

POLI 315: Congress and the Legislative Process Fall 2018

Instructor: Michael Barber

Class Information: Monday and Wednesday, 1:35-2:50 PM, 121 MARB

Office: 724 KMBL (SWKT)

Office Hours: MW 10:30 – 11:30, or by appointment

Email: barber@byu.edu

Course Prerequisites

There is one formal prerequisite for this course, POLI 200. You cannot take this course if you have not completed POLI 200. Concurrent enrollment is not sufficient. In addition to POLI 200, previous coursework in political science research and methods (POLI 328) and American politics (e.g. POLI 110 and/or POLI 210) will be extremely beneficial.

Course Description

This course introduces students to the politics of the United States Congress. We will pursue a number of important questions that structure legislative and inter-branch politics in the United States:

- How has Congress developed over time? What are its constitutional foundations?
- To whose preferences are members of Congress responsive?
- What has caused today's extreme polarization in Congress? What are its consequences for lawmaking?
- What role does lobbying play in the legislative process?
- Who decides to run for Congress? How do they get elected?
- How do issues come to the attention of Congress and what determines legislative outcomes?
- How is legislation passed, and what happens after it does?
- What are the roles of parties in structuring the activity in Congress? How has this changed over time?
- How, when, and to what degree does Congress interact with and constrain the activities of the other branches of government? Is it effectively able to do this in an era of extremely polarized politics?

Learning Objectives

After taking this course, students will be able to:

- Understand and describe the key features of Congress, including its constitutional underpinnings and development over time.
- Use theoretical and empirical knowledge from the course to analyze and evaluate academic arguments as well as arguments in the news media about Congress and the legislative process.

- Understand, describe, and comment upon the political dimensions of contemporary policy debates related to Congress and legislative policymaking.
- Formulate arguments about Congress and lawmaking based on the theoretical and empirical content of the course and communicate them in multiple ways, e.g. in writing, in class discussions, etc.

Course Requirements

Six assignments (30%): These assignments are meant to take between 5-10 hours of time and help you to explore information that is presented in the lectures. Each assignment will account for 5% of your final grade.

- Better Know a District
- Theories of Elections
- Redistricting
- Policymaking Models
- Polarization
- Better Know a Law

Midterm (25%): There will be a take-home exam that is available for download after class on October 31. You will have 120 minutes after download to complete the exam and it is due to me electronically by Saturday, November 4, at 11:59 PM.

Final Exam (35%): The final exam will be take-home and distributed during the final exam period.

Reading Journal (10%): For every reading assignment marked with a [PS], indicating new research conducted by political scientists, you will write a *brief* summary and analysis of the reading (no more than 1 page double spaced per reading). The exact content of the diary will be discussed in class. You will submit an entry via learning suite before each class period. At the end of the semester, I will randomly select six of these entries and grade them for their completeness, comprehension, and analysis of the material.

Grading Scale:

A	94-100
A-	90-93
B+	88-89
B	83-87
B-	80-82
C+	78-79
C	73-77
C-	70-72
D	60-69
F	below 60

Note: all scores will be rounded to the nearest integer before a grade is assigned.

There are no opportunities for extra credit throughout the semester or after the semester is over. If you are concerned about grading or your class performance at any point, please contact me ASAP so that we can work on a plan that will allow you to succeed in the course.

Readings

Students are expected to attend lectures having already completed the assigned readings for the day, unless otherwise specified. Reading assignments are expected to take *on average* between 1.5 and 2 hours per class period. The reading loads varies from class to class, so please be sure to plan ahead in order to ensure that you are able to benefit as much as possible from the lecture and our discussions in class. Unless otherwise noted, assigned readings (excepting those from the textbook) will be posted on Learning Suite at least one to two weeks before they are required. If you have trouble accessing the readings, please notify me immediately.

