

2016-11-09

Institutions of Government

Congress

- **Constituents** = the group of people being represented by a Congressperson
- Office Requirements
 - House of Reps
 - * At least 25 years old
 - * Citizen for at least 7 years
 - Senate
 - * At least 30 years old
 - * Citizen for at least 9 years
- Election cycles
 - House of Reps
 - * Popularly elected every two years
 - Senate
 - * Initially, elected by state legislatures every 6 years
 - Due to 17th Amendment, senators are now popularly elected

Districts

- For the assignment of representatives, **districts** are drawn
 - **District** = a section of the state in question
 - The candidate with the plurality in that district wins the seat
 - If a state has x representatives, they draw x districts
- **Redistricting** = the process of state legislatures re-drawing district boundaries
 - Meant to be a mechanism through which the electoral process keeps up to date with a changing population
 - Happens when a new census is done
 - Results in **Gerrymandering** = the drawing of districts to benefit one party
 - * Cram as many of the opposing party into a few, concentrated districts
 - * Let the rest of the districts be a narrow but predictable victory for your party

Incumbency

- **Incumbency** = the state of seeking re-election
- After cold war, there is a large increase in “career politicians”
 - People are seeking stability and level-headedness
- Advantage in advertising and visibility
- **Franking Privileges** = ability to use existing infrastructure to communicate with constituents at no cost
 - Primarily mail system = they can send postage for free
 - * FREE ADVERTISING
- **Gerrymandering** = technically illegal, but is still done
 - As a result, only about 25% of seats were *truly* competitive
- **Credit Claiming**
 - **Casework** = individual help provided to constituents
 - **Pork Barrel** = projects or grants that specifically benefit certain districts/states
 - * Tangible things: roads, bridges, highways, hospitals, schools, etc
 - **Earmark** = extra provisions baked into a bill that benefit a certain group of constituents
 - * Like the “add your pork” instruction on the Mock bill assignment
 - * Less tangible
- **Position Taking** = the act of portraying one’s self as hardworking, principled individuals
 - Can be easier to back up if you have a good voting record
- Much of the time, opponents to incumbents are poorly funded and disorganized in comparison
- *Why do incumbents ever lose?*
 - Scandals
 - Gerrymandering puts them at a disadvantage
 - Anti-government sentiment

2016-11-10

How Congress is Organized to Make Policy

- The Great Compromise

- Established a **bicameral legislature**
 - * Composed of *two* houses
 - Senate
 - House of Representatives
- Federalist Paper 51
 - * “in order to control the legislative authority, you must divide it”
- House of Representatives
 - 435 members = assigned to each state based on population
 - * Each state gets 1 to start with, even if they don’t have that much population
 - 2-year terms in office
 - * Constantly re-elected
 - * Makes the House the institution of government closest to the people
 - Responsible for all spending/taxing bills = **power**
 - Debate time is limited == **rule**
 - * This is because there are 435 PEOPLE
 - General role = regulate spending
- Senate
 - 100 members
 - * Each state gets 2 members
 - Is responsible for federal appointments and foreign affairs = **power**
 - Debate time is not limited = **rule**
 - * **Filibuster** = senator can stand and argue for a bill for as long as they want
 - General role = overseeing the government and foreign affairs

Powers

- Legislative Powers
 - **Expressed Powers**
 - * Also known as **enumerated powers**
 - * Examples
 - Declare war
 - Coin money
 - Levy taxes
 - Control immigration
 - **Implied Powers**

- * Justified by the **Necessary and Proper Clause**
 - Also called **Elastic Clause**
 - Non-Legislative Powers
 - House of Representatives
 - * Decide president if majority of electors is not reached
 - * Initiate impeachment process
 - Senate
 - * Try impeached officials
 - * Verifying treaties
 - Both
 - * Amendment passing
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2016-11-15

