

Political Science 225
Congress and the Presidency
Fall 2010

John Reynolds
Comenius 113
Phone: 861-1408
E-mail: reynoldsj@moravian.edu

Office Hours: M, W 1:00 -2:00, T, Th 1:00 to 2:00 and by appointment

Course Objectives

This course seeks to address these concerns through the following objectives:

- Students will understand the constitutional foundations of the Congress and the President.
- Students will understand the basic ways in which Congress organizes its work to perform its basic functions of representation and legislating.
- Students will understand the role of partisanship and interest group activity on the outcome of the congressional process.
- Students will understand the theories of presidential power and how exercise of that power has impacted democracy in America.
- Students will understand how the presidency is organized to address presidential roles regarding legislative leadership, foreign policy, war and national emergencies.

Required Books

Roger H. Davidson, Walter J. Oleszek and Frances E. Lee, **Congress and Its Members**, 12th edition, (Washington, D.C.: Congressional Quarterly Press, 2010)

Thomas Cronin and Michael A. Genovese, **The Paradoxes of the American Presidency**, 3rd edition, (New York: Oxford University Press, 2010)

Thomas Mann and Norman Ornstein, **The Broken Branch**, (New York: Oxford University Press, 2006)

Richard Ellis and Michael Nelson, **Debating the Presidency**, (Washington, D.C.: Congressional Quarterly Press, 2010)

Attendance

Students are required to attend all classes. Attendance will be part of the instructor evaluation grade. Students missing class for legitimate reasons can be excused but the instructor reserves the right to judge the legitimacy of the excuse.

Evaluation of Student's Performance

The student's final grade will be based on a 300 point system.

Course Journal	50 points
Research paper process	25 points
Final research paper	100 points
In class presentations (hearings and debate)	75 points
Conference Committee	30 points
Instructor evaluation	20 points

Final grades will be assigned according to the following schedule:

GRADE	POINTS	GRADE	POINTS
A	280	C	219
A-	270	C-	210
B+	264	D+	204
B	249	D	195
B-	240	D-	180
C+	234	F	< 180

Course Journal

Students will keep a course journal. There will be 10 journal entries and they will be due on the Friday of week 2 through the Friday of week 11. Specifically, they will be due on the following dates:

1. 9/10
2. 9/17
3. 9/24
4. 10/1
5. 10/8
6. 10/15
7. 10/22
8. 10/29
9. 11/5
10. 11/12
11. 11/19

Journal entries on occasion will be required responses to prompts from the instructor. In the absence of such prompts, entries can be a critical reflection on readings or ideas discussed in class. The journal entries are to be submitted electronically. Comments and feedback will be provided periodically but individual entries will not be graded.

Grading of the journal will be based on the following criteria:

- The quality of the observations, insights or questions presented in a given entry
- The degree to which the entry incorporates material from the course readings or applies concepts or ideas from the course to materials
- The clarity and effectiveness of the writing

Research Paper

The topic of the research paper will derive from choices made in regard to in class activities that will integrate the students' research with one of two in class presentation projects:

1. A simulation of a congressional hearing concerning climate change legislation.
2. An in class debate focusing on the scope and use of presidential power.

In consultation with the instructor, students will choose one or the other activity and will write a 10 to 15 page research paper in conjunction with the assigned activity.

The Research Paper

As this course is writing intensive, students will complete a research paper using the writing as a process technique. This portion of the course will entail 125 of the 300 points for the semester. The final draft of the paper will be worth up to 100 points. Completion of the steps in the writing process will be worth up to 25 points. These steps and the deadlines for their completion are as follows:

Annotated bibliography	10 points
Thesis statement and outline	10 points
Peer editing reports	5 points
Final Draft	100 points

Annotated bibliography: Students will provide bibliographic information on sources used for the paper and one or two paragraphs summarizing the content of the source and describing why the source appears to be useful. **Due 10/21**

