

**AP<sup>®</sup> UNITED STATES GOVERNMENT AND POLITICS  
2016 SCORING GUIDELINES**

**Question 3**

**6 points**

**Part (a): 1 point**

One point is earned for the correct identification of the primary role of Congress in the policy process:  
Congress makes, writes, and passes legislation/policy.

**Part (b): 1 point**

One point is earned for the correct explanation of how divided party control of Congress makes the policy process difficult:  
Legislation is more difficult to pass when one party controls the House and the other controls the Senate.

**Part (c): 1 point**

One point is earned for the correct identification of the bureaucracy's primary role in the policy process:  
Implementation of policy

**Part (d): 1 point**

One point is earned for a correct explanation of how one of the following increases the power of the bureaucracy in the policy process:

- Rule-making: Bureaucrats write the specific regulations that determine the implementation of public policy, which enhances bureaucratic power.
- Bureaucratic discretion: Individual bureaucrats/agencies have to make choices about how to implement existing laws, which enhances bureaucratic power

**Part (e): 2 points**

One point is earned for each of two correct explanations of how Congress can limit the power of bureaucracy through:

- Oversight hearings: monitor through hearings; investigations; accounting
- Power of the purse: increase/decrease budgets; shift spending; punish/reward agencies; kill a program

A score of zero (0) is assigned to an answer that is off-task or is attempted but earns no points.

A score of dash (—) is assigned to an answer that is blank.

3. The public policy process involves interactions between Congress and the bureaucracy.
- Identify the primary role of Congress in the policy process.
  - Explain how divided party control of Congress can make the policy process difficult.
  - Identify the primary role of the bureaucracy in the policy process.
  - Explain how one of the following increases the power of the bureaucracy in the policy process.
    - Rule making
    - Bureaucratic discretion
  - Explain how each of the following enables Congress to limit the power of the bureaucracy.
    - Oversight hearings
    - Power of the purse

a. Congress's primary role in the policy process is to propose and pass legislation relating to different policy areas. Congress shapes public policy by creating and passing laws through both houses that they trust the bureaucracy to implement.

b. Divided party control of congress makes passing legislation ~~more~~ difficult. Because in a divided party control of congress, one party controls the house and the other the senate, many times though legislation may pass through one house, it will likely die in the other house. This as well as the increasing political polarization leads to a lack of legislation getting passed. Therefore congress has a hard time passing legislation to affect public policy, and little policy is created, resulting in gridlock.

c. The bureaucracy's role in the policy process is the implementation of congressional legislation. They decide how to implement and enforce laws that congress creates. They therefore shape policy through how the laws are actually enacted.

## ADDITIONAL ANSWER PAGE FOR QUESTION 3

d. The bureaucracy is given bureaucratic discretion in determining how to enforce laws. Though there is congressional oversight, for the most part the bureaucracy is able to determine and interpret how to enforce a law in shaping public policy. They can therefore use the power of their own interpretation of laws to enforce public policy, ~~increasing their own power~~ increasing their own power in public policy. They also can make rules for a particular law, which hold the power of a law, but do not need congressional approval.

e. Oversight hearings help congress increase their power in policy making, and limit bureaucratic power. If a bureaucratic head or agency enforces a law or policy against the wishes of congress, congress can hold hearings against bureaucratic individuals in order to hold them accountable. In extreme instances they can even impeach bureaucratic heads in order to hold them accountable as well. In addition, through the power of the purse, congress can determine the budget of particular bureaucratic agencies. Therefore if an agency acts improperly, congress can check their power by limiting the money allocated to them in the federal budget. This ensures the bureaucracy will act for the most part in agreement with congress.

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  - Explain how divided party control of Congress can make the policy process difficult.
  - Identify the primary role of the bureaucracy in the policy process.
  - Explain how one of the following increases the power of the bureaucracy in the policy process.
    - Rule making
    - Bureaucratic discretion
  - Explain how each of the following enables Congress to limit the power of the bureaucracy.
    - Oversight hearings
    - Power of the purse

a) The primary role congress plays in the policy process is that congress decides which bills pass and which bills are not ratified.

b) A divided government is when two different parties are in control of the same or different area, for example the democratic party has control of the senate, while the republican party has control of the house. This can make things more difficult because each party has its own agenda, and these agendas can conflict with each other. For example, the senate may pass a bill ~~on~~ on gun control while the house may pass a bill ~~not~~ having no control over guns. This is significant because this lengthens the policy process, and nothing get accomplished.

c) The bureaucracy implements and monitors all the laws passed by congress. For example the FBI or Federal Bureau Investigations is a bureaucracy.

d) Rule making increases the power within a bureavercary because ~~once~~ the bureaucracy has to implement the ~~the~~ laws of congress, but congress does not tell them how the must implement these rule, leaving it to

## ADDITIONAL ANSWER PAGE FOR QUESTION 3

their discretion. For example, the FBI has to keep American citizens safe, but congress does not tell them how.

e) Through oversight hearings congress limits the power of the bureaucracy. Congress holds hearings, and control the budget of the bureaucracy. The president <sup>can</sup> appoints heads for the bureaucracy, and congress must ~~approve~~ <sup>confirm</sup> these appointments. Congress also has the power to appoint heads of the bureaucracy.

