

**Course:** Executive Power in State and Federal Government (LPPP 4991 - Spring 2026)

**Instructor:** Professor Ben Goehring (I don't really care, but this is how I usually say my last name.)

**Office:** Garrett Hall L002A (by student services)

**Email:** goehring@virginia.edu

**Office Hours:** Thursday 10am-12pm, and by appointment. Sign up for a slot here.

**Room:** Pavilion VIII 103

**Class Time:** Thursday 3:30-6pm

**Final Exam Time:** 9am-12pm on May 4

## 1 Introduction

Much modern policymaking occurs in government agencies, not the halls of legislatures. At all levels of government, unelected public servants are delegated power to turn broad—often ambiguous—laws into the specific rules and regulations that govern society. Over the course of the semester, we will examine, and practice, how bureaucrats create and shape public policy through this rulemaking process.

As a student in this course, you will take on the role of a high-level bureaucrat in either a federal or a Virginia state agency. Working in groups alongside your peers, you will be tasked with implementing real legislation recently passed by Congress or the Virginia General Assembly and signed into law by President Trump or Governor Youngkin. These laws (or sections of laws) grant agencies broad discretion to issue new rules affecting trade, finance, education, and the environment.

Over the course of the semester, each group will follow the same general rulemaking process as agencies: 1) craft an initial proposal for a new rule; 2) solicit feedback from the public (i.e., your peers); and 3) present a final rule. As you work through this process, we will investigate how rulemaking works in both the federal and Virginia state governments. We will pay special attention to the politics of agency policymaking. We will learn how bureaucrats move policy forward while juggling multiple, sometimes contradictory, objectives. In short, we will study how bureaucratic policymaking occurs within the contemporary political landscape.

At the core of this course is a group project where students, working as teams, navigate the rulemaking process. Each group will be tasked with writing rules to implement one of the following real, recent laws:

### 1.1 Sugar Tariffs

- What agency are you working for: The US Department of Agriculture
- What are you doing: Researching U.S. sugar tariffs and deciding whether they need to be altered, and if so by how much.

The “One Big Beautiful Bill” signed into law by President Trump on July 4, 2025 includes a small section tasking the United States Department of Agriculture (USDA) to research whether additional tariffs on refined sugar imports are “necessary and appropriate.” The law grants the USDA the authority to impose additional tariffs that “do not have an adverse impact on the domestic sugar industry.” Students in this group will be tasked with developing proposed changes to the complex and politically-fraught domestic sugar support system. In addition to learning the intricacies of how the U.S. uses tariffs, quotas, and loans to increase the price of a commodity consumed by all Americans, you will navigate a unique, local politics that stretches from South Florida to North Dakota’s Red River Valley and Hershey, Pennsylvania.

## 1.2 Crypto Regulation

- What agency are you working for: The US Department of Treasury
- What are you doing: Implementing federal regulations defining what makes state and foreign stablecoin regulatory systems sufficiently similar to the policies in the 2025 GENIUS Act.

The 2025 GENIUS Act, signed into law by President Trump in July 2025, provides the first federal regulations for stablecoins—cryptocurrencies that are pegged to follow the value of stable assets, like the U.S. dollar. The law requires issuers of stable coins to meet certain audit, reporting and, reserve requirements, but it also allows smaller issuers to be regulated by the states rather than the federal government. State regulations, however, have to be “substantially similar” to the regulations provided in the GENIUS Act, providing discretion to the Department of Treasury to determine which state laws meet federal standards. A similar process is also necessary for determining whether foreign issuers of stablecoins are governed by “comparable” regulatory regimes abroad. Students in this group will be tasked with issuing rules for determining whether state and foreign governments’ stablecoin regulations are sufficiently similar to those laid out in the GENIUS Act. Traversing this active area of rulemaking involves delving into the complicated world of cryptocurrency and financial regulation. Students will be working under a Trump administration friendly to cryptocurrency and technology companies, while also navigating the potential implications of different state-level regulatory regimes.

## 1.3 BAs for VA State Jobs:

- What agency are you working for: The Virginia Department of Human Resource Management
- What are you doing: Implementing regulations to define a Virginia state job as requiring, or not requiring, a BA degree.