You should read everything in the course skeptically, no matter the source. Critically analyze authors' arguments and evidence. Just because something appears in a textbook or a newspaper or an academic article does not mean that it is correct or beyond scrutiny. Students that demonstrate a careful understanding of assigned materials will be rewarded in discussions, on assignments, and on exams.

In general, there are three types of readings in this course:

- **Textbook:** The textbook for this class provides important background information for the lectures about how Congress works and how it has developed. It is important reading, particularly if you are not familiar with legislative politics from previous coursework. There is one copy on 3 hour reserve at Woodruff Library.
 - Required: Davidson, et al. 2017. *Congress and Its Members*, 16th edition. Washington, DC: Sage/CQ Press.
- **News Articles:** Several classes require reading one or a few short news articles. These are meant to provide a window into popular understandings of Congress and tend to be easy to read.
- **Academic Articles:** Throughout the course, we will supplement the textbook and news articles with peer-reviewed academic articles on Congress. These tend to be more complex than the other readings in terms of both argument and evidence. You should read these carefully, but try not to get too bogged down in the methodological details. Try to understand the general argument that the author(s) is/are making and the nature of the evidence that they provide for their claims. Even the most complicated and technical articles should provide clarity with respect to these fundamentals.

Academic Integrity

The Honor Code is in effect throughout the semester. By taking this course, you affirm that it is a violation of the code to cheat on exams, to plagiarize, to deviate from instructions about collaboration on work that is submitted for grades, to give false information to a faculty member, and to undertake any other form of academic misconduct. You also affirm that if you witness others violating the code you have a duty to report them to the honor council.

Course Schedule

Below is a schedule of topics and reading. You should have completed the reading before the lecture. Any reading not from Congress and its Members will be posted to Learning Suite for you to download.

9/5/2018

Lecture 1 – Class Introduction

Reading: None

9/10/2018

Lecture 2 - Constitutional Foundations and Development of Congress

- *Congress and its Members*, Chapter 2

9/12/2018

Lecture 3 - Descriptive Representation in Congress

- “Who Gets Elected?” from *Guide to Congress* (CQ Press, 2013)
- [PS] Carnes, Nicholas. 2012. “Does the Numerical Underrepresentation of the Working Class in Congress Matter?” *Legislative Studies Quarterly* 37(1): 5-34.
- http://clerk.house.gov/member_info/cong.aspx [suggested for your perusal -- updated stats on the 115th Congress]

9/17/2018

Assignment: Better Know a District due

Lecture 4 - What Do MCs Do All Day?

- *Congress and Its Members*, Chapter 5
- [PS] Mayhew – *Congress: The Electoral Connection*

9/19/2018

Lecture 5 - Analyzing Congressional Elections

- [PS] Stewart, Charles. 2012. *Analyzing Congress*, 2nd edition. New York, NY: W.W. Norton & Company, Inc., Chapter 1
 - [Read only to page 23]

9/24/2018

Lecture 6 - Overview of Congressional Elections

- [PS] Canes-Wrone, Brady, and Cogan. 2002. “Out of Step, Out of Office: Electoral Accountability and House Members’ Voting.” *American Political Science Review* 96(1): 127-140.

9/26/2018

Lecture 7 – Who Votes?

- Stewart, Charles. 2012. *Analyzing Congress*, 2nd edition. New York, NY: W.W. Norton & Company, Inc., Chapter 5, pages 175-190

- *Congress and Its Members*, pages 90-93
- [PS] Knee and Green, "The Effects of Voter Registration Laws on Turnout: An Updated Assessment."
- <https://fivethirtyeight.com/features/what-we-know-about-voter-id-laws/>

10/1/2018

Assignment: Theories of Elections Due

Lecture 8 – Why Do People Vote the Way They Do?

