

The University of the State of New York

REGENTS HIGH SCHOOL EXAMINATION

**UNITED STATES HISTORY
AND GOVERNMENT**

Wednesday, January 28, 2015 — 9:15 a.m. to 12:15 p.m., only

Student Name _____

School Name _____

The possession or use of any communications device is strictly prohibited when taking this examination. If you have or use any communications device, no matter how briefly, your examination will be invalidated and no score will be calculated for you.

Print your name and the name of your school on the lines above. A separate answer sheet for Part I has been provided to you. Follow the instructions from the proctor for completing the student information on your answer sheet. Then fill in the heading of each page of your essay booklet.

This examination has three parts. You are to answer **all** questions in all parts. Use black or dark-blue ink to write your answers to Parts II, III A, and III B.

Part I contains 50 multiple-choice questions. Record your answers to these questions as directed on the answer sheet.

Part II contains one thematic essay question. Write your answer to this question in the essay booklet, beginning on page 1.

Part III is based on several documents:

Part III A contains the documents. When you reach this part of the test, enter your name and the name of your school on the first page of this section.

Each document is followed by one or more questions. Write your answer to each question in this examination booklet on the lines following that question.

Part III B contains one essay question based on the documents. Write your answer to this question in the essay booklet, beginning on page 7.

When you have completed the examination, you must sign the declaration printed at the end of the answer sheet, indicating that you had no unlawful knowledge of the questions or answers prior to the examination and that you have neither given nor received assistance in answering any of the questions during the examination. Your answer sheet cannot be accepted if you fail to sign this declaration.

DO NOT OPEN THIS EXAMINATION BOOKLET UNTIL THE SIGNAL IS GIVEN.

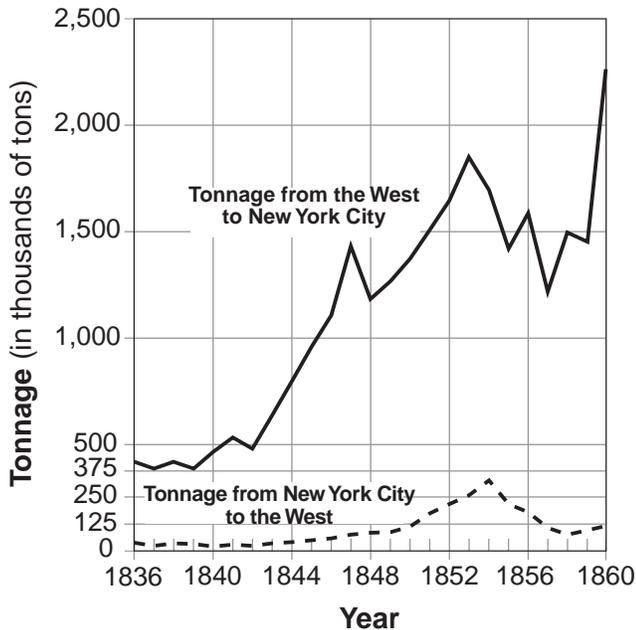
Part I

Answer all questions in this part.

Directions (1–50): For each statement or question, record on your separate answer sheet the *number* of the word or expression that, of those given, best completes the statement or answers the question.

Base your answers to questions 1 and 2 on the graph below and on your knowledge of social studies.

**Shipping Tonnage on the Erie Canal,
1836–1860**



— Douglass C. North, *The Economic Growth of the United States, 1790–1860*, W.W. Norton & Company (adapted)

- Information on the graph most clearly supports the conclusion that the Erie Canal
 - slowed migration to the Midwest
 - replaced railroads as the main method of transportation
 - improved transportation between the Hudson River and the Great Lakes
 - relied on the development of steamboats for canal use
- One major result of the completion of the Erie Canal was that
 - the population of Rochester fell
 - shipping on Lake Champlain decreased
 - manufacturing along the canal declined
 - New York City became the nation's commercial center

- Which factor most influenced the economic development of the colonial South?
 - plentiful forests
 - warm and wet growing seasons
 - rich deposits of iron ore and coal
 - abundant water power for manufacturing

Base your answer to question 4 on the passage below and on your knowledge of social studies.

...The Jury withdrew, and in a small time returned, and being asked by the clerk, whether they were agreed of their verdict, and whether John Peter Zenger was guilty of printing and publishing the libels in the information mentioned? They answered by Thomas Hunt, their foreman, Not Guilty. Upon which there were three huzzas [cheers] in the hall which was crowded with people, and the next day I was discharged from my imprisonment.

— John Peter Zenger, 1734

- The court case discussed in this passage was important in the development of colonial America because it helped establish the principle of
 - freedom of the press
 - double jeopardy
 - freedom of assembly
 - judicial independence
- The social contract theory as used in the Declaration of Independence was most directly influenced by the writings of
 - John Locke
 - Adam Smith
 - Voltaire
 - Benjamin Franklin

6 Under the Articles of Confederation, the years between 1781 and 1787 are often referred to as the “critical period” because the

- (1) colonies were forced to pay high reparations to England
- (2) states were fighting the French and Indian War
- (3) southern states threatened to secede from the Union over the issue of slavery
- (4) central government lacked the power to deal with major problems

7 Which power regarding the federal judiciary was established in *Marbury v. Madison*?

- (1) The president appoints all federal judges.
- (2) The Congress creates lower federal courts.
- (3) Members of the federal courts serve life terms.
- (4) Federal laws may be declared unconstitutional.

8 Secretary of the Treasury Alexander Hamilton supported the creation of the Bank of the United States because it would

- (1) increase the power of state banks
- (2) raise revenue to reduce the need for tariffs
- (3) help ensure the economic stability of the new nation
- (4) provide low-cost loans to farmers

9 President George Washington’s leadership during the Whiskey Rebellion (1794) was important because it

- (1) showed the ability of the new government to enforce federal law
- (2) helped assure his reelection to a third term
- (3) forced frontier farmers to limit grain production
- (4) halted British fort construction in the Northwest

10 What is a major result of the Supreme Court decisions in *McCulloch v. Maryland* (1819) and *Gibbons v. Ogden* (1824)?

- (1) Abuses of power by the president were prevented.
- (2) The powers of the federal government were expanded.
- (3) The powers of Congress over the territories were reduced.
- (4) Freedoms guaranteed in the Bill of Rights were restricted.

Base your answer to question 11 on the time line below and on your knowledge of social studies.

1803 — Louisiana Purchase Treaty established western boundary of United States.

1818 — Convention with Britain established northern boundary of Louisiana Territory.

1819 — Adams-Onís Treaty granted Florida to United States.

1842 — Webster-Ashburton Treaty established Maine-Canada border.

1846 — Treaty of Oregon established northern boundary of Oregon Territory.

11 The time line shows that the major way the United States gained territory in the early 19th century was through

- | | |
|---------------|----------------------|
| (1) war | (3) executive orders |
| (2) diplomacy | (4) arbitration |

12 In the 1830s, President Andrew Jackson supported the Indian removal policy because

- (1) white settlers desired the land on which Native American Indians lived
- (2) Native American Indians were attacking southern cities
- (3) he wanted to punish Native American Indians for their political opposition
- (4) he sought complete control of Texas by the United States

Base your answer to question 13 on the painting below and on your knowledge of social studies.

Westward the Course of Empire Takes Its Way



Source: Emanuel Leutze, 1861

- 13 Which point of view is being conveyed by the artist?
- (1) praise for Manifest Destiny
 - (2) opposition to the end of slavery
 - (3) opposition to the purchase of Alaska
 - (4) encouragement of industrial development
-

Base your answers to questions 14 and 15 on the speakers' statements below and on your knowledge of social studies.

Speaker A: The right way to settle the question of slavery in the territories is to let the people who live there determine if their state is to be slave or free.

Speaker B: The Supreme Court's decision in *Dred Scott v. Sanford* is exactly what this country needs. Perhaps now the abolitionists will stop their meddling.

Speaker C: Secession is unlawful and treasonous. Everything possible must be done to preserve the Union.

Speaker D: The rights of the states must be protected. The federal government is exceeding its authority.

14 The solution proposed by *Speaker A* is known as

- (1) nullification (3) the spoils system
(2) popular sovereignty (4) federal supremacy

15 Which speaker most accurately represents the opinions of President Abraham Lincoln?

- (1) *A* (3) *C*
(2) *B* (4) *D*
-

16 Black Codes were established in the South immediately after the Civil War in an effort to

- (1) integrate freedmen into American society
(2) enforce the Emancipation Proclamation
(3) expand educational opportunities
(4) limit the rights of newly freed African Americans

Base your answers to questions 17 and 18 on the speakers' statements below and on your knowledge of social studies.

Speaker A: The government should not interfere with business. The market will regulate itself over time. Successful businesses will remain, while inefficient ones will be eliminated.

Speaker B: The inequalities resulting from unregulated capitalism are too vast. The individual worker and consumer are at the mercy of business owners. The government must do something to protect the people.

Speaker C: Government should own and manage the principal manufacturing, transportation, and banking industries.

Speaker D: The workers should control the industries in which they work. Profits should be shared equally among them.

17 Which action by the federal government was a step toward the approach to business favored by *Speaker B*?

- (1) passage of the Transcontinental Railway Act
(2) passage of the Sherman Antitrust Act
(3) creation of the civil service system
(4) decision by the Supreme Court in *United States v. E. C. Knight Co.*

18 Which speaker is expressing a viewpoint that is most consistent with the principles of laissez-faire economics?

- (1) *A* (3) *C*
(2) *B* (4) *D*
-

Base your answer to question 19 on the photographs below and on your knowledge of social studies.

Apache children on arrival at the Carlisle Indian School (Pennsylvania), 1886



Apache children at the Carlisle Indian School four months later, 1887



Source: National Museum of the American Indian, Smithsonian Institution

- 19 This pair of photographs suggests that the major purpose of the Carlisle Indian School was to
- (1) train future leaders in tribal traditions
 - (2) prepare children for life on the reservation
 - (3) teach skills needed for working in factories
 - (4) promote cultural assimilation

20 A major cause of antagonism toward the “new immigrants” who came to the United States after 1880 was the belief that they

- (1) were better educated than native-born Americans
- (2) had a higher standard of living than most Americans
- (3) adapted easily to American culture
- (4) competed with Americans for jobs as unskilled laborers

21 Secretary of State John Hay sent his Open Door Notes (1899–1900) to world powers to

- (1) keep Chinese workers from coming to America
- (2) secure a fair settlement in the Russo-Japanese War
- (3) protect United States trading interests in China
- (4) bring a peaceful end to the Boxer Rebellion

22 “...We therefore formulate, and for ourselves adopt the following pledge, asking our sisters and brothers of a common danger and a common hope, to make common cause with us, in working its reasonable and helpful precepts [principles] into the practice of everyday life.

I hereby solemnly promise, God helping me, to abstain from all distilled, fermented and malt liquors, including wine, beer and cider, and to employ all proper means to discourage the use of and traffic in the same....”

— National Woman’s Christian Temperance Union, 1908 (adapted)

According to this passage, those who adopted this pledge believed that

- (1) religion had no place in national politics
- (2) Congress should repeal Prohibition
- (3) alcohol consumption was damaging to society
- (4) only the government can solve social problems

- 23 One major goal of the Progressive movement was to
- (1) balance the federal budget by decreasing spending
 - (2) provide unemployment insurance to workers
 - (3) limit direct citizen control over government
 - (4) pass laws to help solve economic and social problems
- 24 One foreign policy goal of President Theodore Roosevelt was to
- (1) create future states by annexing Pacific island territories
 - (2) restrict European intervention in the Western Hemisphere
 - (3) limit United States investment in Latin America
 - (4) encourage independence movements in Africa
- 25 W. E. B. Du Bois and Booker T. Washington most strongly disagreed over which issue?
- (1) the constitutionality of the Sherman Antitrust Act
 - (2) the construction of the Panama Canal
 - (3) methods to achieve racial equality
 - (4) support for the Allies in World War I
- 26 After World War I, senators who opposed United States participation in the League of Nations argued that American membership in the organization would
- (1) limit the power of the president
 - (2) make trade with nonmember nations more difficult
 - (3) force the country to end traditional military alliances
 - (4) involve the nation in future world conflicts
- 27 The Great Migration during World War I refers to the movement of
- (1) factory workers from the Northeast to the Sun Belt
 - (2) communists deported to Russia as undesirable aliens
 - (3) African Americans to northern cities to find work
 - (4) refugees fleeing from eastern Europe to the United States
- 28 What was a major factor leading to the erosion of regional cultural differences in the 1920s?
- (1) development of television
 - (2) growing popularity of radio and motion pictures
 - (3) publication of novels by F. Scott Fitzgerald and Sinclair Lewis
 - (4) expansion of air travel after Charles Lindbergh's flight
- 29 During the 1920s, the trial of Sacco and Vanzetti, the Palmer raids, and the revival of the Ku Klux Klan demonstrate that
- (1) nativist sentiments were on the rise
 - (2) cultural values were similar between urban and rural Americans
 - (3) popular support for international involvement was increasing
 - (4) public support for limiting immigration was declining
- 30 A major difference between the philosophies of President Herbert Hoover and President Franklin D. Roosevelt in responding to the Great Depression is that Roosevelt
- (1) wanted to rely on private charities to provide assistance
 - (2) stressed the need for individual self-reliance
 - (3) supported direct relief to people out of work
 - (4) thought the government should not be involved in economic reform
- 31 Which federal agency, created during the New Deal, was intended to prevent serious problems in the stock market?
- (1) Social Security Administration
 - (2) Works Progress Administration
 - (3) Agricultural Adjustment Administration
 - (4) Securities and Exchange Commission

Base your answers to questions 32 and 33 on the cartoon below and on your knowledge of social studies.



Source: Joseph Parrish, *Chicago Tribune*, February 8, 1937

32 The main idea of this 1937 cartoon about President Franklin D. Roosevelt is that the president is

- (1) trying to increase the public's respect for the Supreme Court
- (2) seeking the Supreme Court's help against his political opponents
- (3) attempting to exercise too much influence over the Supreme Court
- (4) refusing to allow the Supreme Court to review legislation

33 One outcome of the situation referred to in the cartoon was that

- (1) President Roosevelt decided not to seek reelection
- (2) the Supreme Court ended most New Deal programs
- (3) President Roosevelt was impeached for abuse of his powers
- (4) Congress rejected President Roosevelt's effort to pack the Supreme Court

Base your answer to question 34 on the illustrations below and on your knowledge of social studies.



Source: War Production Board, 1943



Source: Office of War Information, 1943

- 34 These illustrations were used during World War II to encourage women to
- (1) raise revenue by buying war bonds
 - (2) conserve household products to support the war effort
 - (3) donate food to help feed the Allied forces
 - (4) support the war effort by working in defense industries

35 After World War II, the legal basis for the criminal trials of German and Japanese wartime officials by the Allies was that these officials had

- (1) overthrown monarchies by force
- (2) violated nonaggression pacts
- (3) committed crimes against humanity
- (4) established communist police states

36 The North Atlantic Treaty Organization (NATO) was formed in 1949 primarily to

- (1) provide for the mutual defense of the member nations
- (2) promote social and cultural exchanges between members
- (3) promote free trade between the United States and Asia
- (4) rebuild Western Europe's war-ravaged economy

Base your answer to question 37 on the passage below and on your knowledge of social studies.

...It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale. ...

— President Harry Truman, Executive Order 9981, July 26, 1948

- 37 According to the passage, the principal goal of President Truman in issuing this executive order was to
- (1) stop the military draft
 - (2) end segregation in the armed forces
 - (3) increase opportunities for women to serve in combat
 - (4) ensure an adequate number of troops to fight in the Cold War

-
- 38 **“U.S. Sends Aid to Greece and Turkey”**
“China Falls to Red Communists”
“Senator Joe McCarthy Claims Communists Infest U.S. Government”

Which generalization regarding these headlines is most valid?

- (1) The Cold War affected United States domestic and foreign policy.
- (2) The Soviet Union assisted in the rebuilding of Japan after World War II.
- (3) The United States returned to a foreign policy of neutrality after World War II.
- (4) The United Nations led the effort to contain fascism.

Base your answers to questions 39 and 40 on the interview below and on your knowledge of social studies.

...[Reporter Mike] WALLACE: All right, sir. A Federal District Court has already ruled that Little Rock [Arkansas] Central High School should be integrated. And the reasons for preventing integration now are anemic [weak]. In view of your promise to the President [Dwight D. Eisenhower], will you respect this decision and give your okay to integration beginning tomorrow morning?

...[Governor Orval] FAUBUS: I've previously given my okay to integration. The Guard was not called out to prevent integration, but to keep the peace and order of the community. And, of course, I disagree with your preliminary statement that we are in defiance of a Federal Court order, based upon the premise that the peace and good order of the community is paramount to all other issues. ...

— Mike Wallace interview with Arkansas Governor Orval Faubus, September 15, 1957

- 39 The issue discussed in this interview grew out of an effort to enforce the Supreme Court decision in
- (1) *Dred Scott v. Sanford*
 - (2) *Plessy v. Ferguson*
 - (3) *Brown v. Board of Education of Topeka*
 - (4) *Heart of Atlanta Motel v. United States*
- 40 The confrontation between Governor Faubus and President Eisenhower referred to in this interview was ended by the
- (1) use of federal troops to protect African American students
 - (2) passage of the Voting Rights Act by Congress
 - (3) forced resignation of Governor Faubus
 - (4) immediate desegregation of all Southern schools

Base your answer to question 41 on the newspaper headlines below and on your knowledge of social studies.



Source: *New York Daily News*,
October 23, 1962 (adapted)

- 41 The crisis highlighted in these newspaper headlines was the
- (1) invasion of the Bay of Pigs in Cuba
 - (2) election of Fidel Castro as president of Cuba
 - (3) opposition of Cuba to the Alliance for Progress
 - (4) placement of nuclear missiles in Cuba by the Soviet Union
-
- 42 Which development was a direct result of the baby boom that followed World War II?
- (1) decrease in school construction
 - (2) increase in suburbanization
 - (3) decline in crime rates
 - (4) rise in immigration
- 43 During the 1960s and 1970s, Cesar Chavez worked to unionize migrant farm workers by
- (1) seizing the land of the lettuce and grape growers
 - (2) securing passage of federal legislation to limit immigration
 - (3) using nonviolent tactics such as boycotts and hunger strikes
 - (4) urging growers to reduce the workforce through mechanization

Base your answer to question 44 on the letter below and on your knowledge of social studies.

CLARK M. CLIFFORD
815 Connecticut Avenue
Washington, D.C. 20006

May 17, 1965

The President
The White House

Dear Mr. President:

...I believe our ground forces in South Vietnam should be kept to a minimum, consistent with the protection of our installations and property in that country. My concern is that a substantial buildup of U.S. ground troops would be construed by the Communists, and by the world, as a determination on our part to win the war on the ground.

This could be a quagmire. It could turn into an open end commitment on our part that would take more and more ground troops, without a realistic hope of ultimate victory.

I do not think the situation is comparable to Korea. The political posture of the parties involved, and the physical conditions, including terrain, are entirely different. ...

Respectfully yours,
Clark

— National Security Archive,
The George Washington University

- 44 What advice about United States involvement in Vietnam is President Lyndon B. Johnson being given in this letter?
- (1) Escalation of the Vietnam War is necessary to stop communist expansion.
 - (2) Increasing the United States military commitment to Vietnam would be a mistake.
 - (3) Victory in the Vietnam War will be assured if the president continues his policies.
 - (4) Military success in Vietnam is improving the president's chances for reelection.
-

Base your answer to question 45 on the cartoon below and on your knowledge of social studies.

“STRANGE — THEY ALL SEEM TO HAVE SOME CONNECTION WITH THIS PLACE”



Source: Herblock, *Washington Post*, June 23, 1972 (adapted)

- 45 The investigations that are the subject of this cartoon resulted in the
- (1) authorization of public financing of all federal elections
 - (2) eventual resignation of President Richard Nixon
 - (3) upholding of President Nixon’s right to executive privilege by the Supreme Court
 - (4) issuance of pardons for presidential aides

- 46 **“Iran Starts Uranium Enrichment Program”**
“North Korea Conducts Underground Atomic Tests”
“Pakistan Accused of Selling Atomic Secrets to Libya”

These headlines are most closely related to United States national security concerns over the

- (1) proliferation of nuclear weapons
- (2) construction of nuclear power plants
- (3) effectiveness of the nuclear test ban treaty
- (4) enforcement of the Strategic Arms Limitation Treaty

Base your answer to question 47 on the passage below and on your knowledge of social studies.

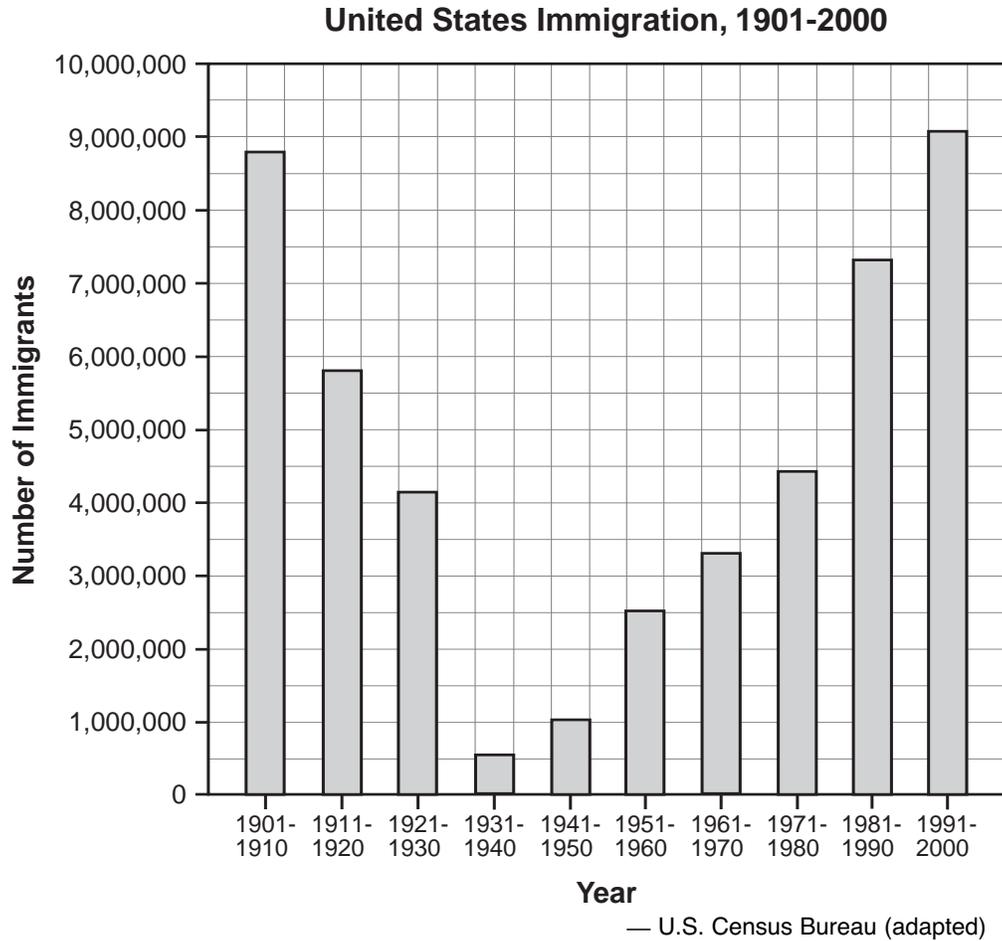
...Capitalism, demonstrably the greatest of the constructed economic systems, has in the past decade clearly proved its advantages over the alternative systems. The information highway will magnify those advantages. It will allow those who produce goods to see, a lot more efficiently than ever before, what buyers want, and will allow potential consumers to buy those goods more efficiently. Adam Smith would be pleased. More important, consumers everywhere will enjoy the benefits.

— Bill Gates, 1995

- 47 Which statement most accurately expresses the main idea of this passage?
- (1) Information technology will make it easier to buy and sell goods.
 - (2) Information technology will make capitalism obsolete.
 - (3) Government must regulate the information technology industry.
 - (4) The costs of information technology will outweigh its benefits.

- 48 The terms *containment*, *domino theory*, and *massive retaliation* are most closely associated with United States foreign policy efforts to
- (1) maintain neutrality during World War I (1914–1917)
 - (2) avoid conflict with Germany and Japan in the 1930s
 - (3) wage the Cold War in the 1950s
 - (4) increase trade with Latin America in the 1970s

Base your answers to questions 49 and 50 on the graph below and on your knowledge of social studies.



- 49 Which conclusion is most clearly supported by information in the graph?
- (1) Immigration increased in every decade throughout the 1900s.
 - (2) Immigrants have a higher birth rate than native-born Americans.
 - (3) Immigration is likely to decrease significantly in the future.
 - (4) Immigration in the 1990s was about the same as in the first decade of the 1900s.

- 50 The level of immigration shown on the graph for the 1930s and 1940s was mainly due to
- (1) the lack of free land in the United States
 - (2) a worldwide economic crisis and warfare
 - (3) nativist attacks on new immigrants
 - (4) improved political conditions in Europe

Answers to the essay questions are to be written in the separate essay booklet.

In developing your answer to Part II, be sure to keep these general definitions in mind:

- (a) **describe** means “to illustrate something in words or tell about it”
- (b) **discuss** means “to make observations about something using facts, reasoning, and argument; to present in some detail”

Part II

THEMATIC ESSAY QUESTION

Directions: Write a well-organized essay that includes an introduction, several paragraphs addressing the task below, and a conclusion.

Theme: Government (Congressional Legislation)

Throughout United States history, Congress has passed legislation to address important social and economic issues. These laws have often had a significant impact on the United States and/or on American society.

Task:

Select **two** pieces of legislation passed by the United States Congress and for **each**

- Describe the historical circumstances that led to the passage of the legislation
- Discuss the impact of the law on the United States and/or on American society

You may use any congressional legislation that was intended to address an important issue. Some suggestions you might wish to consider include:

Missouri Compromise (1820)	Wagner Act/National Labor Relations Act (1935)
Fugitive Slave Act (1850)	Interstate Highway Act (1956)
Homestead Act (1862)	Civil Rights Act (1964)
Meat Inspection Act (1906)	Title IX of the Education Amendments (1972)
Federal Reserve Act (1913)	North American Free Trade Agreement (1992)

You are *not* limited to these suggestions.

Do *not* use the USA Patriot Act because information on this act appears in the Document-Based Question.

Do *not* use a constitutional amendment as constitutional amendments are adopted through a different process than that used for congressional legislation.

Guidelines:

In your essay, be sure to:

- Develop all aspects of the task
- Support the theme with relevant facts, examples, and details
- Use a logical and clear plan of organization, including an introduction and a conclusion that are beyond a restatement of the theme

Part III

DOCUMENT-BASED QUESTION

This question is based on the accompanying documents. The question is designed to test your ability to work with historical documents. Some of these documents have been edited for the purposes of this question. As you analyze the documents, take into account the source of each document and any point of view that may be presented in the document. Keep in mind that the language used in a document may reflect the historical context of the time in which it was written.

Historical Context:

During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Three such decisions were **Abraham Lincoln's suspension of habeas corpus**, **Franklin D. Roosevelt's executive order to relocate Japanese Americans**, and **George W. Bush's signing of the USA Patriot Act**.

Task: Using the information from the documents and your knowledge of United States history, answer the questions that follow each document in Part A. Your answers to the questions will help you write the Part B essay in which you will be asked to

Choose *two* of the presidential decisions affecting civil liberties listed in the historical context and for *each*

- Describe the historical circumstances that led to this decision
- Discuss an argument of those *in favor of* **and** an argument of those *opposed to* this presidential decision

In developing your answers to Part III, be sure to keep these general definitions in mind:

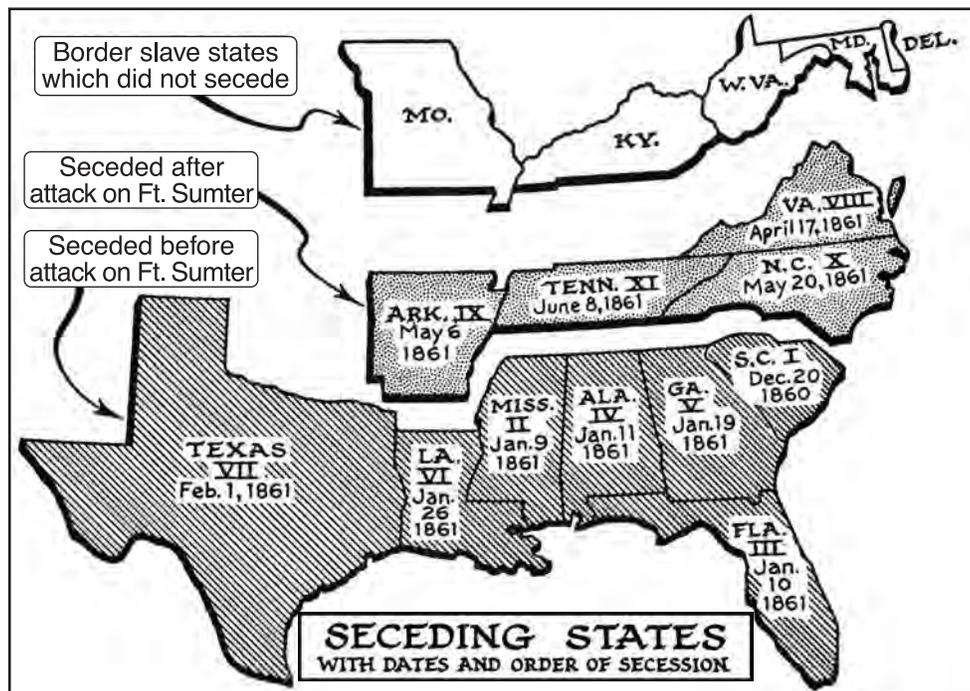
- (a) describe means “to illustrate something in words or tell about it”
(b) discuss means “to make observations about something using facts, reasoning, and argument; to present in some detail”

Part A

Short-Answer Questions

Directions: Analyze the documents and answer the short-answer questions that follow each document in the space provided.

Document 1a



Source: Kennedy and Bailey, eds., *The American Spirit, Volume I: To 1877*, Houghton Mifflin, 2002 (adapted)

Document 1b

...After a mob in Baltimore attacked the 6th Massachusetts Infantry as it passed through the city on its way to defend Washington in April 1861, other Confederate sympathizers in Maryland tore down telegraph wires and burned railroad bridges linking the capital to the outside world. In response, Lincoln suspended the writ of habeas corpus [protection against unlawful detention] between Philadelphia and Washington. Subsequent presidential orders expanded the areas where the writ was suspended until a proclamation of September 24, 1862, suspended it throughout the whole country—North as well as South—and for good measure authorized martial law and trials by military courts of “all Rebels and Insurgents, their aiders and abettors [supporters]. . . and all persons discouraging volunteer enlistments, resisting militia drafts, or guilty of any disloyal practice, affording aid and comfort to Rebels against the authority of the United States.” ...

Source: James M. McPherson, *This Mighty Scourge: Perspectives on the Civil War*, Oxford University Press, 2007 (adapted)

1 Based on these documents, what are **two** problems faced by President Abraham Lincoln in 1861? [2]

(1) _____

Score

(2) _____

Score

Document 2a

On May 16, 1863, the Democratic Committee of Albany, NY, adopted several resolutions denouncing alleged abuses of the Constitution by President Abraham Lincoln. Document 2a is an excerpt from the president's letter responding to their criticism about the suspension of habeas corpus.

...Ours is a case of rebellion—so called by the resolutions before me—in fact, a clear, flagrant, and gigantic case of rebellion; and the provision of the Constitution that “the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it,” is *the* provision which specially applies to our present case. ...

Source: President Abraham Lincoln, “The Truth from an Honest Man: The Letter of the President,” 1863

Document 2b

...In Lincoln's opinion, the framers of the Constitution had been wise to include a provision allowing for the suspension of the writ of *habeas corpus*, which was necessary to prevent “sudden and extensive uprisings against the government.” Lincoln explained to the Albany Democrats that Vallandigham's [former Ohio Congressman Clement Vallandigham] arrest was not, as they mistakenly believed, premised on his criticism of the administration. The Democrats had charged the administration with arresting Vallandigham in an effort to silence him, and the *Atlas and Argus* had opined [expressed the opinion] that “[t]he arrest is a threat against every public man who refuses to advocate the extreme measures of the Abolition Cabinet”; but Lincoln declared that Vallandigham had been arrested for his avowed hostility to the Union's war efforts, his laboring to prevent the raising of troops, and his encouragement of desertions from the army.

Furthermore, Vallandigham's efforts, aimed at damaging the army and leaving the Union without an adequate military force to suppress the rebellion, were intolerable to the administration and antithetical [opposed] to the Union's attempt to preserve the nation. Lincoln explained that experience showed that armies could not be maintained unless those who deserted were punished by death. He believed that Vallandigham's efforts to encourage desertions were equally detrimental to the nation and should likewise be punished by death. Then came the most-remembered passage of Lincoln's reply: “Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? ... I think that in such a case, to silence the agitator, and save the boy, is not only constitutional, but, withal, a great mercy.” ...

Source: Frank J. Williams, “When Albany Challenged the President,” *New York Archives*, Winter 2009

- 2 Based on these documents, what is **one** argument used to **support** the suspension of the writ of habeas corpus by President Lincoln? [1]

Score

Document 3a

...The clause of the constitution, which authorizes the suspension of the privilege of the writ of habeas corpus, is in the 9th section of the first article. This article is devoted to the legislative department of the United States, and has not the slightest reference to the executive department. It begins by providing “that all legislative powers therein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.” And after prescribing the manner in which these two branches of the legislative department shall be chosen, it proceeds to enumerate specifically the legislative powers which it thereby grants [and legislative powers which it expressly prohibits]; and at the conclusion of this specification, a clause is inserted giving congress “the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof.” ...

Source: Chief Justice Roger B. Taney, *Ex Parte Merryman*, May 1861 (adapted)

3a According to this document, why does Chief Justice Roger Taney think President Abraham Lincoln does **not** have the right to suspend habeas corpus? [1]

Score

Document 3b

...These actions were contentious [controversial] at the time; the suspension of habeas corpus and the creation of military courts, if not the Emancipation Proclamation, remain controversial among historians today. Lincoln’s use of these war powers established precedents invoked by subsequent presidents in wartime. Whether they were constitutional or necessary in the 1860s or in later wars remains a matter of dispute. In the *Milligan* case of 1866 the U.S. Supreme Court declared unconstitutional the trial of civilians by military courts in areas where the civil courts are open. And some of the Lincoln administration’s actions, such as the arrest of Maryland legislators and other officials in September 1861, seemed excessive and unjustified by any reasonable military necessity. ...

Source: James M. McPherson, *Tried By War: Abraham Lincoln as Commander in Chief*, Penguin Press, 2008 (adapted)

3b According to James McPherson, what is **one** argument used by those who **opposed** the suspension of habeas corpus by President Lincoln? [1]

Score

Document 4a

Mr. Vice President, and Mr. Speaker, and Members of the Senate and House of Representatives: Yesterday, December 7, 1941—a date which will live in infamy—the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan.

