

## **PADM-GP.2411: Policy Formation and Policy Analysis [Fall Semester 2017]**

### **The Basics**

#### **Lecture:**

T 4:55-6:35pm [Silver Center for Arts and Science (SILV) 403]

#### **Instructor:**

Mona Vakilifathi [mvakilif@nyu.edu]

*Office Hours:* W 4:55-6:35pm [Puck Building 3094]

### **Course Goals**

The **first** goal is to provide students an overview of the political actors and institutions involved in the U.S. policymaking process, specifically within the context of lawmaking in Congress. We will reference political science research and congressional resources to introduce of the pivotal actors in the lawmaking process, the actors' means to achieve individual and collective goals, the institutional rules to introduce and enact legislation, and the political determinants of lawmaking.

The **second** goal of this course is to train students to research, write, and analyze legislation. We will reference political science research and congressional resources to identify constituents' preferences, formulate a member's legislative agenda, introduce and publicize legislation, and analyze legislation within the context of the U.S. Congress.

### **Website**

The course website and readings are posted on [NYU Classes](#) under the "Fall 17 – Policy Formation (Vakilifathi)" tab. The lecture slides will be uploaded the morning of each lecture. The readings will be uploaded to the website two weeks in advance.

### **Readings**

1. *Congress: The Electoral Connection* (2<sup>nd</sup> edition) – David Mayhew (2004)
2. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress* (5<sup>th</sup> edition) – Barbara Sinclair (2016)
3. Additional book chapters, government reports, journal articles, news articles, and videos [These materials are posted on the course website under the "Resources" tab and the "Readings" folder.]

If you are unfamiliar with American national politics, I highly recommend *The Logic of American Politics* (8<sup>th</sup> edition or earlier editions) – Sam Kernell, Gary Jacobson, Thad Kousser, and Lynn Vavreck (2017). This book is available at the Bobst Library.

## Case Studies

This course will extensively review the governing strategies and legislation of Senator Kirsten Gillibrand (D -NY), Representative Chris Collins (R-NY), and Representative John Faso (R-NY) to apply the course concepts in both chambers of Congress. Students are expected to follow each member’s Twitter account, Facebook page, and YouTube page, constituent newsletter, and news articles. The following information provides the relevant links for each member. Using a NYU e-mail account, create a Google e-mail/RSS alert with the member’s title and name in the Google News search bar (e.g., [Senator Kirsten Gillibrand](#)) to aggregate news articles for each member. In order to complete the assignments for this course, students are expected to skim members’ social media and news articles on a weekly basis.

### 1. Senator Kirsten Gillibrand (NY)

*Website:* <https://www.gillibrand.senate.gov/>

*Twitter:* <https://twitter.com/SenGillibrand>

*Facebook:* <https://www.facebook.com/SenKirstenGillibrand>

*YouTube:* <https://www.youtube.com/user/KirstenEGillibrand>

*Newsletter sign-up:* <https://www.gillibrand.senate.gov/contact/email-me>

### 2. Representative Chris Collins (NY-27)

*Website:* <https://chriscollins.house.gov/>

*Twitter:* <https://twitter.com/RepChrisCollins>

*Facebook:* <https://www.facebook.com/RepChrisCollins/>

*YouTube:* <https://www.youtube.com/user/RepChrisCollins>

*Newsletter sign-up:* <https://chriscollins.house.gov/contact/newsletter>

### 3. Representative John Faso (NY-19)

*Website:* <https://faso.house.gov/>

*Twitter:* <https://twitter.com/RepJohnFaso>

*Facebook:* <https://www.facebook.com/RepJohnFaso>

*YouTube:* <https://www.youtube.com/channel/UC0Uh0Ja4CxWAGpjbj9R1GYA>

*Newsletter sign-up:* <https://faso.house.gov/> (Sign up on home page under “Stay Connected”)

## Assignments

I provide a course calendar on course website to include every assignment’s prompt release date and due date. Assignments will be graded and returned to students within two weeks of a student’s submission.