Dynamics of Power in Congress

- House of Representatives
 - **Speaker of the House** = official elected by House
 - * Exercises significant control over committee assignments and legislation
 - * Serves as coordinator for debate time and committee action
 - **Whips** = party affiliates who exert influence over politicians by threatening to withdraw support of the party to their candidacy
 - House Committee Rules
 - * **Closed Rule** = bill cannot be modified on the floor
 - Must be passed *as-is*
 - * **Open Rule** = bills can be modified on the floor
 - Easier to get passed
 - Possible that bill's purpose will be compromised into nonexistence
- Senate
 - **Vice President** = official that oversees the Senate
 - **President Pro-Tempore** = An official, typically a Senator, that the Senate elects to be a “backup” president in case the President and Vice President die
 - * Typically the senior member of the majority party

- Each party’s senators elects a leader
 - * Majority party’s leader effectively controls the Senate because he can influence the majority of the delegates
 - * Minority party’s leader is essentially powerless
- **Filibuster** = unlimited debate time
 - * Introduced in the 1830’s
- **Cloture** = a vote that moves to end debate on a topic
 - * Requires a super-majority(60%)

Congressional Committees

- **Congressional Committees** = collection of Congresspeople that principally focus on a few issues
 - **Chairman** = leader of committee
 - Central role: consider and develop legislation
 - **Standing Committee** = a permanent committee
 - * Allocated one subject on which to consider policy
 - * Constitutes the source of most bills
 - **Select/Special Committee** = short-term committee meant to address a pressing issue
 - * Traditionally functions as an investigative body
 - * **Oversight Hearings** = individuals associated with the federal bureaucracy testify to things that are investigated by certain Congressional committees
 - **Joint Committee** = a committee composed of members from both chambers of Congress that are meant to serve interests of Congress as a whole
 - * Considers issues directly related to Congress as a whole
 - * Oversees Congressional support agencies
 - **Conference Committee** = a committee composed of members from both chambers of Congress that exists to resolve legislative disputes
 - * Forms compromises on bills so they are more widely appealing

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Examples of Congressional Committees

- **House Rules Committee** = attaches “rules” to bills

- Most powerful committee
- Can control how much time is given to debate
 - * If it is, they decide *when*
- **House Appropriations Committee** = responsible for allocating funds for specific programs and projects
- **House Ways and Means Committee** = responsible for considering tax bills in House of Representatives
- **Senate Finance Committee** = responsible for considering tax bills in Senate

How Do I Get On a Committee?

- Members of Congress want to get on the best committee for **them**
 - Typically region-specific
 - * *e.g.* Arizona reps focus a lot on immigration committees
 - In order to get on their desired committees, they typically need party consent
 - * Parties make efforts to get approved members onto certain committees

How Do I Get to Lead a Committee?

- **Committee Chair** = big dog
 - Always held by the majority party
 - * Not a codified rule, but a tradition that is kept to
- Biggest factor is **seniority**
 - **Seniority** = *how long have you been involved in this issue?*

Can I Pass Legislation Without a Committee?

- **Answer:** *yes*
 - **Discharge Petition** = a tool used to bring a bill up for voting in the House of Representatives or the Senate **without** requiring a committee to pass it
 - * Typically used if a committee head is purposefully blocking the bill
 - * Fairly rare—a very difficult process

Congressional Caucuses

- **Caucus** = a collection of Congresspeople that share a similar characteristic or goal
 - Principal role: pressure committee to meet and petition Congress to vote for their bills

Congressional Staff

- **Personal Staff** = hired persons that work for a member of Congress
 - Primarily serves to represent constituents
 - Also helps research and write bills
- **Committee Staff** = persons hired by the committee
 - Roles
 - * Organize meetings
 - * Research and write bills
 - Main target of lobbyists
- **Staff Agencies** = organizations that give specific information to Congress
 - **CRS** = **C**ongressional **R**esearch **S**ervice
 - **GAO** = **G**overnment **A**ccountability **O**ffice
 - * Keeps track of expenses, receipts, etc
 - **CBO** = **C**ongressional **B**udget **O**ffice
 - * Responsible for disclosing information about the budget

