

PAL-210
The U.S. Congress and Lawmaking
Spring Semester 2007

Lecturers on Mondays and Wednesdays at 11:40 a.m. in Starr Auditorium
with additional group meetings on Fridays, as necessary.

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Kennedy School of Government
79 JFK Street: KSG L303

Office Hours: Thursdays 2:30 to 4:00

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(email Jennifer Shultis to schedule appointments outside of office hours)

Teaching Assistants: [Jonathan Schliefer](#) and [Mamie Marcuss](#)

This course blends theory and practice at every stage. You will read foundational works in the Congress literature and assess the Congress through topical cases and an active simulation. You will become effective working in or dealing with the U.S. Congress and state legislatures. You will come to understand how legislatures work (and why they sometimes do not work) from two perspectives: the "inside" as a legislator or a legislative staffer, and the "outside" as a lobbyist, reporter, or member of the executive branch.

Legislatures in the United States are very much alike. The differences among them are points along a continuum and not differences in kind. Grasping their differences is easy; understanding what they have in common is more important; this course will prepare you for working in any U.S. legislature, not just the Congress. Furthermore, legislative behavior and the legislative process are very different from their executive and judicial counterparts. What works in the executive branch will not necessarily work in the legislature, and vice versa.

Grades will be based on 1,000 points available throughout the semester. The final paper amounts to 300 points, or 30 percent of the grade. There are two brief in-class quizzes on the readings, each worth 150 points. Various exercises associated with the simulation will be worth a total of 150 points. Students will judge each other on how well they performed in the simulation, and that will be worth a maximum of 150 points, too. Finally, 100 points will be assessed based on participation in class discussions.

Readings. There are four required books available at the Harvard Coop. Course packets (and one additional book) are available at the Course Materials Office on the ground floor of the Belfer building. Furthermore, I expect you to read Congressional Quarterly Weekly Report and to pay close attention to Roll Call, Governing and State Legislatures, all available in the Kennedy School library

Required Books (available at the Harvard Coop)

- Roger Davidson & Walter Oleszek. 2005. *Congress and It's Members*. 10th Edition. WDC: Congressional Quarterly Press.
- Gary C. Jacobson, 2004. *The Politics of Congressional Elections*. 6th Edition. New York: Longman.
- Christopher Matthews. 1999. *Hardball*. 2nd Edition. New York: Touchstone.

- Walter J. Oleszek, 2004. *Congressional Procedures and the Policy Process*. 6th Edition. WDC: Congressional Quarterly Press.

Required Book (available only at the Course Materials Office – listed as a course packet)

- Congressional Management Foundation. 2006. *Setting Course: A Congressional Management Guide*. Edition for the 110th Congress. Washington, DC: Congressional Management Foundation.

Before the first class, please spend time becoming familiar with these two sites:

- <http://www.thegreenpapers.com/>
- http://en.wikipedia.org/wiki/United_States_Congress

Course Schedule

Monday, January 29

Shopping Day in Land Auditorium, 11:40-12:10 and 12:25-12:55

Please attend this half-session even if you know you will be taking the course

- Distribution of the syllabus
- Video and Discussion concerning the timing of House floor votes

Wednesday, January 31

Problems in Representation

Readings:

- “Senator McGrail and the Death Penalty, KSG Case #825 (handed out in class and in the course packet)
- Herbert F. Weisberg, Eric S. Heberlig & Lisa M. Campoli, 1999. “What is Representation,” pages 68-82 in Weisberg, Herblig & Campoli, eds. *Classics in Congressional Politics*. New York: Addison, Wesley, Longman. (In the course packet)
- Richard F. Fenno, Jr. 1978. *Home Style: House Members in Their Districts*. Boston: Little Brown. Chapter 1. (in the course packet)
- Ken Nelson. "[Some Ethical Tensions I have Experienced as a Minnesota State Legislator](#)." (On line and in the course packet)

How to approach the readings: Please begin journaling your reactions to the course and to the readings. I will not read your journals, but you will find them to be useful when you write the final paper. Please pay close attention to Ken Nelson’s list, and re-read his list throughout the course. We will return to it after the simulation.

Monday, February 5

Introduction to the Constitution and to each other

Readings:

- The U.S. Constitution, Articles 1, 2, 3 & the 10th Amendment. (available on the Web, linked [here](#)).
- Davidson & Oleszek, Chapter 2 (a course text)

How to approach the readings: Pay close attention to the powers of Congress under Article 1, Section 8, and note places of possible friction with the other branches of government, and with the states. Be prepared to discuss these in class. You should, also, by now have familiarity with the

Federalist Papers. If not, glance through [Federalist Papers](#), numbers 10, 51, 55, 56, 57, 62, 63, with particular emphasis on *Federalist 10*.