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  - Identify the primary role of the bureaucracy in the policy process.
  - Explain how one of the following increases the power of the bureaucracy in the policy process.
    - Rule making
    - Bureaucratic discretion
  - Explain how each of the following enables Congress to limit the power of the bureaucracy.
    - Oversight hearings
    - Power of the purse

A) Congress' main role is to enact legislature and to make laws when necessary.

B) Divided party control of congress makes the process much longer and more difficult. This is because it takes longer for a decision to be made because there are more debates in place. It is harder for the two parties to agree on a single policy when they have different ideologies.

C) The ~~main goal of the~~ bureaucracy's main goal is to carry out the laws made. They enforce all the laws and make sure ~~that~~ no one disobeys.

D) Congress can limit the power of the ~~the~~ bureaucracy through oversight hearings. This gives ~~the~~ congress the authority to judge ~~the~~ the hearings of the ~~the~~ bureaucracy.

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## 2016 SCORING COMMENTARY

### Question 3

#### Overview

This question examined the students' knowledge of the interactions between Congress and the bureaucracy in the policy process. Part (a) asked students to identify the primary role of Congress in the policy process. In part (b) the students were asked to explain how divided party control of Congress can make the policy process difficult. Part (c) asked students to identify the primary role of the bureaucracy in the policy process. In part (d) students were asked to explain how the bureaucracy's power is increased in the policy process through either rule making or bureaucratic discretion. Part (e) asked students to explain how Congress can limit the power of the bureaucracy through the use of both oversight hearings and the power of the purse.

#### Sample: 3A

##### Score: 6

In part (a) the response earned 1 point for identifying the primary role of Congress in the policy process by stating, "Congress's primary role in the policy process is to propose and pass legislation relating to different policy areas."

In part (b) the response earned 1 point for explaining how divided party control of Congress makes the policy process difficult by stating that "one party controls the house and the other the senate. Many times though legislation may pass through one house, it will likely die in the other house."

In part (c) the response earned 1 point for identifying the primary role of the bureaucracy in the policy process by stating, "The bureaucracy's role in the policy process is the implementation of congressional legislation."

In part (d) the response earned 1 point for explaining how bureaucratic discretion increases the power of the bureaucracy in the policy process by stating, "They can therefore use the power of their own interpretation of laws to enforce public policy, increasing their own power in public policy."

In part (e) the response earned 1 point for explaining how oversight hearings enable Congress to limit the power of the bureaucracy by stating, "If a bureaucratic head or agency enforces a law or policy against the wishes of Congress, Congress can hold hearings against bureaucratic individuals in order to hold them accountable."

In part (e) the response earned 1 point for explaining how the power of the purse enables Congress to limit the bureaucracy by stating, "Therefore if an agency acts improperly, Congress can check their power by limiting the money allocated to them in the federal budget."

#### Sample: 3B

##### Score: 4

In part (a) the response earned 1 point for identifying the primary role of Congress in the policy process by stating that "congress decides which bills pass."

In part (b) the response earned 1 point for explaining how divided party control of Congress makes the policy process difficult by stating that "for example the democratic party has control of the senate, while the republican party has control of the house. This can make things more difficult because each party has its own agenda."

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## 2016 SCORING COMMENTARY

### Question 3 (continued)

In part (c) the response earned 1 point for identifying the primary role of the bureaucracy in the policy process by stating, “The bureaucracy implements and monitors all the laws passed by congress.”

In part (d) the response earned 1 point for explaining how bureaucratic discretion increases the power of the bureaucracy in the policy process by stating that “the bureaucracy has to implement the laws of congress, but congress does not tell them how the [sic] must implement these rule [sic], leaving it to their discretion.”

In part (e) the response did not earn a point for explaining how oversight hearings enable Congress to limit the power of the bureaucracy in the policy process. The response does not elaborate beyond stating that “Congress holds hearings.”

In part (e) the response did not earn a point for explaining how the power of the purse enables Congress to limit the power of the bureaucracy in the policy process; “and control the budget of the bureaucracy” is not a sufficient explanation.

#### **Sample: 3C** **Score 2**

In part (a) the response earned 1 point for identifying the primary role of Congress in the policy process by stating, “Congress’ [sic] main role is to enact legislature [sic] and to make laws when necessary.”

In part (b) the response did not earn a point for explaining how divided party control of Congress makes the policy process difficult. “It is harder for the two parties to agree on a single policy when they have different ideologies” is not a sufficient explanation.

In part (c) the response earned 1 point for identifying the primary role of the bureaucracy in the policy process by stating, “The bureaucracy’s main goal is to carry out the laws made.”

In part (d) the response did not earn a point for explaining how bureaucratic discretion increases the power of the bureaucracy in the policy process. The response does not address bureaucratic discretion but rather oversight hearings.

In part (e) the response did not earn a point for explaining how oversight hearings enable Congress to limit the power of the bureaucracy in the policy process. “This gives congress the authority to judge the hearings of the bureaucracy” is not a sufficient explanation.

In part (e) the response did not earn a point for explaining how the power of the purse enables Congress to limit the power of the bureaucracy in the policy process. The response does not address this portion of the question.