How Does a Bill Become a Law

- **Bill** = a proposed law
- *Anybody* can draft a bill
- Party leaders play important role in steering bill
- House is more “regulated” than the Senate
- *Who writes the bill?*
 - **Delegate** = a person meant to represent the constituents
 - * Steers development of bills to match interests of the people
 - **Trustee** = a person who isn’t expected to represent anyone but themselves

Congress-President Relationship: Partners and Antagonists

- Presidents have many tools for influencing Congress
 - Electoral support = *I was popularly elected; you better listen to me or you won't get re-elected*
 - Veto power
- In order for Presidential influence to successfully impact Congress, he must win several battles

Lobbyists

- There are over 26 lobbyists per member of Congress
 - Congress is capable of just *ignoring* lobbyists
 - Additionally, they can place regulations on what they can do
 - Lobbyists and many other groups
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2016-11-28

The President

Big Ideas

- What is the *structure* of the presidency?
- Executive branch is the one that runs the government

Structure of the Executive

- **Act with Dispatch**
 - Described in federalist paper #70
- Founded on principle of **separation of powers**
- **Formal** requirements for office
 - Must be 35 years or older
 - Must have resided in US for at least 14 years
 - * Serves to protect country for foreign interests
 - Must be a natural-born citizen
- **Informal** requirements

- Must be white
 - * Obama is currently the only exception
- Must be male
 - * Hillary Clinton got fairly far, but we still haven't had a female president or president-elect
- Must be Christian
 - * Almost always Protestant, except JFK, who was Catholic
- Typically, the Presidency is occupied by someone who hold former office in a governmental role

Structure of the “Term”

- Terms are defined as to last for 4 years
- **22nd Amendment** = Presidents are limited to two terms
 - Pushed through because FDR served for... like... infinity

Succession and Impeachment

- If the President dies, the Vice President will succeed him/her
- If the Vice President then dies, the Speaker of the House will succeed him/her
- **Impeachment** = the drawing of charges against an official for violating the law
- **Trying** = the ruling of guilt or innocence of said official
- Only two presidents have been impeached
 - Andrew Johnson
 - William Clinton
 - Richard Nixon was **NOT** impeached; he resigned before they could impeach him

2016-11-29

Constitutional “Roles”

- **National Security**
 - Commander in Chief
 - * McKinley directing forces during the Spanish-American war

- Chief Diplomat
 - * Wilson with the 14 points
- **Legislative**
 - Chief Legislator
 - * Obama with Obamacare
 - Chief of State
 - * Obama and state of the union addresses
- **Administrative**
 - Chief Executive
 - * Truman enforces desegregation as ruled on by *Brown v Board of Education*
 - Chief Administrator
 - * Donald f**king Trump appointing imbeciles to the bureaucracy
 - Head of Political Party
 - * Obama spearheading negotiations on Obamacare
- **Judicial**
 - Chief Jurist
 - * “Midnight Appointments” done right as Jefferson was entering office

Heads of State vs Head of Government

- **Chief of State** = official serves a *ceremonial* duty
 - *eg.* Queen Elizabeth is mostly just a symbol
- **Chief of Government** = official serves more as a policy-making authority

Constitutional Roles and Examples

- **National Security**
 - **Commander-in-Chief** = control the armed forces
 - Sign treaties with other nations
- **Legislative**
 - Veto bills
 - Issue State of the Union address
- **Administrative**
 - Nomination of non-judicial officials

* *eg.* Bureaucracy

- **Judicial**

- Appointing judges
- Pardoning people
- * AND TURKEYS
 - *gobble.*

- **Informal Powers**

- Kind of a miscellaneous category
 - **Executive order** = an order that does not require Congressional approval
 - * Is fundamentally a **domestic** power
 - * *eg.*
 - After the Pearl Harbor attack, FDR established internment camps
 - Obama's immigration initiative
 - **Executive agreement** = the agreeing with the position another country has taken; does not require
 - * Is fundamentally a **foreign** power
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2016-11-30

Practice FRQ

American politics has been called an “invitation to struggle.” Although in recent years the president has been thought to have an advantage in policy-making, there are still constraints on the power of the president.

