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AP[®]

CollegeBoard

AP[®] United States Government and Politics

Sample Student Responses and Scoring Commentary Set 2

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Free-Response Question 4

- Scoring Guidelines
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- Scoring Commentary

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Question 4: Argument Essay

6 points

Reporting Category	Scoring Criteria	
<p>Row A Claim/Thesis (0–1 points)</p>	<p>0 points Does not meet the criteria for one point.</p>	<p>1 point Responds to the prompt with a defensible claim or thesis that establishes a line of reasoning.</p>
Decision Rules and Scoring Notes		
<p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> Only restate the prompt. Do not make a claim that responds to the prompt. 		<p>Responses that earn this point:</p> <ul style="list-style-type: none"> Respond to the prompt rather than restating or rephrasing the prompt and establish a line of reasoning. Provide a defensible claim or thesis that establishes a line of reasoning about whether the filibuster is beneficial or detrimental to policy making in the United States Congress.
<p>Examples that do not earn this point:</p> <p>Restate the prompt</p> <ul style="list-style-type: none"> <i>“There is a debate over the use of the Senate filibuster in the legislative process.”</i> <p>Do not respond to the prompt</p> <ul style="list-style-type: none"> <i>“The Senate filibuster is often used during the policy making process.”</i> 		<p>Examples that earn this point:</p> <ul style="list-style-type: none"> <i>“The filibuster is detrimental to policy making because it leads to gridlock and the American people need the federal government to act and pass laws for the general welfare.”</i> <i>“The filibuster is detrimental because it makes the work of Congress less efficient.”</i> <i>“The filibuster is beneficial because it limits the power of the federal government to create policies that would be unpopular in some parts of the country.”</i> <i>“Lawmaking in the Senate benefits from the filibuster because it fosters compromise.”</i>
<p>Additional Notes:</p> <ul style="list-style-type: none"> The claim or thesis must consist of one or more sentences that may be located anywhere in the response. A claim or thesis that meets the criteria can be awarded the point whether or not the rest of the response successfully supports that line of reasoning. 		

Reporting Category	Scoring Criteria			
<p>Row B Evidence (0–3 points)</p>	<p>0 points Does not meet the criteria for one point.</p>	<p>1 point Provides one piece of evidence that is <u>relevant to the topic</u> of the prompt.</p>	<p>2 points Uses <u>one</u> piece of specific and relevant evidence to <u>support the claim or thesis</u>.</p>	<p>3 points Uses <u>two</u> pieces of specific and relevant evidence to <u>support the claim or thesis</u>.</p>
Decision Rules and Scoring Notes				
<p>Responses that do not earn points:</p> <ul style="list-style-type: none"> Do not provide any accurate evidence. Provide evidence that is not relevant to the topic. 	<p>Responses that earn 1 point:</p> <ul style="list-style-type: none"> Provide one piece of evidence relevant to the topic of the prompt. May or may not have a claim or thesis. 	<p>Responses that earn 2 points:</p> <ul style="list-style-type: none"> Provide one piece of specific and relevant evidence that supports the claim or thesis. This evidence can come from one of the foundational documents listed in the prompt, any other foundational document, or from knowledge of course concepts. 	<p>Responses that earn 3 points:</p> <ul style="list-style-type: none"> Provide two pieces of specific and relevant evidence that support the claim or thesis. One of these pieces of evidence must come from a foundational document listed in the prompt. The other piece of evidence can come from a different foundational document or from knowledge of course concepts. 	
<p>Examples that do not earn points:</p> <p>Provide evidence that is not specific</p> <ul style="list-style-type: none"> <i>“The Senate is part of a bicameral Congress.”</i> <p>Provide evidence that is not relevant to the topic of the prompt</p> <ul style="list-style-type: none"> <i>“Separation of powers makes it difficult to pass legislation.”</i> 	<p>Examples of evidence that are relevant to the <u>topic</u> of the prompt:</p> <ul style="list-style-type: none"> Political parties’ role in Congress The framers’ view of limited Government The role of Congress in passing budgets and important legislation A description of the filibuster’s role in the policy making process 	<p>Examples of acceptable specific and relevant evidence that support the claim or thesis (one example is one piece of evidence):</p> <ul style="list-style-type: none"> <i>“The framers did not want a federal government that was too active. Although they did not include the filibuster as part of their Constitutional design, it in effect acts as a check on government.”</i> <i>“The filibuster was not part of the framers’ Constitutional design. It makes it too difficult to pass important legislation and reduces the role of Congress in making important decisions.”</i> <p>Examples of acceptable specific and relevant evidence from the foundational documents that support the claim or thesis (one example is one piece of evidence):</p> <ul style="list-style-type: none"> <i>“In Federalist 10, Madison argues that factions would not easily be able to control the federal government.”</i> <i>“Federalist 10 argues that factions should not become too powerful.”</i> <i>“Federalist 51 argues for separation of powers to ensure no one part of the federal government dominates.”</i> <i>“Article I states that a simple majority vote is sufficient to pass policy and the filibuster is not in the Constitution.”</i> <i>“Article I allows the chambers to set their own rules.”</i> 		
<p>Additional Notes:</p> <ul style="list-style-type: none"> To earn two or three points in Row B, the response must have a defensible claim or thesis (earned the point in Row A). To earn three points, the response must use one of the foundational documents listed in the prompt. 				

