

2024



AP[®] United States Government and Politics

Free-Response Questions Set 1

UNITED STATES GOVERNMENT AND POLITICS

SECTION II

Time—1 hour and 40 minutes

4 Questions

Directions: You have 1 hour and 40 minutes to answer all four of the following questions. It is suggested that you spend approximately 20 minutes each on Questions 1, 2, and 3 and 40 minutes on Question 4. Unless directions indicate otherwise, respond to all parts of all four questions. In your response, use substantive examples where appropriate. It is recommended that you take a few minutes to plan each answer. You may plan your answers in this orange booklet, but no credit will be given for anything written in this booklet. **You will only earn credit for what you write in the separate Free Response booklet.**

1. In 1970, the Environmental Protection Agency (EPA) was established in order to more effectively enforce federal environmental protection laws. As an independent agency within the federal bureaucracy, the EPA’s mission is “to protect human health and the environment.” Throughout its history, the EPA has supported the executive branch by enforcing legislation intended to regulate automobile emissions, increase household recycling, and ban the use of harmful pesticides.

Americans have debated how much flexibility the EPA should have to enforce and interpret existing law. Some prefer the EPA to have more flexibility in implementing laws so that it can better protect common interests like clean water and biodiversity. On the other hand, others claim that the EPA has too much flexibility in implementing laws, allowing the agency to impose unnecessary and burdensome regulations that hurt business, and that its flexibility in implementing policy should be limited.

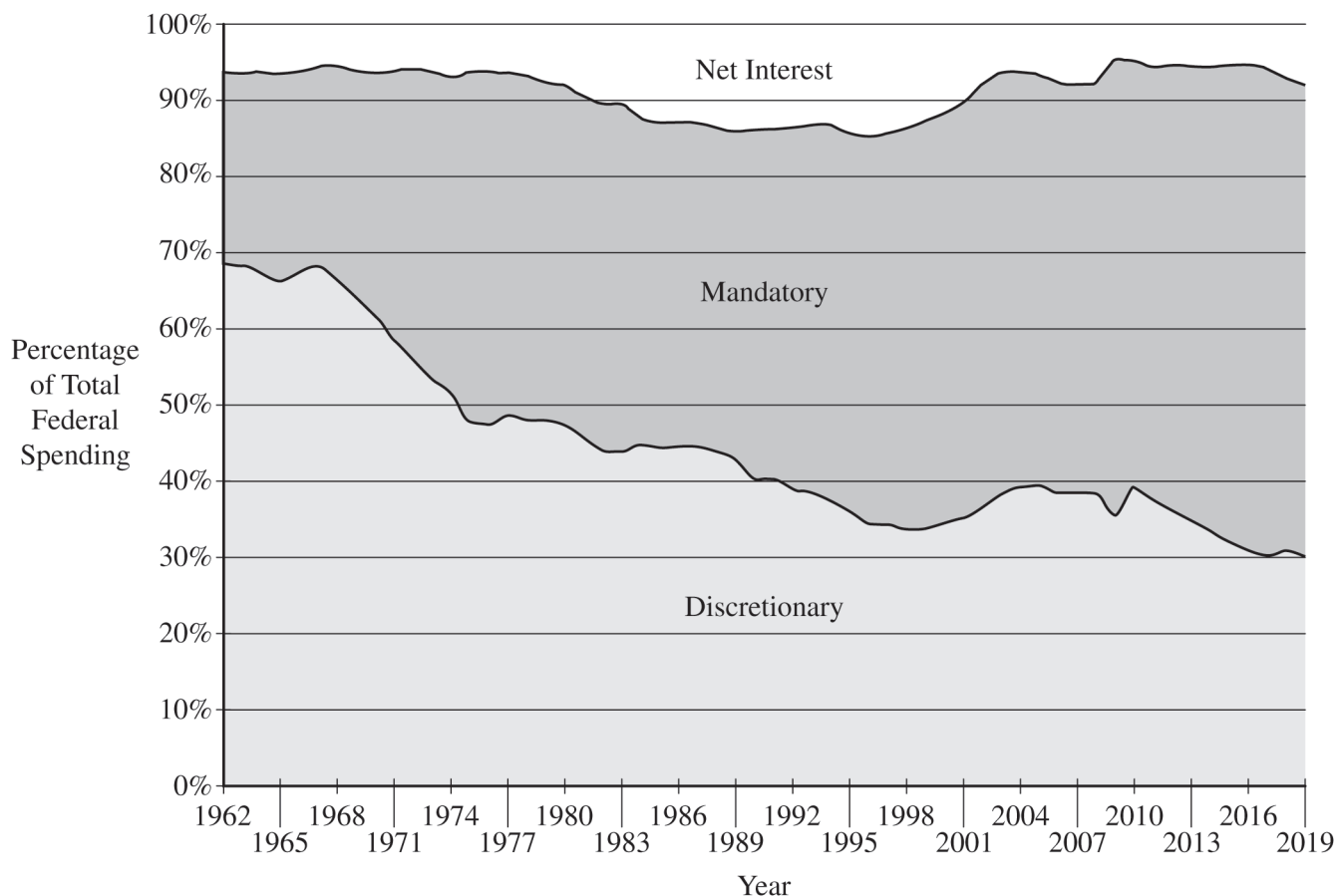
Recent actions are consistent with this debate. For example, under one administration, the EPA interpreted existing environmental laws in new ways, further limiting toxic emissions from automobiles and power plants. However, under the following administration, the EPA implemented a narrower interpretation, which led to the rollback of recent restrictions in the name of free enterprise and limited government.