On March 24, 2025 Governor Youngkin signed into law House Bill 1611. The bill contained two lines. First: “No state agency shall require as a condition of eligibility for hire to a position in state employment that an applicant have a baccalaureate degree.” Followed by: “[The first sentence] shall not apply if the knowledge, skills, or abilities required for the position for which an applicant is applying can only reasonably be obtained, as determined by the appointing authority, through a course of study in pursuit of, and culminating in the award of, a baccalaureate degree.” Students in this group will take on the role of the “appointing authority” — in this case, the Virginia Department of Human Resource Management. You will be tasked with implementing a process for determining which (if any) state government jobs require a BA degree. You will wrestle with coming up with a consistent approach for determining job eligibility and contending with appeals, all while learning from other states that have passed similar legislation.

## 1.4 EV Grants:

- What agency are you working for: The Virginia Department of Energy
- What are you doing: Implementing regulations to create a grant program to fund the installation of EV charging stations.

Virginia House Bill 1791 creates the Electric Vehicle Rural Infrastructure Program and Fund. The bill authorizes the state Department of Energy to create a program through which private developers can apply for grants to cover a large portion of the costs of installing EV charging stations. The legislation provides some specifics regarding which types of projects are eligible to receive grant money, but leaves many choices up to the agency. Students in this group will develop clear guidelines for administering the grant program. (This bill was actually vetoed by Governor Youngkin. Humor me and pretend it passed. It, or something very similar to it, will likely be signed into law by Spanberger.)

## 2 Goals

My goal is that by the end of the semester you will:

1. Understand the role of federal and state government agencies in American policymaking.
2. Appreciate how bureaucrats balance competing demands from executives, legislatures, and the public.
3. Hone and develop real-world skills, like policy writing, teamwork, and presenting.

## 3 Materials

There is no required textbook for this course. All materials will be provided via Box or linked below.

## 4 Office Hours

Please come chat with me in office hours! You can sign up for a 20 minute block of time here. (You can sign up for spots 1 week in advance.) If you cannot make the time work, please email me and we will find another time to chat.

## 5 Groups

In all likelihood, much of the work you will do after graduation will be done in groups. By dividing labor and taking advantage of individuals' comparative advantages, teams can complete much more than individuals. As a result, learning how to work well on a team is a skill, cultivated through practice, that will pay off in the professional world.

The group project that runs through this course is a significant portion of your overall grade (see below). In order to set up the teams for success, I will assign individuals to groups and statutes based on shared interests and complementary skills. Beginning in Week 2, I will give groups time to meet during class. I also hope the groups will meet in person outside of class. *As such, beginning in Week 3, if each group sends me evidence that their full group met in person sometime during the prior week, I will bring some sort of treat to class. Please send a selfie of the group by at least 9pm the night before class.*

Finally, at a couple of points in the semester I will ask each group to send me a short memo (1-2 paragraphs, no bullet points) detailing: 1) What the group worked on during the prior week; 2) What the group is currently working on; and 3) What, if anything, the group could use assistance from me on. These "Update Memos" will contribute to your overall participation grade (see below).

## 6 Assignments

### 6.1 Problem Statement

*Description:* A memo to agency leadership overviewing your group's assignment and responsibilities.

*More Information:* Link to further details and rubric

*Share of Grade:* 5%

*Type:* Group

*Length:* 500-750 words

*Due:* 9pm on February 6th

## 6.2 Rule Proposal

*Description:* The initial draft of your proposed rule, including cost-benefit analyses.

*More Information:* Link to further details and rubric.

*Share of Grade:* 15%

*Type:* Group

*Length:* 750-1.25k words

*Due:* 9pm on February 27th

## 6.3 Internal Politics Memo

*Description:* A secret memo to agency leadership outlining the political landscape surrounding your rule.

*More Information:* Link to further details and rubric.

*Share of Grade:* 10%

*Type:* Group

*Length:* 500-750 words

*Due:* 9pm on March 20th

## 6.4 Public Comment Memo

*Description:* An individually-written comment to another group's rule.

