

The Graduate School of Political Management

THE GEORGE WASHINGTON UNIVERSITY

M.P.S. in Legislative Affairs

Spring 2016 Semester

January 11 - April 25

Legislative Politics

Course Number LGAF 6202.LH

3 Credits

Wednesday 6:00-8:00 PM

Hall of States

444 North Capitol Street, NW (check with
front desk each week for room number)

BASIC INFORMATION AND RESOURCES

Instructor

The Instructor for his course is former Congressman Martin Frost (D-TX, 1979-2005). Congressman Frost served for 26 years as a member of the House Rules Committee, six years as a member of the House Budget Committee (1983-1989), two terms as Chair of the Democratic Congressional Campaign Committee (1996 and 1998 elections cycles) and two terms as Chair of the House Democratic Caucus (1999-2003). He is currently Chairman of the Board of the National Endowment for Democracy (NED) and senior counsel in the Washington office of the Polsinelli law firm.

Contact Information

Telephone: 703-577-1897 (cell) 202-626-8314 (Office)

Email: mfrost@polsinelli.com

Communication

Individual meetings with the instructor must be pre-arranged appointments usually before or after class unless other arrangements are made. After class is usually best. Email is almost always the best way to communicate.

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 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 **the lobby of the Hotel George** 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

Most of us have full-time jobs and these responsibilities will sometime cause students to arrive late or miss class. When this happens *you must email the instructor in advance*. Absences from more than two classes during the term may result in a reduction in your final grade.

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 Overview

This course is a requirement for the Masters of Legislative Affairs program. The goal is for the student to develop a working understanding of how the Congress functions and what motivates its Members. The course will focus on the origins, history and development of Congress as an institution. We will examine what drives legislative decision-making, and the role of committees and party leadership in the process. The course will look at procedural issues essential to understanding how Congress works such as the Rules Committee in the House, cloture in the Senate, and the Budget Act of 1974. It is impossible to look at legislative politics without discussing the issue of polarization. The President plays a key role in the legislative process whether the country has united or divided government. Finally we will look at some of the internal issues Members deal with, from staff, budgets, constituent communications and ethics rules, to external issues such as campaigns, fundraising and interest group pressure.

Discussion will be an important part of this class. Contemporary issues facing the Congress will be used to illustrate what we learn.

There will be two essays assigned by the instructor and a final exam.

Course Learning Objectives

1. The goal is for the student to develop a working understanding of how the Congress functions and what motivates its Members. Additionally, the course will introduce the student to, and increase their enthusiasm for studying other topics in the Legislative Affairs program.
2. Understand the origins, history and development of Congress as an institution.
3. Obtain an understanding of what drives legislative decision-making and the role of committees and party leadership in the process.
4. Understand why the Speaker has so much power in the House of Representatives.
5. Learn why the Senate rules are designed to protect the political minority and recent changes.
6. Gain an appreciation for the role of the President as Legislator-in-Chief and how Congress has surrendered and delegated power to the executive branch.
7. Look at the budget and appropriation process – the one thing Congress must complete every year – and how the modern Congress makes (or doesn't make) decisions.
8. Throughout the course we will focus on political polarization, how the modern form has developed, why it is so persistent and how it affects the legislative process. We will explore some ideas for reducing its negative effects.
9. Finally we will look at some of the internal issues Members deal with, from staff, budgets, constituent communications and ethics rules, to external issues such as campaigns, fundraising and interest group pressure

Document Submission and Citations

There will be two essays and a take home final examination. Please print out and bring a hard copy of assignments to give to me at the beginning of class on the day they are due. I will keep these for my records. If you would like comments, please hand in two copies of the assignments paper clipped together.

We will use the Chicago Style for essays, citations and bibliographies. A sample of the style can be found on the GW website at: <http://www.chicagomanualofstyle.org/>. As an additional guide for a legislative course, this link is an indispensable guide for citing government documents is the "Uncle Sam: Brief Guide to Citing Government Publications, from the University of Memphis: <http://www.memphis.edu/govpub/citweb.php>.

