



- **Political Science 353 – Welcome!**

Syllabus:

<http://faculty.washington.edu/jwilker/353/POLS353Spring2018Syllabus.pdf>

Today

- 5 main themes (using gun control as example)
- What to expect, and what's expected of you
- Sections tomorrow: Please read syllabus in advance

5 main themes

1. The process is not the purpose
2. Let's be realistic about the American voter
3. What's good for the individual is not always good for the group
4. Policies are not outcomes
5. Agendas matter!

5 main themes

1. The process is not the purpose

- What is the purpose of Congress?
- How do constitutional provisions and congressional process promote this purpose?
- Does the process achieve the purpose?

Bicentennial Edition

NOTES

OF DEBATES

IN THE

FEDERAL CONVENTION

OF 1787

REPORTED BY

James Madison

*With an introduction by
Adrienne Koch*

DOVER · THRIFT · EDITIONS

The Federalist Papers

Alexander Hamilton
James Madison · John Jay

THE
FEDERALIST:

A COLLECTION OF
ESSAYS,

WRITTEN IN FAVOUR OF THE
NEW CONSTITUTION,

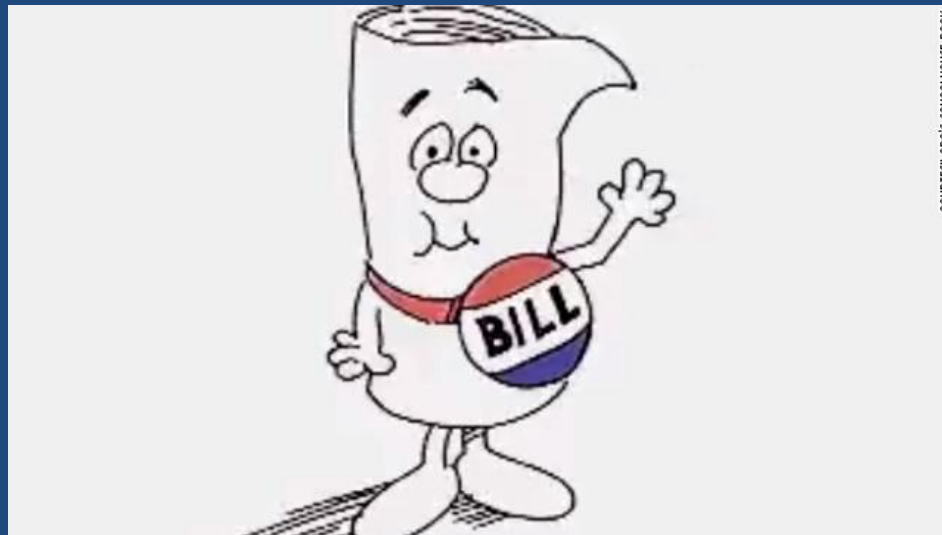
Basketball

- Purpose?
- How do rules try to promote this purpose?



Civics

- Focuses on the process



- Knowing how to 'win' is important; but winning is not the purpose of the process

5 main themes

2. Let's be realistic about the American voter

- Most people are uninformed about politics
 - So called Independents are least informed!
- Many do not value democratic principles
- How can a democratic system succeed when citizens are poorly informed and emotion-driven?





The Missing Obama Millions

Civics vs the Framers

- *Civics*: How we'd like people to behave
- *James Madison*: Design government to produce desired outcomes given how people behave.
 - Appeal to people's better natures
 - But don't depend on them!

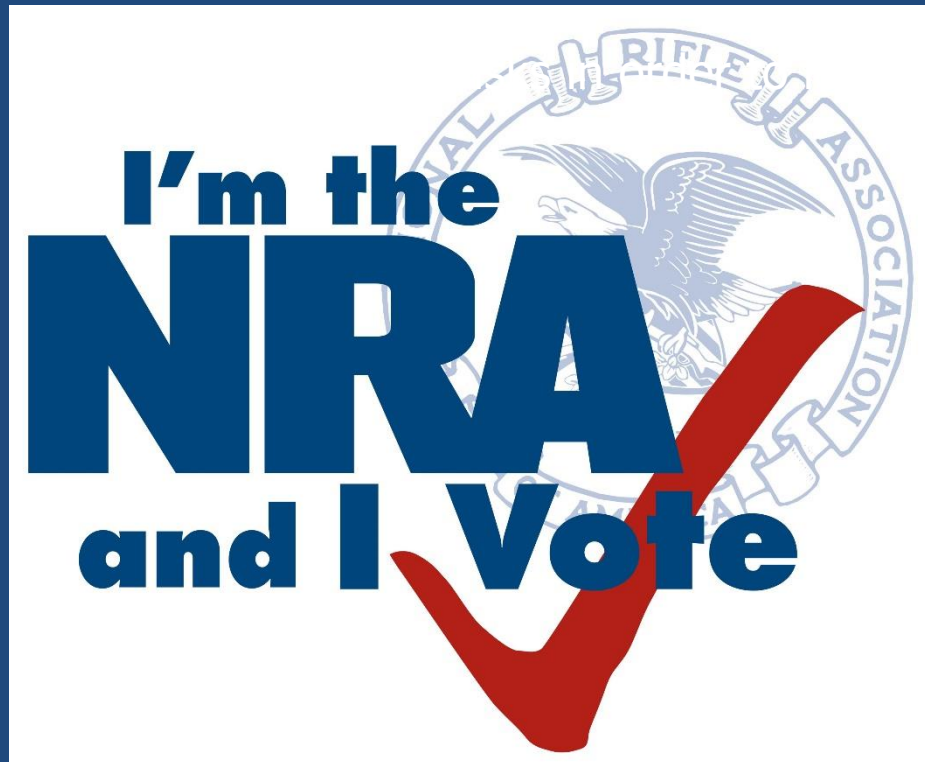
5 main themes

3. What's good for the individual is not always good for the group

The problem of 'Collective Action' is central to understanding the purposes and challenges of government in a democracy

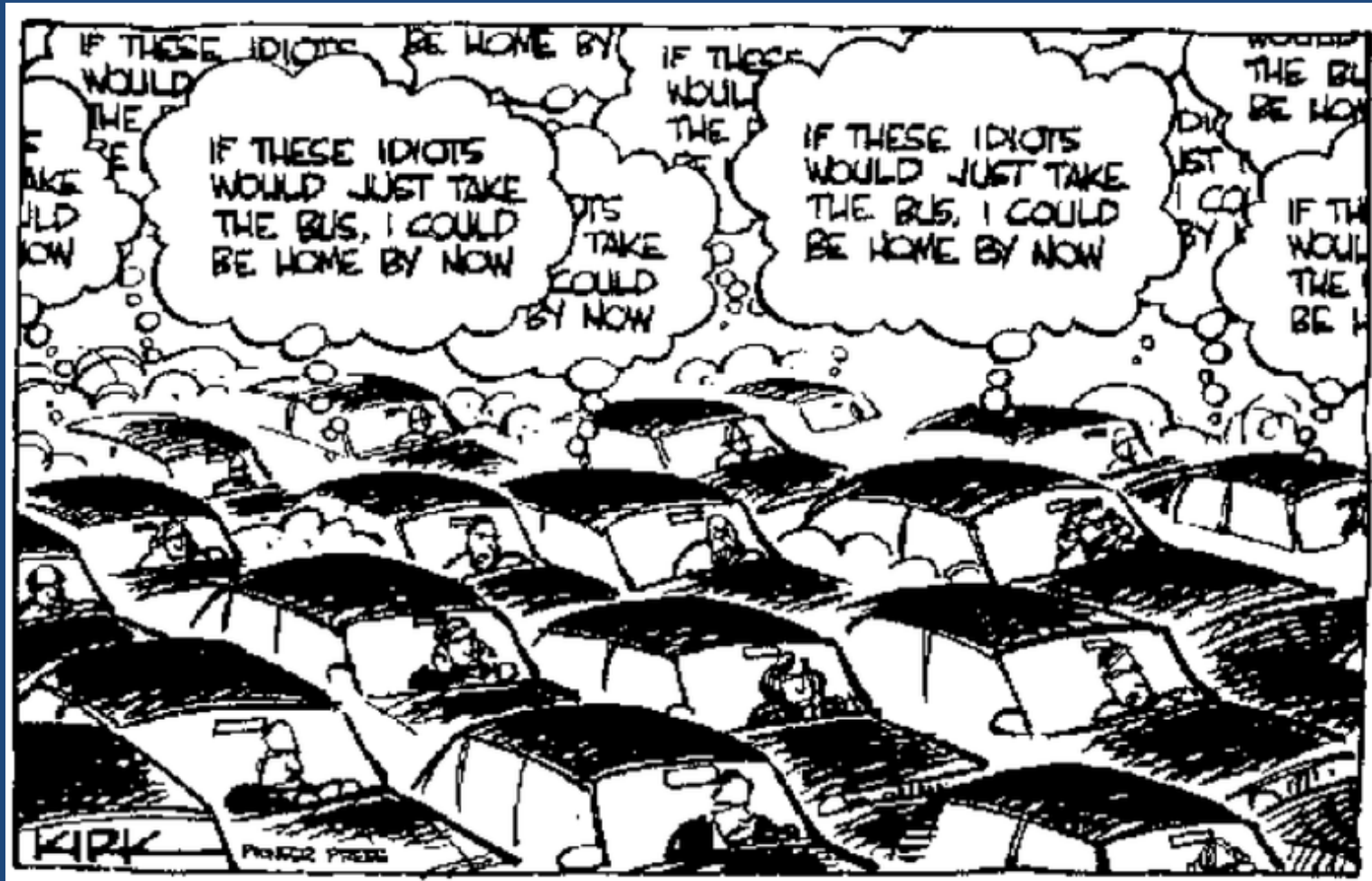
'Collective action problems' in elections

- Most people don't participate
- Those who do get more attention
- But that still doesn't mean I will participate





'Collective action problems' in society



'Collective action problems' in government

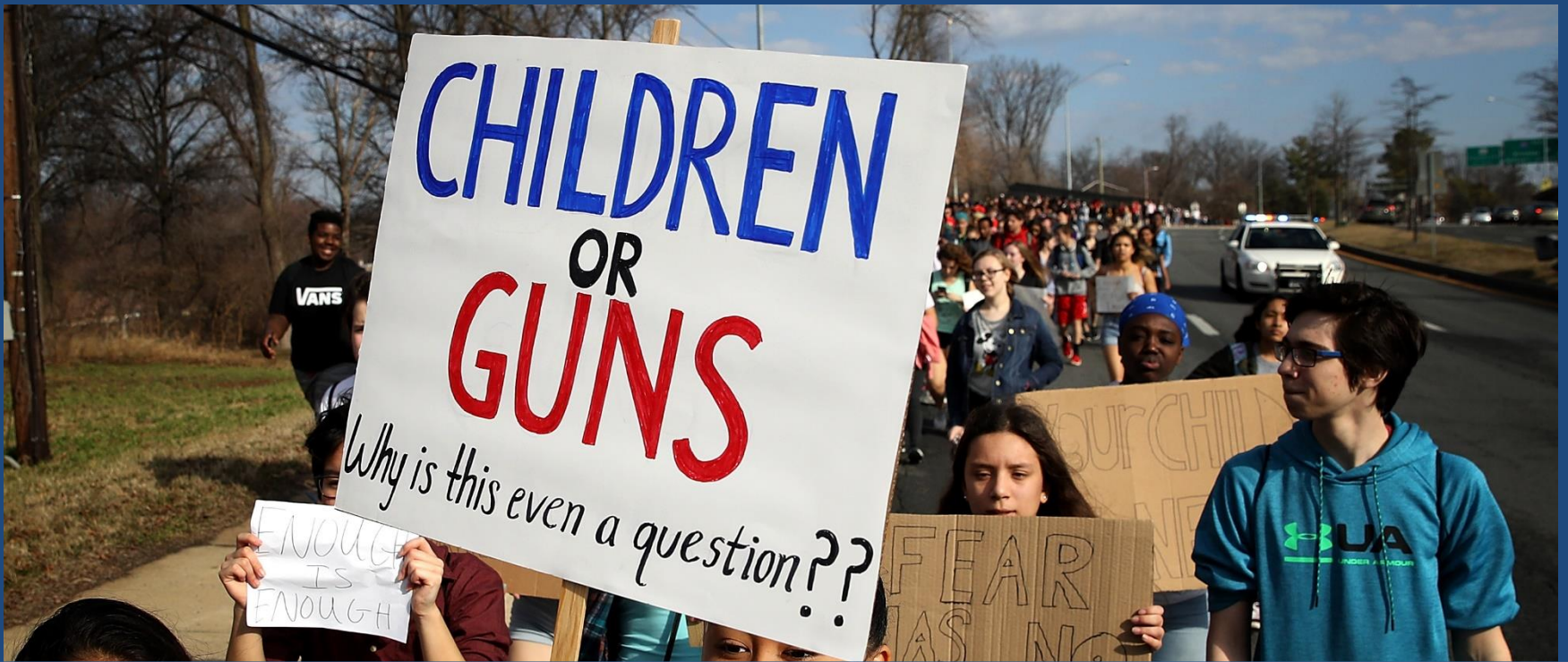


\$450 billion in taxes go uncollected each year

5 main themes

4. 'Policies' are not 'outcomes'

- Understandable desire to 'do something!'
- But also want to ask:
 - What is the objective?
 - Will the policy accomplish the objective?
 - Will it have unintended consequences?



Objective? *End school violence*

Best policy? *Ban assault weapons or Improve school security?*

What is motivating the policy – desire or evidence?

What do we know and what don't we know?

What other consequences need to be considered?

5 main themes

5. It's not just about voting. Agendas matter!

- Positive Agenda control – The issues being addressed
- Negative agenda control – The issues not being addressed
- Non-decisions – The issues we aren't even thinking about

“Between 2001 and 2014, 440,095 deaths by firearms occurred on US soil, while deaths by terrorism during those years numbered 3,412.”

“I’ll let you write the substance . . .
and you let me write the procedure,
and I’ll screw you every time.”

~ John Dingell , former U.S. Representative
and longest serving member of Congress



One more:
Nothing is impossible in politics!



POLS 353: What to expect

- **First half:** Mostly lectures and reading
 - Topics rather than comprehensive coverage
- **Second half:** Mostly student-led simulation
- **Grading** based on connecting course materials to personal experiences

What's expected of you

- Familiar with American government basics
- Keep up with the news
- Interested in interacting with other students
- Willing to respect alternative viewpoints
- Willing to take some risks in order to learn

Learning goals

- **Appreciation of:**
 - the role of Congress
 - the legislative process
 - the external and internal dynamics shaping legislative behavior
- **Improved:**
 - Listening and communication (written and oral)
 - Planning and collaboration

Anonymous survey - yes or no?

1. Should undocumented immigrants be allowed to remain in the US indefinitely?
2. Do you believe that the Bible is the word of god?
3. Should every American be required to purchase health insurance?
4. What is your gender?

See you in section tomorrow!

Link to Syllabus:

<http://faculty.washington.edu/jwilker/353/POLS353Spring2018Syllabus.pdf>

Feel free to register on LegSim if you plan to take the course (see syllabus for details)

“Provide the one word that best describes your current impressions of Congress.”



Today: Congressional Dysfunction?

- Congress is very unpopular
- Because it is not doing its job?
- How should we evaluate the performance of Congress?

Spoiler! No easy answer!

Dysfunction

“Congress, despite its vast authority, seems paralyzed in the face of the nation's toughest problems.” (vox.com)

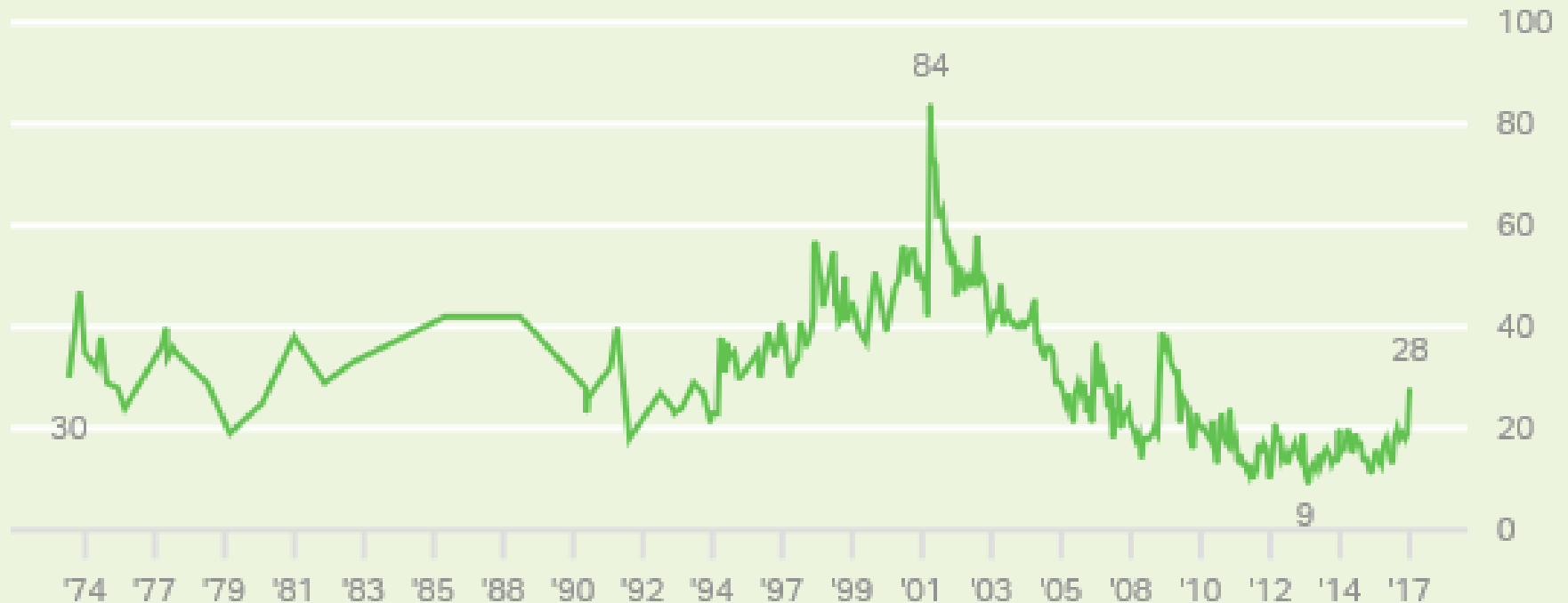
OK, what should Congress be doing that it is not doing?

How do we measure that?

Congress is very unpopular

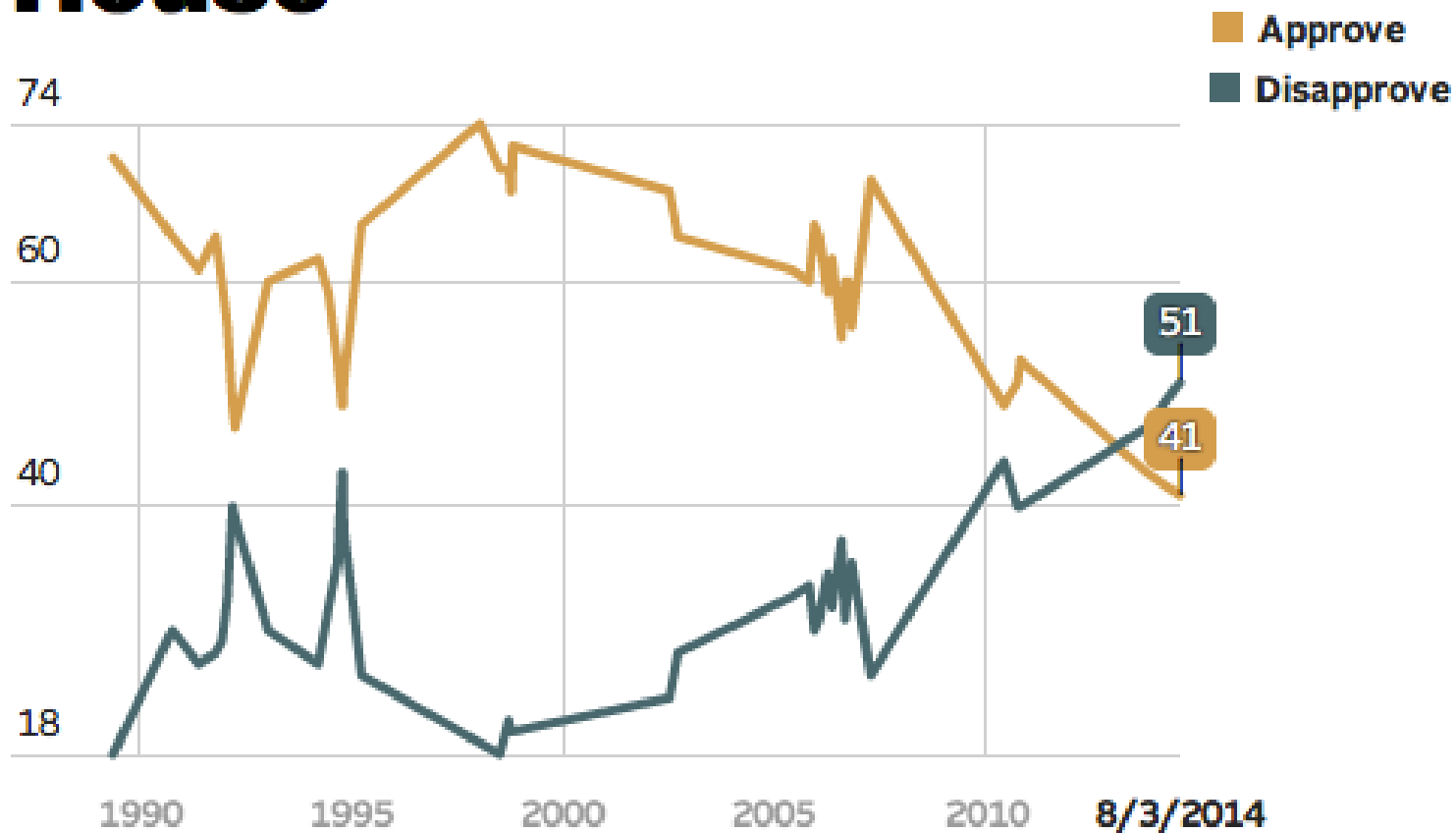
Congressional Job Approval

■ % Approve



GALLUP

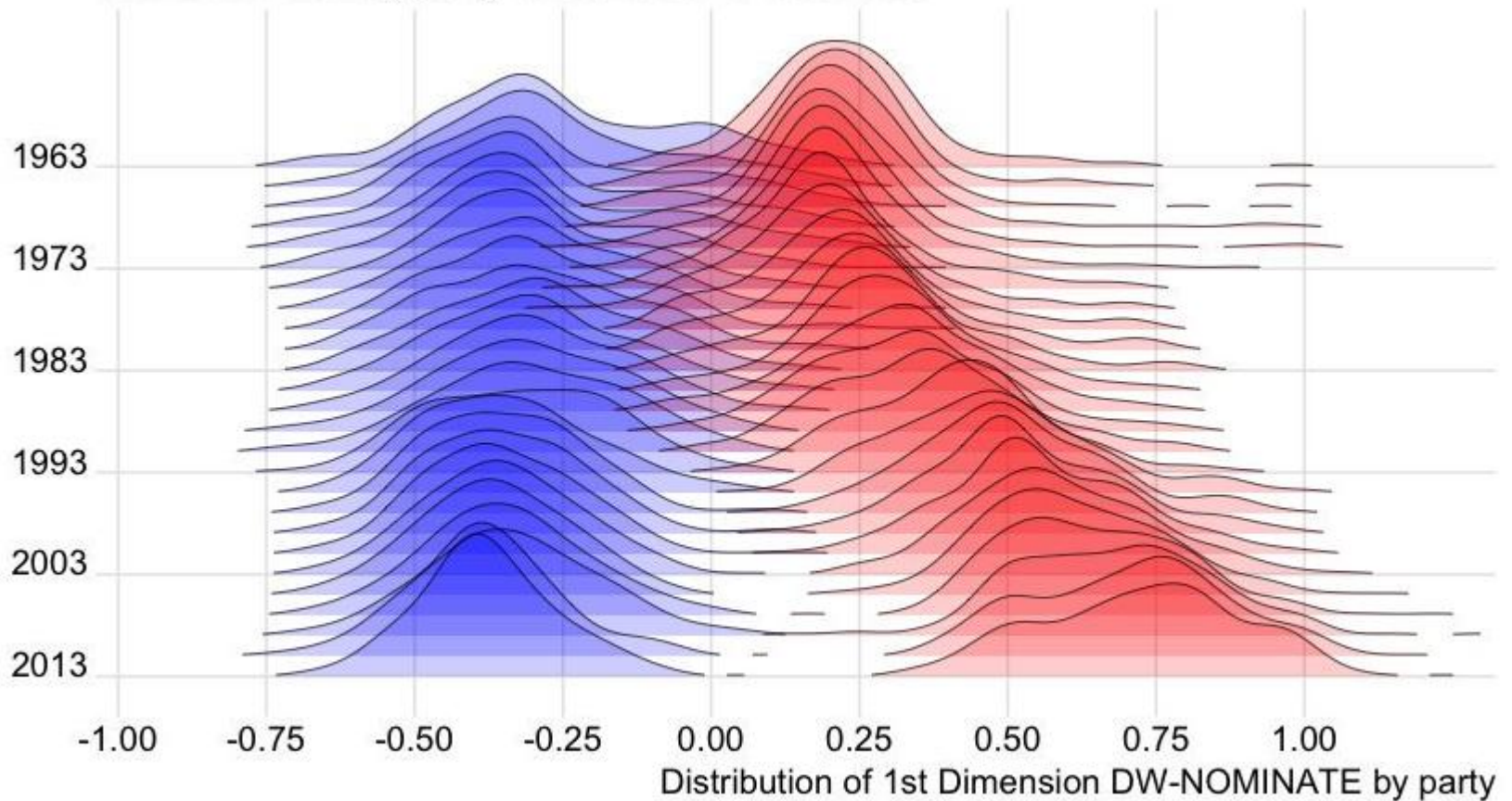
Approval of your own representative in the US House



Source: ABC-Washington Post Polls



DW-NOMINATE by party of U.S. House: 1963-2013



More Polarized than Ever?

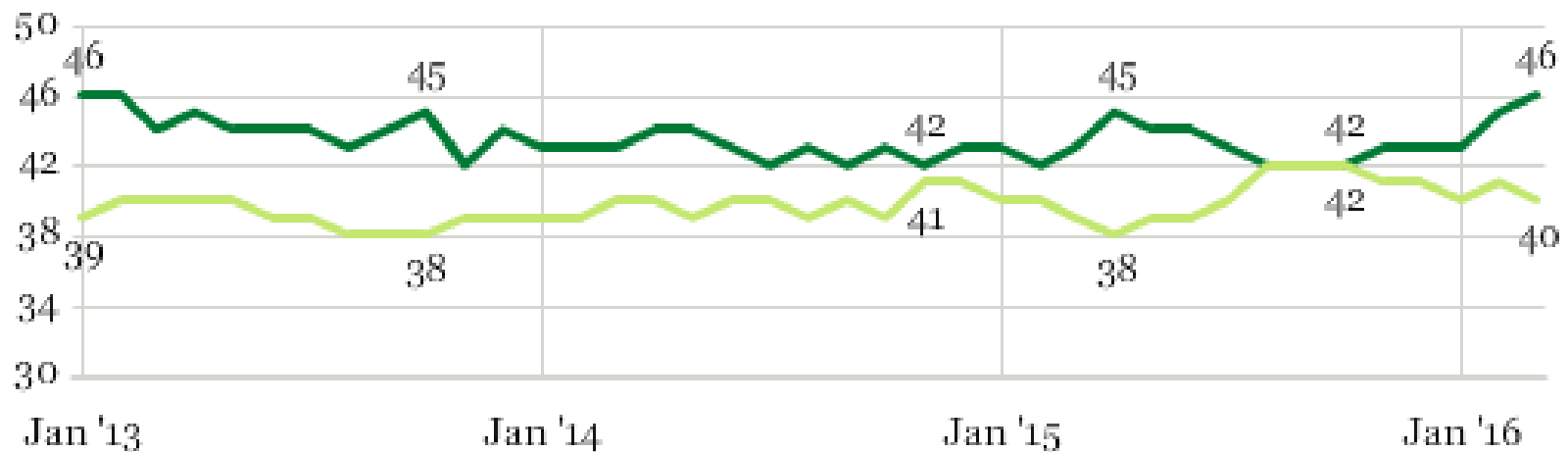
Voters aren't as polarized as lawmakers?

Americans' Party Identification and Leaning, Monthly Averages

Recent Trend

■ % Democrat/Lean Democratic

■ % Republican/Lean Republican



Gallup Daily tracking

GALLUP

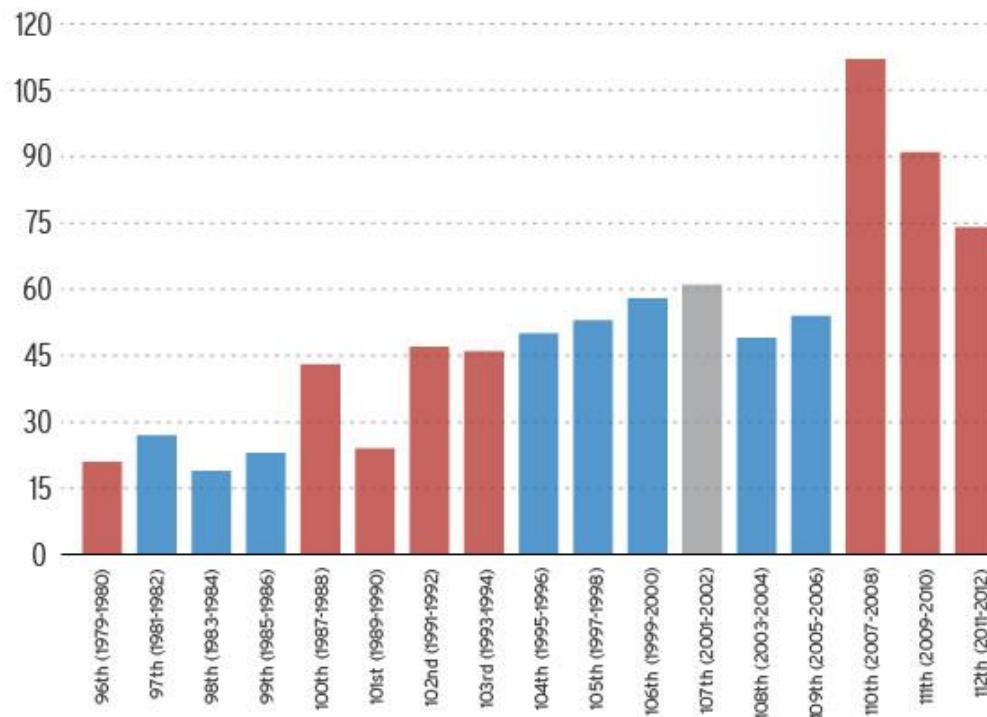
Rise of the filibuster

Attempted Senate cloture votes, 96th - 112th Congress (1979 - 2012)

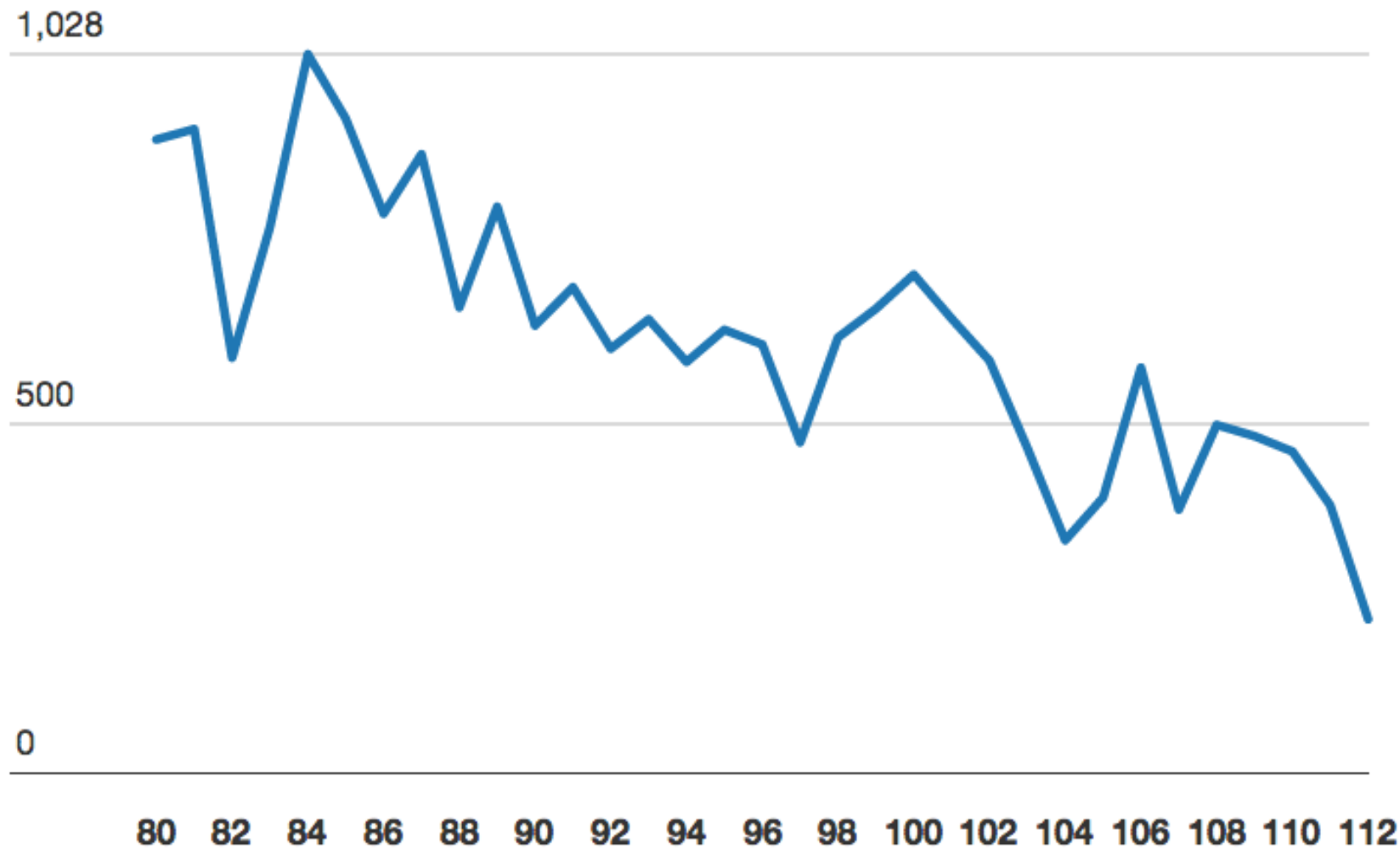
Bars are colored according to the **minority party** - blue for Democrats, red for Republicans

Avg. cloture votes when **REPUBLICANS** are in minority: **57.25**

Avg. cloture votes when **DEMOCRATS** are in minority: **41.63**



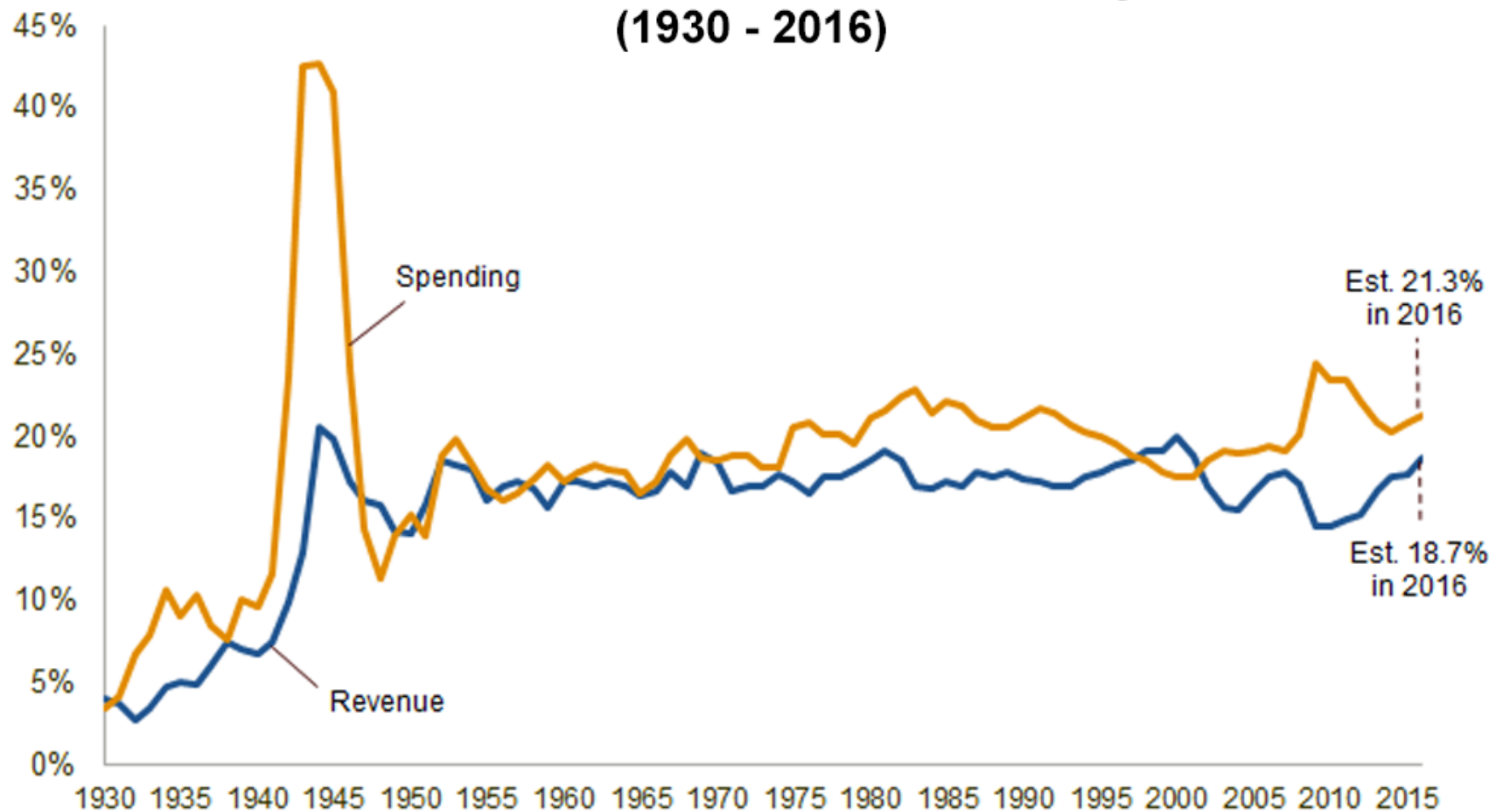
Public laws passed per session of Congress, 1948-2012