1. **Response Paper** [20%] – Students are expected to write a two-page response paper for **one** of three topics during the course. The prompt will be posted on the course website two weeks in advance of the due date. (To accommodate around the legislative proposal memo, the first prompt will be posted three weeks in advance.) Students will be randomly assigned to a topic based on the first letter of their last name as follows:

Response Paper Topic	Last Name	Due Date
Organization of Congress	Allen - da Silva	10/17/2017
Pivotal Politics, Divided Government, and Polarization	Darwiche - Hernandez	11/28/2017
Legislative Oversight of the Bureaucracy	Qian - Zhu	12/19/2017

2. **Legislative Proposal Memo** [20%] – Students are expected to write a two-page memo to provide an overview of their assigned member’s constituency and a legislative proposal for the member to introduce in the 2017-2019 legislative session. The prompt will be posted on the course website two weeks in advance of the due date. This assignment is due on 10/17/2017.
3. **Press Release** [10%] – Students are expected to submit a one-page press release to publicize the introduction of an actual bill introduced by their assigned member in the 2017-2019 legislative session. The prompt will be posted on the course website two weeks in advance of the due date. This assignment is due on 10/24/2017.
4. **Interest Group Letter** [10%] – Students are expected to submit a one-page letter to declare an existing interest group’s position on an actual bill introduced by their assigned member in the 2017-2019 legislative session. The prompt will be posted on the course website two weeks in advance of the due date. This assignment is due on 10/31/2017.
5. **Committee Hearing Memo** [20%] – Students are expected to submit a two-page memo to prepare an assigned member for a committee hearing on one of the member’s bills introduced in the 2017-2019 legislative session. The memo will include the member’s testimony, a list of potential witnesses, and answers to three anticipated questions from committee members. The prompt will be posted on the course website two weeks in advance of the due date. This assignment is due on 11/14/2017.
6. **Bill Analysis Memo** [20%] – Students are expected to submit a two-page memo to analyze a bill introduced by a random member of Congress for their assigned member to vote on in one of their assigned House or Senate committees. This assignment is due on 12/5/2017.

## **Class Announcements**

Check the “Announcements” section on the course website regularly regarding any changes to the syllabus, assignments, readings, or other items throughout the semester.

## **E-mails**

I will respond to e-mails within twenty-four hours after an e-mail is received, excluding weekends. If you have a question about an assignment the night before its due date, please e-mail me before 5pm EST that day.

## **Late Assignments**

Assignments must be submitted by the beginning of lecture on its due date through NYU Classes. Late assignments will be deducted five percent from the assignment grade per calendar day. If an assignment is submitted five minutes after the beginning of lecture, the assignment will be considered one day late.

If you have religious commitments or an unexpected family/personal emergency, please e-mail me before the assignment’s due date. The student may be asked to provide documentation to prevent the aforementioned grade penalty.

### **Re-grading Assignments**

If a student would like a re-grade of an assignment, the student must e-mail me a one-page write-up to state their reasons for a re-grade within two weeks of receiving their grade. I will re-grade the entire assignment, which may result in a lower or higher grade than the original grade within one week of receiving the student's write-up.

### **Academic Integrity**

Students are expected to complete the assignments on their own without the assistance of others. For more information on academic dishonesty, please refer to the [NYU](#) and [Wagner](#) policies on academic integrity. If you are unsure whether an action violates either policy on academic integrity, please feel free to e-mail me for clarification.

### **Wagner Writing Center**

Students are strongly encouraged to e-mail me or schedule a meeting for additional feedback on their assignments throughout the semester. If you would like additional feedback or training on writing policy memos, please visit the [Wagner Writing Center](#) or the [NYU Writing Center](#).

### **NYU Moses Center for Disabilities**

If you are student who is requesting accommodations, please contact the [NYU Moses Center for Students with Disabilities](#). You must be registered with the Moses Center to receive accommodations. Please be sure to make these arrangements in the first week of the term.

## Course Schedule

Please complete the assigned readings **before** the assigned lecture.

