

2021

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 Guideline**
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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 the appropriate balance of power between the president and Congress.
<p>Examples that do not earn this point:</p> <p>Restate the prompt</p> <ul style="list-style-type: none"> <i>“The power of the executive and legislative branches of government are important because there is a balance of power.”</i> <p>Do not respond to the prompt</p> <ul style="list-style-type: none"> <i>“The executive branch is the most effective branch of government because the president has many constitutional powers.”</i> 		<p>Examples that earn this point:</p> <ul style="list-style-type: none"> <i>“The power of the executive should be strengthened relative to Congress because Congress is slow to react and sometimes ends up in gridlock.”</i> <i>“The power of Congress should be strengthened relative to the president because Congress is the representative of the will of the people.”</i> <i>“The power of the executive and legislative branches should be equal because no one branch should become too powerful/limited government.”</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</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>.</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									
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="317 423 606 708"> <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. </td> <td data-bbox="606 423 963 708"> <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. </td> <td data-bbox="963 423 1415 708"> <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. </td> <td data-bbox="1415 423 1942 708"> <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. </td> </tr> </table>					<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. 	
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<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="317 708 606 1273"> <p>Examples that do not earn points:</p> <p>Provide evidence that is not specific</p> <ul style="list-style-type: none"> <i>“The Constitution establishes the legislative branch.”</i> <p>Provide evidence that is not relevant to the topic of the prompt</p> <ul style="list-style-type: none"> <i>“Civil liberties are protections provided to citizens against the actions of the government.”</i> </td> <td data-bbox="606 708 963 1273"> <p>Examples of evidence that are relevant to the <u>topic</u> of the prompt:</p> <ul style="list-style-type: none"> War Powers Act Impeachment Veto with super majority for override Ratifying treaties Confirmation of presidential nominees Federalist 10 Articles of Confederation Any correct check between the executive and legislative branches </td> <td colspan="3" data-bbox="963 708 1942 1273"> <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 actions of the executive branch during the Vietnam War showed continued encroachment upon legislative war powers, therefore, Congress passed the War Powers Act in 1973 to limit the President’s power during times of aggression.”</i> <i>“While the president has the power to counteract Congress by vetoing legislation, the veto can be overridden by a supermajority vote in each house of Congress, and the bill will become law.”</i> <i>“It is clear that the executive was not meant to have too much power in foreign policy because the Constitution requires that any treaties negotiated by the president will need to be ratified by Congress as a check on presidential power.”</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>“The Federalist 70 defends the idea of a single executive. A weak executive is less responsive to crises.”</i> <i>“Declaration of Independence: A too-powerful executive is bad and can threaten liberty.”</i> <i>“The Federalist 51 established a separation of powers/check and balances.”</i> </td> </tr> </table>					<p>Examples that do not earn points:</p> <p>Provide evidence that is not specific</p> <ul style="list-style-type: none"> <i>“The Constitution establishes the legislative branch.”</i> <p>Provide evidence that is not relevant to the topic of the prompt</p> <ul style="list-style-type: none"> <i>“Civil liberties are protections provided to citizens against the actions of the government.”</i> 	<p>Examples of evidence that are relevant to the <u>topic</u> of the prompt:</p> <ul style="list-style-type: none"> War Powers Act Impeachment Veto with super majority for override Ratifying treaties Confirmation of presidential nominees Federalist 10 Articles of Confederation Any correct check between the executive and legislative branches 	<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 actions of the executive branch during the Vietnam War showed continued encroachment upon legislative war powers, therefore, Congress passed the War Powers Act in 1973 to limit the President’s power during times of aggression.”</i> <i>“While the president has the power to counteract Congress by vetoing legislation, the veto can be overridden by a supermajority vote in each house of Congress, and the bill will become law.”</i> <i>“It is clear that the executive was not meant to have too much power in foreign policy because the Constitution requires that any treaties negotiated by the president will need to be ratified by Congress as a check on presidential power.”</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>“The Federalist 70 defends the idea of a single executive. A weak executive is less responsive to crises.”</i> <i>“Declaration of Independence: A too-powerful executive is bad and can threaten liberty.”</i> <i>“The Federalist 51 established a separation of powers/check and balances.”</i> 		
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<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 Does not meet the criteria for one point.</p>	<p>1 point Explains how or why the evidence supports the claim or thesis.</p>
Decision Rules and Scoring Notes		
<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 explains how the evidence supports the claim or thesis:</p> <ul style="list-style-type: none"> • <i>“The Declaration of Independence expressed concern that the king had too much power, and therefore a stronger legislative branch accountable to the people would be needed to ensure a constitutional government that respects civil liberty.”</i> • <i>“The Federalist 51 argued that there should be a balance of power between the legislative and executive branches so that one branch does not become overly powerful. This relatively equal balance of power between the branches should be maintained.”</i> • <i>“The Federalist 70 argued that a strong executive is needed to act to protect the nation which sometimes means the executive branch needs to be the most powerful branch of government.”</i> • <i>“The power of the legislative branch to confirm presidential appointments provides a balance of power between the legislative branch and the executive because it prevents the president from unilaterally staffing the Cabinet who could implement laws that subvert the will of Congress.”</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) 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	
<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 refutation, concession, or rebuttal.</p>
<p>(0–1 points)</p>	<p>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 refute, concede, or rebut that perspective. Refute a foundational document rather than an alternate perspective to the provided claim or thesis. 	<p>Responses that earn this point:</p> <ul style="list-style-type: none"> Must describe an alternate perspective AND refute, concede, or rebut that 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>“Many believe the president should be more powerful than Congress because the framers gave the president the most powers in the Constitution.”</i> <p>Describe an alternate perspective but do not refute, concede, or rebut that perspective</p> <ul style="list-style-type: none"> <i>“Some would argue that the legislative branch should have more power than the executive branch because it is closer to the voice of the people.”</i> 	<p>Examples of acceptable responses to an alternate perspective may include:</p> <ul style="list-style-type: none"> <i>“While some say the president should be more powerful than Congress because of national security concerns which require immediate action, a more powerful legislature would ensure that those responses are in line with the will of the people.”</i> <i>“While some say that the legislative branch should be more powerful than the executive branch because the legislature is more closely tied to the will of the people, gridlock in the legislative branch could make fast action more difficult.”</i> <i>“While some say that the power between the executive and legislative branches should be equal, it created an inefficient, slow system in response to problems.”</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. 		



