

AP[®] UNITED STATES GOVERNMENT AND POLITICS 2010 SCORING GUIDELINES

Question 2

6 points

Part (a): 1 point

One point is earned for a description of a characteristic of the merit system. Answers may include:

- Hiring or promotion based on merit/experience/qualifications
- Hiring based on testing

Part (b): 2 points

One point is earned for each of two descriptions of factors contributing to bureaucratic independence. Answers may include:

- Structure of the bureaucracy
 - Large
 - Specialized units/expertise
 - Tenure protections/hard to fire
 - Based on merit
 - Independent agencies/independent regulatory commissions
- Complexity of public policy problems
 - Specialized units/expertise
 - Delegated authority — because Congress and the president cannot handle everything, they delegate authority to the bureaucracy
 - Discretionary authority — because legislation lacks details, the bureaucracy can fill in the gaps

Part (c): 3 points

One point is earned for each of three explanations of a constitutional provision that can check the bureaucracy. Answers may include:

- Congress
 - Appropriations — can reward or punish agency
 - Legislation — can pass legislation affecting the bureaucracy
 - Rejection of presidential appointments to the bureaucracy
 - Impeachment of executive officials
- Courts
 - Court rulings that limit bureaucratic practices
 - Judicial review — can declare **bureaucratic actions** unconstitutional
 - Injunctions against federal agencies

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Question 2 (continued)

- Interest groups
 - Use of the First Amendment
 - Lobbying
 - Protests
 - Media usage
 - Speech
 - Litigation

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

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

Write in the box the number of the question you are answering on this page as it is designated in the exam.

2A

a. The key ~~new~~ characteristic of the merit system is that it allows appointment based on who is most qualified, rather than on family ~~my~~ name, for example. It becomes an issue of what, not who, you know.

~~b. Because the federal bureaucracy is so large, it is so difficult to manage, and~~

b. The condition of the federal bureaucracy is such that it is divided into a variety of ~~various~~ sub groups, each with a unique purpose. Because each subgroup is an expert on ~~about~~ those things that it deals with, they can each retain a large measure of independence. Because too, each section is so focused, there is little room for politics, thus keeping them politically independent. The complexity of public policy problems is also ~~resisted~~ ~~to~~ vital to maintaining an independent bureaucracy. This is because only each ~~of~~ subgroup fully understands the issues it is tasked with dealing with.

c. Congress can legislate the policy

2A

Write in the box the number of the question you are answering on this page as it is designated in the exam.

to be followed, ~~and the~~ ~~mean~~ based on its ability to provide for "the general welfare?" While this does not refer to welfare per se, the congress can legislate to change what the bureaucracy does. The courts, on their part, can ~~over~~ rule decisions, made by the ~~the~~ bureaucracy unconstitutional, or, at least, illegal should that be necessary. Interest-groups, rightfully have little legal ability to influence the bureaucracy other than through the speech guaranteed them by the constitution.

2B

Write in the box the number of the question you are answering on this page as it is designated in the exam.

1 of 2

The federal bureaucracy is unlike other organizations of our country. The workers must actually ~~to~~ prove themselves qualified. This is unlike how ~~the~~ the members of a President's cabinet are brought in. Cabinet members and free riders are given the job as perks of being close to the President personally. This happens most of the time. Civil-service employees of the federal bureaucracy must pass a test and fit other regulations in order to be given the job. They actually earn it. These employees, therefore, are given stability because it is hard to be fired from a job like theirs — it is a long process.

The structure of the federal bureaucracy does so much to emphasize their independence. Members are not elected, so they do not have to worry about taking sides or people voting for them. In this ~~way~~ way, they are independent and free from the messiness and sometimes ugly side of politics. The complexity of public policy problems means that the problems they have to deal with are problems that no other organization can fix or handle. The members of the federal bureaucracy are prepared and trained for the specific ~~complicated~~ complicated issues that come

Write in the box the number of the question you are answering on this page as it is designated in the exam.

2B

2 of 2

their way. Other branches cannot become involved, furthering the independence of the ~~the~~ bureaucracy.

However, the strong independence of the federal bureaucracy does not mean that they have no limits. Congress can check on it by passing laws restricting or permitting certain movements.

The courts can try the bureaucracy for any action they believe is unconstitutional. Interest groups can go to the national government with support and lobby or promote any offense they see or anything they want changed.

