

# AP<sup>®</sup> UNITED STATES GOVERNMENT AND POLITICS 2012 SCORING GUIDELINES

## Question 1

**5 points**

**Part (a): 3 points**

Describe the **role** of each of the following in lawmaking (3 points total, 1 point per role):

- Senate filibuster allows a senator on the floor to:
  - Prevent/delay action on a particular bill.
  - Prevent/delay other business from being conducted.
- Rules Committee schedules or manages the flow of legislation on the floor to:
  - Make it easier or more difficult for a bill to pass.
  - Make the process more efficient/orderly/manageable.
- Conference Committee reconciles differences in House and Senate versions of a bill.

Must describe the role in lawmaking explicitly.

**Part (b): 1 point**

Describe one **method** by which Congress exercises oversight of the federal bureaucracy (1 point):

- Budgetary process (power of the purse)
- Committee hearings
- Confirmation or rejection of political appointments to the bureaucracy
- Investigations
- New legislation
- Legislative veto

Must describe the context in which Congress uses the method to oversee the bureaucracy.

**Part (c): 1 point**

Explain **how** casework affects members' attention to legislation (1 point):

- Diverts time, resources, and staff, thus reducing members' ability to focus on legislation.
- Develops awareness of problems, thus focusing more time and resources on related legislation.

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

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

SECTION II

Time—1 hour and 40 minutes

**Directions:** You have 100 minutes to answer all four of the following questions. Unless the directions indicate otherwise, respond to all parts of all four questions. It is suggested that you take a few minutes to plan and outline each answer. Spend approximately one-fourth of your time (25 minutes) on each question. In your response, use substantive examples where appropriate.

1. Members of Congress are charged with three primary duties—writing laws, overseeing the implementation of laws, and serving the needs of their constituents.
  - (a) Describe the role of each of the following in lawmaking.
    - Senate filibuster
    - House Rules Committee
    - Conference committee
  - (b) Describe one method by which Congress exercises oversight of the federal bureaucracy.
  - (c) Explain how casework affects members' attention to legislation.

A Senate filibuster occurs when a member of the senate talks indefinitely on the Senate floor. This results in the Senate being unable to vote on legislation and halts any other activities the Senate can make, such as voting on bills. This can be overturned by a cloture, which needs at least 60 members to be in favor of. It ends the discussion on the topic that the Senator is ~~off~~ filibustering on. The Senate may also try to by pass ~~cloture~~ filibuster by moving on to other legislation and not carrying about the filibuster.

The House Rules Committee ~~is~~ is a ~~commit~~ committee in the house that decides who will have control of the floor and

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sets the agenda for the house. Since the House has so many members it needs formal rules on debate. One such rule is only allowing an hour to speak on a bill. This committee will influence what the agenda ~~of~~ of the house will be, so it can effectively allow the topic of the ~~par~~ party in ~~the~~ control to be prevalent.

A conference committee is a joint committee that is used by both ~~the~~ the Senate and House to discuss differences in a bill that both Houses of Congress have passed. This deals with specific differences in a bill; the purpose of such committees is to get rid of these differences. This ensures that both the Senate and House have say on a bill.

One method Congress uses to oversee the federal bureaucracy is the ability to ~~appro~~ give bureaucracys funding. This can stop the growth of a bureaucracy if Congress doesn't like what the bureaucracy is doing ~~and~~ and decides to give less funding to the bureaucracy. On the other hand it can give more funding to a bureaucracy that it thinks is doing well. This can effectively give Congress the ability to tell bureaucracies what to do.

Casework is often tedious and requires a lot of time and energy. Since Congress

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Question 1 is reprinted for your convenience.

1. Members of Congress are charged with three primary duties—writing laws, overseeing the implementation of laws, and serving the needs of their constituents.

(a) Describe the role of each of the following in lawmaking.

- Senate filibuster
- House Rules Committee
- Conference committee

(b) Describe one method by which Congress exercises oversight of the federal bureaucracy.

(c) Explain how casework affects members' attention to legislation.

does not have all time in the world, it must be more general in its legislation. Casework puts a lot of strain on what a Congress's members they ~~can~~ might not have time to properly point out details in legislation.

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UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

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1. Members of Congress are charged with three primary duties—writing laws, overseeing the implementation of laws, and serving the needs of their constituents.

(a) Describe the role of each of the following in lawmaking.

- Senate filibuster
- House Rules Committee
- Conference committee

(b) Describe one method by which Congress exercises oversight of the federal bureaucracy.

(c) Explain how casework affects members' attention to legislation.

1a) During a Senate debate on a piece of legislation, those opposed to the bill will filibuster in order to delay its passing or ultimately kill it. Unless there is a 60 member majority to pass a cloture, the filibuster will not end and the bill dies. This makes lawmaking a slow process.

The House Rules committee controls the rules of debate on the floor of the House of Representatives. Depending on the circumstances, certain rules will facilitate or hinder the process of lawmaking.

Conference committees are temporary committees designed to agree on the amendments to a bill that differ from the House and Senate. These committees ensure that both houses of Congress see their appropriate changes to a particular bill when it passes through Congress.

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(1b) Congress exercises oversight of bureaucracy as it controls its spending. In this manner, Congress has the necessary control over the federal bureaucracy to have influence on the productivity, projects, and ultimately the existence of a bureaucracy.

(1c) Casework causes members to favor certain pieces of legislation based on the ideologies of their constituents rather than the effects of the legislation as a whole. In this manner, they may favor a piece of legislation to receive public approval rather than for the effects of the bill itself.

