"But it is not possible to give to each department an equal power of self defence. In republican government the legislative authority, necessarily, predominates. The remedy for this inconveniency is, to divide the legislature into different branches; and to render them by different modes of election, and different principles of action, as little connected with each other, as the nature of their common functions, and their common dependence on the society, will admit. It may even be necessary to guard against dangerous encroachments by still further precautions. As the weight of the legislative authority requires that it should be thus divided, the weakness of the executive may require, on the other hand, that it should be fortified" (James Madison, Federalist No. 51).

POLITICAL SCIENCE 3321
Congress and the Legislative Process

Summer 2012 Ippolito

The U.S. Congress is a rarity in the modern world. It is powerful and independent – and a truly bicameral national legislature. Students in this course will be expected to master an understanding of Congress, its institutional development and policy-making processes, as well as Congress' place in the American constitutional structure; congressional procedures and organization; electoral and other influences on congressional policy-making; and congressional-executive relations. Required writing assignments, carefully prepared and well-organized, will be used to assess a reasoned, factually correct, and coherent understanding of these objectives.

Required Reading
(Course handouts as available.)

In addition, you are strongly encouraged to read, on a regular basis, a national newspaper, such as The New York Times or Wall Street Journal.

Course Requirements
Scheduled class meetings are Monday-Friday from 12:00 p.m. - 1:50 p.m. in 115 Dallas Hall. Since lectures and discussions are integral parts of the course, attendance is required and will be monitored. More than three (3) unexcused absences will result in a grade penalty. More than five (5) will result in dismissal from the course.

Grades will be based on a comprehensive evaluation that includes: (1) a midterm examination; (2) a comprehensive final examination; (3) a research paper, of specified length and format; and (4) familiarity with assigned readings and participation in class discussions.
Topics and Reading Assignments

I. Introduction to Course (July 2)

II. Origins, Development, and Powers (July 2, 3, 5)
   Read: U.S. Constitution, Article I.
   Oleszek, Chapter 1.
   Davidson et al., Chapters 1-2.

III. Congressional Procedures
   A. Overview and House vs. Senate (July 6)
      Read: Baker, Chapters 1-3.
            Davidson et al., Chapter 8.
   B. Introduction and Referral (July 9)
      Read: Oleszek, Chapter 3.
   C. House Action (July 10)
      Read: Oleszek, Chapters 4-5.
   D. Senate Action (July 11)
      Read: Oleszek, Chapters 6-7.
   E. Conference and President (July 12)
      Read: Oleszek, Chapter 8.
   F. Legislative Oversight and Procedural Change (July 12)
      Read: Oleszek, Chapters 9-10.

IV. Congressional Organization
   A. Committee Systems (July 13)
      Read: Davidson et al., Chapter 7.
B. Leaders and Parties (July 16)

Read: Davidson et al., Chapter 6.

C. Organizational Change (and Midterm Review Session) (July 17)

Read: Davidson et al., Chapter 9.

**MIDTERM EXAMINATION: July 18**
**COVERAGE: TOPICS I, II, III, IV**

V. Elections

A. Candidates and Campaigns (July 19)

Read: Baker, Chapter 4.
       Nelson, Chapters 5, 8.
       Davidson et al., Chapter 3.

B. Voters (July 20) [Paper Topic/Outline Due]

Read: Nelson, Chapter 7.
       Davidson et al., Chapters 4-5.

C. National Politics (July 23)

Read: Nelson, Chapters 1-4.

D. Stability and Change (July 23)

Read: Nelson, Chapter 9.

VI. Congressional Power and Policy

A. President, Bureaucracy, Courts, Interest Groups (July 24, 25)

Read: Baker, Chapter 5.
       Davidson et al., Chapters 10-13.
B. Budget Policy (July 26, 27)

Read: Davidson et al., Chapter 14.
Olenszek, Chapter 2.

C. National Security and War (July 30)

Read: Davidson and Oleszek, Chapter 15.

VII. The Contemporary Congress: Summary and Review (July 31)

Read: Davidson et al., Chapter 16.

FINAL EXAMINATION: August 1 (Wednesday) 12:00 p.m. - 1:50 p.m.

Important Dates

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Instructor Information/Office Hours:

Dennis S. Ippolito
221 Collins Hall
X 83198
TTH 9:00 a.m. - 10:00 a.m.
(and by appointment)
ippolito@smu.edu
Research Paper

One of the objectives of this course is to provide students with the opportunity to develop research, writing, and analytical skills. Therefore, each student is responsible for preparing a formal research paper – minimum length of 10 pages, typed, double-spaced; fully documented; appropriately organized. A topic should be chosen and a preliminary outline and bibliography submitted on or before July 20. Papers are due on or before July 27. *There will be a substantial grade penalty for late papers (5 points per day).*

**Topics:**

Nomination rejections – analyze a controversial Supreme Court nomination approved or rejected by the Senate (e.g., Bork, Thomas, Alito).

Filibuster – analyze the background and current dispute over judicial filibusters; or examine the background and development of Rule XXII on legislative filibusters.

Legislative history – analyze the background and passage of a major post-World War II legislative measure (e.g., 1964 Civil Rights Act, 1986 Tax Reform Act, 1990 Omnibus Reconciliation Act, 1996 Welfare Reform Act, etc.).