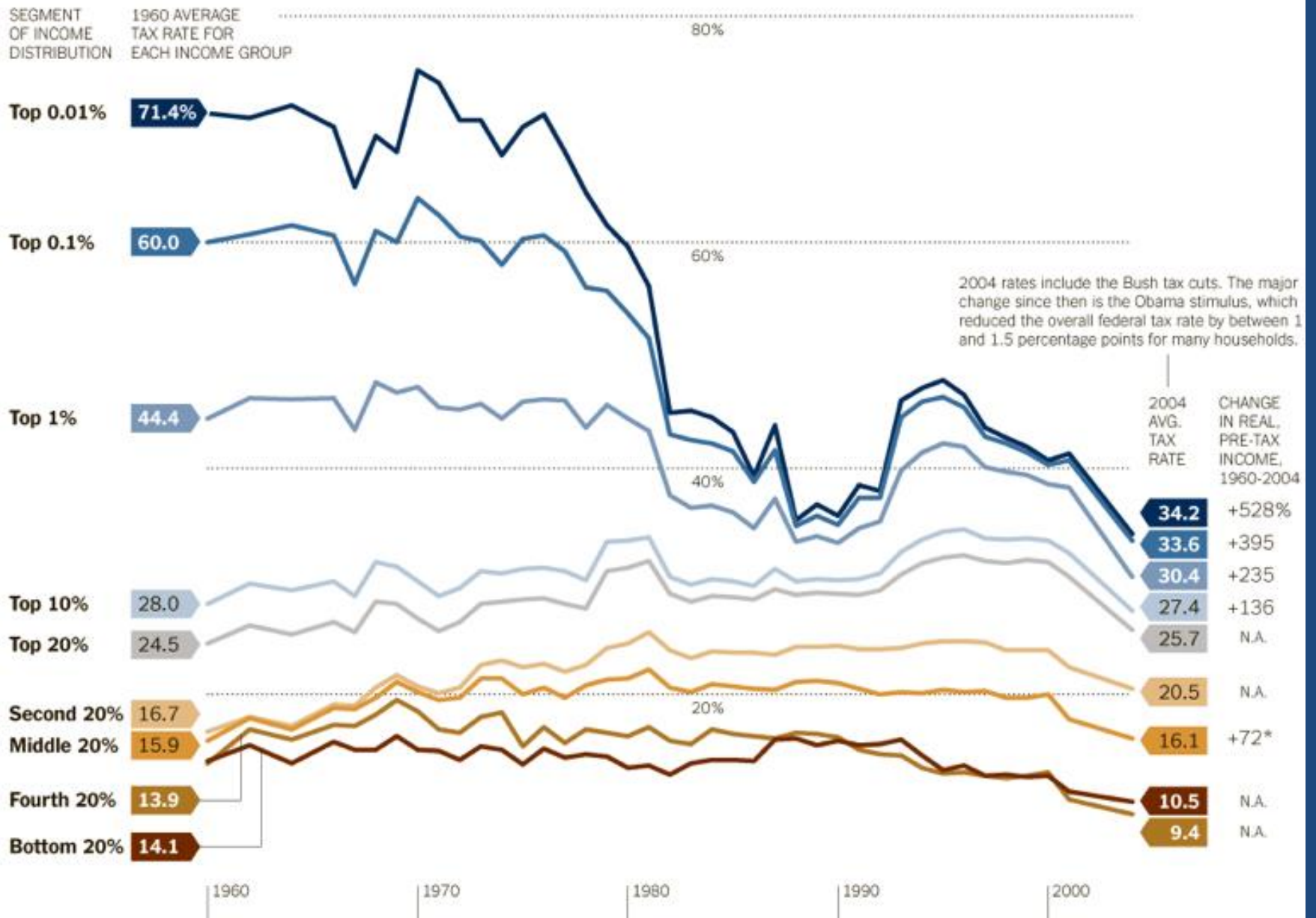


Public laws passed per session of Congress, 1948-2012



Federal Spending and Revenue as a Share of the U.S. Economy (1930 - 2016)

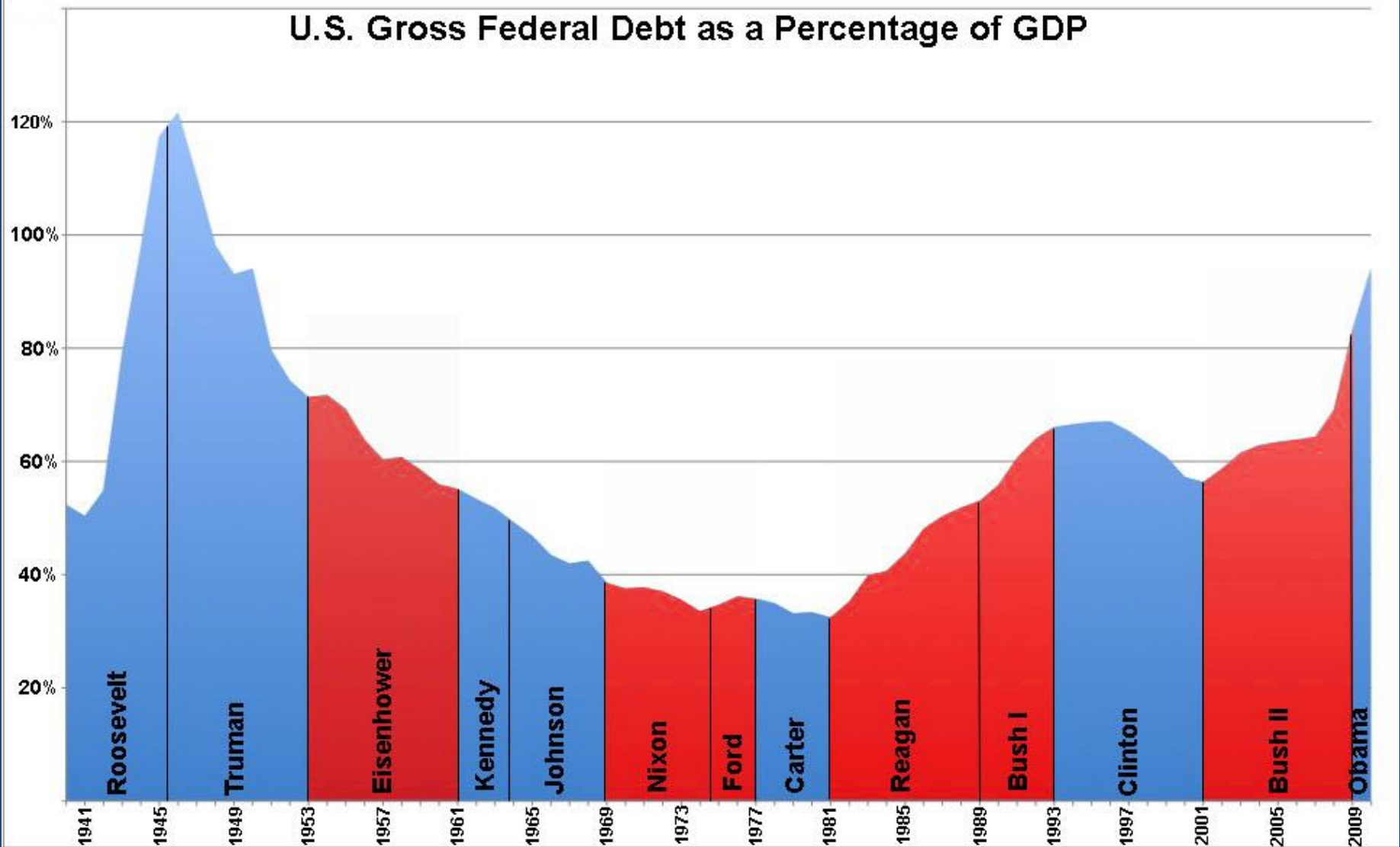




*Figure is the change in median family income from 1960 to 2004.

Bill Marsh/The New York Times

U.S. Gross Federal Debt as a Percentage of GDP



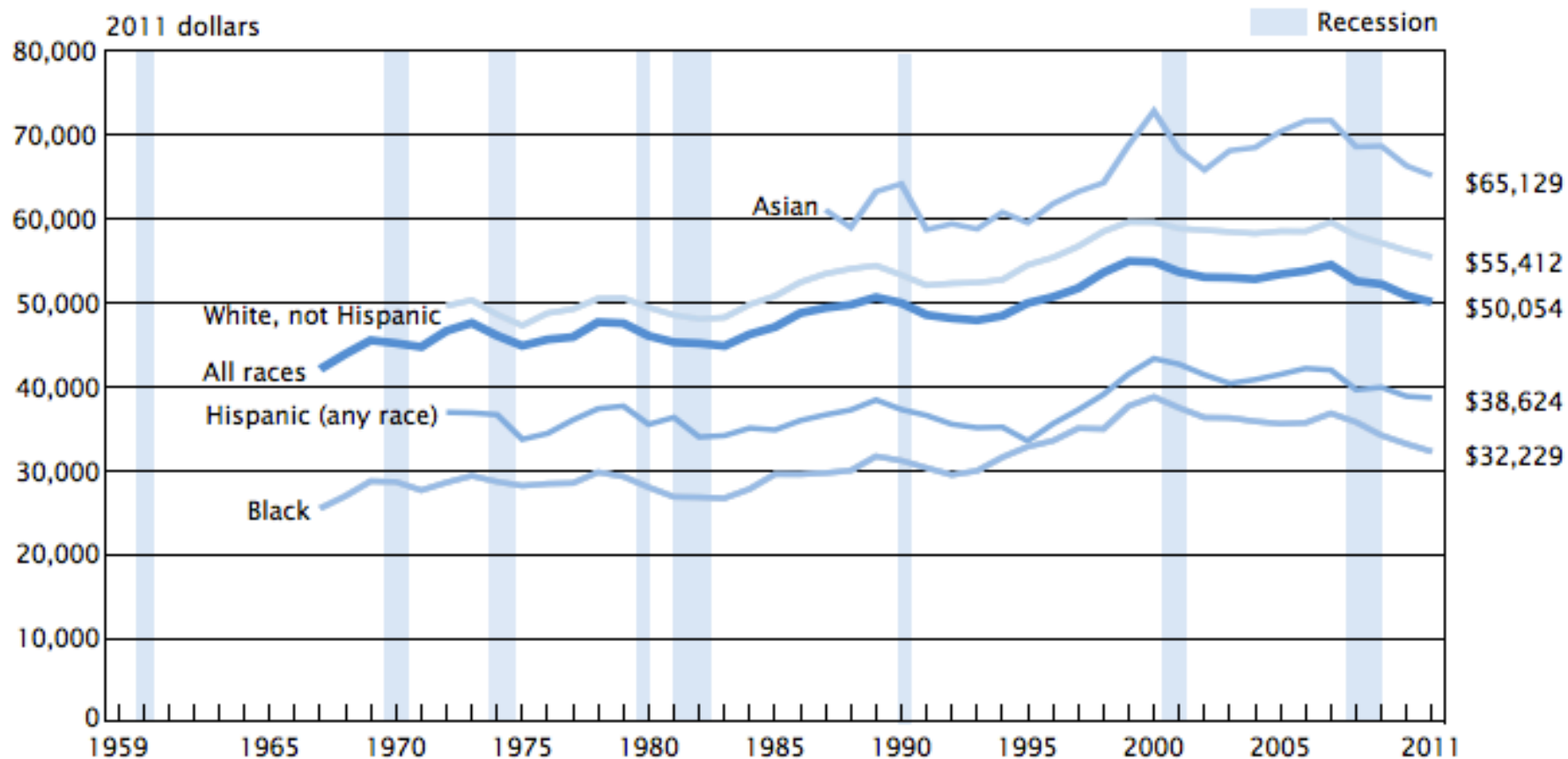
Toward a more perfect union?

We the People of the United States, in Order to form a **more perfect Union**, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this **Constitution**

Economics



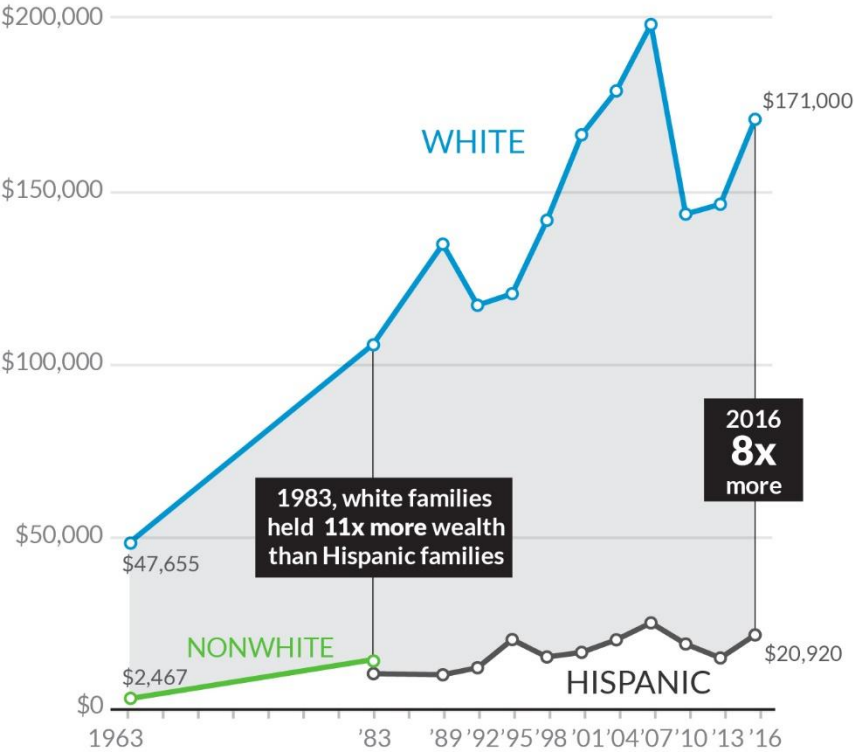
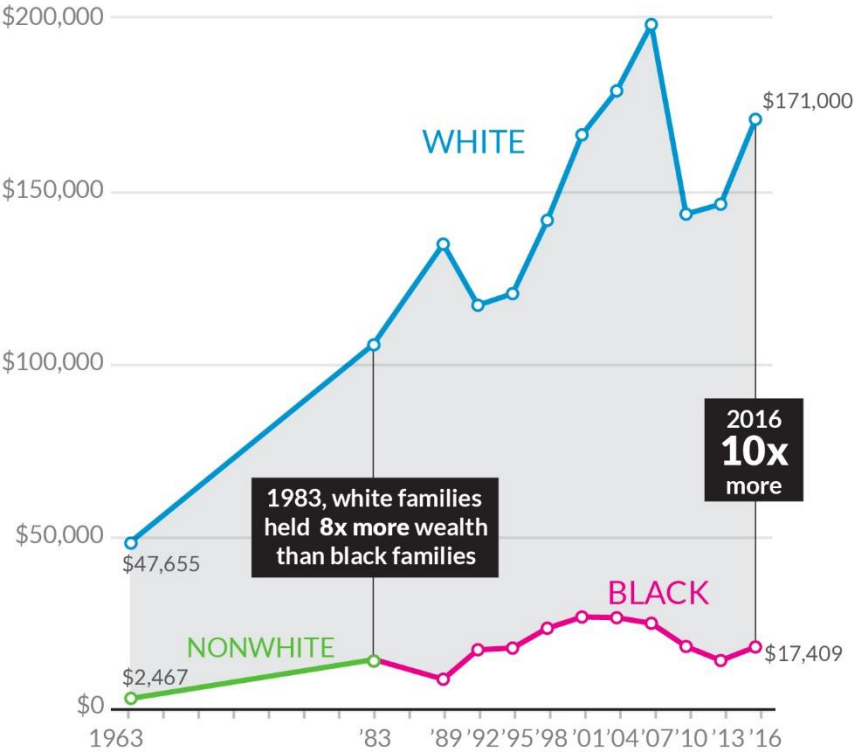
Figure 1.
Real Median Household Income by Race and Hispanic Origin: 1967 to 2011



Note: Median household income data are not available prior to 1967. Implementation of 2010 Census population controls beginning in 2010. For information on recessions, see Appendix A.

Source: U.S. Census Bureau, Current Population Survey, 1968 to 2012 Annual Social and Economic Supplements.

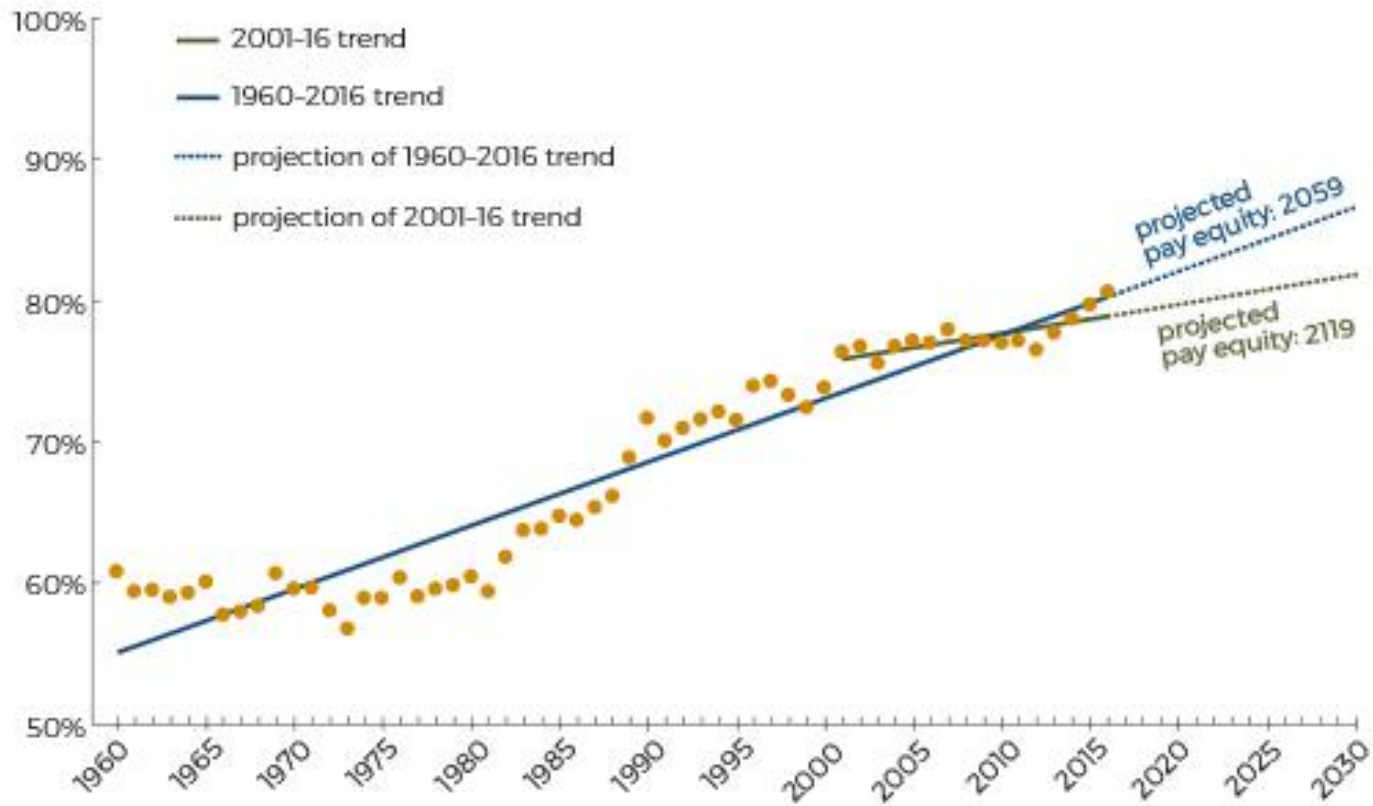
Median Family Wealth by Race/Ethnicity, 1963-2016



Source: Urban Institute calculations from Survey of Financial Characteristics of Consumers 1962 (December 31), Survey of Changes in Family Finances 1963, and Survey of Consumer Finances 1983-2016.

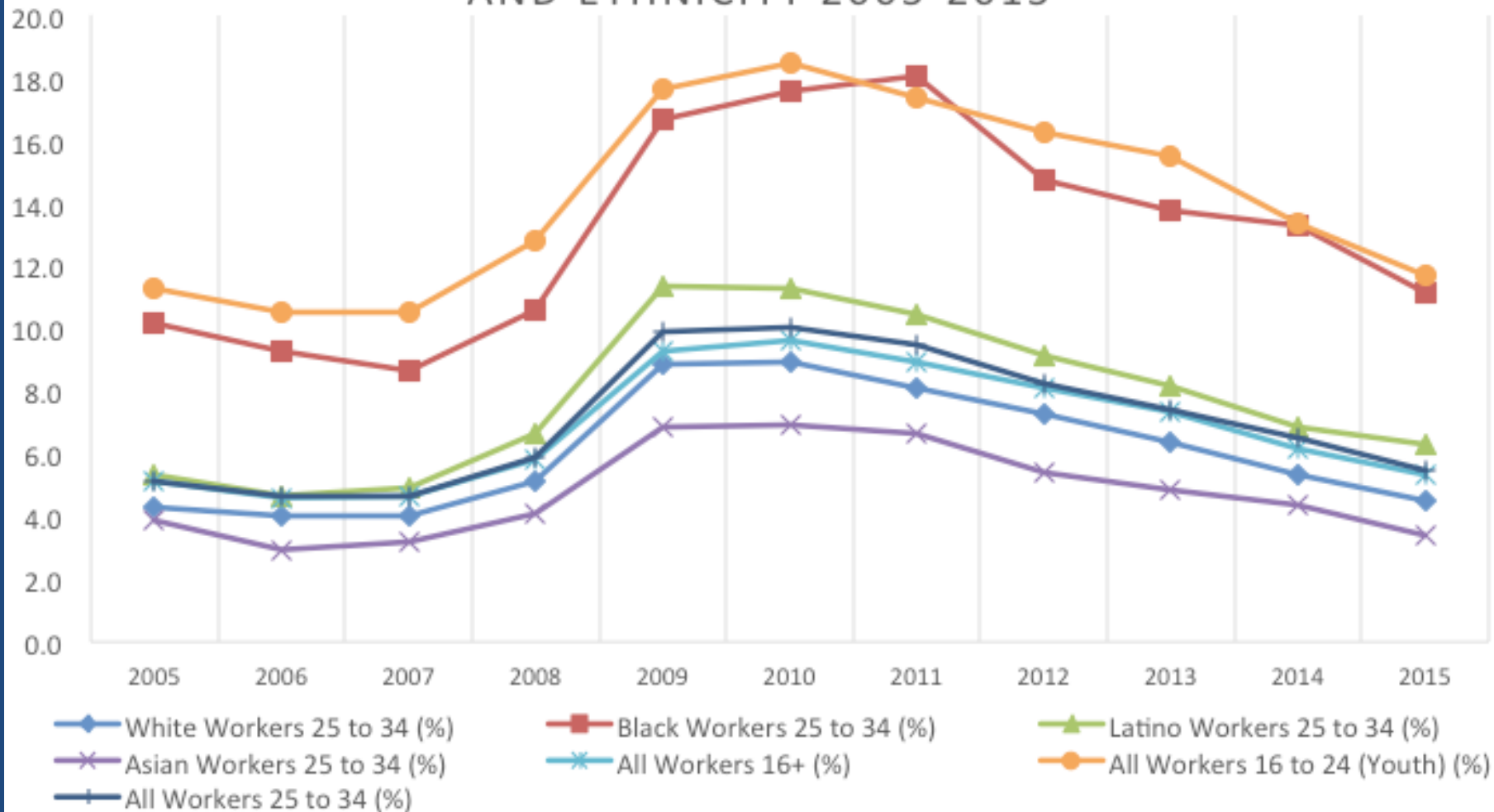
Notes: 2016 dollars. No comparable data are available between 1963 and 1983. Black/Hispanic distinction within nonwhite population available only in 1983 and later.

Women's Median Annual Earnings as a Percentage of Men's for Full-time, Year-round Workers, 1960-2016 and Projections

