



**NYU**

**ROBERT F. WAGNER GRADUATE  
SCHOOL OF PUBLIC SERVICE**

## **PADM-GP.2411**

# **Policy Formation and Policy Analysis**

**Fall 2018**

### **Instructor Information**

Instructor: Mona Vakilifathi

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- Office Hours: T 4-6pm [Puck Building 3094]

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- Office Hours: By appointment

Lecture: W 4:55-6:35pm [Global Center for Academic & Spiritual Life (GCASL) 369]

### **Course Goals**

#### Goal 1

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 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.

#### Goal 2

The second goal of this course is to train students how to research, write, and analyze legislation and statutes. 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.

# Learning Assessment Table

Course Learning Objective	Assignment (See Below)
Goal 1	Legislative Proposal Memo, Press Release, Interest Group Letter, Bill Analysis Memo
Goal 2	Legislative Proposal Memo, Press Release, Interest Group Letter, Bill Analysis Memo

## Course Website

The course website is available on [NYU Classes](#) under the “Fall 18 – Policy Formation (Vakilifathi)” tab. The readings are available on the course website. The lecture slides will be uploaded one hour before each lecture. The assignments will be uploaded to the website at least two weeks in advance.

## Required Readings

1. Congress: The Electoral Connection (2<sup>nd</sup> edition) – David Mayhew (2004)
2. 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 apply the course concepts to the governing strategies of Senator Kirsten Gillibrand (D -NY), Representative Tom Reed (R-NY), and Representative John Faso (R-NY). Students are expected to follow each member’s Twitter account, Facebook page, and YouTube page, constituent newsletter (if available), 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.

### Senator Kirsten Gillibrand (NY)

- [Website](https://www.gillibrand.senate.gov/) (https://www.gillibrand.senate.gov/)
- [Twitter](https://twitter.com/SenGillibrand) (https://twitter.com/SenGillibrand)
- [Facebook](https://www.facebook.com/SenKirstenGillibrand) (https://www.facebook.com/SenKirstenGillibrand)
- [Youtube](https://www.youtube.com/user/KirstenEGillibrand) (https://www.youtube.com/user/KirstenEGillibrand)
- [Newsletter Sign Up](https://www.gillibrand.senate.gov/contact/email-me) (https://www.gillibrand.senate.gov/contact/email-me)

## Representative Tom Reed (NY-23)

- [Website](https://reed.house.gov/) (https://reed.house.gov/)
- [Twitter](https://twitter.com/RepTomReed) (https://twitter.com/RepTomReed)
- [Facebook](https://www.facebook.com/RepTomReed) (https://www.facebook.com/RepTomReed)
- [Youtube](https://www.youtube.com/user/CongressmanTomReed) (https://www.youtube.com/user/CongressmanTomReed)
- [Newsletter Sign Up](https://reed.house.gov/) (https://reed.house.gov/)
  - Sign up on home page under the “Newsletter” section

## Representative John Faso (NY-19)

- [Website](https://faso.house.gov/) (https://faso.house.gov/)
- [Twitter](https://twitter.com/RepJohnFaso) (https://twitter.com/RepJohnFaso)
- [Facebook](https://www.facebook.com/RepJohnFaso) (https://www.facebook.com/RepJohnFaso)
- [Youtube](https://www.youtube.com/channel/UC0Uh0Ja4CxWAGpjb9R1GYA) (https://www.youtube.com/channel/UC0Uh0Ja4CxWAGpjb9R1GYA)
- [Newsletter Sign Up](https://faso.house.gov/) (https://faso.house.gov/)
  - Sign up on home page under the “Stay Connected” section

In addition, students are expected to watch Sunday’s episodes of [“Meet the Press”](#) every week.

## Assignments

Students are required to submit the [1] Legislative Proposal Memo, [2] Press Release, [3] Interest Group Letter, and **either** [4A] Bill Analysis Memo (Committee Hearing Vote) **or** [4B] Bill Analysis Memo (Chamber Floor Vote). (If a student completes assignments 1, 4A, and 4B, I will drop the lowest assignment grade in the student’s final grade.)

Each assignment consists of: (1) a writing sample for potential employment as a legislative staff member or interest group lobbyist, and (2) a worksheet of two or three short answer questions regarding the application of relevant course readings to the content of the writing sample.

I provide a course calendar on the course website to include every assignment’s prompt release date and due date. Each assignment, the prompt and worksheet, will be posted on the course website under the “Assignments” tab at least two weeks in advance of its due date.

