Course Description
This course provides a basic understanding of the role, structure, and functions of the U.S. Executive Branch. Current events offer an opportunity to demonstrate a variety of roles the executive branch plays and its interaction with Congress and state and local governments. In order to provide a context for understanding these fundamental arrangements, we will be examining the executive branch, including the bureaucracy, in three aspects of carrying out legislation: dealing with Congress, implementing federal policy and grant programs, and rule making. Specifically we will be focusing on implementing federal policies through:

- Presidential actions and congressional reactions;
- Cooperation and coercion of states; and
- The adoption of regulations.

Throughout the semester, we will examine how the three branches interface when developing and implementing federal programs. We will also exam the interplay between the federal government and state governments in implementing federal policy. As this is the start of a new administration, we will try to remain focused on the structure and function of the executive branch and avoid much of the noise and drama.

The purpose of the course is to understand the interconnections between the enactment of a federal law and its implementation. We will not be evaluating the pros or cons of specific policies, rather we will be focusing on the issues, challenges, and opportunities the executive branch faces in effectuating policies and carrying out laws. By the end of the semester, you should be able to:

- construct arguments about the powers available to the president and federal agencies to effectuate policy decisions and to implement enacted legislation;
- understand how stakeholders in the executive branch interact throughout the policymaking process
- analyze the appropriateness of different mechanism available for implementing federal legislation;
- chart the steps in the federal budgetary process;
- comprehend the evolution of the federal-state arrangement and the implications for carrying out and monitoring federal programs;
- understand the role of regulations and process of developing them;
- identify issues confronting the bureaucracy including the federal personnel system and reform proposals.

Course Materials
There are two assigned text, *The Powers of the Presidency, 4th edition*, CQ Press, and *The Art of Policymaking, 2nd edition* by Shambaugh and Weinstein CQ Press. Both are available at the Bookstore. Additional readings are assigned from a variety of sources including legislation, congressional documents, and court decisions. These are also required and are not just suggested or supplemental readings. They are all listed in the syllabus and are posted on Blackboard or available online.

Grading
Class participation 5%
Quizzes 10%
Midterm exam 25%
Final exam 35%
Research project 25%
Participation
Class participation is critical, so you need to come to class prepared. You are expected to come to class having read the assigned readings indicated for that day and be ready to discuss them. The grade is based on participation, not attendance. However, attendance will be taken.

Also I caution students about the use of laptops and tablets. While I am not instituting a ban on them, their use is perhaps distracting to both you and those around you. I found Stuart Green’s opinion in the WSJ (http://www.wsj.com/articles/im-banning-laptops-from-my-classroom-1468184264#livefyre-comment) supporting my gut reaction to what I had seen over the semesters. Since some argue that what is on the computer is more interesting than the lecture, I will try to make the class more interesting and will do my best to get you to participate. Cell phones are NOT permitted in class. Please keep them out of sight. While I initially won’t have you check them at the door, if phones are prevalent, I may resort to that.

Quizzes
There will be 10 unannounced quizzes throughout the semester given during class and will account for 10% of the grade. The format of the quizzes will vary. They will be based on the readings and class discussion.

Research project
A research project, between 7 to 10 pages, (double-spaced) will be due on at 5 p.m on Wednesday April 5. There are exercises throughout the semester to keep you from doing the project at the last minute. The exercises are due the date assigned and can either be handed in at class or emailed to me. Please discuss with me any topic that is not presented on the suggested list of topics. All final papers must be submitted as a pdf to my email, collins2@gwu.edu. Late papers will be accepted, but with a penalty of a grade a day. (B+ paper a day late becomes a B paper, two days late, B-, etc.) As this is a research project, you are expected to include outside references and appropriate citations, using any acceptable style.

Exams
In addition to the quizzes, there are two in-class exams, a midterm and a final exam. The exams are cumulative and will cover both classroom discussions and the readings. The exams will consist of short answer and essay questions.