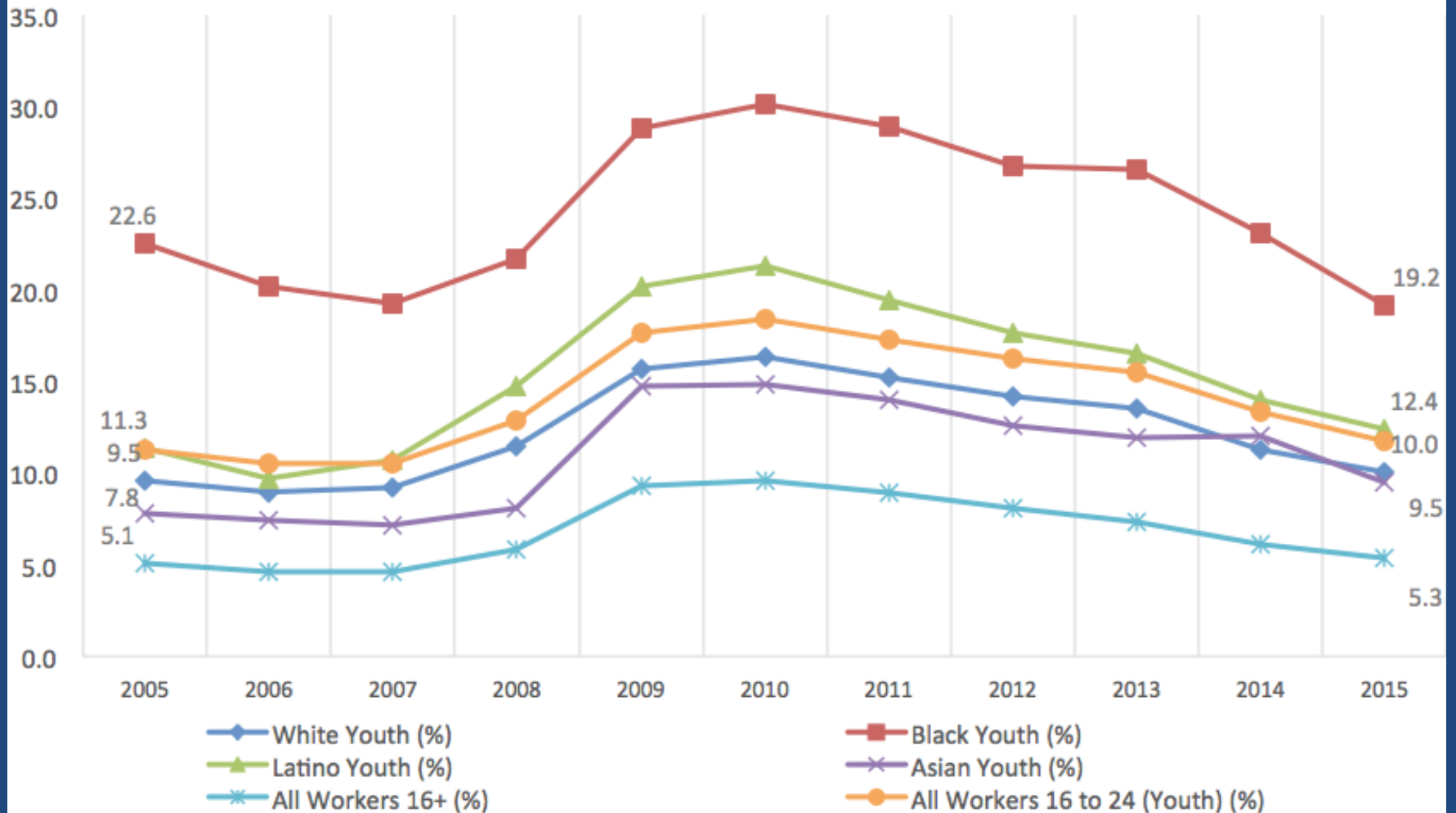


Source: *The Simple Truth about the Gender Pay Gap*

ANNUAL AVERAGE UNEMPLOYMENT RATES, BY RACE AND ETHNICITY 2005-2015



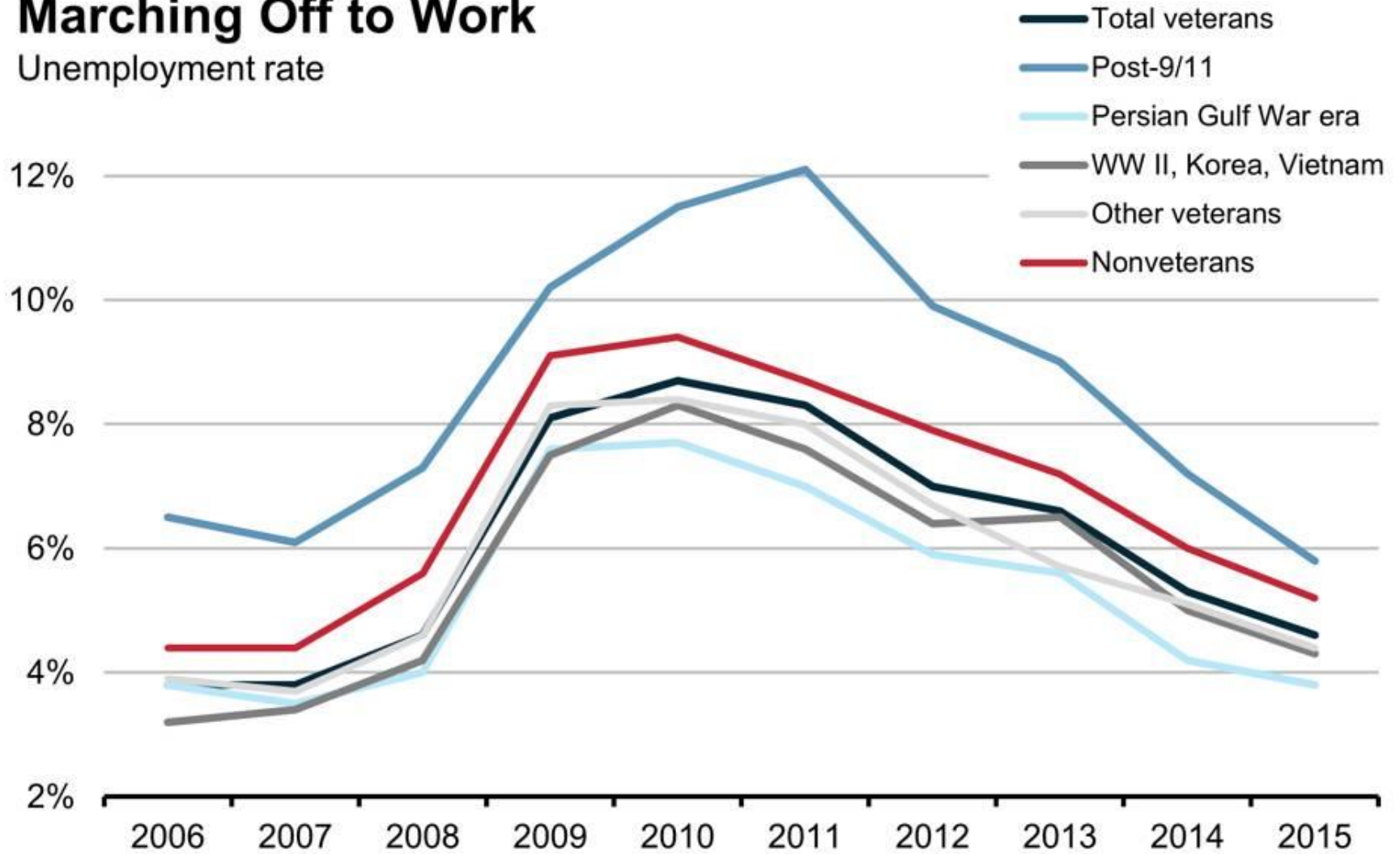
AVERAGE ANNUAL UNEMPLOYMENT RATES BY RACE AND ETHNICITY





Marching Off to Work

Unemployment rate

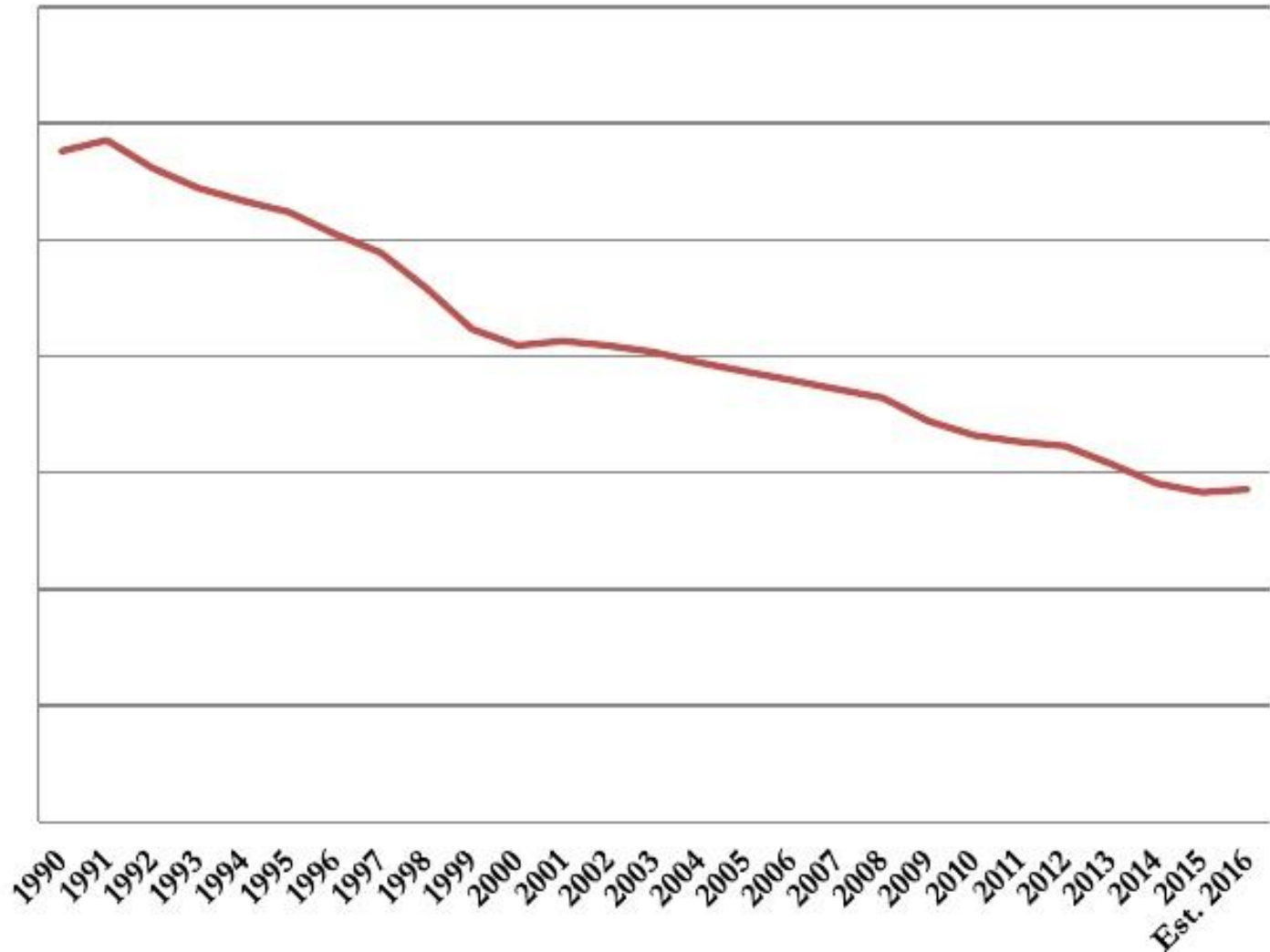


Source: Labor Department | WSJ.com

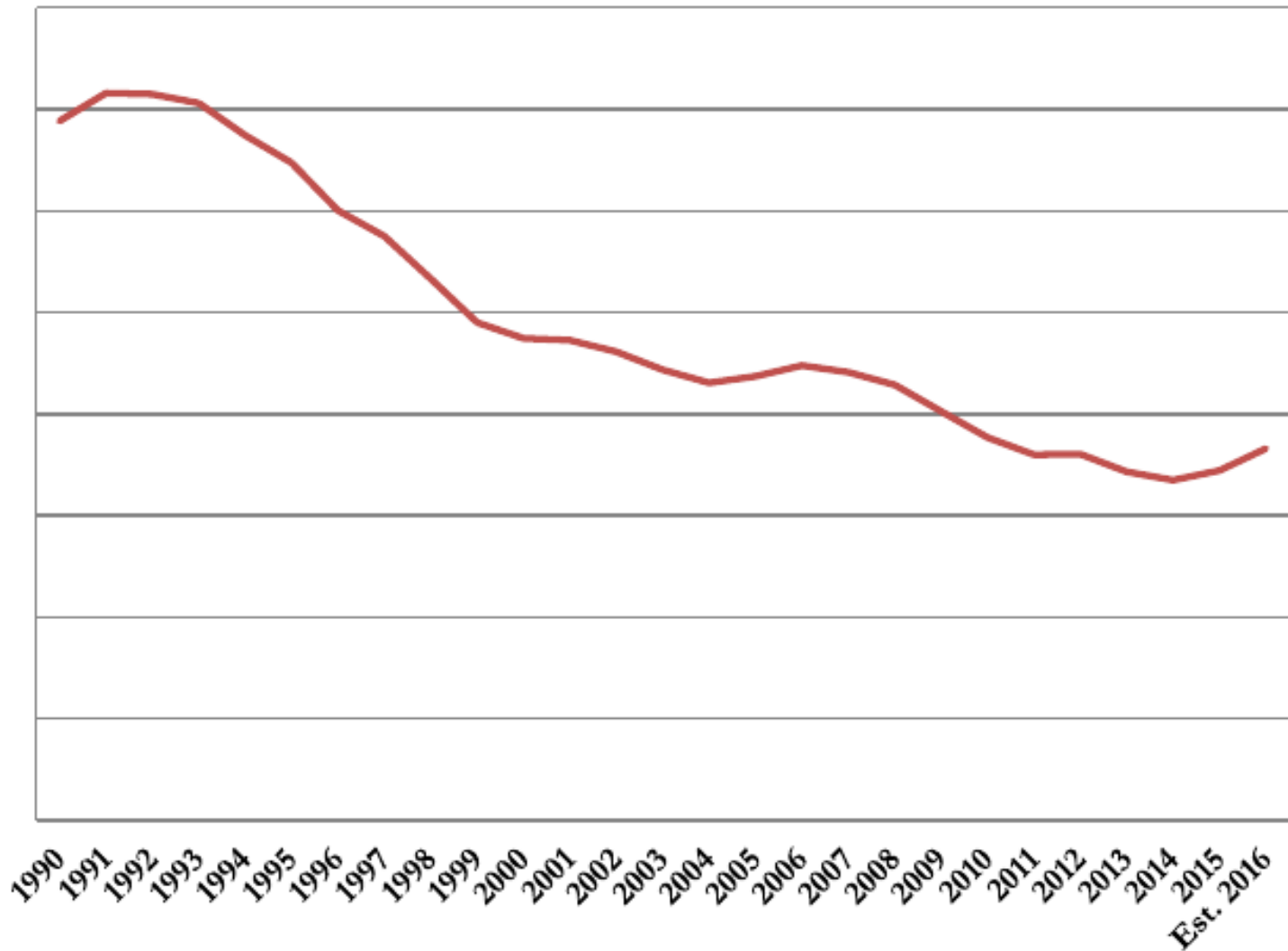
Crime



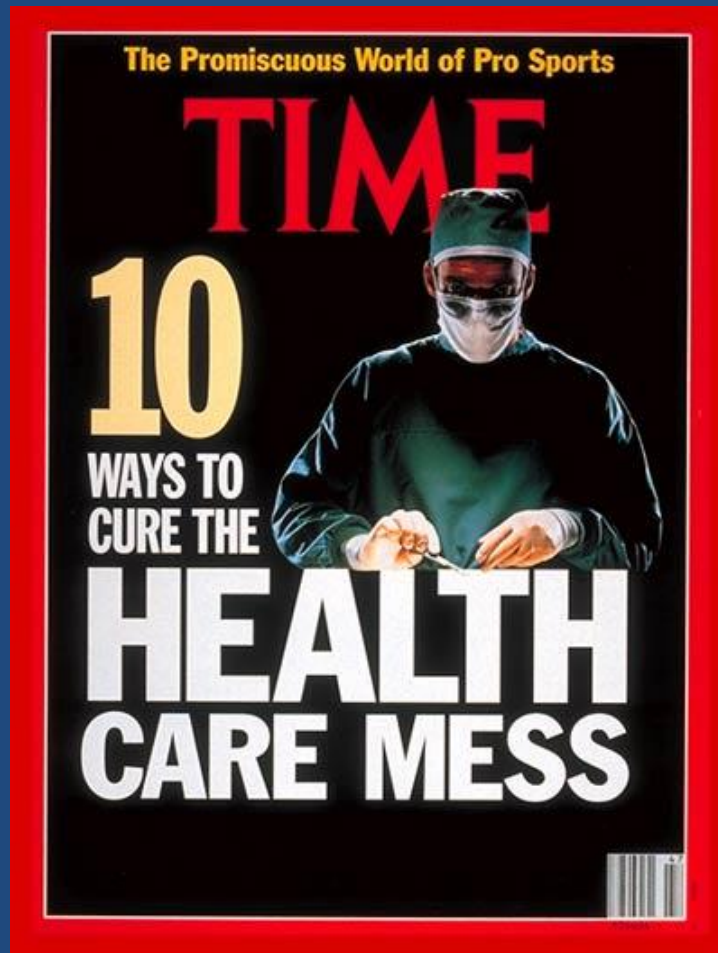
Overall crime rate

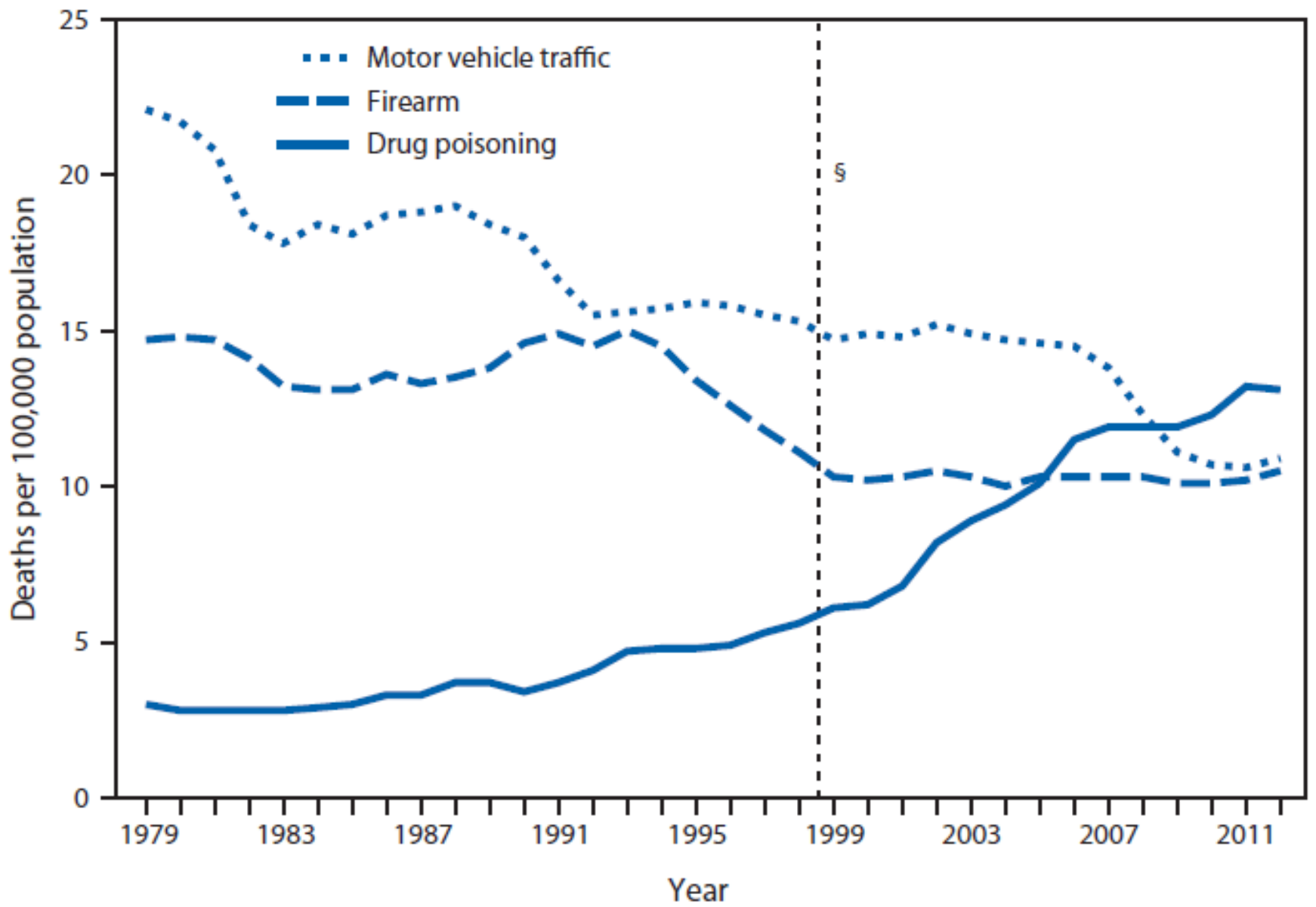


Violent crime rate



Health





US motor vehicle

deaths per VMT, deaths per capita, total deaths, VMT, and population

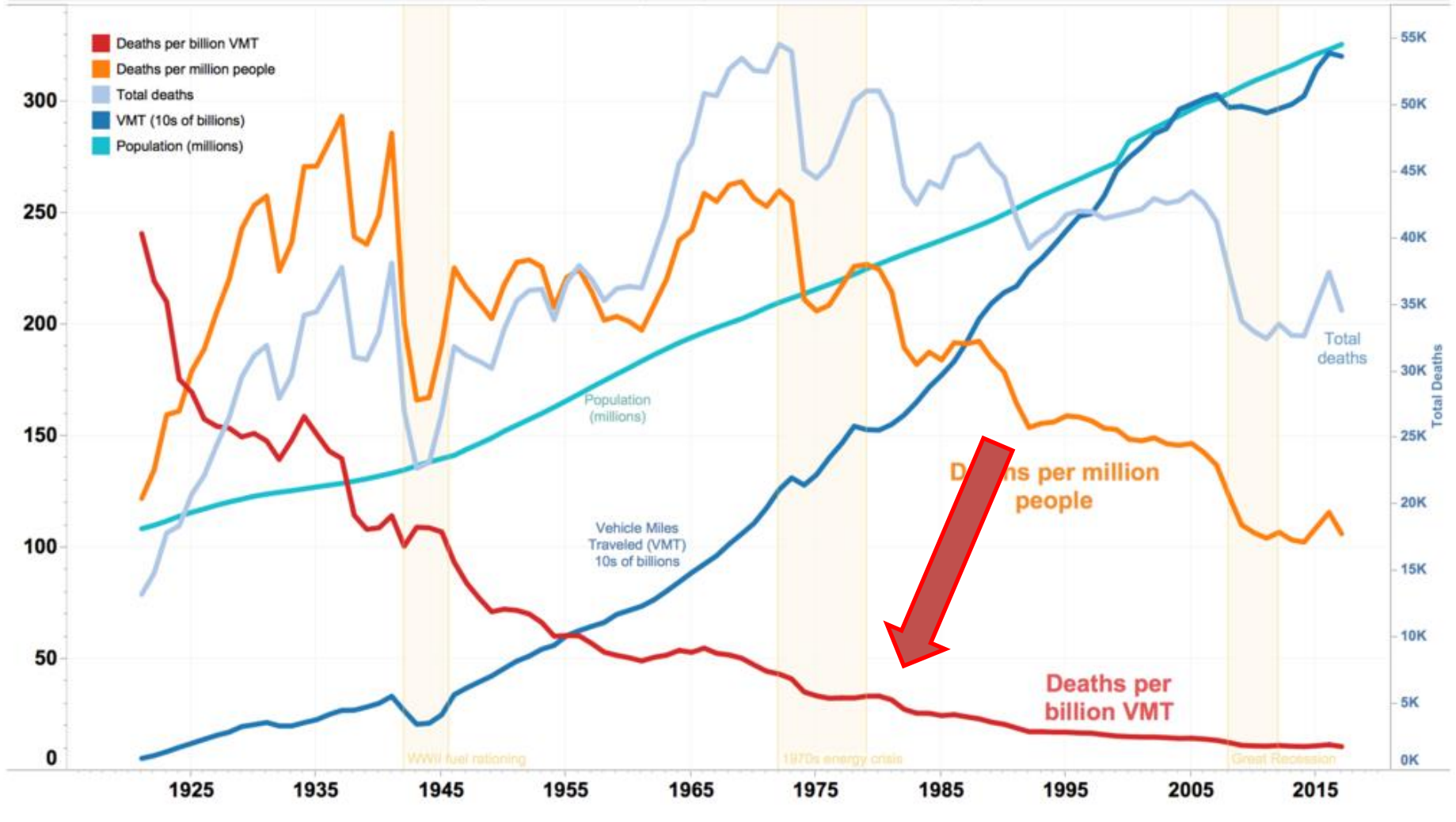
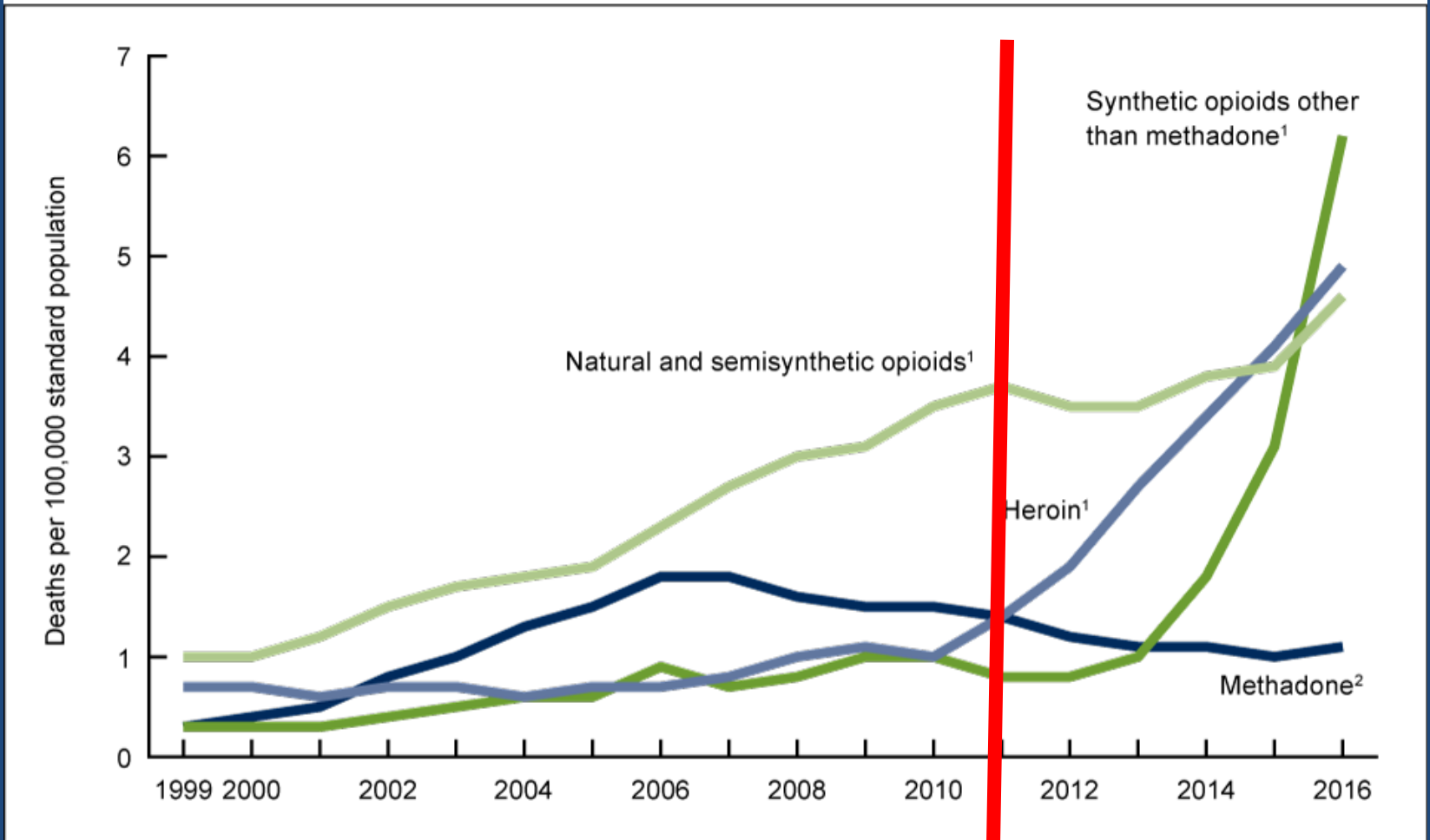


Figure 4. Age-adjusted drug overdose death rates, by opioid category: United States, 1999–2016



¹Significant increasing trend from 1999 to 2016 with different rates of change over time, $p < 0.05$.

²Significant increasing trend from 1999 to 2006, then decreasing trend from 2006 to 2016, $p < 0.05$.

NOTES: Deaths are classified using the *International Classification of Diseases, Tenth Revision*. Drug-poisoning (overdose) deaths are identified using underlying cause-of-death codes X40–X44, X60–X64, X85, and Y10–Y14. Drug overdose deaths involving selected drug categories are identified by specific multiple-cause-of-death codes: heroin, T40.1; natural and semisynthetic opioids, T40.2; methadone, T40.3; and synthetic opioids other than methadone, T40.4. Deaths involving more than one opioid category (e.g., a death involving both methadone and a natural or semisynthetic opioid) are counted in both categories. The percentage of drug overdose deaths that identified the specific drugs involved varied by year, with ranges of 75%–79% from 1999 to 2013, and 81%–85% from 2014 to 2016. Access data table for Figure 4 at: https://www.cdc.gov/nchs/data/databriefs/db294_table.pdf#4.

SOURCE: NCHS, National Vital Statistics System, Mortality.

Deaths/100,000 population

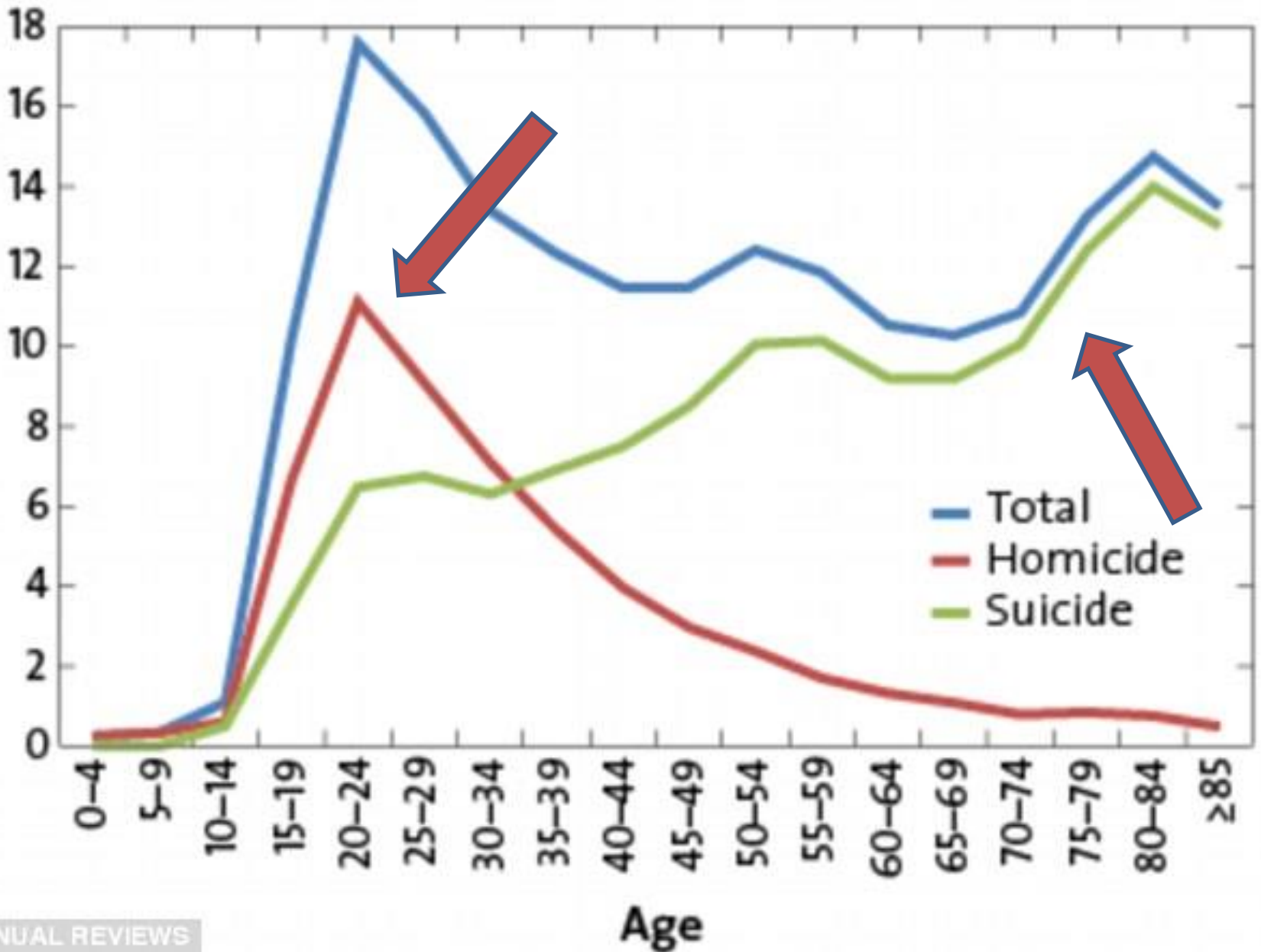
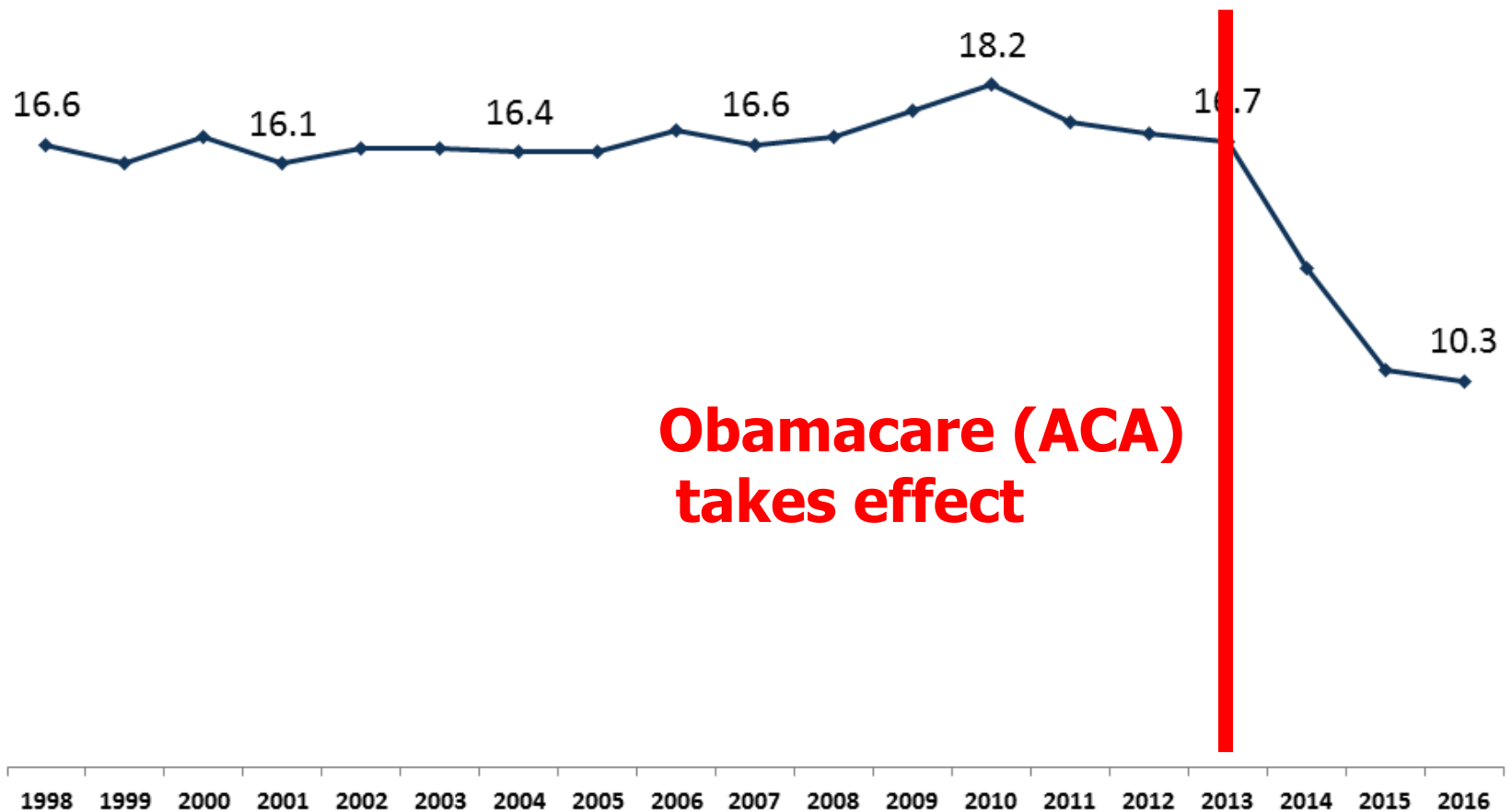


Figure 1

Uninsured Rate Among the Nonelderly Population, 1998-2016

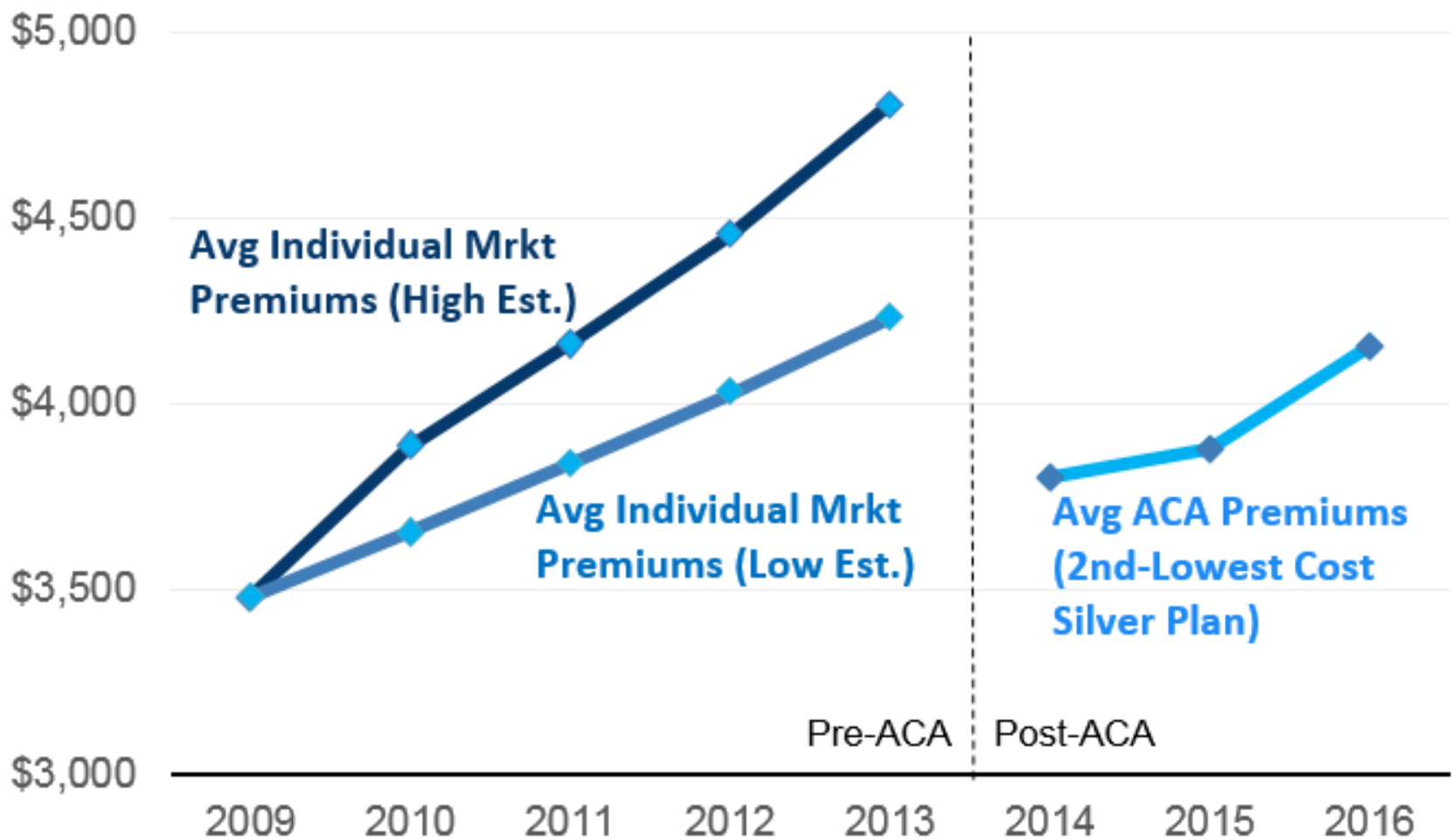


**Obamacare (ACA)
takes effect**

NOTES: Includes nonelderly individuals ages 0-64.

SOURCE: Kaiser Family Foundation analysis of the 2016 National Health Interview Survey.

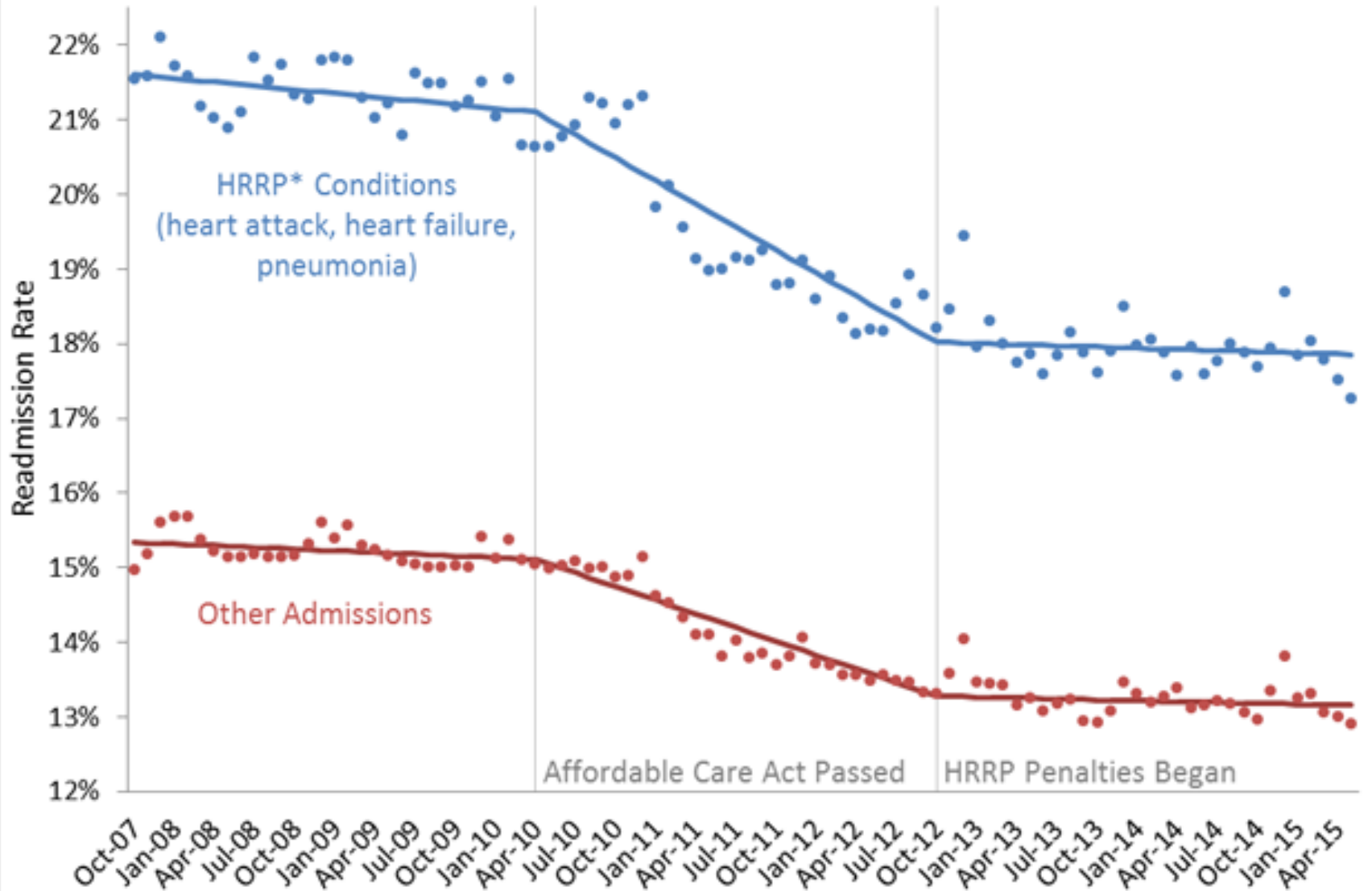
Individual Market Premiums Dropped 10-21% After ACA



Source: CBO, NORC, ASPE, and authors' analysis

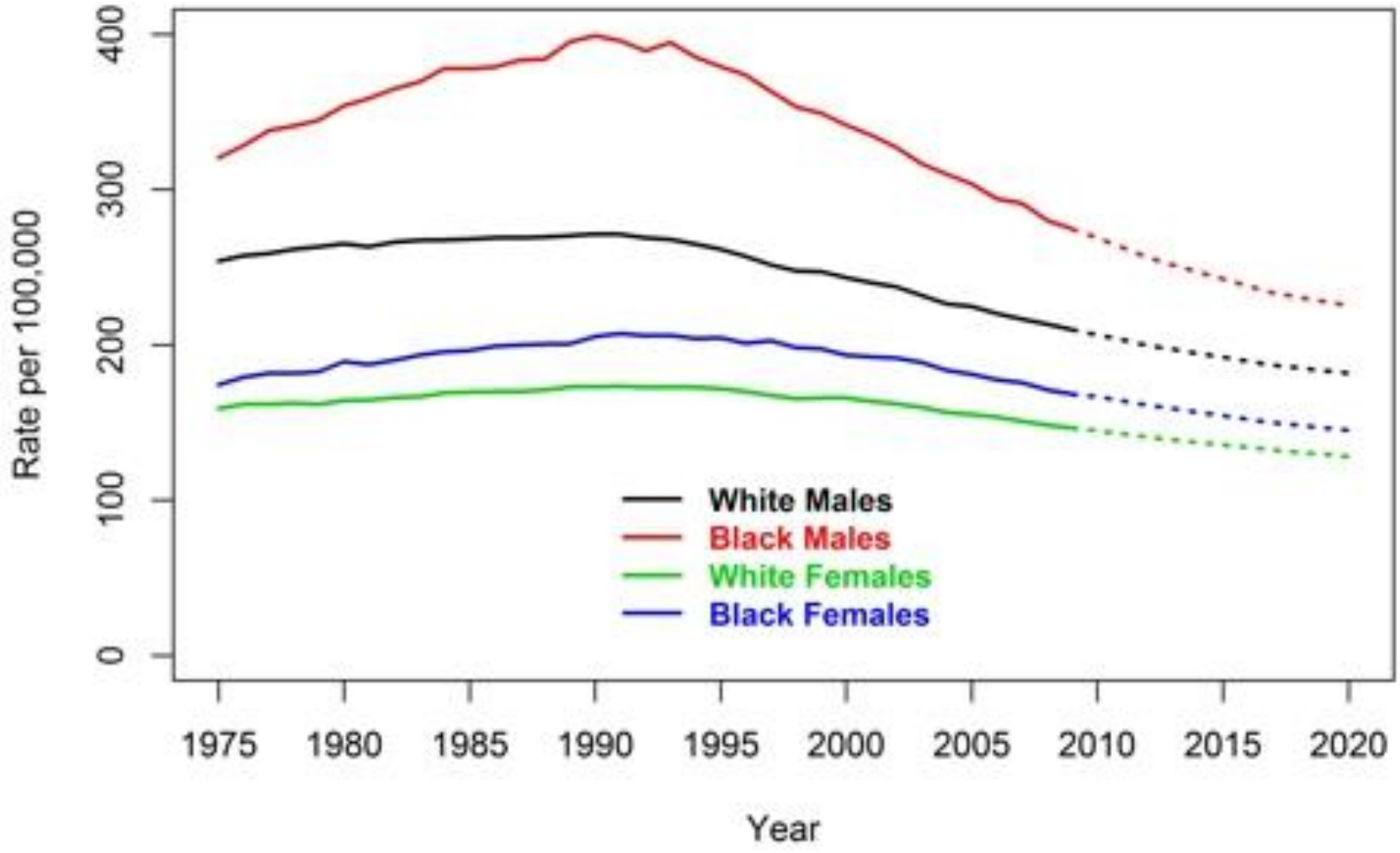
BROOKINGS

Trends in Readmission within 30 Days of Discharge

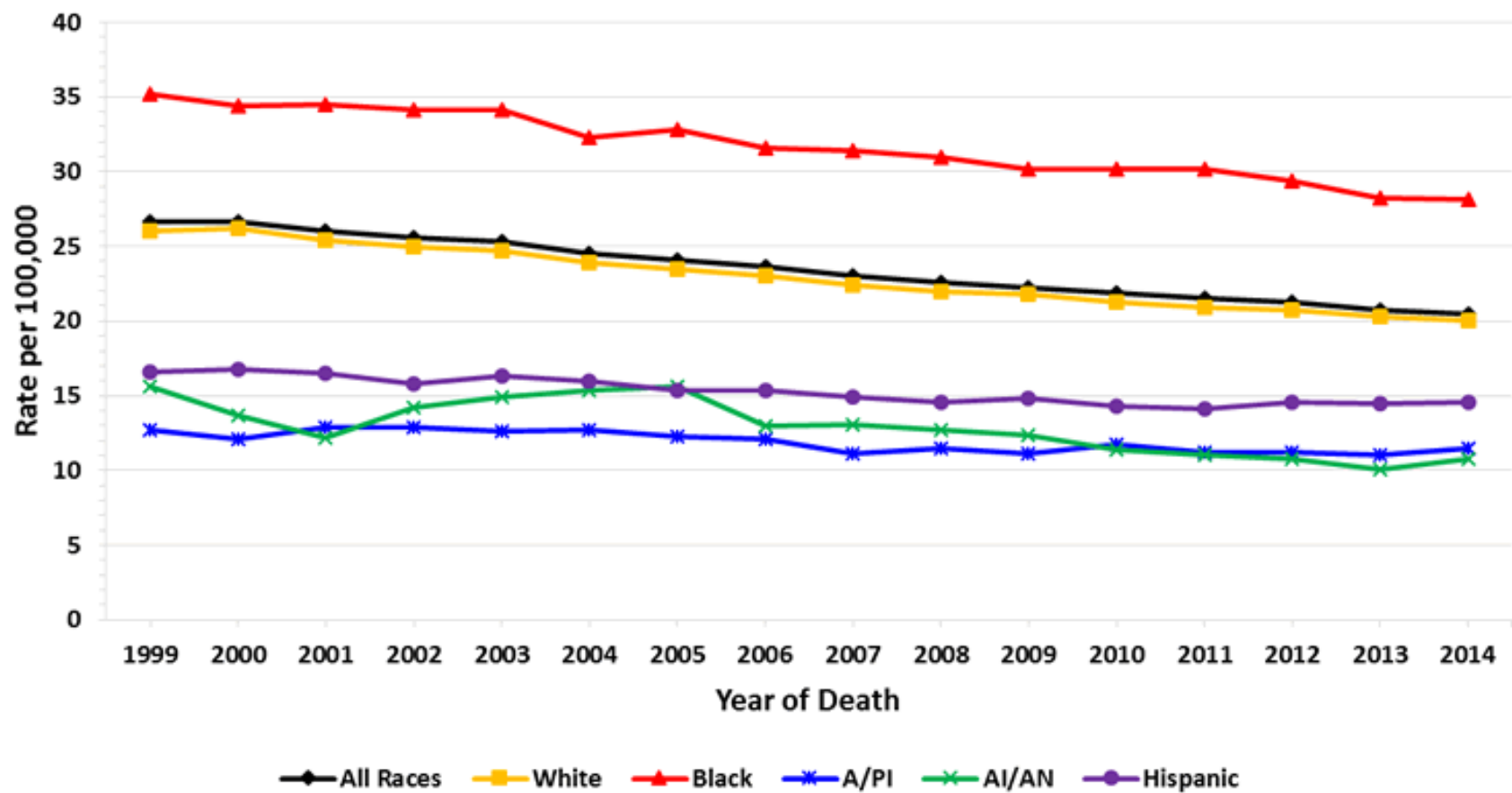


*HRRP: Hospital Readmissions Reduction Program. Heart attack, heart failure, and pneumonia were used in the program beginning in October 2013. Chronic obstructive pulmonary disease and hip and knee replacement were added in October 2015 and are not included in this graph.