- *Congress and Its Members*, pages 93-103
- Stewart, Charles. 2012. *Analyzing Congress*, 2nd edition. New York, NY: W.W. Norton & Company, Inc., Chapter 5, pages 190-199
- Sides, John. "Three Myths About Political Independents"
http://themonkeycage.org/2009/12/three_myths_about_political_in/
- [PS] Bartels, Larry M. 1996. "Partisanship and Voting Behavior, 1952-1996." *American Journal of Political Science* 44(1): 35-50.

10/3/2018

Lecture 9 – Candidate Recruitment

- Goldmacher, Shane. 2013. "Why Would Anyone Ever Want to Run for Congress?" *The Atlantic* <http://www.theatlantic.com/politics/archive/2013/04/why-would-anyone-ever-want-to-run-for-congress/275135/>
- [PS] Thomsen, Danielle. 2015. "Why So Few (Republican) Women? Explaining the Partisan Imbalance of Women in the U.S. Congress." *Legislative Studies Quarterly* 40(2): 295-323.
- [PS] Karpowitz, Monson, and Preece. 2017. "How to Elect More Women: Gender and Candidate Success in a Field Experiment." *American Journal of Political Science* 61(4) 927-942

10/8/2018

Lecture 10 – Money and Politics

- *Congress and Its Members*, pages 76-84
- Bai, Matt. 2012. "How Much Has Citizens United Changed the Political Game?" *New York Times* <http://www.nytimes.com/2012/07/22/magazine/how-much-has-citizens-united-changed-the-political-game.html>
- [PS] Barber, Michael. 2016. "Donation Motivations: Testing Theories of Access and Ideology." *Political Research Quarterly* 69(1) 148-159.

10/10/2018

Lecture 11 – Incumbency Advantage

- [PS] Cox, Gary and Jonathan Katz. 1996. "Why Did The Incumbency Advantage in the U.S. House Elections Grow?" *American Journal of Political Science* 40(2) 479-497.
- [PS] Jacobson, Gary C. 2015. "It's Nothing Personal: The Decline of the Incumbency Advantage in U.S. House Elections." *Journal of Politics* 77(3): 861-873.

10/15/2018

Lecture 12 – Redistricting and Reapportionment

- [PS] Best, Robin, Shawn Donahue, Jonathan Krasno, Daniel Magleby, and Michael McDonald. 2017. “Considering the Prospects for Establishing a Packing Gerrymandering Standard. *Election Law Journal*.
- *Congress and Its Members*, pages 47-62
- Four short articles on Learning Suite

10/17/2018

Lecture 13 – Congressional Campaigns

- *Congress and Its Members*, 74-76; 85-90
- Azari, Julia. 2016. “Five Studies: The Political Power of Going Negative.” <https://psmag.com/five-studies-the-political-power-of-going-negative-2390d71528af#.4nap2o7ef>
- [PS] Hacking the Electorate [Selections on Learning Suite]

10/22/2018

Assignment: Redistricting due

Lecture 14 – Congressional Committees

- *Congress and Its Members*, Chapter 7
- Granat, Diane. "The 1st Freshman Test: The Right Committee Seat."
- [PS] Grimmer, Justin and Eleanor Powell. “Congressmen in Exile: The Politics and Consequences of Involuntary Committee Removal.” *Journal of Politics*, 75(4) 907-920.

10/24/2018

Lecture 15 – How a Bill Actually Becomes a Law

- *Congress and Its Members*, Chapter 8
- [PS] Sinclair, Barbara. 2016. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*, 5th edition. Washington, DC: CQ Press. Chapters 1 & 2.

10/29/2018

Lecture 16 – How a Bill Actually Becomes a Law

- [PS] Sinclair, Barbara. 2016. *Unorthodox Lawmaking: New Legislative Processes in the U.S. Congress*, 5th edition. Washington, DC: CQ Press. Chapter 3.
- [PS] Curry, James. 2017. *Legislating in the Dark: Information and Power in the House of Representatives*. University of Chicago Press. Chapter 4.

