

**AP<sup>®</sup> UNITED STATES GOVERNMENT AND POLITICS  
2008 SCORING GUIDELINES**

**Question 2**

**6 points**

**Part (a): 2 points**

One point is earned for each of two descriptions of formal, enumerated powers that enable the president to exert influence over domestic policy. Acceptable descriptions may include:

- Legislative powers (veto, pocket veto, signing legislation).
- State of the Union address.
- Appointment power (to a domestic office).
- Calling Congress into session.
- Chief executive role (“faithfully execute the law” clause).
- Commander-in-chief role (must connect it to domestic policy in order to earn the point).

**Part (b): 4 points**

One point is earned for each of two definitions and two explanations of limits to the president’s ability to influence domestic policymaking in Congress. Explanations must be tied to a correct, though not necessarily complete, definition.

**Correct Definition**

**Examples of Acceptable Explanations**

	<b>Correct Definition</b>	<b>Examples of Acceptable Explanations</b>
Mandatory Spending	Spending not controlled by annual budget decisions (nondiscretionary spending, automatic spending, etc.)	<ul style="list-style-type: none"> <li>• Budgetary constraints make it difficult to accomplish policy goals.</li> <li>• It is difficult to make budget cuts that might accomplish policy goals.</li> </ul>
Party Polarization	Increased interparty differences	<ul style="list-style-type: none"> <li>• Opposing party may block policy goals.</li> <li>• There is a lack of moderates with whom to build coalitions.</li> </ul>
Lame-Duck Period	Period of time in which an officeholder’s term is coming to an end	<ul style="list-style-type: none"> <li>• President’s power is perceived as being diminished.</li> <li>• Congress is less responsive to the president.</li> </ul>

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.

Write in the box the number of the question you are answering on this page as it is designated in the exam.

Number **2 US**

The Constitution gives the President numerous powers **2A,** to exert influence over domestic policy. One of these powers is the right to decree executive orders. These orders ~~are~~ have the affect of law even though Congress does not vote on them. Executive orders have been made several times in the nation's history. One example is President Franklin Delano Roosevelt's order to imprison all Japanese Americans after Pearl Harbor. Another example is President Clinton's "Don't Ask Don't Tell" order regarding gays in the military. These executive orders enable a President to influence domestic policy by setting regulations for the citizens of the nation. Another way the President can exert influence over domestic policy is by addressing Congress at the "State of the Union" address about new changes in policy he would like to see implemented. The President can also veto legislation passed by Congress which is another influence he has over domestic policy and Congress. Due to the party polarization in Congress the president's ability to influence policy is weakened. Party polarization is congressmen's desire to move to the far right or left instead of the middle of the ideological line. Policy the President would like to change is hard to implement because of this. Bi-partisan agreements are rare and it is hard to persuade those from the other side to support the policy. A lame duck period also hampers a President's influence. This is the time when

Number 2 US

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A new president has been elected but has not taken office. The old president will be unable to push policy through because Congress no longer supports him or her. With a new administration coming in Congress has no desire to support the old regime because the old president does not have time to implement and enforce new domestic policy.

A number of factors enable presidents to exert influence over Congress in the area of domestic policy. However, presidents are also limited in their influence over domestic policymaking in Congress.

The president has enumerated powers granted by the Constitution which enable him to exert influence over domestic policy. One of these powers is the veto. After Congress passes a bill, a President can block the legislation from becoming law by refusing to sign it. ~~This power~~ The veto allows the president to influence legislation concerning domestic policy; he can ~~reject~~ reject the final legislation ~~or he can threaten to veto the legislation before it's passed.~~ If the president threatens to veto legislation, the Congress may alter the bill so that he will be more likely to approve it. Another of the president's enumerated powers is the appointment of Supreme Court justices. The president, with the approval of the Senate, has the power to appoint justices to the Supreme Court who will serve for life. Before appointing a judge, the president will test his/her <sup>political</sup> ideology to ensure that he/she will make decisions with ~~which~~ which the president agrees. These justices

are then able to affect domestic policy not only during the remainder of his presidency, but for many years after. The Supreme Court has ~~Although the President does exercise considerable power to influence domestic~~ the ability to declare legislation passed by Congress unconstitutional, based on their interpretation of the Constitution. A president <sup>can</sup> choose justices who will agree with him on the constitutionality of new domestic policies ~~passed~~ <sup>of</sup> Congress.