PLEASE NOTE: You can lose points for failure to footnote accurately or for grammatical and spelling errors. This is a graduate course, and graduate level work requires that your work is proofread and presented in an acceptable manner. Spellcheck is not necessarily your friend – it will approve a word that is an actual word but which may be the wrong one for the context under discussion. The best policy is to have a friend or fellow classmate read through your paper for mistakes before submitting it.

Evaluation and Grading

Assignment	Learning Objective(s) Addressed	Due Date	Weight
First Essay	Legislative decision making		25%
Second Essay	TBD		25%
Final Exam	Putting it all together		40%
Attendance and Participation	Any graduate seminar discussion is enlivened by the thoughtful contributions of all of the students in class. You shortchange yourself and your colleagues by not being prepared or not participating in our class discussions. Organization, clarity and precision in the spoken and written word are expected of graduate level work but thorough documentation, keen observations and critical insight demonstrate superior effort.		10%
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

Congress and Its Members, by Roger Davidson, Walter Oleszek, Frances Lee and Eric Schickler (15th Ed. 2016)

The House, by Robert Remini

Congressional Procedures and the Policy Process, by Walter Oleszek, Mark Oleszek, Elizabeth Rybicki and Bill Heniff Jr (10th Ed. 2016)

The Partisan Divide: Congress in Crisis, Tom Davis, Martin Frost and Richard Cohen

Surviving Inside Congress, by Mark Strand, Michael Johnson and Jerome Climer (4th Ed. 2015)

Optional Supplemental Text and Learning Materials

Other readings available online at the GWU Library or on the class website

Tentative Course Calendar*

*The instructor reserves 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.

Class 1&2. January 13 & 20

Topic and Content Covered: Introduction and Syllabus Review and The Origins of Congress

Learning Objective(s) Addressed: Introductions and class overview. Review course expectations, assignments and final project. Introduce the subject matter

Why did the Constitutional Convention design our system as they did? What was the Great Compromise? What are the enumerated powers of Congress? The early Congress – no committees, no parties – no wonder it was the most productive Congress ever.

“A lot of people are angry. They’re angry at Mitch McConnell and they’re angry at John Boehner – they should be angry at James Madison. Their problem is, we sent all these Republicans to Washington and they still can’t work their will from Congress. The fact is that separation of powers, which is there for a reason and has served us well over time, is an impediment to getting things done in Washington. Get over it.” – George Will, FOX News Sunday with Chris Wallace, August 16, 2015

Reading Due Today: Remini: Introduction through Chapter 5.
Federalist Papers 10, 39, 47, 48 and 51
Davis & Frost: Chapter 3
George Will Washington Post Article:
https://www.washingtonpost.com/opinions/george-f-will-what-obama-and-the-tea-party-share/2013/10/18/c4243830-376f-11e3-ae46-e4248e75c8ea_story.html
CRS: Membership of the 114th Congress: A Profile
<https://www.fas.org/sqp/crs/misc/R43869.pdf>

Class 3. January 27

Topic and Content Covered: **The Institutionalization of Congress**

Learning Objective(s) Addressed: Development of committees and party leadership. Czar Reed and Joe Cannon. Growth of committees. Reorganization Act of 1946. Civil Rights and the Great Society. The rebellion against committees in the 1970s. Reagan and Congress. The first Republican revolution of 1994 and the situation today.

Reading Due Today: Remini: Chapters 11-12, 15, 17-18
Davidson: Chapter 2
Strand: Chapter 1

Class 4. February 3

Topic and Content Covered: **Legislative Decision-Making**

Learning Objective(s) Addressed: The two-Congresses. Classic political theory: Rational decision-making with a political twist. How did the 2014 election affect these models?

FIRST ESSAY ASSIGNED: You are a third-term Member of the U.S. House of Representatives and are speaking to a group of high school students in your Congressional District. One of the students asks you the following question:

“What do you do when your district feels one way about a controversial issue and you personally feel the opposite way? How do you vote?”

This is an actual question that was asked to my hometown Congressman Jim Wright early in his career when he spoke to the Temple Beth-El youth group in Ft. Worth, Texas. I was there and was subsequently asked the same question many times in my career.