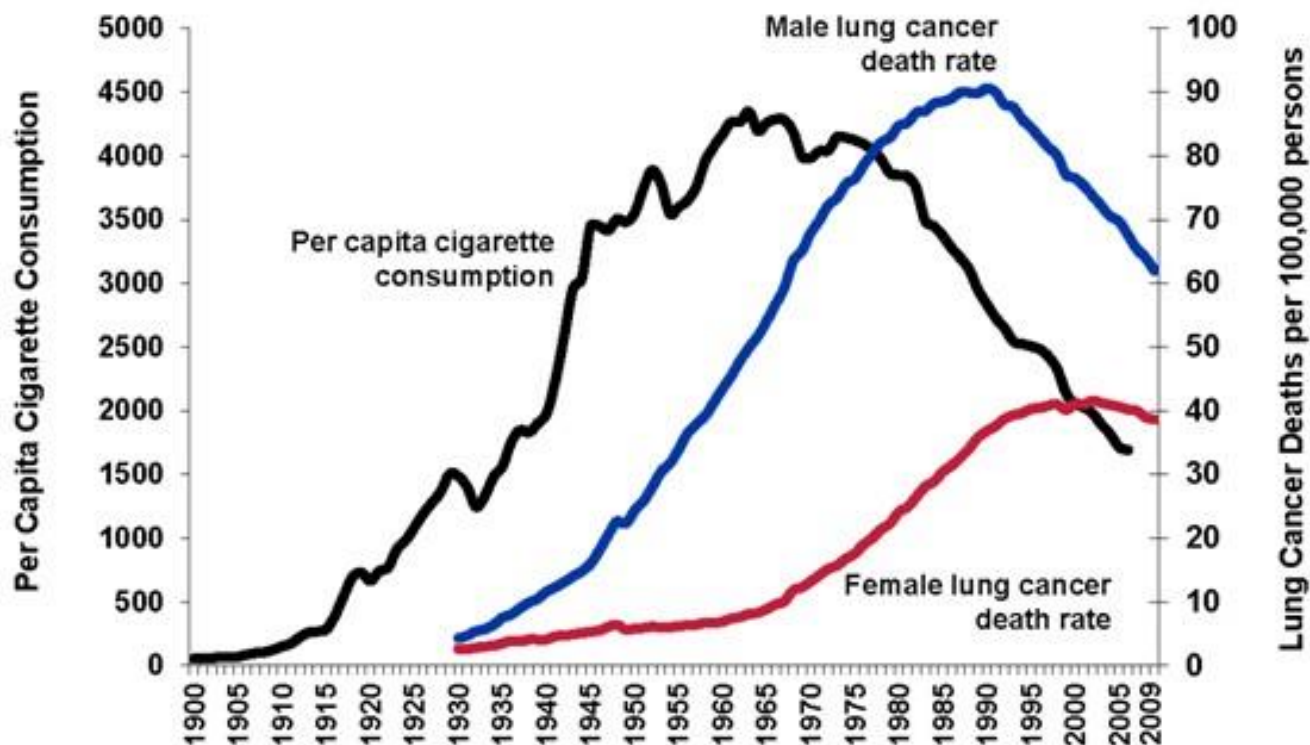
All Cancer Sites Combined



Female Breast Cancer Death Rates* by Race and Ethnicity,† United States, 1999–2014§



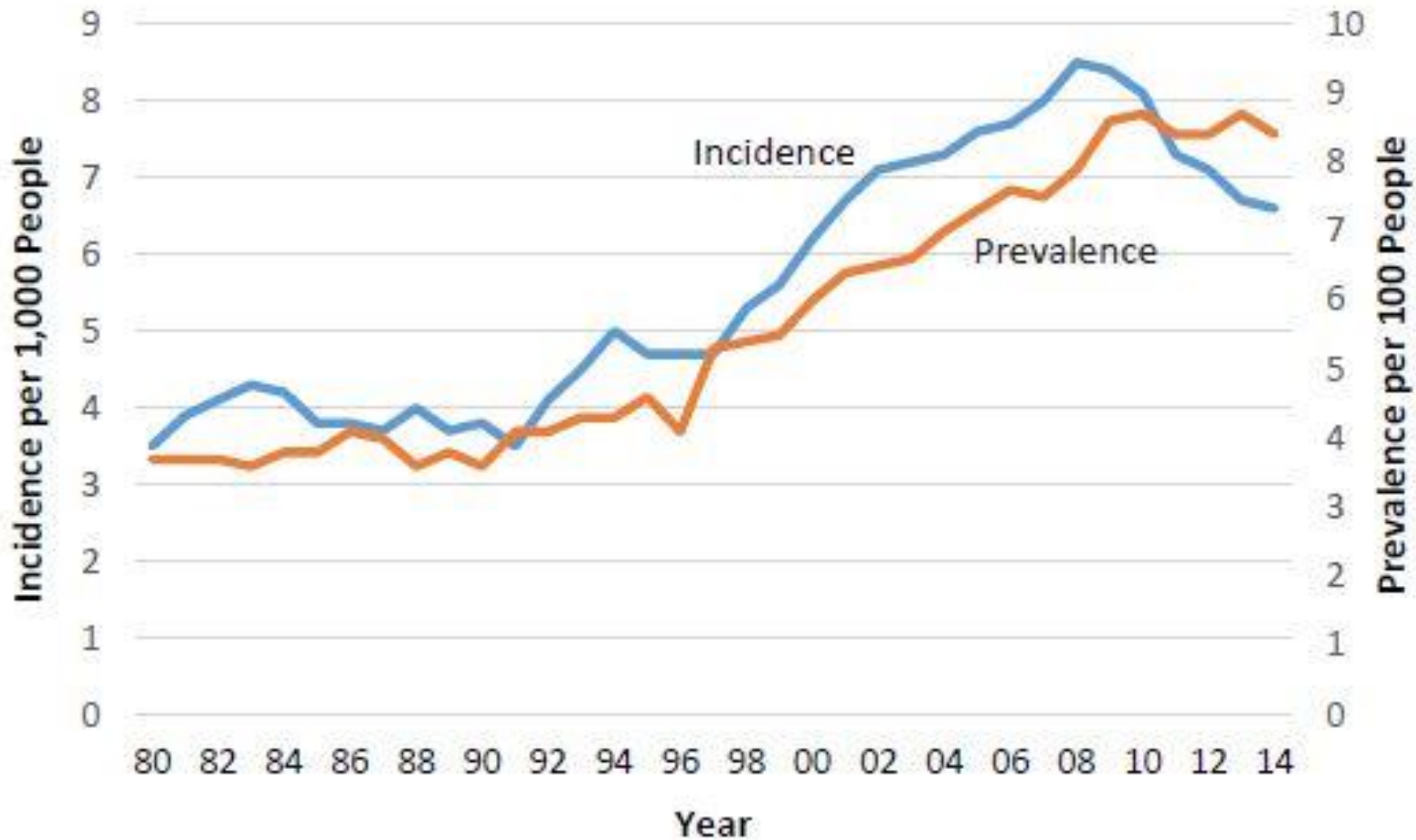
Trends in Tobacco Use and Lung Cancer Death Rates* in the US



*Age-adjusted to 2000 US standard population.

Source: Death rates: US Mortality Data, 1960-2009, US Mortality Volumes, 1930-1959, National Center for Health Statistics, Centers for Disease Control and Prevention. Cigarette consumption: US Department of Agriculture, 1900-2007.

Diabetes



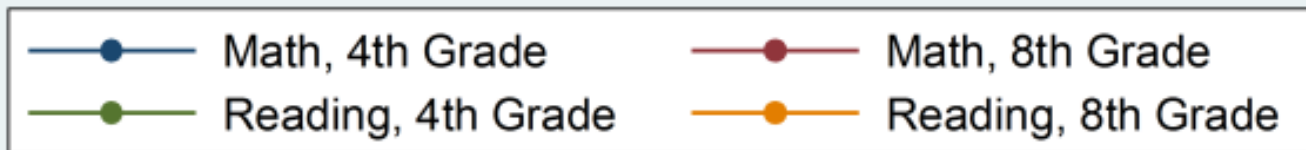
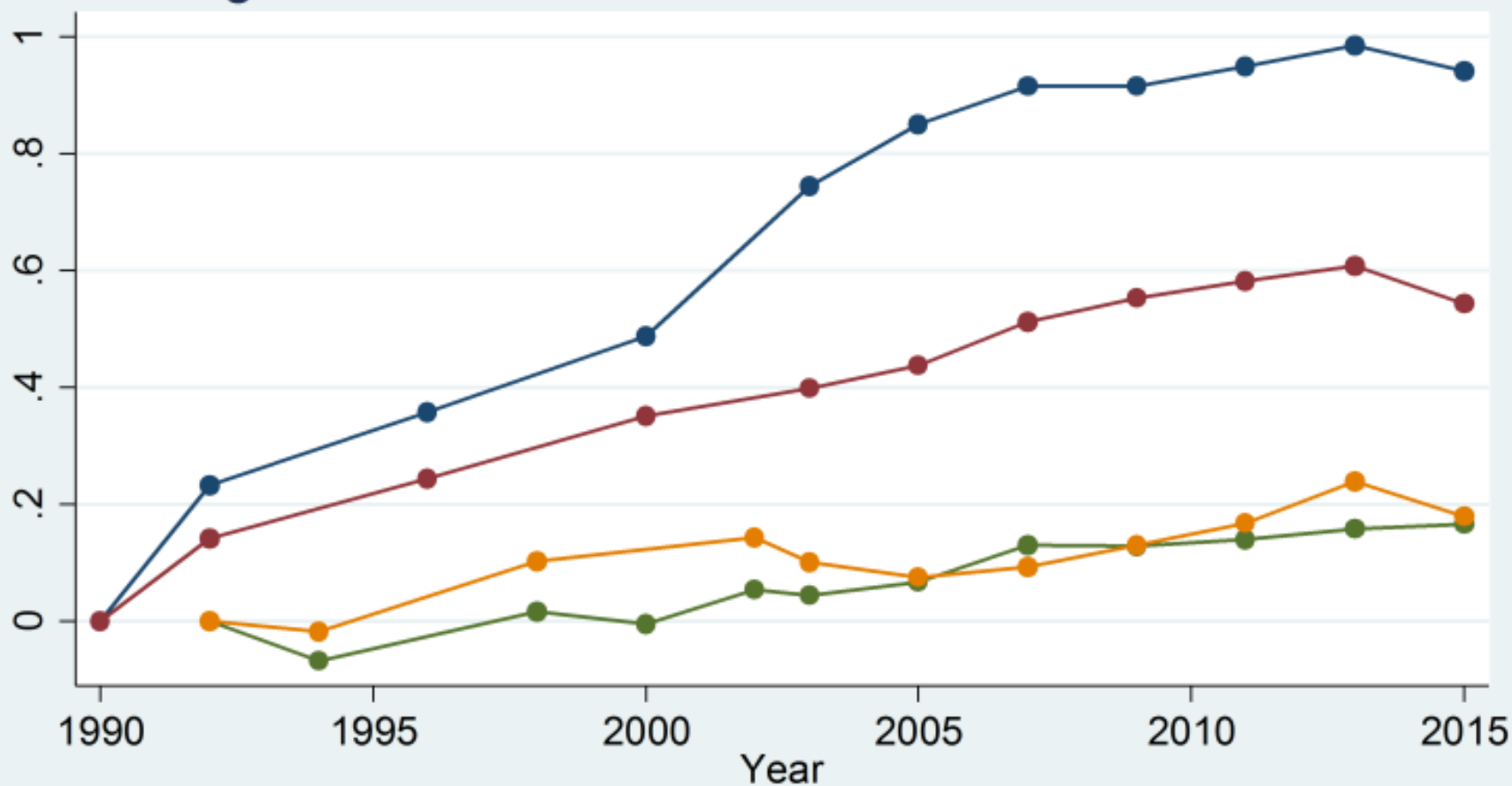
Education

REPORT CARD

Faith	
Friendships	
Work	
Education	
Rest	
Finances	
Relationships	
Marriage	
Family	
Health	
Parenting	



Figure 1. Trend in Main NAEP Scores Since 1990

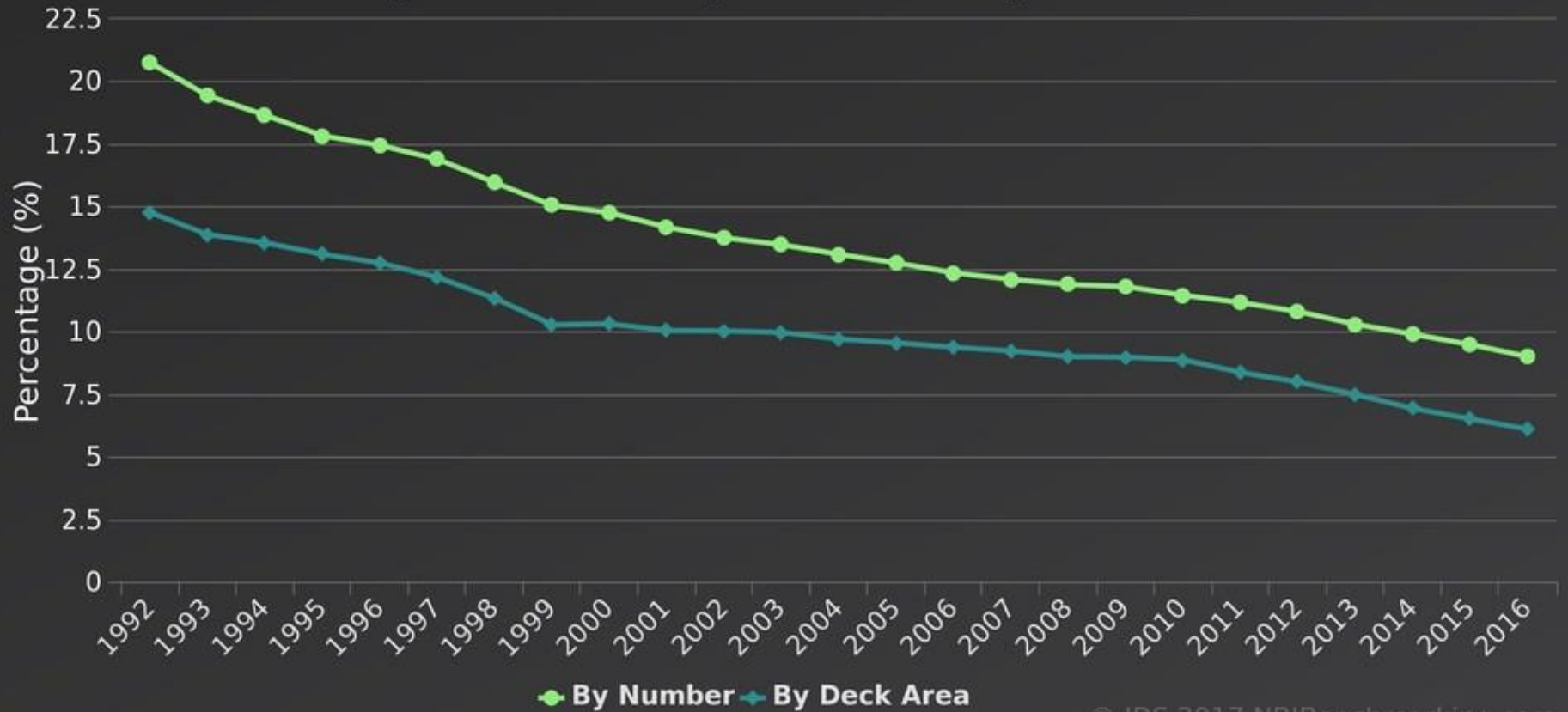


Note: Reported relative to 1990 and 1992 in student-level standard deviation units.

Infrastructure



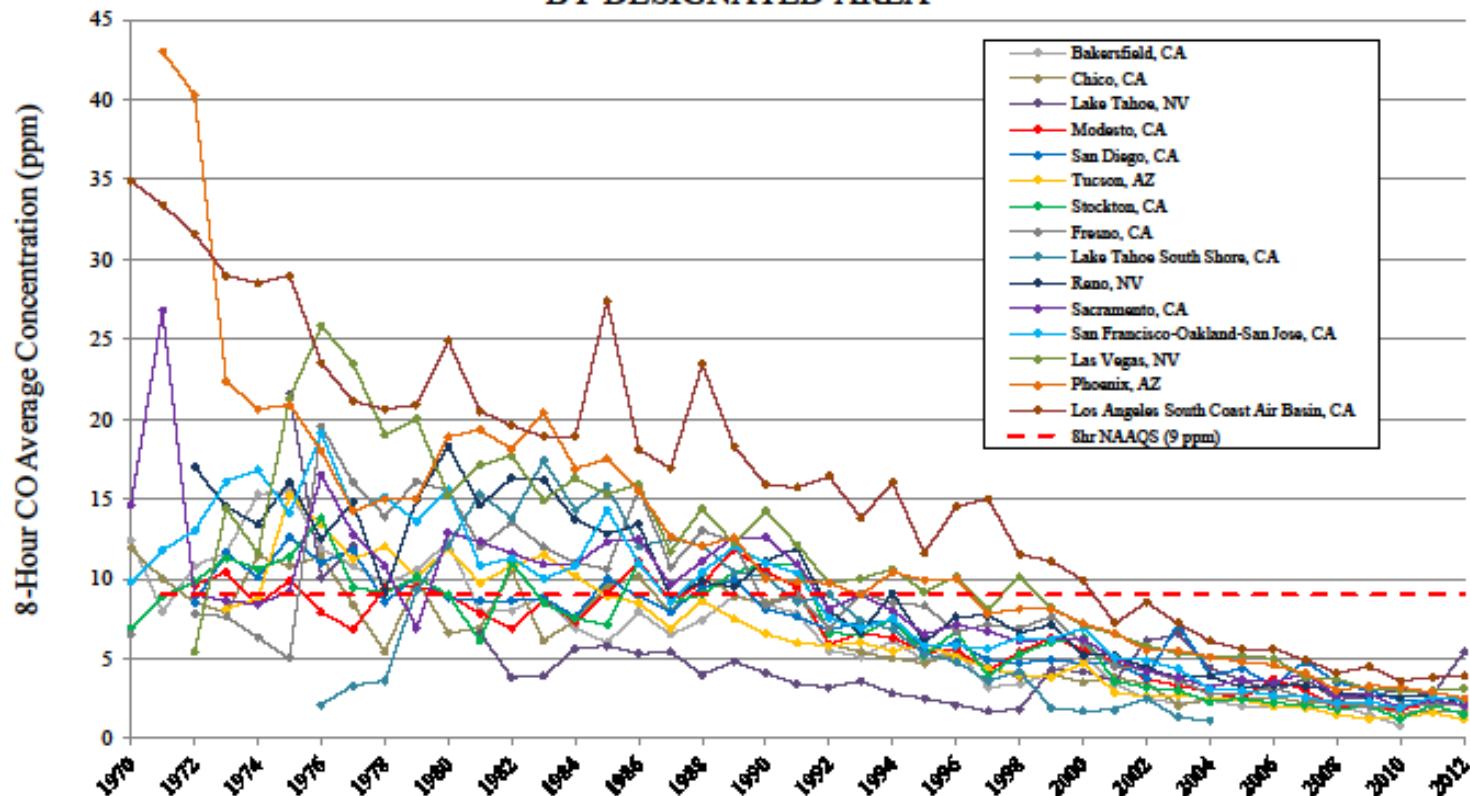
Percentage of structurally deficient bridges in the U.S.



environment



US EPA REGION 9 AIR QUALITY TRENDS, 1970-2012
8-HOUR CARBON MONOXIDE (CO) DESIGN VALUE CONCENTRATIONS
BY DESIGNATED AREA



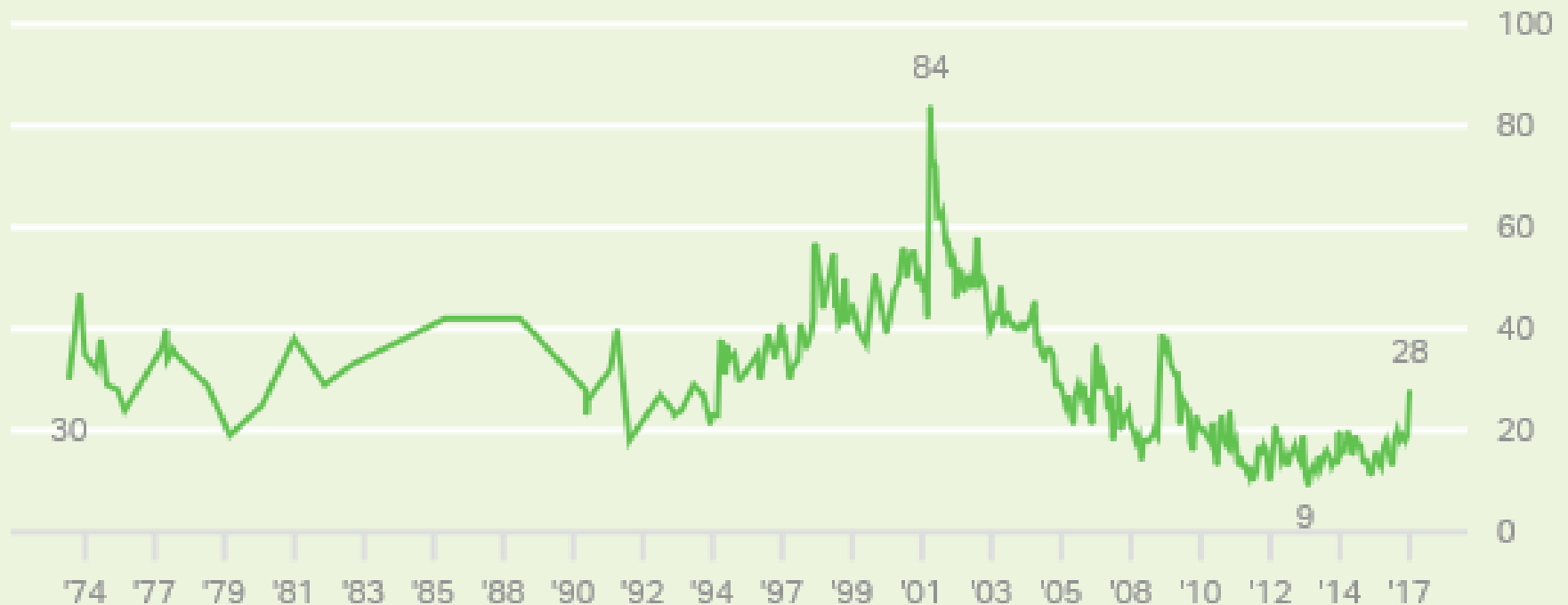
Source: US EPA's Air Quality Systems (AQS) database (July 11, 2012 and June 25, 2013; last updated July 15, 2013).

The 2008 national ambient air quality standard (NAAQS) for 8-hour carbon monoxide (CO) is 9 parts per million (ppm), not to be exceeded more than once a year. The design value is the second highest day's recorded value over a two-year period. The air quality monitor that has the highest design value for each two-year period in a designated area is shown here. X-axis labels represent the last year of a monitor's two-year time period. All exceptional event data (e.g., high winds and wildfires) that EPA has concurred on have been excluded from design value calculations. Not all design values are valid due to incomplete data.

What's going on?

Congressional Job Approval

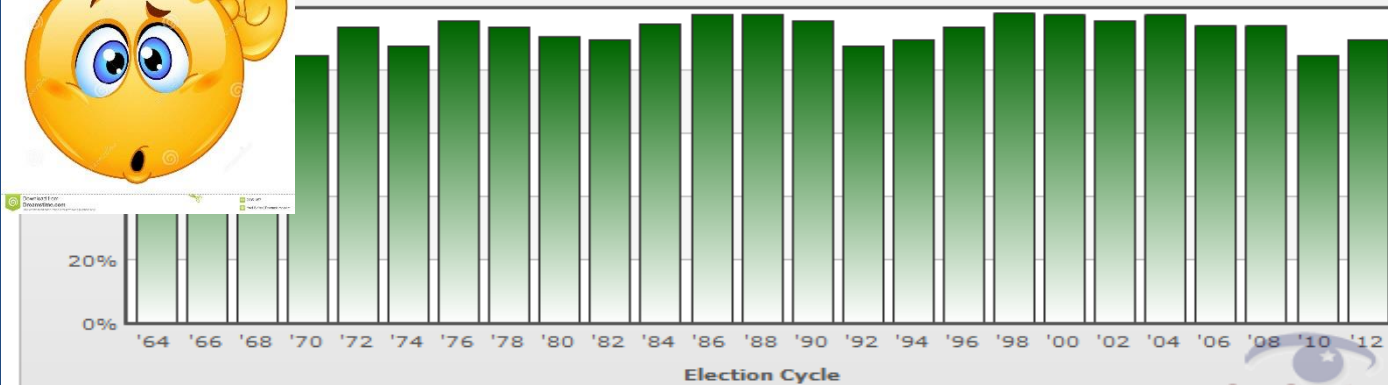
■ % Approve



GALLUP

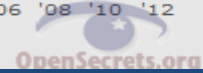
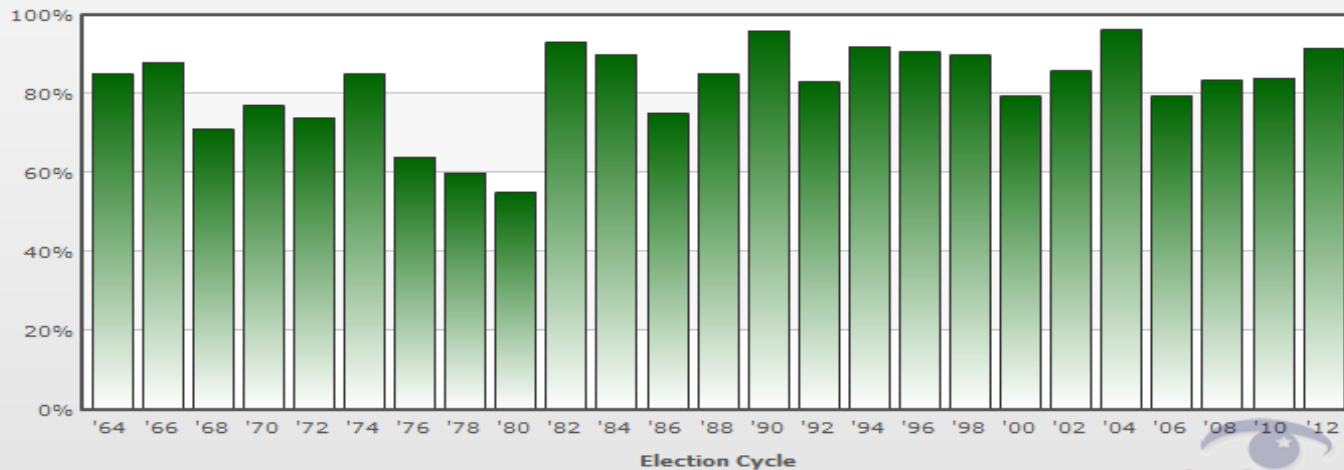


US House Reelection Rates, 1964-2012



Senate races still overwhelmingly favor the incumbent, but not by as reliable a margin as House races. Big swings in the national mood can sometimes topple long time office-holders, as happened with the Reagan revolution in 1980. Even so, years like that are an exception.

US Senate Reelection Rates, 1964-2012



Hypothesis 1

- Public doesn't judge Congress on what it does, but how it does it
- Media emphasize conflict and problems
- And because Congress is unpopular, candidates run for it by running against it.

Hypothesis 2

- “False consensus” - people tend to overestimate the extent to which their opinions, beliefs, preferences, values, and habits are shared by others
- Since we all agree, why can't Congress stop bickering?

Hypothesis 3

- We take what we have for granted.

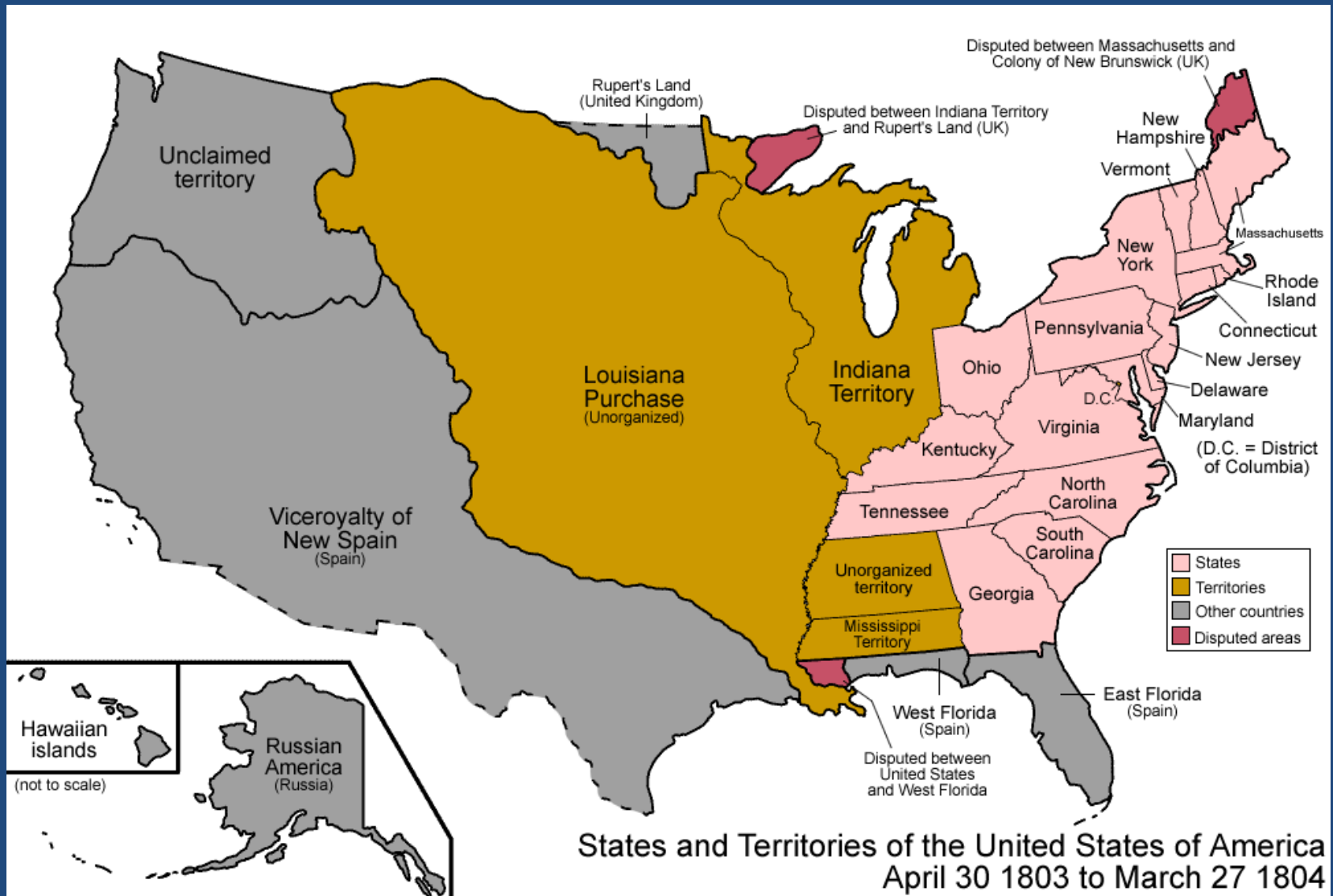
“Great, but what have you done for me lately?”



Dysfunction?

- Lots to be unhappy about, but also lots of positive change
- Products of a representative process – voters; activists; institutions; politicians; bureaucrats
- Next Time: The Purpose of Congress in the Constitution (don't miss it!)

The US when Congress was created. Time for an upgrade?



Wealthier households have recovered...

But the net worth of low- and middle-income families is still depressed



Source: Pew analysis of Federal Reserve data

The US when Congress was created. Time for an upgrade?





Today: Purpose of Congress?

- What did the framers hope to achieve and how?
- Is Congress working as intended today?
- Is this what we want Congress to be doing?

But first.....



Would this be a good thing?



Feed

Bills

Profiles

Issues



Log In

Welcome to Countable

Countable helps you make your voice heard by contacting your reps about issues that matter. Check out your reps!



Maria Cantwell
D - Sen



Patty Murray
D - Sen



Pramila Jayapal
D - Rep

[CONTACT YOUR REPS](#)

Not your reps? [Sign up here.](#)



Is this a good thing?