*More Information:* Link to further details and rubric.

*Share of Grade:* 30%

*Type:* Individual

*Length:* 1-1.5k words

*Due:* 9pm on April 3rd

## 6.5 Final Presentation

*Description:* The presentation of your final rule to the class.

*More Information:* Further details and rubric will be released at a later date.

*Share of Grade:* 10%

*Type:* Group

*Length:* 15-20 minutes

*Due:* 9am-12pm on May 4

## 6.6 Final Rule

*Description:* The final version of your rule.

*More Information:* Further details and rubric will be released at a later date.

*Share of Grade:* 10%

*Type:* Group

*Length:* 750-1.25k words

*Due:* 9am on May 4

## 6.7 Participation

*Description:* This includes attendance, timeliness, and participation in class; ungraded assignments (i.e., Update Memos); and in-class activities. Be prepared for class and discussion, ask and answer questions, be considerate and constructive during discussion, and do anything else that advances learning for the whole class. I will be posting questions to mull over while doing the readings and discussion points on the weekly canvas pages. Be sure to look those over before, during, and after completing the readings so you are prepared for classroom discussions.

Please let me know ahead of time if you are going to miss class for an excused reason (i.e., illness, family health event, religious holiday, or scholarly or athletic event). If you must miss class for other reasons, note that more than one unexcused absence will have a negative impact on your participation grade. Finally, participation is also in part a function of peer reviews. We will be working on teams throughout the year and it is critical that each team member is actively assisting on the project.

*Share of Grade:* 20%

*Type:* Individual

*Length:* NA

*Due:* NA

## 6.8 Update Memos

*Description:* Short memos (1-2 paragraphs, no bullet points) written to me detailing: 1) What the group worked on during the prior week; 2) What the group is currently working on; and 3) What, if anything, the group could use assistance from me on.

*Share of Grade:* NA

*Type:* Group

*Length:* <300 words

*Due:* 9pm on 1-30, 2-13, 2-20, and 4-10

## 7 Grading

I will provide rubrics for all assignments. Below I outline my general expectations for grades. Since this course attempts to mirror real-world scenarios, my grading philosophy is rooted in the working world. In short, if you were an employee in an agency, legislative office, or nonprofit organization, would your work stand out, be acceptable, or cause issues with your supervisor?

*A-Level Work:* This is the type of work that makes you stand out to your employer — whether that is a government agency, a member of Congress, or an interest group trying to influence policy. Your writing is clear, concise, and easy to read. Your arguments are persuasive and backed up with citations to rigorous research. You go way above and beyond what an LLM can do, demonstrating your necessity to your supervisors. In short, your work is high-quality for an entry-level professional in the workforce.

*B-Level Work:* Your work is solid. It is certainly not deficient, but it is not superb either. Your supervisor is not going to pull you aside and tell you to step it up, but you are also not going to stand out among your peers. Perhaps it lacks the same level of creativity found in A-level work, or it has enough writing mistakes to be somewhat distracting. Your arguments, while logical and backed up with some evidence, could be even more persuasive.

*C-Level Work:* Your work is falling behind. It is difficult to understand due to frequent writing mistakes, makes a number of claims without support, or is illogical. This is the type of work that gets flagged by supervisors who expect more from entry-level employees.

If you or your group would like to contest your grade on an assignment, please submit a brief memo to me at least 24 hours *after* grades were posted. The memo should be factual and clearly state what you believe is misgraded and why. Contestations must be made in writing before I will discuss it in person.

## 8 Policy on AI/LLM Models

Generative artificial intelligence is a powerful and readily accessible tool in the professional world. Since we are working to develop real rules, AI is allowed for all assignments with the following caveats and warnings:

*Documentation:* If you use AI (e.g., ChatGPT, Claude, Gemini, etc) on an assignment, you are required to submit a paragraph detailing how you used it. This paragraph should briefly explain how you used AI to generate ideas, refine ideas, find resources, improve your writing, or something else. We will discuss these in class so we can learn best practices from one another.