The United States was at peace with that Nation and, at the solicitation of Japan, was still in conversation with its Government and its Emperor looking toward the maintenance of peace in the Pacific. ...

As Commander in Chief of the Army and Navy I have directed that all measures be taken for our defense.

But always will our whole Nation remember the character of the onslaught against us. ...

Source: President Franklin D. Roosevelt, Address to Congress, December 8, 1941

Document 4b

...The Army, however, justified evacuation on the grounds of military necessity. According to DeWitt's [General John L. DeWitt, chief of the army's Western Defense Command] report: "The continued presence of a large, unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, custom and religion along a frontier vulnerable to attack constituted a menace which had to be dealt with." Even the absence of any overt act of sabotage caused suspicion, for it was taken as proof that plans had been carefully worked out and an "invisible deadline" was drawing near. Yet while the threat of Japanese forays [attacks] against the West Coast was not in fact removed until after the Battle of Midway in June 1942, and while the supposition that all Japanese-Americans were potential fifth columnists [spies] drew strength from a report on Pearl Harbor that erroneously ascribed [attributed] American losses to espionage, the Army's decision to relocate all Japanese resulted as much from the clamor of pressure groups as from an appraisal of military risk. "There's a tremendous volume of public opinion now developing against the Japanese of all classes," DeWitt reported late in January. "As a matter of fact, it's not being instigated or developed by people who are not thinking but by the best people of California." ...

Source: Richard Polenber, *War and Society: The United States 1941–1945*, J.B. Lippincott Company (adapted)

4 Based on these documents, state **two** circumstances that led to President Roosevelt's decision to relocate Japanese Americans living on the West Coast of the United States. [2]

(1) _____

Score

(2) _____

Score

Document 5a

Their Best Way to Show Loyalty

Japanese leaders in California who are counseling their people, both aliens and native-born, to co-operate with the Army in carrying out the evacuation plans are, in effect, offering the best possible way for all Japanese to demonstrate their loyalty to the United States.

Many aliens and practically all the native-born have been protesting their allegiance to this Government. Although their removal to inland districts outside the military zones may inconvenience them somewhat, even work serious hardships upon some, they must certainly recognize the necessity of clearing the coastal combat areas of all possible fifth columnists and saboteurs. Inasmuch as the presence of enemy agents cannot be detected readily when these areas are thronged by Japanese the only course left is to remove all persons of that race for the duration of the war. ...

Real danger would exist for all Japanese if they remained in the combat area. The least act of sabotage might provoke angry reprisals that easily could balloon into bloody race riots.

We must avoid any chance of that sort of thing. The most sensible, the most humane way to insure against it is to move the Japanese out of harm's way and to make it as easy as possible for them to go and to remain away until the war is over.

Source: *San Francisco News*, editorial, March 6, 1942

Document 5b

All Packed Up and Ready To Go



Source: Douglas Rodger, *San Francisco News*, March 6, 1942 (adapted)

- 5 Based on these documents, what was **one** argument of the *San Francisco News* to **support** the removal of the Japanese from the West Coast? [1]

Score

Document 6

United States Supreme Court Justice Frank Murphy disagreed with the majority decision in *Korematsu v. United States*. His dissent focused on the reasons the forced evacuation of Japanese Americans was unconstitutional.

...The main reasons relied upon by those responsible for the forced evacuation, therefore, do not prove a reasonable relation between the group characteristics of Japanese Americans and the dangers of invasion, sabotage and espionage. The reasons appear, instead, to be largely an accumulation of much of the misinformation, half-truths and insinuations that for years have been directed against Japanese Americans by people with racial and economic prejudices—the same people who have been among the foremost advocates of the evacuation. A military judgment based upon such racial and sociological considerations is not entitled to the great weight ordinarily given the judgments based upon strictly military considerations. Especially is this so when every charge relative to race, religion, culture, geographical location, and legal and economic status has been substantially discredited by independent studies made by experts in these matters. ...

I dissent, therefore, from this legalization of racism. Racial discrimination in any form and in any degree has no justifiable part whatever in our democratic way of life. It is unattractive in any setting, but it is utterly revolting among a free people who have embraced the principles set forth in the Constitution of the United States. All residents of this nation are kin in some way by blood or culture to a foreign land. Yet they are primarily and necessarily a part of the new and distinct civilization of the United States. They must, accordingly, be treated at all times as the heirs of the American experiment, and as entitled to all the rights and freedoms guaranteed by the Constitution.

Source: Justice Frank Murphy, Dissenting Opinion, *Korematsu v. United States*, December 18, 1944 (adapted)

6 State **one** reason Supreme Court Justice Frank Murphy believed the forced evacuation of Japanese Americans was unconstitutional. [1]

Score

Document 7

...On September 11th, enemies of freedom committed an act of war against our country. Americans have known wars, but for the past 136 years, they have been wars on foreign soil, except for one Sunday in 1941. Americans have known the casualties of war, but not at the center of a great city on a peaceful morning. Americans have known surprise attacks, but never before on thousands of civilians. All of this was brought upon us in a single day, and night fell on a different world, a world where freedom itself is under attack. ...

Tonight we face new and sudden national challenges. We will come together to improve air safety, to dramatically expand the number of air marshals on domestic flights and take new measures to prevent hijacking. We will come together to promote stability and keep our airlines flying, with direct assistance during this emergency.

We will come together to give law enforcement the additional tools it needs to track down terror here at home. We will come together to strengthen our intelligence capabilities, to know the plans of terrorists before they act and find them before they strike. ...

Source: President George W. Bush, Address Before Joint Session of Congress, September 20, 2001

7 Why did President George W. Bush call for a strengthening of law enforcement programs in 2001? [1]

Score

Document 8

Congress passed the Patriot Act just weeks after the September 11 attacks by overwhelming margins in the House and Senate. In the House, the vote was 357 to 66; in the Senate 98 to 1.

Many of the tools the Act provides to law enforcement to fight terrorism have been used for decades to fight organized crime and drug dealers, and have been reviewed and approved by the courts. The Patriot Act largely applies current law to the crimes of terrorism, including the use of chemical weapons, weapons of mass destruction, killing Americans abroad and financing terrorist activities.

There have been reports in the media about the Patriot Act, and how it will affect our civil liberties. In many cases, there are grave misunderstandings about several provisions in the Act. After learning more about the Act, I hope Americans can separate myth from reality. ...

Since the Patriot Act was signed into law, federal investigators have disrupted terror cells in at least six American cities and the Department of Justice has charged over 300 persons in terrorism-related investigations. So far, more than half of those individuals have been convicted or pled guilty. ...

The government's success in preventing another catastrophic attack on the American homeland since September 11th would have been much more difficult, if not impossible, without the Patriot Act.

Source: Congressman Lamar Smith, "The Patriot Act Protects Americans," April 23, 2004

8a According to Congressman Lamar Smith, what was the purpose of the USA Patriot Act? [1]

Score

b In 2004, what was **one** reason Congressman Lamar Smith believed the USA Patriot Act had been successful? [1]

Score

Document 9a

WASHINGTON, March 22 — Battle lines were drawn Tuesday in the debate over the government's counterterrorism powers, as an unlikely coalition of liberal civil-rights advocates, conservative libertarians, gun-rights supporters and medical privacy advocates voiced their objections to crucial parts of the law that expanded those powers after the attacks of Sept. 11, 2001.

Keeping the law intact "will do great and irreparable harm" to the Constitution by allowing the government to investigate people's reading habits, search their homes without notice and pry into their personal lives, said Bob Barr, a former Republican congressman who is leading the coalition.

Mr. Barr voted for the law, known as the USA Patriot Act, in the House just weeks after the Sept. 11 attacks but has become one of its leading critics, a shift that reflects the growing unease among some conservative libertarians over the expansion of the government's powers in fighting terrorism.

He joined with other conservatives as well as the American Civil Liberties Union on Tuesday in announcing the creation of the coalition, which hopes to curtail some of the law's more sweeping law-enforcement provisions. ...

The coalition of liberals and conservatives said it had no quarrel with the majority of the expanded counterterrorism tools that the law provided, some of which amounted to modest upgrades in the government's ability to use modern technology in wiretapping phone calls and the like.

But the group said it would focus its efforts on urging Congress to scale back three provisions of the law that let federal agents conduct "sneak and peek" searches of a home or business without immediately notifying the subject of such searches; demand records from institutions like libraries and medical offices; and use a broad definition of terrorism in pursuing suspects. ...

Source: Eric Lichtblau, "Coalition Forms to Oppose Parts of Antiterrorism Law," *New York Times*, March 23, 2005

Jasper County Public Library

A Warning From Your Library

Although the Jasper County Public Library makes every effort to protect your privacy, under the USA PATRIOT Act (Public Law 107-56), records of all the materials you borrow from this library may be obtained by federal agents and your Internet use could be monitored. This federal law prohibits library staff from informing you if federal agents have obtained records about you.

Source: Jasper County (Indiana) Public Library, January 12, 2011 (adapted)

9 Based on these documents, what are *two* reasons for opposition to the USA Patriot Act? [2]

(1) _____

Score

(2) _____

Score

Part B

Essay

Directions: Write a well-organized essay that includes an introduction, several paragraphs, and a conclusion. Use evidence from *at least four* documents in your essay. Support your response with relevant facts, examples, and details. Include additional outside information.

Historical Context:

During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Three such decisions were **Abraham Lincoln's suspension of habeas corpus**, **Franklin D. Roosevelt's executive order to relocate Japanese Americans**, and **George W. Bush's signing of the USA Patriot Act**.

Task: Using the information from the documents and your knowledge of United States history, write an essay in which you

Choose *two* of the presidential decisions affecting civil liberties listed in the historical context and for *each*

- Describe the historical circumstances that led to this decision
- Discuss an argument of those *in favor of* **and** an argument of those *opposed to* this presidential decision

Guidelines:

In your essay, be sure to

- Develop all aspects of the task
- Incorporate information from *at least four* documents
- Incorporate relevant outside information
- Support the theme with relevant facts, examples, and details
- Use a logical and clear plan of organization, including an introduction and a conclusion that are beyond a restatement of the theme

REGENTS EXAM IN U.S. HISTORY AND GOVERNMENT

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REGENTS HIGH SCHOOL EXAMINATION

UNITED STATES HISTORY AND GOVERNMENT

VOLUME
1 OF **2**
MC & THEMATIC

Wednesday, January 28, 2015 — 9:15 a.m. to 12:15 p.m., only

SCORING KEY FOR PART I AND RATING GUIDE FOR PART II (THEMATIC ESSAY)

Updated information regarding the rating of this examination may be posted on the New York State Education Department's web site during the rating period. Visit the site at: <http://www.p12.nysed.gov/assessment/> and select the link "Scoring Information" for any recently posted information regarding this examination. This site should be checked before the rating process for this examination begins and several times throughout the Regents Examination period.

Scoring the Part I Multiple-Choice Questions

Follow the procedures set up by the Regional Information Center, the Large City Scanning Center, and/or the school district for scoring the multiple-choice questions. **If the student's responses for the multiple-choice questions are being hand scored prior to being scanned, the scorer must be careful not to make any marks on the answer sheet except to record the scores in the designated score boxes. Any other marks on the answer sheet will interfere with the accuracy of scanning.**

Multiple Choice for Part I Allow 1 credit for each correct response.

Part I			
1 3	13 1	26 4	39 3
2 4	14 2	27 3	40 1
3 2	15 3	28 2	41 4
4 1	16 4	29 1	42 2
5 1	17 2	30 3	43 3
6 4	18 1	31 4	44 2
7 4	19 4	32 3	45 2
8 3	20 4	33 4	46 1
9 1	21 3	34 2	47 1
10 2	22 3	35 3	48 3
11 2	23 4	36 1	49 4
12 1	24 2	37 2	50 2
	25 3	38 1	

Contents of the Rating Guide

For **Part I** (Multiple-Choice Questions):

- Scoring Key

For **Part II** (thematic) essay:

- A content-specific rubric
- Prescored answer papers. Score levels 5 and 1 have two papers each, and score levels 4, 3, and 2 have three papers each. They are ordered by score level from high to low.
- Commentary explaining the specific score awarded to each paper
- Five prescored practice papers

General:

- Test Specifications
- Web addresses for the test-specific conversion chart and teacher evaluation forms

Mechanics of Rating

The following procedures are to be used in rating essay papers for this examination. More detailed directions for the organization of the rating process and procedures for rating the examination are included in the *Information Booklet for Scoring the Regents Examination in Global History and Geography and United States History and Government*.

Rating the Essay Question

(1) Follow your school's procedures for training raters. This process should include:

Introduction to the task—

- Raters read the task
- Raters identify the answers to the task
- Raters discuss possible answers and summarize expectations for student responses

Introduction to the rubric and anchor papers—

- Trainer leads review of specific rubric with reference to the task
- Trainer reviews procedures for assigning holistic scores, i.e., by matching evidence from the response to the rubric
- Trainer leads review of each anchor paper and commentary

Practice scoring individually—

- Raters score a set of five papers independently without looking at the scores and commentaries provided
- Trainer records scores and leads discussion until the raters feel confident enough to move on to actual rating

(2) When actual rating begins, each rater should record his or her individual rating for a student's essay on the rating sheet provided, *not* directly on the student's essay or answer sheet. The rater should *not* correct the student's work by making insertions or changes of any kind.

(3) Each essay must be rated by at least two raters; a third rater will be necessary to resolve scores that differ by more than one point.

Schools are not permitted to rescore any of the open-ended questions (scaffold questions, thematic essay, DBQ essay) on this exam after each question has been rated the required number of times as specified in the rating guides, regardless of the final exam score. Schools are required to ensure that the raw scores have been added correctly and that the resulting scale score has been determined accurately. Teachers may not score their own students' answer papers.

United States History and Government
Content-Specific Rubric
Thematic Essay
January 2015

Theme: Government (Congressional Legislation)

Throughout United States history, Congress has passed legislation to address important social and economic issues. These laws have often had a significant impact on the United States and/or on American society.

Task: Select *two* pieces of legislation passed by the United States Congress and for *each*

- Describe the historical circumstances that led to the passage of the legislation
- Discuss the impact of the law on the United States and/or on American society

You may use any congressional legislation that was intended to address an important issue. Some suggestions you might wish to consider include:

Missouri Compromise (1820)

Fugitive Slave Act (1850)

Homestead Act (1862)

Meat Inspection Act (1906)

Federal Reserve Act (1913)

Wagner Act/National Labor Relations Act (1935)

Interstate Highway Act (1956)

Civil Rights Act (1964)

Title IX of the Education Amendments (1972)

North American Free Trade Agreement (1992)

You are *not* limited to these suggestions.

Do *not* use the USA Patriot Act because information on this act appears in the Document-Based Question.

Do *not* use a constitutional amendment as constitutional amendments are adopted through a different process than that used for congressional legislation.

Scoring Notes:

1. This thematic essay has a minimum of *four* components (discussing the historical circumstances that led to the passage of *two* pieces of congressional legislation **and** the impact of *each* law on the United States and/or on American society).
2. Amendments to the Constitution may *not* be used as examples of congressional legislation as they are adopted through a different process than that used for congressional legislation.
3. State and local laws may *not* be used as examples of congressional legislation.
4. The USA Patriot Act may *not* be used as an example as information related to it is contained in the Document-Based Question.
5. The discussion of the historical circumstances that led to the legislation may focus on the narrow events leading up to the passage of the legislation or it may consider the broader issues of the time period, e.g., *Civil Rights Act*: discussing popular support for the 1963 March on Washington *or* discussing the Jim Crow discrimination faced by African Americans for many decades.
6. The specific provisions of the law do not need to be stated, although they may be included in the discussion as either historical circumstances or as the impact of the law.
7. Two laws passed by Congress with similar historical circumstances and/or impacts may be selected as long as separate and distinct information is discussed for each, e.g., the Missouri Compromise and the Compromise of 1850.
8. The discussion of the impact of the law on the United States and/or on American society may focus on either its immediate or its long-term effect.
9. The response may discuss the impact of the legislation from any perspective as long as the position taken is supported by accurate facts and examples.
10. If more than two pieces of legislation passed by the United States Congress are selected, only the first two pieces of legislation should be scored. However, other legislation that relates to the two selections may be discussed.

Score of 5:

- Thoroughly develops **all** aspects of the task evenly and in depth by discussing the historical circumstances that led to the passage of **two** pieces of congressional legislation and an impact of **each** on the United States and/or on American society
- Is more analytical than descriptive (analyzes, evaluates, and/or creates* information), e.g., *Meat Inspection Act*: connects the Progressive challenge to laissez-faire, profit-driven business practices and the publication of Upton Sinclair’s *The Jungle* to a federal regulatory program that increased public safety through mandated government inspections, established a precedent for further consumer protection, and increased the size of the government bureaucracy; *Interstate Highway Act*: connects the Cold War goal of military preparedness, the housing demands of a growing population, and the inadequate quality of the existing state and local roads to the construction of a massive, federally funded interstate highway system that resulted in greater dependence on the automobile, a mass migration to suburbs, and the decay of inner cities
- Richly supports the theme with relevant facts, examples, and details, e.g., *Meat Inspection Act*: trusts; Chicago slaughterhouses; Philip Armour; rotten meat; muckraker; President Theodore Roosevelt; Pure Food and Drug Act; product recalls; e-coli; salmonella; *Interstate Highway Act*: President Dwight D. Eisenhower; evacuation routes; public works project; fossil fuel dependence; GI Bill; American dream; Levittown; “white flight”; bedroom communities; erosion of tax base
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 4:

- Develops **all** aspects of the task but may do so somewhat unevenly by discussing one aspect of the task less thoroughly than the other aspects of the task *or* discussing all aspects of the task for one piece of legislation more thoroughly than for the second piece of legislation
- Is both descriptive and analytical (applies, analyzes, evaluates, and/or creates* information), e.g., *Meat Inspection Act*: discusses how the Progressive call for economic reform and public outrage after Upton Sinclair’s exposé of the meatpacking industry prompted passage of the Meat Inspection Act that ordered federal inspections of meat-packers and led to improved food safety and regulation of consumer goods; *Interstate Highway Act*: discusses how the need for a coordinated system of roads for military use and the demand for housing after World War II led to the building of the interstate highway system that resulted in the growth of suburbs and the decay of cities
- Supports the theme with relevant facts, examples, and details
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 3:

- Develops **all** aspects of the task in little depth *or* develops **at least three** aspects of the task in some depth
- Is more descriptive than analytical (applies, may analyze and/or evaluate information)
- Includes some relevant facts, examples, and details; may include some minor inaccuracies
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that may be a restatement of the theme

Note: If **both** components of the task for **one** piece of legislation have been thoroughly developed evenly and in depth, and if the response meets most of the other Level 5 criteria, the overall response may be a Level 3 paper.

Score of 2:

- Minimally develops *all* aspects of the task *or* develops *at least two* aspects of the task in some depth
- Is primarily descriptive; may include faulty, weak, or isolated application or analysis
- Includes few relevant facts, examples, and details; may include some inaccuracies
- Demonstrates a general plan of organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Score of 1:

- Minimally develops some aspects of the task
- Is descriptive; may lack understanding, application, or analysis
- Includes few relevant facts, examples, or details; may include inaccuracies
- May demonstrate a weakness in organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Score of 0:

Fails to develop the task or may only refer to the theme in a general way; *OR* includes no relevant facts, examples, or details; *OR* includes only the theme, task, or suggestions as copied from the test booklet; *OR* is illegible; *OR* is a blank paper

*The term *create* as used by Anderson/Krathwohl, et al. in their 2001 revision of Bloom's *Taxonomy of Educational Objectives* refers to the highest level of the cognitive domain. This usage of create is similar to Bloom's use of the term *synthesis*. Creating implies an insightful reorganization of information into a new pattern or whole. While a Level 5 paper will contain analysis and/or evaluation of information, a very strong paper may also include examples of creating information as defined by Anderson and Krathwohl.

All sample student essays in this rating guide are presented in the same cursive font while preserving actual student work, including errors. This will ensure that the sample essays are easier for raters to read and use as scoring aids.

Raters should continue to disregard the quality of a student's handwriting in scoring examination papers and focus on how well the student has accomplished the task. The content-specific rubric should be applied holistically in determining the level of a student's response.

From the conception of the modern American system of government under the U.S. Constitution, the separation of powers in government & the preeminent will of the people has been a primary concern of all American citizens. In efforts to avoid the aristocracy of the traditional British system of government & the abuse of state power under the Articles of Confederation, the U.S. government was effectively divided into three distinct branches of government. Of these three branches, America's founding fathers split the legislative branch into the Senate & House of Representatives. Under the bicameral legislature, the U.S. Congress has passed an array of significant acts over its history. Two of Congress's most important acts have been the Missouri Compromise & the Meat Inspection Act of 1906.

Throughout the nineteenth century, the balance of power in Congress was tenuous at best. With slavery emerging as a national issue, both the North & South wished to maintain their respective standings in the House & Senate. It was a period in America's history which would determine the importance of the institution of slavery in the nation's economic system. Due to these sectional differences regarding slavery, the acceptance of new western states into the Union became increasingly controversial. A conflict emerged when Missouri sought admission to the Union as a slave state. The Great Compromiser, Henry Clay resolved the crisis by allowing Maine into the Union as a free state to maintain the balance in the Senate. The Missouri Compromise established a clear delineation at the 36°30' parallel, making the part of the Louisiana Purchase above the line as free and the part below as slave states. Leaders on both sides feared

that the conflict would arise again. Even Thomas Jefferson warned that the Missouri crisis was like a “firebell in the night” as the issue would continue to endanger the Union. While the Missouri Compromise was critical in temporarily quelling increasingly heated sectional conflicts in Congress over the acceptance of new states into the Union by 1857, the Dred Scott case would effectively nullify the progress made through the Missouri Compromise. Not surprisingly, the pro-southern Taney Court ruled that the 5th amendment protected the property of slaveholders no matter where they traveled. The court also ruled that the Missouri Compromise had been unconstitutional because Congress did not have the power to ban slavery in any territory. Hence, the conundrum known as slavery would endure. Compromise over its expansion was now nearly impossible and would ultimately culminate in the Civil War. Ironically, the Supreme Court’s effort to preserve slavery and protect Southern “property” would help lead to the destruction of both.

The Meat Inspection Act of 1906 was also a crucial congressional Act in relation to the food quality standards that America upholds today. During the turn of the century § into the early nineteenth hundreds, the quality of meat was astonishingly abysmal during this amazing industrial period of American history. There is one account of European customers rejecting a batch of American rotted meat which was then shipped back to North America to be sold to the American public.

Investigative journalists known as muckrakers exposed the shoddy quality of consumer goods produced by greedy robber barons. The most significant of these journalists was Upton Sinclair who revealed the

horrible working conditions and filth in the Chicago meat packing district. President Teddy Roosevelt secretly confirmed the conditions that The Jungle described and then pushed Congress to act. As a result of these findings, Congress passed the Meat Inspection Act of 1906. The act aimed to increase the standards & regulations regarding the sale & distribution of meat sold across state lines by requiring federal inspectors to monitor the cleanliness of meat packing plants. This was an important first step toward improving consumer safety and a step away from *laissez-faire*. A lack of sufficient funding, however, meant that the inspectors could not possibly guarantee that sanitary conditions would always be enforced. Clearly, the legislation was only partially effective. Today, the public is sometimes scared by news reports of salmonella & e-coli in tainted meat. For example, some companies continue to market animal byproducts & chemically altered foodstuffs to young children, but hey that's why America is the most obese nation in the galaxy. Even with all the criticism, nobody thinks we should go back to the days before the Meat Inspection Act.

These are two Congressional Acts which boldly took on two of the nation's most important social issues. Unfortunately they ended up having marginal effects on Americans social conduct due to excessive private & corporate greed.

Anchor Level 5-A

The response:

- Thoroughly develops all aspects of the task evenly and in depth by discussing the historical circumstances that led to the passage of the Missouri Compromise and the Meat Inspection Act and the impact of each law on the United States
- Is more analytical than descriptive (*Missouri Compromise*: with slavery emerging as a national issue, both the North and the South wished to maintain their respective standings in the House and Senate; it was a period in America's history which would determine the importance of the institution of slavery in the nation's economic system; the acceptance of new western states into the Union became increasingly controversial; the Missouri crisis was like a "fire bell in the night" as the issue would continue to endanger the Union; the Dred Scott case would effectively nullify the progress made through the Missouri Compromise; the pro-southern Taney Court ruled that the 5th amendment protected the property of slaveholders no matter where they traveled; the conundrum known as slavery would endure; compromise over its expansion was now nearly impossible and would ultimately culminate in the Civil War; *Meat Inspection Act*: the quality of meat was abysmal during this industrial period of American history; investigative journalists known as muckrakers exposed the shoddy quality of consumer goods produced by greedy robber barons; the most significant of these journalists was Upton Sinclair, who revealed the horrible working conditions and filth in the Chicago meatpacking district; President Roosevelt pushed Congress to act; this was an important first step toward improving consumer safety and a step away from laissez-faire; a lack of sufficient funding meant that the inspectors could not possibly guarantee that sanitary conditions would always be enforced; the legislation was only partially effective; today, the public is sometimes scared by news reports of salmonella and e-coli in tainted meat; some companies continue to market animal by-products and chemically altered foodstuffs to young children)
- Richly supports the theme with relevant facts, examples, and details (*Missouri Compromise*: Great Compromiser Henry Clay; Maine to maintain the balance; 36° 30' parallel; Louisiana Purchase; Thomas Jefferson; unconstitutional; *Meat Inspection Act*: rotted meat; *The Jungle*; standards and regulations; federal inspectors monitor cleanliness)
- Demonstrates a logical and clear plan of organization; includes an introduction that discusses the establishment of separation of powers and a bicameral legislature and a conclusion that claims the acts had only marginal effects

Conclusion: Overall, the response fits the criteria for Level 5. The strength of the response lies in its analysis. The response places both laws in the larger context of the role of power and greed in American society, which somewhat limited the effect of both laws.

During times of crisis and necessity, the federal government played an enormous role of bringing change to solve economic and social issues. Congress passed key legislation that helped address problems such as decaying infrastructure and lack of civil rights for African Americans. For example, the Interstate Highway Act of 1956 promoted massive federal spending on the construction of highways. The Civil Rights Act of 1964 greatly advanced the cause of the African American Civil Rights Movement. The Interstate Highway Act and the Civil Rights Act have had a lasting impact on American society.

The Interstate Highway Act of 1956 greatly benefited the American public. Prior to its passage, America's transportation infrastructure was woefully inadequate. Most of the existing highways and roads were funded by local and state authorities, with differing designs and purposes in mind. As a result, roads were often not uniform between states, and the lack of consistent funding led to poor conditions for existing roads, particularly for rural areas. However, with the advent of the Cold War, the federal government began taking a larger role in maintaining America's infrastructure. The president at the time, Dwight D. Eisenhower, was the commanding general of Allied Forces in Europe during World War II, and thus recognized the importance of having a proper transportation system within the country to facilitate the movement of large groups of people, including military personnel. At the time, the Cold War was at its height, and thus Eisenhower demanded new roads be built to allow for military troops to quickly move across the country and cities to be evacuated in case of an atomic attack. At the same time, GIs returning from WWII were eager

to start families and buy homes in the suburbs. To make this American dream possible, there would have to be modern, efficient highways to provide commuters with a way to get from their homes to their jobs. Eisenhower helped push through Congress the Interstate Highway Act of 1956, which gave billions to build over 41,000 miles of new highways and bridges, all connecting the various parts of America. Eisenhower's worst fears never became real, but the Interstate highway system created under his administration continues to endure. Constructing the new highways allowed large groups of people to move quickly from city to city, place to place, on a coordinated network of national highways. One of the largest demographic shifts in American History occurred as millions of American families migrated from cities to suburbs, becoming more and more dependent on their automobiles and highways. This added to the initial move by young families to the suburbs immediately after World War II. Furthermore, the highways aided America's national economy as large amounts of raw material and products could quickly travel to different markets across the country on thousands of trucks. This helped companies grow and expand allowing corporations to make large amounts of money. The new superhighways used beltways around the largest population centers diminishing congestion to achieve rapid traffic flow. Products can be transported across the entire nation in a matter of days. Lettuce and grapes are whisked in refrigerated trucks from California farms to New Yorkers' tables. Overall, the Interstate Highway Act has greatly assisted American's economy and society.

The Civil Rights Act of 1964 significantly increased the status of

African-Americans. Even after World War II, racism and segregation continued to remain prevalent, particularly in the South. Efforts to desegregate America were painfully slow, as hard core segregationists often lashed out against reformers. However, desegregation efforts were eventually successful to a degree, with Truman's order to desegregate the military and the Supreme Court decision to integrate schools in the case *Brown v. the Board of Education*. These actions did not mean the end of racism, as resistance remained in the Jim Crow South. For instance, Orval Faubus, governor of Arkansas, sent the Arkansas National Guard to Little Rock, Arkansas to prevent a group of nine black students from attending a white-only school. It was only after Eisenhower sent units from the 101st Airborne to protect the black students that the students were finally able to attend school. The Civil Rights Movement was further advanced by the work of black leaders such as Martin Luther King Jr, who organized the largest and most influential civil rights event, the March on Washington. Eventually, Congress relented after President Johnson's insistent urging, passing the Civil Rights Act of 1964. This act banned segregation in all public facilities, negating the previous Supreme Court doctrine of "separate but equal" which had legalized segregation in *Plessy v. Ferguson*. The passage of the Civil Rights Act represented one of the largest victories for the civil rights movement, as it began the slow and arduous journey to promote tolerance in American society. The Act continues to be hampered by hostility and defacto segregation, resulting from housing patterns, which cannot be eliminated by a simple act of Congress. In cities like Chicago, black students are too often the victims of poor schools that do not provide them with the skills to

Anchor Paper – Thematic Essay—Level 5 – B

escape poverty and violence. Although the Civil Rights Act of 1964 was a major landmark for the Civil Rights Movement and blacks did gain legal rights and greater respect from their white peers, there are still too many examples of resistance to full equality and opportunity.

Congressional legislation has had an enormous effect on the development of American society. The Interstate Highway Act greatly improved the American transportation infrastructure, connecting people from across the country together while expanding companies' abilities to sell products in domestic markets. The Civil Rights Act of 1964 made segregation illegal, but full equality and complete tolerance have not yet been achieved in American society today. The powers given to Congress have greatly influenced American society both in the past and present.

Anchor Level 5-B

The response:

- Thoroughly develops all aspects of the task by discussing the historical circumstances that led to the passage of the Interstate Highway Act and the Civil Rights Act and the impact of each law on American society
- Is more analytical than descriptive (*Interstate Highway Act*: prior to its passage, America's transportation infrastructure was woefully inadequate; recognized the importance of having a proper transportation system within the country to facilitate the movement of large groups of people, including military personnel; there would have to be modern, efficient highways to provide commuters with a way to get from their homes to their jobs; one of the largest demographic shifts in American history occurred as millions of American families migrated from cities to suburbs, becoming more and more dependent on their automobiles and highways; the highways aided America's national economy, as large amounts of raw materials and products could quickly travel to different markets across the country; lettuce and grapes are whisked in refrigerated trucks from California farms to New Yorkers' tables; *Civil Rights Act*: efforts to desegregate America were painfully slow as hardcore segregationists often lashed out at reformers; advanced by the work of black leaders such as Martin Luther King Jr., who organized the largest and most influential civil rights event, the March on Washington; act represented one of the largest victories for the Civil Rights movement, as it began the slow and arduous journey to promote tolerance in American society; the act continues to be hampered by hostility and de facto segregation which cannot be eliminated by a simple act of Congress)
- Richly supports the theme with relevant facts, examples, and details (*Interstate Highway Act*: massive federal spending; Cold War; Dwight D. Eisenhower; military preparedness; American dream; thousands of trucks; beltways; *Civil Rights Act*: Truman's order to desegregate the military; *Brown v. Board of Education*; Little Rock, Arkansas; nine black students; "separate but equal")
- Demonstrates a logical and clear plan of organization; includes an introduction that is somewhat beyond a restatement of the theme and a conclusion that reiterates the major impacts of the acts

Conclusion: Overall, the response fits the criteria for Level 5. The response uses rich detail, especially about the historical circumstances that led to each act. The discussion of each impact includes perceptive observations of American life today.

Ever since the ratification of the constitution, the United States government has played an active role in the social and economic issues facing the citizens of America. Congress has passed countless laws and acts that have had a direct impact on the citizens. Although many times this impact has been positive, other times the impact has created consequences. The passage of the Missouri Compromise and the Compromise of 1850 which includes the Fugitive slave Law shows how the issue of slavery spreading was so divisive that this issue led to an outbreak of civil war.

In 1920, the Missouri compromise was passed in response to Missouri's desire to enter the union as a slave state. Before this, there was an equal ratio of 11 slave to 11 free states, and so congress was hesitant to upsett this balance. After all, slavery was a very controvercial issue that needed to be carefully handeled. As a result, one congressman proposed the Tallmadge Amendment, which was supposed to allow the slaves in Missouri to have gradual emancipation. However, this idea was not liked by many southerners, so instead the Missouri Compromise was proposed by Henry Clay. This consisted of Missouri entering the union as a slave state, and Maine (which technically did not qualify for statehood yet) entering the union as a free state. Also, the Missouri compromise established the principal that above 36°30' of the Louisiana Purchase, slavery was prohibitted. Although the first part of the compromise was neutral, the second part was not. The Missouri compromise put the issue of the expansion of slavery in the spotlight and most Americans breathed a sigh of relief that a peaceful compromise had been reached and nationalism and "good feelings" could continue. While the Missouri

Compromise was not perfect, it helped maintain peace for three decades when the idea of popular sovereignty was proposed, which upset many Northerners as it might allow new slave states on the Great Plains.

Continuing on the issue of slavery, in 1850, the Compromise of 1850 was passed. It was proposed by Henry Clay, the Great Compromiser, after California applied for statehood. This act consisted of multiple parts, including California as a free state, the remainder of the Mexican Cession being divided and given the right of popular sovereignty, abolition of the slave trade in Washington D.C., and of course, a stricter Fugitive slave law. The Fugitive Slave law would be the most significant and controversial part of the compromise.

Because the fugitive slave law stated that suspected runaway slaves had to be returned to their owners, the anti-slavery northerners were outraged. They felt that it was completely unethical and unfair when they saw warnings against helping escaped slaves. As a result the northerners started to pass Personal Liberty Laws in order to avoid following the Fugitive Slave Law. Northern states and towns forbade their law enforcement officials from helping catch runaways and said local jails could not be used to hold them. Seeing northerners trying to stop the return of their "property" by defying a federal law infuriated the southerners and created even more tension between the North and the South. The conductors on the Underground Railroad like Harriet Tubman had to work even harder to help fugitives because now they had to get all the way to the Canadian border in order to be safe. This Fugitive Slave Law began a new period of sectional confrontation that consisted of even more violence and tension within America than had ever occurred before. Many believed that a split

between the two sides could not be avoided. Only ten years after the passage of the compromise of 1850, America entered a civil war in which the existence of the Union was more than threatened.