The United States is wonderful for having so many parts — but with the abilities to check on one another.

- 2) A) A key characteristic of the merit system is that it is based on experience or a test given and not on who you know to get you the job or even a promotion.
- B) ① The structure of the federal bureaucracy contributes to bureaucratic independence because it is distant and almost separate from the executive branch. The use of the structural Iron triangle ~~of the~~ and the use of lobbying help the bureaucracy stay independent. ② The public policy problems and their complexiveness allow for bureaucratic organizations to use loopholes to implement their policies and programs.
- c) ① Congress can check the ~~the~~ bureaucracy by implementing legislations or laws to hinder the ~~the~~ bureaucracy's power. The ^② courts can check the constitutionality of the bureaucracy ^{and} ensure there are no scandals or loopholes for the bureaucracy to use to better themselves or attain illegal money.
- ③ Interest groups can refuse to agree with them on a certain issues in order to come to agreements ~~on~~ between both of them to ensure ~~an~~ ~~the~~ symbiotic relationship and help both sides progress.

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2010 SCORING COMMENTARY

Question 2

Overview

The intent of this question was to assess students' knowledge of the bureaucracy. Specifically, students were asked about the merit system, factors that lead to bureaucratic independence and constitutional provisions that can be used to check the bureaucracy.

Sample: 2A

Score: 6

In part (a) the student earned 1 point for explaining that “the key characteristic of the merit system is that it allows appointment [*sic*] based on who is most qualified.”

In part (b), the student earned 1 point for describing the structure of the bureaucracy as “divided into a variety of subgroups, each with a unique purpose. Because each subgroup is an expert on those things that it deals with, they can each retain a large measure of independence [*sic*].” The student also earned 1 point for describing how the complexity of public policy problems contributes to bureaucratic independence by stating that “only each subgroup fully understands the issues it is tasked with.”

In part (c) the student earned 1 point for explaining a constitutional provision that Congress can use to check the bureaucracy by stating that Congress “can legislate to change what the bureaucracy does.” The student earned 1 point for explaining a constitutional provision that the courts can use to check the bureaucracy by stating: “The courts, on their part, can rule decisions made by the bureaucracy unconstitutional or, at least, illegal.” The student earned 1 more point for explaining a constitutional provision that interest groups can use to check the bureaucracy by stating: “Interest groups . . . influence the bureaucracy . . . through the speech [*sic*] guaranteed [*sic*] them by the [C]onstitution.”

Sample: 2B

Score: 4

In part (a) the student earned 1 point for describing a characteristic of the merit system: “Civil-service employees of the federal bureaucracy must pass a test and fit other regulations in order to be given the job.”

In part (b) the student offers an irrelevant discussion of the structure of the federal bureaucracy and therefore earned no point. The student did earn 1 point for describing how the complexity of public policy problems contributes to bureaucratic independence: “The complexity of public policy problems means that the problems they have to deal with are problems that no other organization can fix or handle. The members of the federal bureaucracy are prepared and trained for the specific complicated issues that come their way.”

In part (c) the student earned 1 point for explaining a constitutional provision that Congress can use to check the bureaucracy: “Congress can check on it [the bureaucracy] by passing laws restricting or permitting certain movements.” The student then explains that “[t]he courts can try the bureaucracy,” which incorrectly implies that the court is a watchdog rather than an institution that settles actual legal disputes and therefore earned no point. The student earned 1 point for explaining a constitutional provision that interest groups can use to check the bureaucracy: “Interest groups can go to the national government with support and lobby or promote any offense they see or anything they want changed.”

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Question 2 (continued)

Sample: 2C

Score: 2

In part (a) the student describes a characteristic of the merit system as one that is “based on experience or a test given and not on who you know to get you the job or even a promotion.”

In part (b) the student does not provide any correct descriptions of factors that contribute to bureaucratic independence and therefore earned no points.

In part (c) the student earned 1 point for explaining a constitutional provision that Congress can use to check the bureaucracy: “Congress can check the bureaucracy by implementing legislations or laws to hinder the bureaucracys [*sic*] power.” The student then incorrectly implies that the court is a watchdog rather than an institution that settles actual legal disputes and therefore earned no point. The student does not provide any relevant discussion of a constitutional provision that interest groups can use to check the bureaucracy and therefore earned no point for that component.