[SIGN UP](#)

Trending

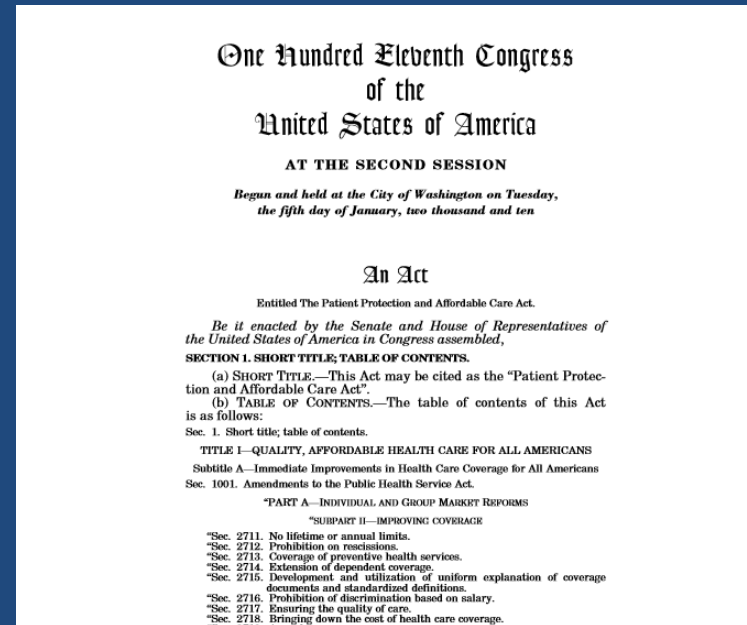
Fun facts!



U.S. Constitution

11 pages

(20 pages w/ Amendments)



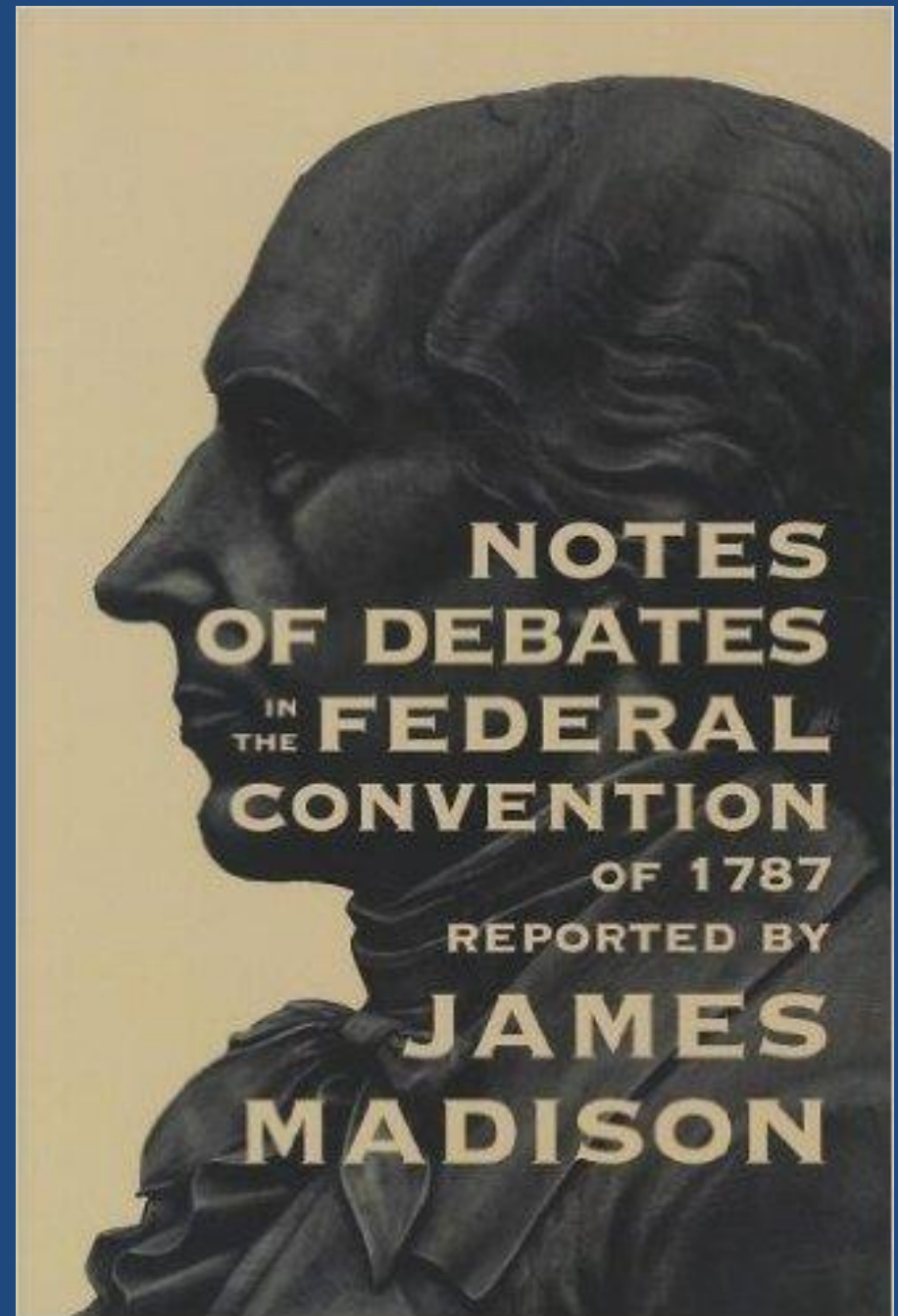
Affordable Care Act

903 Pages

The second 'written' Constitution



Great read!



"I smell a rat!"

Patrick Henry



Main points (purposes)

- 1. Stronger, limited national government
- 2. 'Representative' democracy

Processes to accomplish these purposes?

1. Stronger, limited national government

- 13 states have different cultures and interests but also share common concerns
- National government is needed to address those common concerns

But how to create a national government powerful enough to address common concerns that will still respect differences?

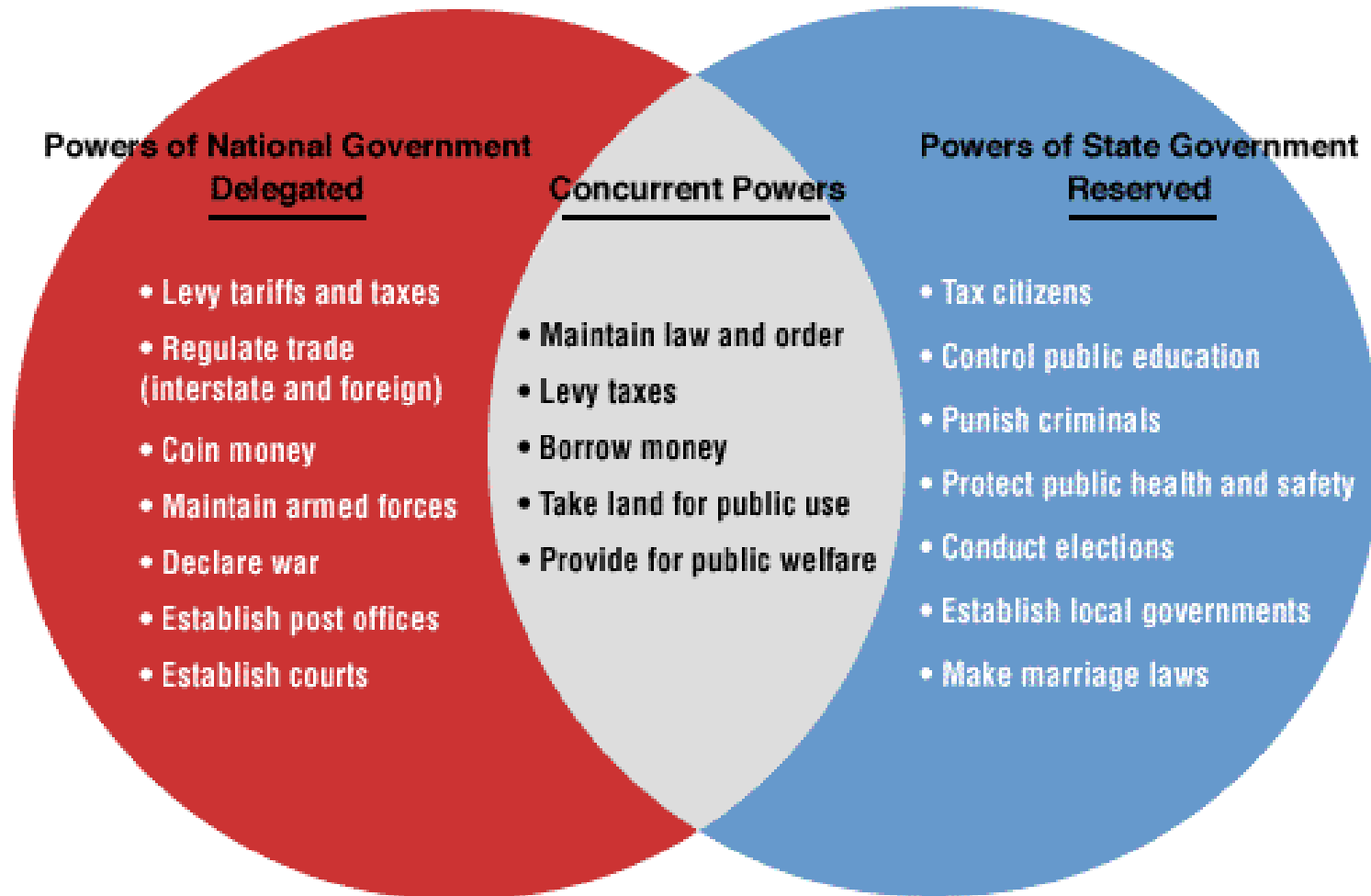
Process

- Specify the limited powers of the national government
- Make it hard to do anything without a broad societal consensus.
 - Checks and balances
 - Separation of powers

“Enumerated powers”

- Things the states and citizens can't do:
 - Conflicts among states
 - Collective action problems
 - Coordination problems
- + Necessary and Proper clause

Federal System



Tribes are sovereign, sort of

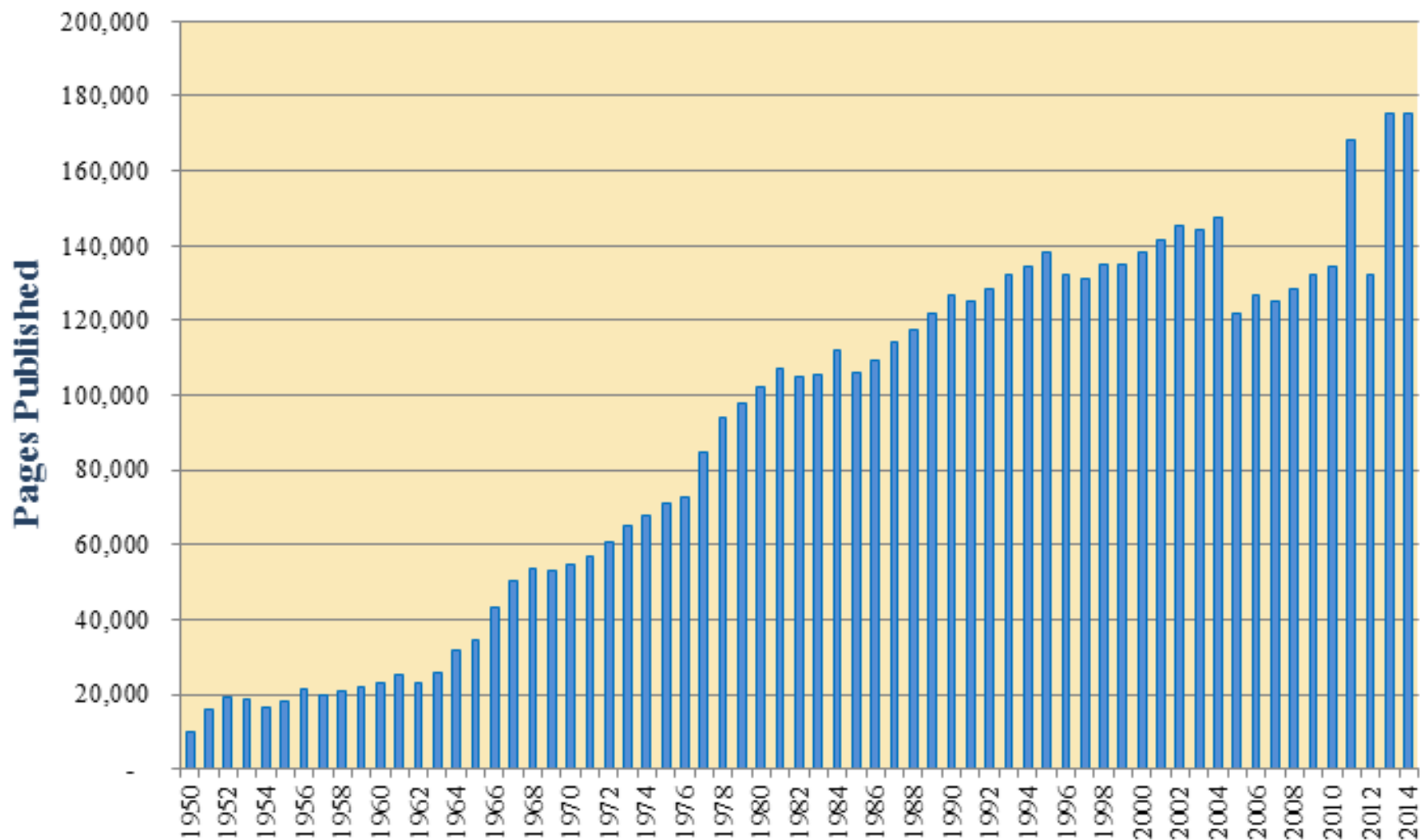
Federalist #10 and #51

- Who will guard against encroachment on the states and citizens?

National government today?

- Substantial encroachment on state powers (with some retrenchment)
 - ‘Necessary and proper’ interpretations
 - Citizens of states have national rights
 - Bribes and threats

Total Pages, Code of Federal Regulations (1950 - 2014)



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What are people like?

Locke

Hobbes

Rousseau

Montesquieu

Burke



People are complicated

Passions

People are complicated

Passions ————— Reason

People are complicated



Purpose

- The public interest is discovered through **reason and deliberation** (Rousseau)
- Elected officials should be **insulated from public passions** and narrow interests (factions)
- But they also can't be fully trusted – need to be **accountable**

Wait... Insulated but accountable?

Process

- **House**: Popularly elected, all at once, 2 yr terms; 1 per 30,000 residents
- **Senate**: Selected by state elites, continuing body, 6 yr terms; 2 per state
- **President**: Selected by elites, 4 yr term
- **Supreme Court**: Life appointments

Connecticut Compromise

- 3/5ths representation of slaves and other persons (repealed)
- Equal state representation in the Senate



Representative democracy today

- More accountable, less insulated?
 - Senate and President are now popularly elected
 - 24/7 media and interest group scrutiny
 - Much larger constituencies
 - Careerists “running scared”

Average Tenure of the US House of Representatives Each Year: 1789-2016



Still elitist

Education

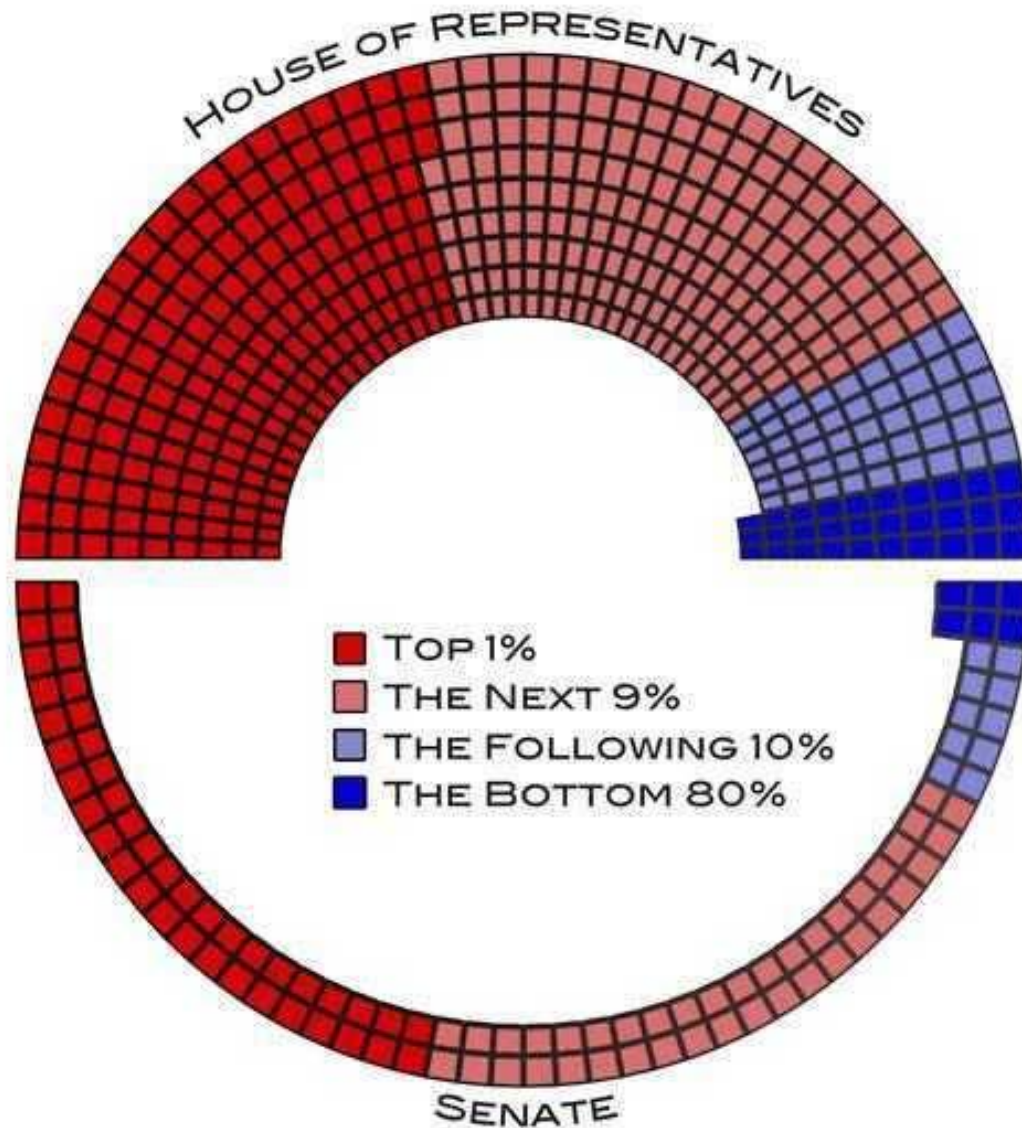
U.S. Pop. House Senate

Highest level attained:

● < High school	15%	0	0
● High school grad.	58%	8%	1%
● Bachelor's degree	18%	26%	24%
● Professional/ law degree	2%	38%	55%
● Other advanced degree	8%	28%	20%



FINANCIAL WEALTH DISTRIBUTION IN THE U.S.
AS A PERCENTAGE OF CONGRESS & SENATE



230 years later....

- Do we still want a 'representative' government that can't do anything without broad consensus?

- Cutler?



Next week

- The puzzle and process of representation....
- Does the congressional electoral process encourage good representation?



25 other nations* apportion seats to make legislatures more representative. Should the US?

Gender

U.S. Pop. House Senate

● Female
● Male

51%	17%	17%
49%	83%	83%



*see [Gender Quotas Database](#)

25 other nations apportion seats to make legislatures more representative. Should the US?

Religion

	U.S. Pop.	House	Senate
● Protestant	51%	57%	56%
● Catholic	24%	30%	24%
● Mormon	2%	2%	5%
● Jewish	2%	6%	12%
● All Others	21%	4%	4%



25 other nations apportion seats to make legislatures more representative. Should the US?

Race

	U.S. Pop.	House	Senate
White	64%	82%	96%
Black	13%	10%	0%
Hispanic	16%	7%	2%
Asian	5%	3%	2%
Native American	1%	.002%	0%

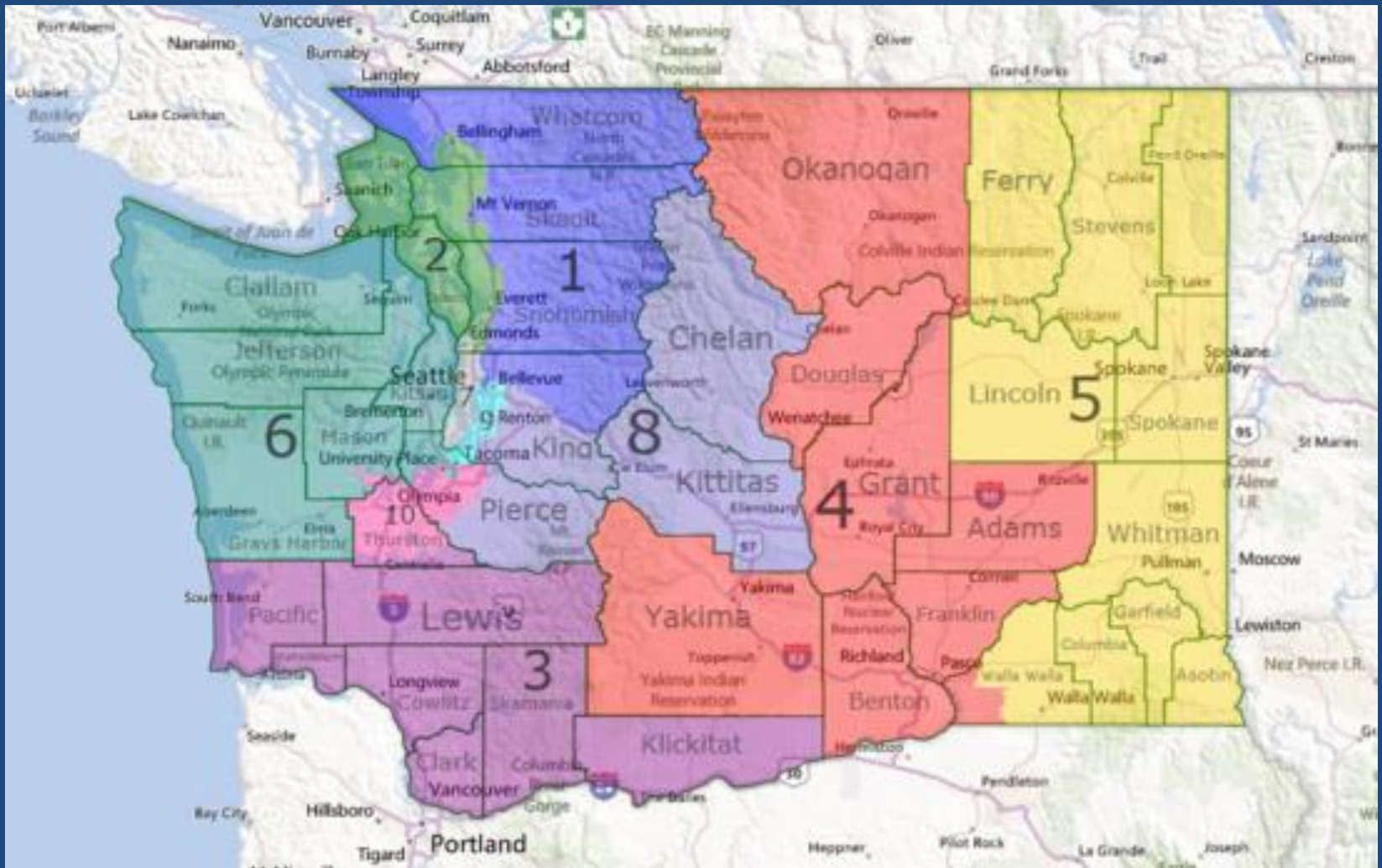


This week: Representation

- Geographic representation
- The American electorate
 - What do Americans want from government?
 - Political information and participation
- Dynamics of representation

No class Friday!

1. Geographic representation



1. Geographic representation



25 other nations* apportion seats to make legislatures more representative. Should the US?

How would this work?

Gender

U.S. Pop. House Senate

Female

51%

17%

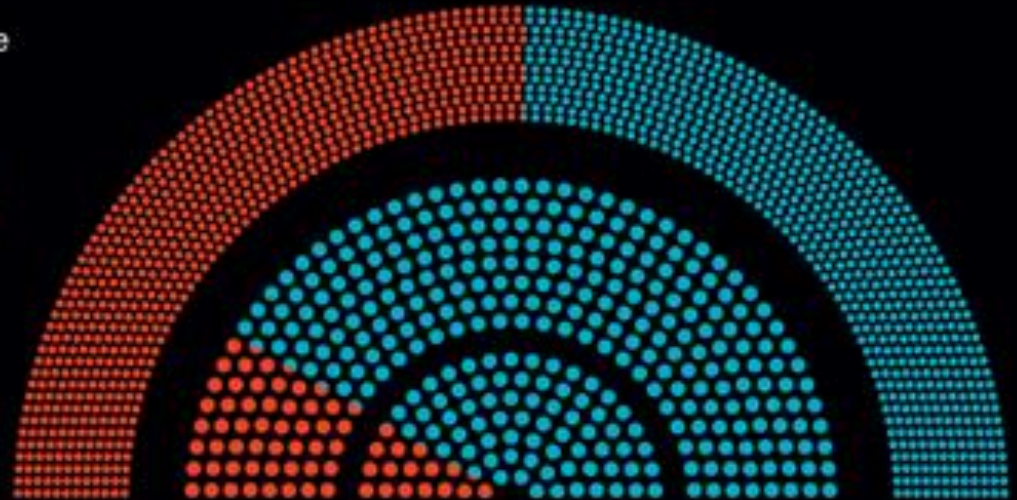
17%

Male

49%

83%

83%



- **Geographic Pro**

People who live in the same place share similar values (e.g. Pasco vs. Seattle; GA vs. CA)

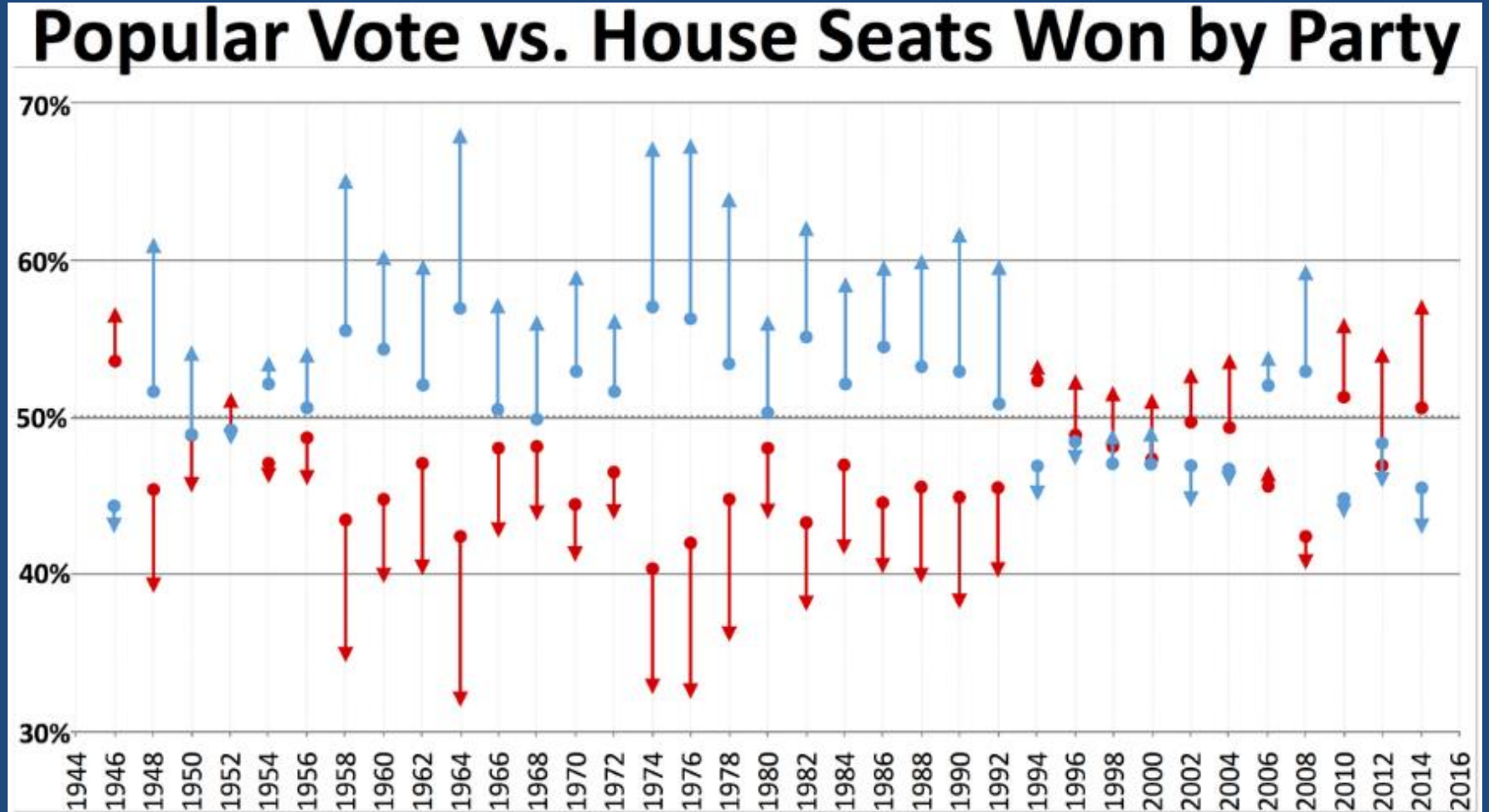
- **Geographic Cons**

A large group nationally may not be concentrated locally (e.g. socialists)

Small state voters have disproportionate influence in Senate (66:1)

Majority party supporters have disproportionate influence in House (swing ratio)

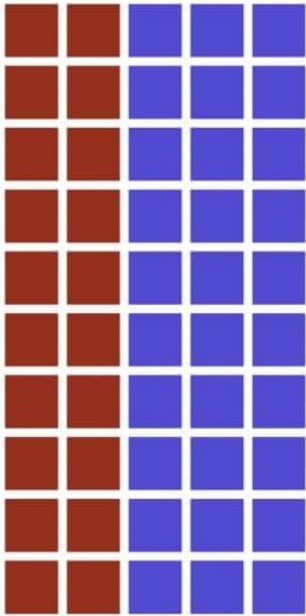
Swing ratio



Gerrymandering, explained

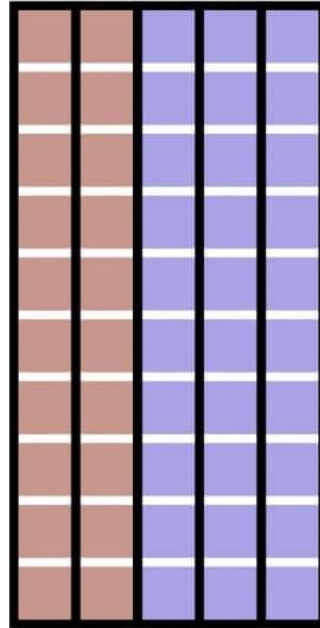
Three different ways to divide 50 people into five districts

50
people



**60% blue,
40% red**

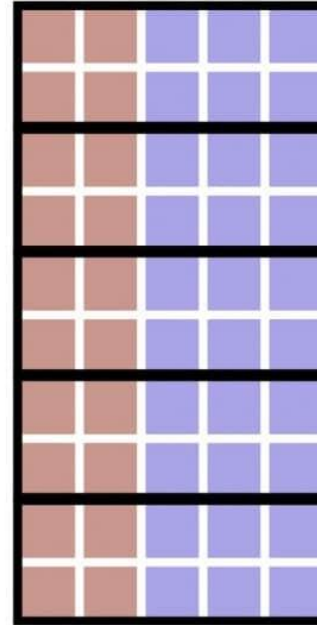
1. Perfect
representation



**3 blue districts,
2 red districts**

BLUE WINS

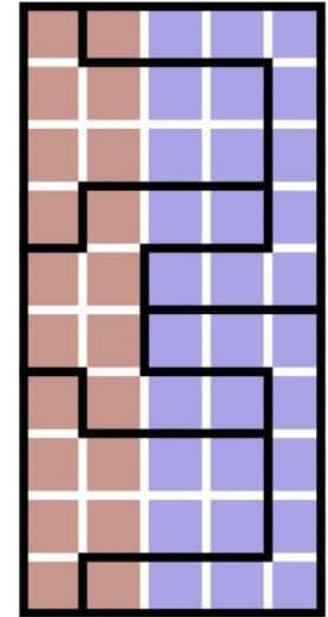
2. Compact,
but unfair



**5 blue districts,
0 red districts**

BLUE WINS

3. Neither compact
nor fair



**2 blue districts,
3 red districts**

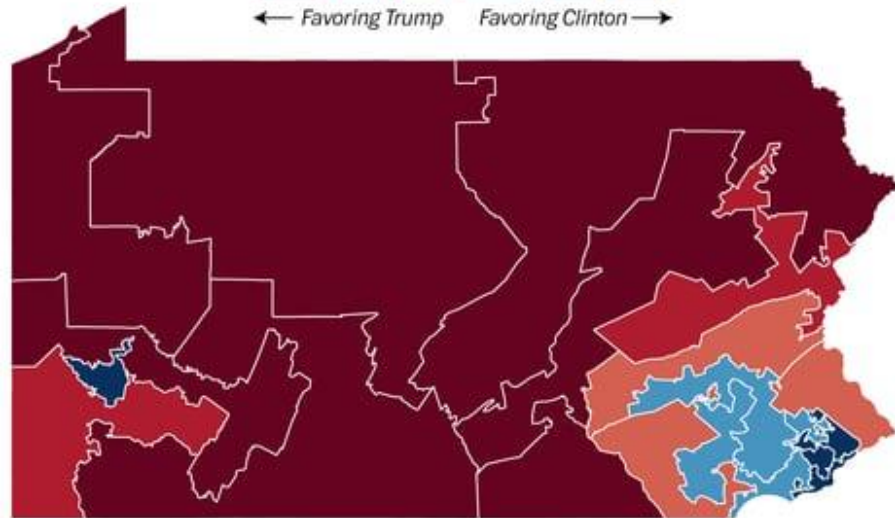
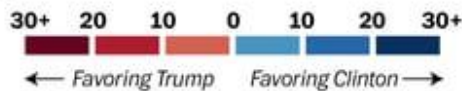
RED WINS

Times they are a changing'....(?)

League of Women Voters v. Pennsylvania

Pennsylvania's old map

Map of Pennsylvania congressional districts created by Pennsylvania Republicans in 2011



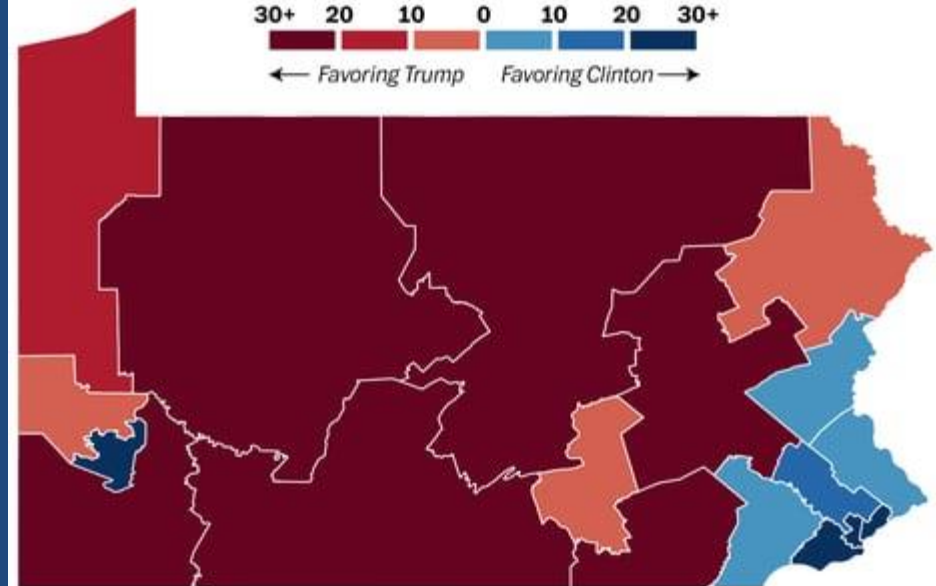
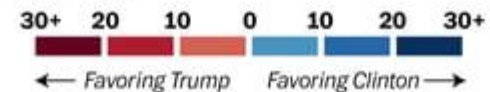
County splits (fewer is better): 28
Average compactness (higher is better): .16
Clinton districts: 6
Trump districts: 12

Sources: Precinct-level 2016 presidential election returns compiled by Nathaniel Kelso, U.S. Census Bureau, Philadelphia Inquirer

WAPO.ST/WONKBLOG

Pennsylvania's new map

Remedial map of Pennsylvania congressional districts created by the Pennsylvania Supreme Court



County splits (fewer is better): 13
Average compactness (higher is better): .33
Clinton districts: 8
Trump districts: 10

Sources: Precinct-level 2016 presidential election returns compiled by Nathaniel Kelso

2. The American Electorate

DEMOCRACY
OF THE PEOPLE BY THE PEOPLE FOR THE PEOPLE

Representation defined... sort of

“A representative acts in the interests of the represented, in a manner responsive to them”

Hanna Pitkin, On Representation



Representation defined... sort of

“A representative acts in the interests of the represented, in a manner responsive to them”



Representation defined... sort of

“A representative acts in the interests of the represented, in a manner responsive to them”

- What do constituents want?
- What's best for them?
- What if they don't know what's best for them?

Summary

- “Many” voters think problems (such as immigration) have easy solutions.
- Because Americans agree there is no need for compromise.
- Government failure to address problems must be the result of a conspiracy
- The reason to vote is to throw the rascals out

- Not true of all voters, but a significant portion of them
- Makes representation challenging!
- Let's look at the data....

