National Wildlife Refuge and drilling in the Arctic National Wildlife Refuge while expanding energy exploration elsewhere in the state. However, Zinke suggested, these policy shifts might now be in jeopardy. The senator also received what she described as “not a very pleasant call” from President Trump about her decision to cast her vote against moving the health care effort forward. Apparently, Trump and Zinke did not appreciate the fact that Murkowski was the chair of the Senate Energy and Natural Resources Committee, which has oversight of the Department of the Interior. She was also the chair of the Senate Appropriations subcommittee with jurisdiction over the department. Thus, she was positioned to do more to Zinke than he could do to her.¹⁵⁴

More broadly, the president was furious at Senator Jeff Flake when he called on him to withdraw from the presidential race after the emergence of the *Access Hollywood* tape. As a candidate, Trump told a small group of Arizona Republicans that he would spend \$10 million to defeat Flake in the 2018 Senate primary. Once in the White House, Trump and his aides openly tried to recruit a primary challenger to Flake.¹⁵⁵ Not only did these efforts fail to turn Flake into a Trump enthusiast, but they also irritated Republican leaders. Commenting on White House meddling in the Arizona primary, John Cornyn said, “I don’t think that’s productive.”¹⁵⁶

Trump wasted no time in attacking other Republican senators. In his first major act as president, he issued an executive order banning immigration from some Middle Eastern

countries. In response, Senators John McCain and Lindsey Graham issued a joint statement in which they characterized the order as “hasty” and “not properly vetted.” They argued that the president’s policy would “become a self-inflicted wound in the fight against terrorism” by serving to aid terrorist recruitment more than it would improve national security. In a series of tweets, the president attacked McCain and Graham, accusing them of “looking to start World War III” and claimed that the senators were “sadly weak on immigration.”¹⁵⁷

On July 14, during the heat of the Senate debate on health care, Vice President Mike Pence addressed the National Governors Association in Providence, Rhode Island.

Gov. [John] Kasich isn’t with us, but I suspect that he’s very troubled to know that in Ohio alone, nearly 60,000 disabled citizens are stuck on waiting lists, leaving them without the care they need for months or even years.¹⁵⁸

However, the waiting lists were unrelated to Medicaid expansion, sparking negative commentary and reportedly making Kasich newly furious about the hardball tactics.¹⁵⁹

Trump addressed a Boy Scouts jamboree in West Virginia in July. White House aides told Republican senator Shelley Moore Capito from that state that she could only accompany the president on Air Force One if she committed to voting for the health care bill. She declined the invitation, noting that she could not commit to voting for a measure she had not seen.¹⁶⁰

Even on his August vacation, the president fought with senators of his party. In a retort to their criticism of his response to the violence in Charlottesville, Virginia, the president lashed out at Lindsey Graham as “publicity seeking.” He added that Graham “just can’t forget his election trouncing. The people of South Carolina will remember!” he threatened. Trump also described Jeff Flake as “WEAK on borders, crime and a non-factor in the Senate. He’s toxic!” and praised Flake’s Republican primary opponent.¹⁶¹

In addition, the president engaged in a public spat with Mitch McConnell over the latter’s comment that he had “excessive expectations” for Congress.¹⁶² He then retweeted *Fox & Friends* headlines: “Senators learn the hard way about the fallout from turning on Trump” and “Trump fires new warning shot at McConnell, leaves door open on whether he should step down.” Trump also berated McConnell in a phone call that quickly devolved into a profane shouting match.¹⁶³

On August 24, the president was at it again, tweeting, “The only problem I have with Mitch McConnell is that, after hearing Repeal & Replace for 7 years, he failed! That should NEVER have happened!” He added in another tweet: “I requested that Mitch M & Paul R tie the Debt Ceiling legislation into the popular V.A. Bill (which just passed) for easy approval. They . . . didn’t do it so now we have a big deal with Dems holding them up (as usual) on Debt Ceiling approval. Could have been so easy—now a mess!”¹⁶⁴

Before the crucial Senate vote on the Republican health care bill in September, Trump tweeted that any Republican who opposed the measure “will forever (future political campaigns) be known as ‘the Republican who saved ObamaCare.’”¹⁶⁵ Hours later, John McCain cast the deciding vote killing the bill and became the focus of the president’s ire. Trump distributed a video that showed the Arizona Republican opposing the Affordable Care Act in the past. “A few

of the many clips of John McCain talking about Repealing & Replacing O'Care,” Trump said in a tweet that accompanied the video. “My oh my has he changed—complete turn from years of talk!”¹⁶⁶ During a radio interview, Trump called McCain’s opposition “a tremendous slap in the face to the Republican Party.”¹⁶⁷ In other tweets, the president claimed McCain had let his state and his best friend Lindsey Graham down and been deceived by Democrats.¹⁶⁸

After the last vote on health care failed to garner a majority in the Senate, Trump adopted an antagonistic posture. He lashed out at “some Republicans” in the Senate whom he accused of refusing to go along with their party, apparently talking about failed votes to repeal the Affordable Care Act. “There are some Republicans, frankly, that should be ashamed of themselves.”¹⁶⁹ In addition, the president declared that the senators looked like “fools,” and tweeted, “Unless the Republican Senators are total quitters, Repeal & Replace is not dead! Demand another vote before voting on any other bill!”¹⁷⁰