*Responsible for Accuracy:* AI models still often hallucinate articles, sources, and claims. Even AI tools expressly built to avoid hallucinations make up false information approximately a quarter of the time (study). Submitting work that contains hallucinations has serious consequences, both now and in the future as you enter the working world. *Therefore, if you submit made up sources, unverifiable facts, or other hallucinated material you will receive no higher than a C on the assignment, regardless of the quality of the rest of the submission. This also holds at the group level. If your group submits an assignment with hallucinated material, every member of the team will receive the same grade, which will be no higher than a C.*

*High Standards:* AI models can likely cook up responses to many of the assignments for this course with little work from you. In the past, these responses may have been enough to demonstrate effort and get an OK grade. That is no longer the case. I expect high-quality work that shows engagement with the material, critical approaches to the regulatory task, and creative solutions to difficult policy problems. AI can be an important tool to assist in creating high-quality products, but it is a complement, not a substitute, for hard work, creativity, and critical thinking.

## 9 Late Assignments

Late assignments will be penalized as follows:

- *1-24 hours late:* One-half grade penalty (e.g., *A* becomes *A-*)
- *25-48 hours late:* Another half grade penalty (e.g., *A* becomes *B+*)
- *48+ hours late:* Another full grade penalty for each additional 24 hours late

## 10 Calendar

### 10.1 Week 1 (Jan 12 to Jan 16)

- *Topic:* Delegation Dilemmas
- *Read:* None
- *Due:* Fill out this short survey by 9pm on Friday, Jan 16

### 10.2 Week 2 (Jan 19 to Jan 23)

- *Topic:* What makes government agencies unique?
- *Read:*
  1. Wilson. 1989. *Bureaucracy*. Chapter 7.
  2. Gailmard and Patty. 2013. *Learning While Governing*. Chapter 2, pages 25-43. (Focus on the intuition, not the math.)
  3. What is Due Process in Federal Civil Service Employment? *U.S. Merit Systems Protection Board*. Read everything up to and including Chapter 1.
- *Due:* Nothing

### 10.3 Week 3 (Jan 26 to Jan 30)

- *Topic:* How Does Rulemaking Work and Who Does it Benefit?
- *Read:*
  1. Potter. 2019. *Bending the Rules*. Chapter 2.
  2. This overview of Virginia's regulatory process. Click around a bit on the site.
  3. McCubbins et al. 1987. "Administrative Procedures as Instruments of Political Control"
- *Due:* Update Memo at 9pm on Friday, January 30

### 10.4 Week 4 (Feb 2 to Feb 6)

- *Topic:* How do agencies measure the costs and benefits of rules?
- *Read:*
  1. Bull and McLaughlin. 2025. "The Virginia Model: How the Commonwealth Built a Best-In-Class Regulatory System." Pages 1-5 and 13-25.
  2. Shapiro. 2023. "OMB just did something boring but important."
  3. Bull. 2024. "Regulatory Economic Analysis Manual." (Focus on pages 10-26 – skim the rest)
- *Due:* Problem Statement at 9pm on Friday, February 6

## 10.5 Week 5 (Feb 9 to Feb 13)

- *Topic:* Who matters during public comment periods and why?
- *Read:*
  1. Hall and Deardorff. 2006. "Lobbying and Legislative Subsidy."
  2. Dwidar. 2022. "Coalitional Lobbying and Intersectional Representation in American Rulemaking"
  3. ProPublica. 2014. Lobbyists Bidding to Block Government Regs Set Sights on Secretive White House Office
- *Due:* Update Memo at 9pm on Friday, February 13

## 10.6 Week 6 (Feb 16 to Feb 20)

- *Topic:* Can interest groups "capture" agencies?
- *Read:*
  1. Wilson. 1989. *Bureaucracy*. Chapter 5.
  2. *Final Committee Report: The Design, Development & Certification of the Boeing 737 MAX*. Chapter 4 and skim Chapter 2.
- *Due:* Update Memo at 9pm on Friday, February 20