Not a good start!

“Which political party holds the majority of seats in the House of Representatives?”

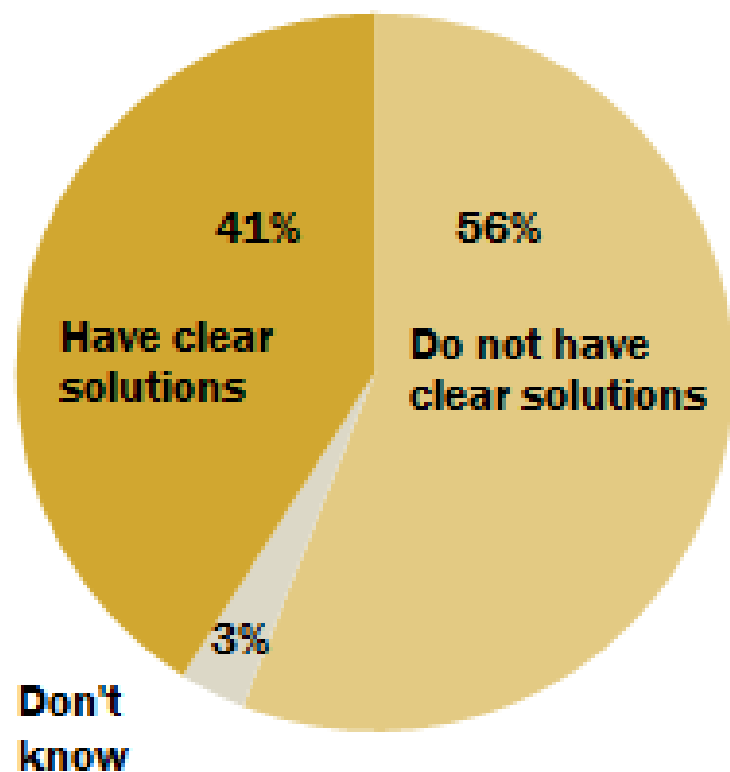
During Unified Government: **64% correct**

During Divided Government: **38% correct!**

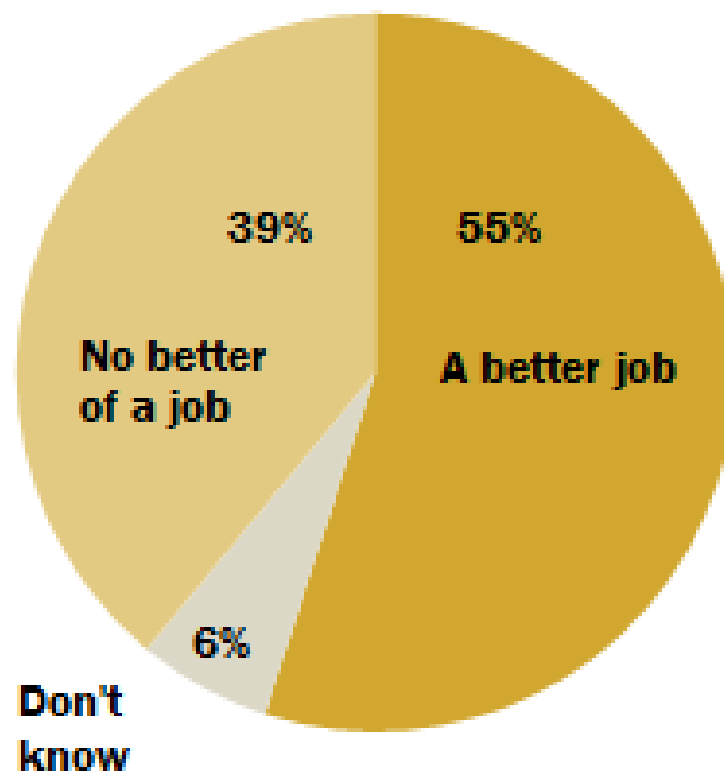
Implications for electoral accountability?

How difficult are the problems facing the country, and could the public do a better job than elected officials?

Most big issues facing the country today ...



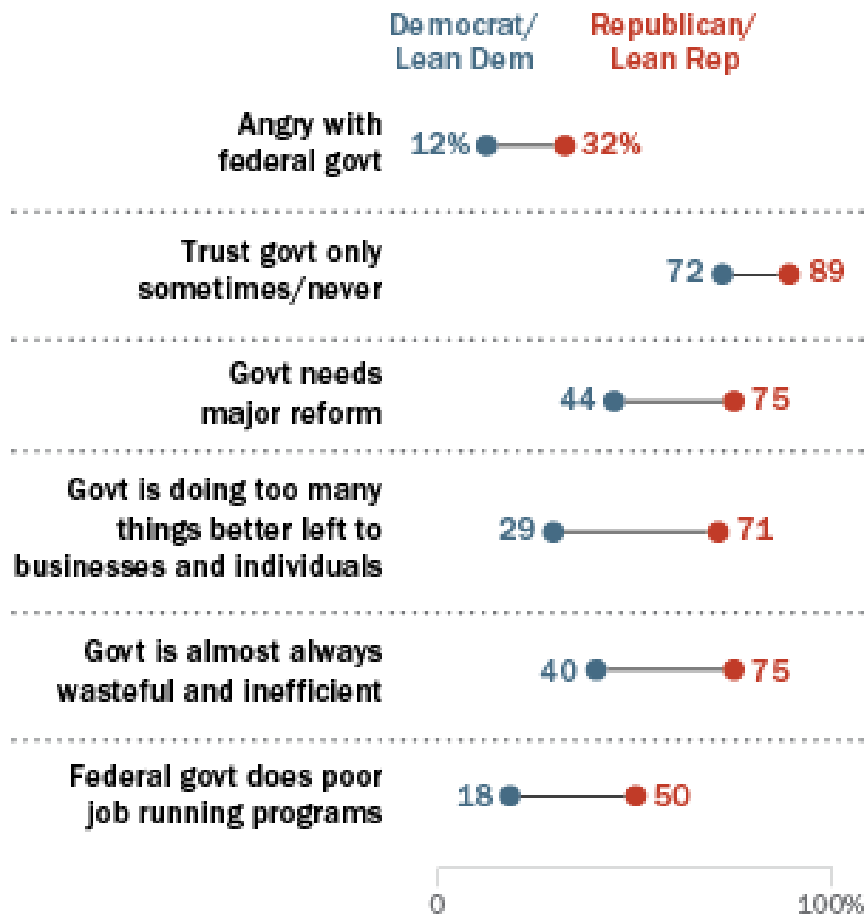
Compared with elected officials, job ordinary Americans would do solving the country's problems ...



Survey conducted Aug. 27-Oct. 4, 2015. Q107t/u.
Figures may not add to 100% because of rounding.

Wide partisan cleavages in general perceptions of government

% who say ...



Survey conducted Aug. 27-Oct. 4, 2015.

PEW RESEARCH CENTER

Partisan Differences

Pew Research Center
November 2015

Stealth Democracy

To put it simply, the people yearn for the “end of politics” (Schedler 1997).”

Table 6.1. *The public's beliefs about debate and compromise (%)*

	Elected officials should stop talking and take action	Compromise is selling out one's principles
Strongly agree	23	8
Agree	63	52
Disagree	13	38
Strongly disagree	1	2
Strongly agree and agree	86	60

Source: Democratic Processes Survey, Gallup Organization, 1998.

Stealth Democracy

“Ordinary people have a different view of politics than political elites.

They simply do not believe debates and compromises are necessary, since we all want the same general things, since the best way to achieve those things will be readily apparent to those who study the problems in an unbiased way, and since the little details of policy are not that important anyway.”

Hibbing 156-7

'Nobody knew healthcare could be so complicated' Trump

M

Donald Trump
U.S. President

PRESIDENT OF THE UNITED STATES

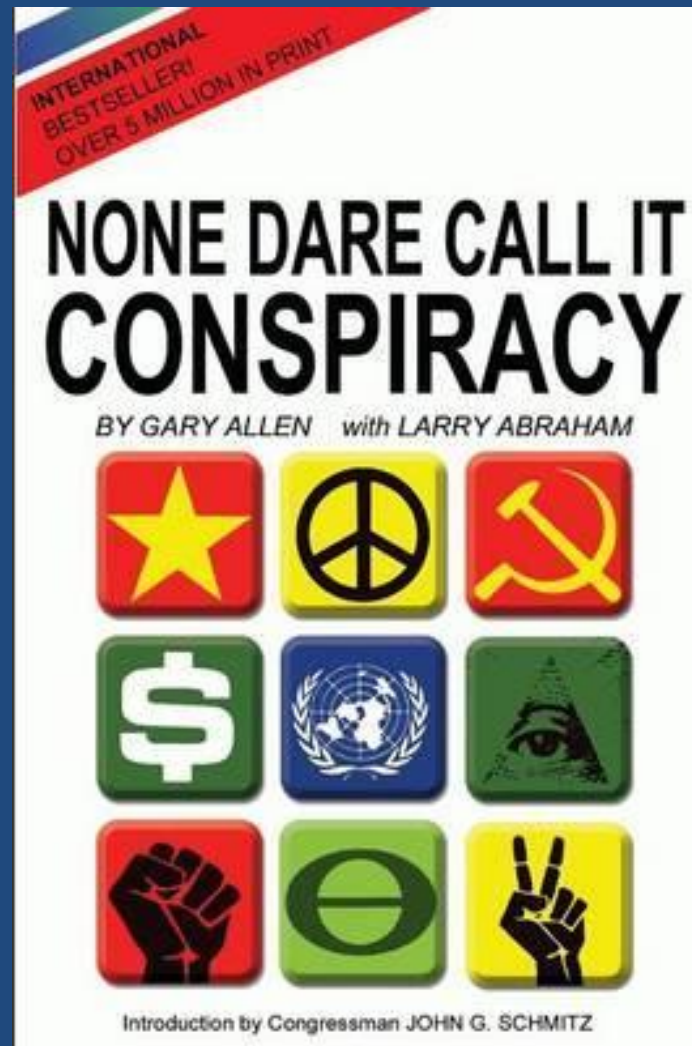
Why it matters

“What they want are caring, other-regarding, common-good-oriented decision makers.

Their political involvement, such as it is, is often driven by the perception that politicians and their special-interest ventriloquists are taking advantage of ordinary people”



The paranoid style



Conspiratorial thinking

“we live at a turning point in history”

“it’s now or never in organizing resistance”

“time is running out”

“this is a conflict between good and evil”

“our enemy is an amoral super(wo)man”

One [example](#)

Why it matters

- Encourages 'us or them' mentality
- Seeks to discredit alternative sources of information
- Justifies extreme responses (dealing with the devil!)

This week: Representation

- Geographic representation
- The American electorate
 - What do Americans want from government?
 - Political information and participation
- Dynamics of representation

No class Friday!

Next week

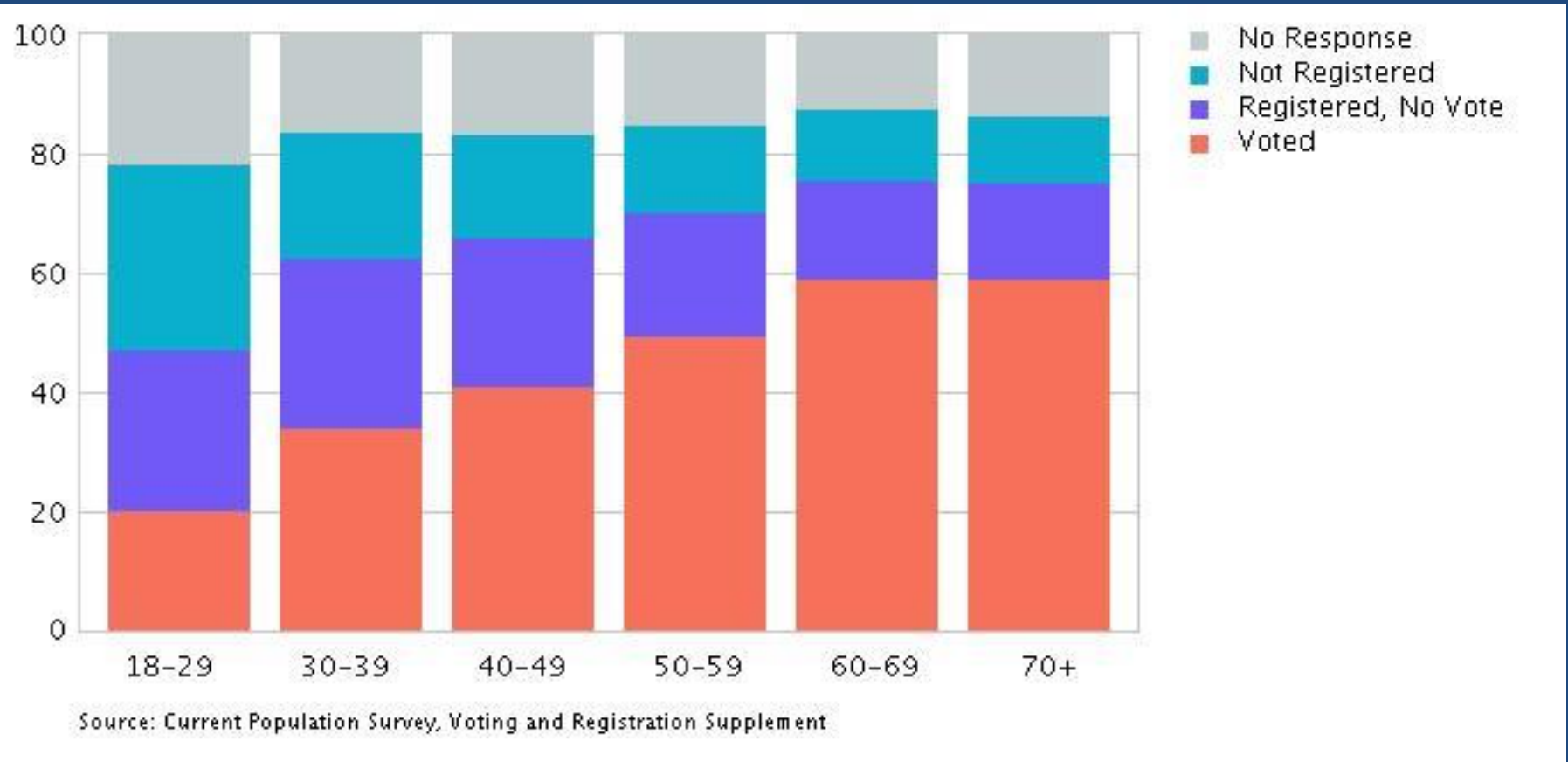
1. What laws do and how they do it
2. How laws are made
3. Movie! *HR 6161: An Act of Congress*

Participation and Voting

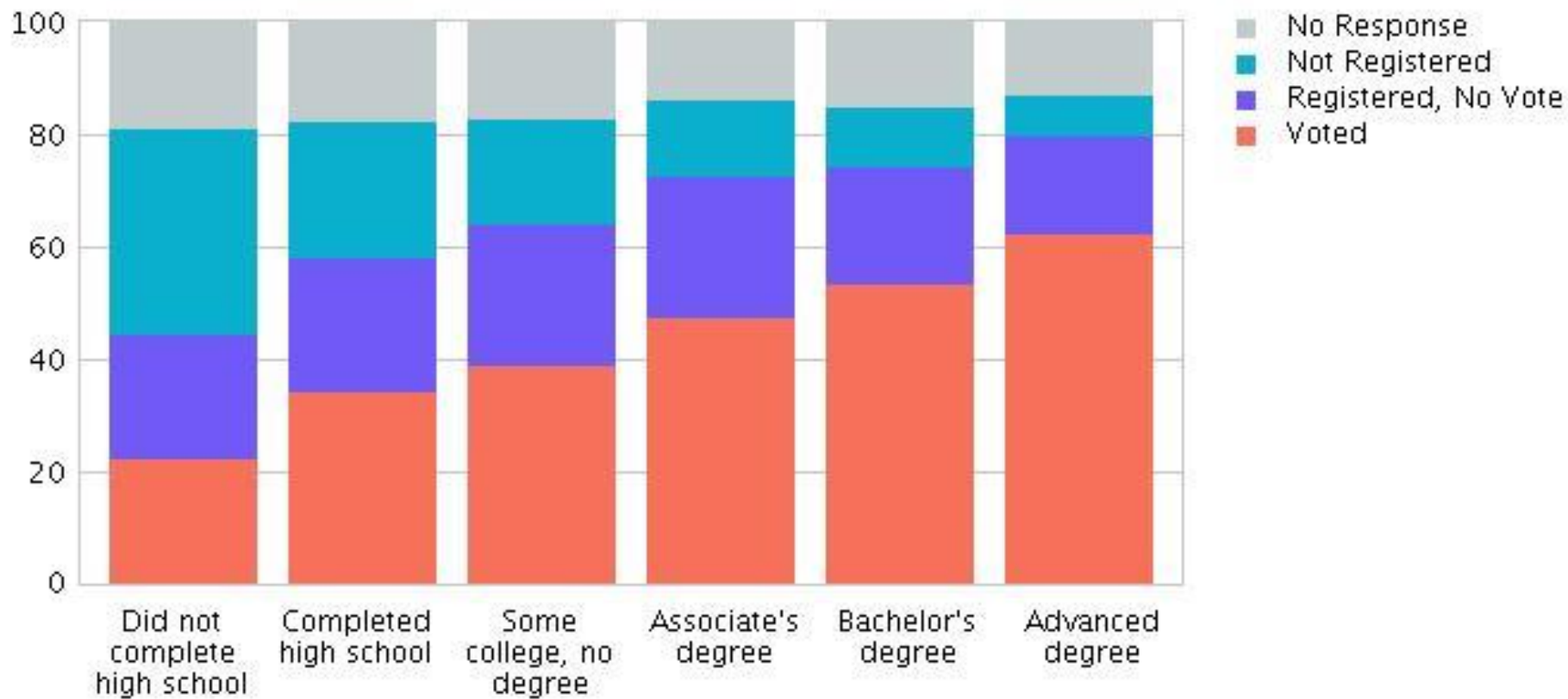
- What should we expect if legislators are responsive to those who participate?
- What considerations influence voter decisions in congressional elections?

**your VOTE
is your VOICE**

Voter turnout by age



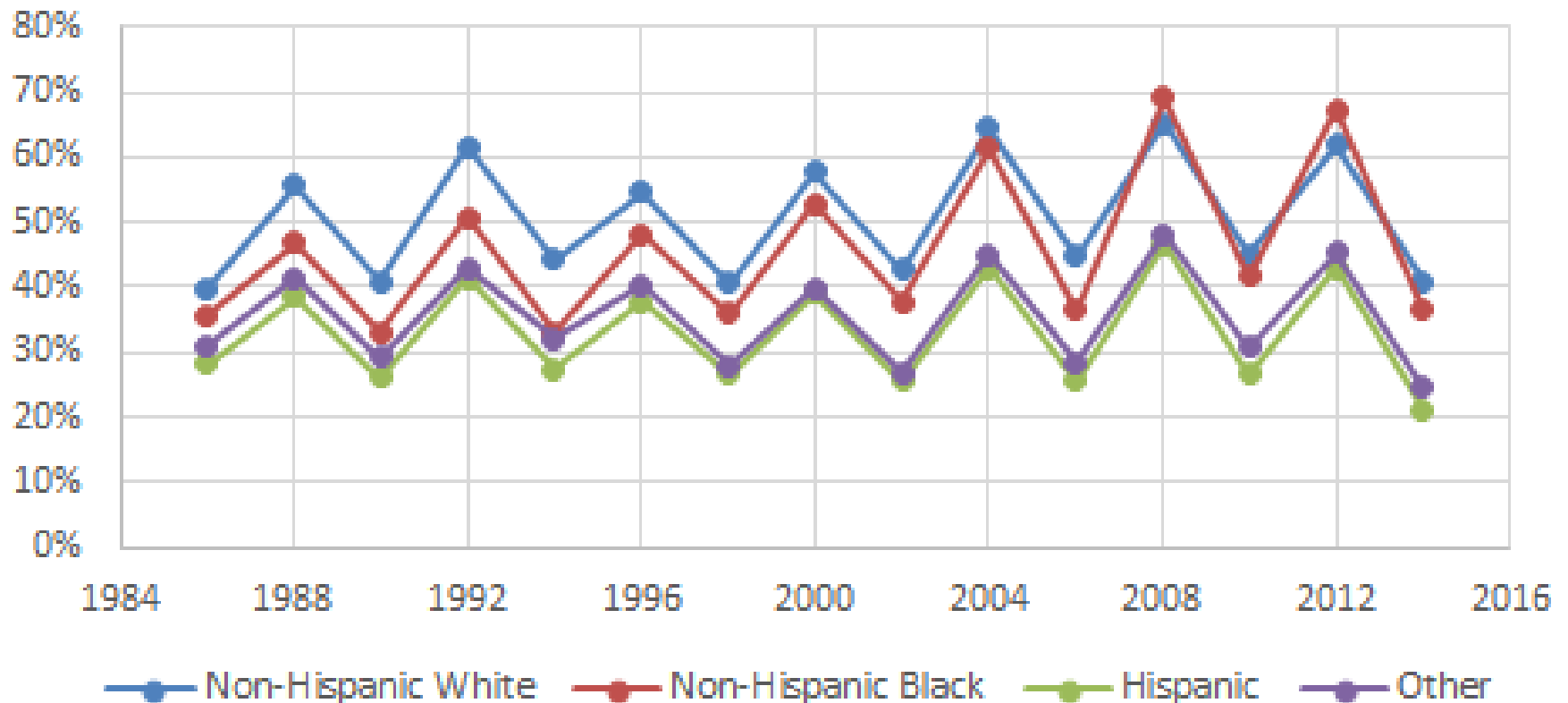
by education



Source: Current Population Survey, Voting and Registration Supplement

General versus midterm turnout

Citizen Voting-Age Population
Turnout Rates by Race and Ethnicity



- Same patterns apply to other forms of political participation (contributions, volunteering, etc)
 - Impact on elected official responsiveness?
- What about voting decisions?

PLEASE HELP US! [Donate»](#)



VOTE SMART

FACTS MATTER

MyVOTESMART

[SIGN UP](#)

[LOGIN](#)

"Vote Smart is a bright light in an often desultory civic culture"
- Bill Moyers



ISPY

40,000 POLITICIANS, MILLIONS OF FACTS

Enter a politician's name or zip code

BIO

VOTES

POSITIONS

RATINGS

SPEECHES

FUNDING



POLITICAL GALAXY

Any Politician, Any Issue

VOTE EASY

Find your political soulmate

CONGRESSIONAL

PRESIDENTIAL



ON POINT

Read our latest post on the Tax Bill!

No shortage of political information
Who uses it?

Information dispositions: Five groups of Americans ranging from most to least engaged with information

% of U.S. adults in each group

RELATIVELY ENGAGED WITH INFORMATION

22% **The Eager and Willing**

They are active seekers of information with a strong interest in learning. They have the highest interest in news and trust in information sources. They express concerns about their online capabilities, but they are anxious to improve their digital skills and information literacy.

16% **The Confident**

They combine a strong interest in information, high levels of trust in information sources, and self-assurance that they can navigate the information landscape themselves. They are very self-reliant as they handle information flows.

MORE AMBIVALENT ABOUT INFORMATION

13% **The Cautious and Curious**

They have a strong interest in news and information, a lot of tech access, but they do not have high levels of trust in sources of news and information – particularly national news organizations, financial institutions, and the government. They are twice as likely as all adults to be interested in getting training on digital skills and information literacy. At the same time, they report significant levels of stress over trying new things and have busy lives.

RELATIVELY WARAY OF INFORMATION

24% **The Doubtful**

They are leery of information sources, particularly local and national news. They also have very busy lives, which could be why they also show lower levels of interest in updating their digital skills or information literacy.

25% **The Wary**

They have the lowest level of trust in information sources. The Wary also have the lowest levels of broadband and smartphone adoption. They declare little interest in upgrading digital skills.

DEMOGRAPHICS

52% of this group is made up of minorities: 31% are Hispanic; 21% are black. Some 38% are white.

This group is heavily white, very well educated, and fairly comfortable economically. Some 31% are between the ages of 18 and 29, the highest of any group.

This group mostly mirrors the demographic traits of the general population. It has somewhat lower levels of educational attainment than average.

The Doubtful are the most middle-aged of the groups, mainly white, and also relatively well educated and comfortable economically.

This group is heavily male (59%) and one-third are ages 65 or older.

How people vote: With limited information

#1 My Party?

#2 Recognize any names?

- Candidate likes/dislikes
- National conditions (coat tails and midterm loss)
- Salient Issues (esp. scandals)

Gary Jacobson, *The Politics of Congressional Elections*

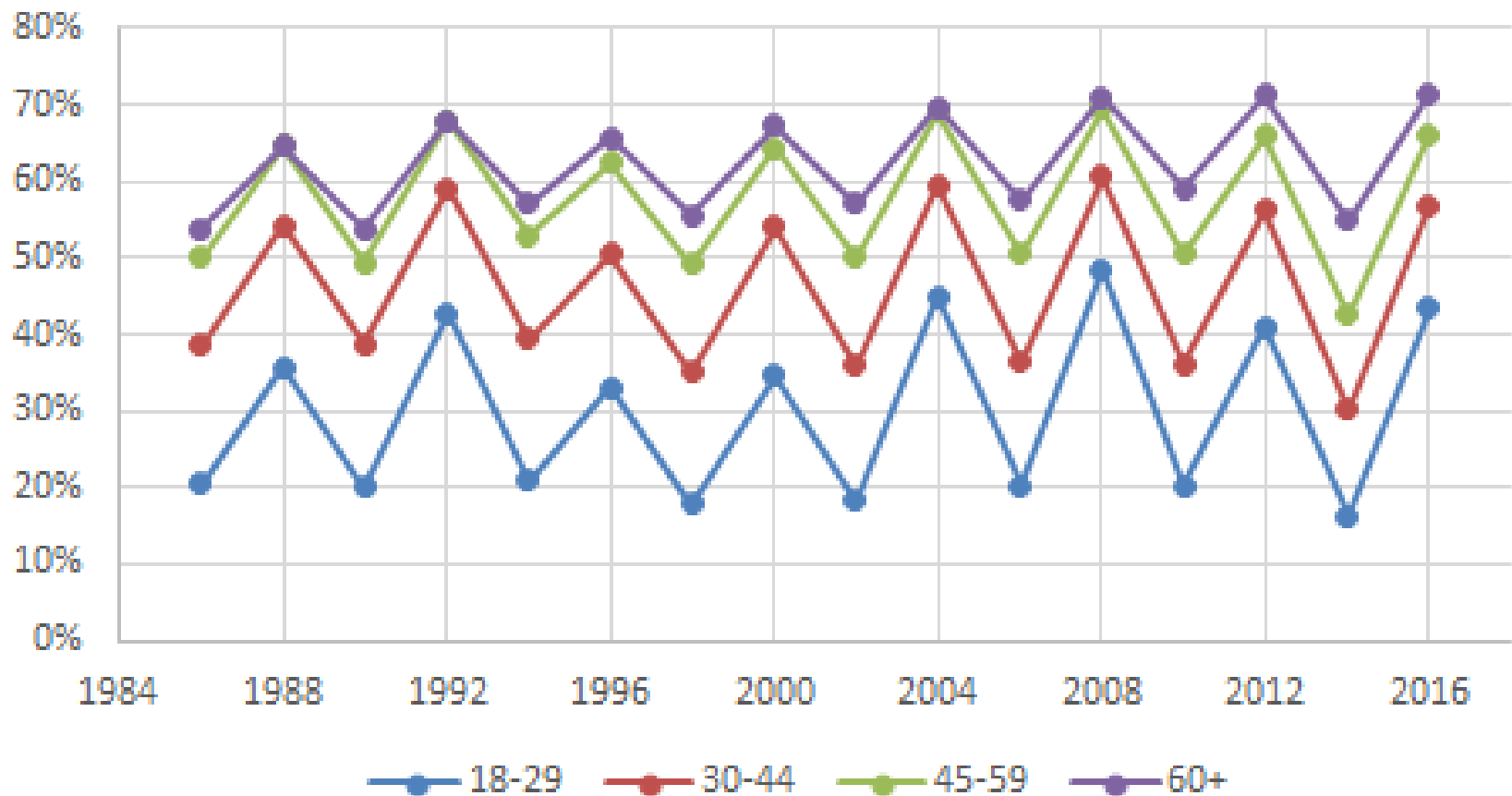
Name recognition: Advantage, incumbent

Incumbent Recall/Recognition		Challenger Recall/ Recognition	
House			
51%	93%	22%	57%
Senate			
58%	97%	35%	78%

Recall: Can you tell me the name of the current representative/challenger?
Recognition: which of these names is the current representative/challenger?

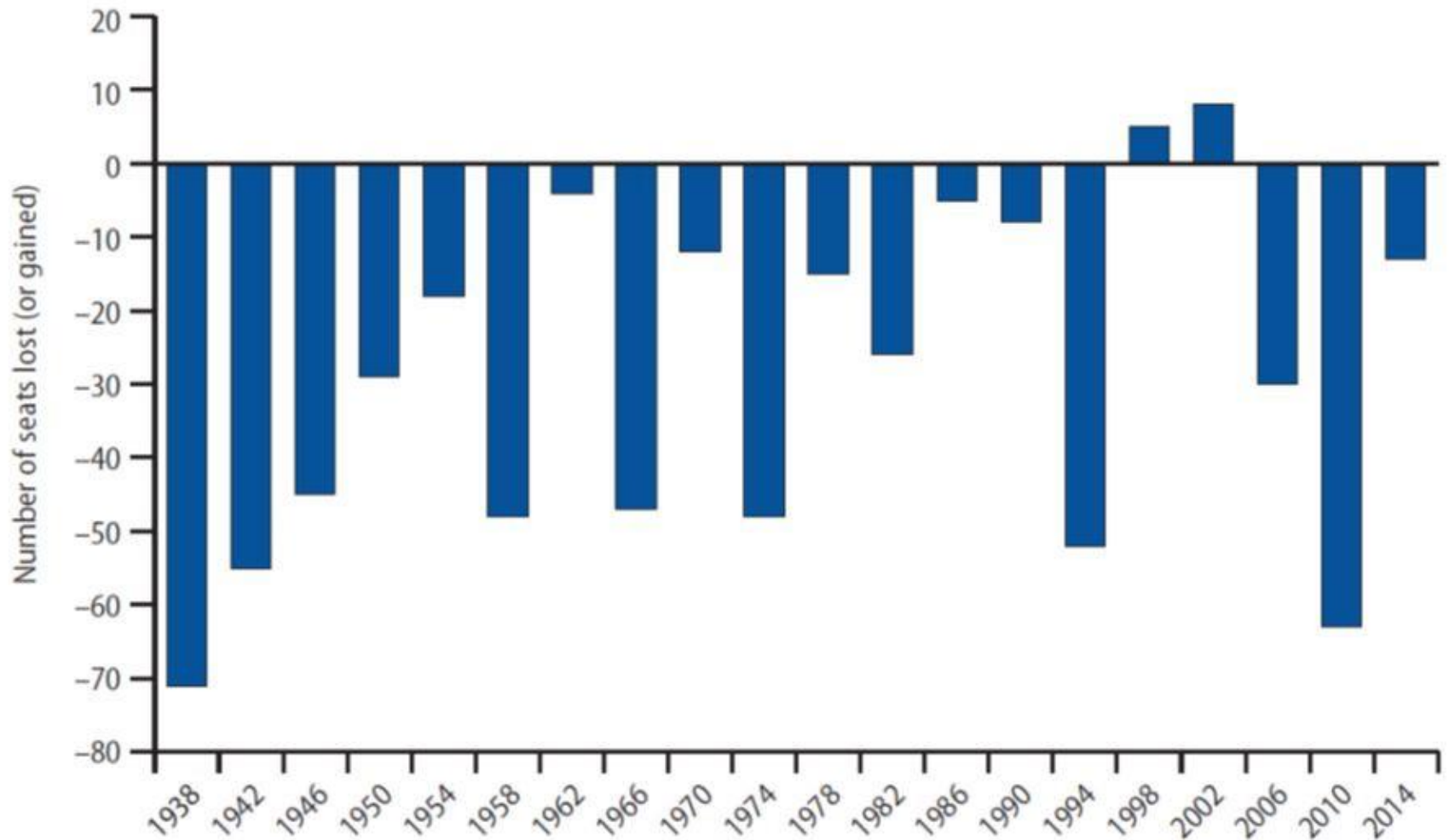
National Conditions: Surge and decline

Turnout by Age



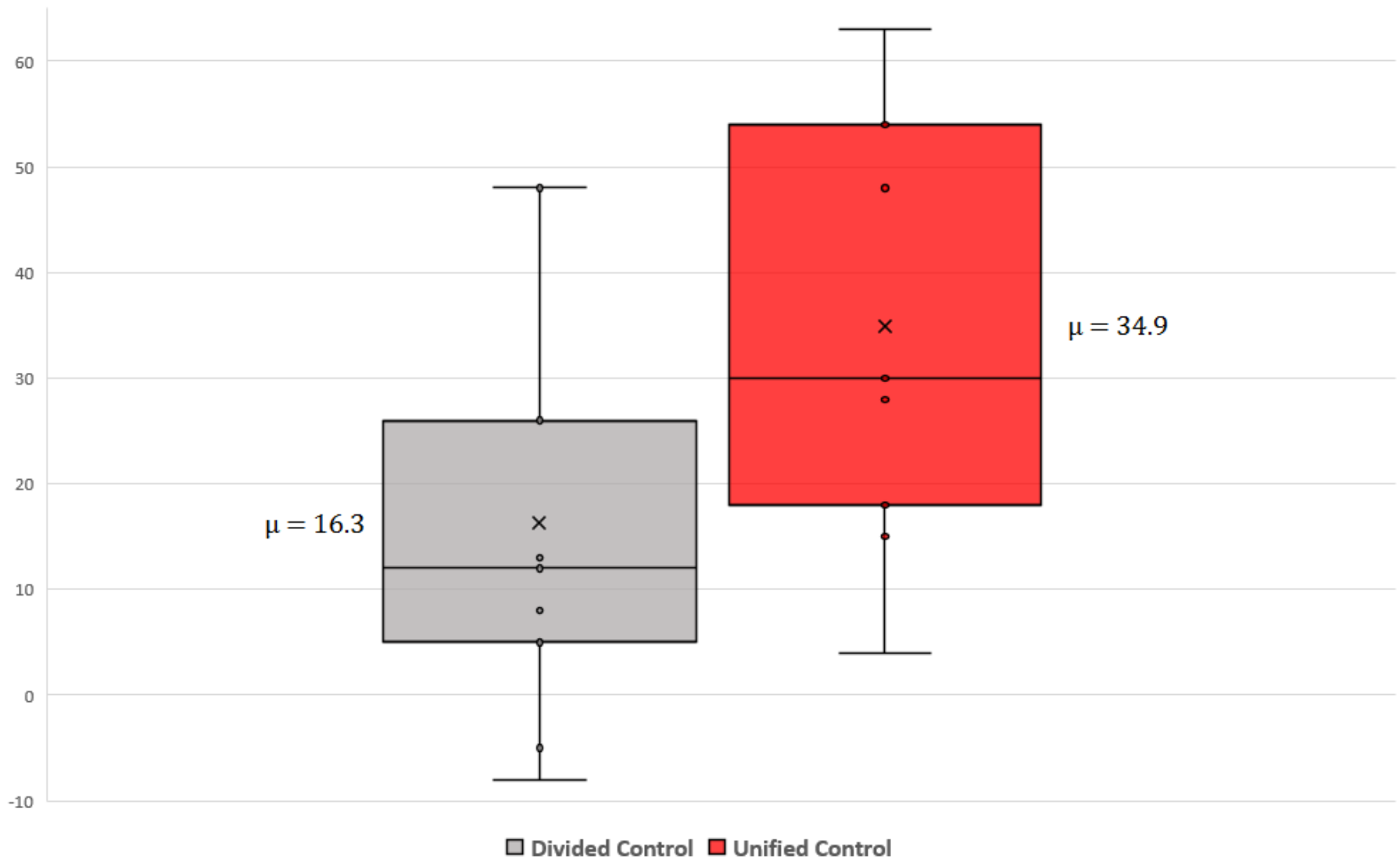
National Conditions: Presidential party midterm loss

20

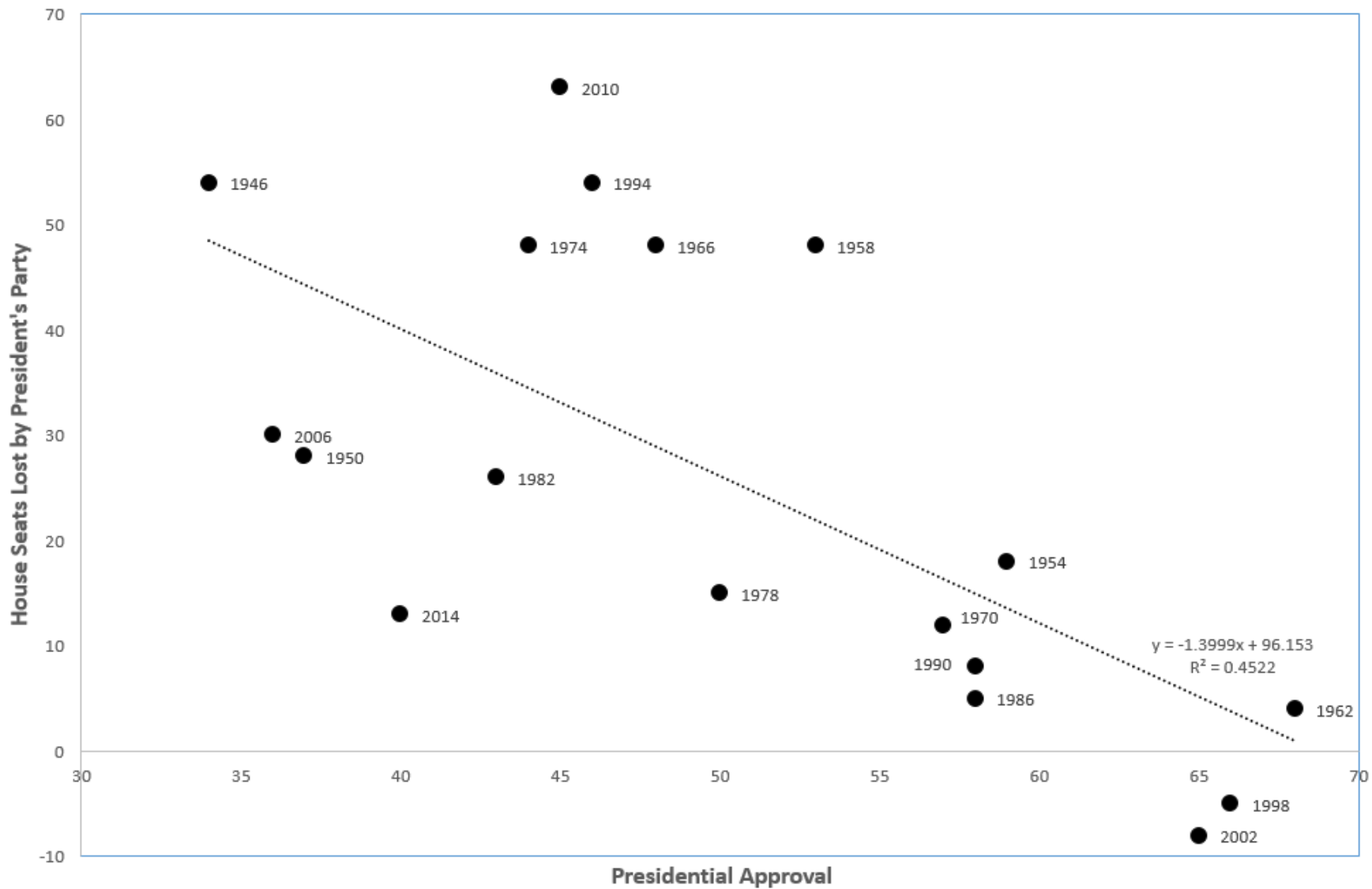


Midterm Losses for the President's Party Under Unified and Divided Party Control of Congress

Truman to Obama



Presidential Approval and Midterm Losses Truman to Obama



Scandal (House banking)

- Unintentional experiment!
- Incumbents who ran for reelection still won (?)



