

**AP[®] UNITED STATES GOVERNMENT AND POLITICS
2007 SCORING GUIDELINES**

Question 3

7 points

Part (a): 1 point

One point is earned for a correct description of the primary conflict over the decision to go to war: the President is commander-in-chief and Congress has power to declare war.

Part (b): 2 points

One point is earned for each correct description of a provision of the War Powers Resolution designed to limit the President's power over war making.

Acceptable descriptions include:

- President must notify Congress within 48 hours of sending troops into combat.
- President must consult with Congress whenever feasible.
- Conflicts are limited to 60 days unless Congress takes action,
- Congress can extend time from the initial 60 days **or** can withdraw troops after 60 days with adequate notification to the President.

Part (c): 4 points

One point is earned for correctly identifying two other formal powers Congress has over war making (maximum 2 points). One point is earned for each explanation of the formal powers identified in part (c) (maximum 2 points).

Acceptable answers include:

- Passing laws.
- Appropriations (any mention of "funding").
- Confirmation of nominees.
- Impeachment.
- Treaty ratification.
- Congressional oversight (hearings or investigations).

To earn a point, the explanation must tell how or why these are formal Congressional powers over war making.

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

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

a. The Constitution defers the power to declare war to Congress. Though the President is Commander in Chief, he relies on Congress to officially state to the world that the U.S. is at war.

b. The President, under the War Powers Resolution, has the ability to deploy troops in an emergency, but after a period, he must receive Congress's approval to continue to have troops in place. This is the first provision ~~that~~ that gives Congress the ability to limit the President's power in warring. A second provision of the Resolution is that Congress may take control over the continued deployment of troops once war has been declared after the initial period of presidential control.

c. Congress has formal powers over war making that extend beyond its power to declare war. One of the most significant formal powers it has is the right to appropriate funds for a war, or a conflict. The President may wish to stage a full out attack and subsequent invasion, but without Congress's support through funding this strategy is killed. Funding control greatly increases the role of Congress in war making and can severely limit the abilities of the President to enact his plan. Another formal power is the ability of Congress to enact legislation that affects

3

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

3 A2

war making. The War Powers Resolution did not come directly from the Constitution, but from Congress's ~~own~~ powers as the lawmaker of the government. A simple majority enables Congress to create legislation to increase its power and role in war making.

The President and Congress always seem to be compromising regarding some conflict of each's power. ~~and~~ one of these may be the war powers, as ~~and~~ the War Powers Resolution of 1973 attempted to balance the powers of each ~~the~~ branch.

a) The primary constitutional conflict arises from the congress's power to declare war. the President may ~~not~~ ask congress to declare war, but not granting this power would result in a conflict between the branches. However, when going to war, the President is the ~~commander~~ commander in chief, executing the tactics and plan of action. ~~this means~~ the main problem arises as to the initiation of war powers- who says "we are going to war"?

b) The two provisions of the War Powers Resolution that were designed to limit the President's power over law-making are: ?

c) ~~Although~~ Although the War Powers Resolution has received mixed reviews, the Congress still retains other powers over war-making. These mainly include how it may effect the on going war. One power is to ~~now~~ finance the armed forces. This power allows congress to grant or reject money going into the war. Also, as a foreign power, congress accepts or rejects the ambassador ~~or~~ appointments or treaties. By having this power, the Congress may have a ~~say~~ say as to the course of action taking place.

3

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

3C 1

A) The primary constitutional conflict between Congress and the president over the decisions to go to war is 'who can actually declare war, and when is it a good reason to?' - Congress can declare war.

B) The War Powers Resolution stated that the executive branch must have ^{just} reason to declare war on foreign nations. (Weapons of mass destruction aided president Bush the right to declare war on Iraq.) The War Powers Resolution limited the President by saying he could not pull troops out of foreign nations without consent of the legislature.

C) Congress has the power to propose troops to be taken out of combat, with the approval of the president. If the president vetoes the proposal, Congress can override him/her with a $\frac{2}{3}$ vote. Also, Congress ~~can~~ has the right to draft men ~~and~~ to the military.

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

3

3C2

if they fall under the qualifications of being drafted (over 18, in 'good' health)

AP[®] UNITED STATES GOVERNMENT AND POLITICS 2007 SCORING COMMENTARY

Question 3

Overview

This question was intended to examine students' understandings of the nature of the relationship between Congress and the presidency regarding war. The frame of the question was the War Powers Resolution of 1973, but the central issue had to do with formal conflicts between the two branches. Students needed to know the primary constitutional conflict, two provisions in the resolution itself, and two other formal congressional powers regarding the war-making dilemma.

Sample: 3A

Score: 6

In part (a) the response earned 1 point for correctly describing the primary constitutional conflict: "the President is Commander in Chief," while Congress can "officially state to the world that the U.S. is at war."

In part (b) the response earned 2 description points. The first point was earned for correctly stating that the President can deploy troops to a conflict for a limited period. The second point was earned for stating "that Congress may take control over the continued deployment of troops . . . after the initial period of presidential control."

In part (c) the response earned 1 point for correctly identifying the congressional power to "appropriate funds." The response earned 1 point for explaining that "without Congress's support through funding [the President's] strategy is killed." The response earned a third point for stating that Congress can "enact legislation that affects war making."

Sample: 3B

Score: 3

In part (a) the response earned 1 point for describing "congress's power to declare war" and stating that "the President is the commander in cheif [*sic*]."

The student does not respond to part (b) and therefore earned no points.

In part (c) the response earned 2 points for correctly identifying two other powers of Congress. The first point was earned for stating that Congress has the power "to finance the armed forces," and the second for stating that "congress accepts or rejects the ambassador appointments or treaties."

Sample: 3C

Score: 1

In part (a) the response earned no points because there is no identification of a presidential role in the constitutional conflict between the Congress and the President.

The response does not correctly describe any provision of the War Powers Resolution and therefore earned no points in part (b).

In part (c) the response earned 1 point for identifying the legislative process as a power of Congress.