- a. Describe a power of the president in each of the following roles
 - Chief legislator
 - Chief bureaucrat or chief administrator

Answer

- **Vetoing a bill:** If a bill passes through Congress, the president can move to veto said bill. This amounts to barr the bill from being signed into law, effectively killing the bill unless Congress can override with a supermajority.

- **Appointing to the Bureaucracy:** The president has the power to appoint certain people to different positions as the head of certain bureaucratic agencies. For example, President Obama made Hillary Clinton, who lost in the Democratic primary to Obama, as Secretary of State. This power allows the president to exercise power as Chief Administrator by choosing *who* to appoint to said positions.

Inside the White House

- The **Vice President** actually has very few Constitutional duties
 - As a result, the **President** typically appoints the **Vice President** to an important cabinet position
 - VP's function to **balance the ticket**
 - * **Balance the ticket** = make the campaign more widely supported by packing a *more* appealing VP to win more states
- **Cabinet** = body composed of advisors to the President
 - Members serve as Secretaries of various Federal Departments
 - * Does count as a federal appointment—must be approved by Senate
- **Executive Office** = a body of members that do **not** belong to the bureaucracy
 - Has the role of **briefing** the president of information
 - * Said info is received from collaboration between the **Cabinet** and the **Executive Office**
 - Because they are not federal appointments, they are **not** confirmed by the Senate
 - *Four* main associations
 - * **National Security Council(NSC)**
 - * **Council of Economic Advisors(CEA)**
 - * **Office of Management and Budget(OMB)**
 - * **White House Office** = a body composed of staff and chief aides
 - Typically chosen on basis of loyalty
 - **Because** they are members of the executive office, they do **not** need to be appointed by the Senate
- **First Lady** = the romantic partner of the President
 - No official constitutional role
 - Typically run initiatives that focus on single issues
 - * Michelle Obama = childhood obesity
 - * Hillary Clinton = healthcare

The Dynamics of Shared Power

- The **president** and **Congress** need to cooperate in order for policy-making to happen
 - **Checks and Balances**
 - **Veto** = the power to reject a bill that has been passed by Congress
 - * Can be bypassed by a **two-thirds majority** of **both** houses
 - **Pocket Veto** = the power to refrain from signing a bill without actually vetoing it
 - * The bill silently expires after 10 days
 - * **Cannot** be overturned—effectively kills a bill
 - **Line Item Veto** = the power to veto **parts** of a bill
 - * The president *used* to have this power, but it was overturned by the **Supreme Court**
 - * State governors **do** have this power
 - **Presidential Mandate** = campaign promises that are backed by the president's wave of popularity
 - * Mandates rarely develop into substantial policy, but they are claimed during campaigns anyway
 - The president can act as **Chief Legislator**
 - Examples
 - * Bargaining for certain policy
 - * Utilizing their popularity to exert legislative pressure
 - * Consulting with Congress
 - * Issuing the **State of the Union** address
 - **Honeymoon Period** = defined as the first 100 days
 - * Similar to how missing persons investigations consider the first 48 hours the critical period for finding leads
 - In this, the president acts as the **nation's key agenda builder**
 - The president can act as the **Head of State**
 - *Popularity* is the main way that the president can influence Congress
 - **Head of State** = the performing of a ceremonial function
 - * Media gobbles it up
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2016-12-02

Approval Rates

- **Approval ratings** = rates of favorable views held on president

- Mostly a result of extraneous factors that are out of the president’s control
 - * *eg.* George Bush Sr. benefits from economic explosion following the collapse of the Soviet Union
- Higher approval ratings gives the president more leverage over influencing legislative process
- Initially, approval rates are fairly high
 - *Why?*
 - * Incumbents feel *familiar*
 - * Washington outsiders feel *new*
 - * Change still seems possible
 - * **“Honeymoon” period** = sh bb I love u
- The role of the media
 - **Horserace Journalism** = focusing on approval ratings and polls rather than the content of policy
 - **Agenda-Setting** = can help modulate peoples’ perspectives on the president

