Question 2

6 points

Part (a): 2 points

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

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

Part (b): 4 points

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

<table>
<thead>
<tr>
<th>Correct Definition</th>
<th>Examples of Acceptable Explanations</th>
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<tbody>
<tr>
<td>Mandatory Spending</td>
<td>Spending not controlled by annual budget decisions (nondiscretionary spending, automatic spending, etc.)</td>
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<td></td>
<td>• Budgetary constraints make it difficult to accomplish policy goals.</td>
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<td></td>
<td>• It is difficult to make budget cuts that might accomplish policy goals.</td>
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<td>Party Polarization</td>
<td>Increased interparty differences</td>
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<td>• Opposing party may block policy goals.</td>
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<td>• There is a lack of moderates with whom to build coalitions.</td>
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<td>Lame-Duck Period</td>
<td>Period of time in which an officeholder’s term is coming to an end</td>
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<td></td>
<td>• President’s power is perceived as being diminished.</td>
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<td>• Congress is less responsive to the president.</td>
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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.
The Constitution gives the President numerous powers to exert influence over domestic policy. One of these powers is the right to issue executive orders. These orders can have the affect of law even though Congress does not vote on them. Executive orders have been made several times in the nation’s history. One example is President Franklin Delano Roosevelt’s order to imprison all Japanese Americans after Pearl Harbor. Another example is President Clinton’s “Point Ash Don’t Tell” order regarding gays in the military. These executive orders enable a President to influence domestic policy by setting regulations for the citizens of the nation. Another way the President can exert influence over domestic policy is by addressing Congress at the “State of the Union” address about new changes in policy he would like to see implemented. The President can also veto legislation passed by Congress which is another influence he has over domestic policy and Congress. Due to the party polarization in Congress the President’s ability to influence policy is weakened. Party polarization is Congress’s desire to move to the far right or left instead of the middle of the ideological line. Policy the President would like to change is hard to implement because of this. Bi-partisan agreements are rare and it is hard to persuade those from the other set to support the policy. A time such period also hurts a President’s influence. This is the time when
A new president has been elected but has not taken office. The old president will be unable to push policy through because Congress no longer supports him or her. With a new administration coming in, Congress has no desire to support the old regime because the old president does not have time to implement and enforce new domestic policy.
A number of factors enable presidents to exert influence over Congress in the area of domestic policy. However, presidents are also limited in their influence over domestic policymaking in Congress. The president has enumerated powers granted by the Constitution which enable him to exert influence over domestic policy. One of these powers is the veto. After Congress passes a bill, a President can block the legislation from becoming law by refusing to sign it. The veto allows the president to influence legislation concerning domestic policy; he can reject the final legislation altogether or he can threaten to veto the legislation before it’s passed.

If the president threatens to veto legislation, Congress may alter the bill so that he will be more likely to approve it. Another of the president’s enumerated powers is the appointment of Supreme Court justices. The President, with the approval of the Senate, has the power to appoint justices to the Supreme Court who will serve for life. Before appointing a judge, the President will test his/her political ideology to ensure that he/she will make decisions with which the President agrees. These justices
are then able to affect domestic policy not only during the remainder of his presidency, but for many years after. The Supreme Court has the power to influence domestic policy through its ability to declare legislation passed by Congress unconstitutional, based on their interpretation of the Constitution. A president can choose justices who will agree with him on the constitutionality of new domestic policies passed by Congress.

Although the president has considerable power to influence domestic policy making in Congress, there are limits placed on this ability. One limit is mandatory spending. Some Presidents, such as Nixon, tried to impound funds appropriated by Congress. At the time, there was no law stating that the president had to spend the money Congress appropriated. The case was taken to the Supreme Court, and the Court ruled against Nixon placing limits on the impoundment of funds and enacting mandatory spending. In most cases, the President has to spend money appropriated by Congress. Another limit on the president's ability to influence domestic policy making is the lame-duck period. The lame-duck period is the time between when a new president
is elected and when he takes office. During these months, the previous president is still in office, but has diminished influence. Congress is less interested in what he proposes and often, very little gets done.
An enumerated power granted to the President by the Constitution is collecting taxes. The President can exert influence over domestic policy by raising or lowering how much taxes will be collected. Different presidents have changed the amount of tax due to support the state of the economy. For example, Obama raised taxes on the wealthy while he used to help pay off the federal deficit and it actually helped to reduce debt. The president has another formal power that enables the President to exert influence over domestic policy in what he prescribes for non-mandatory spending from the federal budget. For example, the President can change welfare programs and take money that must be used from the federal budget to things such as entitlements and not exceed The limits the President’s ability to influence domestic policymaking in Congress because the majority of the federal budget goes to mandatory spending, which means that little money left can go to discretionary programs. The President used to present the budget proposal to the Congress, but if the President does not have a majority that will help, the President's political party. The limits the President’s ability to influence domestic policy as Congress because the both have different views on domestic policy. He can help the country but through and make his law.
Question 2

Overview

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

Sample: 2A
Score: 6

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

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

Sample: 2B
Score: 4

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

In part (b) the student earned 1 point for defining the lame-duck period as “the time between when a new president is elected and when he takes office. During these months, the previous president is still in office, but has diminished influence.” The student earned 1 point for explaining that the president’s power is limited because “Congress is less interested in what he proposes.” The student does not correctly define mandatory spending and therefore did not earn a second definition point. The student does not provide an explanation of mandatory spending and therefore did not earn a second explanation point.
Sample: 2C
Score: 2

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

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