Wednesday, February 7

The Nature of Politics and Politicians, I

Readings:

- The Legend of Cincinnatus: <http://en.wikipedia.org/wiki/Cincinnatus> (only available online)
- Matthews. Chapters 1-3. (a course text).
 - “It’s Not Who You Know; It’s Who You Get to Know”
 - “All Politics is Local”
 - “It’s Better to Receive Than to Give”

How to approach the readings: These are “fun” readings, but they may also be the most memorable of the semester, so take your time and enjoy these first three chapters. Come to class prepared to summarize one of the chapters. Students will be called upon, at random, to talk about the lessons in the readings.

Monday, February 12

The Nature of Politics and Politicians, II

Reading:

- Matthews. Chapters 4-7, 10. (a course text).
 - “Dance with the One That Brung Ya”
 - “Keep Your Enemies in Front of You”
 - “Don’t Get Mad; Don’t Get Even; Get Ahead”
 - “Leave No Shot Unanswered”
 - “Hang a Lantern on Your Problem”
- Ronald A. Heifetz & Marty Linsky. 2002. *Leadership on the Line*. Boston: Harvard University Press, Chapter 4. (in the course packet)

How to approach the readings: You will find the additional chapters from Matthews to be a quick read, and they will help set up the Heifetz/Linsky chapter. While reading Heifetz/Linsky, please put yourself in the position of the protagonists. What would your natural inclinations have been under similar circumstances?

Personal Motivations Memo

Due in class on Wednesday, 2/14; your personal statement regarding your political motivations. Please write a single page describing what motivates you to care about politics or public policy. These papers will not be shared with other students. This memo should be no longer than 200 words. 10 points for a thoughtful essay; 5 for simply turning one in.

Wednesday, February 14

Individual Motivations and their Connections to Institutional Design

Readings:

- David R. Mayhew. 1974. "The Electoral Connection and the Congress," selection from *Congress: The Electoral Connection*, reprinted in Mathew D. McCubbins & Terry Sullivan, *Congress: Structure and Policy*. New York: Cambridge University Press, 1987. (in the course packet)

- Richard F. Fenno, Jr. 1973. *Congressmen in Committees*. Boston: Little Brown. Chapter 1. (in the course packet)
- Keith T. Poole and Howard Rosenthal, *Congress: A Political-Economic History of Roll Call Voting*, pgs. 3-26.

How to approach the readings: Please go back and look at the Weisberg piece again closely, and in light of the Senator McGrail case. Know the strengths and weaknesses of the “trustee/delegate” way of thinking about representation. Pay particular attention to Mayhew’s brief piece. The arguments in this selection will be important for the midterm. Be able to discuss how the institutional structures in legislatures flow from the simple assumption at the core of Mayhew’s analysis. Are there other institutional implications that Mayhew could have included? Fenno and Mayhew were contemporaries. How does his treatment of “committees” differ from Fenno’s work? Finally, look through (but do not read closely) the Poole and Rosenthal chapter. I will discuss the chapter in class.

How to approach the readings: Read the Mayhew book cover-to-cover. Be able to discuss how Fenno’s approach differs or is the same, and skim the Poole/Rosenthal materials.

Monday, February 19

No Class Today. It is Presidents’ Day.


Wednesday, February 21

Who runs for Congress? Why do they run? How do they get elected?

Readings:

- Jacobson. Chapters 1-5. (a course text)
- Davidson & Oleszek. Chapter 3 (a course text)

Audio Assignment:

- “The Annoying Gap Between Theory and Practice: the Steve Tobocman Story.” (Broadcast Date: November 8, 2003. This American Life, WBEZ Radio, Chicago). Streaming at  (<http://audio.wbez.org/tal/250.m3u>). Go to Act 2 (at 23:40 of the feed).

How to approach the readings: There is a lot of material covered in the Jacobson text, and it is not intended to be a “candidate’s guide” to elections. Read it carefully and with a critical eye. Consider the impact of redistricting on representation.

Advice on listening to the Tobocoman radio story: Throughout the piece, put yourself in Steve Tobocman’s shoes. Ask what you would have done at each major decision point – and be careful to consider all of your options.

Explore on the web: Go to www.opensecrets.org, www.Politicalmoneyline.com and www.fundrace.org

Campaign Issues Memo

Due in class on Monday, 2/26

How to write the campaign issues memo. I have a very clear sense for what I am looking for in your issues memo. The audience for this memo is an informed but unallied voter in your district. It is not highly targeted. It needs to be a fairly general statement to all informed but unallied potential voters. First, tell me which U.S. Congressional District you are running in. You can review the districts through the Almanac of American Politics (in the library and on-line) or through online access to Congressional Quarterly (www.cq.com). Second, write one paragraph about who you are. This paragraph needs to be a blend of biography (gender, where you came from, other public service) and grand ideology (your worldview in a sentence or two). Third, highlight three (NO more, NO less) key issues. These are often

done with bullet points. At LEAST one of these three points must relate, directly, to easily-identifiable interests in your district (delegate representation) and at least one of these three points point to a grander (more trustee) goal. Close with a specific request for support of some kind.