### September 5, 2017: Course Overview

#### September 12, 2017: How to Read, Write, and Research Legislation, Statutes, and Regulations

“Legislative Research for Congressional Staff: How to Find Documents and Other Resources” – Congressional Research Service (2015)

“Legal Rules” and “Reading Statutes” from *Synthesis: Legal Reading, Reasoning, and Writing* (4<sup>th</sup> edition) – Schmedemann and Kunz (2014)

“Statutory Interpretation: General Principles and Recent Trends” – Congressional Research Service (2014)

Example legislation from Senator Gillibrand, Representative Collins, and Representative Faso

### September 19, 2017: The Research Process

“Foundations” from *The Research Methods Knowledge Base* – Trochim and Donnelly (2008)

“Which Buck Stops Here? Accountability for Policy Positions and Policy Outcomes in Congress” – Jones (2011) [skim article + summary]

“Introduction to the Legislative Process in the U.S. Congress” – Congressional Research Service (2017)

“Multiple Paths: The Legislative Process in the House of Representatives”, “Routes and Obstacles: The Legislative Process in the Senate”, and “Getting One Bill: Reconciling House-Senate Differences” from *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress* – Sinclair (2016)

“Making Deals in Congress” from *Negotiating Agreement in Politics* – Binder and Lee (2013) [skim]

### September 26, 2017: What Motivates Legislators to Engage in Lawmaking?

*Congress: The Electoral Connection* – Mayhew (1974)

“U.S. House Members in Their Constituencies: An Exploration” – Fenno (1977)

“Which Buck Stops Here? Accountability for Policy Positions and Policy Outcomes in Congress” – Jones (2011)

**October 3, 2017:** How to Formulate Your Member’s Legislative Agenda

“Congressional Voters” from *The Politics of Congressional Elections* (9<sup>th</sup> edition) – Jacobson and Carson (2016)

[“This is why the Republicans struggle over Obamacare”](#) – Binder (2017)

“Shortcuts versus Encyclopedias: Information and Voting Behavior in California Insurance Reform Elections” – Lupia (1994)

“Uninformed Votes: Information Effects in Presidential Elections” – Bartels (1996)

“Candidate Positioning in U.S. House Elections” – Ansolabehere et al. (2001)

“Constituents’ Responses to Congressional Roll-Call Voting” – Ansolabehere and Jones (2010)

“Legislative Planning: Considerations for Congressional Staff” – Congressional Research Service (2017)

Example press releases from Senator Gillibrand, Representative Collins, and Representative Faso

**October 10, 2017:** Congressional Committees, Party Government, and Pivotal Politics

“Leaders and Parties in Congress” and “Committees: Workshops of Congress” from *Congress and Its Members* (16<sup>th</sup> edition) – Davidson et al. (2017)

“Delegation and Agency Problems” from *The Logic of Delegation: Congressional Parties and the Appropriations Process* – Kiewiet and McCubbins (1991)

“Richard Fenno’s Theory of Congressional Committees and the Partisan Polarization of the House” from *Congress Reconsidered* (10<sup>th</sup> edition) – Aldrich et al. (2013)

“Theoretical Foundations” from *Revolving Gridlock; Politics and Policy From Jimmy Carter to George W. Bush* – Brady and Volden (2006)

“Pivotal Politics and the Ideological Content of Landmark Laws” – Gray and Jenkins (working paper)

**October 17, 2017:** Interest Group Lobbying

“Legislators and Interest Groups: How Unorganized Interests Get Represented” – Denzau and Munger (1986)

“Contributions, Lobbying, and Committee Voting in the U.S. House of Representatives” – Wright (1990)

“Why is There So Little Money in U.S. Politics?” – Ansolabehere et al. (2003)

“Is It Whom You Know or What You Know? An Empirical Assessment of the Lobbying Process” – Bertrand et al. (2014)

“Advancing the Empirical Research on Lobbying” – de Figueiredo and Richter (2014)

Interest group support/opposition letter example #1, example #2, and example #3

### **October 24, 2017:** Presidential Lobbying

“The President’s Playbook: White House Strategies for Lobbying Congress” – Beckmann (2008)

“Statements of Administration Policy” – Congressional Research Service (2016)

“The Power to Persuade” from *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* (Revised Edition) – Neustadt (1991)

“How Washington Has Changed” from *Going Public: New Strategies of Presidential Leadership* (4<sup>th</sup> edition) – Kernell (2006)

“Unilateral Action and Presidential Power: A Theory” – Moe and Howell (1999)

### **October 31, 2017:** Committee Hearing and Markup

“The Committee System in the U.S. Congress” – Congressional Research Service (2009)

“Preliminary Legislative Action” from *Congressional Procedures and the Policy Process* (10<sup>th</sup> edition) – Oleszek et al. (2016)