Although the President has considerable power to influence ~~to~~ domestic policymaking in Congress, there are limits <sup>on this ability.</sup> ~~placed on his~~ power. One limit is mandatory spending. Some Presidents, such as Nixon, ~~tried~~ <sup>tried</sup> to impound funds appropriated by Congress. At the time, there was no law stating that the President had to spend the money Congress appropriated. The case was taken to the Supreme Court, and the Court ruled against Nixon placing limits on the impoundment of funds and ~~existing~~ mandatory spending. In most cases, the President has to spend money appropriated by Congress. Another limitation on the president's ability to influence domestic policy making is the lame-duck period. The lame-duck period is the ~~the~~ time between when a new president

Write in the box the number of the question you are answering on this page as it is designated in the exam.

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is elected and when he takes office. During these months, the previous president is still in office, but has diminished influence. Congress is less interested in what he proposes and often, very little gets done.

An enumerated power granted to the President by the Constitution is collecting taxes. The President can exert influence over domestic policy by raising or lowering how much taxes will be collected. Different presidents have changed the amount of tax due to economic the status of the economy. For example, Clinton raised taxes on the wealthy, which he used to help pay off the federal deficit and this actually helped the federal debt but he not put through his presidential agenda. Another formal power that enables the President to exert influence over domestic policy is what the President plans to do with nonmandatory <sup>spending</sup> ~~money~~ from the federal budget. For example, the President can increase welfare programs and like President Franklin D. Roosevelt did. Mandatory spending is money that must be used from the federal budget for things such as entitlements and net interest. This limits the President's ability to influence domestic policymaking in Congress because the majority of the federal budget goes to mandatory spending ~~etc~~ which means there is little money left that can go to different programs the President wants to meet. Party polarization is when the Congress has a majority that is different from the President's political party. This limits the President's ability to influence domestic policy is Congress because they both have different views on domestic policy. With both ~~the~~ having different views on domestic policy, less policies which can help the country, ~~are~~ put through and made into law.

# AP<sup>®</sup> UNITED STATES GOVERNMENT AND POLITICS

## 2008 SCORING COMMENTARY

### Question 2

#### Overview

The overall intent of this question was to examine the relationship between the president and Congress in the area of domestic policymaking. The question focused on specific aspects of domestic policymaking by asking students to (a) describe two formal, enumerated powers of the president; and (b) define two of three possible limits to the president's ability to influence domestic policymaking in Congress and explain how those two limits affect the president's influence over domestic policymaking in Congress.

#### Sample: 2A

##### Score: 6

In part (a) the student earned 1 point for describing the president's "'State of the Union' address about new changes in policy he would like to see implemented" as an enumerated power that enables the president to exert influence over domestic policy. The student earned a second point by stating, "The President can also veto legislation."

In part (b) the student earned 1 point for stating, "Party polarization is congressmen's desire to move to the far right or left instead of the middle of the ideological line." The student earned 1 point for an explanation of how party polarization limits presidential influence over domestic policymaking: "Bi-partisan agreements are rare and it is hard to persuade those from the other side to support the policy." The student earned 1 point for the definition of the lame-duck period as "the time when a new President has been elected but has not taken office." The student earned 1 point for explaining how the lame-duck period limits presidential influence over domestic policymaking: "The old president will be unable to push policy through because Congress no longer supports him or her."

#### Sample: 2B

##### Score: 4

In part (a) the student earned 1 point for describing "the veto" and how it "can block the legislation from becoming law." The student earned a second point for describing "the appointment of Supreme Court justices."

In part (b) the student earned 1 point for defining the lame-duck period as "the time between when a new president is elected and when he takes office. During these months, the previous president is still in office, but has diminished influence." The student earned 1 point for explaining that the president's power is limited because "Congress is less interested in what he proposes." The student does not correctly define mandatory spending and therefore did not earn a second definition point. The student does not provide an explanation of mandatory spending and therefore did not earn a second explanation point.



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**Question 2 (continued)**

**Sample: 2C**

**Score: 2**

In part (a) the student does not correctly describe any formal, enumerated power the president exerts over the area of domestic policymaking and therefore did not earn any points.

In part (b) the student earned 1 point for correctly stating, “Mandatory spending is money that must be used from the federal budget to [*sic*] things such as entitlements and net interest.” The student earned 1 point for the explanation that mandatory spending limits presidential influence over domestic policy, “because the majority of the federal budget goes to mandatory spending which means there is little money left that can go to different programs the president wants to invest in.” The student does not correctly define party polarization and therefore did not earn a second definition point. The student does not provide an explanation of party polarization and therefore did not earn the second explanation point.