

The Graduate School of Political Management

THE GEORGE WASHINGTON UNIVERSITY

M.P.S. in Legislative Affairs

Fall 2016

8/31 – 12/14

PACs and Congress

LGAF 6234

3 Credits

Wednesdays, 6-8PM

Hall of States

BASIC INFORMATION AND RESOURCES

Instructor

David M. Schild

Contact Information

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Email Address: dschild@mail.gwu.edu

Communication

The easiest way to reach me is via email. For urgent matters please call my cell.

Blackboard Site

A Blackboard course site has been set up for this course. Each student is expected to check the site throughout the semester, as Blackboard will be the primary venue for outside classroom communications between the instructors and the students. Students can access the course site at <https://blackboard.gwu.edu>. Support for Blackboard is available at 202-994-4948 or helpdesk.gwu.edu.

Academic Integrity

All members of the university community are expected to exhibit honesty and competence in their academic work. Students have a special responsibility to acquaint themselves with, and make use of, all proper procedures for doing research, writing papers, and taking exams. Members of the community will be presumed to be familiar with the proper academic procedures and will be held responsible for applying them. Deliberate failure to act in accordance with such procedures will be considered academic dishonesty. Academic dishonesty is defined as “cheating of any kind, including misrepresenting one’s own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.” Acts of academic dishonesty are a legal, moral, and intellectual offense against the community and will be prosecuted through the proper university channels. The University Code of Academic Integrity can be found at <http://www.gwu.edu/~ntegrity/code.html>.

Support for Students with Disabilities

GW's Disability Support Services (DSS) provides and coordinates accommodations and other services for students with a wide variety of disabilities, as well as those temporarily disabled by injury or illness. Accommodations are available through DSS to facilitate academic access for students with disabilities. Please notify your instructor if you require accommodations. Additional information is available at www.gwu.edu/~dss.

In the Event of an Emergency or Crisis during Class

If we experience some an emergency during class time, we will try to stay at this location until we hear that we can move about safely. If we have to leave here, we will meet at **Hall of States Lobby** in order to account for everyone and to make certain that everyone is safe. Please refer to Campus Advisories for the latest information on the University's operating status: <http://www.campusadvisories.gwu.edu/>.

Attendance Policy

As material cannot be repeated I encourage you to attend every class. If you cannot attend please notify me in advance via email and obtain notes from a fellow student.

Course Evaluation

At the end of the semester, students will be given the opportunity to evaluate the course through GW's online course evaluation system. It is very important that you take the time to complete an evaluation. Students are also encouraged to provide feedback throughout the course of the semester by contacting any/all of the following:

Dr. Steven Billet
Director, Legislative Affairs Program
sbillet@gwu.edu | 202-994-1149

Dr. Jack Prostko
Associate Dean for Learning and Faculty Development
College of Professional Studies
jackp@gwu.edu | 202-994-3592

Suzanne Farrand
Director of Academic Administration, GSPM
sfarrand@gwu.edu | 202-994-9309

THE COURSE

Legislative Affairs Program Objectives

Upon completion of the Master's degree in Legislative Affairs, students will:

1. Gain both theoretical and practical knowledge related to the U.S. Congress, general issues in the legislative arena, and how to effectively advance legislation;
2. Hone their oral and written communication skills in both theoretical and technical aspects of legislative affairs;
3. Be able to conduct cutting-edge research and engage in effective problem solving by learning critical thinking skills;
4. Learn how to work effectively with others, the value of collaborative work, and will understand ethical issues involved in the legislative arena.

Course Description and Learning Objectives

"PACs and Congress" is a comprehensive examination of the relationship between Political Action Committees and candidates for federal office. The focus will include the history of PACs, the rules governing their operation, effective PAC management, contribution strategies and the role PACs play in modern electoral politics.

Types of PACS: This course will focus on corporate, association and labor PACs but will also examine the role that leadership and non-connected PACs play. We will also examine the entity known as the "Super PAC" and assess the impact of this new type of committee. Great attention will be given the vast quantities of data that PAC and candidates committees disclose regularly and students will be expected to use public data to evaluate the strategies and efficacy of various PACs.

The Rules of the Road/The Law of Elections : Political activity is some of the most scrutinized and at the same time protected conduct that a citizen may engage in. This class will familiarize students with the laws, regulations and agencies that govern PACs and review the legislation and litigation that have shaped modern PAC activity. You don't need to be an attorney to run a PAC, but you ought to know more than most lawyers about election law.