Reporting Category	Scoring Criteria					
<p>Row C Reasoning</p> <p>(0–1 points)</p>	<p>0 points</p> <p>Does not meet the criteria for one point.</p>	<p>1 point</p> <p>Explains how or why the evidence supports the claim or thesis.</p>				
<p>Decision Rules and Scoring Notes</p>						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> • Include evidence but offer no reasoning to connect the evidence to the claim or thesis. • Restate the prompt without explaining how the evidence supports the claim or thesis. </td> <td style="width: 50%; padding: 5px;"> <p>Responses that earn this point:</p> <ul style="list-style-type: none"> • Explain the relationship between the evidence provided and the claim or thesis. </td> </tr> <tr> <td style="width: 50%; padding: 5px;"> </td> <td style="width: 50%; padding: 5px;"> <p>Examples of reasoning that explain how the evidence supports the claim or thesis:</p> <ul style="list-style-type: none"> • <i>“Article I never mentions the filibuster, instead allowing a majority vote to pass policy in both chambers of Congress. So, the use of the filibuster to stop a democratically elected majority from making policy is detrimental to policy making because it is undemocratic and inconsistent with the Framers’ intent.”</i> • <i>“Article I allows the chambers to make their own rules, therefore, the Senate chose to create the filibuster. It is beneficial for policymaking because it ensures that minority views can influence policy, which can lead to compromise and more moderate policies.”</i> • <i>“Fed 10 states that factions in a large republic will balance each other. Fed 10 supports the idea that the filibuster is detrimental to policy making because it advantages one faction over others. A faction of senators can block policy that a majority supports and undermines policymaking.”</i> • <i>“Fed 10 explains that factions are part of human nature. The filibuster allows a faction of senators to protect us against tyranny of the majority, benefitting the policy making.”</i> • <i>“Fed 51 describes the importance of checks and balances and supports the idea that the filibuster is beneficial to policy making because it can be used to block Supreme Court nominees who would strike down policies that benefit the country.”</i> • <i>“The filibuster moves beyond the separation of powers described in Fed 51 and becomes detrimental to policy making because it can stop the president from seeing their policies enacted even when a majority of Congress and the public favor the policies.”</i> </td> </tr> </table>			<p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> • Include evidence but offer no reasoning to connect the evidence to the claim or thesis. • Restate the prompt without explaining how the evidence supports the claim or thesis. 	<p>Responses that earn this point:</p> <ul style="list-style-type: none"> • Explain the relationship between the evidence provided and the claim or thesis. 		<p>Examples of reasoning that explain how the evidence supports the claim or thesis:</p> <ul style="list-style-type: none"> • <i>“Article I never mentions the filibuster, instead allowing a majority vote to pass policy in both chambers of Congress. So, the use of the filibuster to stop a democratically elected majority from making policy is detrimental to policy making because it is undemocratic and inconsistent with the Framers’ intent.”</i> • <i>“Article I allows the chambers to make their own rules, therefore, the Senate chose to create the filibuster. It is beneficial for policymaking because it ensures that minority views can influence policy, which can lead to compromise and more moderate policies.”</i> • <i>“Fed 10 states that factions in a large republic will balance each other. Fed 10 supports the idea that the filibuster is detrimental to policy making because it advantages one faction over others. A faction of senators can block policy that a majority supports and undermines policymaking.”</i> • <i>“Fed 10 explains that factions are part of human nature. The filibuster allows a faction of senators to protect us against tyranny of the majority, benefitting the policy making.”</i> • <i>“Fed 51 describes the importance of checks and balances and supports the idea that the filibuster is beneficial to policy making because it can be used to block Supreme Court nominees who would strike down policies that benefit the country.”</i> • <i>“The filibuster moves beyond the separation of powers described in Fed 51 and becomes detrimental to policy making because it can stop the president from seeing their policies enacted even when a majority of Congress and the public favor the policies.”</i>
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<p>Additional Notes:</p> <ul style="list-style-type: none"> • To earn this point, the response must have a defensible claim or thesis (earned the point in Row A) and support that argument with at least one piece of specific and relevant evidence (earned at least two points in Row B). • The explanation of the relationship between one piece of evidence and the claim or thesis is sufficient to earn this point. 						