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UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

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1. Members of Congress are charged with three primary duties—writing laws, overseeing the implementation of laws, and serving the needs of their constituents.

(a) Describe the role of each of the following in lawmaking.

- Senate filibuster
- House Rules Committee
- Conference committee

(b) Describe one method by which Congress exercises oversight of the federal bureaucracy.

(c) Explain how casework affects members' attention to legislation.

The role of a senate filibuster in law making is to kill the bill. Sometimes bills are killed by just the threat of a filibuster. A filibuster is where the senate "talks a bill to death", a member of the Senate may simply stand up and talk for hours, it doesn't even have to pertain to the bill at all. They can even read the phone book if they wish, and the only way to end a filibuster is by a ~~majority~~ 60 vote majority in congress called cloture. Most of the time a filibuster is successful in ending a bill.

The House Rules Committee plays a role in lawmaking by checking each bill to make sure it doesn't violate any rules in the constitution, if it does it is sent back and if it passes then the committee passes it on to the next committee.

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## ADDITIONAL ANSWER PAGE FOR QUESTION 1.

The role of the conference committee in lawmaking is to iron out all the rough spots. The conference committee makes sure both the house and the senate are on the same page and it irons out all the differences making the bill go more smoothly.

One method by which congress exercises oversight of the federal bureaucracy is the veto power. The president has the power to veto a bill being passed by the house and senate if he doesn't like it. Once vetoed it can be overturned but most of the time it is not.

casework affects members' attention to legislation by involving people who the legislation actually pertains to. People will pay more attention and care more about the legislation being passed if it will affect them so they will in turn work harder to get the bill passed or killed.

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## 2012 SCORING COMMENTARY

### Question 1

#### Overview

This question examined students' knowledge of five components of the lawmaking process. Part (a) asked students to describe the role in lawmaking of the Senate filibuster, the House Rules Committee, and conference committees. In part (b) students were asked to describe a method by which Congress exercises oversight of the federal bureaucracy. Finally, in part (c) students were asked to explain how casework affects attention to legislation by members of Congress.

#### Sample: 1A

##### Score: 5

In part (a) the response earned 3 points. One point was earned for describing the Senate filibuster as the process of speaking indefinitely on the Senate floor, resulting in "the Senate being unable to vote on legislation and halt[ing] any other activities." (The response essentially gives both options noted in the scoring guidelines for the role of the filibuster.) One point was also earned for discussing the role of the House Rules Committee as "set[ting] the agenda for the House" and stating that it enables the party in control to prevail. The response earned another point for stating that a conference committee discusses "differences in a bill that both Houses of Congress have passed" and "deals with specific differences" with the purpose of "get[ting] rid of those differences."

In part (b) the response earned 1 point by identifying the budgetary process ("funding") as a method Congress uses to oversee the bureaucracy and describing how Congress can decrease or increase funding depending on perspectives of performance.

In part (c) the response earned 1 point by stating that Congress "does not have all the time in the world" and that members "might not have time to properly [*sic*] point out details in legislation."

#### Sample: 1B

##### Score: 3

The response earned 2 points in part (a). It earned 1 point for the role of the Senate filibuster by noting that "those opposed to the bill" seek "to delay its passing or ultimately kill it." The response observes that "[t]his makes lawmaking a slow process." Also, 1 point was earned for the role of the House Rules Committee by stating that "certain rules will facilitate or hinder the process of lawmaking." This is an excellent rephrasing of the point in the scoring guidelines relating to making it easier or more difficult to pass the bill. The response did not earn a point related to conference committees. It includes the correct information that conference committees are "temporary" and involve the House and Senate; however, it states imprecisely that such committees are "designed to agree on the amendments to a bill." Additionally, the response makes the confusing statement that conference committees "ensure that both houses of Congress see their appropriate changes to a particular bill." The imprecise language and the unclear meaning of "their appropriate changes" indicate that the student does not know the role of a conference committee.

In part (b) the response earned 1 point by identifying the budgetary process as a method of congressional oversight, describing how this enables Congress to influence the operations or even existence of executive departments and agencies.

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## Question 1 (continued)

In part (c) the response did not earn a point because casework is presented as a mechanism for learning “the ideologies of their constituents,” which will guide the legislative votes of members of Congress. This is an argument that casework is related to the content of constituency opinion rather than the member developing an awareness of a new problem.

### **Sample: 1C**

#### **Score: 1**

In part (a) the response earned 1 point for describing the role of the Senate filibuster as preventing passage of a bill. The response is enriched by noting that “the threat of a filibuster” is often sufficient. The response was not penalized for the incorrect statement that cloture is invoked by a 60-vote majority in Congress because cloture provisions were not part of the question. The response did not earn a point for the House Rules Committee because it incorrectly describes the committee’s role as checking the constitutionality of each bill. The response also did not earn a point for conference committee because it is unclear regarding the place of such committees in the lawmaking process. The response implies that the conference committee’s work is done early in the process so that consideration in the separate chambers goes more smoothly, rather than making it clear that the conference committee reconciles differences between bills already passed by the two chambers.

In part (b) the response did not earn a point for congressional oversight because it discusses the presidential veto and possible override by Congress. This is an element of lawmaking under separation of powers rather than congressional oversight of departments and agencies.

In part (c) the response did not earn a point because casework is presented as a mechanism for identifying people with an interest in a bill. This argument is closely related to the incorrect interpretation of casework as being related to the constituency opinion and does not address casework as diverting resources from lawmaking or developing awareness of new problems.