

**2022**

**AP®**



CollegeBoard

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# **AP® United States Government and Politics**

## **Scoring Guidelines**

### **Set 2**

## Question 1: Concept Application

3 points

- A. Describe a strategy that this interest group can use to address the issue in the scenario. **1 point**

**Acceptable descriptions include:**

- The National Education Association (NEA) can organize political participation (e.g., protests, letter-writing campaigns, canvassing) throughout the country to draw attention to the issue of teachers' salaries.
- The NEA can launch a media campaign that supports increasing teachers' salaries.
- The NEA can lobby lawmakers to increase funding for teachers' salaries.
- The NEA can support candidates for Congress that advocate for higher salaries for teachers.

- B. In the context of the scenario, explain how the resources available to the NEA could impact the effectiveness of the strategy in part A. **1 point**

**Acceptable explanations include:**

- The NEA's resources include a large member base. Having a vast membership at its disposal makes it easier to organize political participation that could effectively address the issue of teachers' salaries.
- The NEA's resources include an annual budget. To be effective, the NEA could allocate part of its budget to pay for strategies (e.g., influencing lawmakers, launching a social media campaign, buying advertisements) to increase teachers' salaries.

- C. Explain how a block grant for education could affect the issue in the scenario in some states but not in others. **1 point**

**Acceptable explanations include:**

- Block grants allow states flexibility in determining how the money is spent. Some states might decide that the block grant funds should be used for educational spending other than teacher salaries. This may create variation in teacher pay between the states.

**Total for question 1 3 points**

**Question 2: Quantitative Analysis****4 points**

- A. Identify the year in which a presidential candidate had the greatest percent of the popular vote in a presidential election. **1 point**

- The year in which a presidential candidate had the greatest percent was 1972.

- B. Describe the overall trend in the percent of the popular vote of third-party/independent candidates. **1 point**

**Acceptable descriptions include:**

- Third-party candidates do not get as high a percentage of the popular vote as major party candidates.
- Third-party candidates never win 20% of the popular vote.
- Third-party candidates never win a majority of the popular vote.

- C. Using the data, draw a conclusion about how the third-party/independent candidate may have affected the outcome of the 1992 presidential election. **1 point**

**Acceptable conclusions include:**

- In 1992, the third-party candidate received a significant number of votes, and if those votes were allocated differently, they could have affected the outcome of the election by changing the number of electors won in the electoral college.

- D. Explain why the data in the bar graph does not necessarily relate to the outcome of presidential elections. **1 point**

**Acceptable explanations include:**

- The data in the graph do not relate to the outcome because the electoral college, not the popular vote, determines the winner.
- The electoral college allows states to choose how they allocate their votes for determining state electors. Most states use a winner-take-all system which sometimes leads to the candidate with the most popular votes not winning the election.

**Total for question 2 4 points**

### Question 3: SCOTUS Comparison

4 points

- A. Identify the legal doctrine that is common in both *Timbs v. Indiana* (2019) and *McDonald v. Chicago* (2010). **1 point**

- The legal doctrine common in both cases is selective incorporation.

- B. Explain how the holding in *McDonald* was similar to the holding in *Timbs*.

**Acceptable responses include:**

**One point for describing** relevant information about the holding in the required Supreme Court case. **1 point**

- In *McDonald*, the court held that the Second Amendment applied to states.
- *McDonald* incorporated the Second Amendment right to keep and bear arms for the purpose of self-defense to the states.

**OR**

**OR**

**Two points for correctly explaining** how the holding in *McDonald* was similar to the holding in *Timbs*. **2 points**

- In *McDonald*, the court held that the Second Amendment applied to the states. In *Timbs*, the court held that the excessive fines clause of the Eighth Amendment applied to the states. Both cases involved the incorporation of civil liberties from the Bill of Rights to the states.

- C. Explain how the decision in *Timbs* affects the reserve powers of the states. **1 point**

**Acceptable explanations include the following:**

- The decision in *Timbs* incorporated the Eighth Amendment to the states and will limit states' powers related to sentencing and punishments. States will not be able to pass laws that provide for punishments exceeding the constitutional protections against excessive fines.