This memo should be between 250 and 500 words. Please include a word-count. This assignment is worth 20 points.

7. Monday, February 26

Campaign Management

Readings:

- Jacobson. Chapter 6. (a course text)
- Davidson & Oleszek. Chapter 4 (a course text)
- "How to Rig an Election." *The Economist*, April 27, 2002. pg. 29-30. (in the course packet). (For additional background, if so inclined, refer to the Redistricting Working Group report written within the Institute of Politics in 2005:
http://www.iop.harvard.edu/pdfs/newsroom/redistricting_022805.pdf)
- "Jesse Helms v. Harvey Gantt: Race, Culture, and Campaign Strategy," Kennedy School Case # 1099. (The case is in the course packet; the epilogue will be handed out in class.)

How to approach the case. This old case remains useful. I like it because we get a chance to talk about something other than money. Yes, the power of incumbency is there, but you don't find both candidates spending all of their time trying to raise resources. Please read the case with "strategy" in mind. What did both campaigns do well? Poorly? Think very carefully about the role of the media in the case. And put yourself in Mel Watt's shoes at the end of the case. What would you do, and why?

How to approach the readings. Chapter 6 in Jacobson highlights times when congressional elections have been "nationalized." Be able to talk about the 1994 Republican victories in the House and the 2006 Democrat victories, too.

Biography for the Simulation Roster

Due in class on Wednesday, 2/28

In the blink of an eye, you've been elected. Congratulations. We need to know who you are, what your district looks like, and what kinds of votes you've cast recently. Take a look through the [Almanac of American Politics](#), which is in the non-circulating reference section in the library, and choose a "persona."

Write a one page description of yourself, borrowing freely from the [Almanac](#). An example is attached. One goal of the assignment is to make sure you're familiar with the [Almanac](#), so take your time and enjoy. A "legislative directory" will be made based on these descriptions.

This assignment is worth 10 points if it is turned in on time, 0 otherwise.

Students who think they want to be a journalist or a lobbyist still have to complete this assignment. Please fit your bio on a single page.

SAMPLE below

Rep. Steven L. Kagen (D-Wis.)
[8th District, Northeast -- Green Bay, Appleton](#)



Residence: Appleton
Born: December 12, 1949; Neenah, Wis.
Religion: Jewish
Family: Wife, Gayle Kagen; four children
Education: U. of Wisconsin, B.S. 1972 (molecular biology), M.D. 1976
Military Service: None
Career: Allergy clinic owner; physician

Elected: 2006 (1st term); Defeated John Gard, R, to succeed Mark Green, R, who ran for governor
Political Highlights: No previous office

Phone: 202-225-5665 | Fax: 202-225-5729 | Web: kagen.house.gov
1232 Longworth Bldg. | Washington, DC 20515-4908

In 1673, the French explorer and priest Father Marquette sailed from the open waters of Lake Michigan into what is now Green Bay. He had hoped to find the Northwest Passage to the Pacific. He actually found the Fox River, which leads to Lake Winnebago and, after a not-too-difficult portage, the Wisconsin River, which flows into the Mississippi. Today the area has been thriving economically, with traditional paper mills joined by high-skill manufacturing in Green Bay and Appleton. The 8th Congressional District includes Green Bay and the Fox River Valley. It also includes several north woods and dairy counties inland, plus the Door County peninsula. Politically, the area has been malleable country. Democrats, especially Catholics, can win here: John Kennedy carried the Fox River Valley in the primary and general election in 1960, and Bill Clinton carried it in 1996. But the 8th District more often votes Republican; it voted for George W. Bush in 2004.

The congressman from the 8th District is Steven Kagen. As a physician, Kagen knows how expensive health care can be, and he plans to be a leader in changing that. He vows to introduce his No Patient Left Behind concept, which he says will “guarantee access to everyone, everywhere in the U.S.” Kagen disapproves of the Bush administration’s handling of the Iraq war. Although he does not favor an immediate withdrawal, he believes that U.S. troops do not belong in Iraq, and he will push for an exit strategy. Kagen believes that Wisconsin has been under-represented on the House Agriculture Committee and would like to work on farming issues. “I used to work in a dairy, and some of my best friends have cheese companies,” Kagen said. “I understand the needs of agriculture.”