Reading Due Today: Case study on Crude Oil Export Ban on Blackboard
Davidson: Chapter 1, 5, 16
Strand: Chapter 2, pgs 34-38
Davis & Frost: Chapter 7

Class 5. February 10 (continued next page)

Topic and Content Covered: **Party Leadership**

Learning Objective(s) Addressed: Who are the party leaders in the House and Senate? How do they control the process and direction of their chambers? What is conditional party government, the pivotal vote theory and agenda control? How do they compare? Is one better than the other? Which theory prevailed in the 113th Congress? Have there been any change in the 114th?

Guest Speaker: Barry Jackson, former Chief of Staff to Speaker John Boehner

Reading Due Today: Davidson: Chapter 6
“Newt Gingrich and Nancy Pelosi Two Peas in a Pod?” Remarks delivered by Martin Frost, April 17, 2007 at the University of Missouri (available on Blackboard)

Fox: Deciphering Senator Frist by Martin Frost, July 18, 2005:
<http://www.foxnews.com/story/2005/07/18/deciphering-senator-frist.html>

Class 6. February 17

Topic and Content Covered: **Committees**

Learning Objective(s) Addressed: What are committees and what function do they serve? Why do Members select different committees?

Guest Speaker: Former Congressman Tom Davis (R-VA), Co-Author of *The Partisan Divide* (T)

Reading Due Today: Davidson: Chapter 7
Oleszek: Chapter 3
Strand: Chapter 4-6
Davis & Frost: Chapter 14

Class 7. February 24

Topic and Content Covered: **Critical Legislative Procedures in the House**

Learning Objective(s) Addressed: House Rules Committee and Control of the Floor. The House as a majoritarian institution. Conflict between committees and party leaders. How does the Majority accomplish its agenda? What is the role of the Minority in the House?

Guest Speaker: Charlie Johnson, former Parliamentarian for the U.S. House of Representatives

Reading Due Today: Oleszek: Chapters 4-5
Davidson: Chapter 8

FIRST ESSAY DUE AT BEGINNING OF CLASS TODAY

Class 8. March 2

Topic and Content Covered: **All you need to know about the Senate procedures**

Learning Objective(s) Addressed: The Majority Leader and control of the Floor. Unanimous consent and exhaustion. Not your father's filibuster: cloture – why the Senate requires 60 votes to do anything important. What is meant by "the Majority determines what comes to the Floor and the Minority determines what leaves it?" Why are Committees weaker in the Senate than in the House? What is the difference between the Minority in the House and the Senate? Majority obstructionism? What has Harry Reid done to the Senate? **Second essay assigned.**

Reading Due Today: Oleszek: Chapters 6-7

Class 9. March 9 (continued next page)

Topic and Content Covered: **The President and Congress**

Learning Objective(s) Addressed: The President as Legislator-in-Chief. What is the President's Constitutional role in the legislative process? What is his role in the budget process? United vs. Divided government. Vetoes and veto strategies. Other tools: Signing Statements and Executive Orders. Powers Congress cedes to the Executive. Oversight by the Congress over the Executive branch.

Guest Speaker: Irv Nathan, General Counsel of the U.S. House of Representatives (2007-2011), Attorney General for the District of Columbia (2011-2014)

Reading Due Today: Davidson: Chapter 10
Oleszek: Chapter 8 & 9
Davis & Frost: Chapter 15
Wash. Post: A dangerous Obamacare lawsuit, Oct. 4 2015:
https://www.washingtonpost.com/opinions/appeal-house-v-burwell/2015/10/04/d8eec2d6-693f-11e5-9ef3-fde182507eac_story.html

Class 10. March 23

Topic and Content Covered: **The Budget Act of 1974**

Learning Objective(s) Addressed: The origins of the budget law. How it works. The use and abuse of the act. What is the role of the Budget Committee, Authorizers and Appropriators? Reconciliation. Does the budget act still work? Are there better ideas? Is the current process adequate to control the budget deficits we face in 2014?