[see Jacobson and Dimock, 1994](#)

Scandal (House banking)

- Unintentional experiment!
- Incumbents who 'kited' more checks were
 - More likely to face a quality challenger
 - More likely to retire
 - More likely to lose in the primary

[see Jacobson and Dimock, 1994](#)

Take aways for incumbents?

- Your reelection constituency is not your geographic constituency
- Who shows up on election day can matter
- Some things are beyond your control
- Avoid doing things to inspire a “quality challenger”



- Possible change in House party control
- Unlikely in the Senate
- Unknowns:
 - Will parties recruit and fund quality candidates?
 - Which voters will turnout?
 - What will happen to the economy and Trump's popularity?
 - Scandals?



3-16-15-congress_representative_oath_hand_jw_605.jpg

Representation



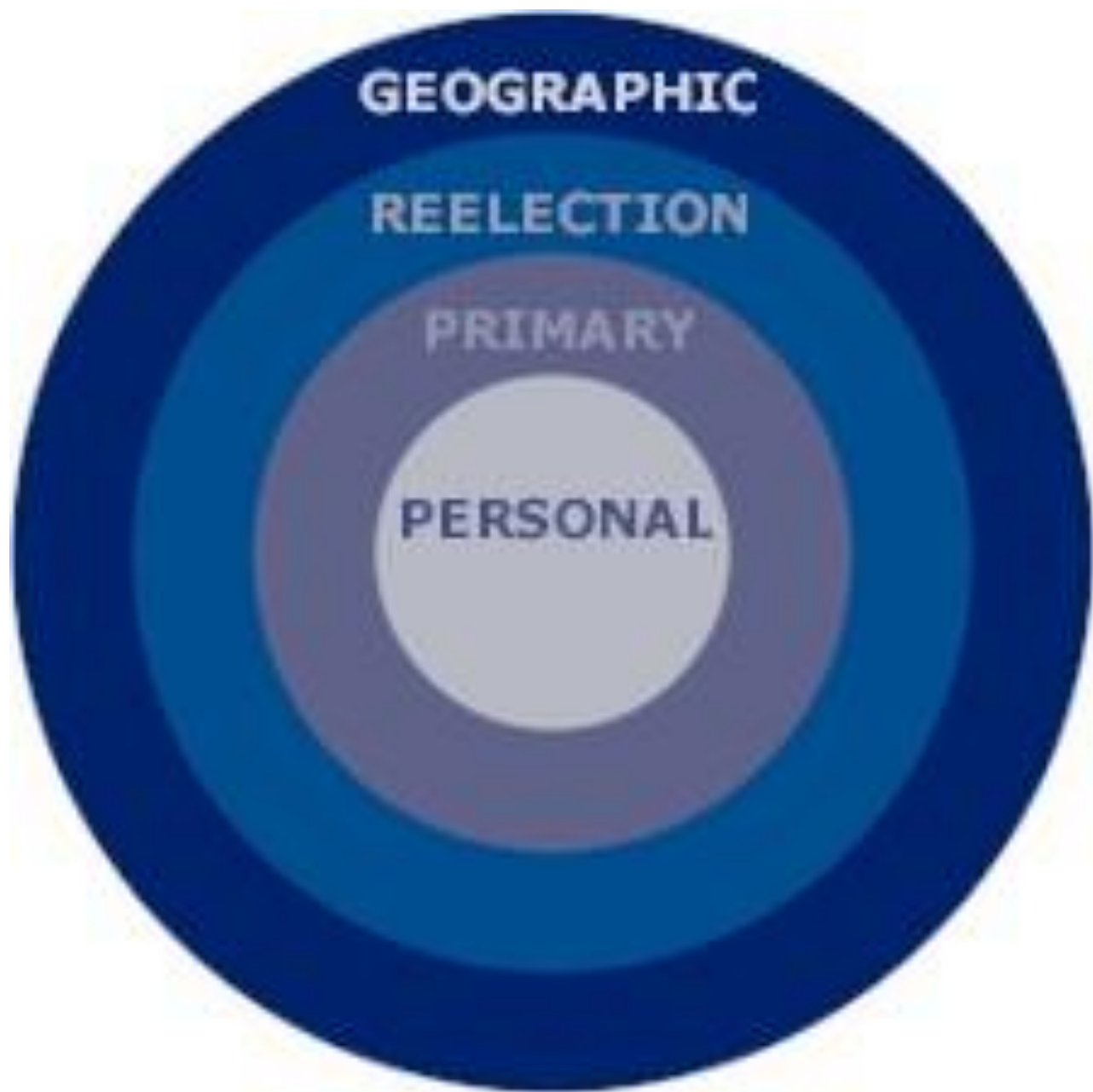
Representation defined... sort of

- “A representative acts in the interests of the represented, in a manner responsive to them”

Hanna Pitkin, On Representation

- Whom do I represent?
- What do they want?
- What’s best for them?





“Theories” of Representation

- **Home Style** – ‘presentation of self’ Fenno
- **Forms** of Representation
- **Styles** of Representation Eulau and Karps

“Home Style” (Fenno)

- Lawmakers desire “leeway”
- Seek to win voter’s trust through “presentation of self”
 - Convey empathy, competence

Empathy



Competence

Explosive Growth in Derivatives Markets



Your “presentation of self?”

- *needs to fit your district*
- *needs to seem authentic*
- *should reflect what you are able to accomplish*

Forms and Styles of Representation

- Point is that there are different ways to represent

Tulsi Gabbard, D-HI

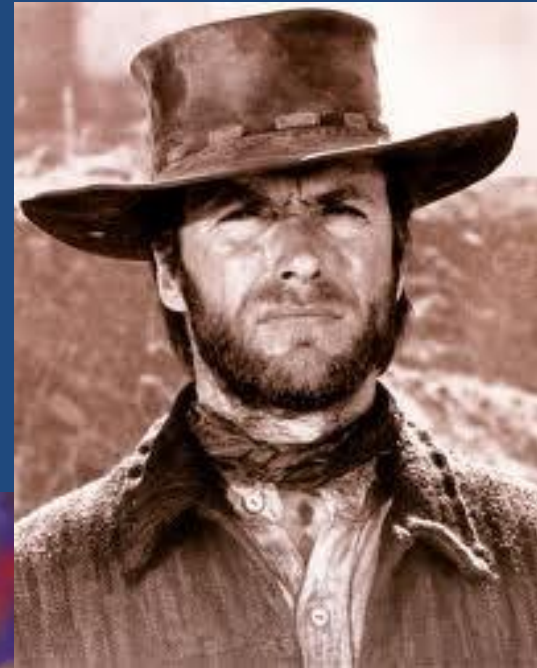
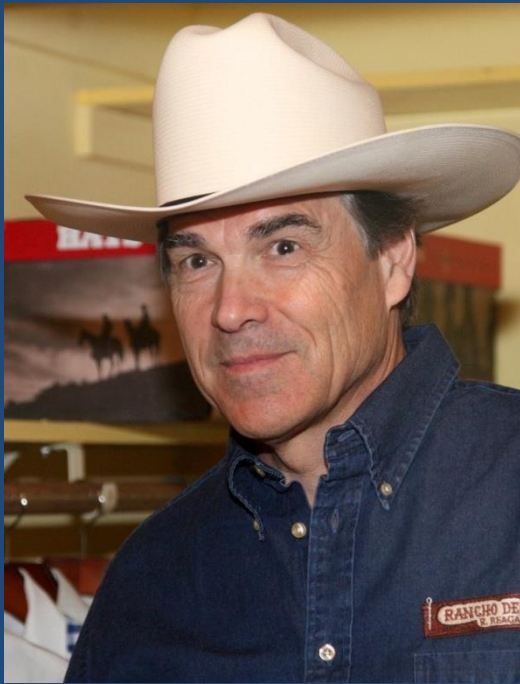


Forms of Representation

- Symbolic
- Service
- Policy

Symbolic Representation

(May or may not be indicative of true empathy)



Washington's New 9th Congressional District

Washingtonians would “actually have a champion in our Congressional delegation who’s actually going to talk about issues connected to communities of color.”

George Cheung



Can Adam Smith be a good representative of a majority minority district?

Forms of Representation

- Symbolic
- Service
- Policy

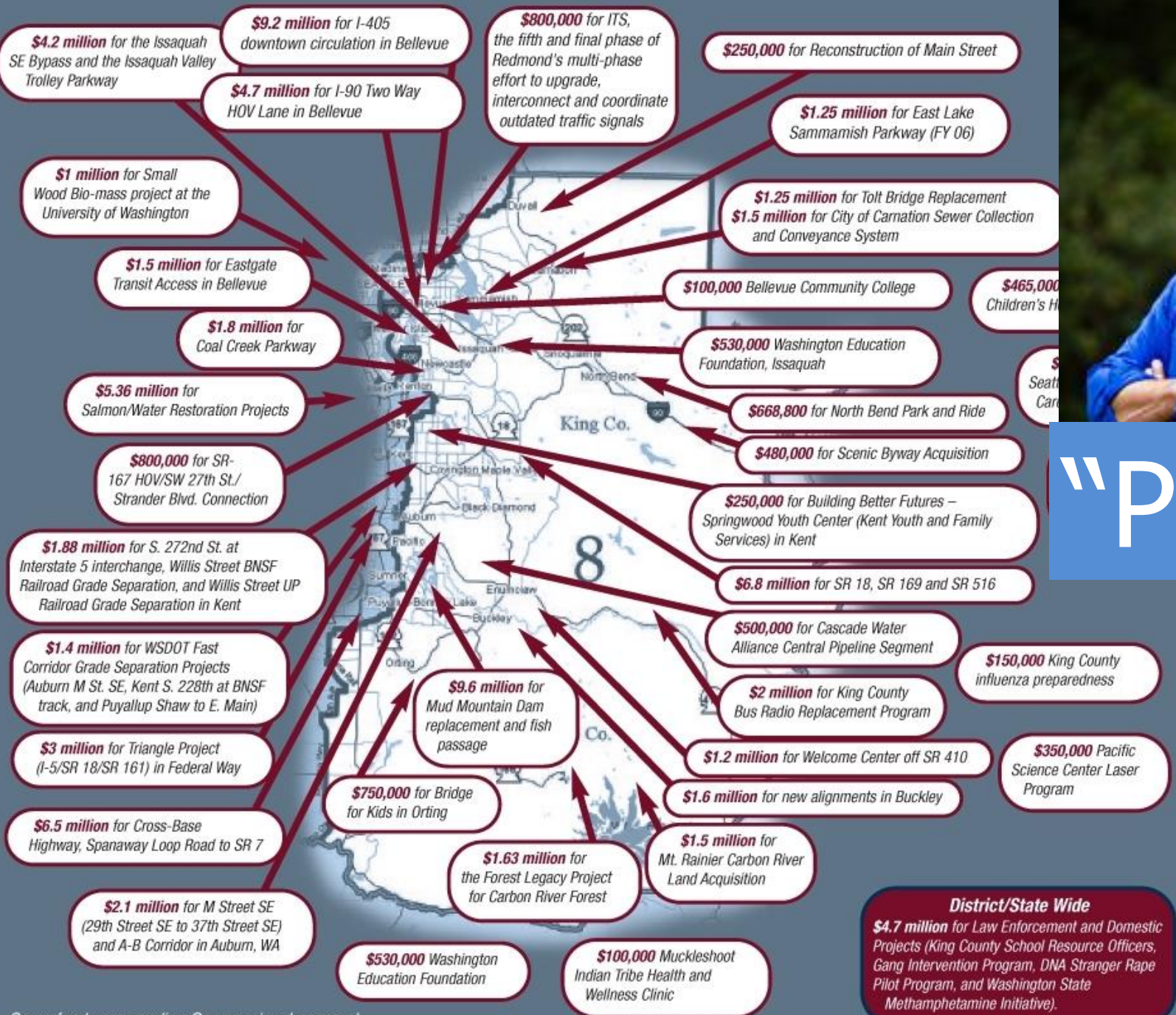
How the Government Shutdown Affects You

“Ensuring that my constituents’ needs are met and views are heard is an essential operation of my office. Despite the temporary federal government shutdown, staff in both my Texas and Washington, D.C. offices are available to take calls and handle casework for Texas 21 constituents. If you have any questions or concerns regarding how the government shutdown may affect you, please don’t hesitate to contact my office at 202-225-4236 or check my website for updates at lamarsmith.house.gov.” -Congressman Smith

[Read More](#)



"Pork"



Some funds are pending Congressional approval.

Forms of Representation

- Symbolic
- Service
- Policy

Please Subscribe & Share Thank you!

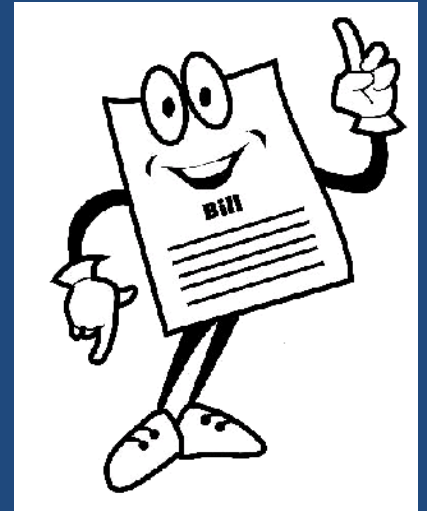
12:24:03 AM ABNN - Almutaz Bur News Network

Capitol Hill

6:08 PM ET



Sen. Patty Murray Questioning Betsy DeVos Controversial Trump Nominee.



Member bill sponsorship and cosponsorship activity

Worth a look! Can you predict the subjects of the bill introductions of your representative or senator?

<https://www.congress.gov/sponsors-cosponsors>

Government
Keep Your Hands off
my Medicare!



Don't Steal From Medicare to Support
SOCIALIZED MEDICINE

Styles of Policy Representation

- **Delegate** – vote (e.g.) as the public wants
-
- **Trustee** – vote (e.g.) what's best for them
- **Politico** – try to reconcile conflicts between voting positions (e.g.) and public demands



Paul Ryan (R-WI): Why he voted to bail out the banks

“I believe we were on the cusp of a deflationary spiral which would have created a Depression..... If we would have allowed that to happen, I think we would have had a big government agenda sweeping through this country so fast that we wouldn't have recovered from it. So in order to prevent a Depression and a complete evisceration of the free market system we have, I think it was necessary.”

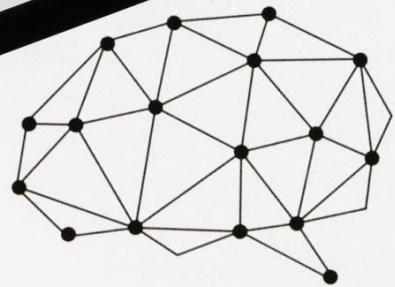


- Safest strategy is to avoid positions that may be hard to explain (and attract opposition)
- But is that really representation?
- How will you balance real representation and your goal of reelection?



This week: How laws are made

- What do laws do?
- How are laws made, and what is the purpose of the process?
- Authorizations versus appropriations
- HR 6161: An Act of Congress



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Airing LIVE Tuesday, Apr 10 2:15pm EDT on C-SPAN3



MARK ZUCKERBERG
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Senate Testimony

C-SPAN3 • CSPAN.ORG • C-SPANRadioApp

Laws: power + money

“**Authorize**” agencies to create and enforce rules

- IRS – Taxation Policy – Audits – Penalties
- Authorizations can be permanent or temporary

“**Appropriate**” money annually to pay for these activities

- Entitlement programs do not require appropriations

These are separate processes







What do authorizing laws do?

1. “Statutes” = ‘Authorizing’ laws passed by Congress



2. “The US Code” = Compilation of all statutory authority for executive agencies



3. Federal Register = Proposed rules based on agency’s authority



4. “Code of Federal Regulations” = Final rules

Dodd-Frank Wall Street Reform and Consumer Protection Act (Pub.L. 111-203, H.R. 417)

22 Agencies

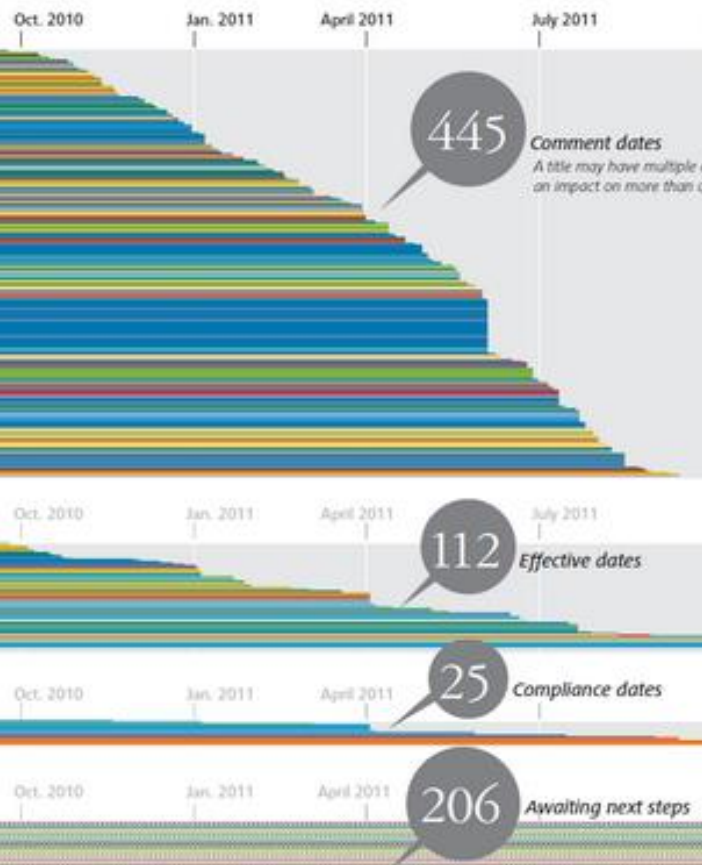
15 Topics

16 Titles

- Commodity Futures Trading Commission (136)
- Consumer Financial Protection Bureau (6)
- Department of Housing and Urban Development (9)
- Department of Labor (1)
- Department of the Treasury (16)
- Farm Credit Administration (21)
- Farm Service Agency (2)
- Federal Deposit Insurance Corporation (FDIC) (31)
- Federal Financial Institutions Examination Council (4)
- Federal Housing Finance Agency (12)
- Federal Reserve Board (the Fed) (86)
- Federal Trade Commission (5)
- Financial Industry Regulatory Authority (7)
- Financial Stability Oversight Council (21)
- Government Accountability Office (11)
- Multiple agencies (84)
- National Credit Union Administration (12)
- Office of the Comptroller of the Currency (OCC) (36)
- Office of the Federal Register (1)
- Office of Thrift Supervision (7)
- Public Company Accounting Oversight Board (8)
- Securities and Exchange Commission (247)
- U.S. Sentencing Commission (8)

- I** Financial stability
- II** Orderly Liquidation Authority
- III** Transfer of powers to the OCC, the FDIC and the Fed
- IV** Regulation of advisers to hedge funds and others
- V** Insurance
- VI** Improvements to regulation
- VII** Wall Street Transparency and Accountability
- VIII** Payment, clearing and settlement supervision
- IX** Investor protections and improvements to the regulation of securities
- X** Bureau of Consumer Financial Protection
- XIV** Mortgage Reform and Anti-Predatory Lending Act

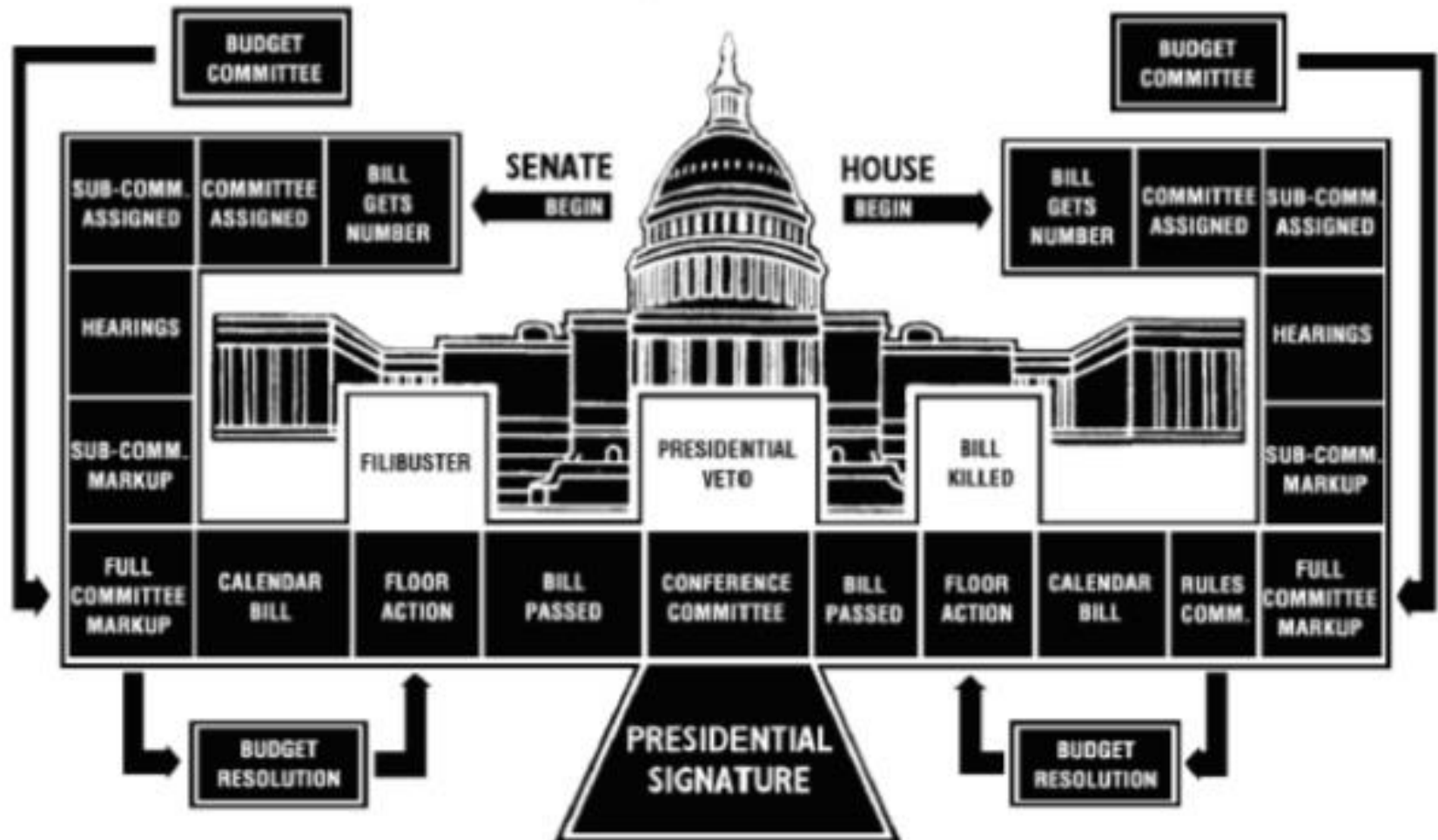
- Accounting and auditing
- Administration
- Banking
- Capital/Liquidity
- Compensation
- Consumer/investor protection
- Over-the-counter/listed derivatives
- Energy and resources
- Insurance
- Living wills
- Private money*
- Proprietary trading
- Securities
- Systemic risk
- Whistleblowers



As of July 2011

“Regular Order” lawmaking

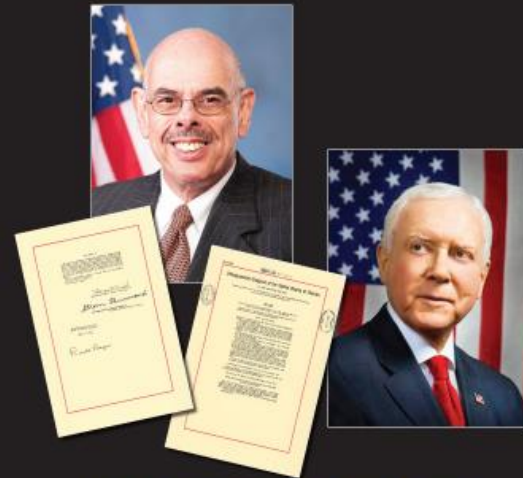
How does a Bill become Law?



Great example: Orphan Drug Act

See syllabus, April 30

*One of Many
Rare Disease Heroes*



Henry Waxman & Orrin Hatch

Representative Henry Waxman was the principal author of the original 1983 Orphan Drug Act (ODA). Senator Orrin Hatch was a co-sponsor and champion of the ODA. The ODA provided the first meaningful incentives to sponsors to develop needed medical products for the estimated 25 million Americans with rare diseases, defined under the ODA as diseases or conditions that affect fewer than 200,000 people in the United States. Fewer than 10 products supported by industry for rare diseases came to market between 1973 and 1983. Since its passage over 400 products for rare diseases have been approved.

113rd Congress (2013-2014) ▾ Senators ▾ Representatives ▾ Parties ▾ Topics ▾ More

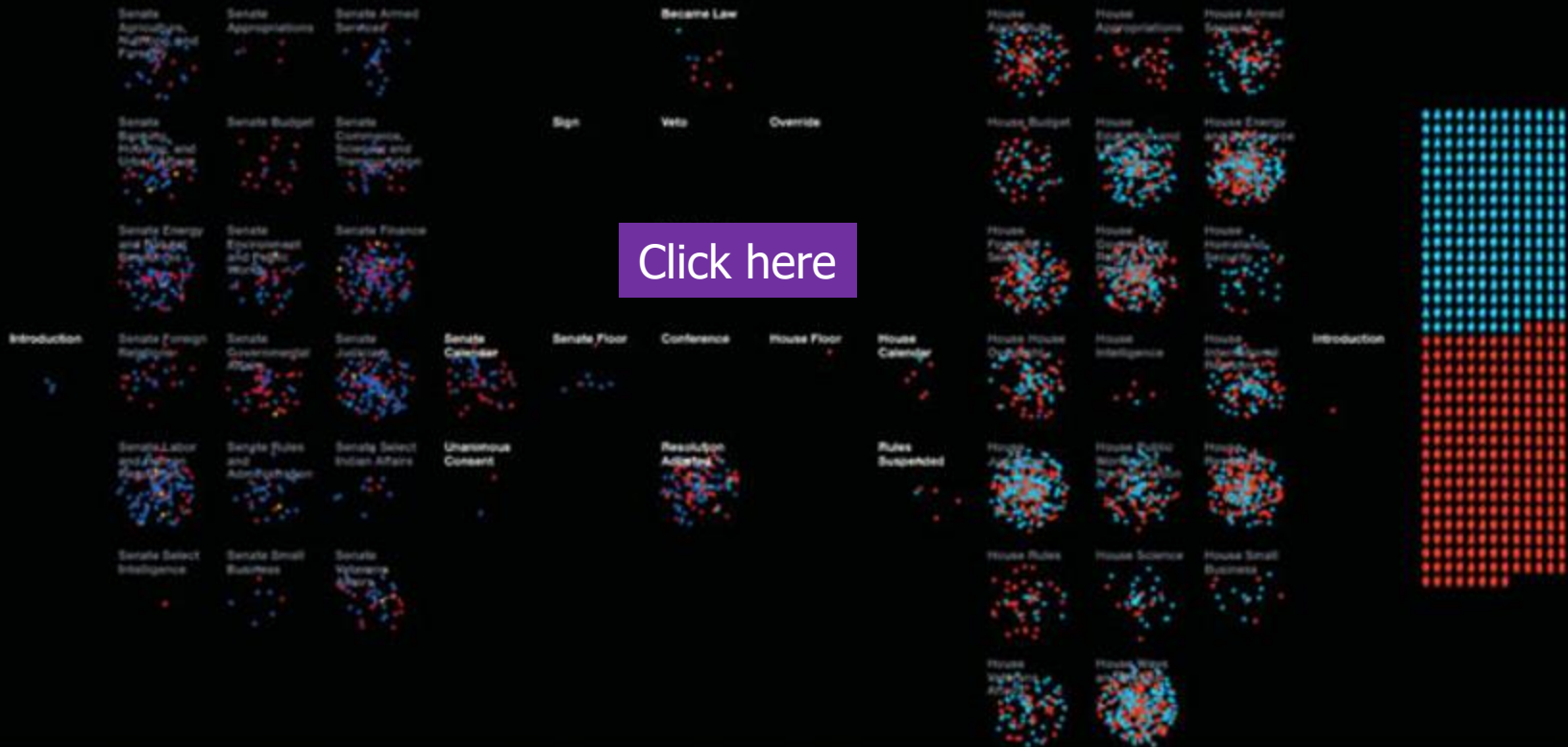
May 02 2013



Jan 02 2013

Jan 03 2014

Jan 01 2015



Click here

Total Bills: 3091 Senate Bills: 1008 House Bills: 2083 Senate Calendar: 51 (2%) House Calendar: 12 (0%) Became Law: 9 (0%)

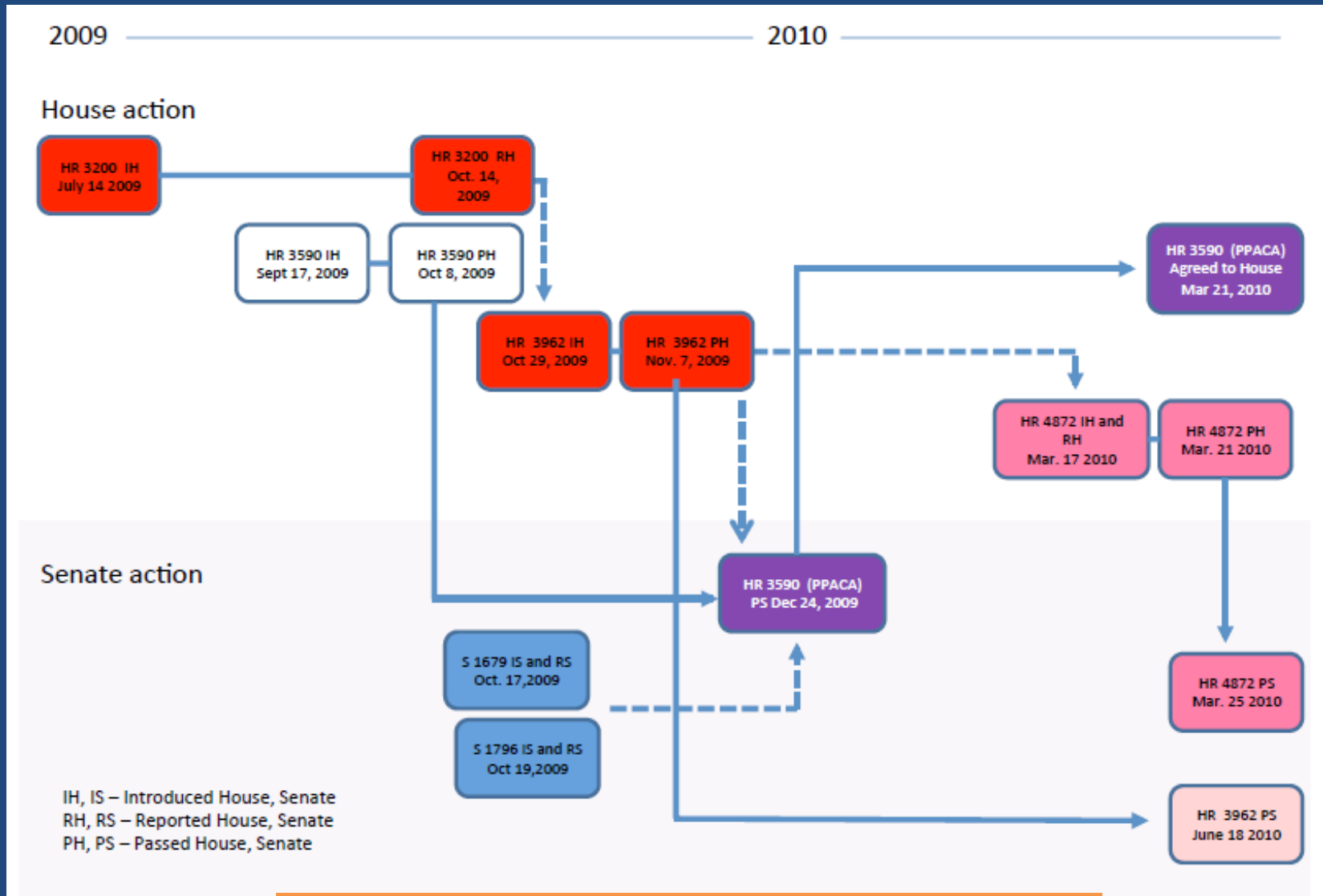
“unorthodox” lawmaking

- *“The key to understanding deal making in Congress is to remember that the ankle bone is connected to the shoulder bone. Anything can be the basis of a deal. . .”*



Rep. Barney Frank, D-MA

Unorthodox history of the Affordable Care Act



Note: The shaded cells in **Wilkerson, Stramp and Smith 2015** were about home loans for veterans. After the House passed HR 3962, originally the House version of health care reform, as the vehicle for a different set of policies, since HR 3590 was enacted. The Senate used HR 4872.