The People: Area size, 10,118 sq. mi., Urban 56.0%, Median income, \$43,274, White, 92.2%, Ancestry, German 30.8%, Irish 6.9%, Polish 6.5%

Committee Appointments

Due in class on Wednesday, 2/28

The Speaker will appoint committees. For a description of how committee assignments are done in the U.S. House, review Davidson & Oleszek, pages 207-213. Since we are a somewhat reformed legislature with a modicum of democracy, each member may **indicate committee preferences along with an ideological self-assessment on page at the very end of this syllabus. Take the page off and turn it in to your section leader.** Please indicate committee preferences and your ideological self-assessment *even if you would prefer to be a lobbyist or a journalist.*

Wednesday, February 28

Seniority, Power, Roles and Understanding the Clout of the Leadership

Readings:

- Davidson & Oleszek. Chapter 6. (a course text)
- David Gergen. 2003. "Stubborn Kind of Fellow", *Compass: A Journal of Leadership*, Fall, (Cambridge: Center for Public Leadership), pp. 14-17, 21. (in the coursepacket)
- John Manley. 1969. "Wilbur D. Mills: A Study in Congressional Influence." *American Political Science Review*. 63 (June 1969): 442-464. (in the course packet)
- Nannerl O. Keohane. 2005. "On Leadership." *Perspectives on Politics*. 3 (December 2005): 705-722. (in the course packet)

In the Simulation: Committee Assignments made today.

How to approach the readings: Please pay close attention to Box 6-2 in Davidson and Oleszek. Understand where each of the readings fits in that context. Read the Manley reading carefully, and be ready to discuss whether, or under what conditions, he was a "leader" or a "follower." Also consider whether the Ways and Means Committee, under Mills, should have been considered "powerful." Take care to consider what you mean by "powerful" in that context.

9. Monday, March 5

Working with Staff

Readings:

- Setting Course: A Congressional Management Guide. 2006. Chapters 11-13, 16 (a course text)

How to approach the readings. The "Setting Course" readings are practical and straight forward. Use them as reference when you devise a staffing plan due in class today.

Memo to your Staff

Due in class, Monday, 3/5

Please hand in this assignment in section. You should rely on the [Congressional Staff Directory](#), available in the Lamont Library, as a guide when deciding how to split staff between home and Washington. This assignment is worth 20 points. *Note: Lobbyists and Journalists do not need to do this assignment. They will be doing other simulation-related work.*

1. Each Member is entitled to an annual clerk hire allowance for employment of staff in the Member's Washington, DC Congressional and District office(s). The Clerk Hire Allowance for the 110th Congress is \$702,138.
2. Each Member may appoint, at any one time, up to 22 employees to his or her clerk hire payroll. Eighteen may be appointed as permanent full time employees and four as non-permanent employees (less than 15 working days per month). A Member may "employ" as many non-paid interns as he or she sees fit.
3. Each employee of a Member shall be compensated monthly at a single per annum gross rate of pay which is not less than \$1,200, nor more than the highest rate of pay, as in effect from time to time, of Level V of the Executive Schedule. The highest rate of basic pay for Level V is \$117,600.
4. In a two-page memo to your new staff, outline the organization of your office. Some, but not all, of the questions you may wish to address include: Who will be responsible for various issue areas of concern? Who will answer the mail? How will you divide your staff between Washington and the home district?

Who controls the flow of paper and people into your own office? Who can enter your office without some approval? Who handles the press? Who can sign in your name?

