

**2005 AP® UNITED STATES GOVERNMENT AND POLITICS
FREE-RESPONSE QUESTIONS**

**UNITED STATES GOVERNMENT AND POLITICS
SECTION II
Time—100 minutes**

Directions: You have 100 minutes to answer all four of the following questions. Unless the directions indicate otherwise, respond to all parts of all four questions. It is suggested that you take a few minutes to plan and outline each answer. Spend approximately one-fourth of your time (25 minutes) on each question. In your response, use substantive examples where appropriate. Make certain to number each of your answers as the question is numbered below.

1. The judicial branch is designed to be more independent of public opinion than are the legislature or the executive. Yet, the United States Supreme Court rarely deviates too far for too long from prevalent public opinion.
 - (a) Describe two ways in which the United States Supreme Court is insulated from public opinion.
 - (b) Explain how two factors work to keep the United States Supreme Court from deviating too far from public opinion.

2. The power of the federal government relative to the power of the states has increased since the ratification of the Constitution.
 - (a) Describe two of the following provisions of the Constitution and explain how each has been used over time to expand federal power.
 - The power to tax and spend
 - The “necessary and proper” or “elastic” clause
 - The commerce clause
 - (b) Explain how one of the following has increased the power of the federal government relative to the power of state governments.
 - Americans with Disabilities Act
 - Civil Rights Act of 1964
 - Clean Air Act

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3. Initially, the United States Constitution did little to protect citizens from actions of the states. In the twentieth century, the Supreme Court interpreted the Constitution to protect the rights of citizens from state governments in a process referred to as incorporation.
- (a) Define selective incorporation.
- (b) For two of the following, explain how each has been incorporated. Each of your explanations must be based on a specific and relevant Supreme Court decision.
- Rights of criminal defendants
 - First Amendment
 - Privacy rights
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4. The United States Congress has debated a variety of campaign finance reforms over the last decade. The proposals debated have included the following:

Eliminating soft money
Limiting independent expenditures
Raising limits on individual contributions

- (a) Select one of the listed proposals and do all of the following:
- Define the proposal.
 - Describe an argument that proponents make in favor of the proposal.
 - Describe an argument that opponents make against the proposal.
- (b) Select a different listed proposal and do all of the following:
- Define the proposal.
 - Describe an argument that proponents make in favor of the proposal.
 - Describe an argument that opponents make against the proposal.

END OF EXAM

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2005 SCORING GUIDELINES**

Question 2

6 points

Part (a): 4 points

One point is earned for each of the two descriptions, and 1 point is earned for each of the two explanations. The explanation must go beyond merely saying that the clause/power has been used more or interpreted more broadly, and it must explicitly indicate that change over time has occurred.

Acceptable descriptions may include:

- Tax and spend power
 - The response must indicate who exercises this power. (Congress/national government)
 - The response must describe both the power to tax and the power to spend.
- The “necessary and proper” or “elastic” clause
 - The response must indicate who exercises this power. (Congress/national government)
 - The response must include the power to pass laws.
- The commerce clause
 - The response must indicate who exercises this power. (Congress/national government)
 - The response must refer to the regulation of interstate commerce, foreign commerce/trade, or commerce with Native American tribes.

Part (b): 2 points

One point is earned for identifying a provision of one of the laws, and 1 point is earned for explaining how the provision increased federal power over the states. If the response does not correctly identify a provision of one of the laws, it cannot get the second point. If the response only discusses the provision’s effect on individuals or businesses, it will not earn an explanation point.

A score of zero (0) is earned for an attempted answer that earns no points.

A score of dash (—) is earned for a blank or off-task answer.