Thesis statement and outline: This requires a clear statement of the principal thesis of the paper and a good topic outline for the entire paper. The quality of the outline will be judged on how easy it would be for the writer to construct the paper with only the outline in front of him or her. Single page outlines will be ineligible for full credit. **Due 10/28**

Peer editing reports: Students will be expected to submit their paper to a peer editor. The peer editor need not be a student in the class. The rough draft can be taken to the Writing Center. The author of the paper will submit a report identifying three observations made by the peer editor that the writer used to make changes in the paper before submitting the final draft. **Due 11/16**

Final draft: due 11/30

Climate change legislation

This research paper option will focus on the substance and legislative history of climate change legislation in the 111th Congress (2011-2012) and will be written in conjunction with

the in class congressional hearing simulation. The research paper is not a persuasive essay but can include a strong conclusion in which the student makes clear recommendations as to what Congress should do. The research paper should include:

- A definition of the problem and the key issues pending before Congress regarding climate change and global warming.
- Partisan positions on the problem
- The position of the Obama administration on the issue
- The status of public opinion on the issue
- The position or activities of interest groups regarding the issue
- Provisions of proposed policy responses to the problem and proposed legislation pending before Congress.
- A recommendation as to what legislation the Congress should enact.
- A one page minimum addendum providing observations concerning the the simulation.

{**A note on sources:** Students are strongly urged to consult with the reference librarians regarding sources for this paper but two useful sources here are the **Congressional Quarterly Weekly Report** (<http://library.cqpress.com/cqweekly/>) and the **CQ Researcher** (<http://0-library.cqpress.com.webpac.lvlspace.org/cqresearcher/>).}

Scope of presidential power

This research paper option will focus on contemporary controversies regarding the scope and use of presidential power. More specifically, the paper will focus on whether presidents since World War II have exceeded the limits appropriate for presidential power or have exercised power in an appropriate and justifiable way. This paper will be written in conjunction with the in class debate on the exercise of presidential power. The resolution for that debate and the focal point of this research paper will be:

Resolved: The accumulation and use of power by modern presidents has unbalanced the U.S. constitutional system and posed threats to American democracy.

This paper will take the form of a persuasive essay and should include a review of basic historical, legal and practical controversies regarding the use of presidential power. Following the review of the basic issues, students will state a position consistent with their role in the in class debate and offer arguments to support that position.

In Class Activities

Students will engage in two in class activities. All students will participate in the “conference committee” activity scheduled for October 26. Students will also participate in either the simulation of congressional hearings or the debate on presidential power. These latter activities will also serve as the basis for the assigned research paper in the course.

Congressional hearing simulation

The congressional hearing simulation will take place on October 19. It will involve eight students from **POSC 225: Congress and Presidency** class and 6 students from **POSC 340: Energy Policy**. In this activity, students will assume specific roles manifest in this portion of the legislative process and perform those roles in a simulation of a congressional hearing focusing on legislation addressing problems of global warming. For the purposes of the simulation, the hearings will be conducted in the U.S. House of Representatives.

Student roles –congressional:

- Five students will assume roles as part of the Democratic majority in the House of Representatives. Four of those students will be members of the **House Energy and Commerce Committee**. The fifth student will serve as staff to the majority members of the committee.
- Three students will assume roles as part of the Republican minority. Two students will be members of the **House Energy and Commerce Committee**. The third student will serve as staff to the minority members of the committee.
- Details concerning constituency, ideology and seniority will be provided later.