5. Attach a list of staff, by position, to the memo. Please use the following format:

JOB DESCRIPTION	STATUS	ANNUAL SALARY
~~~~~	~~~~~	~~~~~
~~~~~	~~~~~	~~~~~
~~~~~	~~~~~	~~~~~

-----  
TOTAL PAYROLL

JOB DESCRIPTION simply means job title. The possibilities include, but are not limited to: administrative aide, legislative assistant, staff assistant, legislative correspondent, intern, press secretary, legislative director, counsel, secretary, office manager, personal secretary, receptionist, case worker, district chief, part-time employee, administrative secretary, clerk, field representative, special assistant, etc. The staff member's duties should be clear from the memorandum.

STATUS: Permanent or Non-permanent; Washington or in-district.

ANNUAL SALARY: annual gross salary, subject to the limitations listed above.

TOTAL PAYROLL: the total amount of your clerk hire allowance you plan to spend.

### Wednesday, March 7

#### *Representing Constituencies and Being your Own Person*

#### Readings:

- Davidson & Oleszek. Chapter 5. (a course text)
- Barbara Burrell, "[Parties, Money, and Sex](#)," Institute for Governmental Studies Working Paper 2006-25, June 2006. (Available on the Web).
- David C. King & Richard E. Matland. "[Sex and the Grand Old Party: An Experimental Investigation of the Effect of Candidate Sex on Support for a Republican Candidate](#)." *American Politics Research*, November 2003. (available on the Web)
- Guinier, Lani, "The Representation of Minority Interests in Congress," In *Classifying by Race*, Paul Peterson, ed. Princeton University Press, 1995, 21-49. (in the course packet)

*How to approach the readings.* Please read the materials in the order they're presented in the syllabus. Notice the interaction between institutional structures and representation in the Salmond article, and consider how that relates to previous readings. When done, go back and skim the Davidson and Oleszek chapter again, looking for inconsistencies with the race and gender-focused approaches.

### Wednesday, March 14

#### *Understanding the Roles and Clout of Committees*

#### Readings:

- Davidson & Oleszek. Chapter 7 (a course text).

Tim Groseclose & David C. King. "[Committee Theories Reconsidered](#)," in Lawrence C. Dodd & Bruce I. Oppenheimer (eds.), *Congress Reconsidered*, 7th edition. Washington, DC: CQ Press. 2001. (Available on the Web and in the course packet)

- David King. 1997. *Turf Wars*. University of Chicago Press. Chapter 2. (in the course packet)

*How to approach the readings:* The materials today are mainly informational. Consider whether the “theories” matter at all. When, and why, should non-scholars pay attention to them? You will find the “Theories Reconsidered” paper useful when considering how to write the final paper.

### **Introduce your Bill**

*Due in class on Wednesday, March 14*

Turn in your individual bills. They will be referred to committees within 24 hours.

People who are told they will be journalists or lobbyists do not need to file individual bills. After you know your committee assignments, you will file a bill. No bill should be longer than one page. Give your bill a title *and* a budget. Following are some suggested issues. This list is suggestive, *not* exhaustive. Originality and creativity are encouraged:

prepaid legal insurance; gun control; legalizing drugs; authorizing needle exchange programs; regulating surrogate mothering; public financing of elections; protecting journalists from revealing sources; mandatory sentencing; taxing tax-exempt property; opening public access to shore front property; nuclear construction moratorium; requiring insurance companies to cover new health therapies; reforming the Rules of the Legislature; state financing of public schools; reducing the cost of campaigns; parental choice in school selection; incentive pay for teachers; siting for solid waste disposals; and taxing non-biodegradable containers.

Perhaps the most important consideration in your decision is whether the idea of the bill creates a genuine controversy within your committee. We do not want to see many mushy "everyone will agree" bills. We are a national legislature. Your bills should be sensitive to the national mood. No initial bill may be longer than a page. The Speaker will assign your bill to a committee. Each Member has a stake in his or her bill advancing as far as possible in the process. So the next task for each Member is to convince the committee to focus on his or her bill.

### **Monday, March 19**

*Authorizing Committees vs. Appropriations Subcommittees*

Readings:

- Oleszek, Chapter 2 (a course text)
- “Buying the Beretta” 1988. John F. Kennedy School of Government Case 848. Parts A&B
- [Deschler’s Precedents](#) (spend at least 1 hour exploring *any* section online)
- [House: Legislative Process](#) (available on-line)

In the Simulation: Bills will be assigned to Committees Today

*How to approach the readings:* I understand that most of you will be focusing on preparing for the midterm, but I want you to spend time considering the problems raised in the Beretta case. Imagine yourself as an advisor to the Undersecretary. What would you recommend, and why?

## Lobbying Presentations

*Presented in class on Monday, March 19*

Lobbyists in the simulation will make a PowerPoint presentation introducing themselves and the issues on which they will be working. Presentations should be no longer than 5 minutes long.

## Wednesday, March 21

### First Midterm Quiz

*Completed in class on Wednesday, March 21*

There will be a 30 minute in-class quiz, to be completed in blue books. All of the questions will be distributed in the week before the midterm. The midterm will be closed-book, closed-note, though students are encouraged to study in teams.

This quiz is worth 150 points.

## March 24 – April 1

Harvard Spring Break