University Class Policies
Assignment of Credit Hour Policy
This 3-credit course includes 2.5 hours of direct instruction and a minimum of 5 hours of independent learning for a minimum 7.5 hours per week. More information about GW’s credit hour policy can be found at: provost.gwu.edu/policies- forms (webpage); or provost.gwu.edu/files/downloads/Resources/Assignment-Credit-Hours-7-2016.pdf (form)

University Policy on Religious Holidays:
1. Students should notify faculty during the first week of the semester of their intention to be absent from class on their day(s) of religious observance;
2. Faculty should extend to these students the courtesy of absence without penalty on such occasions, including permission to make up examinations.

Academic Integrity
I personally support the GW Code of Academic Integrity. It states: “Academic dishonesty is defined as cheating of any kind, including misrepresenting one's own work, taking credit for the work of others without crediting them and without appropriate authorization, and the fabrication of information.” For the remainder of the code, see: http://www.gwu.edu/~ntegrity/code.html

Support for Students Outside the Classroom
Disability Support Services (DSS)
Any student who may need an accommodation based on the potential impact of a disability should contact the Disability Support Services office at 202-994-8250 in Room 102 Rome Hall to establish eligibility and to coordinate reasonable accommodations.
University Counseling Center (UCC)  202-994-5300  
http://gwired.gwu.edu/counsel/CounselingServices/AcademicSupportServices  
The University Counseling Center (UCC) offers 24/7 assistance and referral to address students' personal, social, career, and study skills problems. Services for students include: crisis and emergency mental health consultations and confidential assessment, counseling services (individual and small group), and referrals.
Class Schedule and Assignments

Class 1 January 18: Introductions and Discussion of Course

PART I
EXECUTIVE BRANCH IN CONTEXT

Class 2 January 23: Why Do We Have Government?
Why are governments needed? What is the “public good”? What is the paradox of government? Who carries out government policies? What are some of the structural issues the bureaucracy faces? To whom is government responsible?
Assignment:
• The Art of Policymaking, Chapter 1

Class 3 January 25: What Does Government Do?
Why are there governments? What tools do governments have to carry out policies? What are the different roles for the federal and state governments?
Assignment:

Class 4 January 30: Fiscal Policy-Income Tax and Tax Expenditures
How can taxes be used to carry out policy? How do tax expenditures differ from other methods of implementing policy?
Assignment:
• Emil Sunley and Janet Stotsky “Income Tax, federal” from The Encyclopedia on Taxation and Tax Policy ed. Robert Ebel et al. The Urban Institute
Exercise:
• Worksheet: Deductions, Credits, Exemptions and Tax Expenditures

Class 5 February 1: Excise Taxes: Good Tax Bad Tax?
What makes a tax progressive or regressive? What are the characteristics used to evaluate a “good” tax? When might excise taxes be used? How can they be used to eliminate the problem of “negative externalities” or “free rider”?
Assignment:
• “Excise Taxes”, “Fuel Taxes”, and “Sumptuary Taxes” various authors from The Encyclopedia on Taxation and Tax Policy ed. Robert Ebel et al. The Urban Institute
• Alan Auerbach The skinny on soda taxes, in under 3 minutes http://news.berkeley.edu/2014/10/28/the-skinny-on-soda-taxes-in-under-3-minutes/
• Megan McArdle “Why State Like Sin Taxes” Bloomberg View January 23, 2015
• Richard Williams and Katelyn Christ “Taxing Sin” Mercatus Center No. 55 July 2009

Class 6 February 6: Constitutional Structure
What is the basis for the Constitution? Why did the Founders separate the executive from the legislative branch of government? What were the arguments for and against such structure? What
role does the Constitution provide for state and local governments? What is the constitutional role of the bureaucracy?

Assignment:
- U.S. Constitution and all amendments.
- Publius (Hamilton). *Federalist Paper 70* “The Executive Department Further Considered,” and *Federalist Paper 72* “The Same Subject Continues-and Re-eligibility of the Executive Considered” [https://www.congress.gov/resources/display/content/The+Federalist+Papers](https://www.congress.gov/resources/display/content/The+Federalist+Papers)

**Class 7 February 8: Critical Current Concerns to the Constitution**

What is the emoluments clause? Are there different issues between emoluments and bribery? What issues does it raise for the current administration? What does the Constitution say about representation? What is the difference between racial and partisan discrimination?