Constitutional amendments – analyze the background, initiation, and ratification of one of the following post-World War II amendments: XXII; XXIV; XXV; XXVI.


Budget policy – background and legislative history of the 1974 Congressional Budget Act.

Defense policy – analyze either the FY 2008 defense authorization bill or the FY 2008 defense appropriations bill in terms of: (a) presidential policy recommendations; (b) subcommittee/committee/floor action in the House and Senate; (c) House-Senate differences and conference action; (d) presidential action; (e) congressional and presidential influence over final bill.

Impeachment – compare and contrast the Nixon and Clinton impeachment cases.

Other topics can be chosen but require written approval. To the extent appropriate for a particular topic, government documents (committee hearings, committee reports, staff agency materials) should be used, along with other research materials.
Topical Outlines

I. Introduction
   A. General Information and Requirements
   B. Coverage
      Constitutional
      Procedural
      Organizational
      Electoral
      Institutional/Policy
   C. Reading Materials
   D. Research Paper
   E. Purpose
II. Origins, Development, and Powers

A. Pre-Constitutional Background

- English and Colonial Periods
- Revolutionary War and Articles of Confederation

B. Constitutional Framework (General)

- Powers
- Structure

C. Constitutional Principles and Checks

D. Constitutional Legislative Provisions

E. History of House

- Formative Period (1789-1809)
- Madison to Civil War (1810-1860)
- Party Government and Reform (1861-1920)
- Centralization, Party Cohesion, and Reform (1920-present)

F. History of Senate

- Formative Period (1789-1809)
- Rise of Senate (1810-1860)
- Party Government and Democratization (1861-1920)
- Centralization, Party Cohesion, and Reform (1920-present)

G. Distinctions between House and Senate

- Powers
- Size and Prestige
- Organization (role of committees)
- Procedures (floor action)
- Party Control (majority party advantages)
III. Congressional Procedures

A. Internal and External Factors

    House
    Senate
    General Concepts – Legislation/Terms and Sessions
    General Structure and Organizational Factors

B. Introduction and Referral

    Categories of Legislation
    Jurisdiction
    Committee Discretion
    Chamber Leadership

C. House Action

    Speaker and Majority Party
    Committees
    Rules Committee

D. Senate Action

    Majority Leader
    Committees
    UCA's
    Filibuster/Closure

E. House, Senate, and President

    Conference Committees
    Negotiation and Vetoes

F. Legislative Oversight
IV. Congressional Organization

A. Committee Systems
   Types and Models
   Powers
   Trends and Reforms
   Leadership, Members, Staff

B. Committees and Parties
   Agendas
   Assignments
   Constraints
   Seniority and Term Limits

C. Organizational Change
   New Legislative Procedures

V. Congressional Elections

A. Candidates and Campaigns
   Basic Concepts – Terms, Incumbency, Types of Elections
   Sources of Incumbency Advantage
   Challengers and Resources

B. Voters
   Composition of Electorate
   Turnout
   Party Identification

C. National Politics
   Midterm Elections
   Presidential Influence
   Economic Factors
D. Stability and Change

Redistricting and Recruitment Strategies
Nationalizing Congressional Elections

VI. Congressional Power and Policy

A. Institutional Relations

President and Executive Branch
Courts
Interest Groups

B. Budget Policy

Power of the Purse – Appropriations
Budget Process/Reconciliation

C. National Security and War

Constitutional Powers and Precedent
War Powers Resolution
Wars in Afghanistan/Iraq

VII. Contemporary Congress

Constitutional Factors
House vs. Senate
Congressional Elections
Congress vs. the President
The Honor Code

All work undertaken and submitted in this course is governed by the University's Honor Code. The relevant section of the Code, taken from the Preamble of the Honor Council's Constitution, is as follows:

*Intellectual integrity and academic honesty are fundamental to the processes of learning and of evaluating academic performance, and maintaining them is the responsibility of all members of an educational institution. The inculcation of personal standards of honesty and integrity is a goal of education in all the disciplines of the University.* . . .

*Students must share the responsibility for creating and maintaining an atmosphere of honesty and integrity. Students should be aware that personal experience in completing assigned work is essential to learning. Permitting others to prepare their work, using published or unpublished summaries as a substitute for studying required materials, or giving or receiving unauthorized assistance in the preparation of work to be submitted are directly contrary to the honest process of learning. Students who are aware that others in a course are cheating or otherwise acting dishonestly have the responsibility to inform the professor and/or bring an accusation to the Honor Council.*

The Honor Pledge is: "On my honor, I have neither given nor received unauthorized aid on this work." A signed copy of this pledge must be appended to any work tendered in this class. A violation of the Code will result in an "F" for the course, and the student will be taken before the Honor Council. If you are unclear about this policy – either in general or in its particular application – please see the instructor immediately.

Submitted by Professor Joseph Kobylka

Disability Accommodations

Students needing academic accommodations for a disability must first contact Disability Accommodations and Success Strategies (DASS) at 214-768-1470 or [www.smu.edu/alec/dass.asp](http://www.smu.edu/alec/dass.asp) to verify the disability and establish eligibility for accommodations. They should then schedule an appointment with the professor to make appropriate arrangements. (See University Policy No. 2.4.)