## Monday, April 2

*Rules and Procedures*

Readings:

- Oleszek, Chapters 3-8 (a course text)
- Martin Kady, “New Majority, New Rules,” *CQ Weekly Report*, January 8, 2007, pg. 122.
- Mickey Edwards. 1983. “Decision-Making in Washington: A Rule of Thumb,” pages 63-5 in *Behind Enemy Lines*, Chicago: Regnery Gateway. (in the course packet)

*Explore on the Web.*

- House procedure: [http://www.house.gov/house/Tying_it_all.html](http://www.house.gov/house/Tying_it_all.html)
- Senate flowchart: <http://www.senate.gov/reference/resources/pdf/legprocessflowchart.pdf>
- C-Span summary: <http://capwiz.com/c-span/issues/basics/?style=legis>
- House Parliamentarian Summary: <http://thomas.loc.gov/home/lawsmade.toc.html>

*How to approach the readings:* You will not need to think very deeply about the readings for today. I expect you to know the procedures well, so memorization is, this time, more important than analysis.

## Wednesday, April 4

*The Budget Process*

Readings:

- Oleszek, 2003, Chapter 2. (a course text)
- Steven Dennis, “House Adopts Budget, Earmark rules,” *CQ Weekly Report*, January 8, 2007, pg. 125.

*How to Approach the Readings:* Best to memorize this process. Know the budget calendar inside and out. This is important material.

## **Friday, April 6**

### *Committees in Session*

In the Simulation: Committee Hearings will be scheduled to take place during Friday afternoon, in rooms and times to be announced. These hearings will be open to the public and to the news media.

#### **Committee Hearings**

Each committee will produce a draft bill or bills and hold a hearing. Each committee is responsible for establishing internal rules. Lobbyists will be required to testify, at least at the hearing they are most interested in, and each Member will be required to speak on an issue for at least 3 minutes at a Committee hearing. Journalists will cover bills assigned them by their editor.

Rooms for the committee hearings will be assigned. The quality of a student's participation in the hearings is worth 40 points.

## **Monday, April 9**

### *Coalitions*

Readings:

- David C. King & Richard L. Zeckhauser. "[Congressional Vote Options](#)," *Legislative Studies Quarterly*, August 2003, 28:387-411. (Available on the Web)
- "Catastrophic Health Insurance for the Elderly," KSG Case # 1278 (in the course packet)

*Consider:* Come prepared to consider when and why coalitions should be pursued. One often hears that a "half a loaf is better than none," but when, exactly, is that not true? Bring in current examples, and reflect on the examples in the Matthews reading, too. The "Catastrophic Health Insurance" case is a classic example of outside coalitions. I want you to consider: was the bill "good" or not? Why?

## **Wednesday, April 11**

#### **Second Midterm Quiz**

*Completed in class on Wednesday, April 11*

There will be a 30 minute in-class quiz, to be completed in blue books. All of the questions will be distributed in the week before the midterm. The midterm will be closed-book, closed-note, though students are encouraged to study in teams.

This quiz is worth 150 points.

*In the simulation: The First issue of Role Call Newspaper will be published today, 4/11*

## Friday, April 13

*Time Management – preparation session*

To be held at a time scheduled by student groups sometime on Friday.

### Scheduling Exercise

*Prepare to be Presented in class on Monday, 4/16*

This is not a graded assignment. You should work in groups, based on your committee assignments or other simulation groupings. Please download the assignment from: [www.ksg.harvard.edu/~king/Schedule.pdf](http://www.ksg.harvard.edu/~king/Schedule.pdf)

It is crucial that everyone takes on a role in this exercise. Have one person in your group be the member, another the chief of staff, another the press secretary, and so on. This assignment could easily take an entire afternoon. Be careful to limit your time to no more than an hour. Be sure to go through every day and every event on the list, and make a selection (or selections) on a group sheet that can be presented in class on Monday.

## 19. Monday, April 16

*Note: Two Topics Today*

### 1. Time Management

Readings:

- Setting Course, Chapter 15 (in the course packet)

Please come to class prepared to present your group's results from the "scheduling exercise," completed the previous Friday.

### 2. Parties and Partisanship

Readings:

- Jacobson, Chapters 7 & 8 (a course text)
- Davidson & Oleszek, Chapter 9. (a course text)
- David C. King. "[Congress, Polarization, and Fidelity to the Median Voter.](#)" March 10, 2003. (available on the Web)
- Cochran, John. "Legislative Season Drawn in Solid Party Lines." *CQ Weekly Reports*, January 3, 2004. Pages 10-11, 14-15. (in the course packet)

*How to approach the readings:* Focus on the readings from the textbooks. Consider why partisanship seems to be increasing in Congress, in state legislatures, and in city councils. Skim the remaining readings.

## Wednesday, April 18

*Lobbying: The Power and Leverage of Special Interests*

Readings:

- Davidson & Oleszek, Chapter 13. (a course text)
- Ernest & Elisabeth Wittenberg. 1994. *How to Win in Washington*. 2nd Edition. Cambridge: Blackwell. Chapters 1 & 2. (in the course packet)
- John Zorack, *The Lobbying Handbook*, 1990, "Perspectives on Lobbying," pgs. 779-791.

- ["The Regulation of Mud Flaps,"](#) Kennedy School Case Study. (In the course packet. Epilogue to be handed out in class).

*How to approach the readings:* Pay particular attention to the tools that are described for influencing legislators and the bureaucracy. Be sure to notice the “10 Commandments” list in the Wittenberg reading. Then, upon reading the Mud Flaps case, come to class prepared with a set of strategies to protect the Ohio industries described in the case. We will spend most of our time in the class discussing the case.