In all, the Civil War was partly caused by the legislation passed by congress in the early to mid 19th century. These acts, including the Missouri Compromise (1820) and the Compromise of 1850 did not resolve the questions about the expansion of slavery or permanently ease sectional tension. The Missouri Compromise had a much longer “peaceful” effect, while the Fugitive Slave Law, which was part of the Compromise of 1850, actually increased sectional tensions. These laws are just two of the many examples of how throughout American History, certain acts of congress have directly impacted the lives and actions of Americans.

Anchor Level 4-A

The response:

- Develops all aspects of the task for the Missouri Compromise and the Compromise of 1850
- Is both analytical and descriptive (*Missouri Compromise*: there was an equal ratio of 11 slave to 11 free states, and Congress was hesitant to upset this balance; one Congressman proposed the Tallmadge amendment, which was supposed to allow the slaves in Missouri to have gradual emancipation; although the first part of the compromise was neutral, the second part was not; put the issue of the expansion of slavery in the spotlight; most Americans breathed a sigh of relief that a peaceful compromise had been reached and nationalism and “good feelings” could continue; helped maintain peace for three decades until popular sovereignty proposed; *Compromise of 1850*: this act consisted of multiple parts including California as a free state; the fugitive slave law would be the most significant and controversial part of the compromise; because the fugitive slave law stated that suspected runaway slaves had to be returned to their owners, the antislavery Northerners were outraged; Northerners felt that it was completely unethical and unfair when they saw warnings against helping escaped slaves; seeing the Northerners trying to stop the return of their property by defying a federal law infuriated the Southerners and created even more tension between the North and the South; began a new period of sectional confrontation that consisted of even more violence and tension within America than had ever occurred before; many believed that a split between the two sides could not be avoided)
- Supports the theme with relevant facts, examples, and details (*Missouri Compromise*: Henry Clay; Maine; 36° 30' of the Louisiana Purchase; *Compromise of 1850*: Henry Clay; Great Compromiser; Mexican Cession; popular sovereignty; abolition of the slave trade in Washington, D.C.; personal liberty laws; Underground Railroad; Harriet Tubman; Canadian border; Civil War); includes a minor inaccuracy (*Missouri Compromise*: passage in 1920)
- Demonstrates a logical and clear plan of organization; includes an introduction that connects both acts to the divisive issue of the spread of slavery and a conclusion that observes neither act resolved that issue

Conclusion: Overall, the response fits the criteria for Level 4. The response includes thorough descriptions of the provisions of each law. The discussion makes a good comparison about the overall impact these compromises had on the United States.

Congress has always played a pivotal role in addressing the social and economic issues of the United States. This legislation has shaped the U.S.'s economic and political situations as well as affecting the public sentiment of America's society. Two specific pieces of legislation passed during the course of the U.S.'s history that have had significant impacts on slavery and sectionalism have been the Missouri Compromise (1820) and the Fugitive Slave Act (1850). Both legislative pieces have roots stemming from the theory of manifest destiny and the country's desire to expand itself. More over, both would impact America permanently.

The Missouri compromise had its roots during the time frame of 1800 up until the passage of the actual legislation. During those years, the United States had begun to increase its size by expanding its borders, predommantely westward. This expansion mainly began with Thomas Jefferson, the 1800 presidential victor. In 1803, Jefferson would make the famous businessess deal of the Louisiana Purchase. Purchased from Napoleon for a very cheap price, the United States doubled its size overnight. All of this new territory led way to theories like "manifest destiny" the desire and need to expand American society westward. With all of this new land open for settlement and exploration, territories began to morph into areas applying for statehood. Underlying issues of slavery in American society at the time is what made adding these new states from the territories become problematic. Specifically, the state of missouri wanted to be admitted into the union as a slave state. However, many of the northerners in the union saw this as a threat to the current balance/ratio of slave to free states. Luckily, around the same time, Maine wished to be brought

into the union as well. Due to this, the Missouri compromise was drawn up, allowing Missouri to enter as a slave state and Maine as free, keeping the balance in the Senate in check once again. The legislation also included that a line would be drawn at the 36°30' parallel, disallowing slavery to exist in the territories anywhere above that line. The passage of this legislation may have ended up placating the growing tensions between the North and the South over the issue of slavery, specifically in the territories, but the passage of it predicted that the expansion of slavery would be a contentious issue from now on. Not much later, northerners delayed the annexation of Texas over the issue of slavery. The Missouri Compromise showed the growing sectionalism that was occurring between the north and the south which would necessitate further compromise to postpone the schism of the union and the United State's Civil War.

One such compromise included the Fugitive Slave Act (1850) which also had its origins in westward expansion as well as the expansion of human bondage (slavery). With the passage of Henry Clay's controversial Compromise of 1850, came the birth of a harsher fugitive slave Act in 1850. Much more specifically it came about due to the slaveholders' outrage at the success of the underground railroad. Clay compromised that California, after its recent population increase due to the gold rush in 1849, would be brought into the union as a free state and the slave trade in Washington D.C. would be outlawed. However, in return, for the South, a new, stricter, fugitive slave law would be passed. This Fugitive Slave Act in 1850 tightened the South's grip on its fugitive (runaway) slaves by punishing those who harbored runaways in the North. The impact of this legislation was

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pertinent as well to the growing sectionalism leading up to the civil war. Northern abolitionists were inflamed by the passage of this Act. In response, many Northern states passed their own "personal liberty acts" in attempts to override the Act in the south. This animosity that grew from the Act would greatly contribute to the union's schism a decade later.

Both the Missouri Compromise (1850) and the fugitive slave Act (1850) had their origins in the expansion of the United States as well as slavery. These legislative pieces did contribute greatly to the civil war that would occur after 1860 with the election of President Lincoln. Both brought to light underlying tensions and issues that would eventually surface and have the United States deal with later on.

Anchor Level 4-B

The response:

- Develops all aspects of the task for the Missouri Compromise and the Fugitive Slave Act
- Is both analytical and descriptive (*Missouri Compromise*: underlying issues of slavery in American society made adding these new states from the territories become problematic; Northerners in the Union saw this as a threat to the current balance/ratio of slave to free states; allowing Missouri to enter as a slave state and Maine as free, keeping the balance in the Senate in check; placating the growing tensions between the North and the South; predicted that the expansion of slavery would be a contentious issue from now on; Northerners delayed the annexation of Texas over the issue of slavery; *Fugitive Slave Act*: had its origins in westward expansion as well as the expansion of human bondage; with the passage of Henry Clay's controversial Compromise of 1850, came the birth of a harsher fugitive slave act; slaveholders' outrage at the success of the Underground Railroad; tightened the South's grip on its fugitive slaves by punishing those who harbored runaways in the North; Northern abolitionists were inflamed by the passage of this act)
- Supports the theme with relevant facts, examples, and details (*Missouri Compromise*: Thomas Jefferson; Louisiana Purchase; Napoleon; doubled its size; Manifest Destiny; 36° 30' parallel; Civil War; *Fugitive Slave Act*: California; gold rush in 1849; outlawed the slave trade in Washington, D.C.; growing sectionalism; Civil War; personal liberty acts; Union's schism a decade later)
- Demonstrates a logical and clear plan of organization; includes an introduction that states both laws stemmed from expansionism and a conclusion that states the laws contributed to the Civil War after the election of President Lincoln

Conclusion: Overall, the response fits the criteria for Level 4. The response demonstrates a clear understanding of events leading to the laws and the themes of Manifest Destiny and expansion of slavery. However, a little more development of the impact of the Fugitive Slave Law would have strengthened the response.

The United States government prides itself with the idea of balance. The theory of checks and balances allows neither of the three branches of government to get too much power. One specific branch Congress, is the branch that most represents the people. It is composed of a two house system, the House of Representatives, and the Senate. Throughout the history of the United States, Congress has passed different legislation that may be intended to help the people but often promotes national and federal interests and increases the size and power of the central government. Whatever the case may be, Congressional legislation has had both social and economic impacts on American society.

One act that was clearly in order to help the people was the Meat Inspection Act of 1906. Around this time period, Theodore Roosevelt, perhaps one of the most progressive presidents in United States history, held office. He was an innovator, and sought to challenge the harmful practices of the “bad trusts”.

Activist reformers during the progressive movement were determined to regulate big business. At this time, the big businesses were forming monopolies without regard for public safety. The people were being fed (literally and metaphorically) anything the big companies wanted to feed them. One specific industry was brought to light by muckracker Upton Sinclair and his book “The Jungle”. This book revealed the horrid conditions of the meat packing industry. The workers were working in poor lighting, damp air, and dangerous conditions. The meat was rotten and sausage contained sawdust, rat droppings and human fingers. The book also went on to describe how the meat was packaged and shipped to the public. Everyone, including the president himself, was appalled by the details described in the book.

This led congress to pass the Meat Inspection Act, which sent inspectors to various meat packing factories around America to force the owners to change their old way and to provide purer meat. This act was passed for consumer safety and to protect peoples' interests.

It has had huge impacts on American Society ever since it was passed. It led the way for many regulatory acts for public health, one being the Pure Food and Drug Act. The FDA helped protect the people of the United States by ordering foods to be labeled and drugs to be tested. From this point on, the big food companies had to watch what they were selling to Americans. Congress stepped in and protected the people against special interests, which also gave to US people a reason to trust its government.

During World War I, Congress passed the Espionage and Sedition Act of 1917-1918. These Acts showed that civil liberties of the people may be sacrificed for national security. The United States was in a war that many Americans did not want to take part in, because we had not been attacked. During the draft, many people, especially socialists, voiced opposition to the war effort. They believed that the war only helped banks and big business and the government had no right drafting and sending young men to war. President Wilson felt that if there were people going against the war, the war effort would be slowed. The Espionage Act stated that there should be no obstructions to the war efforts itself.

This led to the famous Supreme Court case Schneck v US where a man was sent to prison for sending out antidraft pamphlets to thousands of men who were going to be drafted. This Act is one example of what almost always happens during wartime. The

government wants to limit dissent and potential opponents and it sometimes goes too far in its restrictions. Sometimes it limits speech as in the Shneck case. Sometimes it relocates innocent Japanese Americans, and sometimes it undercuts the privacy rights of citizens. Today the National Security Agency can spy on peoples' phone conversations. The government should think long and hard before limiting the rights of innocent Americans.

Congress has had many impacts on the people and government of the United States itself. It has passed various laws that either are for the people or for national interests. Congress is always passing Acts that it believes would protect the interest of the people and of Congress. The Espionage Act is just one example of security decisions that are still having huge impacts on American Society. The Meat Inspection Act has protected the US people for decades and will continue to for years to come.

Anchor Level 4-C

The response:

- Develops all aspects of the task by discussing the historical circumstances for the Meat Inspection Act and the Espionage Act in more depth than the impacts of these acts
- Is both descriptive and analytical (*Meat Inspection Act*: Theodore Roosevelt was an innovator and sought to challenge the harmful practices of the “bad trusts”; activist reformers during the Progressive movement were determined to regulate big businesses; the people were being fed anything that the big companies wanted to feed them; sent inspectors to various meatpacking factories around America; led the way for many regulatory acts for public health, one being the Pure Food and Drug Act; *Espionage Act*: the United States was in a war that many Americans did not want to take part in because we had not been attacked; many people, especially socialists, voiced opposition to the war effort; they believed that the war only helped banks and big business; showed that civil liberties of the people may be sacrificed for national security; led to the famous Supreme Court case *Schenck v. United States* where a man was sent to prison for sending out antidraft pamphlets; during wartime, government wants to limit dissent and potential opponents; undercuts the privacy rights of citizens)
- Supports the theme with relevant facts, examples, and details (*Meat Inspection Act*: monopolies; muckraker; Upton Sinclair; *The Jungle*; dangerous conditions; meat was rotten; consumer safety; food to be labeled; *Espionage Act*: President Wilson; Act stated there should be no obstructions to the war; relocation of Japanese Americans; National Security Agency can spy on peoples’ phone conversations; limiting rights of innocent Americans)
- Demonstrates a logical and clear plan of organization; includes an introduction that states congressional legislation has increased the size and power of the federal government and a conclusion that is somewhat beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 4. The discussion of the historical circumstances leading to the passage of these laws shows understanding of the Progressive Era and the home front during World War I. However, the discussion of the impacts of the laws is somewhat less thorough.

The founding fathers established the right of the United States Congress to pass important legislation when they ratified the Constitution. Throughout United States history, Congress has exerted its power by first understanding the needs of the people, and then by acting on these necessities to pass laws that will help the American population. These acts have become instrumental in shaping the course of American history either through their negative impacts or positive effects. The Fugitive Slave Act of 1850, enacted as a result of the Compromise of 1850 and causing an increase in North-South tension, and the Meat Inspection Act of 1906, created in response to the evidence exposed by the muckrakers and resulting in the regulation of food industries, were both important acts passed by Congress that greatly affected both the American people and United States history.

The issue of slavery in the years leading up to the Civil War resulted in the passage of the Fugitive Slave Act. In an effort to mitigate the tensions between the North and South over the possible extension of slavery into the Mexican cession, the Compromise of 1850 was established in an attempt to reconcile these opposing views. Under the terms of the compromise, California was able to enter the Union as a free state, while the question of slavery in other territories would be decided by popular sovereignty. This compromise largely favored the North as it upset the balance between free and slave states, however, the compromise also placated the South by guaranteeing the passage of a stricter Fugitive Slave Act. Following the passage of this act by Congress, it became increasingly more difficult for slaves to escape to the North because slave catchers were granted greater authority. Many

Northerners refused to adhere to this law as they claimed it violated their consciences and went against their beliefs. The fervent support of this law by the South and the adamant refusal of it by abolitionists in the North exacerbated sectional tensions and led to the increased attention of the slavery issue on the national stage. Although created to promote greater unity and to reduce sectional conflict, the Congress' Fugitive Slave Act escalated North-South hostility and expedited the beginning of the Civil War.

Although legislation is sometimes detrimental to American society, it often results in reformation and improvement that benefits the American people. In the early twentieth century, the term "muckrakers" was used to describe writers who courageously publicized corrupt practices in businesses and industries. Upton Sinclair's expository novel, The Jungle, explicitly revealed the unsanitary conditions of the meat-packing industry. Answering to the outrage and disgust of the American people, Congress passed the Meat Inspection Act of 1906 that brought the meat-packing industry under close supervision. Government officials inspected meat industries and regulated their practices, making sure that factories complied with sanitary laws and working conditions. This legislation resulted in an essential reform in the meat-packing industry and eventually led to the inspection of other industries. Furthermore, it provided for better-quality products that would result in better health and consumer safety for the majority of Americans. Overall, the Meat Inspection Act produced many positive reforms that regulated the unhealthy conditions in meat factories and provided for better quality products.

Anchor Paper – Thematic Essay—Level 3 – A

Legislation passed by Congress is largely established by and for the will of the American people. The Fugitive Slave Act was designed to appease both the North and the South through the passage of stricter slave laws, yet ultimately it led to increased sectional conflict. The Meat Inspection Act was passed by the outcry that resulted from Upton Sinclair's novel, and eventually led to the control and regulation of the meatpacking industry by government inspectors. Although very different in their causes and outcomes, both acts exemplify the authority of Congress to pass laws that determine the course of American history.

Anchor Level 3-A**The response:**

- Develops all aspects of the task in some depth for the Fugitive Slave Act and the Meat Inspection Act
- Is both descriptive and analytical (*Fugitive Slave Act*: in an effort to mitigate the tensions between the North and South over the extension of slavery into the Mexican Cession, the Compromise of 1850 was established; it upset the balance between free and slave states; the compromise also placated the South by guaranteeing the passage of a stricter fugitive slave act; it became increasingly more difficult for slaves to escape to the North because slave catchers were granted greater authority; many Northerners refused to adhere to this law as they claimed it violated their consciences and went against their beliefs; although created to promote greater unity and to reduce sectional conflict, Congress' Fugitive Slave Act escalated North-South hostility and expedited the beginning of the Civil War; *Meat Inspection Act*: the term *muckrakers* was used to describe writers who courageously publicized corrupt practices in businesses and industries; answering to the outrage and disgust of the American people, Congress passed the Meat Inspection Act of 1906 that brought the meatpacking industry under close supervision; resulted in an essential reform in the meatpacking industry and eventually led to the inspection of other industries; it provided for better quality products that would result in better health and consumer safety for the majority of Americans)
- Includes a few relevant facts, examples, and details (*Fugitive Slave Act*: California; popular sovereignty, abolitionists; *Meat Inspection Act*: Upton Sinclair's expository novel, *The Jungle*; unsanitary conditions; regulated unhealthy conditions in meat factories)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that state some major ideas about each act

Conclusion: Overall, the response fits the criteria for Level 3. The response demonstrates a good understanding of the Fugitive Slave Act and the Meat Inspection Act. While brief, the response presents a cohesive narrative. The inclusion of more details would have enhanced the response.

Throughout the course of American History, different social and economical situations have arisen and required changes to be made by our legislation. The Meat inspection act of 1906 and Civil Rights Act of 1964 are only two examples of this occurrence, and radically effected society at their respective points in History. However, the legacy of these changes lives on even to society today.

Before the 1900's, the Industrial Revolution took place. This was a period of immense social change and economic invention. Mass production and factories came to be the norm, leading to the development of large cities, where thousands of new immigrants lived together in a relatively small area. These areas, however, had many issues. With the concentration of people residing there so high, living conditions and the quality of life was at an all time low, especially in factories. Since the idea was to quickly produce the greatest amount of goods possible, little thought was given to cleanliness or safety, and quality was very often sacrificed for quantity. In this particular instance, the meat industry had conditions such as these. Meat factories were dark, dirty and all too often vermin-infested. The United States Citizens were buying this meat completely unbeknownst of the conditions they were produced under, and often were made sick from it. Thankfully, many writers wrote books, pamphlets and stories with the sole purpose of exposing the corruption and conditions of big industry to the public, known commonly as "muckrakers". Upton Sinclair was a muckraker who exposed the horrible conditions in Chicago meat-packing plants. Once the public got word of how their food was produced, progressives in the government realized they had to step in and make changes. The Meat-

Inspection Act of 1906 provided these changes, setting inspections for meat-producing factories so that the condition of food people bought could be improved. In a time lacking quality of goods and food, this was a huge first step in improving conditions all around; but the long-term benefits are still seen in present day America. In part because of this, regulatory agencies such as the Food and Drug administration were formed to test the quality of food and drugs, and enforce regulations such as labeling foods with accurate ingredients. Even in other industries similar acts and agencies came about for consumer protection leading to the society we know today where people expect the government to protect them against unsafe or untested products and the government is more involved in their lives. Though a seemingly small act passed at the time, the long-term effects of the 1906 Meat Inspection Act were monumental, and a large part of modern society.

Alternatively, though equally as important, is the Civil Rights act of 1964. A century earlier in American history, Africans and their descendants had been freed from their forced slavery and promised freedom and equality as American Citizens; though the reality of the situation was discrimination. Racial tensions still remained between black and white citizens everywhere, though nowhere so strongly as the southern U.S. There, Jim Crow segregation was considered a common place idea. This segregation was just a way to treat any “colored” American as a second class citizen. White and black children could not attend the same schools or amusement parks, ‘blacks’ and ‘whites’ had to sit on different ends of busses, frequent different stores and parks, use different bathrooms and—more

ridiculously—different water fountains. A little later, an act was passed declaring that all facilities could be segregated by color, but must be equal for both. Unfortunately this policy of 'separate but equal' was not enforced. "Colored-only" conditions and standards were much lower than that of white Americans, and discrimination only escalated from there. Actual violence was used against African Americans, including homes being burnt down, people being beaten and the formation of hate groups such as the 'KKK'. But, thankfully, these conditions would slowly improve. Activist Dr. Martin Luther King Jr. became the leader of the civil rights movement, inspiring people to peacefully protest to gain the equality for all races. These protests included sit-ins and marches never using violence—and some people even got themselves arrested voluntarily. This rough time in history was addressed with the passage of the Civil Rights Act of 1964, and just as with many other legislative acts, its legacy lives on even to today. Though not perfect, Modern America is much more equal than it has ever been. In Modern America, equality regardless of race, at least as far as government legislation goes has improved. This most likely would not have occurred if not for the Civil Rights Act, and it is a wonder what society would be like today had it not occurred.

Many legislative acts throughout history brought about radical changes that still live on today. The Meat Inspection Act of 1906 and Civil Rights Act of 1964 are only two examples of these changes, but paved the way for how American citizens live in modern day.

Anchor Level 3-B

The response:

- Develops some aspects of the task in some depth for the Meat Inspection Act and the Civil Rights Act
- Is more descriptive than analytical (*Meat Inspection Act*: since the idea was to quickly produce the greatest amount of goods possible, little thought was given to cleanliness or safety, and quality was very often sacrificed for quantity; many writers wrote books, pamphlets, and stories with the sole purpose of exposing the corruption and conditions of big industry to the public; progressives in the government realized they had to step in and make changes; in a time lacking quality of goods and food, this was a huge first step in improving conditions all around; in other industries, similar acts and agencies came about for consumer protection; people expect the government to protect them against unsafe or untested products and the government is more involved in their lives; *Civil Rights Act*: a century earlier in American history, Africans and their descendants had been freed from their forced slavery and promised freedom and equality as American citizens; segregation was just a way to treat any “colored” American as a second-class citizen; “colored-only” conditions and standards were much lower than that of white Americans, and discrimination only escalated from there; in modern America, equality regardless of race, at least as far as government legislation goes, has improved); includes faulty application (*Civil Rights Act*: a little later, an act was passed declaring that all facilities could be segregated by color but must be equal for both)
- Includes some relevant facts, examples, and details (*Meat Inspection Act*: Industrial Revolution; mass production; new immigrants; vermin-infested; muckrakers; Upton Sinclair; Chicago meatpacking plants; Food and Drug Administration; *Civil Rights Act*: Jim Crow segregation; different bathrooms; different water fountains; “separate but equal”; Dr. Martin Luther King Jr.; sit-ins and marches)
- Demonstrates a satisfactory plan of organization; includes a brief introduction and a brief conclusion stating that both acts radically changed society

Conclusion: Overall, the response fits the criteria for Level 3. The response shows an understanding of the historical circumstances that prompted passage of each act and the impact of the Meat Inspection Act. However, it only mentions an impact of the Civil Rights Act.

United States history has seen change throughout every decade. With change comes the responsibility to keep the American nation in-tune with its surroundings. Congress is the omnipresent being that is given this daunting task. The legislation passed by this branch keeps society up-to-pace with this ever-changing nation. The Meat Inspection Act of 1906 and The Interstate Highway Act of 1956 are two examples of Congress action, changing the horizon of the United States.

In the early 1900s, when the Progressive Era was in full swing, muckrakers were digging into the secrets of big businesses and manufacturers who had always been concerned with only profit and not the people who used their products. The articles and books written by these investigative reporters shocked the nation with scenes of gross distress. One of these appalling books revealed the truth about what it was like to work in the meat packing industry. It was found that very little care was given to providing safe and healthy products for its costumers. So both Theodore Roosevelt and Congress banded together to formulate the Meat Inspection Act of 1906.

The new act forced the meat packing industries to submit to federal inspection that would insure the consumer that the meat they are buying is both safe and healthy. It made manufacturing companies more responsible for the product they are selling. No longer could they be as careless as they were in the past. The Meat Inspection Act also created a sense of relief within the American society. The people began to think that the government should be aware of the well-being of the citizens of the U.S. This act also served as the lead dominoe in a long chain of future inspection acts that improved the way big business treated consumers and increased the size of the government.

Fifty years later, the Interstate Highway Act was passed. Since the 1920s, cars were being mass produced on assembly lines and made available to anyone and everyone. After World War II, GIs were eager to settle down with their families outside of the cities. They had survived the Great Depression and a world war and wanted to start living a normal life. With the availability of automobiles, more and better roads were needed for transportation. On top of this, the Cold War was gaining strength and a nuclear threat was always close in the fears of the United States. Eisenhower wanted an easy way to transport military supplies and evacuate people if need be. Therefore, the Interstate Highway Act was passed.

The act stipulated an increase in the number of multi-lane highways throughout the nation. Better roads and a coordinated highway system made travelling safe, fast, and easy. People could live in suburbs and still work in cities that were thirty miles away. The Interstate Highway Act led to an increase in suburbs and developed land far from the cities. During this time, suburbs like Levittown were appearing everywhere as the white middle class moved away from the cities. These new roads also meant that if ever there was a nuclear war with the U.S.S.R., military supplies could flow all throughout the nation quickly and easily.

Throughout the chronicles of United States history, Congress has been forced to keep the United States in pace with the changing times. They have accomplished this through the passing of legislation like The Meat Inspection Act of 1906 and the Interstate Highway Act of 1956. Whether past, present, or future, change will always be needed to satisfy the United States society.

Anchor Level 3-C

The response:

- Develops all aspects of the task in little depth for the Meat Inspection Act and the Interstate Highway Act
- Is more descriptive than analytical (*Meat Inspection Act*: muckrakers were digging into the secrets of big business and manufacturers who had always been concerned with only profit and not the people who used their products; it was found that very little care was given to providing safe and healthy products for its customers; the new act forced the meatpacking industries to submit to federal inspections that would insure the consumer that the meat they are buying is both safe and healthy; the people began to think that the government should be aware of the well-being of the citizens; improved the way big business treated consumers and increased the size of the government; *Interstate Highway Act*: cars were being mass produced on assembly lines and made available to anyone and everyone; GIs were eager to settle down with their families outside of the cities; the Cold War was gaining strength and a nuclear threat was always close in the fears of the United States; better roads and a coordinated highway system made traveling safe, fast, and easy; led to an increase of suburbs and developed land far from the cities; the white middle class moved away from the cities)
- Includes some relevant facts, examples, and details (*Meat Inspection Act*: Progressive Era; investigative reporters; Theodore Roosevelt; future inspection acts; *Interstate Highway Act*: after World War II; Eisenhower; transport military supplies; evacuate people; multi-lane highways; Levittown)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that overstate the role of Congress in responding to changing times

Conclusion: Overall, the response fits the criteria for Level 3. The response demonstrates a general understanding of the two pieces of legislation but lacks depth and analysis.

Throughout United States history, congress has passed legislation to address important social and economic issues. This legislation has often had a significant impact on the United States and/or on American society. Either through Acts, Agreements and compromises made these changes possible and significant on the constitution and Bill of rights. Two important legislations that were passed were the Homestead Act of 1862 and civil rights Act of 1964.

The purpose of the Homestead Act was to persuade or influence many citizens and farmers to settle further west. The west had millions of acres of land that was unsettled. The main purpose or significance of this was the government was giving 160 acres of land to any citizens but they had to take care of it or grow crops on it and dwell on it for 5 years but had to pay its rent or taxes. Then if completed the land would be yours. Many farmers saw this as a great opportunity to get enormous amounts of land for their crops and cattle.

The impact that this legislation had on Native Americans was emotional. They were all forced out of their homes and land and sent to settle on reservations. The trail of tears a significant migration of Natives to the southern midwestern regions was named after many Native's dieing on the way to these reservations because of diseases caught from the influx of Europeans. It had a bad impact on some farmers because most couldn't pay the rent or taxes needed to payoff the homestead land. Most either got in debt or were extremely impoverished and now had no were to go.

The civil rights Act of 1964 has to be the biggest change for rights of citizens in all the history of the United States. This legislation

proposed by President John F. Kennedy, wanted to abolish desegregation of any race and discrimination amongst any person. John F. Kennedy was assassinated which brought vice president Lyndon B. Johnson into presidency. It was because of Lyndon B. Johnson that this legislation was passed into a new law. He stated that there shall be no discrimination against any person, desegregation in public schools and facilities, and no discrimination in hotels, libraries, and any public accommodations. He put John F. Kennedy's legacy or dream into a new law.

The civil rights Act would first help him get really famous and well known by African Americans who needed this legislation the most. African Americans like Martin Luther King Jr. and Malcolm X were civil rights leaders who couldn't do it alone without the help of some form of law or legislation. This Act would help African Americans and other minorities to drink from any where, swim anywhere, check in any where, and mainly work anywhere. This would help all discrimination to stop and would help any segregated areas to abolish its actions but most still didn't stop.

So with the passage of major acts and laws society has benefited from it at least 1%. Throughout United States history many dedicated not only their time but themselves to enforce any laws that will help society and help even the minorities. Many legislations have had a profound impact on American society. So if any person can, he/she should sacrifice a little to help a lot.

Anchor Level 2-A

The response:

- Minimally develops all aspects of the task for the Homestead Act and the Civil Rights Act
- Is primarily descriptive (*Homestead Act*: the purpose of the Homestead Act was to persuade or influence many citizens and farmers to settle further west; the West had millions of acres of land that was unsettled; Native Americans were all forced out of their homes and land and sent to settle on reservations; *Civil Rights Act*: because of Lyndon B. Johnson, this legislation was passed; there shall be no discrimination against any person, no segregation in public schools and facilities, and no discrimination in hotels, libraries, and any public accommodations; Johnson put John F. Kennedy's legacy or dream into a new law; this act would help African Americans and other minorities to drink from anywhere, swim anywhere, check in anywhere, and mainly work anywhere); includes faulty analysis (*Homestead Act*: farmers had to pay its rent or taxes; it had a bad impact on some farmers because most could not pay the rent or taxes needed to pay off the homestead land)
- Includes few relevant facts, examples, and details (*Homestead Act*: 160 acres of land; dwell on it for 5 years; crops and cattle; *Civil Rights Act*: Kennedy assassinated; Martin Luther King, Jr.); includes inaccuracies (*Homestead Act*: the Trail of Tears was a significant migration of natives to the southern Midwestern regions; natives died because of diseases caught from Europeans; *Civil Rights Act*: wanted to abolish desegregation)
- Demonstrates a general plan of organization; includes an introduction that is little more than a restatement of the theme and a conclusion that calls for individual sacrifice to promote laws that will help society

Conclusion: Overall, the response fits the criteria for Level 2. The response shows an understanding of the central ideas of the laws and their impacts but is weakened by errors and lack of development.

Congress throughout its history has passed many important pieces of legislation. Often times, the legislation is passed to address certain economic or social issues. Two very important pieces of legislation in U.S. History are: the Missouri Compromise (1820) and the Interstate Highway Act (1956). These two pieces of legislation have had tremendous impacts on the country both positively and negatively.

As the United States moved westward into land acquired in the Louisiana Purchase many areas sought to become states. However, along with expansion westward was the expansion of slavery. This became an issue when Missouri desired to enter the union in 1820. Prior to Missouri's application to become a state there had been a balanced number of free and slave states in the union. If Missouri were to enter the union there would be an uneven balance of power in the Senate. In response, Congress proposed the Missouri Compromise. The Missouri compromise entailed that in addition to Missouri entering the union as a slave state, Maine would enter as a free state; thus keeping the balance of power even in the Senate. Also, all Louisiana Purchase territory above the 36°30' line would enter the union as free states. This legislation is significant because it more or less addresses the developing sectionalism in the U.S. due to slavery. The Missouri compromise was only the beginning in the long line of legislation passed dealing with the westward expansion of slavery.

Following World War I, President Eisenhower toured the country as a member of the army. This trip took much longer than it should have since the country did not have an elaborate system of roads. Therefore when President Eisenhower returned from Europe after World War II; he knew the United States needed to change its roads system because

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if a war was to ever be fought on US soil like the war that had just ended, the United States would need to mobilize quickly. Thus, President, Eisenhower proposed to congress the Interstate Highway Act. Congress approved this piece of legislation and created the largest public works project in US history. This piece of legislation created many jobs and connected the United States like never before, creating a new era in US history of highways and cars.

These pieces of legislation were very important. Both addressed issues facing the nation at the time. Additionally, these pieces of legislation will be remembered FOREVER.

Anchor Level 2-B**The response:**

- Develops the historical circumstances that led to the passage of the Missouri Compromise and the Interstate Highway Act in some depth and the impact of each act in little depth
- Is primarily descriptive (*Missouri Compromise*: as the United States moved westward into land acquired in the Louisiana Purchase, many areas sought to become states; prior to Missouri's application to become a state, there had been a balanced number of free and slave states in the Union; all Louisiana Purchase territory above the 36° 30' line would enter as free states; only the beginning in the long line of legislation passed dealing with the westward expansion of slavery; *Interstate Highway Act*: trip took much longer than it should have since the country did not have an elaborate system of roads; if a war was ever to be fought on United States soil like the war that had just ended, the United States would need to mobilize quickly; created the largest public works project in United States history; created many jobs and connected the United States like never before, creating a new era in United States history of highways and cars)
- Includes few relevant facts, examples, and details (*Missouri Compromise*: Senate; Maine; sectionalism; *Interstate Highway Act*: after World War I, Eisenhower toured the country; after World War II)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that restate the theme

Conclusion: Overall, the response fits the criteria for Level 2. The discussion of the historical circumstances illustrates knowledge of the events leading to the passage of the legislation. The impacts of the legislation are merely suggested without elaboration.

For many social and economic problems, Congress would pass legislation to solve these problems. Some were very effective but others not so much. Each legislation has effected the history of the United States in its own way.

One of these legislations passed by Congress is the Meat Inspection Act of 1906. Many businesses dealing with meat were very unclean and didn't take care of their meat. At the factories, people would lose fingers and other body parts into the meat while working. They'd grind the body part up with the meat so its like it never happened. Consumers had no idea what was actually in their meat. Muckrackers exposed these businesses to the public through pictures and articles. Upton Sinclair wrote a book called The Jungle thats all about this. Without the Muckrackers, this legislation would have never happened.

The Meat Inspection Act impacted society greatly. Society now knew what was in their food they eat. They didn't have to worry about eating any fingers. Companies now had to pass inspections if they wanted to stay in business. Any company that didn't pass inspections, went out of business. Although in some circumstances, the business owner would bribe the inspector so he wouldn't shut them down.

Another legislation that was effective is the Interstate Highway Act of 1956. Troops needed a way to get somewhere fast and easy in case of emergencies. Most roads followed the shape of the land so they took way longer than a straight line through the land. Many long distance travelers would have to stay overnight multiple time in hotels before arriving at their destination.

The impact of this act has helped society greatly. Soldiers now have

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an easy and fast route across the country. This also allowed for faster travel for civilians. Many people moved to rural areas so they could have privacy and still get anywhere they need to be fast. Many hotels that rely on long distance travelers lost business. Since traveling was now quick and easy, many more people went on vacations.

These legislations have all impacted society greatly and life would be very different without these acts. Even though there are some ways of getting around some legislations, they still have more of a positive effect. History wouldn't be the same without these legislations.