In a petty move, Trump threatened to remove the subsidies members of Congress received to help offset the costs of their health insurance purchased through the District of Columbia’s insurance exchanges, as required under the Affordable Care Act. Budget director Mick Mulvaney echoed the president’s sentiments. In addition, the president insisted that the Senate eliminate the filibuster. White House press secretary Sarah Huckabee Sanders blamed the Republican-controlled Congress for the lack of major accomplishments this year.¹⁷¹

Senators were not impressed. “We’ve got other things to do,” responded Republican Senator John Thune. “It’s time to move on,” agreed his Republican colleague Roy Blunt. John Cornyn advised Mulvaney to do his job and let the senators do theirs. Mitch McConnell made it clear that the Senate would not be dealing with health care for a while and that he had no plans to scuttle the filibuster.¹⁷² “We work for the American people. We don’t work for the president,” added Republican Senator Tim Scott.¹⁷³ Asked if Trump’s repeated insistence on jettisoning the filibuster was hindering progress, Senate Finance Committee chair Orrin Hatch replied, “It doesn’t help.” “He’d like to get more cooperation up here. And he’s not getting very much, to be honest with you.”¹⁷⁴ Similarly, asked if a large portion of the Republican caucus had lost patience with the president’s unpredictable ways, one GOP senator replied. “Yeah—it’s just endless chaos.”¹⁷⁵

No doubt the president hoped his messages would encourage senators to toe the White House line. He was wrong. In private, McConnell described Trump as entirely unwilling to learn the basics of governing and expressed uncertainty that the president would be able to salvage his administration after a series of summer crises. Senator Bob Corker rebuked Trump for failing to “demonstrate the stability, nor some of the competence” required of presidents.¹⁷⁶ (Trump responded by tweeting on August 25, “Strange statement by Bob Corker considering that he is constantly asking me whether or not he should run again in ’18. Tennessee not happy!”¹⁷⁷)

In early October, the president’s feud with Corker escalated. The senator told reporters that secretary of state Rex Tillerson, defense secretary Jim Mattis, and White House chief of staff John Kelly “are those people that help separate our country from chaos.” Corker charged that Trump was treating his office like “a reality show,” with reckless threats toward other countries that could set the nation “on the path to World War III.” The president posed such an acute risk,

the senator said, that a coterie of senior administration officials must protect him from his own instincts. “I know for a fact that every single day at the White House, it’s a situation of trying to contain him,” the senator said. He also charged that Trump had repeatedly undermined diplomacy with his tweets. “I know he has hurt, in several instances, he’s hurt us as it relates to negotiations that were underway by tweeting things out.”¹⁷⁸

Trump, of course, could not resist insulting the senator, even though he chaired the Foreign Relations Committee and was a critical vote on the tax cut bill. The president tweeted that Corker decided not to seek reelection because he “didn’t have the guts.” The senator, the president said, had “begged” for his endorsement. “I said ‘NO’ and he dropped out (said he could not win without my endorsement).”¹⁷⁹ Corker flatly disputed that account, saying Trump had urged him to run again, and promised to endorse him if he did.¹⁸⁰ The president also claimed Corker had asked to be secretary of state. “I said ‘NO THANKS.’” Later, the president charged “Bob Corker gave us the Iran Deal, & that’s about it. We need HealthCare, we need Tax Cuts/Reform, and we need people that can get the job done!”¹⁸¹ Corker responded in his own tweet: “It’s a shame the White House has become an adult day care center. Someone obviously missed their shift this morning.”¹⁸²

The president also ridiculed Corker’s height, assigning him a derogatory new nickname—“Liddle Bob”—and suggested *The New York Times* had tricked him when he told a reporter that the president was reckless and could stumble into a nuclear war.¹⁸³ Two weeks later, when Corker commented on the *Today* show that Trump should step aside and leave tax legislation to Congress,¹⁸⁴ Trump countered that Corker “couldn’t get elected dog catcher in Tennessee” and was incompetent to head his committee.¹⁸⁵ Corker characterized Trump’s statements about him as the “same untruths from an utterly untruthful president.”¹⁸⁶

Corker also claimed nearly every Senate Republican shared his concerns about Trump. “Look, except for a few people, the vast majority of our caucus understands what we’re dealing with here,” he said, adding that “of course they understand the volatility that we’re dealing with and the tremendous amount of work that it takes by people around him to keep him in the middle of the road.” The senator added, “I don’t know why the president tweets out things that are not true.” “You know he does it, everyone knows he does it, but he does.”¹⁸⁷ In another interview, Corker reflected, “I don’t know why he lowers himself to such a low, low standard and is debasing our country.”¹⁸⁸

McConnell and his allies were incredulous that the president would anger a senator just a week before a budget vote that was critical to tax cuts, when just three defections could thwart the party’s fifty-two-vote majority. “He’s an important part of our team, and he’s a particularly important part of the budget debate, which will be on the floor next week,” McConnell said pointedly.¹⁸⁹

Other Republicans were critical of the president’s condemnation of their colleagues. “It’s entirely counterproductive for the president to be picking fights with Republican senators who he will need for important agenda items that they both agree on,” reflected Representative Charlie Dent. “Does he think that Democratic senators will be more cooperative than John McCain and Jeff Flake and Susan Collins? It doesn’t seem to make any sense.”¹⁹⁰ Representative Tom Cole

added, “It doesn’t help at this point . . . to be throwing rocks at one another. You don’t, I think, do a lot of good by torching your teammates, particularly by name, individually.”¹⁹¹