10/31/2018

Lecture 17 – Budget and Appropriations

- Tollestrup, Jessica and James V. Saturno. 2014. “The Congressional Appropriations Process: An Introduction.” *Congressional Research Service*.
- Washington Post, “Government Shutdowns are the Worst...”

11/1/2018 – 11/4/2018

TAKE HOME MIDTERM EXAM

11/5/2018

Lecture 18 – Theories of Lawmaking

- [PS] Cox and McCubbins. 2005. *Setting the Agenda: Responsible Party Government in the U.S. House of Representatives*. New York, NY: Cambridge University Press. [Chapters 1-3.]

11/7/2018

Lecture 19 – Theories of Lawmaking

- [PS] Krehbiel, Keith. 1998. *Pivotal Politics: A Theory of U.S. Lawmaking*. Chicago, IL: University of Chicago Press. [Chapters 2-3]

11/12/2018

Lecture 20 – Lobbying

- Congress and Its Members, pg. 391-397
- Allard, Nicholas W. 2008. “Lobbying is an Honorable Profession: The Right to Petition and the Competition to be Right.” *Stanford Law & Policy Review* 19(1): 23- 68.
- [PS] Vidal, Jordi, Mirko Draka, and Christian Fons-Rosen. “Revolving Door Lobbyists.” *American Economic Review*, 102(7) 3731-3748.

11/14/2018

Lecture 21 – Congress in the Separation of Powers System

- *Congress and Its Members*, pages 293-302
- [PS] McCubbins and Schwartz. 1984. “Congressional Oversight Overlooked: Police Patrols versus Fire Alarms.” *American Journal of Political Science* 28(1): 165-179.

11/19/2018

**Assignment: Policymaking Models Due
Congressional Recesses**

- No Reading

11/21/2018

THANKSGIVING BREAK

11/26/2018

Lecture 22 - Congress in the Separation of Powers System

- *Congress and Its Members*, pages 321-347
- [PS] McCarty, Nolan and Rose Razaghian. 1999. “Advice and Consent: Senate Responses to Executive Branch Nominations, 1885-1996.”
- Two short newspaper articles on Learning Suite.

11/28/2018

Lecture 23 – Congress in the Separation of Powers System

- *Congress and Its Members*, Chapter 15

- [PS] Howell and Pevehouse. 2005. "Presidents, Congress, and the Use of Force." *International Organization* 59: 209-232.

12/3/2018

Assignment: *Better Know a Law Due*

Lecture 24 – Congress and the Courts

- Four newspaper articles on Learning Suite

12/5/2018

Lecture 25 – Causes and Consequences of Polarization

- [PS] Barber and McCarty. 2015. "Causes and Consequences of Polarization in America" in *Solutions to Political Polarization in America*. New York, NY: Cambridge University Press.

12/10/2018

Lecture 26 – Responsiveness and Representation

- [PS] Canes-Wrone, Brandice. 2015. "From Mass Preferences to Policy." *Annual Review of Political Science*, 18:147-165.
- [PS] Barber, Michael J. 2016. "Representing the Preferences of Donors, Partisans, and Voters in the US Senate." *Public Opinion Quarterly*.

12/12/2018

Assignment: *Polarization Due*

Lecture 27 – Responsiveness and Representation

- [PS] Bartels, Larry M. 2008. *Unequal Democracy: The Political Economy of the New Gilded Age*. Princeton, NJ: Princeton University Press. [Chapter 9]
- [PS] Butler and Broockman. 2011. "Do Politicians Racially Discriminate Against Constituents? A Field Experiment on State Legislators." *American Journal of Political Science* 55(3): 463-477.

12/15/2018 – 12/19/2018

TAKE HOME FINAL EXAM

Course and University Policies and Resources

Honor Code

In keeping with the principles of the BYU Honor Code, students are expected to be honest in all of their academic work. Academic honesty means, most fundamentally, that any work you present as your own must in fact be your own work and not that of another. Violations of this principle may result in a failing grade in the course and additional disciplinary action by the university. Students are also expected to adhere to the Dress and Grooming Standards. Adherence demonstrates respect for yourself and others and ensures an effective learning and working environment. It is the university's expectation, and every instructor's expectation in class, that each student will abide by all Honor Code standards. Please call the Honor Code Office at 422-2847 if you have questions about those standards.