The President and National Security Policy

- **Chief Diplomat** = the role the president fills when he/she advances foreign policy
 - Negotiate treaties
 - * Must be ratified by Senate—president doesn’t have **complete** control
 - Signing executive agreements
 - * An example of an “informal” power of the president
 - Negotiating peace
 - Advocating for US allies abroad
- **Commander in Chief** = the role the president fills when he/she manages the military
 - The framers intended that the president would be a “civilian”
 - * Ensures that the president is acting in the US’s interests
 - * Part of the rationale for granting the president the role of **Commander in Chief**
 - The president can dispatch troops without Congressional consent
- **War Powers Resolution** = an attempt to allieviate the tension between Congress and the President with regards to war

- Central conflict = Congress can declare war without the president sending troops, and vice versa
- Provisions
 - * The president **must** consult with Congress before sending troops when possible
 - * Congress **must** approve the continued stay of troops after 30 days
- Most presidents have casually ignored it
- Supreme court side-stepped it with the **political questions doctrine**
 - * **Political questions doctrine** = the belief that certain issues belong to the domain of *politics*, rather than to the domain of constitutional law

The Job of the President

- **Crisis manager** = the role the president fills when he/she serves as a consoling and managerial voice during the aftermath of a crisis
 - Has the potential to massively hurt or massively help approval ratings
 - Congress generally moves much slower than the president
 - * Largely because Congress is a body of 535 senators and representatives, whereas the president is one rich white dude
- **Working with Congress**
 - Framers intended president to be sole agent of foreign policy
 - Political gridlock can severely damage approval ratings
- **Working with the Press**
 - The media and the president are often adversaries
 - Media focuses on the **personality** of the president rather than the **content** of his/her policy
- **Morale booster** = be a cheerleader for American freedom
- **Agenda setting**
 - Economic policy
 - Social policy
 - National security policy
- **Persuader** = attempt to convince segments of the population of the virtues of certain policy-positions

2016-12-05

The Federal Bureaucracy

Key Idea

- The bureaucracy acts somewhat as its own branch of government
 - Exerts pressure on the other branches

Terms that Describe the Bureaucracy

- Specialization
- Centralization
- Rules
- Standardization
- Expertise
- Accountability

The Emergence of the Federal Bureaucracy

- After the Civil War, we see first large federal agencies
 - **Department of Agriculture(1862)**
 - **Pension Office(1866)**
 - Civil war marks beginning of transition from the **spoils system** to a **merit system**
 - * **Patronage** = jobs given to supporters for political reasons
 - * **Pendleton Act of 1883** = sought to weaken the spoils system and ensure that well-trained officials are in government
 - * **Civil Service** = a model of governmental hiring that emphasizes nonpartisanship and merit
- **Office of Personnel Management(1879)** = federal agency that oversees governmental hiring practices
- **Buraucrat** = a government employee that carries out the enforcement of high-level policies
 - Constitute the majority of the population associated with the government
 - **Weberian Model** = a model of how bureaucracy should work
 - * Principles
 - Heirarchy
 - Specialization of task
 - Merit-based promotion

- Impersonality
 - Well-organized
 - Divided into subunits
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2016-12-06

Growth of the Federal Bureaucracy

- **World War I**
- **The Great Depression**
 - FDR imposed several new federal agencies to overlook economy and establish public works projects
- **World War II**
- **The Great Society**
 - LBJ imposed several new provisions that expanded the scope of the federal government, including the bureaucracy
 - Provisions
 - * **Equal Employment Opportunity Commission(EEOC)**
 - Created in 1965
 - * **Civil Rights Act(1964)**
 - * **Department of Housing and Urban Development**
 - * **Department of Transportation**