In 2018, Senator Jeff Flake declared that Trump had “debased” the presidency and that the nation’s leadership “may have hit bottom.” Asked in the interview for examples of how Trump has degraded the presidency, Flake singled out his name-calling. “When you refer to your opponents in the legislature, for example, in the Congress, and call them losers and clowns and nicknames for people—that’s debasing the presidency. That’s not presidential,” he said.¹⁹² Unwilling to roll with the punches, Trump tweeted a response on June 7. “How could Jeff Flake, who is setting record low polling numbers in Arizona and was therefore humiliatingly forced out of his own Senate seat without even a fight (and who doesn’t have a clue), think about running for office, even a lower one, again?” Trump wrote. “Let’s face it, he’s a Flake!”¹⁹³

Former Republican presidential nominee Mitt Romney took office as a senator in 2019. He was an early critic of the president’s behavior in seeking foreign assistance against his political opponents. On October 4, he tweeted, “By all appearances, the President’s brazen and unprecedented appeal to China and to Ukraine to investigate Joe Biden is wrong and appalling.” Trump responded harshly to Romney’s criticism, calling him a pompous “ass” and “a fool” who should be impeached.¹⁹⁴ (Senators cannot be impeached.) On October 23, the president reached a new low, calling “The Never Trumper Republicans” “human scum.”¹⁹⁵

Even staunch supporters were the subjects of the president’s ire. He dismissed as “crazy” a proposal by some Senate Republicans, including Ted Cruz, to expedite processing of immigrant families by hiring hundreds of new immigration judges. Trump suggested that many of the judges would be corrupt and that some of the lawyers involved were “bad people.”¹⁹⁶ In a conference call with reporters before voting began on immigration reform bills in February 2018, a senior White House official lashed out at Lindsey Graham. The official accused Graham of attacking Homeland Security officials and standing in the way of needed immigration changes. “Senator Graham has been an obstacle for those reforms,” the official said, and he accused Graham of misleading other senators about the damage the proposal would do.¹⁹⁷

Shortly before the 2018 midterm elections, Trump threatened to end birthright citizenship with an executive order (which he lacked the power to do). A number of Republicans, including Speaker Paul Ryan, tried to separate themselves from the president on the issue. Angered, the president tweeted that this was an issue that Ryan “knows nothing about.”¹⁹⁸

In an interview after he retired from Congress, Ryan disclosed that Trump “didn’t know *anything* about government” and operated on ill-informed “knee-jerk reactions.” Thus, Republican congressional leaders had to work quietly to stop him from making bad decisions.¹⁹⁹ Trump struck back, calling Ryan a “long running lame duck failure” who had an “atrocious” record of achievement. “Couldn’t get him out of Congress fast enough!” Trump tweeted.²⁰⁰

Trump insulted prominent Republicans in more subtle ways as well. John McCain was a frequent Trump critic. In addition to opposing the president on health care and immigration, he denounced the “half-baked, spurious nationalism” that he saw overtaking American politics.²⁰¹ Trump was never a gracious recipient of criticism. When he gave a speech at Fort Drum, New

York, commemorating the signing of a defense spending bill named for John McCain, Trump failed to mention the ailing senator. When McCain died, the president refused to release a statement prepared by his aides that praised the Republican's life and heroism. Instead, he issued a tweet that did not include any kind words for McCain. White House aides had to post statements from other officials praising the war hero.²⁰²

Not only did the president's criticism do little to win support on particular bills, but in the long run it was also self-defeating. For example, although Trump succeeded in denying both Jeff Flake and Mark Sanford renominations, the Democrats won both seats in the subsequent election.

Trump's Success

A week before the 2016 presidential election, Donald Trump traveled to the Philadelphia suburbs to deliver a health care policy speech that was light on details and heavy on ambitious promises. In a hotel ballroom, Trump promised to convene a special session of Congress as soon as he was sworn in—a perplexing idea, as Congress would already be in session—so that lawmakers could “immediately repeal and replace Obamacare.” All of this would happen “very, very quickly,” he vowed.²⁰³

The new president came to Washington boasting of his prowess as a leader, able to cut deals, “drain the swamp” in Washington, and transform public policy. Once in office, he repeatedly claimed that his stewardship had led to uncommon success with Congress, declaring that he had signed more legislation than any president since Franklin D. Roosevelt. On July 17, he declared at a White House event, “We’ve signed more bills—and I’m talking about through the legislature—than any president, ever.”²⁰⁴ He was wrong.

At first glance, it may seem as though Trump was extraordinarily successful as a legislative leader. He won nearly every roll-call vote on which he took a stand in 2017 (99 percent) and 2018 (93 percent). The president achieved these results because he received high levels of support from Republicans (table 2). In fact, Trump obtained a higher level of support from Republicans in both the House and the Senate than any other Republican president in the modern age. There is little variance among the members. For example, in 2017, forty-seven of the fifty-one Republican senators supported Trump at least 95 percent of the time. In 2018, the same number supported the president on 91 percent of the votes.