Alignment example from ACA



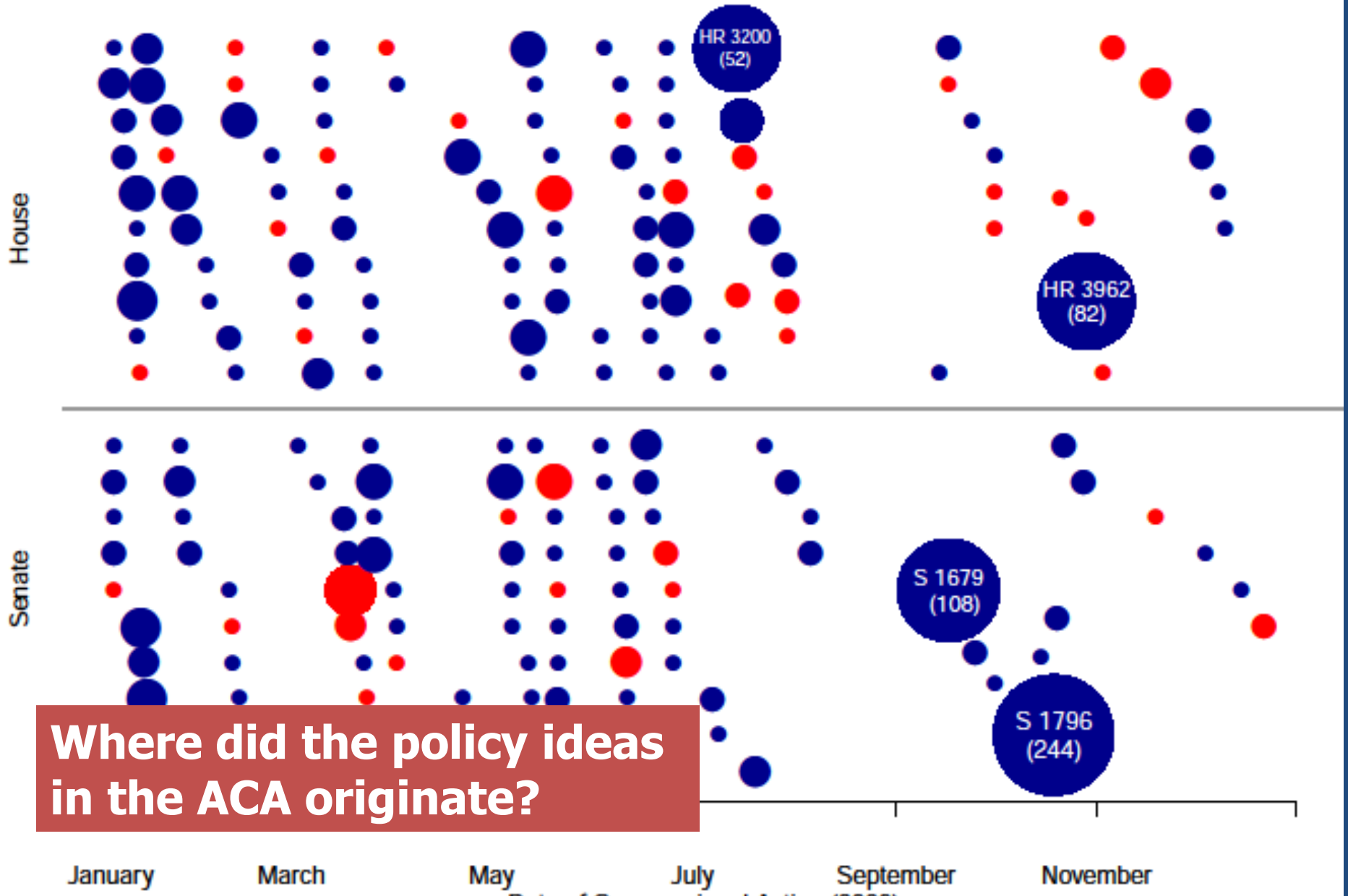
111 S. 1244

ing mothers a in general section 7 of the fair labor standards act— 29 usc 207 is amended by adding at the end the following r 1 an employer shall provide— reasonable break time for an employee to express breast milk for her nursing child for 1 year after the childs birth each time such employee has need to express the milk the employer shall make reasonable efforts to provide a place other than a bathroom that is shielded from view and free from intrusion from coworkers and the public which may be used by an employee to express breast milk— an employer shall not be required to compensate an employee—
— for any work time spent for such purpose 2 for purposes of this subsection the term employer means an employ

111 H.R. 3590

ing mothers— section 7 of the fair labor standards act of 1938 29 usc 207 is amended by adding at the end the following r 1 an employer shall provide a a reasonable break time for an employee to express breast milk for her nursing child for 1 year after the childs birth each time such employee has need to express the milk and —
—b a place other than a bathroom that is shielded from view and free from intrusion from coworkers and the public which may be used by an employee to express breast milk 2 an employer shall not be required to compensate an employee receiving reasonable break time under paragraph 1 for any work time spent for such purpose 3 —
—an employer —that employ

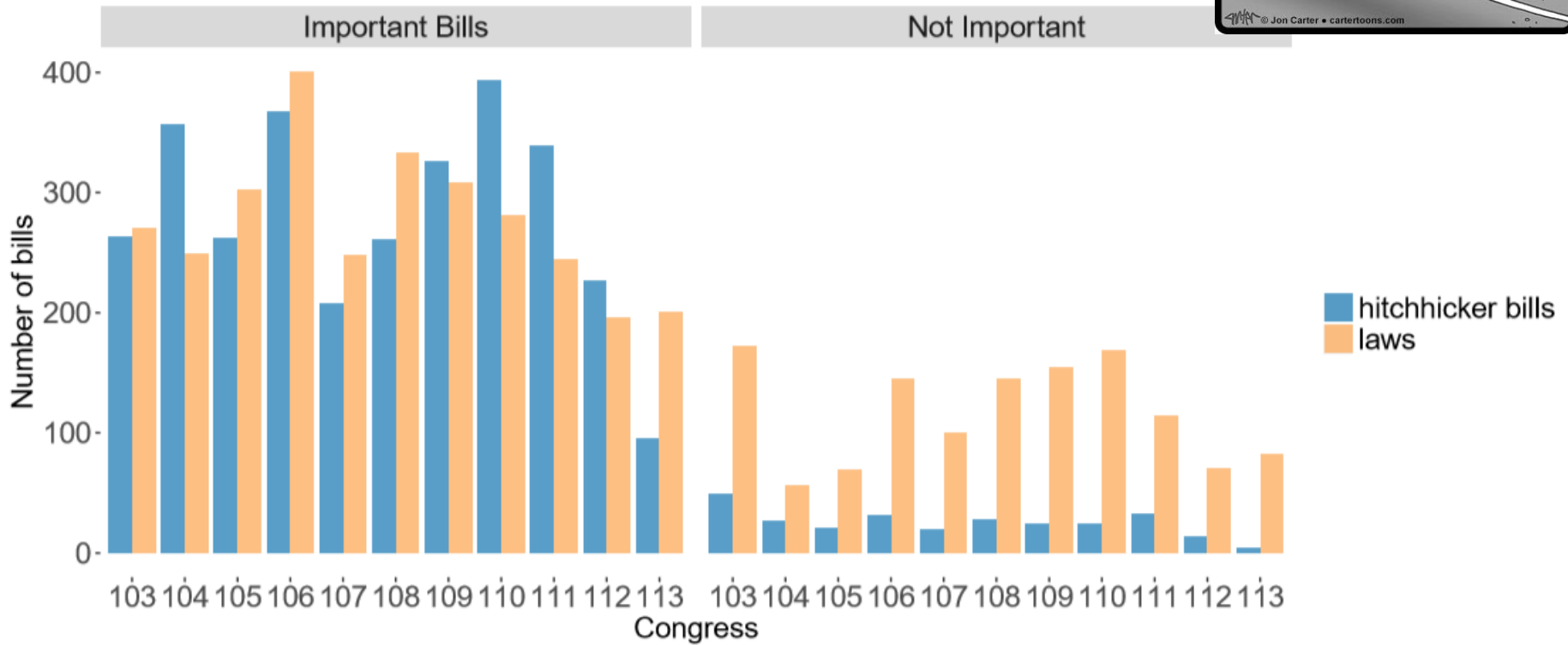
● Democrat-Sponsored Idea ● Republican Sponsored Idea



Where did the policy ideas in the ACA originate?

Wilkerson, Stramp and Smith 2015

'hitchhiker' bills



Rise of unorthodox lawmaking

- Regular order becomes increasingly slow and difficult ('gotcha' politics)

Amendment 3556 – Reduces health care costs by preventing fraudulent payments for prescription drugs, prohibits coverage of erectile dysfunction drugs to child molesters and rapists, and excludes coverage of abortion drugs.

- Leader coordinated efforts can be more efficient, secretive, and flexible

But! can also be abused for the
same reasons....

e.g. “Skinny” ACA bill: Leadership pressures
members to vote for an ill-considered repeal bill

McCain votes against his party:

*"As I have repeatedly stressed,
health care reform legislation
ought to be the product of
regular order in the Senate."*



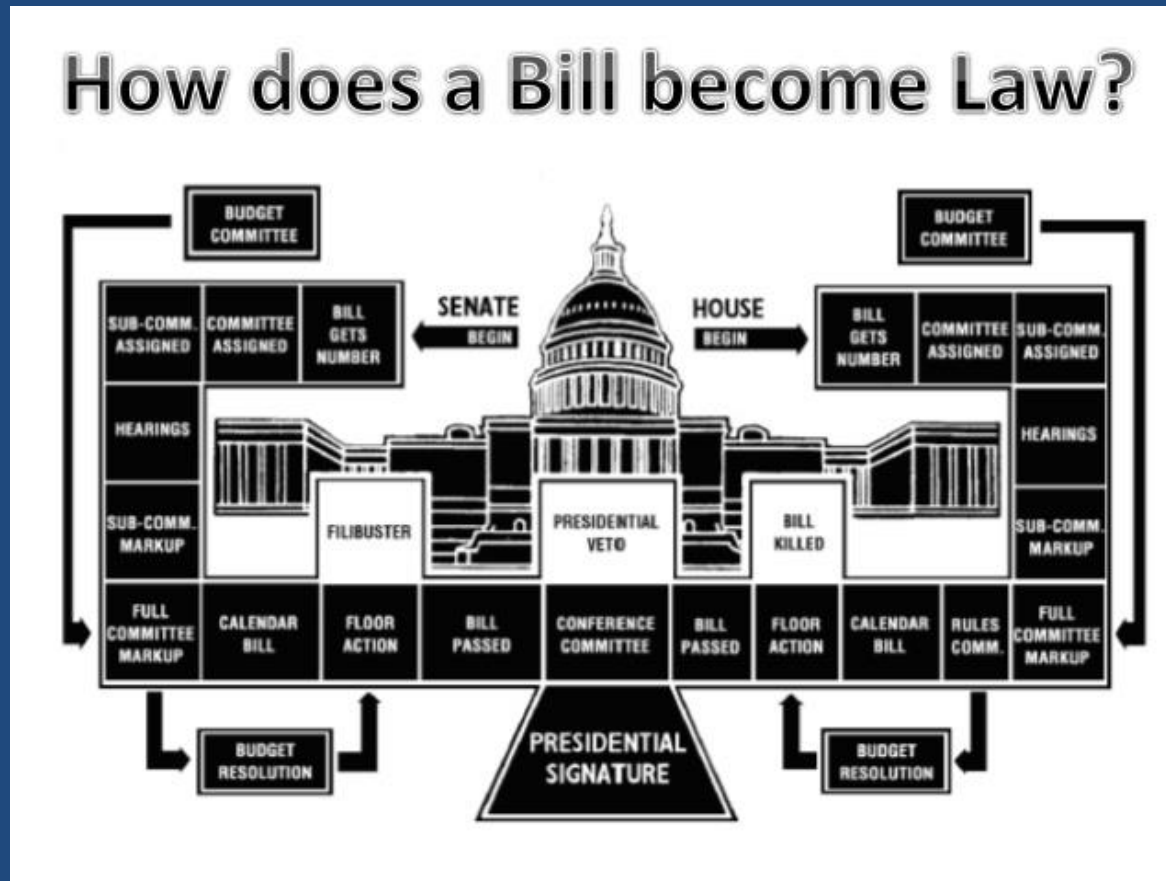
Today

- Purpose(s) of the lawmaking process
- Introduction to HR 6161: An Act of Congress



OK, back to regular order

- Purpose of the process?



- Congress creates its own procedures. For what purpose?
- Theories of legislative organization
 - **Informational** – make good public policies
 - **Distributive** – personal electoral benefits
 - **Partisan** – advance majority party's agenda

e.g. why have 'standing' committees?

- **Informational** – Specialization, permanent staff, investigatory and markup hearings

Prevent future repeat of the great recession... while promoting economic innovation?

How to convince banks that U.S. won't bail them out next time?

Zuckerberg to Tell Congress Facebook Made 'Big Mistake' on Multiple Fronts

By TIFFANY HSU APRIL 9, 2018



RELATED COVERAGE



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Testify Before Congress Over
MARCH 27, 2018

Right balance between privacy and innovation?

e.g. why have 'standing' committees?

- **Informational** – Specialization, permanent staff, investigatory and markup hearings
- **Distributive** – give members more influence over the issues critical to their reelection
- **Partisan** – prevent floor consideration of policies majority party opposes

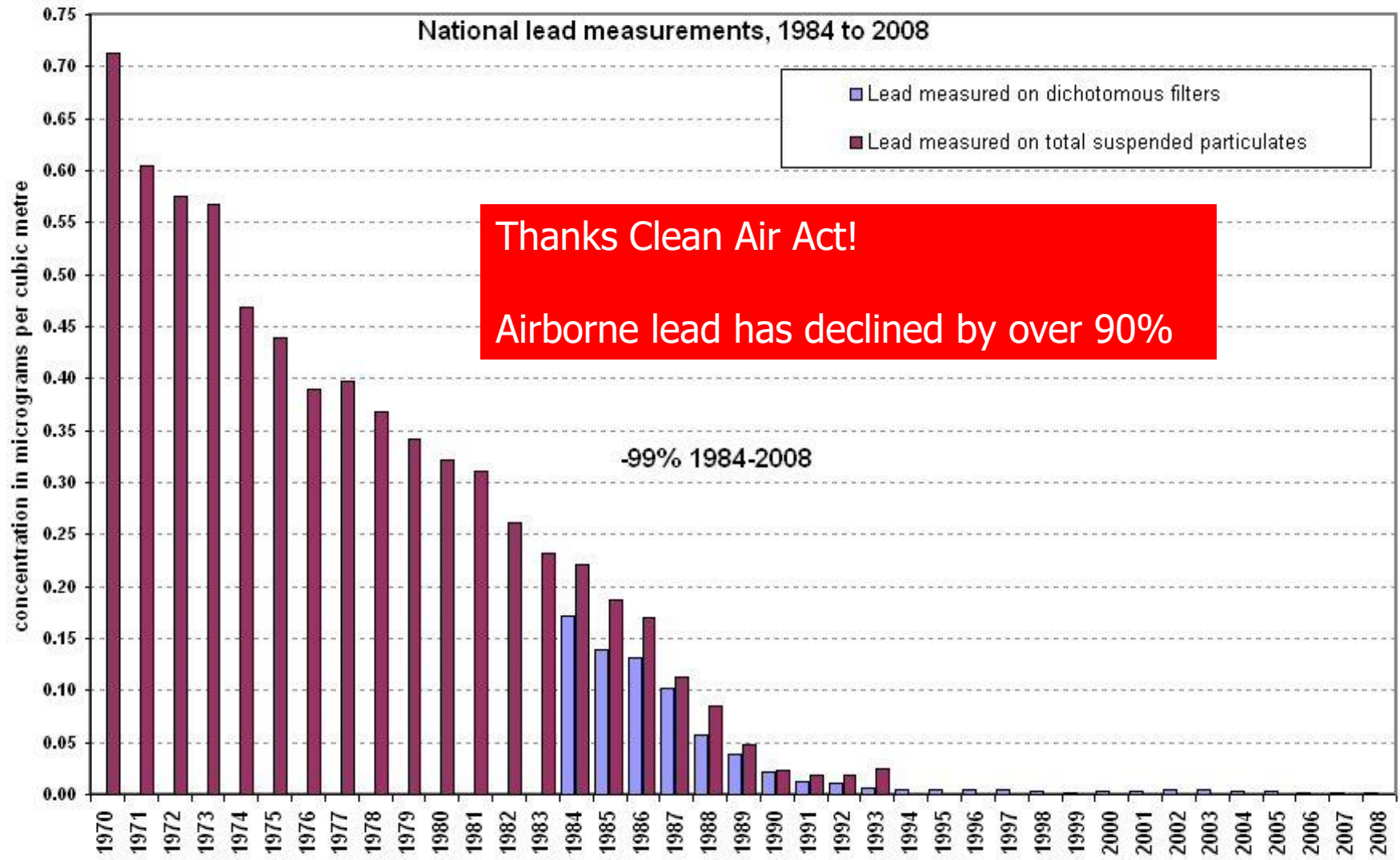
Each perspective has some merit

- Specialization is a collective action problem
- Distributive benefits provide incentives to specialize
- Better information doesn't eliminate policy differences

1970 Clean Air Act



National lead measurements, 1984 to 2008



Thanks Clean Air Act!
Airborne lead has declined by over 90%

-99% 1984-2008

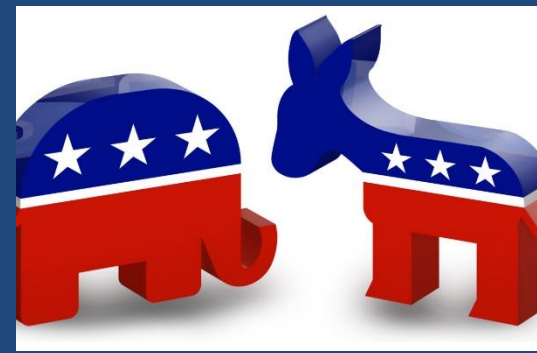
1977 Clean Air Act Amendments

- 1970 law creates tough standards for auto emissions reductions by 1978
- In 1977, industry says they can't meet deadline
- Penalties or change the law to extend the deadline?

Scene

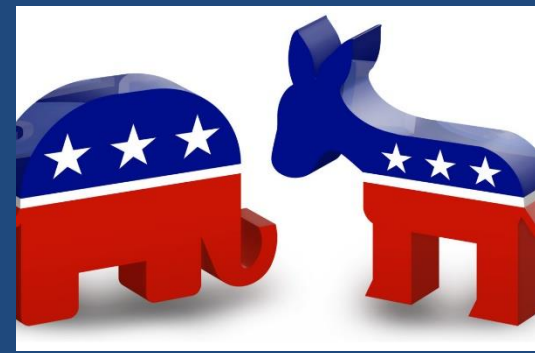
- “Markup” action in House of Representatives
 1. Health subcommittee drafts ‘clean’ bill
Rogers (D-FL) – chair of the subcommittee
 2. Full House Energy and Commerce Committee
Dingell (D-MI) – member of full committee
 3. Rules Committee proposes floor procedure

This week



- Parties, Committees and Leaders
 - Who cares? You do!
- Next week: Organizing your legislature
 - Request committees on LegSim
 - Decide procedures
 - Nominate and elect leaders
 - Make committee assignments

Why parties?



- Parties are not in the Constitution or congressional rules

- Madison, Federalist papers



Parties are about 'self love' and narrow interests
Government should serve the common interest

'Common interest' examples

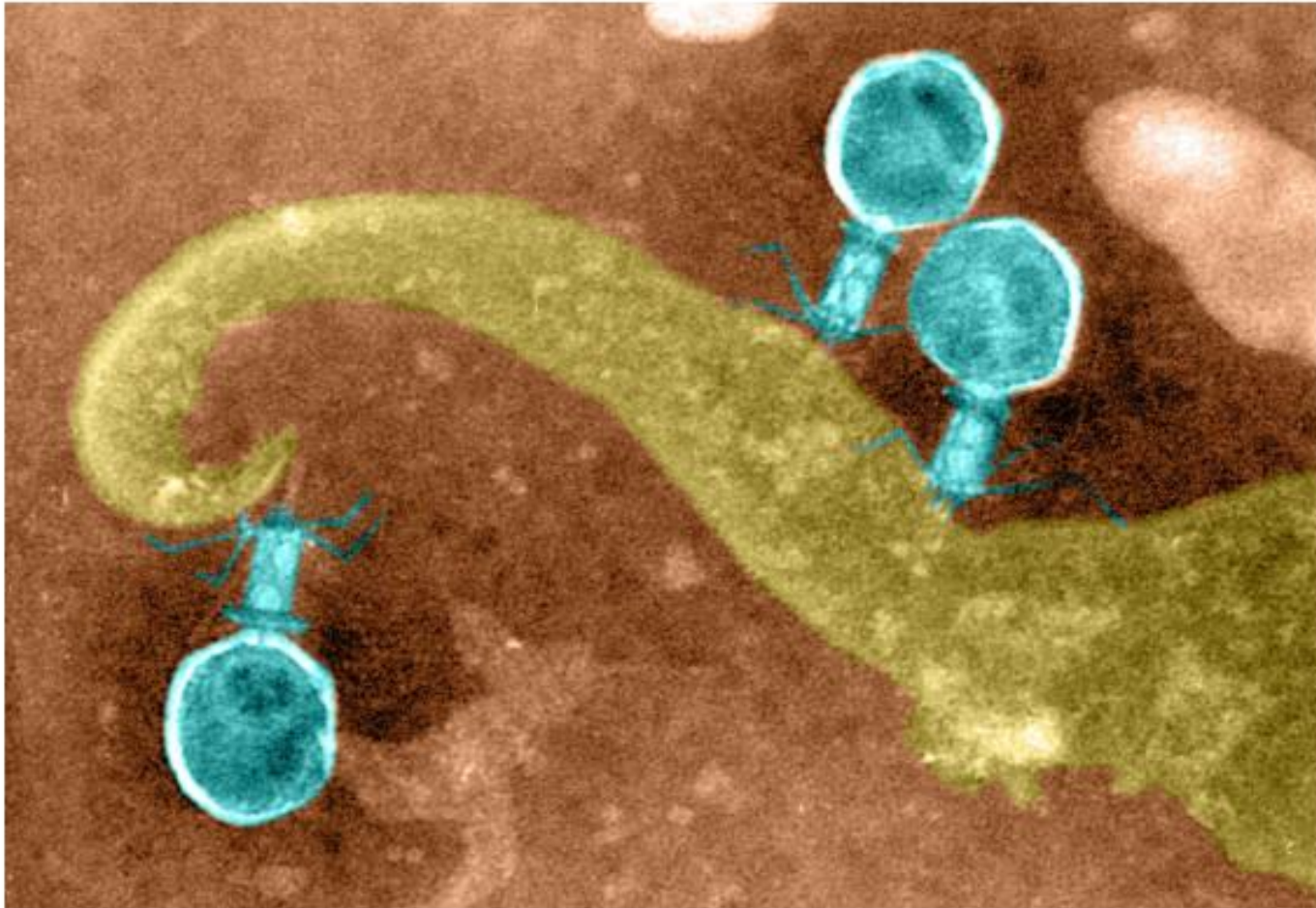
- Civil Service protections
 - Competence instead of party loyalty
- “Fast Track” trade policymaking; military base closings
 - Congress ties its own hands
- War Powers Act of 1973
 - Congress gives president short term flexibility with longer term accountability

science funding!

SCIENCE

Trillions Upon Trillions of Viruses Fall From the Sky Each Day

By JIM ROBBINS | APRIL 13, 2018



Viruses attached to a fragment of a bacterial cell wall. "Viruses modulate the function and evolution of all living things," scientists wrote last year. "But to what extent remains a mystery."

If Trump shuts down investigation?



Will Congress protect the Rule of Law?

“untethered to the truth”



A
HIGHER
LOYALTY

TRUTH, LIES, AND
LEADERSHIP

JAMES
COMEY

"All the News That's Fit to Print"

The New York Times

LATE-CITY EDITION
Wednesday, July 26, 1974
This page, with the front page, is published daily except on Sundays and public holidays.

1974-07-26

FRIDAY, JULY 26, 1974 \$1.00 NEW YORK, N.Y. TELEPHONE: 212-512-2000 100 NASSAU ST. 10037

NIXON DISCHARGES COX FOR DEFIANCE; ABOLISHES WATERGATE TASK FORCE; RICHARDSON AND RUCKELSHAUS OUT

Kissinger Meets Brezhnev on Mideast Cease-Fire Plan



Meeting of Vice President Spiro T. Agnew with Soviet Premier Leonid Brezhnev yesterday in Moscow.

COURTY IN BASE

Impending Nixon Is
Quietly Excused
by Leadership

WASHINGTON, July 26—The White House today appeared to be in a state of quiet resignation as the leadership of the White House accepted the fact that the president's departure was inevitable.



Mr. Agnew, center, and Mrs. Agnew, right, at the White House today.



Henry Kissinger, left, and Leonid Brezhnev, right, at the White House today.

BORG TAKES OVER

Office of Director
Are Shifted Back
to Justice Dept.

WASHINGTON, July 26—The Justice Department today announced that the offices of the director of the Federal Bureau of Investigation and the Federal Bureau of Prisons would be moved back to the Justice Department.

U.S. Reports Enlarging

Off Fossil Fuel on West Bank

WASHINGTON, July 26—The United States today reported that it had found evidence of fossil fuel reserves on the West Bank of the Jordan River.

WASHINGTON, July 26—The United States today reported that it had found evidence of fossil fuel reserves on the West Bank of the Jordan River.

Ervin at First Renounces

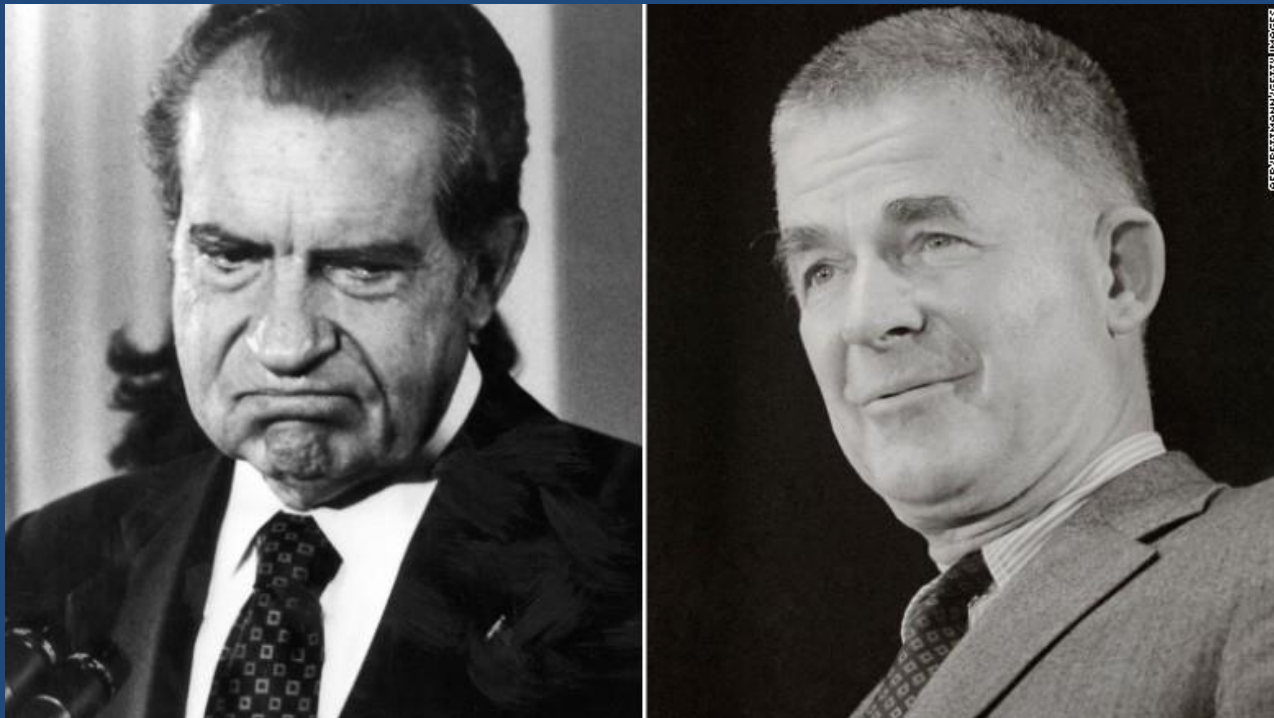
Then Accepts Taxes Plea

INDIANSON QUILTS

INDIANSON QUILTS

History of Special Counsel

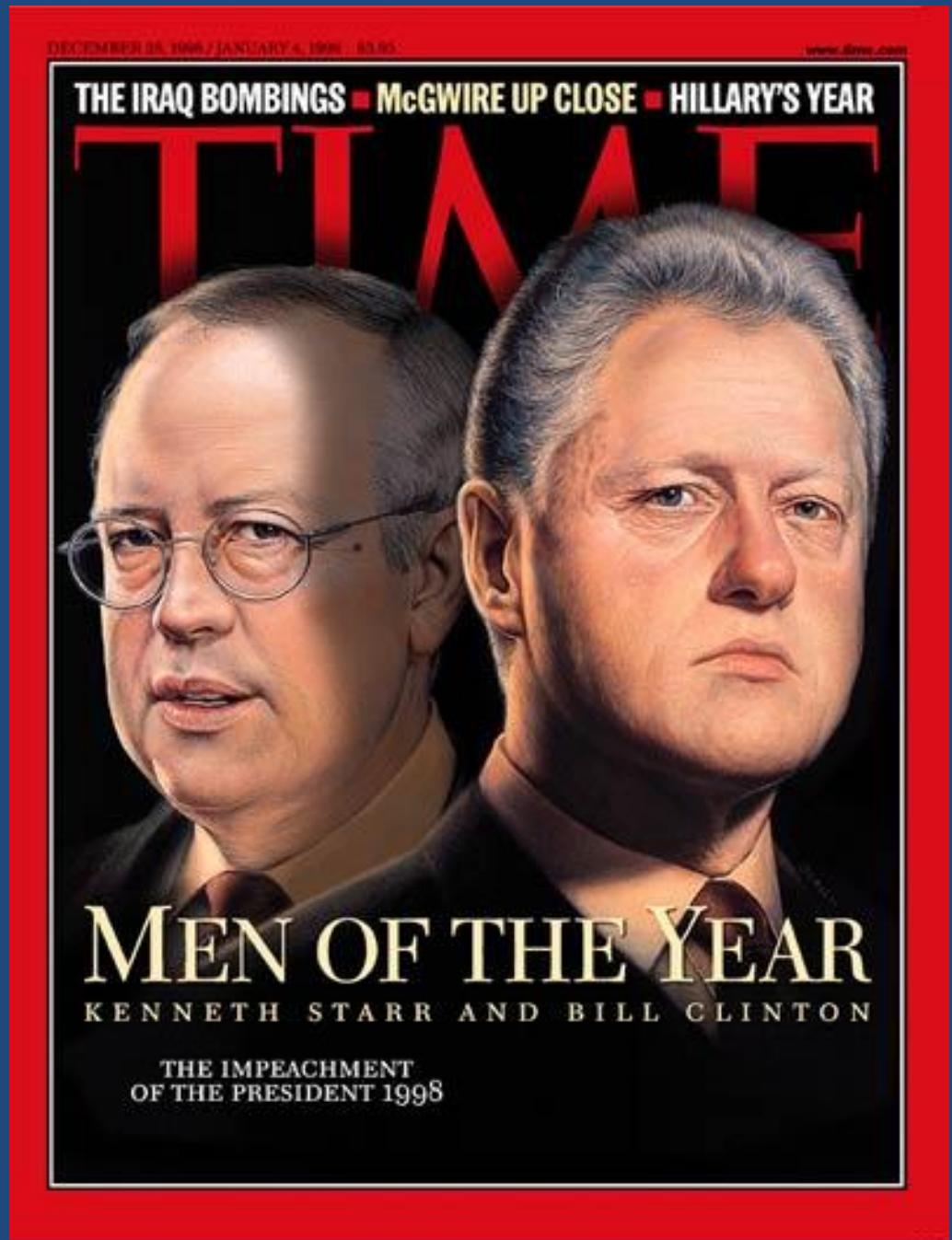
- Archibald Cox (D - apptd solicitor general by Kennedy)
- Elliot Richardson (R, Nixon's Attorney General) asks him to be special prosecutor



- *"all offenses arising out of the 1972 election ... involving the president, the White House staff or presidential appointments."*
- Cox issues subpoena for White House tapes , Nixon fires him. New special prosecutor appointed.
- Nixon resigns (not impeached)

Ken Starr (Republican,
apptd solicitor general
by George HW Bush)

Janet Reno (D)
appoints Republican
special counsel



- *Authorized to investigate the death of Vince Foster, Whitewater, White House Travel Office, FBI files, etc etc and eventually, Monica Lewinsky.*
- Clinton is charged with perjury related to Lewinsky
- Impeached but acquitted in Senate



“Witch hunt?”

- Attorney General Jeff Sessions (R-AL, apptd by Trump) recuses himself
- Rod Rosenstein (R, longest serving US Attorney, appted by Trump) appoints as special counsel...
- Robert Mueller (R, Former FBI director, apptd by George W. Bush (R))

“A graduate of Princeton University, Mueller served as a Marine Corps officer during the Vietnam War, receiving the Bronze Star Medal with Combat “V” for heroism and the Purple Heart Medal”



Office of the Deputy Attorney General
Washington, D.C. 20530


ORDER NO. 3915-2017

APPOINTMENT OF SPECIAL COUNSEL
TO INVESTIGATE RUSSIAN INTERFERENCE WITH THE
2016 PRESIDENTIAL ELECTION AND RELATED MATTERS

By virtue of the authority vested in me as Acting Attorney General, including 28 U.S.C. §§ 509, 510, and 515, in order to discharge my responsibility to provide supervision and management of the Department of Justice, and to ensure a full and thorough investigation of the Russian government's efforts to interfere in the 2016 presidential election, I hereby order as follows:

- (a) Robert S. Mueller III is appointed to serve as Special Counsel for the United States Department of Justice.
- (b) The Special Counsel is authorized to conduct the investigation confirmed by then-FBI Director James B. Comey in testimony before the House Permanent Select Committee on Intelligence on March 20, 2017, including:
 - (i) any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump; and
 - (ii) any matters that arose or may arise directly from the investigation; and
 - (iii) any other matters within the scope of 28 C.F.R. § 600.4(a).
- (c) If the Special Counsel believes it is necessary and appropriate, the Special Counsel is authorized to prosecute federal crimes arising from the investigation of these matters.
- (d) Sections 600.4 through 600.10 of Title 28 of the Code of Federal Regulations are applicable to the Special Counsel.

5/17/17
Date


Rod J. Rosenstein
Acting Attorney General

Authorization of
special counsel

Where were we? Back to Madison...

- Furthermore, parties....
 - promote “frivolous and fanciful distinctions”
 - undermine ‘checks and balances’

Why parties then?

- **Parties in elections** are 'brands' elites create to win elections
- **Parties in Congress** are coalitions of like-minded legislators
- Party behavior in Congress is driven by both

Conservative Coalition

- From the 1930s to the 1980s, Democrats dominated Congress
- White Southern Democrats had more in common with Republicans but GOP was party of Lincoln
- Nixon's southern strategy led to eventual realignment (and Republican control)

Parties in Congress: 1789-2013

Ideology and Congress, 1789-2013

1791

House 2
1791-1792

Senate 2
1791-1792

House

Senate

Region (Slavery/BI-Metalism/Civil Rights)



Liberal - Conservative

Liberal - Conservative

J = Jeffersonian Republican
H = Hamiltonian

BORN TO COMMAND.



OF VETO MEMORY.

HAD I BEEN CONSULTED.

KING ANDREW THE FIRST.



Printed & Publ'd by H. R. Robinson

52 Courtland St. N. York.

THE MODERN BALAAM AND HIS ASS.

THE TWO PLATFORMS.



The Democratic Platform
Is for the White Man.



The Republican Platform
Is for the Negro and the Carpet-Bagger.

Parties in Congress 1789-2013

Ideol... 1789-2013

2013

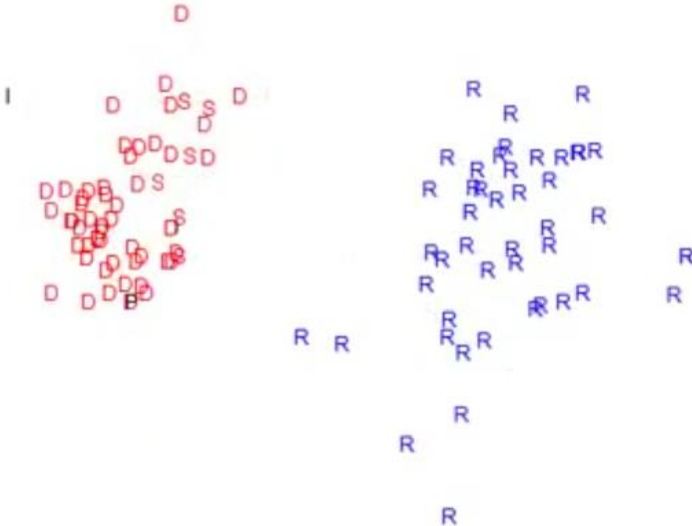
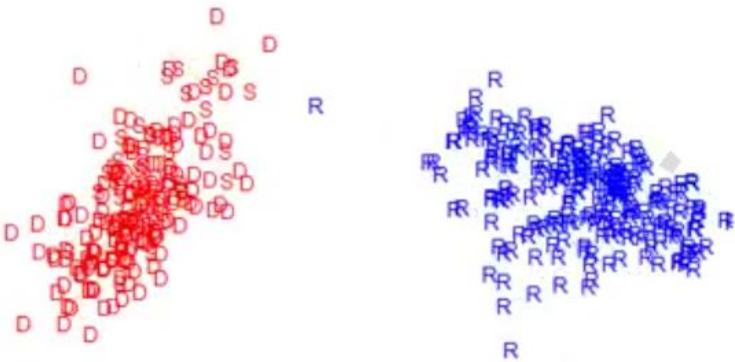
House 113
2013-2014

Senate 113
2013-2014

House

Senate

Region (Slavery/Bi-Metalism/Civil Rights)



Liberal - Conservative

Liberal - Conservative

D = N. Democrat
S = S. Democrat
R = Republican

[Click here!](#)

Limits of polarization

- Roll call votes are the most visible actions members take
- Incentives to use them for 'gotcha' politics
- Suggest more party disagreement than is actually the case