## 10.7 Week 7 (Feb 23 to Feb 27)

- *Topic:* Can legislatures effectively oversee agencies?
- *Read:*
  1. McCubbins and Schwartz. 1984. "Congressional Oversight Overlooked: Police Patrols versus Fire Alarms."
  2. Hill and Ban. 2025. "Efficacy of Congressional Oversight."
  3. Kiernan and Hackman. 2021. "Democratic Control of Senate Creates Path to Repeal Last-Minute Trump Policies."
  4. Kochi. 2025. Lawmakers seek to tie Hegseth's travel budget to seeing boat strike footage.
- *Due:* Rule Proposal at 9pm on Friday, February 27

## 10.8 Week 8 (Mar 2 to Mar 6)

- SPRING BREAK!

## 10.9 Week 9 (Mar 9 to Mar 13)

- *Topic:* Are individual legislators able to influence bureaucrats?
- *Read:*
  1. Lowande. 2018. "Who Policies the Administrative State?"
  2. Potter. 2019. "Member comments: The other (less visible) way Congress oversees rulemaking."
  3. Boushey and McGrath. 2017. "Experts, Amateurs, and Bureaucratic Influence in the American States."
- *Due:* Nothing

## 10.10 Week 10 (Mar 16 to Mar 20)

- *Topic:* How do presidents and governors influence regulatory policymaking?
- *Read:*
  1. Moe. 1985. “The Politicized Presidency.”
  2. Lewis. 2008. *The Politics of Presidential Appointments*. Ch. 2.
  3. Doherty et al. 2019. “Presidential Control and Turnover in Regulatory Personnel.”
- *Due:* Internal Politics Memo at 9pm on Friday, March 20

## 10.11 Week 11 (Mar 23 to Mar 27)

- *Topic:* Will eliminating civil service protections increase executive control of the bureaucracy?
- *Read:*
  1. Glock and Mukherjee. 2025. “Radical Civil Service Reform Is Not Radical: Lessons for the Federal Government from the States.”
  2. Potter. 2024. “Schedule F: A Practical Research Guide.”
- *Due:* Nothing

## 10.12 Week 12 (Mar 30 to Apr 3)

- *Topic:* What is the role of the courts in rulemaking?
- *Read:*
  1. Wiseman and Wright. 2020. “*Chevron*, *State Farm*, and the Impact of Judicial Doctrine on Bureaucratic Policymaking.”
  2. Listen to both the majority and dissenting opinions in *Loper Bright Enterprises v. Raimondo*.
  3. Bamberger et al. 2024. “After *Chevron*: What the Supreme Court’s *Loper Bright* Decision Changed, And What It Didn’t”
- *Due:* Public Comment Memo at 9pm on Friday, April 3

## 10.13 Week 13 (Apr 6 to Apr 10)

- *Topic:* The Deep State? Bureaucratic power in the face of oversight
- *Read:*
  1. Clark. 2017. “Deconstructing the Deep State.”
  2. Nou. 2019. “Civil Servant Disobedience”
- *Due:* Update Memo at 9pm on Friday, April 10

## 10.14 Week 14 (Apr 13 to Apr 17)

- *Topic:* What makes for a successful presentation?
- *Read:*
  1. Knight. 2014. “How to Give a Stellar Presentation.”
  2. Shapira. 2021. “3 Group Presentation Pitfalls - and How to Avoid Them.”
  3. Riegel. 2023. “Your In-Person Presentation Skills Need a Refresh.”
  4. Schwabish. 2021. *Better Data Visualizations: A Guide for Scholars, Researchers, and Wonks* Ch. 4-5.
- *Due:* Nothing

## 10.15 Week 15 (Apr 20 to Apr 24)

- NO CLASS - GOEHRING @ MIDWEST POLITICAL SCIENCE CONFERENCE

## 10.16 Exam Period

- *Time:* 9am-12pm on May 4
- *Final Presentations to class*
- *Due at beginning of exam period session: Final Rule*

# 11 Batten Academic Policies

## 11.1 Frank Batten School of Leadership and Public Policy Honor Statement

The Frank Batten School of Leadership and Public Policy embraces and upholds the University of Virginia’s Honor Code principles that mandate that students will not lie, cheat, or steal, and we will not tolerate the actions of those who do. Acting in a manner consistent with the principles of Honor benefits every member of the Batten School community.