Insert table 2 here

This impressive backing is the mirror image of his record low levels of support among Democrats. Polarization cuts two ways, aiding as well as thwarting the president's ability to win votes in Congress. Republican support has increased for every succeeding Republican president since Eisenhower (with the minor exception of the Senate in the Nixon/Ford era). It is unlikely that Trump's stewardship as party leader was responsible for the uniformity of Republican support, however. There was nothing in his behavior that would encourage us to credit his leadership skills for his success. The increasingly conservative views of Republican senators and the president's support among their constituents are the most likely explanations. Jon Bond found that Trump did about what one would expect in the political environment in which he operated.²⁰⁵

Another explanation for the president's high level of Republican support is the small size of the agenda that reached the floor of Congress. According to Congressional Quarterly, in 2017 Trump took stands on only thirty-six votes in the House, representing 5.1 percent of the votes taken and the lowest percentage in the history of calculating presidential support, which stretches back nearly seven decades. He took even fewer stands on legislative votes (those not on nominations) in the Senate—twenty-three.²⁰⁶ In 2018, the president was even less active, taking stands on only thirty votes in the House and sixteen legislative votes in the Senate.²⁰⁷ He lost seven of these sixteen votes, despite Republicans holding a Senate majority.

In 2017–2018, Republican congressional leaders had substantial control over the legislative agenda and kept issues that would divide the majority and alienate a bloc of members from coming to the floor.²⁰⁸ Equally important, the leaders hesitated to bring legislation to the floor that the president would not support—and which might attract opposition.²⁰⁹ For example, during the government shutdown in December 2018 and January 2019, Mitch McConnell refused to bring to the floor any bill to resolve the issue that the president said he would not sign.

In addition, nearly one-third of the laws passed by the 115th Congress were ceremonial in nature. One hundred and nine pieces of legislation renamed post offices, courthouses and the like—one-fourth of the Congress' total legislative output.²¹⁰

In 2019, the tables were turned when the Democrats took over the House. The president won only five of sixty-two votes (8 percent) on which he took a stand, the lowest percentage on record. Two of the president's five victories (the Fiscal 2020 Defense Authorization Conference Report and the USMCA) were on near-unanimous votes on which the Democrats had negotiated effectively to win important concessions from the administration. Although the White House supported the Budget Cap Adjustment bill, two-thirds of House Republicans did not, indicating how well the Democrats had bargained. The president was not able to obtain majority support for his other two "victories" (a veto override attempt of the National Emergency Disapproval Resolution and the Further Continuing Fiscal 2019 Appropriations bill, but he was able to win the support of enough representatives to prevent the opposition from acquiring the two-thirds majorities the bills required to pass.

The Republicans strengthened their control of the Senate with the 2018 elections and continued to provide the president with victories, especially on nominations. Nevertheless, Trump lost eleven of the twenty-nine votes that were not on nominations. Five of his eighteen victories were on veto override attempts on which he failed to win a majority of the vote. So even with a Republican majority, the president failed to win a majority of the vote on sixteen of twenty-nine (55 percent) of legislative votes.

Passing Legislation

Trump did enjoy some successes, of course. Tax cuts, a high-priority item for both him and his party, passed. The White House was also able to use the tax bill to open oil and gas exploration in the Arctic National Wildlife Refuge and end the individual mandate established by the Affordable Care Act. In addition, Republicans exploited the Congressional Review Act to overturn sixteen agency rules adopted in the last sixty days of the Obama administration.

Congress had made use of the 1995 law only once before—in 2001 to rescind a Clinton administration Labor Department ergonomics rule. In each case, Republicans had to employ a procedure that avoided filibusters to accomplish their goals.

The White House also enjoyed a notable success in winning approval of the USMCA. As we have seen, this victory occurred only after the Democrats won a series of major concessions. The bills designed to provide relief in response to the coronavirus pandemic were even more the product of Democratic as well as Republican initiatives.

The most notable fact about Trump's legislative record, however, is the relative absence of passage of significant presidential initiatives. Prominent among the legislation that did *not* pass were bills dealing with health care reform, infrastructure spending, and immigration—policies central to Trump's presidential campaign. The president's budgets proposed deep cuts in nondefense discretionary spending. Congress, including many Republicans, simply ignored the president's requests and passed bills that reversed his proposed cuts.²¹¹ In May 2018, the White House submitted a \$15 billion rescission package to Congress. The Republican Senate rejected the bill.

To cap off the president's first two years, the 115th Congress ended without funding large portions of the federal government, precipitating the longest government shutdown in US history. It is clear that the episode was not an example of successful presidential leadership. Ultimately, Trump won only \$1.375 billion for building a wall, less than he could have obtained months earlier. Sean Hannity, perhaps Trump's most reliable media supporter, declared to his Fox News audience on February 11, 2019, "Any Republican that supports this garbage compromise, you will have to explain."²¹² Mark Meadows, the head of the House Freedom Caucus and the most vocal supporter of a border wall in Congress, complained to the same network, "Only in Washington, D.C., can we start out with needing \$25 billion dollars for border-security measures and expect applause at \$1.37 [billion]."²¹³

In 2019, the president faced a Democratic House, which controlled the legislative agenda. Trump seemed to give up, taking a stand on only sixty-two votes in the House. He opposed passage on 95 percent of these votes. The only times he backed an action was on a Democratic-supported budget cap adjustment, a consensual defense authorization, and the USMCA.