Reporting Category	Scoring Criteria	
Row D Responds to Alternate Perspectives	0 points Does not meet the criteria for one point.	1 point Responds to an opposing or alternate perspective using refutation, concession, or rebuttal.
(0–1 points)	Decision Rules and Scoring Notes	
	Responses that do not earn this point: <ul style="list-style-type: none"> Restate the opposite of the claim or thesis. May identify or describe an alternate perspective but do not refute, concede, or rebut that perspective. Refute a foundational document rather than an alternate perspective to the provided claim or thesis. 	Responses that earn this point: <ul style="list-style-type: none"> Must describe an alternate perspective AND refute, concede, or rebut that perspective.
	Examples of responses that do not earn the point: Restate the opposite of the claim or thesis <ul style="list-style-type: none"> <i>“It is simply wrong to state that the filibuster is necessary as a check on power of majorities.”</i> Describe an alternate perspective but do not refute, concede, or rebut that perspective <ul style="list-style-type: none"> <i>“Opponents of the filibuster argue that it prevents the majority party from passing popular bills.”</i> 	Examples of acceptable responses to an alternate perspective may include: <ul style="list-style-type: none"> <i>“It could be argued that the filibuster benefits policy making because it ensures limited government which was the intent of the framers, but the filibuster is detrimental because there are many issues that cannot be adequately addressed in a Congress limited by the filibuster.”</i> <i>“Opponents of the filibuster believe it is bad for policy making because they argue that we need a more efficient process for passing laws at the national level, but removing the filibuster reduces the likelihood that the policymaking process is truly democratic.”</i>
Additional Notes: <ul style="list-style-type: none"> To earn this point, the response must have a defensible claim or thesis (earned the point in Row A). Responses that demonstrate an incorrect understanding of the alternate perspective do not earn this point. 		

Important: Completely fill in the circle that corresponds to the question you are answering on this page.

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Begin your response to each question at the top of a new page. Do not skip lines.

The filibuster is beneficial to policy making in the United States Congress because, ^{it} allows for ~~gre~~ more deliberation in the lawmaking process which leads to more thorough, well planned legislation and it also prevents a tyranny of the majority within a government body such as the Senate.

Federalist 51 outlines the ideas of separation of powers and checks and balances as they apply to the U.S. government. It advocates for the separation of legislative, judicial, and executive powers between three branches of government. Fed 51 also notes that the legislative body ~~will be~~ must be ~~large~~ and powerful, but also slow in deliberation. This is because the U.S. government operates on rule of law. Laws must thus be extremely well-planned and thorough which takes time. The Senate filibuster can play a role in slowing down the legislative process, as filibusters usually take hours if they are not ended early. This gives members of Congress time to seriously ponder the effects of proposed legislation, which will allow them to form more thorough ideas regarding legislation. The filibuster member of Congress who is engaging in the filibuster may also offer new, ^{valuable} insight into the proposed legislation.

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Regardless, the filibuster can increase the time spent on lawmaking, which in turn can give the Senate more time to create more thorough and well-planned laws.

Federalist 10 warns against the power of factions, ~~which~~ If a faction becomes too big and powerful, a tyranny of the majority may ensue. The founders wanted to avoid this situation from happening, as they despised the British tyranny they had just broke free from. Fed 10 notes that by having more factions, the power of each faction will diminish as each faction will have significantly more factions to compete with for power. This will reduce the chances of a tyranny of the majority. This also applies within the Senate, where the party with more seats is a majority and the party with less seats is a minority. ~~The filibuster is a power~~ Within these parties there may be further divisions into factions. The filibuster gives the minority faction a power against the majority faction. If the majority faction in the Senate is trying to push very hard for certain legislation, and the minority faction(s), do not agree, they can filibuster to voice their opinions and make themselves heard. For example, during the

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Democrat presidency of Barack Obama, Rand Paul, representing the Republican party, filibustered in order to make his and his party's ~~questioned~~ concerns about drone strikes heard.