Anchor Level 2-C**The response:**

- Minimally develops all aspects of the task for the Meat Inspection Act and the Interstate Highway Act
- Is primarily descriptive (*Meat Inspection Act*: many businesses dealing with meat were very unclean; muckrakers exposed these businesses to the public through pictures and articles; companies now had to pass inspections if they wanted to stay in business; *Interstate Highway Act*: troops needed to get somewhere fast and easy in case of emergencies; most roads followed the shape of the land so they took longer than a straight line; this also allowed for faster travel for civilians); includes weak application (*Meat Inspection Act*: at the factories, people would lose fingers and other body parts into the meat while working; they would grind the body part up with the meat like it never happened; *Interstate Highway Act*: many people moved to rural areas; many more people went on vacation)
- Includes few relevant facts, examples, and details (*Meat Inspection Act*: consumers; Upton Sinclair; *The Jungle*; bribe the inspectors)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that are little more than a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 2. The response includes general descriptions and basic ideas about the laws, but it lacks historical detail and depth.

Clearly outlined in the Constitution, the federal government's duty is to the people. In order to fully serve the people the government must be flexible enough to respond to changing ideas and shifts in the status quo. Although Congress has been slow to pass legislation that in retrospect was clearly necessary, it is clear that Congress passed legislation both prescient and important for the American people as can be seen in the Homestead Act of 1862 and the Civil Rights Act of 1964.

The North is celebrated not only for its victory in the Civil War, but also for its economic success in the years following, in sharp contrast to the South's economic demise. The North was successful because the Republican congress furiously pursued economic growth and actively created new opportunities with legislation. The Homestead Act is a great example of this. Many families were reluctant to travel west because of the risk involved in pushing the "new frontier." The Homestead Act alleviated these fears by providing a substantial foundation for families who participated in the program. Congress very aptly responded to a pressing need and sparked growth in the west for years to come.

Another good example of congress taking the initiative to create social change was the Civil Rights Act. As segregation was coming increasingly to the forefront of politics and many Americans consciences, it was clear that the government needed to step in to prevent massive social upheaval. The Civil Rights Act granted African Americans the protection of the federal government, which in the past had been withheld. Amid growing controversy, Congress took a side. This was essential because had legislators remained indifferent,

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fighting in the streets would have determined the victor. Instead, the issue was given the backing of the federal government thereby giving Civil Rights activists legitimacy in their claims.

The federal government has often been criticized for both inaction and too much interference. However, it is clear that there are times in history when intervention is direly needed or even simply warranted by events. In these delicate cases, it is vital that the government step in strongly with legislation that has a clear purpose and policies that reflect the benevolent nature of government outlined in the Constitution.

Anchor Level 1-A**The response:**

- Minimally develops some aspects of the task for the Homestead Act and the Civil Rights Act
- Is somewhat analytical (*Homestead Act*: the Republican Congress furiously pursued economic growth and actively created new opportunities with legislation; many families were reluctant to travel west because of the risk involved in pushing the new frontier; *Civil Rights Act*: segregation was coming increasingly to the forefront of politics and many Americans' consciences; granted African Americans the protection of the federal government, which in the past had been withheld)
- Includes very few relevant facts, examples, or details (*Homestead Act*: Civil War; *Civil Rights Act*: massive social upheaval; activists)
- Demonstrates a general plan of organization; includes an introduction that states government needs to be flexible and a conclusion that points out the federal government has been criticized for both inaction and interference

Conclusion: Overall, the response fits the criteria for Level 1. The response contains some analytical statements, but these statements lack direct connection to the Homestead Act or the Civil Rights Act. Despite the satisfactory introduction and conclusion, the response lacks relevant details and substance regarding these laws.

During American history many problems have arisen that had a significant impact on American society. Often, congress had to deal with these issues by passing various laws and acts. Sometimes the acts brought about progress to the country, yet many times these laws caused trouble and devastation to the people. The Meat Inspection Act of 1906 and the Fugitive Slave Act of 1850 were two of the many acts passed that dealt with political and social issues.

During the early twentieth century many businesses and factories were becoming involved in corrupt practices. One of these businesses that exercised this behavior was the Meat Packing Industry. The conditions in the Meat Packaging Factory were poor and dirty, utensils weren't washed, and the meat was not cleaned properly. Upton Sinclair published a book "The Jungle" explaining the horrible state the factory was in. When the Government became aware of this Congress passed the Meat Inspection Act to improve conditions of Meat packing. The main purpose of this act was to help the Meat Package Industry change and develop into a clean and organized factory. This act worked and the conditions in factory improved over the years.

During the era of slavery, slaves suffered inhuman conditions and worked really hard. As a result many slaves would try to runaway and escape to areas of no slavery. Therefore the Fugitive Slave Act was passed which prevented runaway slaves. This Act explained that if a person living in a non slave area finds a runaway slaves he is required to send him/her back. This law caused lots of controversy and many people disagreed with it. However this law did come into use often and many slaves were returned to their masters.

Throughout American society countless issues evoked that effected

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the American people. Congress often addressed these issues and passed acts and laws. The Meat Inspection Act and the Fugitive slave Act were two acts that congress made to help important issues in society.

Anchor Level 1-B**The response:**

- Minimally develops some aspects of the task for the Meat Inspection Act and the Fugitive Slave Act
- Is descriptive (*Meat Inspection Act*: during the early 20th century, many businesses and factories were becoming involved in corrupt practices; conditions in the meatpacking industry were poor; conditions in factories improved over the years; *Fugitive Slave Act*: slaves suffered inhuman conditions and worked very hard; this law caused lots of controversy and many people disagreed with it)
- Includes few relevant facts, examples, or details (*Meat Inspection Act*: utensils were not washed; Upton Sinclair; *The Jungle*; *Fugitive Slave Act*: runaway slaves returned to their masters)
- Demonstrates a general plan of organization; includes an introduction that notes some laws brought progress while others caused trouble and a conclusion that restates the theme

Conclusion: Overall, the response fits the criteria for Level 1. The response mentions only the most basic information about each act with no development, especially for the Fugitive Slave Act.

One of the tasks of the Federal Government of the United States is that it must pass laws to address problems in the nation. Throughout American history, social and economic factors have led to major sectional problems that threatened the stability of the United States. Often, legislation does not just deal with a problem, but actually changes the fabric of American society and the economy. The Missouri Compromise of 1820 and the Kansas-Nebraska Act illustrate this relationship between America and its laws.

The Missouri Compromise of 1820 perfectly captures how the government attempts to deal with problems through laws and ends up passing laws with far-reaching consequences. The Missouri Compromise dealt with Missouri's entry into America as a new state. This would not have been a big deal; however, Missouri's admittance into America sparked a political problem. At the time, there were eleven free states and eleven slave states. Missouri wanted to enter in as a slave state, which would disrupt the balance of power between slave states and free states. Northerners—who lived in free states—disliked this idea greatly. They recognized that such a move would give Southern slave states more votes in the Senate. The Northerners did not want to answer to Southerners and for this reason they opposed Missouri's entry into the Union as a slave state. Meanwhile, Southerners wanted Missouri to enter the Union so they could have power over the North. In this way, Missouri had created a social conflict of sectionalism—siding with one's home state or region over the nation. However, economic problems also existed in this situation. The South lived off of cotton and needed slavery to grow cotton. By adding a slave state, the South was ensuring that slavery continued

and their economy continued to prosper. In the end, Henry Clay answered these problems with the Missouri Compromise. The Missouri Compromise added Missouri as a slave state & Maine as a free state. The compromise also established the 36°30' line across the Louisiana territory line where states North of the line would be free and states South of the line would be slave. In the short run, the Missouri Compromise allowed the nation to think it had solved sectional issues. However, the South became even more dependent on cotton and slave labor while the North continued its industrial growth. Cotton from the South was the country's biggest export but the North developed factories and railroads, which made it stronger and more prosperous. Later, the compromise's 36°30' line would be challenged by new states. What followed was that the compromise line proved to be an inadequate solution, and sectionalism rose again. In this way, one sees that the far reaching consequences of the Missouri Compromise was that it did not do enough. No bill would have prevented the growth of sectionalism. Nevertheless, the Missouri Compromise proves that the federal government passes bills to deal with problems and that sometimes, these bills have a major impact.

The Kansas-Nebraska Act demonstrates how the Missouri Compromise failed to provide a permanent solution to the issue of slavery's expansion. The Kansas-Nebraska Act of the 1850's was passed for an economic and social reason. Stephen A. Douglas wanted a railroad to go through Chicago because it would boost the city's economy. In order to get the railroad and not anger Southerners who were increasingly growing hostile towards Northerners who opposed slavery, Douglas got Congress to pass the Kansas-Nebraska Act. The

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Kansas-Nebraska Act introduced popular sovereignty in Kansas and Nebraska—it allowed the people of those states to choose whether slavery existed there or not. In this way, the Missouri Compromise was repealed because the 36°30' line no longer applied. The Act, however, created major problems. For starters, Northerners wanted to either abolish slavery or stop the spread of slavery. The Kansas-Nebraska Act did neither, which angered Northerners. Meanwhile, Southerners became angry at Northerners for attacking the act. As a result, sectionalism grew—even causing violence in Congress when Charles Sumner was caned by a Southerner on the floor of the Senate. This sectionalism led to the split of the Democratic party along sectional lines. Meanwhile, the Republican party, advocating free soil to stop the spread of slavery, was formed thanks to the Act. The Act also damaged Douglas' career, and helped Abraham Lincoln grow as a popular figure when he exposed Douglas' Popular sovereignty as being an inadequate solution to the issue of slavery in the Lincoln-Douglas Debates. Finally, when the elections over slavery were rigged, violence broke out in "Bleeding Kansas", further widening the sectional gap between Northerners and Southerners. Ultimately, this gap led to the Civil War.

The Missouri compromise and the Kansas-Nebraska Act prove that sometimes the government will pass laws to deal with sectional problems and these laws had a major impact over the entire nation. These laws created major changes for American society.

The Legislative Branch of government, Congress, has throughout our history played a very influential role, as it should, on the society and economy of the United States. The Meat Inspection Act of 1906, a response to corruption & malpractices in the food industry, and the Missouri Compromise in 1820, one among the many laws passed attempting to solve slavery debates, deal with completely different issues in different time periods, yet both had a strong impact on the nation and its future.

In the early 20th century, America was thriving off of the Second Industrial Revolution, with industries rapidly rising and changing, essentially changing the way of life for all Americans, yet giving rise to corruption and greed to those who tried to get as much as they could out of the loosely regulated business standards of the time. The food industry, particularly the meat section, was one of the best examples of this. The cattle were dirty, diseased, and kept in confined spaces, fed unnatural foods like corn and other animals' meat. Not only this but the factories/slaughterhouses were dirty & unsafe. The combination of these two things greatly compromised the safety of the buyers, who would get sick from this meat and not know of the conditions in which it was produced. Upton Sinclair, in his book *The Jungle* exposed this industry with muckraking journalism showing the American public the problems there were. This led almost directly to the Meat Inspection Act's passage by Congress, a law that addressed these issues by establishing mandatory inspections of factories, and creating sanitation standards. This improved the standard of the food industry dramatically, and began the interest of the public in their safety & health which would lead to more future reforms, improving the health

and well being of americans.

While these health issues might of arose later, in the 1800's, the main issue dividing the nation was slavery. With the expansion of the nation with the actions of Presidents like James K. Polk, the purchase of the Louisiana territory, and the ever expanding Frontier due to the ideas of Manifest destiny, slavery became a huge issue when admitting new states. The country was divided 50/50 between the agrarian, pro-slavery south, and the industrial anti-slavery north, and any new states admitted on either side would upset that balance. Thus, Congress came to a consensus with the Missouri Compromise, to deal with the future admittance of territories. This deal created a definitive line between slavery America and free America, which would decide the status of that new state. If it was above the line, it was free. If it was below it was a slave state. As we know from the Civil War, this was not a solution, but it temporarily calmed tensions between the North and South, and put off conflict for a few more years. It also played a factor in how the country is divided today, with states ending along that line.

While these two laws were from completely different eras, in different circumstances and contexts, both illustrate the effect Congress' lawmaking has on the country, solving problems, as with the Missouri Compromise, and influencing society for the better, as with the Meat Inspection Act. Society and economy remained intact, and maybe even improved, due to them.

Since the inception of American history, congress has played a strongly influential role in passing legislation to improve the social and economic life of the public which has largely impacted American society. For example, in the tension-filled years before the outbreak of the Civil War, the disgruntled South beaten down by years of pro-North legislation was appeased in 1850 with congress' passage of the Fugitive Slave Act. Over fifty years later, in 1906 under President Theodore Roosevelt, the American consumer was protected from unhealthy business practices with the groundbreaking Meat Inspection Act, a victory for Progressive-era reformers, like Roosevelt. Therefore, reforms in American social and economic policy like the Fugitive Slave Act and the Meat Inspection Act aided in the addition of sweeping reforms to United States society during their respective time periods.

The Fugitive Slave Act, passed by congress in 1850, was included with some North-favoring laws in the compromise of 1850, which allowed the massive land area of California won in the Mexican-American War to become a free state. Also, Congress had passed many bills to deal with sectional conflicts between the industrial North and the agrarian South. Passed as part of the compromise of 1850, the Fugitive Slave Act required any person with knowledge of the whereabouts of a runaway slave to turn them in to federal authorities. It was a very strict law, and southern slave holders championed the act. However, northern abolitionists found fault with the stipulations of the act and implemented personal liberty laws to prevent northern authorities from enforcing the return of runaway slaves. As a result of the passage of the Fugitive Slave Act, the union was further divided

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across sectional lines. In the south, growing anti-north sentiment and even calls for secession by radical southerners hastened the attempted destruction of the Union.

In the early twentieth century, the Progressive Movement began to take root in the United States. After decades of corrupt and unregulated big business, the Progressives sought to cure the social and economic ills and corruption of the time period. The movement was solidified by then-Vice President Theodore Roosevelt's assumption of the presidency following the death of President McKinley. Roosevelt inspired Americans to support him in reforming American societal ills by introducing his Square Deal, or the breakup of corrupt monopolies and trusts, the conservation of the environment, and the protection of consumers. One of the first laws to protect consumers was the Meat Inspection Act, passed in 1906, which required government inspectors to check meat production across the country to ensure its nutritional value for Americans. Another cause of this was Upton Sinclair's novel *The Jungle*, which documented the corrupt and unsafe business practices of the meat-packing industry in Chicago. The novel, widely read by the public, horrified Americans with gory tales of the quality and content of meat consumed by Americans. The passage of the Meat Inspection Act set a precedent for governmental regulation of business practices solidified by President Franklin Roosevelt's New Deal legislation in 1933. Like his cousin, Franklin Roosevelt believed that the government should intervene to protect Americans. In the spirit of Theodore Roosevelt's consumer protection, laws like the FDIC were passed. The FDIC protects people from bad banking practices. Today Americans assume that meat will be safe, restaurants will be

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clean and that money that is in a bank is secure.

The Fugitive Slave Act of 1850 and the Meat Inspection Act of 1906 both tried to alleviate the stresses of the economic and social aspects of the time period. While the Fugitive Slave Act hindered union between the North and South, the Meat Inspection Act was a landmark success for both the progressive reformers and for the typical American consumer. The laws passed by congress can influence either extreme conflicts or large-scale reform movements that directly affect the American people.

Thematic Essay—Practice Paper – D

A defining element of the government of the United States of America is its ability to meet and adapt to its people's changing needs. With the passage of new legislation in Congress, all of the changing aspects of society can be addressed, and progress can be made. However, the government, as with any group of human beings, is flawed and often times attempts to progress or address an impending national issue fall short. Such is the case with much of the legislation passed prior to the onset of the Civil War. Try as they might, Congress was unable to hold the country together regardless of its attempts in passing legislation such as the Missouri Compromise of 1820 and later the Fugitive Slave Act of 1850. Despite the attempt to end the issues leading up to the passage of each law, ultimately each was unsuccessful in appeasing the growing sectional tensions within the nation.

Prior to the passage of the Missouri Compromise, a growing tension

was forming between representatives in government from the Southern states versus representatives from the Northern states. The South, based largely around exporting raw materials and expanding agriculturally, looked to the government for an assurance of the right to own slaves as well as low tariffs to support exporting goods. The North, on the other hand, was based largely on industrial growth and finished products. They supported high tariffs as well as a growing favoritism towards abolition. The result of these conflicting sectional desires was a fear by each side that the other would gain more representation in Congress. With the application of statehood made by Missouri, this issue would reach its peak. The balance in national government depended on whether Missouri would enter as a state free of slavery or one in support of it.

To deal with the growing tensions amongst the opposing factors of the nation, Henry Clay suggested a compromise that would serve to please each side. Missouri would enter the union as a slave state and Maine would enter as a free state, keeping the balance within Congress. In addition, all states who applied for statehood above the 36°30' parallel would enter as free, those below as slave. For a short time after Congress passed this compromise into effect, the tensions appeared to be resolved.

However, this would be short lived. A glaring issue in the compromise arose with the application of California for statehood. It would once again tip the balance in Congress and since it did not fall above or below the line established in the Missouri Compromise, had no pre-determined status as free or slave. Congress was forced to once again create a compromise that would please both the North and the

Thematic Essay—Practice Paper – D

South, the Missouri Compromise completely ineffective at this point.

Once again, a compromise was devised in Congress which included admitting California as a free state, Texas as a slave state and leaving the remaining territory to be decided by popular sovereignty.

Additionally, the Fugitive Slave Act of 1850 was passed. This tightened the regulations and penalties on slaves who attempted to escape or anyone who tried helping a slave. Added to please Southern slaveholders, the act would further anger the growing number of Northern abolitionists.

The North was now completely exposed to the horrors of slavery. They saw innocent men torn back to the South without proof of being a slave. They saw blacks who had lived in the North for years be sent back to a life in servitude. The tensions were growing once again.

The final result of each legislation was ultimately that compromise would not be sufficient. The nation would eventually break out into Civil War, the North and South fighting for differing causes. The Missouri Compromise and the Fugitive Slave Act are key examples of imperfections in legislation. The ultimate consequence of this imperfection, the Civil War, cost thousands of lives as well as reshaping the nation as we know it today.

Different legislations have been past in the United States and influence the country greatly. Throughout United States history, congress has passed legislation to address important social and economic issues. This legislation has often had a significant impact on the United States and our society. Both the Civil Rights Act and the Federal Reserve Act are important and influential legislations passed by the United States congress.

The Civil Rights Act impacted American society greatly. After the Act was past those against it began finding ways around the rights the Act gave. For example, in the South, Jim-Crow Laws were created to segregate different races. Furthermore, African Americans were being lynched for no reason, just so white people could prove they were "superior." Another Act that effected the United States was the Federal Reserve Act.

The Federal Reserve Act influenced the United States very differently from the Civil Rights Act. Teddy Roosevelt fought to pass this Act, he saw the United States changing and knew this would help preserve the land. Prior to the Federal Reserve Act the United States was growing and developing rapidly, and land was being used to build new industries. Teddy Roosevelt was against destroying the unsettled land and used this legislation to prohibit such settlements, by passing the Federal Reserve Act specific land was set aside that could not be built on. This Act has influenced our country greatly because without it we would not have parks like Central Park in New York City, without this free unsettled land our country would be too industrial.

Both the Civil Rights Act and the Federal Reserve Act influenced

Thematic Essay—Practice Paper – E

our country greatly. Without these legislations being passed our country would be completely different now. Today we continue to pass influential legislations and learn from our past Acts what should and should not be addressed.

Practice Paper A—Score Level 4**The response:**

- Develops all aspects of the task for the Missouri Compromise and the Kansas-Nebraska Act
- Is both descriptive and analytical (*Missouri Compromise*: Missouri wanted to enter as a slave state, which would disrupt the balance of power between slave states and free states; Northerners recognized that such a move would give Southern slave states more votes in the Senate; established the 36° 30' line across the Louisiana Territory as the line where states north of the line would be free and states south of the line would be slave; in the short run, the Missouri Compromise allowed the nation to think it had solved sectional issues; the South became even more dependent on cotton and slave labor while the North continued its industrial growth; the compromise line proved to be an inadequate solution; no bill would have prevented the growth of sectionalism; *Kansas-Nebraska Act*: the Kansas-Nebraska Act demonstrates how the Missouri Compromise failed to provide a permanent solution to the issue of slavery's expansion; Southerners were increasingly hostile toward Northerners who opposed slavery; it allowed the people of those states to choose whether slavery would exist there or not; Northerners wanted to either abolish slavery or stop the spread of slavery; the Kansas-Nebraska Act did neither; the Republican party, advocating free soil to stop the spread of slavery, was formed; Abraham Lincoln exposed popular sovereignty as being an inadequate solution; when the elections over slavery were rigged, violence broke out in "Bleeding Kansas")
- Supports the theme with relevant facts, examples, and details (*Missouri Compromise*: eleven free states; eleven slave states; Henry Clay; Maine as a free state; cotton was country's biggest export; factories; railroads; *Kansas-Nebraska Act*: 1850s; Stephen A. Douglas; Chicago; railroad; popular sovereignty; Missouri Compromise was repealed; Charles Sumner was caned; split of the Democratic party; Lincoln-Douglas debates; Civil War)
- Demonstrates a logical and clear plan of organization; includes an introduction that notes sectional problems threatened United States stability and a brief conclusion

Conclusion: Overall, the response fits the criteria for Level 4. The response demonstrates a good working knowledge of the political issues surrounding the Missouri Compromise and the Kansas-Nebraska Act. However, more analytic statements would have strengthened the effort.

Practice Paper B—Score Level 2

The response:

- Minimally develops all aspects of the task for the Meat Inspection Act and the Missouri Compromise
- Is primarily descriptive (*Meat Inspection Act*: giving rise to corruption and greed to those who tried to get as much as they could out of the loosely regulated business standards of the time; the cattle were dirty, diseased and kept in confined spaces; factories/slaughterhouses were dirty and unsafe; greatly compromised the safety of the buyers; establishing mandatory inspection of factories and creating sanitation standards; lead to more future reforms improving the health and well being of Americans; *Missouri Compromise*: the country was divided 50/50 between the agrarian, pro-slavery South and the industrial, antislavery North, and any new states would upset that balance; this deal created a definitive line between slavery America and free America; this was not a solution, but it temporarily calmed tensions between the North and South); includes weak application (*Meat Inspection Act*: fed unnatural foods like corn and other animal meat; *Missouri Compromise*: it also played a factor in how the country is divided today, with states ending along that line)
- Includes some relevant facts, examples, and details (*Meat Inspection Act*: second industrial revolution; food industry; Upton Sinclair; *The Jungle*; muckraking journalism; *Missouri Compromise*: Louisiana Territory; expanding frontier; ideas of Manifest Destiny; slave state; Civil War)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that state that the laws show how Congress can have an impact on the country

Conclusion: Overall, the response fits the criteria for Level 2. The response includes a basic understanding of the task, but the discussion of the impact of each law lacks development. In addition, the discussion of the Missouri Compromise has some chronological problems.

Practice Paper C—Score Level 3

The response:

- Develops all aspects of the task in little depth for the Fugitive Slave Act and in some depth for the Meat Inspection Act
- Is more descriptive than analytical (*Fugitive Slave Act*: allowed the massive land area of California won in the Mexican-American War to become a free state; Congress had passed many bills to deal with sectional conflicts between the industrial North and the agrarian South; it was a very strict law, and Southern slave-holders championed the act; the Union was further divided across sectional lines; in the South, growing anti-North sentiment, and even calls for secession by radical Southerners hastened the attempted destruction of the Union; *Meat Inspection Act*: after decades of corrupt and unregulated big business, the Progressives sought to cure the social and economic ills and corruption of the time period; Roosevelt inspired Americans to support him in reforming American societal ills by introducing his Square Deal; documented the corrupt and unsafe business practices of the meatpacking industry in Chicago; set a precedent for governmental regulation of business practices solidified by President Franklin Roosevelt's New Deal legislation in 1933; in the spirit of Theodore Roosevelt's consumer protection, laws like the FDIC were passed; today, Americans assume that meat will be safe, restaurants will be clean, and that money in a bank is secure)
- Includes some relevant facts, examples, and details (*Fugitive Slave Act*: runaway slave; federal authorities; northern abolitionists; personal liberty laws; *Meat Inspection Act*: monopolies and trusts; conservation of the environment; protection of the consumer; government inspectors; Upton Sinclair's novel, *The Jungle*; gory tales); includes an inaccuracy (*Fugitive Slave Act*: South beaten down by years of pro-North legislation)
- Demonstrates a satisfactory plan of organization; includes an introduction that connects the laws with specific historical eras and a conclusion that highlights the general impact of the laws

Conclusion: Overall, the response fits the criteria for Level 3. The response shows clear understanding of the circumstances leading to the passage of each law. The connection between the Progressives and the New Deal is good, but the discussion of the impact of the Fugitive Slave Act is not as strong.

Practice Paper D—Score Level 3

The response:

- Develops some aspects of the task in some depth for the Missouri Compromise and the Fugitive Slave Act
- Is more descriptive than analytical (*Missouri Compromise*: the South, based largely around exporting raw materials and expanding agriculturally, looked to the government for an assurance of the right to own slaves as well as low tariffs to support exporting goods; the result of these conflicting sectional desires was a fear by each side that the other would gain more representation in Congress; balance in national government depended on whether Missouri would enter as a state free of slavery or one in support of it; for a short time after Congress passed this compromise, the tensions appeared to be resolved; a glaring issue in the compromise arose with the application of California for statehood; it would tip the balance in Congress; *Fugitive Slave Act*: tightened the regulations and penalties on slaves who attempted to escape or anyone who tried helping a slave; added to please Southern slaveholders, the act would further anger the growing number of Northern abolitionists; they saw innocent men torn back to the South without proof of being a slave)
- Includes some relevant facts, examples, and details (*Missouri Compromise*: industrial growth; high tariffs; Henry Clay; Maine; 36° 30' parallel; *Fugitive Slave Act*: popular sovereignty; horrors of slavery); includes an inaccuracy (*Fugitive Slave Act*: Texas admitted as a slave state)
- Demonstrates a satisfactory plan of organization; includes an introduction that cites Congress' ability to hold the country together and a conclusion stating that because the compromises were insufficient, the result was civil war

Conclusion: Overall, the response fits the criteria for Level 3. The response shows an understanding of the sectional tensions caused by the expansion of slavery, but the discussion of the Fugitive Slave Act is considerably less developed than the Missouri Compromise.

Practice Paper E—Score Level 0

The response:

The response refers to the theme in a general way and includes no relevant facts, examples, or details.

Conclusion: The response fits the criteria for Level 0 because although there is an attempt to discuss the Civil Rights Act and the Federal Reserve Act, neither is correctly identified or described.

United States History and Government Specifications January 2015

Part I Multiple-Choice Questions by Standard

Standard	Question Numbers
1—United States and New York History	2, 9, 11, 12, 13, 16, 19, 22, 23, 24, 25, 28, 29, 33, 34, 38, 40, 45, 46, 47, 48, 50
2—World History	21, 35, 36, 41, 44
3—Geography	1, 27, 42, 49
4—Economics	3, 8, 17, 18, 20, 30, 31, 43
5—Civics, Citizenship, and Government	4, 5, 6, 7, 10, 14, 15, 26, 32, 37, 39

Parts II and III by Theme and Standard

	Theme	STANDARDS
Thematic Essay	Government; Human Systems; Immigration and Migration; Reform Movements; Places and Regions; Economic Systems	Standards 1, 2, 3, 4, and 5: United States and New York History; World History; Geography; Economics; Civics, Citizenship, and Government
Document-based Essay	Presidential Decisions and Actions; Constitutional Principles; Citizenship; Foreign Policy; Places and Regions	Standards 1, 2, 3, and 5: United States and New York History; World History; Geography; Civics, Citizenship, and Government

Notes:

Part I and Part II scoring information is found in Volume 1 of the Rating Guide.

Part III scoring information is found in Volume 2 of the Rating Guide.

The *Chart for Determining the Final Examination Score for the January 2015 Regents Examination in United States History and Government* will be posted on the Department's web site at: <http://www.p12.nysed.gov/assessment/> on the day of the examination. Conversion charts provided for the previous administrations of the United States History and Government examination must NOT be used to determine students' final scores for this administration.

Submitting Teacher Evaluations of the Test to the Department

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments. It contains spaces for teachers to respond to several specific questions and to make suggestions. Instructions for completing the evaluation form are as follows:

1. Go to <http://www.forms2.nysed.gov/emsc/osa/exameval/reexameval.cfm>.
2. Select the test title.
3. Complete the required demographic fields.
4. Complete each evaluation question and provide comments in the space provided.
5. Click the SUBMIT button at the bottom of the page to submit the completed form.

FOR TEACHERS ONLY

The University of the State of New York

REGENTS HIGH SCHOOL EXAMINATION

VOLUME
2 OF 2
DBQ

UNITED STATES HISTORY AND GOVERNMENT

Wednesday, January 28, 2015 — 9:15 a.m. to 12:15 p.m., only

RATING GUIDE FOR PART III A AND PART III B (DOCUMENT-BASED QUESTION)

Updated information regarding the rating of this examination may be posted on the New York State Education Department's web site during the rating period. Visit the site at: <http://www.p12.nysed.gov/assessment/> and select the link "Scoring Information" for any recently posted information regarding this examination. This site should be checked before the rating process for this examination begins and several times throughout the Regents Examination period.

Contents of the Rating Guide

For **Part III A** Scaffold (open-ended) questions:

- A question-specific rubric

For **Part III B** (DBQ) essay:

- A content-specific rubric
- Prescored answer papers. Score levels 5 and 1 have two papers each, and score levels 4, 3, and 2 have three papers each. They are ordered by score level from high to low.
- Commentary explaining the specific score awarded to each paper
- Five prescored practice papers

General:

- Test Specifications
- Web addresses for the test-specific conversion chart and teacher evaluation forms

Mechanics of Rating

The procedures on page 2 are to be used in rating papers for this examination. More detailed directions for the organization of the rating process and procedures for rating the examination are included in the *Information Booklet for Scoring the Regents Examination in Global History and Geography and United States History and Government*.

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Albany, New York 12234

Rating the Essay Question

- (1) Follow your school's procedures for training raters. This process should include:

Introduction to the task—

- Raters read the task
- Raters identify the answers to the task
- Raters discuss possible answers and summarize expectations for student responses

Introduction to the rubric and anchor papers—

- Trainer leads review of specific rubric with reference to the task
- Trainer reviews procedures for assigning holistic scores, i.e., by matching evidence from the response to the rubric
- Trainer leads review of each anchor paper and commentary

Practice scoring individually—

- Raters score a set of five papers independently without looking at the scores and commentaries provided
- Trainer records scores and leads discussion until the raters feel confident enough to move on to actual rating

- (2) When actual rating begins, each rater should record his or her individual rating for a student's essay on the rating sheet provided, *not* directly on the student's essay or answer sheet. The rater should *not* correct the student's work by making insertions or changes of any kind.
- (3) Each essay must be rated by at least two raters; a third rater will be necessary to resolve scores that differ by more than one point.

Rating the Scaffold (open-ended) Questions

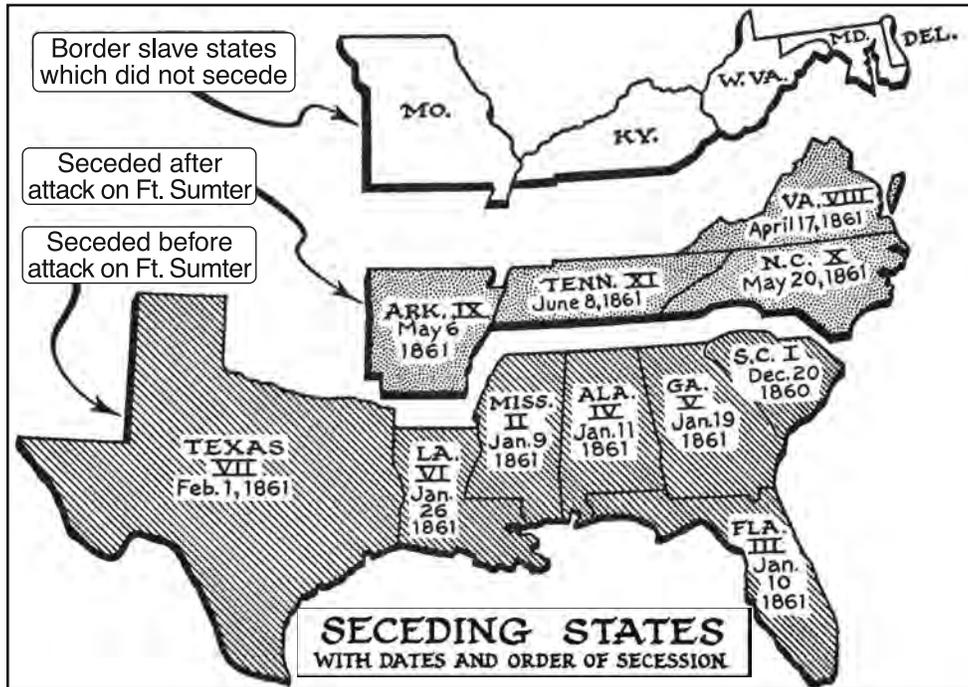
- (1) Follow a similar procedure for training raters.
- (2) The scaffold questions are to be scored by one rater.
- (3) The scores for each scaffold question must be recorded in the student's examination booklet and on the student's answer sheet. The letter identifying the rater must also be recorded on the answer sheet.
- (4) Record the total Part III A score if the space is provided on the student's Part I answer sheet.

Schools are not permitted to rescore any of the open-ended questions (scaffold questions, thematic essay, DBQ essay) on this exam after each question has been rated the required number of times as specified in the rating guides, regardless of the final exam score. Schools are required to ensure that the raw scores have been added correctly and that the resulting scale score has been determined accurately. Teachers may not score their own students' answer papers.

The scoring coordinator will be responsible for organizing the movement of papers, calculating a final score for each student's essay, recording that score on the student's Part I answer sheet, and determining the student's final examination score. The conversion chart for this examination is located at <http://www.p12.nysed.gov/assessment/> and must be used for determining the final examination score.

United States History and Government
Part A Specific Rubric
Document-Based Question
January 2015

Document 1a



Source: Kennedy and Bailey, eds., *The American Spirit, Volume I: To 1877*, Houghton Mifflin, 2002 (adapted)

Document 1b

...After a mob in Baltimore attacked the 6th Massachusetts Infantry as it passed through the city on its way to defend Washington in April 1861, other Confederate sympathizers in Maryland tore down telegraph wires and burned railroad bridges linking the capital to the outside world. In response, Lincoln suspended the writ of habeas corpus [protection against unlawful detention] between Philadelphia and Washington. Subsequent presidential orders expanded the areas where the writ was suspended until a proclamation of September 24, 1862, suspended it throughout the whole country—North as well as South—and for good measure authorized martial law and trials by military courts of “all Rebels and Insurgents, their aiders and abettors [supporters]. . . and all persons discouraging volunteer enlistments, resisting militia drafts, or guilty of any disloyal practice, affording aid and comfort to Rebels against the authority of the United States.” ...