Congressional Quarterly identified 190 Senate votes on which the president took a stand in 2019. However, 161 (85 percent) of these were votes confirming nominations. The president took stands on only 29 substantive legislative matters during the entire year. Moreover, only 11 of these were stands supporting an action. Four of the 11 votes were on cloture, and these were the only contentious issues on which the president took a positive stand in 2019. The other 7 bills were consensual: appropriations or authorization bills, a spending cap adjustment, and acceptance of North Macedonia into NATO membership. The rest of the time, the White House opposed initiatives, principally in foreign policy. The number of opposing stances would have even been greater if Mitch McConnell had not refused to take up nearly 300 bills passed by the Democratic House, including those dealing with gun control, voting rights, immigration, and drug pricing. As Congressional Quarterly put it, although Trump repeatedly railed against the "do nothing Democrats, "he has largely ceded the agenda to Republicans in Congress by

neglecting to offer even an outline of goals.”²¹⁴ But the Senate majority did not take up the slack, voting only 108 times on legislation (including matters on which the president did not take a stand), the fewest in at least two generations.²¹⁵

After the president failed to win funding to build a border wall in 2019, he declared a national emergency in order to reprogram defense funds to wall building. Never before had a president asked for funding. Congress refused to provide it, and the president then used the National Emergencies Act of 1976 to spend the money anyway.

The House voted 245–182 to overturn the president. Attention then focused on the Senate. There was little chance that Congress could override a presidential veto, but the White House nevertheless made a frenzied effort to avoid a rebuke in the upper chamber. Trump sought to frame the vote as not only a declaration of support for his border security policy, but also as a sign of personal loyalty in a time of divided government. On Twitter, he referred to it as a vote on “Border Security and Crime!!!” and urged Republican senators, “Don’t vote with Pelosi!”²¹⁶ He also warned Republicans of the electoral consequences of defying his will and dismissed concerns about the constitutional precedent of his order.²¹⁷

In the end, twelve of fifty-three Republican senators voted against the president as the Senate passed the resolution of disapproval, 59–41. The vote marked the first time Congress had ever sought to terminate a national emergency order with a resolution of disapproval. It was also a rejection of the president on his signature campaign issue. On September 25, the Senate again voted to terminate the national emergency. The vote was 54–41, as five of the votes for termination were absent. The House followed suit, forcing the president to once again veto the resolution of disapproval.

In general, despite its high priority on the White House’s agenda, there was little legislative change in immigration law. Congress enacted none of the big changes to immigration policy for which Trump called. Not only could he not win funding for a border wall but he also failed to win legislative policy changes in the number of legal immigrants the United States would commit to accepting or the skills or family connections of those it would accept. Dreamers do not have permanent legal status, and there has been no law regarding those seeking asylum.

In 2019, Congress passed a two-year budget deal that raised spending by hundreds of billions of dollars over existing caps and allowed the government to keep borrowing to cover its debts. Before the House vote, the president tweeted on July 25, “House Republicans should support the TWO YEAR BUDGET AGREEMENT which greatly helps our Military and our Vets. I am totally with you!”²¹⁸ Nevertheless, only 65 Republicans voted for the bill while 132 voted against it.

Pushback. Congress displayed its independence in other ways. In response to Trump’s public disparaging of Attorney General Jeff Sessions, several of Sessions’s former Senate colleagues rallied behind him and strongly cautioned the president that “there will be holy hell to pay,” in the words of Lindsey Graham, if Sessions were fired.²¹⁹ Republican Senate Judiciary Committee chair Charles Grassley said that he would not make time in the Senate schedule to

consider a new attorney general nominee. Before leaving for its 2017 summer recess, the Senate set up a system to prevent the president from appointing senior administration officials to posts that required confirmation in the senators' absence. The goal was to prevent Trump from dismissing Sessions and then appointing someone without Senate confirmation who would be willing to fire Special Counsel Robert Mueller. In addition, two bipartisan pairs of senators unveiled legislation to prevent the president from firing Mueller without cause.²²⁰

One of the president's most infamous policies was separating the children of illegal immigrants and asylum seekers from their parents at the border. Republican Orrin Hatch and twelve other senators sent a letter to the Department of Justice, asking the administration to stop the separation of families until Congress could pass legislation. Mitch McConnell said that "all of the members of the Republican conference support a plan that keeps families together," endorsing quick passage of a narrow bill to provide legal authority to detain parents and children together while the courts considered their status.²²¹ The policy was so unpopular that even stalwart Republican supporters—from the Chamber of Commerce to evangelist Franklin Graham—urged the president to reverse his stance. As the public outcry against the policy grew, the president ended the practice.

Trump also endured symbolic defeats in the domestic arena. On August 16, 2018, senators unanimously voted to separate themselves from the president's attacks on the media. They adopted a resolution affirming support for a free press and declaring, "The press is not the enemy of the people." The resolution reaffirmed "the vital and indispensable role that the free press serves to inform the electorate, uncover the truth, act as a check on the inherent power of the government, further national discourse and debate, and otherwise advance the most basic and cherished democratic norms and freedoms of the United States."²²²

Republican senator Ben Sasse was outraged when the president raised questions about the television networks' licenses and declared that it's "frankly disgusting the way the press is able to write whatever they want to write." The senator issued a press release in which he asked the president if he was recanting his oath to "preserve, protect and defend the First Amendment."²²³

In September 2017, the House and Senate unanimously passed a joint resolution urging Trump to denounce racist and anti-Semitic hate groups, sending a blunt message of dissatisfaction with the president's initial, equivocal response to the white nationalist violence in Charlottesville, Virginia, in August. Trump ultimately signed the resolution. The president was by no means done with race baiting, however. In July 2019, he advised four Democratic congresswomen of color to go back where they came from.²²⁴ In response, the House passed a resolution condemning the president for his "racist comments."