Guest Speakers: Tom Kahn, Minority Staff Director, House Budget Committee
Jim Davidson, Shareholder at Polsinelli PC and former Senate Committee staffer who worked on Budget Act

Reading Due Today: Strand: Chapter 7
Oleszek: Chapter 2
Davidson: Chapter 14
NYT: Obama vs. Boehner: Who Killed the Debt Deal?, March 28, 2012
http://www.nytimes.com/2012/04/01/magazine/obama-vs-boehner-who-killed-the-debt-deal.html?_r=0
Wash. Post: Obama's evolution: Behind the failed 'grand bargain' on the debt, March 17, 2012
https://www.washingtonpost.com/politics/obamas-evolution-behind-the-failed-grand-bargain-on-the-debt/2012/03/15/gIQAHyfJJS_story.html
Wash. Post: Inside story of Obama's struggle to keep Congress from controlling outcome of debt ceiling crisis, September 8, 2012
https://www.washingtonpost.com/politics/a-president-sidelined/2012/09/08/a463793c-f6db-11e1-8253-3f495ae70650_story.html
Politico: Behind the secret budget deal that drove conservatives mad, October 30, 2015, <http://www.politico.com/story/2015/10/budget-congress-secret-deal-215370>

Class 11. March 30 (continued next page)

Topic and Content Covered: **Polarization**

Learning Objective(s) Addressed: Review the results of the 2014 mid-term election. Discuss polarization: its' causes, the problems it is causing for governing, the solutions.

Reading Due Today: Strand: Chapter 16
Davis & Frost: Chapters 8, 9, 10
Select articles available on Blackboard

SECOND ESSAY DUE AT BEGINNING OF CLASS TODAY

Class 12. April 6.

Topic and Content Covered: **Case Studies (Approval of Fast Track in the 114th Congress and Consideration of the Iran Nuclear Deal during the 114th Congress)**

Learning Objective(s) Addressed: A group discussion will be held on Fast Track and the Iran Nuclear Deal.

Reading Due Today: Strand: Chapters 3, 8, 10, 11 & 14
The Guardian: Here's how much corporations paid US senators to fast-track the TPP bill: <http://www.theguardian.com/business/2015/may/27/corporations-paid-us-senators-fast-track-tp>
The Hill: House approves fast-track 218-208, sending bill to Senate, <http://thehill.com/business-a-lobbying/245417-house-approves-fast-track-218-208-sending-bill-to-senate>
The Hill: Senate approves fast-track, sending trade bill to White House, <http://thehill.com/homenews/senate/246035-senate-approves-fast-track-sending-trade-bill-to-white-house>
Congress.gov: S.615 – Iran Nuclear Agreement Review Act of 2015 (Corker), <https://www.congress.gov/bill/114th-congress/senate-bill/615?q=%7B%22search%22%3A%5B%22%5C%22s615%5C%22%22%5D%7D&resultIndex=1>
WSJ: Iran Nuclear Deal Faces Key Vote in Senate: <http://www.wsj.com/articles/iran-nuclear-deal-faces-key-vote-in-senate-1441902363>
Fox News: House goes on record against Iran nuclear deal, in symbolic vote: <http://www.foxnews.com/politics/2015/09/11/house-defeats-measure-approving-iran-deal-in-symbolic-vote/>
USA Today: Democrats block Senate vote to reject Iran nuclear deal for a second time: <http://www.usatoday.com/story/news/2015/09/15/democrats-block-senate-vote-reject-iran-nuclear-deal-second-time/72317408/>

Class 13 . April 13

Topic and Content Covered: **Elections and Outside Pressures**

Learning Objective(s) Addressed: The perpetual campaign. How does a Member get elected to office? What does it take? Fundraising and campaign finance laws? Interest groups and lobbyists. Grassroots pressure: [Moveon.org](http://www.moveon.org) in 2006 & 2008, the Tea Party in 2010, and the emergence of Super PACS and 501(c)(4) organizations. How does "soft money" keeps finding its way into American elections?

Reading Due Today: Davidson: Chapters 4 & 13
Strand: Chapter 15
Davis & Frost: Chapters 4, 5, 6
Select articles available on Blackboard

Final Exam Assigned

Class 14. April 20

Wrap up.

Reading Due Today: TBD

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