Source: James M. McPherson, *This Mighty Scourge: Perspectives on the Civil War*, Oxford University Press, 2007 (adapted)

1 Based on these documents, what are *two* problems faced by President Abraham Lincoln in 1861?

Score of 2 or 1:

- Award 1 credit (up to a maximum of 2 credits) for each *different* problem faced by President Abraham Lincoln in 1861 based on these documents
Examples: attack on Fort Sumter; many Southern states had seceded/Southern states left the Union/secession; the need to prevent border slave states from seceding; mobs in Baltimore were attacking Northern troops/6th Massachusetts Infantry on their way to defend Washington; Washington D.C.'s links to the outside world were threatened/Confederate sympathizers in Maryland tore down telegraph wires that linked the capital to the outside world *or* Confederate sympathizers in Maryland burned railroad bridges that linked the capital to the outside world; people discouraging volunteer enlistments; resistance to militia drafts; aid/comfort being given to rebels; the Civil War; reactions to the authorization of military law and use of military courts; pro-Southern actions in Maryland led Lincoln to suspend habeas corpus; need to raise a larger army; seceding states

Note: To receive maximum credit, two *different* problems faced by President Abraham Lincoln in 1861 must be stated. For example, *Washington D.C.'s links to the outside world were threatened* and *Confederate sympathizers in Maryland tore down telegraph wires that linked the capital to the outside world* are the same reason since *Confederate sympathizers in Maryland tore down telegraph wires that linked the capital to the outside world* is a subset of *Washington D.C.'s links to the outside world were threatened*. Likewise, *Confederate sympathizers in Maryland burned railroad bridges that linked the capital to the outside world* is another subset of *Washington D.C.'s links to the outside world were threatened*. In these and similar cases, award only *one* credit for this question.

Score of 0:

- Incorrect response
Examples: border states refused to free their slaves; the 6th Massachusetts Infantry attacked a mob in Baltimore; all persons resisted the military draft; confederate sympathizers maintained the security of the national government; Lincoln authorized military trials; border states seceded
- Vague response
Examples: the order of secession; the authority of the United States; subsequent presidential orders; writ of habeas corpus
- No response

Document 2a

On May 16, 1863, the Democratic Committee of Albany, NY, adopted several resolutions denouncing alleged abuses of the Constitution by President Abraham Lincoln. Document 2a is an excerpt from the president's letter responding to their criticism about the suspension of habeas corpus.

...Ours is a case of rebellion—so called by the resolutions before me—in fact, a clear, flagrant, and gigantic case of rebellion; and the provision of the Constitution that “the privilege of the writ of habeas corpus shall not be suspended, unless when, in cases of rebellion or invasion, the public safety may require it,” is *the* provision which specially applies to our present case. ...

Source: President Abraham Lincoln, “The Truth from an Honest Man: The Letter of the President,” 1863

Document 2b

...In Lincoln's opinion, the framers of the Constitution had been wise to include a provision allowing for the suspension of the writ of *habeas corpus*, which was necessary to prevent “sudden and extensive uprisings against the government.” Lincoln explained to the Albany Democrats that Vallandigham's [former Ohio Congressman Clement Vallandigham] arrest was not, as they mistakenly believed, premised on his criticism of the administration. The Democrats had charged the administration with arresting Vallandigham in an effort to silence him, and the *Atlas and Argus* had opined [expressed the opinion] that “[t]he arrest is a threat against every public man who refuses to advocate the extreme measures of the Abolition Cabinet”; but Lincoln declared that Vallandigham had been arrested for his avowed hostility to the Union's war efforts, his laboring to prevent the raising of troops, and his encouragement of desertions from the army.

Furthermore, Vallandigham's efforts, aimed at damaging the army and leaving the Union without an adequate military force to suppress the rebellion, were intolerable to the administration and antithetical [opposed] to the Union's attempt to preserve the nation. Lincoln explained that experience showed that armies could not be maintained unless those who deserted were punished by death. He believed that Vallandigham's efforts to encourage desertions were equally detrimental to the nation and should likewise be punished by death. Then came the most-remembered passage of Lincoln's reply: “Must I shoot a simple-minded soldier boy who deserts, while I must not touch a hair of a wily agitator who induces him to desert? ... I think that in such a case, to silence the agitator, and save the boy, is not only constitutional, but, withal, a great mercy.” ...

Source: Frank J. Williams, “When Albany Challenged the President,” *New York Archives*, Winter 2009

2 Based on these documents, what is *one* argument used to *support* the suspension of the writ of habeas corpus by President Lincoln?

Score of 1:

- States an argument used to support the suspension of the writ of habeas corpus by President Lincoln based on these documents
Examples: there is a rebellion against the United States; a provision in the Constitution allows for the suspension of habeas corpus in cases of rebellion/invasion; it was necessary to prevent sudden and extensive uprisings against the government; it would help prevent interference with the war effort; preventing the raising of troops/encouraging desertions from the army interfered with the war efforts; it would help preserve the nation; Vallandigham's actions could damage the army's ability to raise troops; the public safety requires it; it is necessary to protect the United States from avowed hostility to the Union's war effort

Score of 0:

- Incorrect response
Examples: the government can arrest anyone who opposes the President; it gives the army the right to shoot deserters; the Constitution states habeas corpus cannot be suspended; Vallandigham criticized the administration; soldier boys were simple-minded
- Vague response
Examples: the Democratic Committee in Albany adopted resolutions; there were abuses; the boy would be saved; it is Lincoln's opinion; the provision of the Constitution applies to present case
- No response

Document 3a

...The clause of the constitution, which authorizes the suspension of the privilege of the writ of habeas corpus, is in the 9th section of the first article. This article is devoted to the legislative department of the United States, and has not the slightest reference to the executive department. It begins by providing “that all legislative powers therein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives.” And after prescribing the manner in which these two branches of the legislative department shall be chosen, it proceeds to enumerate specifically the legislative powers which it thereby grants [and legislative powers which it expressly prohibits]; and at the conclusion of this specification, a clause is inserted giving congress “the power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this constitution in the government of the United States, or in any department or office thereof.” ...

Source: Chief Justice Roger B. Taney, *Ex Parte Merryman*, May 1861 (adapted)

3a According to this document, why does Chief Justice Roger Taney think President Abraham Lincoln does *not* have the right to suspend habeas corpus?

Score of 1:

- States why Chief Justice Roger Taney thinks President Abraham Lincoln does not have the right to suspend habeas corpus according to this document

Examples: the privilege of the writ of habeas corpus is in the ninth section of the first article of the Constitution; Article I of the Constitution is devoted to the legislative department and has not the slightest reference to the executive department; the Constitution does not give the president this right; all of the powers related to habeas corpus belong to Congress; it is a legislative power; Article I of the Constitution does not give powers to the president

Score of 0:

- Incorrect response
Examples: it is an executive power; all of the powers related to habeas corpus belong to the House of Representatives; habeas corpus is not mentioned in the Constitution
- Vague response
Examples: it is in an article; the Senate and House of Representatives make up Congress; it is a foregoing power; it is necessary and proper
- No response

Document 3b

...These actions were contentious [controversial] at the time; the suspension of habeas corpus and the creation of military courts, if not the Emancipation Proclamation, remain controversial among historians today. Lincoln's use of these war powers established precedents invoked by subsequent presidents in wartime. Whether they were constitutional or necessary in the 1860s or in later wars remains a matter of dispute. In the *Milligan* case of 1866 the U.S. Supreme Court declared unconstitutional the trial of civilians by military courts in areas where the civil courts are open. And some of the Lincoln administration's actions, such as the arrest of Maryland legislators and other officials in September 1861, seemed excessive and unjustified by any reasonable military necessity. ...

Source: James M. McPherson, *Tried By War: Abraham Lincoln as Commander in Chief*, Penguin Press, 2008 (adapted)

3b According to James McPherson, what is *one* argument used by those who *opposed* the suspension of habeas corpus by President Lincoln?

Score of 1:

- States an argument used by those who opposed the suspension of habeas corpus by President Lincoln according to James McPherson
Examples: civilians should not be tried in military courts where civil courts were open; it was excessive/unjustified by any reasonable military necessity; its constitutionality was questioned; it would establish questionable precedents; the arrest of Maryland legislators seemed excessive and unjustified

Score of 0:

- Incorrect response
Examples: Lincoln's actions were declared constitutional; the Emancipation Proclamation created controversy; civilians should only be tried in military courts
- Vague response
Examples: actions were contentious; it remains controversial among historians; it was invoked
- No response

Document 4a

Mr. Vice President, and Mr. Speaker, and Members of the Senate and House of Representatives:

Yesterday, December 7, 1941—a date which will live in infamy—the United States of America was suddenly and deliberately attacked by naval and air forces of the Empire of Japan.

The United States was at peace with that Nation and, at the solicitation of Japan, was still in conversation with its Government and its Emperor looking toward the maintenance of peace in the Pacific. ...

As Commander in Chief of the Army and Navy I have directed that all measures be taken for our defense.

But always will our whole Nation remember the character of the onslaught against us. ...

Source: President Franklin D. Roosevelt, Address to Congress, December 8, 1941

Document 4b

...The Army, however, justified evacuation on the grounds of military necessity. According to DeWitt's [General John L. DeWitt, chief of the army's Western Defense Command] report: "The continued presence of a large, unassimilated, tightly knit racial group, bound to an enemy nation by strong ties of race, culture, custom and religion along a frontier vulnerable to attack constituted a menace which had to be dealt with." Even the absence of any overt act of sabotage caused suspicion, for it was taken as proof that plans had been carefully worked out and an "invisible deadline" was drawing near. Yet while the threat of Japanese forays [attacks] against the West Coast was not in fact removed until after the Battle of Midway in June 1942, and while the supposition that all Japanese-Americans were potential fifth columnists [spies] drew strength from a report on Pearl Harbor that erroneously ascribed [attributed] American losses to espionage, the Army's decision to relocate all Japanese resulted as much from the clamor of pressure groups as from an appraisal of military risk. "There's a tremendous volume of public opinion now developing against the Japanese of all classes," DeWitt reported late in January. "As a matter of fact, it's not being instigated or developed by people who are not thinking but by the best people of California." ...

Source: Richard Polenberg, *War and Society: The United States 1941–1945*, J.B. Lippincott Company (adapted)

4 Based on these documents, state *two* circumstances that led to President Roosevelt's decision to relocate Japanese Americans living on the West Coast of the United States.

Score of 2 or 1:

- Award 1 credit (up to a maximum of 2 credits) for each *different* circumstance that led to President Roosevelt's decision to relocate Japanese Americans living on the West Coast of the United States based on these documents

Examples: the attack on Pearl Harbor/the United States of America was attacked by Japan/attack by the naval and air forces of the Empire of Japan; the continued presence of a large, unassimilated, tightly knit racial group bound to an enemy nation along a frontier vulnerable to attack was considered a menace which had to be dealt with; clamor of pressure groups against the Japanese; growing public opinion against the Japanese; belief that Japanese Americans were potential fifth columnists/spies; a report that said American losses at Pearl Harbor had been caused by espionage; absence of an overt act caused suspicion/absence of an act was taken as proof that plans for an attack had been carefully worked out/an invisible deadline was drawing near; Japanese forays/attacks threatened the West Coast; suspicion of espionage

Note: To receive maximum credit, two *different* circumstances that led to President Roosevelt's decision to relocate Japanese Americans living on the West Coast of the United States must be stated. For example, *the attack on Pearl Harbor* and *the United States of America was attacked by Japan* are the same circumstance expressed in different words. In this and similar cases, award only *one* credit for this question.

Score of 0:

- Incorrect response
Examples: the United States was at peace with Japan; the battle of Midway removed the threat of Japanese forays against the West Coast; Japan was attacked; all Japanese Americans were spies
- Vague response
Examples: it was developed by people; General DeWitt was chief of the army's Western Defense Command; the report; overt acts; they had proof; the report was erroneous; there was tremendous volume
- No response

Document 5a

Their Best Way to Show Loyalty

Japanese leaders in California who are counseling their people, both aliens and native-born, to co-operate with the Army in carrying out the evacuation plans are, in effect, offering the best possible way for all Japanese to demonstrate their loyalty to the United States.

Many aliens and practically all the native-born have been protesting their allegiance to this Government. Although their removal to inland districts outside the military zones may inconvenience them somewhat, even work serious hardships upon some, they must certainly recognize the necessity of clearing the coastal combat areas of all possible fifth columnists and saboteurs. Inasmuch as the presence of enemy agents cannot be detected readily when these areas are thronged by Japanese the only course left is to remove all persons of that race for the duration of the war. ...

Real danger would exist for all Japanese if they remained in the combat area. The least act of sabotage might provoke angry reprisals that easily could balloon into bloody race riots.

We must avoid any chance of that sort of thing. The most sensible, the most humane way to insure against it is to move the Japanese out of harm's way and to make it as easy as possible for them to go and to remain away until the war is over.

Source: *San Francisco News*, editorial, March 6, 1942

Document 5b

All Packed Up and Ready To Go



Source: Douglas Rodger, *San Francisco News*, March 6, 1942 (adapted)

5 Based on these documents, what was *one* argument of the *San Francisco News* to support the removal of the Japanese from the West Coast?

Score of 1:

- States an argument the *San Francisco News* used to support the removal of the Japanese from the West Coast based on these documents

Examples: cooperation by Japanese Americans would demonstrate their loyalty to the United States; necessity of clearing the coastal combat areas of all possible fifth columnists/spies/saboteurs; since presence of enemy agents could not be detected readily when area is thronged by Japanese, it was best to remove all Japanese/California-born Japanese citizens from the combat area; if there is an act of sabotage, they could be the victims of angry reprisals in bloody race riots/bloody riots could break out; it would move the Japanese out of harm's way; real danger would exist for Japanese if they remained in the combat area/military zone; it was the humane way to ensure safety; to protect Japanese Americans; it may be somewhat inconvenient, but it is necessary

Score of 0:

- Incorrect response
Examples: they are not citizens; enemy agents could be readily detected; they are needed in coastal combat areas
- Vague response
Examples: they are already packed up; Japanese leaders in California are counseling their people; they remain away; the Army is carrying out evacuation plans; inconvenient; experience hardships
- No response

Document 6

United States Supreme Court Justice Frank Murphy disagreed with the majority decision in *Korematsu v. United States*. His dissent focused on the reasons the forced evacuation of Japanese Americans was unconstitutional.

...The main reasons relied upon by those responsible for the forced evacuation, therefore, do not prove a reasonable relation between the group characteristics of Japanese Americans and the dangers of invasion, sabotage and espionage. The reasons appear, instead, to be largely an accumulation of much of the misinformation, half-truths and insinuations that for years have been directed against Japanese Americans by people with racial and economic prejudices—the same people who have been among the foremost advocates of the evacuation. A military judgment based upon such racial and sociological considerations is not entitled to the great weight ordinarily given the judgments based upon strictly military considerations. Especially is this so when every charge relative to race, religion, culture, geographical location, and legal and economic status has been substantially discredited by independent studies made by experts in these matters. ...

I dissent, therefore, from this legalization of racism. Racial discrimination in any form and in any degree has no justifiable part whatever in our democratic way of life. It is unattractive in any setting, but it is utterly revolting among a free people who have embraced the principles set forth in the Constitution of the United States. All residents of this nation are kin in some way by blood or culture to a foreign land. Yet they are primarily and necessarily a part of the new and distinct civilization of the United States. They must, accordingly, be treated at all times as the heirs of the American experiment, and as entitled to all the rights and freedoms guaranteed by the Constitution.

Source: Justice Frank Murphy, Dissenting Opinion, *Korematsu v. United States*, December 18, 1944 (adapted)

6 State *one* reason Supreme Court Justice Frank Murphy believed the forced evacuation of Japanese Americans was unconstitutional.

Score of 1:

- States a reason Justice Frank Murphy believed the forced evacuation of Japanese Americans was unconstitutional based on this document

Examples: a reasonable relation between the group characteristics of Japanese Americans and the dangers of invasion/sabotage/espionage has not been proved; the military order was based on an accumulation of misinformation/half-truths/insinuations; the foremost advocates of the evacuation were people with racial and economic prejudices; the evacuation was not strictly based on military considerations; independent studies conducted by experts substantially discredited every charge relative to race, religion, culture, geographical location, and legal and economic status; it would be a legalization of racism; racial discrimination has no justifiable part in our democratic way of life; it is against the principles set forth in the Constitution of the United States; all residents of this nation are entitled to all rights and freedoms guaranteed by the Constitution; discrimination is utterly revolting/unattractive among a free people who embrace the United States Constitution

Score of 0:

- Incorrect response
Examples: there was a danger of invasion/sabotage/espionage; judgments were based on strictly military considerations; racial discrimination is justified
- Vague response
Examples: it was legalization; they relied on main reasons; it was part of the American experiment; it was guaranteed; the military order was based on an accumulation of information; all residents of this nation are kin in some way
- No response

Document 7

...On September 11th, enemies of freedom committed an act of war against our country. Americans have known wars, but for the past 136 years, they have been wars on foreign soil, except for one Sunday in 1941. Americans have known the casualties of war, but not at the center of a great city on a peaceful morning. Americans have known surprise attacks, but never before on thousands of civilians. All of this was brought upon us in a single day, and night fell on a different world, a world where freedom itself is under attack. ...

Tonight we face new and sudden national challenges. We will come together to improve air safety, to dramatically expand the number of air marshals on domestic flights and take new measures to prevent hijacking. We will come together to promote stability and keep our airlines flying, with direct assistance during this emergency.

We will come together to give law enforcement the additional tools it needs to track down terror here at home. We will come together to strengthen our intelligence capabilities, to know the plans of terrorists before they act and find them before they strike. ...

Source: President George W. Bush, Address Before Joint Session of Congress, September 20, 2001

7 Why did President George W. Bush call for a strengthening of law enforcement programs in 2001?

Score of 1:

- States why President George W. Bush called for a strengthening of law enforcement programs in 2001 based on this document
Examples: the surprise attack/act of war against our country on September 11; a terrorist attack on the United States; enemies of freedom committed an act of war against our country; to improve air safety/to dramatically expand the number of air marshals on domestic flights/to prevent hijacking/to promote stability and keep our airplanes flying with federal assistance; to give law enforcement the additional tools it needs to track down terror at home; to strengthen intelligence capabilities; to know plans of terrorists before they act; to find terrorists before they strike; freedom itself was under attack; to provide tools to fight terrorism; to prevent another 9/11; to prevent acts of war here at home

Score of 0:

- Incorrect response
Examples: to fight a war on foreign soil; America had never known a surprise attack; to commit acts of war; to restrict law enforcement; an attack on a Sunday in 1941
- Vague response
Examples: it was at the center of a great city; to come together; air marshals; tools; new measures; enemies of freedom
- No response

Document 8

Congress passed the Patriot Act just weeks after the September 11 attacks by overwhelming margins in the House and Senate. In the House, the vote was 357 to 66; in the Senate 98 to 1.

Many of the tools the Act provides to law enforcement to fight terrorism have been used for decades to fight organized crime and drug dealers, and have been reviewed and approved by the courts. The Patriot Act largely applies current law to the crimes of terrorism, including the use of chemical weapons, weapons of mass destruction, killing Americans abroad and financing terrorist activities.

There have been reports in the media about the Patriot Act, and how it will affect our civil liberties. In many cases, there are grave misunderstandings about several provisions in the Act. After learning more about the Act, I hope Americans can separate myth from reality. ...

Since the Patriot Act was signed into law, federal investigators have disrupted terror cells in at least six American cities and the Department of Justice has charged over 300 persons in terrorism-related investigations. So far, more than half of those individuals have been convicted or pled guilty. ...

The government's success in preventing another catastrophic attack on the American homeland since September 11th would have been much more difficult, if not impossible, without the Patriot Act.

Source: Congressman Lamar Smith, "The Patriot Act Protects Americans," April 23, 2004

8a According to Congressman Lamar Smith, what was the purpose of the USA Patriot Act?

Score of 1:

- States the purpose of the USA Patriot Act according to Congressman Lamar Smith
Examples: to provide law enforcement with tools to fight terrorism; to apply current law to crimes of terrorism; to fight terrorism; to prevent another catastrophic attack on America; to apply current law to crimes of terror including the use of chemical weapons *or* weapons of mass destruction *or* the killing of Americans abroad *or* the financing of terrorist activities; to help law enforcement be able to disrupt terrorist cells

Score of 0:

- Incorrect response
Examples: to fight organized crime/drug dealers; civil liberties; to reduce the power of the Department of Justice; to get approval of the courts; to charge 300 persons of terrorist-related crimes; terrorism; to deal with reports in the media
- Vague response
Examples: to separate myth from reality; to get overwhelming margins in the House and Senate; to get reports from the media; fight back; financing activities
- No response

8b In 2004, what was *one* reason Congressman Lamar Smith believed the USA Patriot Act had been successful?

Score of 1:

- States a reason Congressman Lamar Smith believed the USA Patriot Act had been successful in 2004 based on this document
Examples: federal investigators had disrupted terror cells in at least six American cities; the Department of Justice has charged more than 300 persons in terrorism-related investigations; more than half of the individuals charged with terror-related activities have been convicted or pled guilty; it has helped keep our country safe; it has helped prevent another catastrophic attack on the United States

Score of 0:

- Incorrect response
Examples: the House and Senate passed it by overwhelming margins; Department of Justice has charged few people in terrorism-related activities; it has helped finance terrorist activities; federal investigations have been disrupted
- Vague response
Examples: it was signed; convicted; there have been media reports; there were federal investigations; people were guilty; disruptions occurred
- No response

Document 9a

WASHINGTON, March 22 — Battle lines were drawn Tuesday in the debate over the government’s counterterrorism powers, as an unlikely coalition of liberal civil-rights advocates, conservative libertarians, gun-rights supporters and medical privacy advocates voiced their objections to crucial parts of the law that expanded those powers after the attacks of Sept. 11, 2001.

Keeping the law intact “will do great and irreparable harm” to the Constitution by allowing the government to investigate people’s reading habits, search their homes without notice and pry into their personal lives, said Bob Barr, a former Republican congressman who is leading the coalition.

Mr. Barr voted for the law, known as the USA Patriot Act, in the House just weeks after the Sept. 11 attacks but has become one of its leading critics, a shift that reflects the growing unease among some conservative libertarians over the expansion of the government’s powers in fighting terrorism.

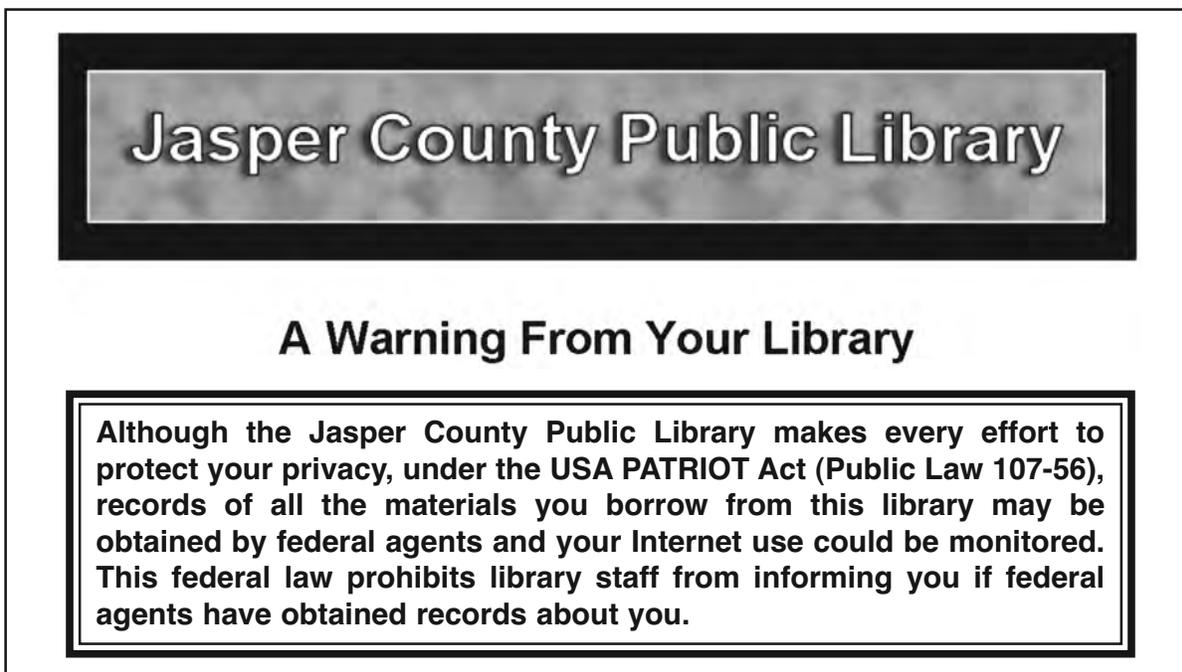
He joined with other conservatives as well as the American Civil Liberties Union on Tuesday in announcing the creation of the coalition, which hopes to curtail some of the law’s more sweeping law-enforcement provisions. ...

The coalition of liberals and conservatives said it had no quarrel with the majority of the expanded counterterrorism tools that the law provided, some of which amounted to modest upgrades in the government’s ability to use modern technology in wiretapping phone calls and the like.

But the group said it would focus its efforts on urging Congress to scale back three provisions of the law that let federal agents conduct “sneak and peek” searches of a home or business without immediately notifying the subject of such searches; demand records from institutions like libraries and medical offices; and use a broad definition of terrorism in pursuing suspects. ...

Source: Eric Lichtblau, “Coalition Forms to Oppose Parts of Antiterrorism Law,” *New York Times*, March 23, 2005

Document 9b



Jasper County Public Library

A Warning From Your Library

Although the Jasper County Public Library makes every effort to protect your privacy, under the USA PATRIOT Act (Public Law 107-56), records of all the materials you borrow from this library may be obtained by federal agents and your Internet use could be monitored. This federal law prohibits library staff from informing you if federal agents have obtained records about you.

Source: Jasper County (Indiana) Public Library, January 12, 2011 (adapted)

9 Based on these documents, what are *two* reasons for opposition to the USA Patriot Act?

Score of 2 or 1:

- Award 1 credit (up to a maximum of 2 credits) for each *different* reason for opposition to the USA Patriot Act based on these documents

Examples: the law will do great and irreparable harm to the Constitution; it threatens constitutional protection in the Bill of Rights/it allows the government to search homes without notice/it allows “sneak and peek” searches; government is allowed to pry into personal lives/it gives government unprecedented access into citizens’ private activities; it lets federal agents demand records from medical offices; it lets federal agents demand records from institutions like libraries/it allows the government to investigate peoples’ reading habits/it allows federal agents to obtain records of all materials an individual borrows from the library; it lets federal agents demand records from institutions like libraries/it allows monitoring of Internet use in libraries; it prohibits library staff from telling you if federal agents have obtained your records; law has sweeping law-enforcement provisions that threaten civil liberties; it uses a broad definition of terrorism in pursuing suspects

Note: To receive maximum credit, two *different* reasons for opposition to the USA Patriot Act must be stated. For example, *government is allowed to investigate peoples’ reading habits* and *it allows federal agents to obtain records of all materials an individual borrows from the library* are the same reason expressed in different words. In this and similar cases, award only *one* credit for this question.

Score of 0:

- Incorrect response
Examples: it prevents people from buying guns; it repealed the government’s counterterrorism powers; civil rights advocates, conservative libertarians, gun-rights supporters, and medical privacy advocates have formed a coalition; the American Civil Liberties Union voted for the law
- Vague response
Examples: battle lines were drawn; an unlikely coalition voiced objections; group focused on efforts for Congress; growing unease; efforts were focused on three provisions
- No response

United States History and Government
Content-Specific Rubric
Document-Based Question
January 2015

Historical Context: During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Three such decisions were *Abraham Lincoln's suspension of habeas corpus*, *Franklin D. Roosevelt's executive order to relocate Japanese Americans*, and *George W. Bush's signing of the USA Patriot Act*.

Task: Choose *two* of the presidential decisions affecting civil liberties listed in the historical context and for *each*

- Describe the historical circumstances that led to this decision
- Discuss an argument of those *in favor of* **and** an argument of those *opposed to* this presidential decision

Scoring Notes:

1. This document-based question has a minimum of *six* components (describing the historical circumstances that led to *each* of *two* presidential decisions affecting civil liberties, discussing an argument *in favor of* **and** an argument *opposed to* *each* presidential decision).
2. The description of the historical circumstances that led to the presidential decision may focus on long-term issues or immediate events, e.g., describing the long history of anti-Japanese discrimination on the West Coast *or* describing events surrounding Japan's attack on Pearl Harbor.
3. Information that is used to describe the historical circumstances that led to a presidential decision may also be used to discuss an argument of those in favor of the decision, e.g., concentration of a large Japanese American group on a frontier vulnerable to attack could be used to describe historical circumstances *or* as an argument in favor of the relocation of Japanese Americans.
4. The response should discuss an argument used by those in favor of the presidential decision and an argument used by those who opposed the presidential decision. However, other related arguments may be included as part of either discussion.
5. Arguments in favor of and opposed to presidential decisions may be the same for both presidents, but the facts and details will vary, e.g., the need for balance between national security requirements and protection of civil liberties as an opposition argument for both Roosevelt and Bush.
6. Arguments in favor of or opposed to a presidential decision may be discussed from different perspectives as long as the discussion is supported with accurate historical facts and examples.
7. A discussion of the USA Patriot Act may include amendments to the Act that have been added since 2001, e.g., the extension of roving wiretaps by President Obama.
8. Only two presidential decisions should be chosen from the historical context. If three presidential decisions are addressed, only the first two may be scored.
9. For the purposes of meeting the criteria of using *at least four* documents in the response, documents 1a, 1b, 2a, 2b, 3a, 3b, 4a, 4b, 5a, 5b, 9a, and 9b may be considered as separate documents *if* the response uses specific and separate facts from *each* document.

Score of 5:

- Thoroughly develops **all** aspects of the task evenly and in depth by discussing the historical circumstances that led to each of **two** presidential decisions, an argument of those in favor of, **and** an argument of those opposed to each presidential decision
- Is more analytical than descriptive (analyzes, evaluates, and/or creates* information), e.g., *Franklin D. Roosevelt's executive order to relocate Japanese Americans*: connects the long-term racial discrimination experienced by Japanese Americans on the West Coast and the public response to Japan's attack on Pearl Harbor to support for President Roosevelt's executive order evacuating the large number of West Coast Japanese Americans by those who believed it would prevent espionage, sabotage, and angry reprisals against Japanese Americans and to the opposition of those who argued it was based on racism and violated due process as guaranteed in the Constitution; *George W. Bush's signing of the USA Patriot Act*: connects the reasons the 2001 terrorist attacks created new national security challenges and required a reappraisal of law enforcement strategies to government support for expanded search and surveillance capabilities that would help prevent further acts of terrorism at home and to the argument of critics who believed the legislation's broad definition of terrorism could result in the violation of the right to privacy while expanding federal power
- Incorporates relevant information from **at least four** documents (see Key Ideas Chart)
- Incorporates substantial relevant outside information related to controversial presidential decisions (see Outside Information Chart)
- Richly supports the theme with many relevant facts, examples, and details, e.g., *Franklin D. Roosevelt's executive order to relocate Japanese Americans*: terms of Gentlemen's Agreement; San Francisco school segregation; "yellow peril"; 1920s ban on Asian immigration; destruction of Pacific fleet; widespread fear and paranoia; *George W. Bush's signing of the USA Patriot Act*: role of al Qaeda; attacks on World Trade Center, Pentagon, and Flight 93 over Pennsylvania; more than 3,000 Americans killed; surveillance of emails and phone calls; arrest of terrorists; fourth amendment issues; unreasonable search and seizure
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 4:

- Develops **all** aspects of the task but may do so somewhat unevenly by discussing all aspects of the task for one presidential decision more thoroughly than for the second presidential decision *or* by discussing one aspect of the task less thoroughly than the other aspects of the task
- Is both descriptive and analytical (applies, analyzes, evaluates, and/or creates* information), e.g., *Franklin D. Roosevelt's executive order to relocate Japanese Americans*: discusses how long-term discrimination experienced by Japanese Americans on the West Coast and the surprise attack on Pearl Harbor led to President Roosevelt issuing an executive order relocating West Coast Japanese Americans, which supporters argued would prevent espionage and sabotage while opponents argued it denied Japanese Americans their civil liberties; *George W. Bush's signing of the USA Patriot Act*: discusses the reasons for increased government concerns about protecting national security resulting from the 2001 terrorist attacks on the United States, government support for expanded search and surveillance capabilities to prevent further acts of terrorism, and the opposition of critics who believed that expansion of government power would result in the violation of citizens' right to privacy
- Incorporates relevant information from **at least four** documents
- Incorporates relevant outside information
- Supports the theme with relevant facts, examples, and details
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 3:

- Develops *all* aspects of the task with little depth *or* develops *at least four* aspects of the task in some depth
- Is more descriptive than analytical (applies, may analyze and/or evaluate information)
- Incorporates some relevant information from some of the documents
- Incorporates limited relevant outside information
- Includes some relevant facts, examples, and details; may include some minor inaccuracies
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that may be a restatement of the theme

Note: If *all* aspects of the task have been thoroughly developed evenly and in depth for *one* presidential decision and if the response meets most of the other Level 5 criteria, the overall response may be a Level 3 paper.

Score of 2:

- Minimally develops *all* aspects of the task *or* develops *at least three* aspects of the task in some depth
- Is primarily descriptive; may include faulty, weak, or isolated application or analysis
- Incorporates limited relevant information from the documents *or* consists primarily of relevant information copied from the documents
- Presents little or no relevant outside information
- Includes few relevant facts, examples, and details; may include some inaccuracies
- Demonstrates a general plan of organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Score of 1:

- Minimally develops some aspects of the task
- Is descriptive; may lack understanding, application, or analysis
- Makes vague, unclear references to the documents *or* consists primarily of relevant and irrelevant information copied from the documents
- Presents no relevant outside information
- Includes few relevant facts, examples, or details; may include inaccuracies
- May demonstrate a weakness in organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Score of 0:

Fails to develop the task or may only refer to the theme in a general way; *OR* includes no relevant facts, examples, or details; *OR* includes only the historical context and/or task as copied from the test booklet; *OR* includes only entire documents copied from the test booklet; *OR* is illegible; *OR* is a blank paper

*The term *create* as used by Anderson/Krathwohl, et al. in their 2001 revision of Bloom's *Taxonomy of Educational Objectives* refers to the highest level of the cognitive domain. This usage of create is similar to Bloom's use of the term *synthesis*. Creating implies an insightful reorganization of information into a new pattern or whole. While a Level 5 paper will contain analysis and/or evaluation of information, a very strong paper may also include examples of creating information as defined by Anderson and Krathwohl.

All sample student essays in this rating guide are presented in the same cursive font while preserving actual student work, including errors. This will ensure that the sample essays are easier for raters to read and use as scoring aids.

Raters should continue to disregard the quality of a student's handwriting in scoring examination papers and focus on how well the student has accomplished the task. The content-specific rubric should be applied holistically in determining the level of a student's response.