Foreign Policy. Trump's foreign policy stances often went against the grain of established Republican policy. Although Congress often finds it difficult to thwart a president in the area of international relations, it can send important symbolic messages that may be embarrassing and politically costly to the White House. The 115th Congress was unusually active in doing so, despite its Republican majorities, and this opposition to the president continued in the 116th Congress. Symbolic votes can matter, because the public is more likely to notice conflict in Washington when the elite consensus breaks down. Dissent further undermines a struggling

White House. Moreover, negative congressional votes—even when they fail—can shape future foreign policy by increasing the political costs to the president of persisting in a course of action.²²⁵

In July 2017, Congress passed by veto-proof margins a bill containing toughened sanctions on Russia, Iran, and North Korea—but aimed primarily at punishing Russia for its interference in the 2016 elections. The White House opposed the law, and Republican Senate Foreign Relations chair Bob Corker described the president and White House officials as “non-existent” as lawmakers worked out a final bill.²²⁶ The law represented an emboldened Congress, including Republicans, pushing back against the White House. Trump reluctantly signed the measure on August 2 to avoid the humiliation of a veto override. At the same time, the president issued two signing statements in which he made bold declarations of executive power. The second one ended with a gratuitous assertion:

I built a truly great company worth many billions of dollars. That is a big part of the reason I was elected. As President, I can make far better deals with foreign countries than Congress.²²⁷

Ironically, Trump’s assertion of power and his criticism of the legislature was likely to make Congress even less likely to defer to him or to grant him discretion.

Free trade has been a central tenet of Republican policy for decades and runs counter to Trump’s protectionist approach. On July 10, 2018, the Senate passed a nonbinding measure calling for Congress to have a role in tariffs imposed on the basis of national security, an implicit rebuke of the president’s move to tax imported steel and aluminum from Canada, Mexico, the European Union, and other trading partners.

In 2019, Trump more than doubled tariffs on \$200 billion in Chinese goods, provoking China to retaliate with tariffs on US agricultural and other products. Then he expanded the trade war further, taking steps to levy tariffs on an additional \$300 billion in Chinese goods. Senate Republicans expressed concern that the president’s escalating trade war was hurting their constituents. Some, including Senate Finance Committee chair Charles Grassley, took the unusual step of openly criticizing a president from their own party.²²⁸

On May 30, 2019, the president announced that he would impose a 5 percent tariff on all goods imported from Mexico on June 10, and then increase the levies each month if that country did not agree to do more to stop immigrants from reaching the US border. Republican lawmakers warned White House officials that the tariffs could imperil the chances of passing an overhaul of NAFTA, but Trump remained undeterred. Republican senators then warned that they were prepared to block the president’s efforts to impose tariffs on Mexican imports and that they had enough votes to override a veto. “There is not much support in my conference for tariffs, that’s for sure,” said Mitch McConnell.²²⁹ In the end, Trump backed down and levied no tariffs. Although he announced a deal with Mexico, it had agreed to the main provisions months earlier.²³⁰

Donald Trump and Vladimir Putin held a press conference in Helsinki on July 17, 2018, in which the president expressed doubts about US intelligence conclusions that the Russian government tried to influence the outcome of the 2016 US presidential election. Instead, he

indicated he believed Putin's denials. At least thirteen Republican senators denounced his comments, as did Paul Ryan and other Republican members of the House.²³¹ On July 19, 2018, Republican Representative Will Hurd penned an op-ed in the *New York Times* titled "Trump Is Being Manipulated by Putin."²³² John McCain excoriated the president: "Today's press conference in Helsinki was one of the most disgraceful performances by an American president in memory. The damage inflicted by President Trump's naiveté, egotism, false equivalence, and sympathy for autocrats is difficult to calculate. But it is clear that the summit in Helsinki was a tragic mistake."²³³

On November 28, 2018, the Senate voted 63–37 to advance a resolution that would end US military support for the Saudi-led war effort in Yemen, except for operations against al-Qaeda. Fourteen Republicans joined all forty-nine Democrats in supporting it. Two weeks later, on December 13, 2018, the Senate voted to end US military support for Saudi Arabia's war in Yemen. The 56–41 vote marked the first time the Senate utilized powers granted under the 1973 War Powers Act, which gives Congress the power to demand an end to military actions. Seven Republicans joined with all forty-nine Democrats to support the measure. Immediately after the vote on the Yemen war, the Senate voted unanimously for a nonbinding resolution officially blaming Saudi crown prince Mohammed bin Salman for the killing of journalist Jamal Khashoggi. With both votes, senators diverged sharply from Trump, who maintained steadfast support for Saudi Arabia and Prince Mohammed, even though the CIA concluded that the prince ordered the assassination of Khashoggi inside the Saudi consulate in Istanbul.

The House may very well have passed the Senate resolution on Yemen. Republican leaders were so concerned that it would do so that on the first day of their lame-duck session following the midterm elections, they proposed a rule change to block a vote on matter. The change nullified parts of the War Powers Resolution, specifically for the Yemen bill, that would have allowed lawmakers to force a vote on the measure. Thus, the leaders spared the president from having to veto the resolution.²³⁴

A Democratic majority took over in January 2019, however, and on February 13, it voted to end American military assistance for Saudi Arabia's war in Yemen. The Senate followed suit on March 13, with seven Republican senators again opposing the president. The resolution was a rebuke to the president, who was forced to veto it.

In June, the Senate passed three measures to block President Trump from using his emergency authority to complete several arms sales benefiting Saudi Arabia and the United Arab Emirates and also registering growing anger with the administration's use of emergency power to cut lawmakers out of national security decisions. Seven Republican senators broke with the president—short of the support needed to overcome a veto but another slap at the White House. In July, the House followed suit, forcing the president to exercise his veto.