## **Friday, April 20**

### *Committees in Session*

In the Simulation: Committee Markups will be scheduled to take place during Friday afternoon, in rooms and times to be announced. These markups will be open to the public and to the news media.

### **Committee Markups**

Rooms for the committee markups will be assigned. The quality of a student’s participation in the markups is worth 30 points.

## **Monday, April 23**

### *Executive-Congressional Relations*

Readings:

- Davidson & Oleszek, Chapters 10 & 11. (a course text)
- Cary Coglianesi. 2004. “The Rulemaking Process,” pgs. 5-11 in Coglianesi, “E-Rulemaking: Information and Technology,” Center for Business and Government, John F. Kennedy School of Government. (in the course packet)
- Terry M. Moe & William G. Howell. 1999. "The Presidential Power of Unilateral Action." *Journal of Law, Economics & Organization*. 15:132-79. (in the course packet)

*How to approach the readings:* Each of the readings is descriptive, and each presents a slightly different picture of the differing roles of the Congress and the Executive Branch. Keep those descriptions in mind, but play closest attention to your own instincts as to which branch of government should be more (or less) powerful. In considering this, explore your own (often unstated) reasons for tending to prefer one branch over the other.

### **Committee Reports**

*Due in class on Wednesday, April 23*

The Committee product will be a Committee Report. The Report should consist of a research memorandum analyzing the problem; a bill; a brief section-by-section analysis of the bill; and an explanatory memorandum identifying the policy alternatives and justifying the Committee's choices.

On many bills, the Committee will be closely divided. It is the job of the committee chairs to make sure that there is a majority in favor of the bill (which does not have to include the chair). The Report must be signed by a majority of the Members of the Committee and it must indicate which Member is carrying the majority report on the floor of the House. Members of the majority may, if they wish, file separate statements further explaining their positions. These additional statements may be individual, collective, or both.

Committee Members should be sensitive to their own views and feelings that differ from those of the majority. The Legislature of North America thrives on controversy, and cannot exist without it. *If there is a unanimous Committee Report, the Speaker will choose Committee Members to take the minority position in debate.* Thus there is a premium on having a real minority within the Committee. Minority positions may be filed with the Committee Report, opposing it in whole or in part, recommending alternatives or amendments, taking the position that the "problem" is not a problem, or that the proposed remedy is worse than the disease, or that it does not go far enough.

In the Simulation: the Second Issue of Roll Call will be published today, 4/23

### **Wednesday, April 25**

*Simulation: Election of the Speaker*

#### **Elect Speaker of the Legislature**

Elections will be by secret ballot. (Note: most legislatures do not allow for a secret ballot on such votes, but we will.) There may be several rounds of voting, until a single candidate holds a majority of votes cast. If multiple rounds are needed, the person receiving the fewest votes in a round will not proceed to the next round. Party caucuses may want to meet in advance to select a candidate.

The Speaker shall select a rules committee, with members from each party and each committee. The committee shall meet and distribute a legislative schedule for the meeting on Friday, April 27. Participants in the Rules process should expect to work continuously from Wednesday through Friday night. Please plan accordingly.

Since at least early November, you may have noticed coalitions forming to support various Speaker candidates. These negotiations were important because the Speaker selects all Rules Committee members. The Rules Committee, in turn, decides which bills get to the floor and what amendments, if any will be in order.

When a bill is brought to the floor, the Committee Chair or another Member of the Committee designated to carry the majority report will be responsible for an opening statement explaining the Committee's position. The Speaker will recognize him/her first, and then recognize for a similar opening statement the Member carrying the minority position. Each Member of the Committee will be expected to speak during the debate; all members of the Legislature of North America are encouraged to participate as well. All Members, but Committee Members in particular, are urged to make whatever additional efforts in or out of session that might be helpful or necessary for legislative success.

Please note (and this part of the simulation is not "realistic," though it does produce a realistic dynamic: Lobbyists will be given a limited number of tickets (called "Carsons")). A member may NOT participate in the final session of the legislature without handing at least one Carson to Professor King. There will be more Carsons available than there are students in the class. Legislators obtain Carsons after meeting with the lobbyists to discuss legislative business. Importantly, lobbyists may not withhold Carsons from legislators, as long as a substantive discussion has taken place. Any appeals should be brought to Professor King.

For the majority, success is defined as passing the bill as close as possible to the way it was reported out of committee. For the minority, success is defined as defeating the bill in its entirety or changing it as much as possible. Each side may employ amendments, procedural ploys, arguments, etc.