Assignments will be graded and returned to students within two weeks of a student’s submission.

### [1] Legislative Proposal Memo [30%]

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. In addition, students must complete a worksheet of two or three short answer questions regarding the application of relevant course readings to this assignment. The assignment is posted during Week 4 and the assignment is due Week 6 at the beginning of lecture.

### [2] Press Release [20%]

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. In addition, students must complete a worksheet of two or three short answer questions regarding the application of relevant course readings to this assignment. The assignment is posted during Week 5 and the assignment is due Week 9 at the beginning of lecture.

### [3] Interest Group Letter [20%]

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. In addition, students must complete a worksheet of two or three short answer questions regarding the application of relevant course readings to this assignment. The assignment is posted during Week 6 and the assignment is due Week 10 at the beginning of lecture.

### [4A] Bill Analysis Memo (Committee Hearing Vote) [30%]

Students are expected to submit a two-page memo to provide a recommendation for their assigned member to vote for, against, or abstain on a bill introduced by a random member of Congress in one of their assigned House or Senate committee hearings. In addition, students must complete a worksheet of two or three short answer questions regarding the application of relevant course readings to this assignment. The assignment is posted during Week 8 and the assignment is due Week 12 at the beginning of lecture.

### [4B] Bill Analysis Memo (Chamber Floor Vote) [30%]

Students are expected to submit a two-page memo to provide a recommendation for their assigned member to vote for, against, or abstain on a bill introduced by a random member of Congress on the House or Senate floor. In addition, students must complete a worksheet of two or three short answer questions regarding the application of relevant course readings to this assignment. The assignment is posted during Week 9 and the assignment is due Week 14 at the beginning of lecture.

## **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. If an assignment is submitted five minutes after the beginning of lecture, the

assignment will be considered one day late. Late assignments will be deducted five percent from the assignment grade per calendar day.

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 (maximum) response stating 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 re-grade letter.

## **Academic Integrity**

Academic integrity is a vital component of Wagner and NYU. All students enrolled in this class are required to read and abide by [Wagner's Academic Code](#). All Wagner students have already read and signed the [Wagner Academic Oath](#). Plagiarism of any form will not be tolerated and students in this class are expected to report violations to me. If any student in this class is unsure about what is expected of you and how to abide by the academic code, you should consult with me.

## **Wagner Writing Center**

Students are strongly encouraged to e-mail me or the Grader 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](#).

## **Henry and Lucy Moses Center for Students with Disabilities at NYU**

Academic accommodations are available for students with disabilities. Please visit the [Moses Center for Students with Disabilities \(CSD\) website](#) and click on the Reasonable Accommodations and How to Register tab or call or email CSD at (212-998-4980 or [mosescsd@nyu.edu](mailto:mosescsd@nyu.edu)) for information. Students who are requesting academic accommodations are strongly advised to reach out to the Moses Center as early as possible in the semester for assistance.

## **NYU's Calendar Policy on Religious Holidays**

[NYU's Calendar Policy on Religious Holidays](#) states that members of any religious group may, without penalty, absent themselves from classes when required in compliance with their religious obligations. Please notify me in advance of religious holidays that might coincide with exams to schedule mutually acceptable alternatives.

## Course Schedule

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

### Week 1: Course Overview; The Lawmaking Process [9/5/2018]

- “Introduction to the Legislative Process in the U.S. Congress” – Congressional Research Service (2017)
- “Theoretical Foundations” from *Revolving Gridlock: Politics and Policy From Jimmy Carter to George W. Bush* – Brady and Volden (2006)
- “Change We Can Believe In? Using Political Science to Predict Policy Change in the Obama Presidency” – Woon (2009)
- “Pivotal Politics and the Ideological Content of Landmark Laws” – Gray and Jenkins (forthcoming)

### Week 2: How to Read, Write, and Research Legislation and Statutes [9/12/2018]

- “Legislative Research for Congressional Staff: How to Find Documents and Other Resources” – Congressional Research Service (2015) [skim]
- “Legal Rules” and “Reading Statutes” from *Synthesis: Legal Reading, Reasoning, and Writing* (4<sup>th</sup> edition) – Schmedemann and Kunz (2014)
- “Introduction to Legislative Drafting” - U.S. House Office of the Legislative Counsel (2015)
- Example introduced legislation from Senator Gillibrand, Representative Reed, and Representative Faso

### Week 3: Legislators and Lawmaking (Part 1) [9/19/2018]

- *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)