**Total for question 3 4 points**

**Question 4: Argument Essay****6 points**

Reporting Category	Scoring Criteria	
Row A Claim/Thesis  (0–1 points)	<b>0 points</b> Does not meet the criteria for one point.	<b>1 point</b> Responds to the prompt with a defensible claim or thesis that establishes a line of reasoning.
<b>Decision Rules and Scoring Notes</b>		
<b>Responses that do not earn this point:</b> <ul style="list-style-type: none"> <li>Only restate the prompt.</li> <li>Do not make a claim that responds to the prompt.</li> </ul>		<b>Responses that earn this point:</b> <ul style="list-style-type: none"> <li>Respond to the prompt rather than restating or rephrasing the prompt and establish a line of reasoning.</li> <li>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.</li> </ul>
<b>Examples that do not earn this point:</b> <p><b>Restate the prompt</b></p> <ul style="list-style-type: none"> <li><i>"There is a debate over the use of the Senate filibuster in the legislative process."</i></li> </ul> <p><b>Do not respond to the prompt</b></p> <ul style="list-style-type: none"> <li><i>"The Senate filibuster is often used during the policy making process."</i></li> </ul>		<b>Examples that earn this point:</b> <ul style="list-style-type: none"> <li><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></li> <li><i>"The filibuster is detrimental because it makes the work of Congress less efficient."</i></li> <li><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></li> <li><i>"Lawmaking in the Senate benefits from the filibuster because it fosters compromise."</i></li> </ul>
<b>Additional Notes:</b> <ul style="list-style-type: none"> <li>The claim or thesis must consist of one or more sentences that may be located anywhere in the response.</li> <li>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.</li> </ul>		

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

Reporting Category	Scoring Criteria	
Row C Reasoning  (0–1 points)	<b>0 points</b> Does not meet the criteria for one point.	<b>1 point</b> Explains how or why the evidence supports the claim or thesis.
	<b>Decision Rules and Scoring Notes</b>	
	<p><b>Responses that do not earn this point:</b></p> <ul style="list-style-type: none"> <li>Include evidence but offer no reasoning to connect the evidence to the claim or thesis.</li> <li>Restate the prompt without explaining how the evidence supports the claim or thesis.</li> </ul>	<p><b>Responses that earn this point:</b></p> <ul style="list-style-type: none"> <li>Explain the relationship between the evidence provided and the claim or thesis.</li> </ul> <p><b>Examples of reasoning that explain how the evidence supports the claim or thesis:</b></p> <ul style="list-style-type: none"> <li><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></li> <li><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></li> <li><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></li> <li><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></li> <li><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></li> <li><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></li> </ul>
	<p><b>Additional Notes:</b></p> <ul style="list-style-type: none"> <li>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).</li> <li>The explanation of the relationship between one piece of evidence and the claim or thesis is sufficient to earn this point.</li> </ul>	

Reporting Category	Scoring Criteria	
Row D Responds to Alternate Perspectives  (0–1 points)	<b>0 points</b> Does not meet the criteria for one point.	<b>1 point</b> Responds to an opposing or alternate perspective using refutation, concession, or rebuttal.
<b>Decision Rules and Scoring Notes</b>		
	<p><b>Responses that do not earn this point:</b></p> <ul style="list-style-type: none"> <li>• Restate the opposite of the claim or thesis.</li> <li>• May identify or describe an alternate perspective but do not refute, concede, or rebut that perspective.</li> <li>• Refute a foundational document rather than an alternate perspective to the provided claim or thesis.</li> </ul> <p><b>Examples of responses that do not earn the point:</b></p> <p><b>Restate the opposite of the claim or thesis</b></p> <ul style="list-style-type: none"> <li>• <i>"It is simply wrong to state that the filibuster is necessary as a check on power of majorities."</i></li> </ul> <p><b>Describe an alternate perspective but do not refute, concede, or rebut that perspective</b></p> <ul style="list-style-type: none"> <li>• <i>"Opponents of the filibuster argue that it prevents the majority party from passing popular bills."</i></li> </ul> <p><b>Additional Notes:</b></p> <ul style="list-style-type: none"> <li>• To earn this point, the response must have a defensible claim or thesis (earned the point in Row A).</li> <li>• Responses that demonstrate an incorrect understanding of the alternate perspective do not earn this point.</li> </ul>	<p><b>Responses that earn this point:</b></p> <ul style="list-style-type: none"> <li>• Must describe an alternate perspective AND refute, concede, or rebut that perspective.</li> </ul> <p><b>Examples of acceptable responses to an alternate perspective may include:</b></p> <ul style="list-style-type: none"> <li>• <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></li> <li>• <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></li> </ul>