In December 2018, the president abruptly tweeted plans for a US pullout from Syria, overruling his generals and civilian advisors and claiming that the Islamic State had been defeated. Trump also ordered the military to develop plans to remove up to half of the fourteen thousand US forces in Afghanistan. The next month, Mitch McConnell introduced an amendment warning that "the precipitous withdrawal of United States forces from either country

could put at risk hard-won gains and United States national security” and arguing that “it is incumbent upon the United States to lead, to continue to maintain a global coalition against terror and to stand by our local partners.”²³⁵ On February 4, 2019, the Senate approved the amendment by a vote of 70 to 26. Only four Republican senators voted to support the president.

In 2018, the United States sanctioned companies controlled by Russian oligarch Oleg Deripaska, an ally of Vladimir Putin, for furthering “the Kremlin’s global malign activities, including its attempts to subvert Western democracy.” On January 17, 2019, the House voted 362 to 53, including 136 Republicans, formally to disapprove of plans to relax sanctions against Deripaska’s companies. A similar resolution narrowly failed in the Senate, falling three votes shy of clearing the 60-vote threshold to advance it to a final vote, despite winning the support of eleven Republican senators.

Several times over the course of 2018, Trump privately told aides he wanted to withdraw the United States from NATO.²³⁶ On January 22, 2019, the House voted 357–22 to reaffirm the lawmakers’ support for the alliance and to specify that the administration could spend no US funds to withdraw the United States from it.

In June 2019, the House voted to repeal the 2001 Authorization for the Use of Military Force, which passed in the days following the 9/11 terrorist attacks and accorded President George W. Bush the authority to go to war with al-Qaeda and any related organizations. The primary goal of the House action was to constrain President Trump from attacking Iran. Mitch McConnell refused to bring the bill to the Senate floor, but the Senate voted 50–40 for a bipartisan measure that would have required the president to obtain Congress’s permission before striking Iran. The bill lacked the necessary 60 votes to pass. Nevertheless, four Republicans voted for it. On July 12, the House voted 251–170 to curb Trump’s ability to strike Iran militarily, adopting a bipartisan provision that would require the president to get Congress’s approval before authorizing military force against Tehran.

On January 9, 2020, the House passed on a vote of 224–195 a nonbinding resolution directing the president to terminate the use of US armed forces to engage in hostilities against Iran unless Congress had declared war or enacted a specific authorization or unless military action is necessary to defend against an imminent attack. On January 30, it passed a measure that would block funding for any use of offensive military force in or against Iran without congressional approval. It passed 228–175, with four Republicans supporting it. A second measure would repeal the authorization for use of military force that Congress passed to facilitate the Iraq invasion in 2003. It passed by a vote of 236 to 166, with eleven Republicans supporting it.

On March 11, the House gave final approval to resolution aimed at forcing President Trump to get explicit approval from Congress before taking further military action against Iran. The Senate had already passed a resolution on February 13, limiting the president from ordering future strikes against Iran without first seeking Congress’ explicit permission. Eight Republicans joined all Democrats in voting 55–45 for the measure, forcing the president to veto it.

This resolution was only the third time the Senate had used its authority under the 1973

War Powers Resolution to block a president from using military force abroad. All three efforts were attempts to rein in Trump—and all occurred with Republican majorities in the Senate.

In August 2019, the OMB sent a letter to the State Department and the US Agency for International Development, notifying them of a temporary freeze on funds that Congress had already approved and the potential cancellation of up to \$4 billion of dollars in foreign aid. Senior Republicans and Democrats complained that the move would undermine Congress’s authority to appropriate funds. Within weeks, the White House scrapped the plans.²³⁷

On December 6, 2019, the House passed a symbolic measure backing a two-state solution to the Israeli-Palestinian conflict—an implicit rebuke to President Trump that passed mostly along party lines. The legislation declared that “only the outcome of a two-state solution . . . can both ensure the state of Israel’s survival as a Jewish and democratic state and fulfill the legitimate aspirations of the Palestinian people for a state of their own.”²³⁸ It also noted longtime US opposition to “settlement expansion, moves toward unilateral annexation of territory, and efforts to achieve Palestinian statehood status outside the framework of negotiations with Israel”—an implicit critique of Trump’s moves to legitimize Israel’s increasingly assertive behavior in the West Bank and Golan Heights. Six days later, the Senate voted unanimously—and over the objections of the Trump administration—to recognize the 1915 mass killings of an estimated 1.5 million Armenians at the hands of the Ottoman Empire as a genocide.

Perhaps the most damning action of Congress regarding Trump and national security was its opening of an impeachment inquiry against the president in response to a whistleblower complaint that Trump had attempted to trade US aid for an investigation into possible Democratic nominee Joe Biden and his son Hunter. When the administration showed reluctance to turn over the complaint to Congress, the Senate voted unanimously to urge the release of the document on September 24, 2019.

On October 6, in a phone call with Turkish president Recep Tayyip Erdogan, Trump agreed to a withdrawal of American forces from northern Syria. On October 9, Turkey launched an attack against America’s Kurdish allies. Trump’s decision was widely condemned by Republicans and Democrats alike, and on October 16, the House adopted a resolution on a 354 to 60 vote that rebuked Trump’s policy. All of the elected Republican leaders supported the measure, which upbraided the withdrawal as “beneficial to adversaries of the United States government” and called on Erdogan to immediately end unilateral military action in northern Syria.²³⁹ Two days later, Mitch McConnell wrote an op-ed in the *Washington Post* criticizing president’s policy. When Turkey did not end its assault on the Kurds, on October 29, the House voted 403–16 to impose a series of sweeping sanctions on Turkey. The measure drew broad support from Republicans, including the party’s leaders.