After reading the scenario, please respond to A, B, and C below.

- A. Describe the power that the EPA used in the scenario to change how it implemented environmental laws under different administrations.
- B. Explain how the power described in part A could be affected by the president.
- C. Explain how Congress could attempt to influence the actions of the bureaucratic agency in the scenario.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

COMPOSITION OF FEDERAL SPENDING FOR FISCAL YEARS 1962–2019



Source: Tax Policy Center, 2020

2. Use the line graph to answer the questions.

- A. Identify the type of spending that comprised the greatest percentage of the federal budget in 2016.
- B. Describe the difference in the trends in mandatory versus discretionary spending as illustrated in the graph.
- C. Draw a conclusion about Congress’s budgetary choices based on trends in the data.
- D. Explain how an interest group might respond to trends shown in the graph.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

This question requires you to compare a Supreme Court case you studied in class with one you have not studied in class. A summary of the Supreme Court case you did not study in class is presented below and provides all of the information you need to know about this case to answer the prompts.

Katzenbach v. McClung (1964)

3. Beginning in 1927, the McClung family owned a restaurant that served barbecue and other foods to patrons. Their restaurant was located about eleven blocks from an interstate highway and obtained about half of its supplies from out of state. Even though the restaurant had an indoor seating capacity of over 200, it refused to seat African Americans and restricted them to take-out orders.

Congress passed the Civil Rights Act of 1964, which prohibited discrimination in places of public accommodation. It was passed based on economic activity, given the travel of African Americans between states. However, the McClungs sued to prevent the enforcement of the Civil Rights Act. They argued that because the restaurant purchased half of its food from an in-state supplier, Congress could not regulate it because its activities were local in nature.

After a district court ruled in favor of the restaurant, the federal government appealed to the Supreme Court. The Supreme Court, in a unanimous decision, held that the Civil Rights Act of 1964 was constitutional, upholding Congress' power to prohibit discrimination when it poses a significant burden to interstate commerce. The Court reasoned that because the restaurant purchased about half of its food from an out-of-state supplier and because Congress sought to resolve the problem of discrimination that was a national issue, Congress had the power to enact the legislation that regulated the restaurant.

- A. Identify the constitutional clause that is common to both *United States v. Lopez* (1995) and *Katzenbach v. McClung* (1964).
- B. Explain how the facts in *United States v. Lopez* and *Katzenbach v. McClung* resulted in different holdings.
- C. Explain how the decision in *Katzenbach v. McClung* reflects the democratic ideal of natural rights.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

4. Over time, there has been conflict between the president and Congress over their roles in domestic policy making. Develop an argument as to whether the president or Congress should have more power over domestic policy making.

Use at least one piece of evidence from one of the following foundational documents:

- *Federalist* No. 51
- *Federalist* No. 70
- Article I of the United States Constitution

In your response, you should do the following:

- ✓ Respond to the prompt with a defensible claim or thesis that establishes a line of reasoning.
- ✓ Support your claim with at least TWO pieces of specific and relevant evidence.
 - One piece of evidence must come from one of the foundational documents listed above.
 - A second piece of evidence can come from any other foundational document not used as your first piece of evidence or it may be from your knowledge of course concepts.
- ✓ Use reasoning to explain why your evidence supports your claim or thesis.
- ✓ Respond to an opposing or alternate perspective using refutation, concession, or rebuttal.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

STOP

END OF EXAM