Assignment:
- Jack Maskell “Conflict of Interest and “Ethics” Provisions That May Apply to the President” Memorandum Congressional Research Service November 22, 2016
- David Daley “Introduction” and “Chapter 4 Maptitude: Donald Duck Kicking Goofy” *Rat F**ked: the True Story Behind the Secret Plan to Steal America’s Democracy* Liveright 2016
- John Paul Stevens “Chapter II Political Gerrymandering” *Six Amendments How and Why We Should Change the Constitution* Little Brown 2014

**Class 8 February 13: The Executive Branch and the President**

What is the Executive Branch? How do Departments (Cabinet) and the Executive Office of President (EOP) serve the President? Does location matter in carrying out policy?

Assignment:
- Justin S. Vaughn “Chief Administrator, Chapter 3” pp.73-108
- *The Art of Policymaking* Chapter 2 and Chapter 3

**Class 9 February 15: President and his Advisors**

Who are the president’s advisors? What roles do they serve? How has Pres. Trump organized is White House Staff? What issues may his nominees face?

Assignment:
- James Pfiffner “Cabinet secretaries versus the White House Staff” Brookings FixGov March 24, 2015 [https://www.brookings.edu/blog/fixgov/2015/03/24/cabinet-secretaries-versus-the-white-house-staff/](https://www.brookings.edu/blog/fixgov/2015/03/24/cabinet-secretaries-versus-the-white-house-staff/)

**No Class February 20**

**Class 10 February 22: The Job of the Executive Branch**

How does the President “faithfully execute” laws? What is the role of the bureaucracy?

Assignment:
- Justin S. Vaughn “Chief Administrator, Chapter 3” pp.108-147
The Art of Policymaking Chapter 4
Todd Garvey “the Take Care Clause and the Executive Discretion in the Enforcement of Law”, CRS Report to Congress R43708 January 4, 2014

Class 11 February 27: The President and the Bureaucracy
How does the President exert control over the bureaucracy? What resources are available to President? What are different structural arrangements available? Does structure matter?
Assignment:
- George A. Krause “Organizational Complexity and Coordination Dilemmas in U.S. Executive Politics” Presidential Studies Quarterly March 2009
- The Art of Policymaking Chapter 5

Class 12 March 1: Carrying out the President’s Agenda
What is the role of the bureaucracy? How has it changed? What are the current efforts to “politicalize” the federal workforce?
Assignment:
- Barbara Mantel “Trump Presidency” CQ Researcher January 6, 2017
- Joe Davidson “New feds could be fired for ‘no cause at all’ by Trump under planned legislation” The Washington Post PowerPost January 12, 2017

Class 13 March 6: Presidential Authority and Power Discretion
What actions can the President take unilaterally? What is the basis for such actions? What are some of the constraints on using such authority?
Assignment:
- Andrew C. Rudalevige “Unilateral Powers of Presidency Chapter 1”
- Christina L. Lyons “Presidential Power: Has President Obama overstepped his authority” CQ Researcher March 6, 2015

Exercise:
- Submit a brief discussion of your topic for the paper.

Class 14 March 8: MID TERM

March 13 and March 15: Spring Break

PART III
THE EXECUTIVE BRANCH AND THE LEGISLATIVE BRANCH
Class 15 March 20: Showdown along Pennsylvania Avenue
What can Congress do to counteract presidential unilateral actions? Do Presidents act because Congress has not?
Assignment:
- Gene Healy “Congressional Abdication and the Cult of the Presidency” White House Studies Vol. 10 Issue 2
- Justice Jackson Youngstown Sheet & Tube Company v. Sawyer, concurring opinion

Class 16 March 22: President as Commander-in-Chief
What are the issues the president faces as commander-in-chief? How does the president and the presidential advisor develop policy? How does the president balance role of commander in chief and chief diplomat?
Assignment:
- Meena Bose “Commander in Chief Chapter 6”
- The Art of Policymaking, Chapter 15

Class 17 March 27: Congress and the Bureaucracy
Is the bureaucracy responsible to the Executive Branch or to the Legislative Branch? How does Congress exercise oversight? Is Congressional oversight part of the solution or part of the problem?
Assignment:
- Jasmine Farrier “Legislative Leader, Chapter 4”
- The Art of Policymaking, Chapter 9