PAC Stewardship: Students should complete the course with an understanding of how create and manage a PAC as an effective component of an overall government relations or advocacy strategy. The concept of the PAC Director as a professional and PAC management as a discrete discipline is key to this course. We will examine all major PAC functions including creation, governance, solicitation, member relations, candidate selection, budgeting and financial/internal controls. The successful student will complete the course with the basic tools to create a PAC from scratch and knowledge necessary to thrive in the field of PAC Management.

Outlook: All students are expected to approach this course as a practitioner of modern American politics. The intersection of money and politics is ever evolving and events outside of the classroom may dictate discussion and assignments apart from this syllabus. This course will feature many guest speakers who are subject matter experts and leaders in their respective communities. These individuals are the greatest resource this class offers and questions and discussion of their presentations is encouraged. Views on PACs and their role are often diverse and passionate. All points of view and welcome and vigorous discussion is encouraged as a tool for learning – but students are reminded to respect the opinions of others and conduct reasoned, rather than emotional arguments.

Evaluation and Grading

Assignment	Learning Objective(s) Addressed	Due Date	Weight
Class Participation	Students are expected to come to class familiar with the assigned readings and relevant current events. Participation is the best way of testing your theories and proving to me that you understand the subject matter. Students will not be judged on their public speaking ability but rather their ability to articulate their understanding of the concepts we are discussing and defend their arguments to their peers.	NA	15%
Midterm Exam	There will be one midterm exam which will cover the initial lectures dealing with the historical, philosophical, functional and legal dimensions of Political Action Committees. The format will be multiple short essay questions.	10/19	25%
Final Paper	Each student will be required to submit a final paper which will count for 40%. The topic of the paper will be set and discussed in detail after the midterm exam.	12/14	40%
"Create a PAC" presentation	One of the goals of this course is to make you a PAC professional ready to create and manage a PAC of your own. As such each student will be required to create a concept for a functioning Political Action Committee and make a PAC solicitation to their classmates. This presentation will be no more than 15min and will count for 20% of the final grade.	12/7-12/14	20%
Total			100%

Following is the grade scale for all GSPM classes:

Grade*	Grading Standard
A 94-100	Your work is outstanding and ready for submission in a professional environment. Your material, effort, research, and writing demonstrate superior work.
A- 90-93	Represents solid work with minor errors. Overall, excellent work.
B+ 87-89	Very good. Represents well-written material, research, and presentation, but needs some minor work.
B 83-86	Satisfactory work, but needs reworking and more effort. Note that although not a failing grade, at the graduate level, anything below a "B" is viewed as unacceptable.
B- 80-82	You've completed the assignment, but you are not meeting all of the requirements.
C+ 77-79	Needs improvement in content and in effort. Shows some motivation and concern.
C 73-76	Needs reworking, improved effort, and additional research. Shows minimal motivation and concern.
C- 70-72 (lowest grade to pass)	Poor performance. Major errors, too many misspellings, problems with accuracy, etc.
F Below 70	Unacceptable performance or inability to submit the assignment.

*Please note that you may be penalized for late submission of assignment(s).

Required Text and Learning Materials

There are no texts required for purchase, but students should obtain copies of and be familiar with the following texts, bills, decisions and documents which are available free online:

- The Federal Election Commission: FEC Guide for Corporation and Labor Organizations, January 2007 edition. (available online at www.fec.gov)
- United States Supreme Court Ruling: Citizens United vs Federal Election Commission, January 21, 2010. (available online at www.supremecourt.gov)

Optional Supplemental Text and Learning Materials

It is highly recommended that students stay abreast of the latest developments in PAC strategy, election law, campaign finance, editorial discourse and political spending. The following resources are recommended for regular reading:

- ScotusBlog: News about the U.S. Supreme Court, www.scotusblog.com
- The Campaign Legal Center: Nonpartisan think tank, www.campaignlegalcenter.org
- Open Secrets: Contribution data made legible, www.opensecrets.org
- Campaign Finance Institute: Great data analysis of election spending, www.cfinst.org
- ElectionLawBlog: Rick Hansen's (UCLA) blog, www.electionlawblog.org
- RealClearPolitics: Compilation of political news, www.realclearpolitics.com
- Politico: Great breaking news and campaign scoop, www.politico.com
- Sunlight Foundation: Lobbying, events and money all tied together, www.sunlightfoundation.org
- NABPAC: National Association of Business PACs, www.nabpac.org
- Public Affairs Council: Membership org for public affairs professionals, www.pac.org

Tentative Course Calendar*

*I reserve the right to alter course content and/or adjust the pace to accommodate class progress. Students are responsible for keeping up with all adjustments to the course calendar.