Committee hearing example #1, example #2, **or** example #3

Committee report example #1, example #2, **and** example #3

### **November 7, 2017:** Determinants of Legislative Productivity

“Roll-Call Votes” from *The Oxford Handbook of the American Congress* – Theriault et al. (2013)

“Lawmaking: The Analysis” from *Divided We Govern: Party Control, Lawmaking, and Investigations, 1946-2002* (2<sup>nd</sup> edition) – Mayhew (2005)

“The Dynamics of Legislative Gridlock, 1947-96” – Binder (1999)

“The Dysfunctional Congress” – Binder (2015)

“Measuring Legislative Effectiveness” from *Legislative Effectiveness in the United States Congress: The Lawmakers* – Volden and Wiseman (2014)

### **November 14, 2017:** Determinants of Statutory Discretion

“Administrative Procedures as Instruments of Political Control” – McCubbins et al. (1987)

“Delegation and Congressional-Executive Relations” from *Delegating Powers: A Transaction Cost Politics Approach to Policy Making under Separate Powers* – Epstein and O’Halloran (1999)

“Legislatures and Statutory Control of Bureaucracy” – Huber et al. (2001)

“The Politics of Bureaucratic Structure” from *Can the Government Govern?* – Moe (1989)

“Political Transaction Costs and the Politics of Administrative Design” – Wood and Bohte (2004)

“Divided Government and the Fragmentation of American Law” – Farhang and Yaver (2015)

### **November 21, 2017: Lawmaking in an Era of Congressional Polarization and Gridlock**

“Causes and Consequences of Polarization” from *Negotiating Agreement in Politics* – Barber and McCarty (2013)

“How Party Polarization Affects Governance” – Lee (2015)

“The Logic of Confrontation” from *Insecure Majorities: Congress and the Perpetual Campaign* – Lee (2016)

[Obama’s Deal](#) – Frontline (2010)

“Making Nonincremental Policy Change through Hyperunorthodox Procedures: Health Care Reform in 2009-2010” from *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress* – Sinclair (2016)

[“This is why Trump’s legislative agenda is stuck in neutral”](#) – Binder and Spindel (2017)

### **November 28, 2017: The Rulemaking Process**

“The Federal Rulemaking Process: An Overview” – Congressional Research Service (2013)

“Counting Regulations: An Overview of Rulemaking, Types of Federal Regulations, and Pages in the *Federal Register*” – Congressional Research Service (2016)

“The Process of Rulemaking” from *Rulemaking: How Government Agencies Write Law and Make Policy* – Kerwin and Furlong (2011)

“Regulatory Regimes, Agency Actions, and the Conditional Nature of Congressional Influence” – Shipan (2004)

“Does White House Regulatory Review Produce a Chilling Effect and ‘OIRA Avoidance’ in the Agencies?” – Acs and Cameron (2013)

“A Bias Towards Business? Assessing Interest Group Influence on the U.S. Bureaucracy” – Webb Yackee and Webb Yackee (2006)



**December 5, 2017: Legislative Oversight of the Bureaucracy**

“Caught in the Middle: The President, Congress, and the Political-Bureaucratic System” from *The Executive Branch* – Weingast (2005)

“Congressional Oversight Manual” – Congressional Research Service (2014) [skim]

“Choosing Strategies to Control the Bureaucracy: Statutory Constraints, Oversight, and the Committee System” – Bawn (1997)

“Congressional Oversight Overlooked: Police Patrols versus Fire Alarms” – McCubbins and Schwartz (1984)

“Divided Government and Congressional Investigations” – Kriner and Schwartz (2008)

“Limitation Riders and Congressional Influence over Bureaucratic Decisions” – Macdonald (2010)

**December 12, 2017: The Federal Budget and Appropriations Process [Optional]**

“The Congressional Budget Process” from *Congressional Procedures and the Policy Process* (10<sup>th</sup> edition) – Oleszek et al. (2016)

“Introduction to the Federal Budget Process” – Congressional Research Service (2012)

“The Decline of Regular Order in Appropriations – Does It Matter?” from *Congress and Policy Making in the 21<sup>st</sup> Century* – McCarty (2016)

“High-Stakes Budget Politics: The 2013 Government Shutdown and the Ryan-Murray Deal” from *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress* – Sinclair (2016)

“Pork Barrel Politics” from *The Oxford Handbook of the American Congress* – Evans (2013)