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# AP<sup>®</sup> United States Government and Politics

## Sample Student Responses and Scoring Commentary Set 2

### **Inside:**

#### **Free-Response Question 1**

- ☒ **Scoring Guidelines**
- ☒ **Student Samples**
- ☒ **Scoring Commentary**

**Question 1: Concept Application****3 points**

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**A** Describe the power the bureaucratic agency used in the scenario. **1 point****Examples of acceptable responses may include the following:**

- The agency used its discretion, which allows it to make decisions.
- The agency used its rulemaking power when it established new safety requirements.

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**B** Explain how Congress could counteract the use of the power described in part A. **1 point****Examples of acceptable responses may include the following:**

- Congress could defund the agency which would make it more difficult to issue future permits.
- Congress could pass new legislation that would replace the rule made by the agency, limiting the discretion exercised by the agency.
- Congress could use the power of oversight to pressure the agency into changing the rule it made.
- By conducting an investigation, Congress could find evidence that PHMSA exceeded its authority and could take efforts to limit its discretionary authority in the future.

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**C** Explain how the citizens' groups in the scenario illustrate the concept of pluralist democracy. **1 point****Examples of acceptable responses may include the following:**

- Multiple groups were trying to influence the policymaking process on the LNG issue, demonstrating the role of activism in the policy making process.
  - Groups engaged in activism in an attempt to influence the political decision making process.
  - Groups with different interests on the LNG issue competed for influence over the making of policy.
  - Activists and citizens' groups voiced concerns which eventually pressured the PHMSA into creating new safety requirements even though Congress did not require them to do so.
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- A. The power that the bureaucratic agency used in this scenario is discretionary authority. Discretionary authority is the idea that the bureaucracy can implement policy and create rules as it sees fit because they have the best knowledge and experience on how to do so. In the context of this scenario, the bureaucracy (PHMSA) decided that despite the lack of input from Congress, it would be best for new safety requirements to be made and for more permits to be available for the (rail) transport of LNG.
- B. Congress could counteract the use of discretionary authority by not giving sufficient funding to the PHMSA, making the transport of LNG more difficult. An enumerated power, Congress's ability to manage funding is a result of them having the power of the purse, meaning that they have the ability to regulate money/commerce. By not giving enough money to the PHMSA (and other groups that make the transport of LNG by rail possible), this counteracts the PHMSA's ability to properly make more permits like they wish to, as well as preventing LNG's transport.
- C. Pluralist democracy is the idea that groups of people are able to voice their concerns and interests within government (and potentially influence politics as a result of the group effort). Citizens' groups in this scenario illustrate the concept of pluralist democracy because these groups are coming together to express their concerns and influence the government to take a certain action, which aligns with the term's definition. The citizens' groups also have the potential to be/form an interest group, as interest groups are made up of many people who all support the same side of an issue and aim to influence policy as a group. In the context of the scenario, the coalitions of citizens' groups could become a singular/more unified interest group in pursuit of their goal to prevent the transport of LNG.

A. The Pipeline and Hazardous Materials Safety Administration was able to issue a permit for the transportation of LNG by rail, through the Chevron Doctrine. The Chevron Doctrine, established by the Supreme Court, states that agencies have discretionary authority when making decisions like the transportation of LNG by rail. The winning argument was that in order for a department or agency to function properly, there must be some discretion as to how they carry out their primary mission, without the red tape and congressional oversight for every action.

B. If Congress did not like the transportation of LNG through the use of railway, committees on the Department of Transportation or committees that hold relevance to the subject within Congress, may call for an oversight hearing with department figures to testify. If Congress does not approve of the action and sees it as an expansion of power, they have the power to limit the department's funding and resources/support.

C. Pluralist theory states that the power and rights is retained to the people in a government, and elected officials wield the power to represent their constituents. The theory states that if a representative is not to the satisfaction of their constituents, they can be removed easily. The citizens group in this scenario showcases the pluralist theory's view on the right to freely exercise an opinion, to petition and protest the environmental hazards.

A) The United States Pipeline and Hazardous Materials Safety Administration (PHMSA), which is a part of the Department of Transportation, issued the first permit for transporting liquified natural gas (LNG) by rail.

B) Congress could counteract the use of the power described in part A by deeming the agency as unconstitutional.

C) Citizens' groups in the scenario illustrate the concept of pluralist democracy as they voiced their concerns about the transportation of LNG by rail but could not muster enough support in Congress for a new law. This concern they had branched off to other industry groups coming together to create enough power and support to bring it to Congress and make change.

## Question 1

**Note:** Student samples are quoted verbatim and may contain spelling and grammatical errors.

### Overview

**NEW for 2025:** The question overviews can be found in the *Chief Reader Report on Student Responses* on [AP Central](#).

#### Sample: 1A

**Score: 3**

**Part A Score: 1**

**Part B Score: 1**

**Part C Score: 1**

The response earned 1 point in Part A. The response states “The power that the bureaucratic agency used in this scenario is discretionary authority. Discretionary authority is the idea that the bureaucracy can implement policy and create rules as it sees fit.” This correctly describes an agency using its discretion.

The response earned 1 point in Part B. The response states “Congress’s ability to manage funding is a result of them having the power of the purse ... By not giving enough money to the PHMSA ... this counteracts the PHMSA’s ability to properly make more permits like they wish to.” This correctly explains how Congress can counteract the actions of bureaucratic agencies.

The response earned 1 point in Part C. The response states “Citizens’ groups in this scenario illustrates the concept of pluralist democracy because these groups are coming together to express their concerns and influence the government to take a certain action.” This correctly explains how groups engage in activism to attempt to influence the political decision making process.

#### Sample: 1B

**Score: 2**

**Part A Score: 1**

**Part B Score: 1**

**Part C Score: 0**

The response earned 1 point in Part A. The response states “agencies have discretionary authority when making decisions like the transportation of LNG by rail.” This correctly describes an agency using discretion.

The response earned 1 point in Part B. The response states, “If Congress did not like the transportation of LNG through the use of railway, committees ... [it] may call for an oversight hearing with department figures to testify. If Congress does not approve of the action and sees it as an expansion of power, they have the power to limit the department’s funding and resources/support.” This correctly explains how Congress can counteract the actions of bureaucratic agencies through their oversight power. While this response also correctly explains how Congress can counteract the actions of bureaucratic agencies through funding, only one correct explanation is necessary to earn the point.

**Question 1 (continued)**

The response earned 0 points in Part C. The response does not correctly explain groups engaged in activism. While the response states “The citizens group in this scenario showcases the pluralist theory’s view on the right to freely exercise an opinion, to petition and protest the environmental hazards,” this does not correctly explain group-based activism.

**Sample: 1C****Score: 1****Part A Score: 0****Part B Score: 0****Part C Score: 1**

The response earned 0 points in Part A. The response does not correctly describe bureaucratic discretion or rulemaking authority.

The response earned 0 points in Part B. The response does not correctly explain any action taken by Congress that could counteract the action of the bureaucratic agency.

The response earned 1 point in Part C. The response states “Citizens’ groups ... voiced their concerns about the transportation of LNG by rail but could not muster enough support in Congress for a new law.” This correctly explains groups with different interests competing for influence over the policy-making process.