Lecture/Discussion/Guests: Given that elections and fundraising are perpetual, we will begin each week with a discussion of recent political events and any news items that may bear on campaign spending or election law. Articles will be posted on blackboard for your review prior to class. Lecture on a variety of topics will be combined with discussion based on assigned articles. As this is a school for practitioners of politics we will use expert speakers frequently, and adjust schedules to accommodate our guests. Presentations, materials and remarks by our guests are not to be shared outside our class without their express permission.

Class Date: 8/31

Topic and Content Covered:

Student Introductions; Instructor background; What is a Political Action Committee? The role of money in modern American Politics, "The news cycle is our reading list," the concept of PAC Stewardship; Campaign finance "reform" vs "free speech," Test your PAC IQ.

Reading Due Today: None

Questions for Discussion:

"Are PACs an effective tool for political engagement?"

"What lessons can be learned from the role of money in politics via the 2014/2016 elections? "What is the future of PACs and their role in politics?"

Class Date: 9/7

Topic and Content Covered:

History of PACs and Campaign Finance Regulation; The role of the Federal Election Commission; Getting your PAC up and running.

Reading Due Today: *Chapters 1-2, FEC Guide for Corporations and Labor Organizations -The Federal Election Campaign Laws, FEC, (posted on blackboard),*

Questions for Discussion:

"Do PACs today operate in the ways envisioned by those in Congress or the judiciary who acted to influence their design or operation?"

"Is the campaign finance reform movement dead or more relevant than ever?"

"Given the importance of PACs to candidates and their campaigns, why do so few associations and corporations choose to operate them?"

Class Date: 9/14

Topic and Content Covered:

Data tells the story: disclosure and campaign finance data in the age of the internet; The value of data; Is sunshine the best antiseptic? How do I find what I'm looking for?

Reading Due Today: None

Questions for Discussion:

"How does near real-time disclosure affect campaigns and political advocacy efforts?"

"Who is using disclosure data and does data speak for itself?"

Class Date: 9/21

Topic and Content Covered:

Understanding the Federal Election Commission Advisory Opinions, Alternative Dispute Resolution, Matters under Review, Audits, Rulemaking and RFAI's.

Guest Speaker: Maureen Benitz, Senior Analyst – Federal Election Commission

Reading Due Today: *Chapters 6-9, FEC Guide for Corporations and Labor Organizations*
The FEC "30 Year Report" (posted on blackboard) - Summary of the SunPAC Advisory Opinion 1975-23
Federal Election Campaign Act - Buckley v. Valeo - Any Kroll, "The Chairwoman who's at war with her own agency," The National Journal, October 13, 2015. Available at
<http://www.theatlantic.com/politics/archive/2015/10/the-chairwoman-whos-at-war-with-her-own-agency/440031/>

Questions for Discussion:

"What is the role of the FEC today?"

"Can the FEC operate effectively given the modern partisan divide?"

"What do I need to know if I interact with the FEC as a PAC, Party, and candidate?"

Class Date: 9/28

Topic and Content Covered:

The Ever-changing law of elections ; What Every PAC Director Needs to Know ; The Look and Feel of Robust Compliance.

Guest Speaker: Caleb Burns, Partner: Wiley Rein LLP

Readings Due Today: *Chapters 3-5, FEC Guide for Corporations and Labor Organizations -Richards, Eric. 2002. "Federal Election Commission v. Colorado Republican Federal Campaign Committee: Implications for Parties, Corporate Political Dialogue, and Campaign Finance Reform." American Business Law Journal (fall).*

Questions for Discussion:

"Why do you start a PAC?"

"Who within an organization should be tapped to stand up a PAC?"

Class Date: 10/5

Topic and Content Covered:

Raising money in the PAC world; Customer service is king: sustaining your PAC members; How is managing a PAC like running a business? Greatest hits and infamous misses.

