

2024



AP[®] United States Government and Politics

Scoring Guidelines Set 1

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Question 1: Concept Application**3 points**

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- A.** Describe the power that the EPA used in the scenario to change how it implemented environmental laws under different administrations. **1 point**

Acceptable descriptions include:

- The EPA has the power to interpret legislation.
- The EPA used its discretion to make decisions about environmental policies.
- The EPA has rule-making authority to interpret and implement environmental laws.

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- B.** Explain how the power described in part A could be affected by the president. **1 point**

Acceptable explanations include:

- The president could limit the bureaucracy’s power by ordering it to implement environmental laws consistent with the president’s agenda.
- The president could pressure Congress to give the EPA discretionary authority which could help the president’s agenda.
- The president could replace the head of the EPA which could affect how its power is used.
- The president could issue an executive order that gives the bureaucracy specific guidance on how to interpret a new law.

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- C.** Explain how Congress could attempt to influence the actions of the bureaucratic agency in the scenario. **1 point**

Acceptable explanations include:

- Congress could pass a law requiring the EPA to take a specific action.
- By using their powers of oversight and investigation, Congressional committees can ensure that the EPA is implementing legislation.
- Congress could adjust the EPA’s funding, which would affect the agency’s ability to pursue its goals.

Total for question 1 3 points

Question 2: Quantitative Analysis**4 points**

A. Identify the type of spending that comprised the greatest percentage of the federal budget in 2016. **1 point**

Acceptable identifications include:

- Mandatory spending

B. Describe the difference in the trends in mandatory versus discretionary spending as illustrated in the graph. **1 point**

Acceptable descriptions include:

- As a percentage of total federal spending, mandatory spending increased whereas during that same time frame discretionary spending decreased.

C. Draw a conclusion about Congress’s budgetary choices based on trends in the data. **1 point**

Acceptable conclusions include:

- Mandatory spending increases over time, so Congress decreases discretionary spending.
- Mandatory spending increases over time, so Congress raises taxes.
- Mandatory spending increases over time, so Congress continues similar funding levels and increases the budget deficit.

D. Explain how an interest group might respond to trends shown in the graph. **1 point**

Acceptable explanations include:

- As discretionary spending decreases, interest groups might be more motivated to fight for the survival of policies they support.
- Interest groups might lobby for changes to programs funded by mandatory spending that would benefit their members.
- Interest groups may lobby more aggressively for programs funded by discretionary spending since discretionary spending is decreasing as a percentage of the total budget.

Total for question 2 4 points

Question 3: SCOTUS Comparison**4 points**

A. Identify the constitutional clause that is common to both *United States v. Lopez* (1995) and *Katzenbach v. McClung* (1964). **1 point**

- The Commerce Clause

B. Explain how the facts in *United States v. Lopez* and *Katzenbach v. McClung* resulted in different holdings. **1 point**

Acceptable responses include:

One point for **describing** relevant information (facts or holding) about the required Supreme Court case.

- Lopez carried a firearm in a school zone.
- In the events leading to *United States v. Lopez*, a student was found guilty of violating the Gun-Free School Zones Act of 1990.
- The Supreme Court held that the national government could not regulate an activity that was not commercial and not related to interstate activity.

OR

Two points for correctly **explaining** how the facts of both cases led to different holdings.

**OR
2 points**

- The regulation in *Lopez* was not subject to interstate commerce, so the Court held that was unconstitutional, while the Court held that the regulation in *Katzenbach* was constitutional because it dealt with an interstate commerce issue.
- Both cases involved people violating a federal law, but the Supreme Court held in *Katzenbach* that the government could regulate explicit economic activity, whereas in *Lopez* the Court held that the gun regulation in question was not considered to be a part of interstate commerce.
- In *United States v. Lopez*, the student was arrested for carrying a firearm to school, while in *Katzenbach v. McClung*, the restaurant owner operated a business near a state highway and received goods from another state. The activities in *Katzenbach* are commercial and connected to interstate commerce. However, in *Lopez*, Congress was regulating activity that was not commercial—possessing a firearm in school—and was not connected to interstate activity.