Class 18 March 28: Congressional Purse Strings: Budgeting and Appropriation
What are budgets? What is the role of the executive branch in the federal budget? What does congressional authority provide? How does the budget reflect policy?
Assignment:
- Donald Kettl “Budgeting Chapter 11” from Politics of the Administrative Process, Sage CQ Press
- Committee for a Responsible Federal Budget Reconciliation 101
- The Art of Policymaking Chapter 8 and Chapter 14
- Stuart Butler and Maya MacGuineas “A long-term budget for entitlements and required revenues” A Series of Discussion Paper on Re-Imagining the Federal Budget Process No. 5 Economic Studies at Brookings January 2017
Exercise:
- Submit outline of paper including 3-5 references that you have used

Class 19 April 3: Budget as a Political Document
What is the difference between fiscal and monetary policy? What role does the President play in formulating such policies? What is the role of Congress? What mechanisms does the Executive Branch use to improve budget performance? How do budgets reflect Congress policy?
Assignment:
- Bruce Nesmith “Chief Economist” Chapter 7
- The Art of Policymaking, Chapter 7

RESEARCH PROJECT DUE APRIL 5 by 5 pm

Class 20 April 5: President as Chief Diplomat
How are the foreign policy roles of Congress and the President balanced? What issues arise with the bureaucracy?

Assignment:
- Meena Bose “Chief Diplomat, Chapter 5”
- Joshua Rovner “The Foreign Policy Essay: The Danger of Politicized Intelligence after a Nuclear Deal” Foreign Policy Essay on Lawfare

Class 21 April 10: Congress, The President, and Foreign Affairs
What has Congress done to assert itself in foreign relations? Can Congress go too far?

Assignment:
- The Art of Policymaking, Chapter 16

PART III
FEDERAL RULES AND STATE RELATIONS

Class 22 April 12: Federal Rules
What is the basis of “Regulatory Federalism”? How has the relationship between the Federal government and states changed because of the federal role? What tools does the bureaucracy have for implementing federal programs? What is the relationship between states and local governments? How is this different from the relationship between the Federal government and states?

Assignment:
- Advisory Commission on Intergovernmental Relations Chapters 1 and 2 pages 1-44 Regulatory Federalism: Policy, Process, Impact and Reform A-95 February 1984
- “The Anti-Commandeering Doctrine An Overview of four major Supreme Court cases” The Tenth Amendment Center
**Class 23 April 17: Federalism**

What is Federalism? What is the role of the states in carrying out federal policies? What tools does the federal government use to carry out its policies? What is the role for bureaucracies? How important is federal funding for state and local governments? What are the considerations when distributing federal funds?

Assignment:
- Kevin B. Smith and Alan Greenblatt “Federalism: The Power Plan” Chapter 2 in *Governing States and Localities: The Essentials*
- John Samples and Emily Ekins *Public Attitudes toward Federalism* 2014 CATO Institute
- Barbara Mantel “Managing Western Lands” *CQ Researcher* April 22, 2016 361-383

**PART IV REGULATIONS**

**Class 24 April 19: Process: Administrative Rulemaking**

What are regulations? Why are they needed? What is the role of Congress, the bureaucracy, the executive in the regulatory process?

Assignment:
- Daniel Perez “A Useful Measure of Regulatory Output” Commentary Regulatory Studies Center George Washington University https://regulatorystudies.columbian.gwu.edu/useful-measure-regulatory-output

**Class 25 April 24: Congressional Role in Rule Making**

How can Congress reassert itself in regulations? What are “midnight regulations”? How has Congress dealt with them?

Assignment:
- Juliet Eilpern “In a race to the finish, Obama administration presses ahead with ambitious rules” *Washington Post* December 1, 2017
Class 26 April 26: **Conflict between Federal and State Regulations**
What role do states have in developing regulation? How are the arrangements between state and local governments different from state and federal government? How are conflicting regulations resolved?

Assignment:

**PART V WRAP UP AND REVIEW**

Class 27 May 1: **Wrap up of what has happened since we started**

Class 28 May 3: **Review**

**FINAL EXAM AS SCHEDULED BY UNIVERSITY**