Opposers of the filibuster may feel that in a situation of crisis, the filibuster will hinder the ability of the government to respond quickly and effectively. However, there are two arguments against this claim. Firstly, it is the executive, not the legislative branch, who is meant to act quickly. Accordingly, the executive branch can issue executive orders, which hold the same weight as law, during emergencies. For example, President Bush issued an executive order authorizing airstrikes in response to 9/11. Secondly, a filibuster can be ended by a cloture vote of 60% of the Senate. If the Senate as a governing body needs to move quickly, filibusters ~~is~~ can be ended by cloture.

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Important: Completely fill in the circle that corresponds to the question you are answering on this page.

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Begin your response to each question at the top of a new page. Do not skip lines.

Policy making in the United States Congress should ultimately be deemed successful when it properly represents the beliefs of the people in an efficient manner. However, the use of the senate filibuster in the national legislative process is detrimental to policy making in the United States Congress as it significantly decreases the efficiency of policy-making, thus restricting the Congress from fulfilling its role, as supported by "The Federalist 10" and "The Federalist 70."

In "The Federalist 10," Madison reasons that a strong central government is the best way to ensure the proper representation of the people and stresses the negative nature of factions. The use of the senate filibuster essentially allows factions or certain groups of interest to band together to try to achieve a political goal in policy making of their's or stopping a political action that they do not want achieved. This causes a specific group to determine the outcome of a meeting for policy making, rather than properly representing the varied views of the people.

In addition, Madison stresses in "The Federalist 70," the importance of an energetic executive. This is because the nation has a critical need for the executive to act quickly in times of crisis, maintaining the order and efficiency of the national legislative process. However, the use of senate filibuster allows for a group to stall the critical process for personal gain. Although the senate filibuster may occasionally be helpful in preventing a

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Begin your response to each question at the top of a new page. Do not skip lines.

rushed decision from being made in one's quick attempt for power, the filibuster tends to waste the time of the U.S. Congress, decreasing efficiency and causing detriment to policy making.

Overall, the use of the senate filibuster wastes the critical time of the U.S. Congress, stopping it from being efficient and allows for misrepresenting the people's beliefs, ultimately causing it to be detrimental to policy making in the United States Congress as it cannot fulfill its role properly.

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Begin your response to each question at the top of a new page. Do not skip lines.

The Senate filibuster used in the national legislative process is beneficial to the process of policy making in United States Congress through its ability to gather necessary disposition before creating an ~~act~~ policy and allowing for senate members to voice necessary opinions to create sustainable governments.

Using filibusters in the legislative process is a highly controversial matter, but it comes at the necessary cost of making sure that no one senator is getting all the say in policy making strategies/inputs. Much like the organizations and processes derived from Federalist 10, 5, 10, there needs to be a necessary input of balance, that will be able to check senators on not only the policies they are trying to institute, but make sure that there are also no corruptive tendencies that may be within a new policy. Whether it be within the Senate itself, with the hands of other Senators, and a possibly even some other exterior legislative and executive impacts, the power of filibusters helps assure that everyone is paying attention to the laws presented to be able to ~~catch any~~ catch any inaccuracies, discrepancies, and even problematic undertones within the legislative policy. For example, if a policy is being presented, discussed, and seriously considered, then the gathering of multiple holes and something that may have slipped one

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- on senators mind could be caught by other members in their legislative positions. Thus, allowing for there to be the continuous discussions regarding how to keep laws equitable and striving towards a greater good. Helping implement sane and constitutional laws that would not have to be vetoed or constitutionally challenged in any possible cases or loopholes.

Furthermore, the legislative process of filibusters allows for senators to undoubtedly voice their opinions for the help of a greater good and to represent their own opinions. The First Amendment's Bill of Rights ~~also~~ presents itself in the filibuster process because of its ability to give senators the power to point out criticisms without having to fear authoritative backlash. With freedom of speech, they will be able to disagree, challenge, and refute any claims that may be given through the presentation and creations of new legislative policies. Thus, posing a necessary act to continue filibusters so that they are assuring that laws being presented and released are not trying to demean or negatively target any certain community. This even allows for senators free speech to touch against any policies, to ~~the~~ continue protecting an equal protections clause

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if some Senators attempt to pass a policy that would disproportionately affect more marginalized communities. They could point that out without getting fined or reprimanded under the process and 1st Amendment.

Although some may note that the filibuster legislative process only delays and prompts unnecessary discourse, they would be misinterpreting and misunderstanding the need to make equitable and representative policies. The United States forms on the basis that their process should reflect the needs of their citizens, so the filibuster is not wasted time, but access for a group of informed people to call each other out on possible violations and make sure that the policy making process remains an interrogative, communicative, and community-based process. It's better to spend time debating topics that will soon go out to affect millions of American citizens, than let disruptive and corruptive laws impede a citizens rights, while some Senators may wish to fulfill/implement laws that align with their political ideologies, it's necessary to make sure they're not violating and have those productive conversations.