C. Explain how the decision in *Katzenbach v. McClung* reflects the democratic ideal of natural rights. **1 point**

Acceptable explanations include the following:

- Natural rights means that all people have certain rights that cannot be taken away, and *Katzenbach* supports this ideal by opposing the practice of discrimination.
- The decision in *Katzenbach* gives Congress the ability to pass legislation prohibiting discrimination, which is a threat to natural rights.

Total for question 3 4 points

Question 4: Argument Essay**6 points**

Reporting Category	Scoring Criteria					
Row A Claim/Thesis (0–1 points)	0 points Does not meet the criteria for one point.	1 point Responds to the prompt with a defensible claim or thesis that establishes a line of reasoning.				
Decision Rules and Scoring Notes						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Responses that do not earn this point: <ul style="list-style-type: none"> • Only restate the prompt. • Do not make a claim that responds to the prompt. </td> <td style="width: 50%; padding: 5px;"> Responses that earn this point: <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 regarding whether the president or Congress should have more power over domestic policy making. </td> </tr> <tr> <td style="padding: 5px;"> Examples that do not earn this point: Restate the prompt <ul style="list-style-type: none"> • <i>“The president should have more power over domestic policy making.”</i> Do not respond to the prompt <ul style="list-style-type: none"> • <i>“Congress was stronger than the presidency in the nineteenth century.”</i> </td> <td style="padding: 5px;"> Examples that earn this point: <ul style="list-style-type: none"> • <i>“The president should have more power because presidents are more effective leaders.”</i> • <i>“Presidents should have more power over domestic policy making and they are better equipped for the role.”</i> • <i>“Congress should have more power because its decisions reflect the will of the majority.”</i> • <i>“Congress should have more power over domestic policy making since members are the directly elected representatives of the people.”</i> </td> </tr> </table>			Responses that do not earn this point: <ul style="list-style-type: none"> • Only restate the prompt. • Do not make a claim that responds to the prompt. 	Responses that earn this point: <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 regarding whether the president or Congress should have more power over domestic policy making. 	Examples that do not earn this point: Restate the prompt <ul style="list-style-type: none"> • <i>“The president should have more power over domestic policy making.”</i> Do not respond to the prompt <ul style="list-style-type: none"> • <i>“Congress was stronger than the presidency in the nineteenth century.”</i> 	Examples that earn this point: <ul style="list-style-type: none"> • <i>“The president should have more power because presidents are more effective leaders.”</i> • <i>“Presidents should have more power over domestic policy making and they are better equipped for the role.”</i> • <i>“Congress should have more power because its decisions reflect the will of the majority.”</i> • <i>“Congress should have more power over domestic policy making since members are the directly elected representatives of the people.”</i>
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Additional Notes: <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</p> <p>(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>. OR Provides two pieces of evidence that are relevant to the topic of the prompt.</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"> Must provide one piece of evidence relevant to the topic of the prompt. 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 2 points:</p> <ul style="list-style-type: none"> Provide one piece of specific and relevant evidence that supports the claim or thesis. <p>OR</p> <ul style="list-style-type: none"> Must provide two pieces of evidence relevant to the topic of the prompt. 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>“Federalist No. 51 was written by James Madison.”</i> <p>Provide evidence that is not relevant to the topic of the prompt</p> <ul style="list-style-type: none"> <i>“The Articles of Confederation were adopted before the U.S. Constitution.”</i> 	<p>Examples of evidence that are relevant to the <u>topic</u> of the prompt:</p> <ul style="list-style-type: none"> <i>“The president has the power to appoint cabinet officials who oversee the bureaucracy.”</i> <i>“The Congress has the power to determine the national budget.”</i> <i>“Federalist No. 51 discusses the need for a government that checks the ambition of individuals.”</i> <i>“Federalist No. 70 discusses the role of the executive.”</i> <i>“Article I lists the enumerated powers of Congress.”</i> <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>“Presidents and Vice-Presidents are the only elected officials that represent all Americans.”</i> <i>“Through iron triangles, Congress can collaborate with the bureaucracy and interest groups.”</i> <i>“In Federalist No. 51, Madison writes that one branch cannot become too powerful.”</i> <i>“In Federalist No. 70, Hamilton writes that only a unified executive brings energy and safety to the nation.”</i> <i>“Article I of the Constitution gives Congress significant power over domestic policy making, including the power to pass laws and to approve the budget.”</i> 			
<p>Additional Notes:</p> <ul style="list-style-type: none"> To earn one or two points in Row B, the response does not need to have earned the point for claim/thesis in Row A. To earn three points in Row B, the response must have a defensible claim/thesis (earned the point in Row A). To earn three points in Row B, the response must use one of the foundational documents listed in the prompt. 				