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

The struggle of finding a power balance between the people and a head of state has permeated throughout human history. In United States government, this struggle persists in the relationship between the legislative and executive branches of government. In the formation and application of government business, ~~the~~ Congress should hold more power over the president in order to protect the will of the governed.

The Declaration of Independence served as the impetus for the formation of the United States and highlighted desires for a strong legislative representative of the people. One of the most famous grievances listed in the Declaration of Independence is Great Britain's taxing of the colonies without colonial representation. The colonists felt oppressed by their inability to control what laws were placed upon them, and thus the wishes of those creating the United States should be reflected in how it governs. Congress, which is largely regarded as the ~~most representative of the go~~ branch most representative of the general population, should hold more power in the creation and use of laws to ensure no U.S. citizen has no control over the rules placed upon them, as the colonists wished during the formation of the United States.

The United States Constitution is the backbone of all U.S. government and expressly indicates the need for the legislative branch to hold more power over the executive branch in government law and action. Article I of the Constitution establishes Congress as the chief legislative body and gives it numerous powers over the president, such as confirmation of all secretaries and justices, the power to declare war, and the power to tax and generate revenue, among others. All of these powers serve as processes of government action or vectors of it (for example, presidential appointments) that affect the governed. Thus, the delivering of these powers by the Constitution to the legislative branch, even if some of these objects applied to sit in other branches, actively demonstrates the precedent for control over government law and action to be given to Congress, a precedent which must be followed.