Guest Speaker: PAC Professional TBD

Questions for Discussion:

"What skills do political operatives, hill staffers, lobbyists and others have that can benefit them as PAC Directors?" "Who does it best: Unions, corps, non-connected and Super PACs"

Class Date: 10/12

Topic and Content Covered:

The Rise of Super PACs, Big \$ and what it Means to Campaigns.

Guest Speaker: Geoff Ziebart, Executive Director, NABPAC

Reading Due Today: Steven Billet, *"The Rise and Impact of Monster PACs,"* Ed. Dennis Johnson - *The Routledge Handbook of Political Management, 2009, pp. 139-150.* - Richard Briffault, *"WRTL and Randall: The Roberts Court and the Unsettling of Campaign Finance Law,"* *Ohio State Law Journal, v. 28:807, pp 807-847.* - Covington and Burling LLP, *"A primer on Super PACS: What they do, How they operate and issues they confront."* January 25, 2012 (all made available on blackboard)

Questions for Discussion:

"What has been the impact of Super PACs is their future in American politics?"

Class Date: 10/19 - MIDTERM EXAM

Topic and Content Covered:

What does PAC infrastructure look like? Strategy, Governance, Budgeting, Communications, Fundraising, Decision-making, Financial Controls

Reading Due Today: *"Your PAC is a small business", Karen Fabean, 2008 (posted on blackboard)*
"PAC Creation checklist", Peter Kennerdale, 2002 (posted on blackboard)

Questions for Discussion:

"How is running a PAC like running a small business?"

Class Date: 10/26

Topic and Content Covered:

PAC Management as a profession; Campaign finance reform arguments and effects on PACs.

Guest Speaker: Campaign Finance Reform Advocate TBD

Questions for Discussion:

"Describe your perfect PAC director" "What will campaign finance reform look like under the news Congress/Supreme Court/Administration?"

Class Date: 11/2 – (I will be absent)

Topic and Content Covered:

PAC Spending Strategies: Budgets, Grids and Plans Inside Corp and Association PAC planning.

Guest Speaker Dr. Steve Billet, Director GSPM Legislative Affairs

Reading Due Today: William Oberman, *"A Framework for the Ethical Analysis of Corporate Political Activity,"* *Business and Society, (2004), 109, pp. 245-262* - Jeffrey Milyo, David Primo and Timothy Groseclose, *"Corporate Campaign Contributions in Perspective,"* *Business and Politics (2000), 2, pp. 75-88*

Questions for Discussion:

"How does the decision to support a candidate get made"

"What do candidates and their suitors hope to gain from campaign contributions?"

Class Date: 11/9

Topic and Content Covered:

How do campaigns view Political Action Committees?; The role of leadership PACs; Great PAC presentations, making the sale and keeping it sold; Next level political activities.

Guest Speakers: Scott Reiter, Managing Director, National Association of Realtors. Jane Crumpler, Director, Molina Healthcare PAC.

Class Date: 11/16

Topic and Content Covered:

Goals and metrics; Justifying PAC actions; PAC operations in the Public Eye, How do PACs and candidates deal with the perception of money in politics?

Reading Due Today: *Christopher Magee, "Do Political Action Committees Give Money to Candidates for Electoral or Influence Motives?" Public Choice, (2002), 112, pp. 373-399.* - *Hall and Wayman, "Buying Time: Moneyed Interests and the Mobilization of Bias in Congressional Committees," APSR V. 84, No. 3. (Sep., 1990), pp. 797-820* *Stratmann, "Are Contributors Rational? Untangling Strategies of Political Action Committees," Journal of Political Economy, Vol. 100, No. 3. (Jun., 1992), pp. 647-664.*

Questions for Discussion:

"What outcome does a PAC contributor expect from their contribution?"

"How do you define victory or defeat for your PAC?"

"How much is enough?"

Class Date: 11/22: - NO CLASS – Thanksgiving Holiday

Class Date: 11/30 – NO CLASS

Class will not meet. Students should instead watch the Frontline Documentary *"Big Sky, Big Money"* and consider a set of discussion questions I will post on Blackboard. Watch online at:

<http://www.pbs.org/wgbh/frontline/film/big-sky-big-money/>

Class Date: 12/7

Topic and Content Covered:

Begin class presentations

Class Date: 12/14 – Final Night of Class - Final Papers Due by Midnight

Topic and Content Covered:

Conclude class presentations