Lincoln's suspension of habeas corpus

Historical Circumstances

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 1—Attack on Ft. Sumter Secession of Southern states Loyalty of some border slave states Attack on 6th Massachusetts Infantry on its way to defend Washington in April 1861 by mob in Baltimore Destroying of telegraph wires and burning of railroad bridges linking the capital to outside world by Confederate sympathizers Suspension of habeas corpus between Philadelphia and Washington and then throughout the country with proclamation in 1862 by Lincoln Authorization of martial law and trials by military courts for persons discouraging volunteer enlistments, resisting military drafts, or giving aid and comfort to rebels against the authority of the United States</p>	<p>Issues leading to Civil War (nullification, States rights, role of abolitionists, extension of slavery into territories, election of Lincoln in 1860, formation of Confederacy) Details about Ft. Sumter Expansion of executive power necessary to preserve Union (blockade, increasing size of federal army, advancing treasury money, and supervision of voting in border states without congressional approval) Strategic importance of border states</p>

Arguments in Favor of

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 2—Lincoln's defense that the Constitution supported suspension in cases of rebellion Lincoln's belief that suspension was included in the Constitution to prevent "sudden and extensive uprisings against the government" Justification of Vallandigham's arrest due to his avowed hostility to Union's war efforts, his laboring to prevent the raising of troops, his encouragement of desertions from the army, his efforts that would leave Union without adequate military force to suppress rebellion, and his opposition to the Union's attempt to preserve the nation</p>	<p>Congressional approval as military necessity Importance of keeping border states loyal Constitutional sacrifices necessary to preserve Union President able to act more quickly during national emergency Potential sympathy for Southern viewpoint (civilian authority vs. military courts) Justification of military arrests (entire country as a war zone) Curtailment of civil liberties not a precedent for peacetime Threats to Lincoln's war objective by demands for armistice (Peace Democrats, Copperheads)</p>

Lincoln's suspension of habeas corpus

Arguments Opposed to

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 2—Resolutions denouncing alleged abuses of Constitution from Democratic Committee of Albany, NY</p> <p>Charges by Democrats that Vallandigham arrested in an effort to silence him</p> <p>Charges by the <i>Atlas and Argus</i> that Vallandigham's arrest threatened every public man who refused to support Lincoln</p> <p>Doc 3—Suspension of habeas corpus by legislative branch as authorized in ninth section of first article of Constitution</p> <p>No reference to executive branch in first article of Constitution</p> <p>Constitutional provision that legislative powers given only to Senate and House of Representatives</p> <p>Legislative powers enumerated in Constitution</p> <p>Establishment of unconstitutional precedents</p> <p>Use of <i>Milligan</i> case to question president's use of war powers</p> <p>Some of Lincoln administration's accusations excessive and unjustified (arrest of Maryland legislators)</p>	<p>Violation of 5th amendment due process clause</p> <p>Threatened system of checks and balances</p> <p>Dictatorial expansion of presidential power</p> <p>Civilian arrests by military not authorized by Constitution</p> <p>Exaggerated wartime concern about national security</p>

Relocation of Japanese Americans

Historical Circumstances

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 4—Sudden and deliberate attack by naval and air forces of Japan on December 7, 1941</p> <p>United States in conversation with Japan to maintain peace in Pacific</p> <p>Character of attack not to be forgotten (“a date which will live in infamy”)</p> <p>Fear of another attack on United States</p> <p>Japanese Americans—a large, unassimilated, tightly knit racial group bound to enemy nation by strong ties of race, culture, custom, religion</p> <p>Concentration of large Japanese American group on a frontier vulnerable to attack</p>	<p>Japanese aggression in Pacific</p> <p>Deteriorating relationship with Japan (embargoes, freezing of assets, unsuccessful negotiations)</p> <p>Long history of anti-Japanese sentiment on West Coast (“yellow peril”, property ownership restrictions, employment discrimination, social segregation, Gentlemen’s Agreement)</p> <p>Declaration of war as a result of damage to Pacific fleet at Pearl Harbor and extensive loss of life</p>

Arguments in Favor of

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 4—Justification of evacuation on grounds of military necessity</p> <p>Japanese Americans large, unassimilated, tightly knit racial group bound to enemy nation by strong ties of race, culture, custom, religion</p> <p>Fear of another attack</p> <p>Concentration of large Japanese American group on a frontier vulnerable to attack</p> <p>Absence of overt act of sabotage, proof of carefully worked out plans with “invisible deadline”</p> <p>Supposition that all Japanese Americans were potential fifth columnists (spies)</p> <p>Report on Pearl Harbor that ascribed American losses to espionage</p> <p>Tremendous volume of negative public opinion</p> <p>Doc 5—Demonstration of loyalty of California-born Japanese citizens to the United States with cooperation in evacuation plans</p> <p>Support of West Coast newspapers for evacuation (<i>San Francisco News</i>)</p> <p>Necessity of clearing coastal combat areas of possible fifth columnists and saboteurs</p> <p>Detection of enemy agents difficult in large Japanese population</p> <p>Danger for Japanese who remained in combat area</p> <p>Possibility that angry reprisals could easily balloon into race riots</p> <p>Evacuation for duration of war humane way to protect Japanese</p>	<p>Death of more than 2,300 Americans by Japanese at Pearl Harbor</p> <p>Evacuation of Japanese Americans upheld by Supreme Court (<i>Korematsu v. United States</i>)</p> <p>Justification of Executive Order 9066 based on national security</p>

Relocation of Japanese Americans

Arguments Opposed to

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 6—No reasonable relation between group characteristics of Japanese Americans and dangers of invasion, sabotage, and espionage</p> <p>Use of misinformation, half-truths, and insinuation to make decision</p> <p>Foremost advocates of policy—people with years of racial and economic prejudices against Japanese Americans</p> <p>Policy based on racial and sociological considerations instead of strict military considerations</p> <p>Independent studies discrediting every charge relative to race, religion, culture, geographical location, and legal and economic status</p> <p>Racial discrimination in any form and in any degree not justifiable in a democracy</p> <p>Violation of Constitutional principles</p> <p>Entitlement of all residents of United States to rights and freedoms guaranteed by Constitution</p>	<p>Different treatment for German Americans and Italian Americans</p> <p>Willingness of Japanese Americans to volunteer for military duty</p> <p>United States citizenship of many Japanese Americans</p> <p>Unfairness of forcing individuals to leave homes, sell property at a loss, disrupt lives, move to internment camps</p> <p>Violation of 5th and 14th amendment rights (due process, right to privacy)</p> <p>Dangerous precedent for a democratic nation</p> <p>Manipulation of issue by politicians to advance self-interest</p>

Signing of the USA Patriot Act

Historical Circumstances

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 7—September 11, 2001—act of war against country by enemies of freedom</p> <p>September 11, 2001—first act of war on American soil since 1941</p> <p>Death of thousands of civilians</p> <p>New and sudden national security challenges</p>	<p>Previous terrorist actions and activities (1993 World Trade Center, Pan American Flight 103, USS <i>Cole</i>)</p> <p>Complications of United States foreign policy toward Middle East (oil, alliances, Islamic fundamentalism)</p> <p>Public’s emotional response as a result of attacks</p> <p>Increased fear and anxiety about national security (World Trade Center, Pentagon, Flight 93 over Pennsylvania, anthrax mailings)</p>

Arguments in Favor of

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 7—Need to improve air safety, to expand number of air marshals on domestic flights, to take new measures to prevent hijacking</p> <p>Need to promote stability and keep American airlines flying</p> <p>Need for law enforcement to have additional tools to track domestic terrorists</p> <p>Need to strengthen intelligence capabilities to know plans of terrorists before they act and find them before they strike</p> <p>Doc 8—Application of current law to crimes of terrorism (chemical weapons, weapons of mass destruction, killing Americans abroad, financing terrorist activities)</p> <p>Disruption of terror cells in American cities</p> <p>Terrorism-related investigations by Department of Justice leading to charges, convictions, guilty pleas</p> <p>Need to prevent another catastrophic attack on America</p>	<p>Recommendations of 9/11 Commission (increased cooperation between FBI and CIA)</p> <p>Strong public support for doing what is necessary for national security</p> <p>Strong bipartisan support for counterterrorist measures</p> <p>Nature of terrorism requiring different thinking about law enforcement</p>

Arguments Opposed to

<i>Key Ideas from Documents</i>	<i>Relevant Outside Information</i> (This list is not all-inclusive.)
<p>Doc 9—Great and irreparable harm to the Constitution (allowing government to investigate people’s reading habits, search of homes without notice, prying into personal lives)</p> <p>Concern over expansion of government’s powers in fighting terrorism</p> <p>Threats to civil liberties (invasion of privacy, unreasonable search, monitoring of personal records such as library borrowing, Internet use, and records in medical offices)</p>	<p>Unconstitutional (amendments 1, 4, 5, and 6)</p> <p>Passage of laws without adequate debate or deliberation</p> <p>Need for balance between law enforcement and protection of civil liberties (habeas corpus)</p> <p>Expansion of federal power at expense of state and local governments</p> <p>Possibility of misuse by some government officials</p>

In the America in which we live, the Constitution provides for countless freedoms and rights to all citizens. Some of these rights include freedom of speech, the right to bear arms, the right to a trial by jury, and numerous others. Some of the citizens in the United States labor under the mistaken impression that their civil liberties are absolute. However, as was firmly established in the Supreme Court case *Schenck v. United States*, this is not the case. Justice Oliver Wendell Holmes declared that in the case of clear and present danger, civil liberties may be suspended. Throughout the course of American history, several presidents have, in case of rebellion or invasion, suspended certain civil rights in favor of the country's safety. Two such presidents were Abraham Lincoln, who suspended the writ of habeas corpus during the Civil War, and President George W. Bush's signing of the Patriot Act following the September 11, 2001 attacks.

In the years of 1860-61, President Abraham Lincoln found himself in a desperate predicament. The differences between the North and South over the issue of slavery and states rights had led several states to secede from the Union after his election and form the Confederacy. Although Lincoln was not an abolitionist, the South feared he would end their "peculiar institution." War had broken out after the Confederate attack on Fort Sumter. At the same time Confederate sympathizers began rioting in the border state of Maryland. In April 1861, after a mob in Baltimore attacked the 6th Massachusetts Infantry on its way to defending Washington, Lincoln decided to suspend the writ of habeas corpus between Philadelphia and Washington and imprison anyone he felt was aiding the South. He eventually expanded the suspension to the whole

country to stop treasonous actions that might jeopardize his goal of preserving the Union. He had to act quickly and decisively (Document 1b).

Lincoln defended his actions by quoting the Constitution itself, which states that “the privilege of habeas corpus may not be suspended unless when public safety requires it in case of rebellion or invasion” (Document 2a). He pointed to the rioting and rebellion going on in Maryland and the necessity of protecting the nation’s capital as a clear situation to which the Constitution was referring in which habeas corpus may be suspended. Secessionists in the other border states could gain control and lead those states to also separate from the Union. The country was in chaos; Southern states had seceded, and if the border states left the Union would be in shambles. In his opinion, the framers of the Constitution had included this provision to prevent “sudden and extensive uprisings against the government.” He felt he was justified because as president he could act more quickly than Congress.

Some people disagreed with Lincoln’s reasoning. Democrats in Albany were becoming more concerned about the length of the war and with the Republican president’s use of power (Document 2b). Supreme Court Chief Justice Taney pointed out that the clause in the Constitution allowing for the suspension of habeas corpus was referring to the legislative branch, Congress. However, nowhere was there any mention of the executive branch, the president, doing so. (Document 3a) Taney was using a strict interpretation of the Constitution. The elastic clause of the constitution itself was also provided but only for Congressional use. Therefore, it was felt Lincoln had overextended his boundaries as president and disregarded the

system of checks and balances.

Prior to September 2001, there had not been a major foreign attack on the contiguous United States since the War of 1812. The attacks of September 11, 2001, brought about a new chapter in American history and altered Americans' perception of their safety. Four airplanes were hijacked by terrorists. Two crashed into the Twin Towers, one into the Pentagon, and the fourth, which was heading toward the White House, crashed into a field in Pennsylvania. Thousands of people were killed and many Americans worried that terrorist activities would continue. Following the attacks, President George W. Bush declared a war on terrorism and as Lincoln had expanded his powers during the Civil War Bush also expanded his powers. In addition to taking on a foreign war in Afghanistan to destroy Al-Qaeda Congress passed the Patriot Act to fight terrorism on American soil. It gave the government the right to wiretap phones and search e-mails and other private information without a specific warrant in order to gather information about suspected terrorists and their activities. This was a different kind of war. It would be important to monitor dangerous individuals and stop attacks from happening.

Many people, both in the government and outside it, defended the Patriot Act because it would help protect national security. It passed through Congress in an overwhelming majority - 357 to 66 in the House and 98 to 1 in the Senate (Document 8). There was hardly any debate because Congress was reacting to the seemingly ever present new dangers of terrorism. They felt that dangerous times called for drastic measures, and that the government should act aggressively to keep the country safe. Terrorism has such a strong threat to the public welfare and since no one knew what we were up against or how long

the war on terror would have to last a loss of privacy would be insignificant in comparison to the number of lives saved. Indeed, Congressman Lamar Smith stated in April 2004 that "Since the Patriot Act was signed into law, federal investigators had disrupted terrorist cells in at least 6 different American cities" (Document 8). Those who defended the law felt that the benefits significantly outweighed the deficits of the loss of personal liberties guaranteed in the Bill of Rights. Terrorism was a clear and present danger.

There were many other people who felt that the Patriot Act would do "great and irreparable harm" to America and saw civil liberty guarantees as being more absolute, as Charles Schenck had. The law was in direct violation of the 4th Amendment, which provides for the right to privacy. Some people were afraid of the government abusing the ability to search for information, and broadly defining what a war was and who was a suspected terrorist. Also, the law allowed for searches without informing the subject, which they felt would be harmful. Some who disagreed with the law thought it was passed too quickly and that Congress did not spend enough time discussing the possible negative effects of the law on individuals and the country. Government surveillance of individuals could get out of hand and that, too, would be a clear and present danger.

Overall, presidents of the United States, such as Abraham Lincoln and George W. Bush, have suspended different civil liberties at times in American history. They have been met with much controversy. However, they have stood firm in their beliefs that their actions benefit the safety of the country, and have helped the country through some of its major crises.

Anchor Level 5-A

The response:

- Thoroughly develops all aspects of the task evenly and in depth for Abraham Lincoln’s suspension of habeas corpus and George W. Bush’s signing of the USA Patriot Act
- Is more analytical than descriptive (*Lincoln*: justified writ by pointing to rioting and rebellion in Maryland; if border states left, Union would be in shambles; as president, he could act more quickly than Congress; Albany Democrats becoming more concerned about length of war and with Republican president’s use of power; Chief Justice Taney pointed out clause allowing for suspension referred to legislative branch; *Bush*: prior to 9/11, no major foreign attack on contiguous United States since the War of 1812; it would be a different kind of war so it would be important to monitor dangerous individuals and stop attacks from happening; a loss of privacy would be insignificant in comparison to number of lives that would be saved; some afraid of government abusing ability to search for information, broadly defining what a war was, and deciding who was a suspected terrorist; some thought Congress did not spend enough time discussing possible negative effects of the law)
- Incorporates relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates substantial relevant outside information (*Lincoln*: differences between North and South over slavery and States rights led several states to secede after his election and form the Confederacy; secessionists in border states could lead those states to separate from Union; some felt Lincoln had disregarded the system of checks and balances; *Bush*: four airplanes were hijacked by terrorists with two crashing into the Twin Towers, one into the Pentagon, and fourth crashing in a field in Pennsylvania; Congress took on a war in Afghanistan to destroy al Qaeda; defenders felt benefits of law significantly outweighed deficits of loss of personal liberties guaranteed in the Bill of Rights; terrorism was a clear and present danger; some saw civil liberty guarantees as being absolute, as Charles Schenck had; Act in direct violation of 4th amendment which provides for right of privacy)
- Richly supports the theme with many relevant facts, examples, and details (*Lincoln*: Baltimore mob attacked 6th Massachusetts infantry; suspended writ between Philadelphia and Washington and eventually entire country; Constitution states writ may not be suspended unless public safety requires it in case of rebellion or invasion; Taney used strict interpretation of the Constitution; *Bush*: Congress passed Act to fight terrorism on American soil; gave government right to wiretap phones; passed by overwhelming majority in House and in Senate; as of April 2004, federal investigators disrupted terrorist cells in at least six different American cities; Act allowed for searches without informing the subject)
- Demonstrates a logical and clear plan of organization; includes an introduction that states the freedoms provided by the Constitution are thought to be absolute by some even though they are not and a conclusion that states Lincoln and Bush stood firm in the belief that their actions benefited the safety of the country

Conclusion: Overall, the response fits the criteria for Level 5. A good understanding of the “clear and present danger” concept establishes a thoughtful context for the discussion of circumstances leading to both presidential decisions. Relevant political and constitutional understandings are reflected in document analysis throughout the response.

During a president's time in office, they are likely to come face-to-face with events that threaten the national security of America. To combat these threats, presidents sometimes take actions that inhibit the rights of citizens, supposedly for the safety of the country. Two such presidents are Franklin D. Roosevelt and George W. Bush. Roosevelt called for the relocation of Japanese Americans due to the war with Japan, and Bush enacted the Patriot Act to help combat terrorism in the country. The actions these presidents took were as highly criticized as they were praised by citizens.

Franklin D. Roosevelt, while dealing with the Great Depression and directing the New Deal on the homefront, had many problems to attend to on a global scale. The U.S. rejected the League of Nations after World War I. During the 1930s Congress passed Neutrality Acts hoping to stay out of war but it wasn't possible. World War II came to America when the American port in Pearl Harbor, Hawaii, was bombed in a surprise attack by Japanese forces. This attack influenced the U.S. to enter World War II the very next day against Japan and against Germany soon after. (Doc. 4) The army and many California residents were worried, however, about an attack on the U.S. from within by Japanese Americans that might be loyal to their mother country. Since the Japanese Americans living on the west coast had suffered discrimination for many years and some were not allowed to become citizens they generally lived with other Japanese Americans. (O.1). This resulted in less assimilation than most other immigrant groups. To combat the fear of possible espionage and sabotage Roosevelt was convinced to issue Executive Order 9066. This led to Japanese Americans living on the west coast being relocated to internment

camps away from the coast. This decision was supported by some, but opposed by others.

American citizens had opposing views when debating whether the relocation of Japanese Americans was constitutional or not. Those who supported the action felt that Japanese American co-operation with Roosevelt's Executive Order 9066 was a means of testing their loyalty (Doc.5). If they were truly loyal to the country, they would understand the need for such actions during wartime. This in turn would also help identify potential Japanese spies in the process (Doc.5). Americans expected the government to protect them and they believed the government has the responsibility to protect national security. People living on the west coast were nervous and afraid that Japanese Americans could not be trusted any more than the country of Japan could be trusted. After all the Japanese had attacked Pearl Harbor without warning while our diplomats were still discussing peace in the Pacific (Doc 4). Those who opposed the action, however, thought much differently about it. Some felt that forcing Japanese Americans to leave their homes and placing them in these camps surrounded by barbed wire and armed guards was, in essence, stripping them of their constitutional rights as citizens (Doc.6). They were denied due process rights as guaranteed in the Constitution. (O.1). Some Japanese Americans even fought back in the courts against this decision, in hopes of overturning the internment. The most famous example of this was in the court case Korematsu vs. United States. Korematsu, a Japanese American, was arrested and convicted for not obeying the internment order. (O.1). He ultimately appealed to the Supreme Court that his rights shouldn't be restricted and the conviction was unfair.

The Supreme Court, however, ruled that rights of some citizens can be restricted during war to protect against espionage and sabotage. However, Justice Murphy argued that the forced evacuations of Japanese Americans should be based on fact and not on rumors or racism. He refused to accept the military's judgment because it was based on flawed considerations (Doc. 6). This was not the only time a president's actions were highly controversial, however.

During the presidency of George W. Bush, he had to deal with a situation very similar to that of Roosevelt's. Before Bush was president, tensions between America and Islamic fundamentalist groups in the Middle East had begun to rise. (O.I). Terrorism became the weapon of choice to protest American foreign policy and what America stood for. Events such as the Iran Hostage Crisis during Jimmy Carter's presidency and the bombing of the USS Cole in the Middle East by Islamic Fundamentalists presented new challenges for the U.S. (O.I). Finally, on September 11, 2001, terrorists working out of Afghanistan enacted a plan the U.S. would never forget. Similar to the attack on Pearl Harbor, members of Al Qaeda, a terrorist group led by Osama Bin Laden, hijacked four American planes and crashed two into the World Trade Center and one into the Pentagon. (O.I). The country was devastated, and President Bush knew something had to be done about it. (Doc. 7). As a result, Bush asked Congress for a resolution in support of bombing Al Qaeda targets in Afghanistan and for the USA Patriot Act just weeks after the attacks on 9/11. Most Americans supported these actions. Just like Roosevelt, Bush faced controversy in his decision to impose such a law as the war on terror continued.

After Bush signed the Patriot Act to prevent secret terrorist acts, history basically repeated itself, as supporters and critics of the Act began to be heard. Those in favor of the Act felt that it was an effective way to help make sure another 9/11 never happened again even if it meant restricting freedoms. America did not want that kind of shock again or to experience the loss of so many innocent lives. It was reported that, as of April 23, 2004, over 300 people were investigated and charged with terrorism, and over half of them were convicted or pled guilty (Doc.8). Those opposed to it, on the other hand, felt it was a restriction of civil liberties and privacy. Since the Patriot Act allowed federal agents to initiate “sneak and peak” searches, citizens felt that it was an invasion of their personal lives, and an abuse of the Constitution. Opponents believed that government leaders took advantage of fear and passed legislation that was extreme and beyond what was necessary to protect national security. To enforce the Patriot Act, millions of taxpayer dollars would have to be spent on homeland security and on monitoring innocent law abiding citizens. (O.1). For example public records could be examined by the government, including the library books checked out and internet usage of individuals. Those whose records were observed were not supposed to know or be told about it (Doc.9). Although the Patriot Act is still in effect today, expanded government surveillance continues to be a controversial issue.

President Roosevelt’s and President Bush’s decisions during times of national danger are very controversial topics. Roosevelt’s relocation of Japanese Americans was admired for increasing national security but criticized for its restriction of citizens’ rights. President Bush’s

passage of the Patriot Act helped uncover terrorist activities in the U.S., but also invaded peoples' privacy. All in all, it truly is a difficult task for a president to provide for his country while making everyone happy at the same time.

Anchor Level 5-B

The response:

- Thoroughly develops all aspects of the task evenly and in depth for Franklin D. Roosevelt's executive order to relocate Japanese Americans and George W. Bush's signing of USA Patriot Act
- Is more analytical than descriptive (*Roosevelt*: the army and many California residents worried about an attack from within by Japanese Americans that might be loyal to their mother country; those who supported relocation felt Japanese American cooperation with Executive Order 9066 was a means of testing their loyalty; Japanese attacked Pearl Harbor while our diplomats were still discussing peace in the Pacific; some felt forcing Japanese Americans to leave homes was stripping them of their constitutional rights; Justice Murphy argued that forced evacuation of Japanese Americans should be based on fact, not on rumors or racism; *Bush*: terrorism became weapon of choice to protest American foreign policy and what America stood for; supporters felt Act was an effective way to make certain another 9/11 never happened again even if it meant restricting freedoms; citizens felt Act was an invasion of their personal lives and abuse of Constitution; government leaders took advantage of fear and passed legislation that was extreme and beyond what was necessary to protect national security)
- Incorporates relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates substantial relevant outside information (*Roosevelt*: attack on Pearl Harbor influenced entry into World War II; Japanese Americans living on West Coast had suffered discrimination for many years resulting in less assimilation than most other immigrant groups; Japanese Americans denied due process rights; Korematsu arrested and convicted for not obeying internment order; Supreme Court ruled that rights can be restricted to protect against espionage and sabotage; *Bush*: before his presidency, tensions between America and Islamic fundamentalist groups in Middle East had begun to rise; events such as the Iran hostage crisis and bombing of USS *Cole* presented new challenges for United States; members of al Qaeda, led by bin Laden, hijacked American planes and crashed them into World Trade Center and the Pentagon; Bush asked Congress for a resolution in support of bombing al Qaeda targets in Afghanistan; to enforce Act, millions of taxpayer dollars to be spent on homeland security and on monitoring innocent law-abiding citizens; expanded government surveillance continues to be a controversial issue today)
- Richly supports the theme with many relevant facts, examples, and details (*Roosevelt*: League of Nations; Neutrality Acts; World War II; relocation of Japanese Americans in camps; *Bush*: over 300 people investigated and charged with terrorism and over half convicted or pled guilty; "sneak and peek" searches; public records such as library books checked out and Internet usage)
- Demonstrates a logical and clear plan of organization; includes an introduction that states presidents sometimes impose laws that inhibit the rights of citizens to combat threats to national security and a conclusion that notes the controversial nature of Roosevelt's and Bush's decisions

Conclusion: Overall, the response fits the criteria for Level 5. A good historical context supported by substantive outside information is established in the discussion of circumstances leading to both presidential decisions. Insightful document analysis contributes to the examination of arguments for each decision.

The antifederalist critics of the Constitution were successful in adding a written guarantee of rights for the individual: The Bill of Rights. Throughout the next 200 years, the question of whether or not these rights superceded national security has been raised many times. To understand why, a historical context needs to be explored: Only then can one more objectively analyze both the supporters and opponents of this temporary suspension of individual rights. Two famous examples of this are Lincoln's suspension of the writs of habeas corpus during the 1860's and Roosevelt's decision to relocate Japanese Americans to internment camps during World War II.

During the 1860 Presidential campaign, sectional tensions reached their apex when the southern states threatened to secede from the Union if Republican candidate Abraham Lincoln was elected. Although Lincoln promised not to interfere with slavery where it already was, some southern states thought they would be more secure out of the Union. When he was elected, the South kept its word: one month after Lincoln's victory, South Carolina seceded from the Union, and by June of the next year, eleven Southern states had joined the Confederacy, the rebel government. (Doc. 1a). When the Confederates sympathizers in Baltimore began to attack and destroy Union infrastructure and communications equipment, Lincoln suspended the writs of habeas corpus, or the protection against unlawful detention in Maryland. (Doc. 1b). He was concerned about the spread of violence, more disloyalty, and the safety of the national capital. Since the entire country was either a war zone or vital to the war effort, he extended the suspension into the North as well. The Constitution does permit the suspension of these writs "in cases of rebellion or invasion, [or when] the public safety may

require it.” (Doc. 2a). This was the argument used by Lincoln and supporters of this decision: there was clearly a rebellion taking place and he had to use his war powers as commander-in-chief to defend the United States. Lincoln felt that this was constitutional because he needed to be able to quickly detain insubordinate rebels who could otherwise continue subversive treasonous activities in the interim between confirmed suspicion and lawful detainment. Clement Vallandigham’s efforts to discourage volunteers and encourage desertions is an example. To argue against this decision, pro-Southern Chief Justice Roger Taney, whose court had ruled against Dred Scott’s freedom, cited the location of the writs of habeas corpus in the constitution: in the 9th section of the first article, which appropriates powers to the legislative branch. (Doc. 3a) Taney and others use this fact to claim that the President acted outside his authority by suspending habeas corpus by executive order. Another, perhaps more popular argument is that Lincoln’s technically constitutionally valid action set the precedent for more radical and rights-restricting presidential actions in the future such as Franklin D. Roosevelt’s internment order during World War II. James M. McPherson, who outlines this and other arguments in a 2008 book, also claims that some of Lincoln’s actions supposedly authorized by the suspension of habeas corpus were “excessive and unjustified” especially considering the Supreme Court ruling in the Milligan case. (Doc. 3b). Although the constitutional provision about habeas corpus as it relates to rebellion would seem to justify Lincoln’s action, an underlying continuing controversy over the far-reaching use of executive power during wartime makes the issue much more complicated.

80 years and 3 wars later, President Franklin D. Roosevelt is faced with a crucial decision and presidential power would be questioned again. On December 7th, 1941 — “a date which will live in infamy” — the United States was attacked by the Japanese at Pearl Harbor in the not-yet-state of Hawaii. (Doc. 4a). Americans were shocked and angry over the many deaths and destruction that came so unexpectedly even though our relationship was strained. A concern developed among some that something must be done about the Japanese Americans living on the West Coast as rumors of espionage and sabotage brought the West Coast United States into a panic. Roosevelt decided to follow the military’s advice, which relied too much on anti-Japanese fears on the West Coast. This executive order set up military areas from which citizens of Japanese descent and non-citizen Japanese immigrants living on the West Coast could be excluded. They were then relocated to internment camps. Although most Japanese Americans were citizens, they were denied due process rights and not formally charged with a crime. Some of the individuals who made recommendations to intern the Japanese Americans were also extremely prejudiced themselves and said they wished to protect the American public from sabotage and further attack. This decision grew to be one of the most controversial issues in American history. Supporters argued that the willingness of the Japanese Americans to be interned would show their loyalty to the United States and protect them from racial prejudice and possible violence. (Doc. 5a). However, the Japanese Americans had faced years of discrimination in California where their property rights were limited and their children faced school segregation. The bombing at Pearl Harbor made the racism they faced for years worse. Although interned Japanese

Americans volunteered to fight as American soldiers to show their loyalty in World War II, their relatives continued to live in internment camps. Justice Frank Murphy, in his dissenting opinion for Korematsu vs. the United States, the Supreme court case that upheld the conviction of Korematsu and the exclusion order, believed racial discrimination was strongly at play in the ruling and should hold no place in a Democratic society. (Doc. 6) The United States government eventually ceased internment and later formally and fiscally apologized to the Japanese people.

The tension between individual rights and the needs of national security has led to a number of different presidential decisions. Both Lincoln and Roosevelt faced hard choices concerning the country's future.

Anchor Level 4-A

The response:

- Develops all aspects of the task for Abraham Lincoln’s suspension of habeas corpus and Franklin D. Roosevelt’s executive order to relocate Japanese Americans
- Is both descriptive and analytical (*Lincoln*: since entire country was either a war zone or vital to the war effort, suspension extended into the North; Constitution permits suspension in cases of rebellion or invasion when public safety may require it; Confederate sympathizers attacked and destroyed Union infrastructure and communications; Lincoln’s action set precedent for more radical and rights-restricting presidential actions; underlying continuing controversy over far-reaching use of executive power during wartime makes issue more complicated; *Roosevelt*: United States attacked by Japanese at Pearl Harbor; Americans shocked and angry over many deaths and destruction even though relationship with Japan strained; supporters argued willingness of Japanese Americans to be interned would show loyalty to United States and protect them from racial prejudice and possible violence; bombing at Pearl Harbor made racism worse; Supreme Court Justice Murphy believed racial discrimination at play in Korematsu ruling and should hold no place in a democratic society)
- Incorporates relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates relevant outside information (*Lincoln*: Southern states threatened to secede if Lincoln elected; although he promised not to interfere with slavery, some Southern states thought they would be more secure out of the Union; *Roosevelt*: executive order set up military areas; although most Japanese Americans were citizens, they were denied due process rights; Japanese Americans faced years of discrimination in California where property rights were limited and children faced school segregation; although Japanese Americans volunteered to fight as American soldiers in World War II, their relatives continued to live in internment camps; Supreme Court upheld Korematsu’s conviction and exclusion order; United States government eventually ended internment and apologized to Japanese people)
- Supports the theme with relevant facts, examples, and details (*Lincoln*: eleven states joined Confederacy; Vallandigham discouraged volunteers and encouraged desertions; Chief Justice Taney; location of habeas corpus in Constitution appropriates powers to legislative branch; *Roosevelt*: citizens of Japanese descent and noncitizen Japanese immigrants living on West Coast could be excluded then relocated to internment camps)
- Demonstrates a logical and clear plan of organization; includes an introduction that discusses the suspension of individual rights versus the needs of national security and a brief conclusion

Conclusion: Overall, the response fits the criteria for Level 4. Although the documents are used to frame the discussion, the response integrates good relevant outside information. Acknowledging the continuing controversy over the use of executive wartime power provides a historical segue from Lincoln’s suspension of habeas corpus to Roosevelt’s decision about Japanese American internment.

Desperate times call for desperate measures, and times of hardship led presidents to make difficult decisions. Civil war-time Abraham Lincoln and turn-of-the-21st-century George W. Bush both had to make tough decisions regarding civil liberties when crisis struck and to this day both decisions are seen as highly controversial. Constitutional or not, those presidents suppressed civil rights and in doing so affected the outcome of their respective crises.

Abraham Lincoln is often remembered for honesty, his Civil War leadership, and the abolishment of slavery with his support of the 13th amendment. Some even believe he was one of our best presidents for defeating the Confederacy and his plans for reuniting the United States of America. After he was elected, the country was falling apart, and from December to June the country lost eleven states (Document 1a). Before the fall of Fort Sumter, Lincoln was trying to preserve the nation by assuring the Southern states he would not attack them. After Fort Sumter, he had to fight and win a war to bring those eleven states back. It wouldn't be easy so when sympathizers of the Confederates in Maryland destroyed communication lines to Washington D.C. he had to act quickly (Document 1b) so he decided to suspend the writ of habeas corpus. That means that he temporarily bypassed the constitutional protection of citizens against unlawful detention. There was quite a stir as both agreements and disapprovals for this policy appeared throughout the country. Most of the support for the suspension was backed up by the fact that the provision in the Constitution about habeas corpus specifically states that it can be suspended when "in cases of rebellion or invasion, the public safety may require it". (Doc 2a). The Civil War was dangerous enough for the

future of this country and endangered the lives of soldiers and their families without confederate supporters working on their own agendas. Of course words were spoken against the suspension, calling it unconstitutional. The Chief Justice of the Supreme Court argued the fact that the provision for habeas corpus is within an article in the Constitution about the legislative branch of government and its powers (Doc 3a). That argument might make the suspension of habeas corpus by a president unconstitutional. After the Civil War, the Supreme Court ruled that if civilian courts were open, that is where civilians have to be tried (Doc 3b). But if you boil it down, those confederate supporters were terrorists of a different kind in a different time trying to spark further unrest in the Union when Lincoln was trying so hard to pull the country back together again.

The terrorists of the 1860s were nothing like those of the late-1900s and early 2000s, though. Technology and biological advancements have created a new breed of terror, coming to us from across the Atlantic Ocean. This modern terror came to a peak in 2001 as American airliners were hijacked, used as weapons, and flown into both of the towers of the world trade center and into the Pentagon. Although global terrorism had been around for many years, this radical Islamic attack caught the nation off guard. Everyone was worried that an attack of that magnitude could happen again and threaten more American lives and our economic well-being. Soon after this attack, Bush Jr. called for an increase of law enforcement policies “to know the plans of terrorists before they act, and find them before they strike” (Document 7). A great majority of Americans supported the USA Patriot Act at first, brought together by fear and hostility

toward the terrorists. And it really did work, within 3 years the Act had been used to discover and disrupt terrorist cells in at least six cities and had been used to charge over 300 people with terror-related crimes, over half of which were convicted or pled guilty (Document 8).

But by 2005, dislike for the USA Patriot Act was growing to a noticeable decibal. Even members of congress who voted for the Act weeks after 9/11 were upset with it. Bob Barr had been a republican congressman when he voted in favor of the USA Patriot Act, but formed a coalition against it four years later, calling for a decrease in its power (Document 9a). The Act threatened doctor-patient confidentiality and communication privacy and let the federal government search into your personal life with no notice that they were looking. There seemed to be no end in sight for government infringement on individual liberties when it came to national security.