Student Disability

Brigham Young University is committed to providing a working and learning atmosphere that reasonably accommodates qualified persons with disabilities. If you have any disability which may impair your ability to complete this course successfully, please contact the University Accessibility Center (UAC), 2170 WSC or 422-2767. Reasonable academic accommodations are reviewed for all students who have qualified, documented disabilities. The UAC can also assess students for learning, attention, and emotional concerns. Services are coordinated with the student and instructor by the UAC. If you need assistance or if you feel you have been unlawfully discriminated against on the basis of disability, you may seek resolution through established grievance policy and procedures by contacting the Equal Employment Office at 422-5895, D-285 ASB.

Deliberation Guidelines

To facilitate productive and open discussions about sensitive topics about which there are differing opinions, members of the BYU community should: (1) Remember that we are each responsible for enabling a productive, respectful dialogue. (2) To enable time for everyone to speak, strive to be concise with your thoughts. (3) Respect all speakers by listening actively. (4) Treat others with the respect that you would like them to treat you with, regardless of your differences. (5) Do not interrupt others. (6) Always try to understand what is being said before you respond. (7) Ask for clarification instead of making assumptions. (8) When countering an idea, or making one initially, demonstrate that you are listening to what is being said by others. Try to validate other positions as you assert your own, which aids in dialogue, versus attack. (9) Under no circumstances should an argument continue out of the classroom when someone does not want it to. Extending these conversations beyond class can be productive, but we must agree to do so respectfully, ethically, and with attention to individuals' requests for confidentiality and discretion. (10) Remember that exposing yourself to different perspectives helps you to evaluate your own beliefs more clearly and learn new information. (11) Remember that just because you do not agree with a person's statements, it does not mean that you cannot get along with that person. (12) Speak with your professor privately if you feel that the classroom environment has

become hostile, biased, or intimidating. Adapted from the Deliberation Guidelines published by The Center for Democratic Deliberation.
(<http://cdd.la.psu.edu/education/The%20CDD%20Deliberation%20Guidelines.pdf/view?searchterm=deliberation%20guidelines>)

Inappropriate Use Of Course Materials

All course materials (e.g., outlines, handouts, syllabi, exams, quizzes, PowerPoint presentations, lectures, audio and video recordings, etc.) are proprietary. Students are prohibited from posting online or selling any such course materials without the express written permission of the professor teaching this course. To do so is a violation of the Brigham Young University Honor Code.

Respectful Environment

"Sadly, from time to time, we do hear reports of those who are at best insensitive and at worst insulting in their comments to and about others... We hear derogatory and sometimes even defamatory comments about those with different political, athletic, or ethnic views or experiences. Such behavior is completely out of place at BYU, and I enlist the aid of all to monitor carefully and, if necessary, correct any such that might occur here, however inadvertent or unintentional. "I worry particularly about demeaning comments made about the career or major choices of women or men either directly or about members of the BYU community generally. We must remember that personal agency is a fundamental principle and that none of us has the right or option to criticize the lawful choices of another." President Cecil O. Samuelson, Annual University Conference, August 24, 2010 "Occasionally, we ... hear reports that our female faculty feel disrespected, especially by students, for choosing to work at BYU, even though each one has been approved by the BYU Board of Trustees. Brothers and sisters, these things ought not to be. Not here. Not at a university that shares a constitution with the School of the Prophets." Vice President John S. Tanner, Annual University Conference, August 24, 2010

Mental Health Concerns

Mental health concerns and stressful life events can affect students' academic performance and quality of life. BYU Counseling and Psychological Services (CAPS, 1500 WSC, 801-422-3035, caps.byu.edu) provides individual, couples, and group counseling, as well as stress management services. These services are confidential and are provided by the university at no cost for full-time students. For general information please visit <https://caps.byu.edu>; for more immediate concerns please visit <http://help.byu.edu>.