The Dynamics of Power

- **Iron Triangle** = a relationship between interest groups, Congress, and the Bureaucracy
 - **Congress**
 - * Helps bureaucracy by allocating funds and rallying political support
 - * Helps interest groups by passing friendly legislation
 - **Interest groups**
 - * Helps bureaucracy by offering Congressional support via lobbying
 - * Helps Congress through electoral support
 - **Bureaucracy**
 - * Helps Congress through policy choices and uniform execution of the law
 - * Helps interest groups by setting low bars for regulation and doing special favors
 - *You see? It's a triangle.*

Four Types of Federal Organizations

- **Department**
 - Also called **cabinet departments** or just **cabinets**
 - There are 15 **cabinet departments**
 - * 14 are headed by a secretary
 - Appointed by the president
 - * **Department of Justice** is headed by Attorney General
 - Each cabinet has its own budget, staff and policy areas
 - Republicans have been trying to eliminate several departments to balance the budget
- **Regulatory (Independent) Commission** = a regulatory body that is responsible for some sector of the economy and for deciding on rules to protect the public interest
 - Typically headed by a commission of 5-10 people
 - Examples
 - * **Environmental Protection Agency(EPA)**
 - * **Securities and Exchange Commission(SEC)**
 - * **Federal Election Commission(FEC)**
 - * **Federal Communications Commission(FCC)**
 - * **Federal Reserve**
- **Government Corporation**
 - A business-like organization that provide a service
 - Run like a private company
 - Examples
 - * **Amtrak**
 - * **Federal Deposit Insurance Corporation(FDIC)**
 - * **Tennessee Valley Authority(TVA)**
- **Independent Executive Agencies (Standalone)**
 - Kind of the dumping ground for agencies that don't fit in any other category
 - Examples
 - * **National Aeronautics and Space Administration(NASA)**

The Fifteen Cabinet Departments In Order of Creation

1. **Department of State**
2. **Department of Treasury**
3. **Department of Justice**
4. **Department of Interior**

5. Department of Agriculture
 6. Department of Commerce
 7. Department of Labor
 8. Department of Defense
 9. Department of Health and Human Services
 10. Department of Housing and Urban Development
 11. Department of Transportation
 12. Department of Energy
 13. Department of Education
 14. Department of Veterans Affairs
 15. Department of Homeland Security
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2016-12-07

Administrative Discretion

- The **bureaucracy** has the ability to selectively enforce policy
- A lot of power is placed in the hands of bureaucrats
- Often, policy is implemented across several agencies
 - Called **fragmentation**
 - Requires the collaboration of many agencies to effectively block the execution of a certain policy

Why Do Some Policies Fail and Some Succeed?

- Reasons for failure
 1. Poor program design
 2. Lack of resources
 3. Ill-defined goal
 - Congress typically defines laws really vaguely
- Reasons for success
 1. Clear stated goal
 2. Was implemented in a non-objectionable way

Regulation vs Deregulation

- **Regulation** = the exercising of control over some industry by passing legislation

- Based on **incentives** and **disincentives**
- Examples of **incentives**
 - * Tax credits
 - * Deductions
- Examples of **disincentives**
 - * Tax penalties
 - * Fees
- **Deregulation** = the elimination of existing regulations
 - Pioneered by **Ronald Reagan**
 - Can place American producers at a disadvantage
 - * Free trade policy allows greater mobility of jobs while mobility of labor is relatively constant

Does the Bureaucracy Work?

- The bureaucracy is often bolstered with good intention but executed poorly
- Often, placing bureaucratic responsibilities on common people introduces security risks
 - Russian spies are going to steal all of our secrets
 - * Like who's getting a driver's license and when
- Bureaucracy can be very sluggish
 - Hurricane Katrina is a good example
- **Writs of Certiorari** = a writ that allows a case to be handed off to a superior court at their discretion
 - Meant for very rare use