Student roles – witnesses:

- There will be six witnesses who will be students from **POSC 340:Energy Policy**
- The witnesses will include representatives of:
 - The Environmental Protection Agency
 - The U.S. Chamber of Commerce
 - U.S. Climate Action Partnership
 - Ohio Governor Ted Strickland
 - The Union of Concerned Scientists
 - The Rocky Mountain Institute
 - The Heritage Foundation

Student responsibilities:

- Congressional members of both parties will research the issues to identify the major elements of proposed legislation. Assistance will be provided by the instructor.
- A committee chair will be identified who will have responsibility to run the hearings (i.e. open and close session. allocate and monitor time, assign responsibilities for who is to question whom, rule on requests from committee members, consult and direct staff)
- A ranking minority member will be selected and will work with committee chair to allocate time, assign responsibilities for questioning, consult and direct staff.
- Elected members of the committee will prepare a set of questions to be asked of the witnesses that come before the committee.

- Elected members of the committee will be prepared to ask follow up questions of witnesses in response to the statements and answers provided by the witnesses.
- Staff members will help elected members to prepare questions. Included in this responsibility will be an obligation to consult with the witnesses in advance of the hearings to get a sense of the points the witnesses will seek to stress.
- Witnesses will have the responsibility to research the positions of those who they represent, draft statements articulating the position that they will take and meet with staff or members to preview the positions to be taken.

Process:

- Opening by chair with description of the intent of the hearing and description of the process (1 minute)
- Opening statements about legislative issues (1 minute for chair 1 minute for ranking minority member)
- Witnesses
 - Each witness will be before the committee for 9 minutes
 - Each witness will open with a 1 minute prepared statement articulating their position on legislative efforts to address global warming.
 - Majority will be accorded five minutes to ask questions of witnesses and make statements in accordance to arrangements established in consultations with the chair
 - Minority will be accorded three minutes to ask questions of witnesses and make statements in accordance to arrangements established in consultations with the chair
 - The chair will monitor time allocations
- Closing statements (1 from ranking minority member, 1 from chair)

Presidential powers debate

The debate will take place on November 23 and will employ the advocate debate style. This format entails two teams of four students who present information through direct and cross examination of “witnesses” focused on the resolution at issue.

Student roles and responsibilities:

- Each team will decide who will serve as lead advocate and which students will assume the role of witnesses.
- Team members will prepare an inventory of arguments in support of the team position and allocate elements of the arguments to individual witnesses.
- The lead advocate will introduce the basic arguments, present questions to student “witnesses” to introduce information in support of the position taken by the team, cross examine witnesses for the opposing team to challenge their arguments and offer concluding statements in support of the position taken by his or her team.

- Witnesses will help in the preparation of questions, respond to questions from the “lead advocate” as a means of introducing information that will support the position of the team regarding the resolution at hand and will respond to questions from the opposing lead advocate to defend the positions being taken.
- All team members will work to anticipate the questions that might be posed by the opposing lead advocate and will consult during the debate to offer lead advocates questions to ask and arguments to make during the debate.

Format and process:

Lead advocate affirmative introduction (2 minutes)

Lead advocate negative introduction (2 minutes)

First witness affirmative direct examination (5 minutes)

First witness affirmative cross examination (3 minutes)

Second witness affirmative direct examination (5 minutes)

Second witness affirmative cross examination (3 minutes)

Third witness affirmative direct examination (5 minutes)

Third witness affirmative cross examination (3 minutes)

Lead advocate affirmative summary (1 minute)

Lead advocate negative summary and reintroduction (1 minute)

First witness negative direct examination (5 minutes)

First witness negative cross examination (3 minutes)

Second witness negative direct examination (5 minutes)

Second witness negative cross examination (3 minutes)

Third witness negative direct examination (5 minutes)

Third witness negative cross examination (3 minutes)

Lead advocate negative summary (2 minutes)

Lead advocate affirmative summary (2 minutes)

Conference Committee Exercise

All students will participate in this exercise. It will take place in class on October 26. The exercise will focus on the process of congressional bargaining and coalition building. Students will be provided with a brief summary of key issues contained in different versions of climate change legislation as “passed” by the House and the Senate. Before coming to class, each student will draft a plan for how to assemble support for his or her preferred legislative outcome. Students will then be given in class opportunities to engage members of their own and the opposing party and members of the other congressional chamber to try to

reach agreement on the provisions of the legislation. At the end of the exercise, a vote will be taken to determine whether or not legislation will be sent back to the two chambers of congress for final passage.