Reporting Category	Scoring Criteria	
Row C Reasoning (0–1 points)	0 points Does not meet the criteria for one point.	1 point Uses reasoning (classification, process, causation or comparison) to explain how or why the evidence supports an argument relevant to the prompt.
Decision Rules and Scoring Notes		
Responses that do not earn this point: <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. 		Responses that earn this point: <ul style="list-style-type: none"> • Explain the relationship between the evidence provided and an argument. Examples of reasoning that explains how the evidence supports the claim or thesis: <ul style="list-style-type: none"> • <i>“Informal powers give the president the ability to make policies quickly, so the president should have more power over domestic policy making.”</i> • <i>“The founders were concerned that, without a strong presidency, the national government would not be able to lead the nation during times of domestic crisis and disorder. This is why they wanted a strong executive.”</i> • <i>“Senate rules that require a supermajority ensure that the policymaking process produces some level of consensus, so Congress should have more power over domestic policy making.”</i> • <i>“Congress is the closest to the citizens, and a strong executive will interfere with the ability of Congress to establish policies that meet the needs of citizens.”</i>
Additional Notes: <ul style="list-style-type: none"> • To earn this point, the response must have provided at least one piece of specific and relevant evidence. • The explanation of the relationship between one piece of evidence and a well reasoned argument relevant to the prompt is sufficient to earn this point. 		

Reporting Category	Scoring Criteria	
<p>Row D Responds to Alternate Perspectives</p>	<p>0 points Does not meet the criteria for one point.</p>	<p>1 point Responds to an opposing or alternate perspective using rebuttal or refutation.</p>
<p>(0–1 points)</p>	<p align="center">Decision Rules and Scoring Notes</p>	
	<p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> Restate the opposite of the claim or thesis. May identify or describe an alternate perspective but do not rebut or refute that perspective. Rebut or refute a foundational document rather than an alternate perspective. <p>Examples of responses that do not earn the point:</p> <p>Restate the opposite of the claim or thesis</p> <ul style="list-style-type: none"> <i>“Presidents should not have more power when it comes to domestic policy making.”</i> <p>Describe an alternate perspective but do not rebut or refute that perspective</p> <ul style="list-style-type: none"> <i>“On the other hand, some people might argue that presidents should have more power in domestic policymaking because they can make quick decisions.”</i> 	<p>Responses that earn this point:</p> <ul style="list-style-type: none"> Must describe an alternate perspective AND rebut or refute that perspective. <p>Examples of acceptable responses to an alternate perspective may include:</p> <ul style="list-style-type: none"> <i>“Representation is important, and while members of Congress represent districts and states, only the president represents all Americans.”</i> <i>“Some people might argue that Congress is better for domestic policy making because it better represents the people, but better representation could result in Congressional gridlock and slow down the policy making process.”</i> <i>“The president might make policy quicker, but Congress’s slower process is actually better because it allows for more voices to be heard.”</i> <i>“While some might argue it is better for the president to lead on domestic policy making because the president has direct access to the resources of the federal government, this ignores the fact that without proper checks, the presidency can use those resources to threaten liberty and states’ rights.”</i>
	<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). Responses that demonstrate an incorrect understanding of the alternate perspective do not earn this point. 	