Question 1

Question 2

Question 3

Question 4



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

Some may argue that, since the President is elected in a general election, he or she also serves as representative of the general populace and thus should also act in a policy and rule making way. However, the establishment of Congress as a bicameral legislature with various means of election that serve to diminish the faults of a general election system, among others, demonstrates Congress as the best representation of the general governed and thus should be the one in the charge of legislation of the people. Additionally, the executive branch was established to carry out and enforce laws and should not exceed the parameters it was given. Therefore, in accordance with the wishes expressed in the ~~Declaration of Independence~~ Declaration of Independence ~~expressed~~ by the founding fathers and following the precedent set by the Constitution, Congress should hold more power over the president in government policy and actions in order to protect the will of the governed.



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

While in the beginning of the United States the centralized power of the federal government was very little, much has change since then. With ~~these~~ implied powers like pocket and line ^{item} vetos, our country is still figuring out what is the perfect balance of power. Although Congress holds the power of spending and budgets, the president has foreign and military powers and can make executive orders, therefore the president has gained and should have more power than Congress.

As Hamilton expressed in many of the federalist papers, he agreed with a centralized powerful government where the president had supremacy. In Federalist 70, the founders intended on the president being energized, strong, and a singular face who could make quick decisions. With military discretions, foreign power, vetos, and many more expressed powers, the president has a great amount ~~of~~ of power in almost all areas of government. ^{to} Congress ~~only~~ only deals with legislative decisions, controlling the other branches with the purse. This was a strategic plan by the founders to withhold expansion of power. In the constitution, the powers given to the legislative branch are explained, certain to keep the power in check and not step on states power. With clauses like the Necessary and Proper Clause, ^{jurisdiction} ~~power~~ has expanded for congress, but nothing like



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

executive orders, or pocket vetoes than the president finds himself using. The proper balance of power between the legislative and executive branches is for more power to be in the executive branch.

41 For each branch to function, they need to have funds as well as support for their policy. For the judicial branch they need enforcement and the executive needs to keep the bureaucracy running. ~~The bureaucracy also~~ However, Congress also needs support from the head of the party (the president) and always ends up in some sort of agreement/ compromise. ~~The president~~ While Congress tries to ~~interfere in~~ ^{enter} foreign affairs, military decisions, etc., there is always not much backing from laws, so the president does not have to listen. Therefore, while Congress has some sway in the president's power, his branch is the most powerful of all three.

Question 1 Question 2 Question 3 Question 4



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

Since the United States first became its own country, its citizens have been in debate over how power should be distributed, particularly between the executive (presidential) and legislative (congress) branches. Due to being under the tyrannical rule of Britain's king before becoming their own country, the first American people feared giving too much power to one person in government, terrified it would be a repeat of the past. Yet today, the president has far more power than the Founders ever intended for him. Because of the need for country-wide government involvement and equal representation of the people, congress should be granted more power than the president.

In the Federalist 51, Hamilton describes the fears of the people and how he believes a larger centralized government would solve everyone's problems. While this may be true, the power would need to be granted to the legislative branch as opposed to the executive. The House of Representatives and the Senate are both in place to maintain the rights of the people, which is why they should be given the power majority. While the president is elected by the people, what he does once he is elected is far harder to control, which is all the more reason to increase the legislative branches' power to ensure that these decisions will not negatively affect the rights of the American people.



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

Some people may also argue that the Bill of Rights provides enough protection for the rights of the people, and that fears of the president gaining too much power are irrational. While it would be nice to be able to depend on the Bill to protect us, this perspective is simply too unrealistic, especially considering the fact that our society has changed an enormous deal since the creation of the Bill, and relying on old policies to handle brand new situations is never going to solve the issue. If the president has wiggle room to advance his policies against the good of the people, the wiggle room should be eliminated, and increasing the power of the legislative branch would do just that, as it would keep the president in check.