In planning and conducting negotiations, bargaining and coalition building, students should incorporate the following variables into their actions:

- The policy problem at issue {What actions are necessary to address problems of climate change?}
- The interest of their electoral constituency
- The interests of their political party
- Their position within the congressional organizational structure {e.g. leadership position, seniority, committee membership}
- The priority items within the legislative proposals
- The items on which compromise is possible

For this exercise, students will randomly be assigned one of the following four basic roles: House Democrat, House Republican, Senate Democrat, or Senate Republican. Additional information about constituency and geographical region will also be provided.

Process

Meeting of delegations from each chamber (10 minutes)

Meeting of members of each party (10 minutes)

Open meetings (10 minutes)

Meeting of delegations from each chamber (5 minutes)

Meetings of leaders from each chamber (10 minutes)

Conference committee (15 minutes)

Written assignment

After the exercise, students will write a report on the activity. **The report will be due on 11/11.** The report should be 4 to 7 pages typewritten and will include:

- A summary of the strategy prepared by the student with a discussion of the considerations given to each of the variables bulleted above.
- A description of the actions taken during the exercise including key moments for bargaining and negotiating.
- An identification of three key observations that are consistent or inconsistent with materials reported in the text as to the nature of the congressional process.

Instructor Evaluation

Each student will be evaluated by the instructor for his or her participation, involvement in and contributions to the course. This portion of the grade will reflect all activities in

the course that are not otherwise specified in the syllabus including attendance and participation in class discussion.

Course Topics and Reading Assignments

Date	Class topic
8/31	Introduction
9/2	Constitutional and functional position of the Congress Reading: Davidson, et. al., Chapt.1; Mann and Ornstein, Chapt.1 and 2
9/7	Representation and elections Reading: Davidson, et. al., Chapt.3 and 4
9/9	Organization of classroom presentations
9/14	Member's styles and allocation of time Reading: Davidson, et. al., Chapt.5
9/16	Committees Reading: Davidson, et. al., Chapt.7
9/21	Leadership Reading: Davidson, et. al., Chapt.6
9/23	College convocation
9/28	Process, deliberation and decision making Reading: Davidson, et. al., Chapt.8 and 9
9/30	Congress and interest groups Reading: Davidson, et. al., Chapt.13
10/5	Reform, change and partisanship Reading: Mann and Ornstein, Chapt.3
10/7	Partisanship and institutional decline Reading: Mann and Ornstein, Chapt.4 and 5
10/14	Hearings
10/19	Constitutional and functional position of the President Reading: Cronin and Genovese, Chapt. , pp. 114-135; Ellis and Nelson, Chapt.1

- 10/21 Theories of presidential power
Reading: Cronin and Genovese , Chapt. 4, pp. 135-150; Davidson, et. al., pp. 301-317
- 10/26 **Conference Committee**
- 10/28 The President and the public
Reading: Ellis and Nelson, Chapt.3, 5 and 6
- 11/2 The president and congress: the legislative process
Reading: Cronin and Genovese, pp. 151-162; Davidson, et. al., pp. 317-331; Ellis and Nelson, Chapt.9
- 11/4-11/9 The boundaries of presidential power
Reading: Cronin and Genovese, pp. 162-173, 245-263; Ellis and Nelson, Chapt.7 and 8
- 11/11 **The election of 2010**
- 11/16 President as Chief Executive
Reading: Cronin and Genovese, Chapt. 7
- 11/18 The Institutionalized presidency
- 11/23 **Debate: Abuses of executive power**
- 11/30 The budgeting process
Reading: Davidson, et. al., pp. 428-445
- 12/2 Presidents and American democracy
Reading: Ellis and Nelson, Chapt. 13
- 12/7 Closing