The debates over the legality and ethics of these wartime presidents' actions could go on forever without being resolved. It's no surprise either if future presidents have to make similar calls during national emergencies. If the country can be better protected by restraining civil liberties, then it will probably happen.

Anchor Level 4-B

The response:

- Develops all aspects of the task for Abraham Lincoln’s suspension of habeas corpus and George W. Bush’s signing of the USA Patriot Act
- Is both descriptive and analytical (*Lincoln*: before fall of Fort Sumter, he was trying to preserve the nation by assuring Southern states he would not attack; temporarily bypassed constitutional protection of citizens against unlawful detention; argument of Supreme Court Chief Justice might make suspension by a president unconstitutional; after Civil War, Supreme Court ruled if civilian courts were open, civilians must be tried there; Confederate supporters were terrorists of a different kind in a different time trying to spark further unrest in the Union when Lincoln was trying so hard to pull country back together; *Bush*: everyone was worried that an attack of the magnitude of 9/11 could happen again and threaten more American lives and our economic well-being; Americans brought together by fear and hostility toward the terrorists; by 2005, dislike for Patriot Act growing; terrorist cells in at least six cities discovered; over 300 people charged with terror-related crimes, half of whom convicted or pled guilty; members of Congress who had voted for Act were upset; Act threatened privacy and let federal government search into personal life with no notice; no end in sight for government infringement on individual liberties when it came to national security)
- Incorporates relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates relevant outside information (*Lincoln*: often remembered for his Civil War leadership and abolition of slavery with 13th amendment; some believe he was one of our best presidents for defeating Confederacy and his plans for reuniting United States; Civil War dangerous for future of country and endangered lives of soldiers and their families; *Bush*: technology and biological advancements created a new brand of terror from across Atlantic Ocean; American airliners hijacked, used as weapons, and flown into both towers of World Trade Center and into Pentagon; radical Islamic attack caught nation off guard)
- Supports the theme with relevant facts, examples, and details (*Lincoln*: after his election, country lost 11 states; sympathizers of Confederates destroyed communication lines to Washington, D.C.; provision about habeas corpus in article about legislative branch; *Bush*: increase of law enforcement policies; great majority of Americans supported Patriot Act at first)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are somewhat beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 4. Conclusions about each presidential decision indicate a thoughtful analysis of document information and the controversy surrounding each issue. Additional facts and details would have enhanced the overall discussion.

During times of crisis and confusion in American society, Presidents have extended government powers in an effort to promote national security and protect the people. However, some people feel the extension of government power does more harm than good. It creates situations in which government power can easily be abused, and puts the civil rights and liberties we hold near and dear in jeopardy. Two examples of these extensions of power are Franklin D. Roosevelt's executive order to relocate Japanese Americans, and George W. Bush's signing of the USA Patriot Act.

Before the United States entered WWII, many Americans believed the US should remain neutral in foreign wars and not involve ourselves in military conflicts. These beliefs were tested by the aggressive actions of Germany, Italy, and Japan leading up to our declaration of war on the Axis powers. Many Americans favored the Allies and thought if we went to war it would be to stop the Nazis in Europe. So as one can imagine; when Pearl Harbor was attacked by the Japanese without warning, Americans were outraged and many wanted revenge. People especially those living on the west coast began to look at the Japanese who were also living on the west coast for signs of foreign influence and dangers which could put the country in further danger. Japanese Americans, or Nisei, were unfairly targeted during this time. Their businesses were boycotted, they were physically attacked, and some lost their jobs. As demonstrated by Document 4b, some people believed that Japanese Americans living among them could possibly be spies or feel they could side with their ancestral home land. The military was supporting relocation and presidents often take advice from the military during wars. Believing this could

hinder the war effort and cause sabotage; army General Dewitt and other lobby groups influenced President Roosevelt to order an evacuation of Japanese Americans to isolated camps where they could do no harm. Some people argued this action was unconstitutional because it took away the civil liberties of innocent people and it was immoral because innocent people were uprooted from their homes and lost years of their lives based on what they might do wrong, not on what they actually did wrong. This all happened without due process and many Japanese Americans were forced to sell their property at reduced prices. As discussed in Document 6, Justice Frank Murphy believed the ordered evacuation was based on racist principles and not militarily needed to protect the country. He also believed accusations of sabotage and spies was not based on reality and truth; but rather paranoia and prejudice. He also argues that the order is an ugly stain on the American government and goes against the American principles of freedom and equality set by the constitution, and thus the order is not only illegal, but immoral and an undermining of our societal principals as Americans.

The terrorist attacks that occurred on September 11th, 2001 were unlike any we have seen or experienced in the past. The Japanese surprise attack on Pearl Harbor was not on our mainland. Although Islamic terrorists were responsible for an earlier bombing of the World Trade Center, Americans were not expecting such a bold attack on New York City and Washington D.C. People were shocked by the destruction and loss of life that occurred on that horrific day and it unified Americans to support the president's action. Many Americans felt that not only were the terrorists themselves the cause of this tragedy; but so

was our own negligence to take the threat of a possible terrorist attack seriously and secure our nation. President Bush set up a commission to investigate whether the 9/11 attacks could have been stopped before they happened. In order to stop future terrorist attacks, the USA Patriot Act passed in both houses with a large majority, and was signed by President Bush. As Document 7 shows, the President felt that the extension of power and additional tools given to law enforcement and the government were necessary for National Security and the prevention of other terrorist attacks. People who supported this act shared the President's opinion that terrorism required a new law enforcement approach as shown in Document 8. Congressman Smith believes the act has been successful in its goal to prevent terrorist activities and convict people involved in them. Examples of these successes were the disruption of terrorist cells in at least 6 American cities and the arrest of over 300 people; half of which have been convicted or pled guilty. Since 2004 there have been more arrests related to terrorism and so far we have not had another 9/11 so the Patriot Act seems to be working. However, not everyone shares this opinion. As demonstrated in Document 9a, many people felt that individual rights to privacy have been unnecessarily trampled upon; and that the government and law enforcement has given itself too much power. Examples of such trampling of rights include search and seizures that some people believe goes against limits set by the Constitution that protects people from "unreasonable" search & seizure.

In conclusion the liberties of people versus the needs of a nation in crisis continue to be debated and must find balance in American society.

Anchor Level 4-C

The response:

- Develops all aspects of the task for Franklin D. Roosevelt’s executive order to relocate Japanese Americans and George W. Bush’s signing of the USA Patriot Act
- Is both descriptive and analytical (*Roosevelt*: some people believed Japanese Americans could side with their ancestral homeland; military supported relocation and presidents often take advice from military during wars; some argued relocation was immoral because innocent people were uprooted from homes and lost years of lives; Justice Murphy argued order was against American principles of freedom and equality and undermines our societal principles; *Bush*: terrorist attacks on 9/11 unlike any seen or experienced in past; people shocked by destruction and loss of life; felt extension of power and additional tools given to law enforcement and government necessary for national security; terrorism required a new law enforcement approach; many people felt individual rights to privacy unnecessarily trampled on)
- Incorporates relevant information from documents 4, 6, 7, 8, and 9
- Incorporates relevant outside information (*Roosevelt*: United States neutrality tested by aggressive actions of Germany, Italy, and Japan; when Pearl Harbor attacked by Japanese, Americans outraged and many wanted revenge; Japanese Americans or Nisei unfairly targeted as businesses boycotted, physically attacked, and some lost jobs; *Bush*: Islamic terrorists responsible for earlier bombing of World Trade Center; Americans not expecting such a bold attack on New York City and Washington, D.C.; some Americans felt that not only were terrorists the cause of tragedy but so was our own negligence to take threat of possible terrorist attack seriously; set up a commission to investigate 9/11 attacks; since 2004, more arrests and have not had another 9/11, so Patriot Act seems to be working)
- Supports the theme with relevant facts, examples, and details (*Roosevelt*: General DeWitt influenced him to order evacuation of Japanese Americans; Japanese surprise attack not on our mainland; *Bush*: signed Patriot Act to stop future terrorist attacks; Act passed in both houses with a large majority; terrorist cells disrupted in at least six American cities; Constitution protects people from “unreasonable search and seizure”)
- Demonstrates a logical and clear plan of organization; includes an introduction that discusses the controversy surrounding the extension of government powers by the president in an effort to promote national security and a brief conclusion

Conclusion: Overall, the response fits the criteria for Level 4. The historical circumstances leading to both presidential decisions are supported with good relevant outside information. Although some thoughtful statements about civil liberties are included, further explanation and less reliance on document information would have strengthened the discussion.

There are often times in which the president of the United States has to make crucial and sometimes controversial decisions regarding civil liberties. Although the person making these decisions feels they are correct at the time, some of the American people tend to disagree on the moral correctness and constitutionality of such decisions. In particular, the decision Abraham Lincoln made to suspend habeas corpus and Franklin D. Roosevelt's executive order to relocate Japanese Americans were controversial.

In the time leading up to Lincoln's suspension of habeas corpus, the nation was facing much turmoil. Economic differences between the North and the South as well as differences in opinions regarding the strength of the national government versus the strength of the state governments led to sharp divides. In fact, the sectionalism in the nation resulted in the election of a sectional president, Abraham Lincoln, who was unacceptable to most in the South. The southern concern over what might happen was so great that eleven states seceded from the union by June 8, 1861 (Document 1a). Secessions led to much rioting in border states. In Maryland, Confederate sympathizers were "[tearing] down telegraph wires and [burning] railroad bridges" which were crucial to connecting the capital of the United States to the rest of the nation and the world (Document 1b). As a result, Lincoln interpreted the Constitution in a way that would allow him to suspend the writ of habeas corpus which was necessary to prevent continued "uprisings against the government" that might lead to him losing the border states and maybe the Civil War (Document 2b). Although this became a controversial decision supported by most northerners, Lincoln felt it was necessary and permitted by the Constitution. He

hoped this decision might help end the rebellion and help win the war.

On the other hand, there were many people who felt Lincoln's suspension of habeas corpus was unconstitutional. Chief Justice Roger Taney's view on this matter is of particular interest because he stated that the clause of the constitution which allows the suspension of habeas corpus only gives the legislative branch of the government the power to suspend this right (Document 3a). In other words, although Congress could have made the decision to suspend habeas corpus, the President—as leader of the executive branch—did not have the right to do so. Certainly the decision made by Abraham Lincoln was controversial, but it may have been the suspension of this right which allowed him to preserve the union by imprisoning those who were interfering with his efforts as commander in chief.

Similar to the controversy surrounding Abraham Lincoln's decision to suspend the "writ" of habeas corpus, Franklin D. Roosevelt's executive order to relocate Japanese Americans living on the west coast became widely disputed as well. After Pearl Harbor was attacked on December 7, 1941, President Roosevelt, as commander in chief, was convinced by leaders in the army that precautions should be taken to decrease the likelihood of such an event happening again (Document 4a). As a result, he ordered the relocation of a "large, unassimilated, tightly knit racial group" on the grounds of military necessity. Deciding that Japanese Americans were a national security threat based on their ethnic background, the army convinced President Roosevelt that this had to be done. President Roosevelt felt he had the legal right to do so, and the Supreme Court agreed in the majority opinion of *Korematsu*.

One of the most notable opponents of FDR's decision to relocate Japanese-Americans living on the west coast was Supreme Court Justice Frank Murphy. He felt the decision made was a form of racial discrimination and unconstitutional because it was a military decision "based upon racial and sociological considerations" (Document 6). Supreme Court Justice Frank Murphy, like many other Americans, felt all Americans are entitled to "rights and freedoms guaranteed by the Constitution." As American citizens the Japanese Americans deserved better treatment. Sending them to camps without any legal due process and no evidence of wrongdoing was even worse than "cruel and unusual punishment."

As shown by both Abraham Lincoln's suspension of habeas corpus and Franklin D. Roosevelt's executive order to relocate Japanese Americans, the decisions made during times of crisis are sometimes controversial. It is important to note, however, that it is these very decisions which hold our nation together during challenging times.

Anchor Level 3-A

The response:

- Develops all aspects of the task in some depth for Abraham Lincoln's suspension of habeas corpus and in little depth for Franklin D. Roosevelt's executive order to relocate Japanese Americans
- Is both analytical and descriptive (*Lincoln*: Southern concern over what might happen resulted in secession; secession led to much rioting in border states; interpreted Constitution in a way that would allow him to suspend the writ of habeas corpus as necessary; hoped decision would help end rebellion and win war; Chief Justice Taney stated clause of Constitution allowing suspension only gives power to legislative branch; decision allowed him to preserve the Union by imprisoning those interfering with his efforts as commander in chief; *Roosevelt*: he was convinced by army leaders that precautions should be taken to decrease likelihood of such an event happening again; army decided Japanese Americans were a national security threat based on ethnic background; Justice Murphy felt decision was a form of racial discrimination and unconstitutional based on racial and sociological considerations; Murphy felt all Americans entitled to rights and freedoms guaranteed by Constitution; as American citizens, Japanese Americans deserved better treatment)
- Incorporates some relevant information from documents 1, 2, 3, 4, and 6
- Incorporates limited relevant outside information (*Lincoln*: economic differences between North and South as well as differences in opinion regarding strength of national government led to sharp divides; sectionalism resulted in election of a sectional president, Lincoln, who was unacceptable to most in the South; *Roosevelt*: sending Japanese Americans to camps without due process and no evidence of wrongdoing was even worse than cruel and unusual punishment)
- Includes some relevant facts, examples, and details (*Lincoln*: eleven states seceded; in Maryland, telegraph wires torn down and railroad bridges burned; *Roosevelt*: Japanese Americans living on West Coast relocated; attack on Pearl Harbor on December 7, 1941; Supreme Court agreed he had the legal right in *Korematsu*)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that are slightly beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 3. Document information frames the discussion for both presidential decisions and is supported by some good analytic statements. Although all aspects of the task are addressed for Roosevelt's decision, that discussion is limited.

Ever since George Washington was the first US president, the decisions of the executive branch have been applauded and criticized. Whether concerning civil rights or militaristic actions, there have been protesters and demonstrators who object to the decisions. Some of these courses of action have been beneficial, even though seen as revolutionary by some people. In the decisions of Lincoln (the suspension of habeas corpus) and Roosevelt (the executive order to relocate Japanese Americans) some have found the government guilty of overlooking and violating civil liberties in times of national crisis and disorder.

At the beginning of the United States Civil War, the Union experienced a wave of panic. From December of 1860 to June of 1861, the nation had broken apart as states began to secede, beginning with South Carolina. (Document 1a). Southern sympathies had become strong in border states such as Maryland and Kentucky. (Document 1b). It was at this point that President Lincoln decided he had to order the suspension of the writs of habeas corpus, protection against unlawful detention. Lincoln justified his action by stating that a provision in the Constitution allowed the suspension in cases of rebellion or revolt (Document 2a). Lincoln believed that winning the Civil War was necessary to save the Union. However, the provision about habeas corpus is located in Article I of the constitution, meaning the legislative branch had the power to suspend it (Document 3a). According to Supreme Court Justice Taney, neither the President nor the executive branch had the right to allow unlawful and unjustified arrests. Lincoln let the military detain civilians for an unspecified amount of time and according to some, unconstitutionally denying them of their right to a "just and speedy trial" as found in

the Bill of Rights. Although some believe Lincoln acted in the best way to help preserve the Union, some believed he actually abused powers not given to him and ultimately denied innocent citizens of their civil liberties.

Soon after WWII began, President Roosevelt faced a decision involving Japanese who had immigrated to the United States and their children born in America. As a result of the December 7th, 1941 Japanese attack on the US naval base at Pearl Harbor, President Roosevelt understood the fear of his people (Document 7a). Americans, having experienced many casualties at Pearl Harbor and knowing that the Japanese were on the move in the Pacific feared that the west coast might be attacked next. Some believed that Japanese Americans were spies, involved in espionage, helping the Japanese forces from the inside (Document 4b). Roosevelt's decision to relocate Japanese Americans on the west coast came from this fear. Some thought that separating the Japanese American citizens would protect them from being mistaken for enemy soldiers in case of an attack. Also, it would protect them from citizens who would physically harm persons of Japanese descent, believing they were spies and unloyal to America (Document 5a). Ultimately, the relocation showed the US government to be as discriminatory as the people they were supposedly protecting the Japanese Americans from. Separating a group of persons on the basis of race, origin, or nationality without specific evidence of wrongdoing is the definition of racial discrimination (Document 6). Relocation deprived Japanese Americans the civil liberties they were granted when they were granted citizenship. To discriminate against Japanese Americans is to discriminate against the citizen the government is supposed to protect, according to the guidelines set by

the Constitution. When Roosevelt ordered the relocation of Japanese Americans, he ordered the government to discriminate which was undemocratic.

As Presidents, Roosevelt and Lincoln were forced to make tough decisions in the face of fighting. While some praised the actions taken, others criticized them and declared them to be unjust and undemocratic. When Lincoln suspended the writs of habeas corpus during the Civil War, he used powers that weren't necessarily his. Lincoln opened the door to arrest any persons for interfering with national interests. When Roosevelt ordered Japanese Americans on the west coast to be relocated, he did one worse; the government not only undemocratically violated civil liberties but also racial discriminated against individuals of Japanese decent. The relocation could be compared to a hypothetical situation in which all homosexual males had been arrested and separated during the beginning of the AIDS and HIV epidemic. Presidents do have to make risky moves during wartimes, but they should always protect the unalienable rights of their citizens.

Anchor Level 3-B

The response:

- Develops the historical circumstances in little depth and the arguments in some depth for Abraham Lincoln’s suspension of habeas corpus and Franklin D. Roosevelt’s executive order to relocate Japanese Americans
- Is more descriptive than analytical (*Lincoln*: nation had broken apart as states seceded; according to Supreme Court Justice Taney, neither president nor executive branch had the right to allow unlawful and unjustified arrests; some believed he acted to preserve Union; some believed he abused powers and denied innocent citizens’ civil liberties; opened the door to arrest persons for interfering with national interests; *Roosevelt*: understood fear of people after Pearl Harbor; knowing Japanese were on the move in Pacific, Americans feared West Coast might be attacked next; some believed Japanese Americans were spies; some thought separating Japanese American citizens would protect them from being mistaken for enemy soldiers)
- Incorporates some relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates some relevant outside information (*Lincoln*: as war continued, southern sympathies had become strong in border states such as Maryland and Kentucky; winning Civil War necessary to save Union; let military detain civilians for an unspecified amount of time and denied them a “just and speedy trial”; *Roosevelt*: faced a decision involving Japanese who immigrated to United States and their children born in America; Japan attacked United States naval base; relocation deprived Japanese Americans civil liberties granted with citizenship)
- Includes some relevant facts, examples, and details (*Lincoln*: South Carolina first state to secede; Constitution allowed suspension in cases of rebellion or revolt; habeas corpus located in Article I, meaning legislative branch had power to suspend; *Roosevelt*: executive order to relocate Japanese Americans; Japan attacked United States in 1941; racial discrimination)
- Demonstrates a satisfactory plan of organization; includes an introduction that is somewhat beyond a restatement of the theme and a conclusion that is well beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 3. The discussion of opposing arguments employs simplistic arguments for and against presidential decisions demonstrating an understanding of the task. While the historical circumstances for both decisions are mentioned, additional facts and details would have strengthened the effort.

There have been occasions where this country has had to face a national crisis. The United States' presidents have done their best to help the country get passed its struggles. However, some of their decisions have been said to be unconstitutional and definitely controversial. Two such actions taken by United States presidents were Franklin D. Roosevelt's executive order to relocate Japanese Americans, and George W. Bush's signing of the USA Patriot Act.

During the time of Franklin D. Roosevelt's presidency, World War II had erupted in Europe. Roosevelt's first reaction was for the US to remain neutral. American citizens and the President tried to stay out of the war for as long as they could. In fact they succeeded to stay out from fighting in Europe for almost two years. On December 7th, 1941, "A day which will live in infamy", as President Roosevelt stated, the Japanese executed a surprise attack on the US naval base in Pearl Harbor, Hawaii, that left Americans in shock. Before the attack, the United States was at peace with Japan. (Doc 4a) However Japan's alliance with the Italians and Germans created tensions with the United States that worsened when the United States restricted trade with them. This action by the Japanese brought us into World War II. Roosevelt knew that he had to do everything in his power to protect and defend the United States. One such measure that he took was to relocate West Coast Japanese-Americans and put them in camps. This measure was extremely controversial. The US Army justified the action of the evacuation as a military necessity as did the Supreme Court. (Doc 4b) In California many residents believed that the removal of the Japanese was necessary because it would relocate possible Japanese spies so they could be watched and sabotage could be prevented. (Doc 5a) No factual information existed that proved the Japanese Americans were

involved with sabotage but people decided Japanese Americans should be relocated. This was mostly based on fear and prejudice. Others believed that President Roosevelt's decision was unconstitutional. One such person who argued against President Roosevelt's action was Supreme Court Justice Frank Murphy. Murphy saw the President's actions as unconstitutional because he saw the evacuation of the Japanese-Americans as a racially motivated decision. Murphy also believed that racial discrimination is not justifiable in a democratic nation that values civil liberties. (Doc 6)

Murphy's opinion was finally accepted in the 1980s with payment of reparations to Japanese Americans and formal presidential apologies.

When President George W. Bush signed the USA Patriot Act he did it for the best interests of the country. Our national crisis at that time was caused by Islamic militants who were members of al Qaeda. It was a very difficult frightening experience for the nation. Suicide hijackers had targeted some of our most important landmarks to protest United States policies in the Middle East. Our nations security was at stake. On September 11, 2001, when these enemies of freedom attacked our country they committed an act of war against the United States. (Doc 7) The US faced new challenges that we had never faced before. President Bush proposed the USA Patriot Act because he wanted to strengthen law enforcement to help them track down terrorists in the United States.

September 11 was indeed a terrorist attack and it took the lives of many innocent civilians. President Bush and others believed that the government's success in preventing another terrorist attack would have been impossible without the Patriot Act. (Doc 8) One argument in favor of the act was that as of April 2004 more than 300 persons who were charged with terrorism-related investigations, were convicted or even pled guilty.

This information shows that the act has been somewhat successful in fighting 21st century terrorism. An argument against the Act was that it allowed for “sneak and peek”. “Sneak and Peek” are government searches of the home or business, without notifying the subjects of the searches. (Doc 9a). Many see this as an invasion of privacy which they believed the government did not have the power to do.

Many times the decisions and actions that Presidents make at the time of national crisis, will not be loved by everyone. Like everything, some people will support it and some will oppose this. Roosevelt’s relocation of Japanese-Americans and Bush’s signing of the USA Patriot Act are just two such examples of controversial decisions made by US presidents.

Anchor Level 3-C

The response:

- Develops all aspects of the task with little depth for Franklin D. Roosevelt’s executive order to relocate Japanese Americans and George W. Bush’s signing of the USA Patriot
- Is more descriptive than analytical (*Roosevelt*: Japanese attack brought us into World War II; knew he had to do everything in his power to protect and defend United States; United States Army and Supreme Court justified evacuation as a military necessity; many in California believed the removal was necessary because it would relocate possible Japanese spies; no factual information existed to prove Japanese Americans were involved with sabotage; people decided Japanese Americans should be relocated based on fear and prejudice; Chief Justice Murphy saw evacuation as racially motivated and believed decision not justifiable in a democratic nation that values civil liberties; *Bush*: a difficult and frightening experience for nation; nation’s security was at stake; wanted to strengthen law enforcement to track down terrorists; believed government’s success in preventing another terrorist attack impossible without Act; Act somewhat successful in updating an old law to make it more effective in fighting 21st-century terrorism)
- Incorporates some relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates some relevant outside information (*Roosevelt*: Japan attacked United States naval base; Japan’s alliance with Italians and Germans created tensions that worsened when United States restricted trade with them; Murphy’s opinion finally accepted in 1980s with payment of reparations to Japanese Americans and formal presidential apologies; *Bush*: national crisis caused by Islamic militants of al Qaeda; suicide hijackers targeted important landmarks to protest United States policies in Middle East)
- Includes some relevant facts, examples, and details (*Roosevelt*: surprise attack; West Coast Japanese Americans put into camps; some believed decision unconstitutional; *Bush*: terrorist attack on 9/11 took lives of many innocent civilians; as of 2004, more than 300 persons charged with terrorism; “sneak and peek” government searches of homes or businesses)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that restate the theme

Conclusion: Overall, the response fits the criteria for Level 3. In the discussions of historical circumstances, the outside information employed leading to Roosevelt’s decision show knowledge of the events; however, supporting information leading to the Bush decision is more limited. Document analysis provides substance to the discussion of supporting and opposing arguments for both decisions.

During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Two decisions during times of crisis which stand out in American history are Franklin D. Roosevelt's executive order to relocate Japanese Americans and George W. Bush's signing of the USA Patriot Act. Both decisions had positive arguments towards them, however, they both also had negative arguments towards them. The relocation of the Japanese Americans kept America safe during times of suspicion and uncertainty however it was seen as racial discrimination. Also, the USA Patriot Act kept America safe during the time of increased terrorism but, it did violate the privacy of Americans. Each decision was very controversial.

During World War II, after the attack on Pearl Harbor by the Japanese, Franklin D. Roosevelt decided to relocate Japanese Americans to military relocation camps during time of suspicion. There were both positive and negative arguments towards the decision. One positive argument is that this would prevent America from being attacked again. [Doc 4A] Another reason why some believed that the decision was a good idea is because some believed that the Japanese were bound to the enemy nation by strong ties of race, culture, and religion. [Doc 4b] This meant that the Japanese would most likely attack America to help their nation. One more positive argument is shown in document 5a. Some felt that if the Japanese stayed, then it might provoke angry reprisal and can result in bloody race riots. Although there were positive arguments, there were also negative ones as well. For example, document 6 shows that the relocation was unconstitutional because the racial discrimination towards the Japanese was not right. Another

negative argument was that some Japanese were born in America and had no relations with the Japanese who bombed Pearl Harbor, however, they were still relocated. [01]

George W. Bush's decision to sign the USA Patriot Act also received positive and negative feedback. One positive argument can be seen in document 7. This document explains that he wanted to prevent terror at home after the 9/11 attacks. Another positive argument can be seen in document 8. This document states that the act was successful because federal investigators have disrupted terror cells in at least six American cities since it was passed. Although there were positive arguments, there were also negative. Document 9a states that it will harm the constitution by allowing the government to investigate people's reading habits, search their home without notice, and pry into their personal lives. Document 9b also states that the act could allow for your internet use to be monitored.

As you can see the decision to relocate the Japanese Americans and the decision to pass the USA Patriot Act had both positive and negative arguments towards them.

God Bless America!

Anchor Level 2-A

The response:

- Develops some aspects of the task in little depth for Franklin D. Roosevelt's and George W. Bush's controversial decisions
- Is primarily descriptive (*Roosevelt*: relocation of Japanese Americans kept America safe during times of suspicion and uncertainty; seen as racial discrimination; one positive argument was relocation would prevent America from being attacked again; some believed Japanese Americans bound to enemy nation by strong ties of race, culture, and religion; some felt if Japanese Americans stayed it might provoke angry reprisals and result in bloody race riots; *Bush*: Act kept America safe during time of increased terrorism, but it did violate privacy of Americans; Bush wanted to prevent terror at home after 9/11 attacks; Act will harm Constitution by allowing government to investigate people's reading habits, search their homes without notice, and pry into their personal lives)
- Incorporates limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Presents very little relevant outside information (*Roosevelt*: some Japanese were born in America and had no relations with the Japanese who bombed Pearl Harbor; however, they were still relocated)
- Includes few relevant facts, examples, and details (*Roosevelt*: Pearl Harbor; military relocation camps; relocation unconstitutional; *Bush*: federal investigators disrupted terror cells in at least six American cities; your Internet could be monitored)
- Demonstrates a general plan of organization; includes an introduction that is somewhat beyond a restatement of the theme and a brief conclusion

Conclusion: Overall, the response fits the criteria for Level 2. Although the historical circumstances leading to Bush's decision are not addressed and those for Roosevelt are barely mentioned, relevant document information is used to state positive and negative arguments for both decisions. A lack of supporting facts and details detracts from the effort.

In the History of the U.S many presidents had to make controversial decisions on how to protect and benefit the country. President Franklin D. Roosevelt made the decision of relocating Japanese Americans in the U.S. Another crucial decision made by a president is the signing of the U.S.A Patriot Act.

President F.D.R had made the decision of relocating Japanese Americans due to the bombing of Pearl Harbor on December 7th, 1941. (Document 4a). The people of the U.S along with Roosevelt believed that Japanese Americans were assisting in the attack or were spies intended to sabotage, in some way. (Document 4b). Some believed the relocation of the Japanese Americans were necessary to protect the Japanese Americans from accusations of the American people. San Francisco News supported the removal for this cause stating in document 5a "Real danger would exist for all Japanese if they remained in the combat area" saying Japanese Americans were no longer safe. While some believed relocation was the right thing to do others believed it was wrong and unconstitutional, Supreme Court Justice Frank Murphy said he believed this was an act of racial discrimination. Murphy states "It is utterly revolting among a free people who have embraced the principles set forth in the constitution of the U.S" stating it is unconstitutional. (Document 6) Murphy also says that all of the people of the U.S are by blood or culture to foreign land, so all must be treated as equals, and be entitled to all rights and freedoms guaranteed by the constitution.

President George W. Bush had made the decision of signing the U.S.A Patriot Act due to the terrorist act of September 11th 2001, of the hijacking of four commercial air flights. Bush believed he must

Anchor Paper – Document-Based Essay—Level 2 – B

strengthening the security of our nations to protect the people by signing this act. Congressman Lamar Smith believes the Patriot Act is successful do to "Federal investogatores have distupted terror cells in at least six - american cities, and the department of Justice charged more than 300 persons with terrorism related investigations" (Document 8). People believed the signing of this Act to be "an irreparable harm to the constitution by allowing the government to investigate, peoples reading habits.

Anchor Level 2-B**The response:**

- Minimally develops all aspects of the task for Franklin D. Roosevelt's and George W. Bush's controversial decisions
- Is primarily descriptive (*Roosevelt*: some believed relocation necessary to protect Japanese Americans from accusations of the American people; others believed it was wrong and unconstitutional; Supreme Court Justice Frank Murphy believed this was an act of racial discrimination and unconstitutional; Murphy believed relocation was revolting among a free people who embraced principles set forth in the Constitution; *Bush*: believed he must strengthen security of nation to protect the people; people believed signing of Act did irreparable harm to Constitution by allowing the government to investigate people's reading habits); includes faulty and weak application (*Roosevelt*: Roosevelt believed Japanese Americans assisted in the attack)
- Incorporates limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Presents very little relevant outside information (*Bush*: hijacking of four commercial air flights)
- Includes few relevant facts, examples, and details (*Roosevelt*: bombing of Pearl Harbor on December 7, 1941; *San Francisco News*; *Bush*: federal investigators; terror cells in at least six American cities; Department of Justice); includes an inaccuracy (*Bush*: terrorist act of September 11, 1941)
- Demonstrates a general plan of organization; includes an introduction that restates the theme and lacks a conclusion

Conclusion: Overall, the response fits the criteria for Level 2. The response is dominated by direct quotations from the documents and shows a basic understanding of the task. The discussion would have been strengthened by additional development and details.

When the nation has needed them the most, the United States' Presidents have always been there with a plan. However, sometimes the plans didn't benefit everyone.

President Franklin D. Roosevelt, FDR, was governing the country during a time of war. He was there during the bombing of Pearl Harbor and attacks by Japan. Although fighting was going on overseas, there were many issues beginning to surface. According to the San Francisco News, Doc. 5a, the military was told to remove the Japanese from harms way, which was any military zone. Only if they stayed in the Military zones could they get into trouble. The removal of Japanese Americans from the West Coast could be argued as unconstitutional. According to Supreme Court Justice Frank Murphy, Doc. 6, many people felt that the evacuation was based on racism against Japanese Americans and misguided information.

Another President there for his country during a time of need was George W. Bush. When the twin towers were attacked, nobody knew what to do, but the President stepped up and signed the Patriot Act. The Patriot Act, according to doc. 8, applied current laws to the crimes of terrorism. Many feel it has been successful because ever since it has been put into effect, six terrorism cases in America have been disrupted and no longer exist. However, there are also critics that believe the Patriot Act isn't any good, but instead it gets in the way. Some believe this because according to doc. 9a, the government has gained too much control from the Patriot Act. Also, people don't have as much privacy as they want to and things are constantly being monitored.

Although Presidents have been able to step up when our country needed them, sometimes it wasn't for the best. For example, the

Anchor Paper – Document-Based Essay—Level 2 – C

internment of the Japanese Americans and the signing of the Patriot Act. Even though they seemed good at the time, in the long run they had no benefits.

Anchor Level 2-C

The response:

- Minimally develops all aspects of the task for Franklin D. Roosevelt’s and George W. Bush’s controversial decisions
- Is primarily descriptive (*Roosevelt*: Japanese could get into trouble if they stayed in military zones; removal of Japanese Americans from West Coast could be argued as unconstitutional; many people felt evacuation based on racism and misguided information; *Bush*: government gained too much control; people do not have as much privacy as they want; things constantly monitored); includes faulty application (*Bush*: six terrorism cases in America disrupted and no longer exist)
- Incorporates limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Presents very little relevant outside information (*Roosevelt*: fighting was going on overseas; president during attacks by Japan)
- Includes few relevant facts, examples, and details (*Roosevelt*: governed country during a time of war; bombing of Pearl Harbor; military told to remove Japanese from harm’s way; *Bush*: Act applied current laws to crimes of terrorism)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that take a position supporting those who opposed these presidential actions

Conclusion: Overall, the response fits the criteria for Level 2. Document information frames the response and briefly mentions all aspects of the task. Overgeneralizations and a lack of development weaken the response.

During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Decisions such as Abraham Lincoln's suspension of habeas corpus, Franklin Roosevelt's executive order to relocate Japanese Americans and George W. Bush's signing of the USA Patriot Act.

In times of national crisis, United States presidents have made decisions that were controversial. George W. Bush's decision to sign the Patriot Act after 9-11 was very controversial. Some people thought it was good because it was used to fight terrorism. On the other hand, people opposed it because it violated one's constitutional rights.

Another controversial decision was made by Franklin Roosevelt during WWII. After the attack on Pearl Harbor, Roosevelt decided to relocate all the Japanese-Americans that were living on the West Coast. People opposed this because it violated one's individual rights. People supported this idea was to prevent any suspicion that a Japanese-American was a communist.

In conclusion, in times of crisis, presidents have made decisions that have been very controversial. Decisions such as Roosevelt relocating the Japanese-Americans and Bush's signing of the Patriot Act. Both of these decisions had many people supporting and opposing it making it 2 of the most controversial decisions in history.