Overall, it is clear to see that the "right" division of power between the legislative and executive branches is a hard distinction to make. The division of power has changed as time has passed, and in order to keep up with the times, it is inevitable that it will need to be changed again. In our current society, and after observing prior data, it becomes clear that the correct decision would be to increase the power of the legislative and therefore decrease the power of the executive.

Question 4

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

Overview

- This question expected students to demonstrate an understanding of the concepts of separation of powers and checks and balances, as they relate to the balance of power between the legislative and executive branches. Responses should have also demonstrated an understanding of foundational documents related to the concept of limited government (the Declaration of Independence, *The Federalist* 51, and *The Federalist* 70), 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

Claim/Thesis: 1

Evidence: 3

Reasoning: 1

Alternative Perspectives: 1

A. The response earned the thesis point for taking a position: “Congress should hold more power over the president” and by establishing a line of reasoning: “in order to protect the will of the governed.”

B. The response earned 2 evidence points for accurately describing the Declaration of Independence by stating, “One of the most famous grievances listed in the Declaration of Independence is Great Britain’s taxing of the colonies without colonial representation.” These points were earned because it supports the thesis that Congress should have more power in order to protect the will of the governed. The response earned a third point for evidence that supports the thesis for providing an accurate description of other course knowledge: “Article I of the Constitution establishes Congress as the chief legislative body and gives it numerous powers over the president.”

C. The response earned the reasoning point for explaining how the Declaration of Independence supports the thesis by stating, “The colonists felt oppressed by their inability to control what laws were placed upon them ... Congress, which is largely regarded as the branch most representative of the general population should hold more power in the creation and use of laws to ensure no U.S. citizen has no control over the rules placed upon them.”

D. The response earned the alternate perspective point by describing an alternative perspective: “Some may argue that, since the President is elected in a general election, he or she also serves as representative of the general populace and thus should also act in a policy and rule making way” and by rebutting the claim: “However, the establishment of Congress as a bicameral legislature with various means of election that serve to diminish the faults of a general election system, among others, demonstrates Congress as the best representation of the general governed and thus should be the one in the charge of legislation of the people.”

Question 4 (continued)

Sample: 4B

Claim/Thesis: 1

Evidence: 3

Reasoning: 0

Alternative Perspectives: 0

A. The response earned the point for thesis for taking a position: “the president has gained and should have more power than Congress” and by establishing a line of reasoning: “the president has foreign and military powers and can make executive orders.” This response provides the line of reasoning before it makes a claim.

B. The response earned 2 evidence points for accurately describing *Federalist 70* by stating, “the founders intended on the president being energized, strong, and a singular face who could make quick decisions.” These points were earned because it supports the thesis that the president should have more power than Congress. It earned a third point for evidence that supports the thesis by providing an accurate description of other course content: “In the Constitution, the powers given to the legislative branch are explained, ... but nothing like executive orders, or pocket vetoes than the president finds himself using.”

C. The response did not earn the reasoning point because it does not explain why the evidence provided supports the thesis that the appropriate balance would give more power to the president.

D. The response did not earn the alternate perspective point because there is no alternative perspective provided. Claiming, “While Congress tries to enter foreign affairs, military decisions, etc.” is not an alternative to the claim that the president should have more power.

Sample: 4C

Claim/Thesis: 1

Evidence: 0

Reasoning: 0

Alternative Perspectives: 1

A. The response earned the thesis point for taking a position: “Congress should be granted more power than the president” and by establishing a line of reasoning: “Because of the need for country-wide government involvement and equal representation of the people.”

B. The response did not earn any points for evidence because it does not show a clear description of a required document or provide other course content that would support the thesis.

C. The response did not earn the reasoning point because it does not have evidence that supports the thesis.

D. The response earned the alternate perspective point by describing an alternative perspective: “Some people may also argue ... that fears of the president gaining too much power are irrational” and by rebutting the claim: “If the president has wiggle room to advance his policies against the good of the people, the wiggle room should be eliminated, and increasing the power of the legislative branch would do just that, as it would keep the president in check.”