Amendments may be submitted to the Speaker with the Committee Report, before the session, or during the debate. All amendments must be submitted in writing prior to introduction. The Speaker reserves the right to table any amendments not specifically granted a rule by the Rules Committee. Any legislator may offer amendments. As a general rule, sponsors of amendments will be recognized in the order in which the amendments are offered. The Speaker will not be responsible for the reproduction of amendments.

All legislators -- except perhaps those who are involuntarily assigned to the minority position -- should act as they imagine they would if they were representing their own districts in the Legislature of North America. They should be prepared to speak, vote, and defend their position as they would if they were serving in their own state legislature representing their own hometown.

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## **Friday, April 27**

*The Legislature will be in Session*

In a room to be announced, from 4pm until we are done.

**Monday, April 30***Debriefing the Simulation.*

This will be an important exercise, and I want you to come to class ready to discuss, in detail, what you felt, and what you learned, in the simulation. Pay particular attention to how the feelings that emerged through the simulation may (or may not) change your view of the descriptions of legislatures that dominated the first half of the course. Also pay close attention to what “made for a good leader” in the course and speculate about whether those characteristics and behaviors can generalize beyond the course.

**Wednesday, May 2***Individual and Institutional Ethics.*

## Readings:

- Dennis Thompson. 1995. *Ethics in Congress*. Washington, DC: Brookings. Chapter 1.
- Ken Nelson. "Some Ethical Tensions I have Experienced as a Minnesota State Legislator." (Available on line)

**Monday, May 14 – The Final Paper is Due Today --**

The final paper, due on May 14, is your opportunity to blend the “academic, theoretical” readings with your experiences in the simulation. The paper may not exceed 8 pages or 2,250 words. Approximately half of the paper should summarize one or more of the core readings or theories in the course. The other half should examine those readings or theories based on your experiences in the simulation. An ideal paper would blend both components point by point. All readings should be footnoted, but you do not need to include a bibliography. A good paper will demonstrate deep understanding both of the theories and of the dynamics of the simulation. A poor paper will primarily summarize either the readings or the simulation. The paper should not be written in a casual style, even though you will be reporting on events in which you were involved. Please turn in a hard-copy of the paper to my office at KSG-L303 by 5pm on May 14. If you need to be out of town on that day, please turn the paper in early.

**The Final Paper is due L303 by 5pm on Tuesday, May 14.**

### **Rules of the Legislature of North America**

1. The Speaker is all powerful but may not vote except when there is a tie.
2. Every Member, when about to speak, shall rise and address the Speaker, shall when recognized confine himself or herself to the question under debate and avoid personalities, and shall sit down when finished. No Member shall speak without leave of the Speaker.
3. No member shall interrupt another while speaking except by rising and seeking to be recognized.
4. No Member shall speak more than once to the prevention of those who have not spoken and desire to speak on the same question.
5. A motion to amend an amendment shall be received, but no amendment to the third degree shall be allowed.
6. Amendments must be germane to the bill under consideration.
7. Debate upon a motion for suspension of any of the Rules shall be limited to five minutes, and no Member shall occupy more than two minutes.
8. Every bill shall be read once before debate, and the question comes, "Shall this bill be enacted?"
9. When a question is put, the sense of the House shall be taken by the voice of the Members, and the Speaker shall first announce the vote as it appears by the sound. If the Speaker is unable to decide by the sound of the voices, or if the announcement made there upon is doubted by a Member rising for that purpose, the Speaker shall order a division of the number voting in the affirmative and in the negative, without further debate upon the question.
10. When a return by division of the Members voting in the affirmative and in the negative is ordered, the Members for and against the question, when called upon by the Speaker, shall rise in their place and stand until they are counted.
12. If requested by one-third of the Members present, and in any event on the enactment of any bill, there shall be a recorded vote.
13. A motion to reconsider a vote shall be in order before any subsequent matter is before the House. Debate on such a motion is limited to five minutes, and no Members shall occupy more than two and a half minutes. If reconsideration prevails, debate on the previous motion shall be limited to fifteen minutes.

**Legislature of North America Membership Form**

Name _____

State: _____

District: _____

Party: _____

**Committee Preferences** (please indicate preferences by number, from 1 to 5, with 1 being your first choice):

___ Foreign Affairs and National Defense

___ Commerce

___ Energy and Natural Resources

___ Health and Human Services

___ Criminal Justice and Legal Resources

**Ideological Self-Assessment:** Please circle the closest description of how you think of yourself ideologically:

Very Left   Moderate Left   Centrist   Moderate Right   Very Right

Are you willing to resign from the House to be a **reporter**?      Yes ___    No ___

Are you willing to resign from the House to be a **lobbyist**?      Yes ___    No ___