We expect every student to comply fully with all provisions of the UVA Honor System. By enrolling in this course, you agree to abide by and uphold the Honor Code System of the University of Virginia. The following applies to your Batten course work and requirements, and unless otherwise specified by your instructors:

- All graded assignments must be pledged.
- Students may not access any notes, study outlines, problem sets, old exams, answer keys, or collaborate with other students without explicit permission.
- When given permission to collaborate with others, students will not copy answers from another student.
- Students should always cite any resources or individuals they have consulted to complete an assignment. If in doubt, sources should be cited. If in doubt, please review the UVA Honor Committee page on Understanding Citations, Plagiarism, and Paraphrasing.
- Suspected violations will be forwarded to the Honor Committee, and, at the discretion of the instructor, students may receive “no credit” for the assignment in question, independent of the actions taken by the Honor Committee.

- Any questions about what is or is not permitted on an assignment should be clarified by students with their instructors prior to the completion of their work.

If you believe you may have committed an Honor Offense, you may wish to file a Conscientious Retraction (“CR”). For your retraction to be considered valid, it must, among other things, be filed with the Honor Committee before you are aware that the Act in question has come under suspicion by anyone. Please contact Batten Honor Representatives if you have questions regarding the Honor System, believe you may have committed an Honor Offense, or would like to report your suspicion of an Honor offense. More information can be found at the UVA Honor Committee website and the UVA Honor Committee page on Understanding Citations, Plagiarism, and Paraphrasing. Please direct any further questions regarding the course Honor policy to your professor.

## **11.2 Frank Batten School of Leadership and Public Policy Grading**

The Frank Batten School has a grade distribution practice, with an emphasis on a well-distributed range of grades. Batten courses aim to have a mean grade that does not exceed a 3.5 grade point average.

## **11.3 Accessibility and Accommodations**

UVA is committed to creating a learning environment that meets the needs of its diverse student body. If you anticipate or experience any barriers to learning in this course, please feel welcome to discuss your concerns with me. If you have a disability, or think you may have a disability, you may also want to meet with the UVA Student Disability Access Center (SDAC), to request an official accommodation. You can find more information about SDAC, including how to apply online, through the UVA Student Disability Access Center website. If you have already been approved for accommodations through SDAC, please make sure to send me your accommodation letter and meet with me so we can develop an implementation plan together.

Additional exam time is not given automatically to students whose first language is not English. Dictionaries are permitted, at the discretion of the faculty member.

## **11.4 Wellbeing and Duty to Care Statement**

If you are feeling overwhelmed, stressed, or isolated, several individuals at Batten are ready and want to help. Amanda Crombie, Senior Assistant Dean for Students and Academic Programs, Heather Downs, Director of Academic Operations, and Nicolo Porto, Staff Psychotherapist, are available to support all Batten Students. They are readily accessible during walk-in hours or by setting up an appointment. Additionally, all Batten faculty and staff take student health and safety very seriously. Therefore, as part of their duty to care for distressed individuals, faculty and staff will refer students who threaten self-harm or suicide to appropriately qualified personnel at the earliest opportunity.

Alternatively, there are also other University of Virginia resources available. The Student Health Center offers Counseling and Psychological Services (CAPS) for its students. Call 434-243-5150 (or 434-972-7004 for after hours and weekend crisis assistance) to get started and schedule an appointment. If you prefer to speak anonymously and confidentially over the phone, call Madison House’s HELP Line at any hour of any day: 434-295-8255. Additionally, as part of the student comprehensive health fees, you have 24/7 virtual care through the TimelyCare app.

If you or someone you know is struggling with gender, sexual, or domestic violence, there are many community and University of Virginia resources available. Care and Support Services, the Office of Student Affairs, Sexual Assault Resource Agency (SARA), Shelter for Help in Emergency (SHE), and UVA Women’s Center are ready and eager to help.

## **12 Disclaimer**

This syllabus is a living document that I have the right to edit and amend after providing proper notice.