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Question 4

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

Overview

This free-response question expected students to demonstrate an understanding of the concepts of the filibuster and the policy making process in Congress, specifically, the Senate. Responses should also demonstrate an understanding of foundational documents related to the concept of policy making (Article I of the United States Constitution, *The Federalist* 10, *The Federalist* 51), while taking a position on the topic of the prompt.

Students were expected to articulate a defensible claim/thesis and establish a line of reasoning; support the thesis with evidence from a foundational document(s) and/or the course concepts; use reasoning to explain why the evidence provided supports the thesis; and respond to an alternative perspective using refutation, concession, or rebuttal. Students were also expected to write in the form of an argumentative essay, demonstrating each of the skills mentioned above.

Sample: 4A

Score: 6

Claim/Thesis: 1

Evidence: 3

Reasoning: 1

Alternative Perspectives: 1

A. The response earned 1 point for a thesis in part A by stating, “The filibuster is beneficial to policy making in the United States Congress because it allows for more deliberation in the lawmaking process.”

B. The response earned 2 evidence points for providing a piece of evidence that is relevant to the prompt and supports the thesis by accurately describing *Federalist* 10 by stating, “Federalist 10 warns against the power of factions. If a faction becomes too big and powerful, a tyranny of the majority may ensue. ... The filibuster gives the minority faction a power against a majority faction.”

The response earned a third evidence point for providing a second piece of evidence that supports the thesis by accurately describing *Federalist* 51, by stating, “Federalist 51 outlines the ideas of separation of powers and checks and balances as they apply to the U.S. government. ... The Senate filibuster can play a role in slowing down the legislative process.”

C. The response earned 1 point for reasoning in part C for stating, “If the majority faction in the Senate is trying to push very hard for certain legislation, and the minority faction(s), do not agree, they can filibuster to voice their opinions and make themselves heard.”

D. The response earned 1 point in part D for refuting an alternate perspective by stating, “Opposers of the filibusters may feel that in a situation of crisis, the filibuster will hinder the ability of the government to respond quickly and effectively. ... However, ... if the Senate as a governing body needs to move quickly, filibusters can be ended with cloture.”

Question 4 (continued)

Sample: 4B

Score: 4

Claim/Thesis: 1

Evidence: 2

Reasoning: 0

Alternative Perspectives: 1

A. The response earned 1 point for part A by stating that “the use of the senate filibuster in the national legislative process is detrimental to policy making in the United States Congress as it significantly decreases the efficiency of policy making, thus restricting the Congress from fulfilling its role.”

B. The response earned 2 evidence points for providing a piece of evidence that is relevant to the topic and supports the thesis by accurately describing, “In ‘The Federalist 10,’ Madison reasons that a strong central government is the best way to ensure the proper representation of the people and stresses the negative nature of factions. ... The use of the senate filibuster essentially allows factions ... or stopping a political action that they do not want achieved.”

The response did not earn a third evidence point for discussing *Federalist 70* because it is not relevant to the prompt or supportive of the thesis.

C. The response did not earn the reasoning point because it does not provide any accurate reasoning that supports the thesis.

D. The response earned 1 point in part D for stating, “Although the senate filibuster may occasionally be helpful in preventing a rushed decision from being made in one’s quick attempt for power, the filibuster tends to waste the time of the U.S. congress, decreasing efficiency and causing detriment to policy making.”

Sample: 4C

Score: 2

Claim/Thesis: 1

Evidence: 0

Reasoning: 0

Alternative Perspectives: 1

A. The response earned 1 point in part A for providing a thesis that establishes a line of reasoning when it states, “The Senate filibuster used in the national legislative process is beneficial to the process of policy making in United States Congress through its ability to gather necessary disposition before created an policy.”

B. The response did not earn points in Part B. The description of *Federalist 10* is inaccurate, and the description of the Bill of Rights and the First Amendment is not relevant to the prompt and does not support the thesis.

Question 4 (continued)

C. The response did not earn any evidence points and, therefore, could not earn the reasoning point.

D. The response earned 1 point in part D for presenting an alternate perspective by stating, “Although some may note that the filibuster legislative process only delays and prompts unnecessary discourse, they would be misinterpreting and misunderstanding the need to make equitable and representative policies. The United States forms on the basis that their process should reflect the needs of their citizens, so the filibuster is not wasted time, but access for a group of informed people to call each other out on possible violations.”