Anchor Level 1-A

The response:

- Minimally develops all aspects of the task for George W. Bush's and Franklin D. Roosevelt's controversial decisions
- Is descriptive (*Bush*: some people thought Act was good because it was used to fight terrorism; people opposed Act because it violated one's constitutional rights; *Roosevelt*: people opposed relocation because it violated one's individual rights)
- Includes minimal information from documents 4, 5, 6, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Bush*: Act signed after 9/11; *Roosevelt*: Pearl Harbor; Japanese Americans living on West Coast) includes an inaccuracy (*Roosevelt*: people supported relocation because it was to prevent any suspicion that a Japanese American was a communist)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that are a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 1. A single statement is used to develop each aspect and demonstrates a basic understanding of the task.

Presidential decisions have played a major role in foreign affairs and issues concerning the United States of America. Abraham Lincoln, Franklin D. Roosevelt, and George W. Bush all played a part in a time of National crisis.

Franklin D. Roosevelt was president during the time in which the attack on Pearl Harbor took place. In Document 4a and 4b, it talks about how the U.S.A went into war with Japan soon after the attack on Pearl Harbor. Pearl Harbor is a military base in Hawaii. In Document 5c it talks about President Roosevelt's decision to relocate Japanese-Americans from the west coast. This takes them outside of military zones. During the time George W. Bush was President, 2 planes crashed into the twin towers, which is talked about in document 7 and Document 8. George W. Bush responded by creating the USA Patriot Act which is talked about in document 9a.

In conclusion, presidential decisions have played a major role in deal with foreign affairs. George W. Bush responded to a terrorism crisis with the USA Patriot Act. Franklin D. Roosevelt was president when the attack on Pearl Harbor took place. He decided to go to war with Japan and move Japanese immigrants from the West Coast.

Anchor Level 1-B

The response:

- Minimally develops the historical circumstances for Franklin D. Roosevelt's and George W. Bush's controversial decisions
- Is descriptive (*Roosevelt*: decided to relocate Japanese Americans from the West Coast; takes Japanese Americans outside of military zones; *Bush*: responded by creating the USA Patriot Act)
- Includes minimal information from documents 4, 5, 7, 8, and 9
- Presents very little relevant outside information (*Bush*: two planes crashed into the Twin Towers)
- Includes very few relevant facts, examples, and details (*Roosevelt*: United States went to war with Japan soon after attack on Pearl Harbor)
- Demonstrates a general plan of organization; includes an introduction that restates the theme and a conclusion that summarizes the crisis of each president and their response

Conclusion: Overall, the response fits the criteria for Level 1. The response briefly addresses historical circumstances leading to both presidential decisions. Arguments in favor of and opposed to those decisions are not addressed.

In times of crisis, the Presidents of the United States face grave decisions to protect the country, while often sacrificing the rights to civil liberties for some citizens. After his election in 1860, Abraham Lincoln faced the breaking up of the Union as more states in the south seceded. Because of the crises he faced, he suspended the writ of habeas corpus, eventually causing much debate throughout the country. Likewise, President Franklin Delano Roosevelt faced threats to the security of a nation in 1941 after the attack on Pearl Harbor. To maintain a safe environment, he planned to remove Japanese Americans from the western coast, creating more debate over civil freedoms. When faced with threats to national security, Presidents often have to make decisions that could threaten the rights of citizens.

When President Lincoln was elected in 1860, the South began to secede from the Union, determined to continue the use of slavery. Prior to this, tension heightened throughout the country as abolitionists and others in the North wanted to end the inhumane economic system of the south and the south pushed to expand slavery into new western territories. As more and more land was added to the country, and manifest destiny was achieved after the Mexican American War, debate heightened. Even though compromises were made, the South felt threatened by the election of Lincoln and by free soil beliefs, choosing to secede from the Union and form the Confederate states of America. Lincoln knew he needed to maintain control of the border states and Maryland, which was a key state because it was on the northern border of Washington, D.C., the capital of the Union (Document 1a). If Maryland was lost, other border states might secede because many people in those states supported the Confederacy. Heightening tensions

during the Civil War led to Lincoln's suspension of habeas corpus and the right to a civil trial (Document 1b). John Merryman and other officials were arrested by the military to limit their disloyal activities. As the war dragged on debate over these actions rose in the nation.

In 1863, the debate over the righteousness of the suspension reached the Democratic Committee in Albany. In defense of his decision, Lincoln argued for the suspension as constitutional by declaring that a Constitutional provision clearly allows for suspension under certain circumstances. Lincoln believed this provision implied that in times of rebellion or invasion, when the public is in danger, the president has the right to suspend habeas corpus. Lincoln also believed this provision allowed suspension in cases of attack against the government (Document 2a). The Confederacy had seized federal property and attacked Fort Sumter which was unacceptable to Lincoln. Lincoln was president and it was his responsibility to enforce the laws of the United States. Clement Vallandigham was arrested for hostility toward the union, preventing the raising of troops, and encouraging the desertion of army forces. Dissenters were detrimental to Lincoln's efforts to preserve the Union. (Document 2b). However, opponents argued that suspension was not constitutional. Roger B. Taney argued that the provision of the constitution applies only to the congress, not to the executive branch. Because of this, Lincoln's action would be unconstitutional because the president suspended the writ of habeas corpus, not Congress (Document 3a). Likewise, some opponents claimed that the suspension of habeas corpus used by Lincoln could set a precedent for future presidents, allowing them to use questionable military power when they believed it was necessary. Opponents also

claimed that Lincoln's use was unjustifiably excessive and wrong. (Document 3b). Opponents claimed it intimidated Americans from speaking freely and the president took too much power at the expense of the other two branches. Faced with a difficult decision and a national emergency, Lincoln chose to preserve the union, even though it meant suspending the civil liberties of the people.

Just as Lincoln was faced with a difficult controversy in the nation, Franklin D. Roosevelt faced one as the United States found themselves at war in World War II. In 1941, Japan bombed the United States at Pearl Harbor after trade disputes about oil and Japanese imperialism in Asia were not resolved by negotiation (Document 4b). The December 7th attack surprised Americans and plunged the country into World War II. Rumors about enemy planes and possible sabotage by Japanese-Americans were spreading as were fears that they could not be trusted. FDR was faced with a vital question about Japanese Americans, and he signed an executive order which allowed the military to set up internment camps until the war's end. His decision led to a denial of constitutional rights for Japanese-American citizens.

Proponents of the removal of Japanese-Americans saw it as a vital way to ensure America's safety. They viewed the tight knit group of Japanese-Americans, who were largely unassimilated, as a threat to security because of their ties with the "enemy nation" (Document 4b). Some Americans believed the Japanese-Americans were sending radio signals to help Japan plan another surprise attack. Some Americans thought they were spies and would jeopardize a victory over Japan. Others believed that removing the Japanese-Americans would be the

best way to prevent riots and attacks on them by other Americans (Document 5a & b). Later the Supreme Court upheld their removal in the Korematsu case. However, on the other hand, opponents saw it as a blatant attack on civil liberties. They believed that everyone in America, no matter the race, religion, or ethnicity, deserves equal entitlement to the rights and freedoms of the country. After all many of those who were interned were American citizens. Some Americans did not see it as a way to prevent espionage, but instead as a clear show of racism directed towards the Japanese-Americans, who had been experiencing racism since first coming to the United States. A Supreme Court judge who disagreed with the majority in the Korematsu ruling considered it legalized racism and as a revolting new concept in a country designed to ensure freedom for all people (Document 6). The Japanese-Americans were interned only because of their ethnicity. Faced by a threat to the country's security, President FDR decided to remove Japanese-Americans from the West and ensure national security. Unfortunately for the Japanese-Americans, they had to endure hardships and punishment even though they were never a threat to national security.

In times of crises, Presidents are forced to make vital decisions to ensure national safety. Even though Lincoln and FDR sacrificed the rights of citizens, they were able to maintain a safe and united country.

Throughout American history, the powers granted to the National Government and the President himself have been strengthened and expanded in wartime situations. Although sometimes controversial, the authority exerted on the nation through these powers have successfully protected the well-being of America and its national security. Abraham Lincoln's suspension of the writ of habeas corpus during the Civil War and the passage of the USA Patriot Act under George W. Bush following terrorist attacks on September 11, 2001 may have violated some civil liberties, but were more importantly necessary to protect American freedoms on a larger scale.

In 1861, President Abraham Lincoln was faced with the task of maintaining the unification of the United States. During the years leading up to the election of 1860, sectional differences and arguments over the expansion of slavery had begun to destroy the ties that held America together. When Abraham Lincoln was finally elected in 1860, slowly but surely, the Southern states began to secede from the Union, establishing their own Confederate States of America. In response to this as well as potential attacks on the nation's capital, Abraham Lincoln officially suspended the writ of habeas corpus, first in select areas, and eventually throughout the entire nation, North and South. Without habeas corpus, which is the Constitutional protection against unlawful detention or custody, citizens of the United States could be jailed without reason at any time for any length of time. Some people around the country thought the national suspension of the writ was an abuse of power by President Lincoln. Their thinking was that anyone who politically disagreed with Lincoln could be arrested as antiwar Congressman Clement

vallandigham was. Other constitutionally protected rights could be threatened as well. Chief Justice Robert B. Tany, in Document 3a states that the suspension of habeas corpus had not been approved by Congress, making it unlawful for any President to enforce. Despite this, however, many people supported the decision, proclaiming that the action was smart and necessary, considering that the president had the responsibility of saving the United States and faced many challenges before unity could be restored like that stated in Document 2b. In Lincoln's own words, seen in Document 2a, he used the provision of the Constitution citing rebellion and public safety to justify his actions.

Following the attacks on the World Trade Center in New York City on the morning of September 11, 2001, President George W. Bush had quickly and unexpectedly become a wartime President. However, unlike Franklin D. Roosevelt and Abraham Lincoln before him, who also faced similar situations, Bush was dealing with terrorism, a much more modern and complicated threat to national security. After the terrorist attacks which in addition to the destruction caused in New York City saw a section of the Pentagon also damaged, the National Government quickly put into action the USA Patriot Act, which Bush signed just weeks after the attacks. The Act, which allowed for the Government to investigate and search citizens' property, among other privacies, without the usual notifications recieved both criticism and support much like the similar actions taken by President Lincoln nearly 150 years earlier. Those in support, such as Congressman Lamar Smith in Document 8, said the Patriot Act was not such a threat to civil liberties as most people thought, since a lot of

Document-Based Essay—Practice Paper – B

the Act's "new" methods of invading privacy had already been used for decades in the United States, just for different crimes. And many of these governmental actions had already been challenged and reviewed by the Supreme Court. Still, citizens concerned about their privacy openly expressed their discontent, including Republican Congressman Bob Barr, who had actually approved the law himself. Despite this, he shifted his opinion and lashed out against the law, which is shown in Document 9a. Barr, like many other Americans began to think the law would do "great and irreparable harm" to the United States Constitution because the government's power to intrude on personal privacy went too far. While most of Congress itself approved of the USA Patriot Act, there were some lingering worries that constitutional privacy protections were gone for good.

When the United States is faced with a war or warlike situation, it is the job of the Federal Government to strengthen their power in order to protect the national well being of the country, by almost any means necessary. Presidents Abraham Lincoln and George W. Bush did just that in their respective situations. By suspending the writ of habeas corpus and signing the USA Patriot Act, Lincoln and Bush both made use of their presidential authority during a time of crisis in the United States, and, regardless of the amount of support or criticism they received, both protected American freedoms on a larger scale while sacrificing some civil liberties.

Presidents have a very difficult job. They have to make important decisions for our country that can become controversial very fast. Lincoln, suspended the privilege of Habeas Corpus during the Civil War. Roosevelt, relocated Japanese-Americans to camps in the Mid-Western United States, during World War II. Bush signed the Patriot Act, after a terrorist attack on the twin towers in New York City, which took away a lot of privacy from U.S. citizens.

Abraham Lincoln was faced with many hardships throughout his career. As soon as he was elected the country split in two, literally! [Doc 1A & 1B] People from the states that did not succeed were still against what was happening. Lincoln's hand was forced. When the South revolted this allowed Lincoln to suspend the privilege of Habeas Corpus because the U.S. was involved in a revolution. (Doc. 2A) Lincoln needed to do this to prevent the North from revolting as well. (Doc. 2b) This was a necessary decision, but came with very much controversy.

Franklin D. Roosevelt also had many hardships during his career. He was president during one of the biggest wars of our Nation's history, World War II. Roosevelt was forced to make a decision that was extremely controversial and even considered racist (Doc 6). The Japanese attacked us at Pearl Harbor, December 7, 1941, for an unforeseen reason. We were at peace with Japan. (Doc 4a) Roosevelt then made the decision to relocate Japanese aliens and citizens to camps in the Mid western region of the U.S. This was for the protection of the American people from the Japanese and for the protection of the Japanese-Americans from the angry American people. (Doc 5a & 5b)

On September 11, 2001, terrorists launched an attack on the U.S.

Document-Based Essay—Practice Paper – C

Two planes were hijacked and sent into the twin towers and another plane was hijacked and sent into the pentagon. President George Bush was pressed to make one of the most controversial decisions of the decade. He signed the USA Patriot Act which heightened law enforcement and took away some privacy from American citizens. (Doc 7) Public places such as libraries (Doc 9b) became places where the United States Government could spy on you. It made it difficult to stand by a president that would so easily take away one of the most important things we had, our privacy.

These decisions made by our presidents were seen necessary by our government for the security of our nation. All of these decisions were made under times of crisis. This goes to show that the United States government will do any thing to keep our nation safe. Whether or not it is taking away civil liberties, their intent is to keep us together as one nation. They will stand by us even through our criticism.

Throughout American history, several U.S. presidents have issued controversial decisions that affect civil liberties during times of crisis. These decisions lead to debate on whether suspending civil rights to promote national security is democratic. When Abraham Lincoln suspended habeas corpus during the Civil War, his decision was criticized as undemocratic. Similarly, Franklin D. Roosevelt's executive order to relocate Japanese Americans following the attack on Pearl Harbor led to debate on the constitutionality of his decision.

President Abraham Lincoln suspended habeas corpus during the Civil War in order to preserve the Union. Following his election in 1860, the southern states began to secede and more left after the attack on Fort Sumter until eleven were gone (document 1a). Five border states stayed but mob violence began in these states, and rebels who sided with the Confederacy began to tear down telegraph wires and burn bridges (document 1b). Because of these violent uprisings, Lincoln suspended habeas corpus between Philadelphia and Washington. Washington was in danger and Lincoln did not want any more trouble in Maryland, a state he wanted to stay in the Union. This decision has caused controversial debate as to whether his action was constitutional. Those who favor his decision believe that in the case of a rebellion, such as the Civil War, the president had the right to suspend habeas corpus in order to promote public safety (document 2a). They would say Lincoln had no choice because of the circumstances. People were arrested because they tried to prevent the raising of troops and encouraged people to desert the army (document 2b). During a war, a president cannot let this happen. Lincoln decided to suspend habeas corpus, supporters believe, in an effort to promote

public safety and preserve the union which a Southern victory would destroy. However, others were opposed to his action and view it as unconstitutional. Chief Justice Taney thought that the right to suspend habeas corpus belonged only to the legislative branch (document 3a). Some felt that Lincoln's action was "excessive and unjustified," and after the Civil War, the Supreme Court decided that military courts should not be used where civil courts are open (document 3b). Military courts were used wherever habeas corpus had been suspended. Those who were opposed believed that Lincoln had violated the constitution and denied citizens their right to trial in a civil court. President Abraham Lincoln's suspension of habeas corpus during the Civil War sparked much controversy of the constitutionality of his decision.

Similarly, following the Japanese attack on Pearl Harbor, President Franklin D. Roosevelt ordered the relocation of Japanese Americans on the West Coast. On December 7, 1941, the U.S. military base at Pearl Harbor was attacked by the Japanese (document 4a). This "date which will live in infamy" caused the U.S. to declare war and begin preparing for our defense. Americans on the West Coast began to believe that Japanese Americans were tied to their enemy: the Japanese. (document 4b). Following the attack, FDR ordered the relocation of Japanese Americans who lived on the West Coast. They had to leave their homes with only what they could carry with them. This action caused concern. Those who favored his decision believed that if the Japanese Americans were moved, they would be "out of harm's way" (document 5b). Anger toward the Japanese Americans for what the Japanese did at Pearl Harbor had already resulted in some violent

Document-Based Essay—Practice Paper – D

confrontations. The military believed that if the Japanese stayed out of the war zone, soldiers could carefully watch them for any act of sabotage (document 5a). However, there were those who were opposed to the decision and viewed it as unconstitutional. Justice Murphy thought that the evacuation was brought on by racism rather than any legitimate reason (document 6). They believed that the Japanese were being denied the equal protection rights that were guaranteed to them under the constitution. They paid a large personal and financial price for not being guilty of sabotaging U.S. efforts during World War II. Franklin D. Roosevelt's executive order to relocate Japanese Americans following Pearl Harbor was a controversial decision which led to the government finally admitting it was wrong many years after World War II.

Several American presidents have made controversial decisions regarding civil liberties during times of national crisis. Abraham Lincoln's suspension of habeas corpus during the civil war led to citizens questioning the constitutionality of his decision. Similarly, by ordering the relocation of Japanese Americans following the attack on Pearl Harbor, President Franklin D. Roosevelt caused debate on whether constitutional rights should be sacrificed in an effort to promote national security.

During times of national crisis, United States presidents have made controversial decisions affecting civil liberties. Two such decisions were Franklin D. Roosevelt's executive order to relocate Japanese Americans, and George W. Bush's signing of the USA Patriot Act. Such actions were taken in order to protect the public and to keep the country safe. Although they were controversial they did however protect American lives.

On December 7, 1941 Japanese aircrafts and naval-ships attacked Pearl Harbor. This attack made the U.S. go to war with Japan. However it wasn't until 1942 that the evacuation of Japanese Americans began. As shown in Document 4b F.D.R.'s decision to relocate them was based on suspicion that they were going to plan a sabotage, and they could be a possible threat to national security. There were people against this and people in favor of this. In Document 5a the San Francisco News supported the relocation mainly because they felt that the Japanese Americans were in danger and could get hurt. Someone that was against this was Supreme Court Justice Frank Murphy in Document 6 that believed that this was unconstitutional. The relocation of them is denying their 1st amendment rights. This matter was controversial.

On September 11, 2001 terrorist hijacked planes and crashed them into the World Trade Center. This was an act of war and act of terrorism. Since then George W. Bush enacted The Patriot Act, in order to protect American civilians such as in Document 7 George Bush enacted this to avoid another terrorist attack this act strengthen law enforcement. People like Lamar Smith in Document 8 believe this Act protects Americans and has been successful in taking out possible terrorists. However this act was controversial because it limits the

Document-Based Essay—Practice Paper – E

privacy of the people it allows the government raid homes of anyone suspicious to working with terrorists.

Furthermore, all these actions were taken to protect lives. Even though they were controversial. They were still passed during a time of national crisis. These men made history, and made the United States a safer nation. Civil liberties might be loss during a time of crisis, but protection does come with it.

Practice Paper A—Score Level 5

The response:

- Thoroughly develops all aspects of the task evenly and in depth for Abraham Lincoln’s suspension of habeas corpus and Franklin D. Roosevelt’s executive order to relocate Japanese Americans
- Is more analytical than descriptive (*Lincoln*: with his election, South began to secede determined to continue slavery; if Maryland was lost, other border states might secede because many in these states supported the Confederacy; constitutional provision clearly allows suspension during times of rebellion or invasion when public is in danger; Taney argued constitutional provision applied only to Congress so Lincoln’s action was unconstitutional; some thought suspension could set a precedent; chose to preserve Union, even though suspension meant suspending civil liberties; *Roosevelt*: supporters saw removal vital for America’s safety; tight knit group of Japanese Americans mostly unassimilated and viewed as threat because of ties with enemy nation; some believed removal was best way to prevent riots and attacks on Japanese Americans by other Americans; some thought Japanese Americans were spies and would jeopardize a victory; Supreme Court judge considered it a revolting new concept in a country designed to ensure freedom to all people; Japanese Americans had to endure hardships and punishment even though they were never a threat to national security)
- Incorporates relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates substantial relevant outside information (*Lincoln*: tensions heightened as abolitionists and other Northerners wanted to end inhumane economic system of South; South pushed to expand slavery into new western territories; Manifest Destiny achieved after Mexican American War; South threatened by free soil beliefs and chose to form Confederate States of America; Confederacy seized federal property and attacked Fort Sumter; opponents claimed suspension intimidated Americans from speaking freely and president took too much power; *Roosevelt*: Pearl Harbor bombed after trade disputes about oil and Japanese imperialism in Asia were not resolved; rumors about enemy planes and sabotage by Japanese Americans; Japanese Americans experienced racism since first coming to United States; some Americans believed Japanese Americans were sending radio signals to help Japan plan another surprise attack; removal upheld in Korematsu case; many interned were American citizens)
- Richly supports the theme with many relevant facts, examples, and details (*Lincoln*: suspended right to a civil trial; Albany Democratic Committee; Vallandigham arrested for preventing raising of troops and encouraging desertion; *Roosevelt*: Pearl Harbor; removed Japanese Americans from western coast; set up internment camps until end of war; denial of constitutional rights for Japanese American citizens; interned only because of ethnicity)
- Demonstrates a logical and clear plan of organization; includes an introduction that states presidents face grave decisions in protecting the country while often sacrificing the rights of some citizens and a brief conclusion that states Lincoln and Roosevelt were able to maintain a safe and united country

Conclusion: Overall, the response fits the criteria for Level 5. Significant outside information supports document interpretation and analysis. Important constitutional understandings are integrated in a thorough discussion of opposing arguments for both presidential decisions.

Practice Paper B—Score Level 3

The response:

- Develops all aspects of the task with some depth for Abraham Lincoln’s suspension of habeas corpus and George W. Bush’s signing of the USA Patriot Act
- Is both descriptive and analytical (*Lincoln*: when elected, southern states began to secede; in response to secession and potential attacks on nation’s capital, he officially suspended writ; without habeas corpus, citizens could be jailed without any reason; some saw suspension as abuse of presidential power; other constitutionally protected rights could be threatened; many proclaimed suspension as smart and necessary considering president’s responsibility of saving United States; *Bush*: on 9/11, he quickly and unexpectedly became a wartime president; terrorism is a more modern and complicated threat to national security than what Lincoln and Roosevelt had faced; Congressman Smith did not think Act was as much a threat to civil liberties as people thought since many of methods had been used for decades; Congressman Barr, who initially supported Act, shifted opinion because it would do great and irreparable harm to Constitution; most of Congress approved Act but there were worries that constitutional privacy protections were gone for good)
- Incorporates some relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates limited relevant outside information (*Lincoln*: sectional differences and arguments over expansion of slavery had begun to destroy ties that held America together; faced with task of maintaining unification of United States; seceded states established Confederate States of America; *Bush*: World Trade Center; attacks caused destruction in New York City and damaged a section of Pentagon)
- Includes some relevant facts, examples, and details (*Lincoln*: suspended writ first in select areas and eventually throughout entire nation; habeas corpus is constitutional protection against unlawful detention or custody; Congressman Vallandigham arrested; Chief Justice Taney stated suspension not approved by Congress; constitutional provision citing rebellion and public safety used to justify action; *Bush*: Act signed weeks after attacks; Act allowed government to investigate and search citizens’ property without usual notifications)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that state presidential decisions in wartime have successfully protected the well-being of America and its national security although these decisions have sometimes been controversial

Conclusion: Overall, the response fits the criteria for Level 3. Although the discussion is focused on document information, the interpretation and integration of that information leads to some good analytic statements. Good points of comparison are included; however, additional supporting facts and details would have strengthened their effectiveness.

Practice Paper C—Score Level 2

The response:

- Develops some aspects of the task in little depth for Abraham Lincoln’s and Franklin D. Roosevelt’s controversial decisions
- Is primarily descriptive (*Lincoln*: as soon as elected, country split in two; people from states who did not secede were still against what was happening; when South revolted, it allowed Lincoln to suspend habeas corpus because United States involved in a revolution; *Roosevelt*: forced to make a decision that was extremely controversial and even considered racist; Japanese aliens and citizens relocated for protection of American people and for protection of Japanese Americans from angry American people); includes faulty application (*Lincoln*: needed to do this to prevent North from revolting as well; *Roosevelt*: relocation camps in the mid-western region of the United States)
- Incorporates limited relevant information from documents 1, 2, 4, and 5
- Presents very little relevant outside information (*Roosevelt*: president during one of biggest wars in our nation’s history, World War II)
- Includes few relevant facts, examples, and details (*Lincoln*: suspended habeas corpus during Civil War; *Roosevelt*: relocated Japanese Americans to camps; Japanese attacked United States at Pearl Harbor, December 7, 1941)
- Demonstrates a general plan of organization; includes an introduction that summarizes the controversial decisions of all three presidents and a conclusion that states decisions made by presidents during crisis were necessary for the security of the nation

Conclusion: Overall, the response fits the criteria for Level 2. Three presidential decisions are addressed; however, only the first two can be rated. A basic understanding of document information and its relationship to the task is demonstrated but often lacks sufficient explanation. An opposing argument for each decision is not addressed.

Practice Paper D—Score Level 3

The response:

- Develops all aspects of the task with little depth for Abraham Lincoln’s suspension of habeas corpus and Franklin D. Roosevelt’s executive order to relocate Japanese Americans
- Is more descriptive than analytical (*Lincoln*: did not want more trouble in Maryland, a state he wanted to stay in Union; those in favor believed in case of rebellion president had right to suspend habeas corpus; Chief Justice Taney thought the right to suspend habeas corpus belonged only to legislative branch; those opposed believed Lincoln had violated Constitution; *Roosevelt*: Americans on West Coast began to believe Japanese Americans tied to their enemy; some believed relocation put Japanese Americans out of harm’s way; anger toward Japanese Americans for what Japanese did at Pearl Harbor resulted in some violent confrontations; military believed if Japanese stayed out of war zone, soldiers could watch them for sabotage; Justice Murphy thought evacuation brought on by racism rather than any legitimate reason)
- Incorporates some relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates limited relevant outside information (*Lincoln*: following his election, states began to secede; Southern victory would destroy Union; *Roosevelt*: Pearl Harbor caused United States to declare war; Japanese Americans had to leave with only what they could carry; some believed Japanese Americans were being denied equal protection rights; Japanese Americans paid a large personal and financial price for not being guilty of sabotage; government finally admitted wrong many years after World War II)
- Includes some relevant facts, examples, and details (*Lincoln*: more states seceded after attack on Fort Sumter until eleven were gone; rebels in border states, who sided with Confederacy, began to tear down telegraph wires and burn bridges; suspended habeas corpus between Philadelphia and Washington; people arrested because they tried to prevent raising of troops and encouraged people to desert the army; after Civil War, Supreme Court decided military courts should not be used where civil courts were open; *Roosevelt*: Japanese attacked Pearl Harbor on December 7, 1941; Japanese Americans on the West Coast relocated)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that discuss whether presidential decisions which affect civil liberties during crises are constitutional

Conclusion: Overall, the response fits the criteria for Level 3. Interpretation of document information leads to some analytical conclusions about both Lincoln and Roosevelt. Additional facts and details would have strengthened the treatment of the controversial nature of presidential decisions.

Practice Paper E—Score Level 2

The response:

- Minimally develops all aspects of the task for Franklin D. Roosevelt’s and George W. Bush’s controversial decisions
- Is primarily descriptive (*Roosevelt*: attack on Pearl Harbor made United States go to war with Japan; his decision to relocate Japanese Americans based on suspicion they were going to plan sabotage and could be a possible threat to national security; *San Francisco News* supported relocation mainly because Japanese Americans in danger and could get hurt; Supreme Court Justice Murphy believed relocation unconstitutional because Japanese Americans denied rights; *Bush*: attacks on September 11, 2001 were an act of war and an act of terrorism; he enacted Patriot Act to protect American civilians and to avoid another terrorist attack; Smith believed Act protects Americans; Act allows government to raid homes of anyone suspected of working with terrorists)
- Incorporates limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Presents very little relevant outside information (*Bush*: on September 11, 2001, terrorists hijacked planes and crashed them into World Trade Center)
- Includes few relevant facts, examples, and details (*Roosevelt*: Japanese attacked Pearl Harbor on December 7, 1941; *Bush*: Act strengthened law enforcement; Act successful in taking out possible terrorists; Act limits privacy of people); includes an inaccuracy (*Roosevelt*: relocation denying Japanese Americans their first amendment rights)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that are slightly beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 2. The mention of arguments in favor of and opposed to each presidential decision demonstrates a basic understanding of the controversy involved in each issue. While the mention of historical circumstances includes a few relevant details, most development is minimal.

United States History and Government Specifications January 2015

Part I Multiple-Choice Questions by Standard

Standard	Question Numbers
1—United States and New York History	2, 9, 11, 12, 13, 16, 19, 22, 23, 24, 25, 28, 29, 33, 34, 38, 40, 45, 46, 47, 48, 50
2—World History	21, 35, 36, 41, 44
3—Geography	1, 27, 42, 49
4—Economics	3, 8, 17, 18, 20, 30, 31, 43
5—Civics, Citizenship, and Government	4, 5, 6, 7, 10, 14, 15, 26, 32, 37, 39

Parts II and III by Theme and Standard

	Theme	STANDARDS
Thematic Essay	Government; Human Systems; Immigration and Migration; Reform Movements; Places and Regions; Economic Systems	Standards 1, 2, 3, 4, and 5: United States and New York History; World History; Geography; Economics; Civics, Citizenship, and Government
Document-based Essay	Presidential Decisions and Actions; Constitutional Principles; Citizenship; Foreign Policy; Places and Regions	Standards 1, 2, 3, and 5: United States and New York History; World History; Geography; Civics, Citizenship, and Government

Notes:

Part I and Part II scoring information is found in Volume 1 of the Rating Guide.

Part III scoring information is found in Volume 2 of the Rating Guide.

The *Chart for Determining the Final Examination Score for the January 2015 Regents Examination in United States History and Government* will be posted on the Department's web site at: <http://www.p12.nysed.gov/assessment/> on the day of the examination. Conversion charts provided for the previous administrations of the United States History and Government examination must NOT be used to determine students' final scores for this administration.

Submitting Teacher Evaluations of the Test to the Department

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments. It contains spaces for teachers to respond to several specific questions and to make suggestions. Instructions for completing the evaluation form are as follows:

1. Go to <http://www.forms2.nysed.gov/emsc/osa/exameval/reexameval.cfm>.
2. Select the test title.
3. Complete the required demographic fields.
4. Complete each evaluation question and provide comments in the space provided.
5. Click the SUBMIT button at the bottom of the page to submit the completed form.

The State Education Department / The University of the State of New York
Regents Examination in United States History and Government – January 2015
 Chart for Converting Total Test Raw Scores to Final Examination Scores (Scale Scores)

To determine the student's final score, locate the student's total essay score across the top of the chart and the total Part I and Part IIIA score down the side of the chart. The point where those two scores intersect is the student's final examination score. For example, a student receiving a total essay score of 6 and a total Part I and Part IIIA score of 46 would receive a final examination score of 81.

		Total Essay Score										
		0	1	2	3	4	5	6	7	8	9	10
Total Part I and Part IIIA Score	0	0	3	6	9	12	16	19	23	27	31	35
	1	1	4	7	10	13	17	21	24	28	33	37
	2	2	5	8	11	14	18	22	26	30	34	38
	3	3	6	9	12	16	19	23	27	31	35	40
	4	4	7	10	13	17	21	24	28	33	37	41
	5	5	8	11	14	18	22	26	30	34	38	42
	6	6	9	12	16	19	23	27	31	35	40	44
	7	7	10	13	17	21	24	28	33	37	41	45
	8	8	11	14	18	22	26	30	34	38	42	47
	9	9	12	16	19	23	27	31	35	40	44	48
	10	10	13	17	21	24	28	33	37	41	45	50
	11	11	14	18	22	26	30	34	38	42	47	51
	12	12	16	19	23	27	31	35	40	44	48	53
	13	13	17	21	24	28	33	37	41	45	50	54
	14	14	18	22	26	30	34	38	42	47	51	55
	15	16	19	23	27	31	35	40	44	48	53	57
	16	17	21	24	28	33	37	41	45	50	54	58
	17	18	22	26	30	34	38	42	47	51	55	60
	18	19	23	27	31	35	40	44	48	53	57	61
	19	21	24	28	33	37	41	45	50	54	58	62
	20	22	26	30	34	38	42	47	51	55	60	64
	21	23	27	31	35	40	44	48	53	57	61	65
	22	24	28	33	37	41	45	50	54	58	62	66
	23	26	30	34	38	42	47	51	55	60	64	68
	24	27	31	35	40	44	48	53	57	61	65	69
	25	28	33	37	41	45	50	54	58	62	66	70
	26	30	34	38	42	47	51	55	60	64	68	72
	27	31	35	40	44	48	53	57	61	65	69	73
	28	33	37	41	45	50	54	58	62	66	70	74
	29	34	38	42	47	51	55	60	64	68	72	75
	30	35	40	44	48	53	57	61	65	69	73	77
	31	37	41	45	50	54	58	62	66	70	74	78

		Total Essay Score										
		0	1	2	3	4	5	6	7	8	9	10
Total Part I and Part IIIA Score	32	38	42	47	51	55	60	64	68	72	75	79
	33	40	44	48	53	57	61	65	69	73	77	80
	34	41	45	50	54	58	62	66	70	74	78	81
	35	42	47	51	55	60	64	68	72	75	79	82
	36	44	48	53	57	61	65	69	73	77	80	84
	37	45	50	54	58	62	66	70	74	78	81	85
	38	47	51	55	60	64	68	72	75	79	82	86
	39	48	53	57	61	65	69	73	77	80	84	87
	40	50	54	58	62	66	70	74	78	81	85	88
	41	51	55	60	64	68	72	75	79	82	86	89
	42	53	57	61	65	69	73	77	80	84	87	90
	43	54	58	62	66	70	74	78	81	85	88	91
	44	55	60	64	68	72	75	79	82	86	89	92
	45	57	61	65	69	73	77	80	84	87	90	93
	46	58	62	66	70	74	78	81	85	88	91	94
	47	60	64	68	72	75	79	82	86	89	92	95
	48	61	65	69	73	77	80	84	87	90	93	96
	49	62	66	70	74	78	81	85	88	91	94	97
	50	64	68	72	75	79	82	86	89	92	95	97
	51	65	69	73	77	80	84	87	90	93	96	97
	52	66	70	74	78	81	85	88	91	94	97	98
	53	68	72	75	79	82	86	89	92	95	97	98
	54	69	73	77	80	84	87	90	93	96	97	98
	55	70	74	78	81	85	88	91	94	97	98	98
	56	72	75	79	82	86	89	92	95	97	98	98
	57	73	77	80	84	87	90	93	96	97	98	99
	58	74	78	81	85	88	91	94	97	98	98	99
	59	75	79	82	86	89	92	95	97	98	98	99
	60	77	80	84	87	90	93	96	97	98	99	99
	61	78	81	85	88	91	94	97	98	98	99	99
	62	79	82	86	89	92	95	97	98	98	99	99
	63	80	84	87	90	93	96	97	98	99	99	99
64	81	85	88	91	94	97	98	98	99	99	100	