### Week 4: Legislators and Lawmaking (Part 2) [9/26/2018]

- “Congressional Voters” and “National Politics and Congressional Elections” from *The Politics of Congressional Elections* (9<sup>th</sup> edition) – Jacobson and Carson (2016)
- “Candidate Positioning in U.S. House Elections” – Ansolabehere et al. (2001)
- Example press releases from Senator Gillibrand, Representative Reed, and Representative Faso

### Week 5: Interest Groups and Lawmaking [10/3/2018]

- “Representing the Preferences of Donors, Partisans, and Voters in the U.S. Senate” – Barber (2016)

- “Buying Time: Moneyed Interests and the Mobilization of Bias in Congressional Committees” – Hall and Wayman (1990)
- “Contributions, Lobbying, and Committee Voting in the U.S. House of Representatives” – Wright (1990)
- Example interest group letters from the American Medical Association, National Education Association, and U.S. Chamber of Commerce

## **Week 6: The President and Lawmaking [10/10/2018]**

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

## **Week 7: Case Study – Voting on the Affordable Care Act [10/17/2018]**

- “Obama’s Deal” – Frontline (2010)
- Man on a Wire: Bart Stupak Walks a Tight Line Between Obamacare and Abortion
- Case study background materials on Representative Stupak

## **Week 8: Introducing Legislation [10/24/2018]**

- “Preliminary Legislative Action” from *Congressional Procedures and the Policy Process* (10<sup>th</sup> edition) – Oleszek et al. (2016)
- Read materials for class exercise: (1) list of self-driving or automated legislation in the 115<sup>th</sup> Congress, (2) H.R. 3404 [Introduced – 7/26/2017], (3) H.R. 3388 [Introduced – 7/25/2017], (4) “All Actions” tab for H.R. 3388 (link), (5) Representative Bob Latta’s opening statement at subcommittee hearing (2/14/2017), (6) Representative Bob Latta’s constituent newsletter (2/21/2017), (7) Representative Bob Latta’s op-ed (3/28/2017), and (8) Representative Bob Latta’s press release (4/19/2017)

## **Week 9: Committee Hearing, Markup, and Report [10/31/2018]**

- “The Committee System in the U.S. Congress” – Congressional Research Service (2009)
- Read materials for class exercise: (1) H.R. 3388 [Introduced – 7/25/2017] (review), (2) Representative Bob Latta’s opening statement at subcommittee hearing (6/27/2017), (3) Representative Bob Latta’s press release (6/27/2017), (4) Representative Bob Latta’s opening statement at committee hearing (7/27/2017), (5) committee hearing on H.R. 3388 (watch at least first 30 minutes of testimony), (6) Representative Bob Latta’s press release (7/27/2017), (7) H. Rept. 115-294 [Committee Report on H.R. 3388], and (8) H.R. 3388 [Amended – 9/5/2017] (skim)



## **Week 10: Floor Debate, Amendment, and Vote [11/7/2018]**

- “Roll-Call Votes” from *The Oxford Handbook of the American Congress* – Theriault et al. (2013)
- Read materials for class exercise: (1) H.R. 3388 [Introduced – 7/25/2017] (review), (2) H. Rept. 115-294 [Committee Report on H.R. 3388] (review), (3) H.R. 3388 [Amended – 9/5/2017], (4) statutes affected by H.R. 3388 (review), (5) Representative Bob Latta’s press release (8/15/2017), (6) Representative Bob Latta’s floor speech (9/6/2017), (7) Congressional Record H6677 (9/6/2017), (8) Representative Bob Latta’s press release (9/6/2017), (9) Representative Bob Latta’s press release (9/15/2017), and (10) H.R. 3388 [Engrossed in House – 9/6/2017]

## **Week 11: Determinants of Legislative Productivity [11/14/2018]**

- “Conclusion” 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)
- “Causes and Consequences of Polarization” from *Negotiating Agreement in Politics* – Barber and McCarty (2013)
- “The Logic of Confrontation” from *Insecure Majorities: Congress and the Perpetual Campaign* – Lee (2016)

## **Week 12: No Class (Thanksgiving Break) [11/21/2018]**

## **Week 13: Legislative Oversight of the Bureaucracy [11/28/2018]**

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

## **Week 14: Determinants of Statutory Discretion [12/5/2018]**

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

**Week 15: Legislative Careers in Federal, State and Local Politics Panel**  
[12/12/2018]