Nominations. The president won the Senate floor votes on his nominations, but a number of them did not make it that far. In December 2017, for example, the Senate Banking Committee voted down Trump’s nomination of Scott Garrett to head the Export-Import Bank. The vote on Garrett was the first time in more than three decades that a president’s party controlled the Senate and defeated one of his nominees in a committee vote. (The last time that happened was

on June 5, 1986, when the Judiciary Committee voted against the nomination of Jeff Sessions to be a district court judge.²⁴⁰⁾

The president's nominee for secretary of labor, Andrew Puzder, had to withdraw in 2017 in the face of Senate opposition. Trump selected Ronny L. Jackson to head the Department of Veterans Affairs, but Jackson withdrew in the face of bipartisan criticism of his suitability for the job. In 2019, two proposed nominees for the Federal Reserve's board of governors, Herman Cain and Stephen Moore, ran into opposition from some Republicans as well as Democrats and withdrew from consideration. Patrick Sheehan withdrew as nominee for secretary of defense, and Heather Nauert withdrew from consideration as ambassador to the United Nations that same year. Trump withdrew the nomination of John Ratcliffe as director of national intelligence in response to criticism of his lack of credentials and embellishment of his resumé. The White House also withdrew six other ambassadorial nominations. In addition, the nominees for undersecretary of the departments of Agriculture and State, secretaries of the Army and Navy, deputy secretary of the departments of Commerce and Treasury, the director of US Immigration and Customs Enforcement (two), the administrator of FEMA, and many others ran into trouble. Either they withdrew from congressional consideration on their own accord or the White House decided to pull the plug on their nominations to avoid embarrassment.

Trump could claim impressive success in populating the federal judiciary. We would expect such a level of accomplishment with a Republican Senate, party agreement on judicial philosophy, and a lack of opportunity for Democrats to filibuster judicial nominations. Nevertheless, the votes on the president's nominations to judgeships were by far the most contentious since the Senate expanded to one hundred members in 1959.²⁴¹ Moreover, a surprising number of nominations, including those of Matthew Petersen, Ryan Bounds, Brett Talley, Jeff Mateer, Thomas A. Farr, and Michael Bogren, lacked the votes for confirmation. Either the White House withdrew their nominations or the candidate withdrew from consideration.

Most important, however, confirming judges was no substitute for legislation. Commenting on the Senate keeping up a steady pace of judicial confirmations, even as the chamber failed to pass major legislation such as a coronavirus relief bill, Republican Marco Rubio noted, "We're going to have to move toward each other to get something done. At some point," he added, chuckling, "we run out of judges."²⁴²

Conclusion

Donald Trump came to office with a problematic strategic position in dealing with Democrats. Successful bipartisanship would take a skilled legislator, one sensitive to the nuances of coalition building. The president did not rise to the challenge. His shifting positions, inconsistent behavior, willingness to exclude the opposition in developing policies, and use of threats and ridicule squandered whatever potential for compromise might have existed. As a result, he received historically low levels of support from Democratic senators and representatives.

The president's relations with his own party presented another challenge, one that the

president could not negotiate successfully. Although he received high levels of support from Republicans in both chambers of Congress and although their leaders kept votes that he might lose off the agenda, little significant legislation passed at his behest. Some of his signature issues split the party, and when he could not convince members to support him, he turned to his customary tools of threats and disparagement. They gained him little. Moreover, some Republicans joined with Democrats to pass resolutions that forced Trump to endure symbolic defeats.

It is not possible to characterize Trump as a successful party leader. The president was successful in preventing many bills he opposed from passing,²⁴³ as are most presidents with party majorities in Congress, but he struggled to win enactment of legislation.

Donald Trump's response to his failure to persuade was to push the boundaries of presidential power and violate the norms of the presidency. The president turned increasingly to unilateral action. His remark that "I have an Article II, where I have to the right to do whatever I want as president"²⁴⁴ reflected his orientation. Even more startling, in a televised press briefing on April 13, 2020, he claimed that it was he, not the nation's governors, who would decide when to end stay-at-home and shelter-in-place orders in response to the coronavirus pandemic. Without citing any constitutional basis, Trump declared, "The President of the United States calls the shots," and "when somebody is the President of the United States, the authority is total."²⁴⁵ Having failed to lead both the public and Congress, the president had forsaken leadership.

Table 1
Democratic Support for Republican Presidents

President	% Support*	
	House	Senate
Eisenhower	42	36
Nixon/Ford	39	33
Reagan	29	31
G.H.W. Bush	27	29
W. Bush	19	18
Trump**	9	13

* On roll-call votes on which the winning side was supported by fewer than 80 percent of those voting.

** 2017-2019

Table 2
Republican Support for Republican Presidents

<u>President</u>	% Support*	
	<u>House</u>	<u>Senate</u>
Eisenhower	63	69
Nixon/Ford	64	63
Reagan	70	74
G.H.W. Bush	73	75
W. Bush	83	86
Trump**	92	95

* On roll-call votes on which the winning side was supported by fewer than 80 percent of those voting.

** 2017-2019

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