Sexual Misconduct

In accordance with Title IX of the Education Amendments of 1972, Brigham Young University prohibits unlawful sex discrimination against any participant in its education programs or activities. The university also prohibits sexual harassment-including sexual violence-committed by or against students, university employees, and visitors to campus. As outlined in university policy, sexual harassment, dating violence, domestic violence, sexual assault, and stalking are considered forms of "Sexual Misconduct" prohibited by the university.

University policy requires all university employees in a teaching, managerial, or supervisory role to report all incidents of Sexual Misconduct that come to their attention in any way, including but not limited to face-to-face conversations, a written class assignment or paper, class discussion, email, text, or social media post. Incidents of Sexual Misconduct should be reported to the Title IX Coordinator at t9coordinator@byu.edu or (801) 422-8692. Reports may also be submitted through EthicsPoint at <https://titleix.byu.edu/report> or 1-888-238-1062 (24-hours a day).

BYU offers confidential resources for those affected by Sexual Misconduct, including the university's Victim Advocate, as well as a number of non-confidential resources and services that may be helpful. Additional information about Title IX, the university's Sexual Misconduct Policy, reporting requirements, and resources can be found at <http://titleix.byu.edu> or by contacting the university's Title IX Coordinator.

Resources for Dealing with Sexual Assault

BYU interprets Title IX in a way that classifies most faculty and full-time staff as "responsible employees," which means that they are required to inform the Title IX office if they know of or have reason to suspect any sexual misconduct experienced by or perpetrated by BYU employees, students or visitors, regardless of whether the misconduct happened on or off campus. This means that if you share with a faculty member that you have experienced sexual assault while affiliated with BYU, they are obligated to report it to the Title IX office. The Title IX office will follow-up with you and provide you with resources. New BYU policy prevents the Title IX office from sharing information with the Honor Code office, except if the individual accused of sexual assault is found guilty of violating the Honor Code. Even then, the names of the victim will be kept confidential and the victim will be granted amnesty for Honor Code infractions surrounding the assault. If you decide you would like to report the assault to the police, the BYU Police ([801-422-2222](tel:801-422-2222)) and Provo Police (801-852-6375 or 911 if you fear you are in physical danger) are well-equipped to handle sexual assault cases.

If you need support but are unsure about whether you are ready to report the assault to the Title IX office or the police, here are some resources that are confidential:

A) The 24-Hour Sexual Assault Hotline ([1-888-421-1100](tel:1-888-421-1100)). They will provide you with a victim advocate who will compassionately walk you through all of your options. The Hotline has no relationship with either BYU or the police, and they will keep all information you share totally confidential.

B) BYU Counseling and Psychological Services (caps.byu.edu or [801-422-3035](tel:801-422-3035) or 1500 WSC). Counseling and Psychological Services is a free and fully confidential resource on campus. They have crisis counselors available 24 hours a day; if you are calling after hours, call the BYU Police ([801-422-2222](tel:801-422-2222)) and ask to speak with the crisis counselor on duty. You do not need to inform the BYU police that you are calling regarding a sexual assault.

C) Domestic Violence Hotline (801-377-5500 or 911 if you fear you are in physical danger). If your assault is related to domestic violence or if you are experiencing physical or emotional abuse (including controlling or degrading words and actions), the Center for Women and Children in Crisis (cwcic.org) has many resources available to help you, including education/support groups and shelter for you and your children.

Please seek help from these sources. They have highly-trained staff who will believe you and support you. Always remember that sexual assault and abuse are not your fault; someone has violated your agency, and in doing so, they have committed a grave sin. You are a beloved child of Heavenly Parents. Please seek out the help that will allow you to begin to heal.