

# 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

Thursday, January 26, 2017 — 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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THE STATE EDUCATION DEPARTMENT  
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### **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 2017**

**Document 1**

... The grievous wrongs perpetrated by Mexico upon our citizens throughout a long period of years remain unredressed [uncorrected], and solemn treaties pledging her public faith for this redress have been disregarded. A government either unable or unwilling to enforce the execution of such treaties fails to perform one of its plainest duties. . . .

Instead of this, however, we have been exerting our best efforts to propitiate [gain] her good will. Upon the pretext that Texas, a nation as independent as herself, thought proper to unite its destinies with our own she has affected to believe that we have severed her rightful territory, and in official proclamations and manifestoes has repeatedly threatened to make war upon us for the purpose of reconquering Texas. In the meantime we have tried every effort at reconciliation. The cup of forbearance [patience] had been exhausted even before the recent information from the frontier of the Del Norte [Rio Grande]. But now, after reiterated menaces, Mexico has passed the boundary of the United States, has invaded our territory and shed American blood upon the American soil. She has proclaimed that hostilities have commenced, and that the two nations are now at war.

As war exists, and, notwithstanding [despite] all our efforts to avoid it, exists by the act of Mexico herself, we are called upon by every consideration of duty and patriotism to vindicate [justify] with decision the honor, the rights, and the interests of our country. . . .

Source: President James K. Polk, Special Message to Congress on Mexican Relations, May 11, 1846

- 1 According to his message to Congress, what is *one* reason President James Polk supports war with Mexico?**

**Score of 1:**

- States a reason President James Polk supports war with Mexico according to his message to Congress

*Examples:* the grievous wrongs perpetrated by Mexico upon our citizens remain unredressed; treaties pledging Mexico's public faith for redress of grievous wrongs have been disregarded; the Mexican government has been unable/unwilling to enforce the execution of treaties; Mexico has failed to perform one of its plainest duties; Mexico has repeatedly threatened to make war on us for the purpose of reconquering Texas; United States patience has been exhausted; Mexico has passed the boundary of the United States; Mexico has invaded our territory; Mexico has shed American blood on American soil; Mexico has crossed the Del Norte/Rio Grande; Mexico has proclaimed that hostilities have commenced/that the two nations are at war; to protect the honor/rights/interests of our country; efforts at reconciliation have failed

**Score of 0:**

- Incorrect response

*Examples:* because Texas sided with Mexico; Mexico stopped at the boundary of the United States; treaties have not been signed; Texas is independent; Mexico believes we have severed her territory

- Vague response

*Examples:* it has been a consideration; the government is unwilling; it is unredressed; the frontier of Del Norte; official proclamations; menaces; notwithstanding all efforts

- No response

## Document 2

. . . The prompt and overwhelming vote in Congress for war—174 to 14 in the House and 40 to 2 in the Senate—is deceptive. Aroused by the loss of American lives, all sections and all parties at first enthusiastically endorsed the conflict. Popular slogans were “Ho for the Halls of the Montezumas!” and “Mexico or Death!” But gradually considerable sentiment developed against fighting “Jimmy Polk’s War,” especially among the opposition Whig party and the antislavery men. One abolitionist Congressman denounced the conflict as “unholy, unrighteous, and damnable.” The distinguished Whig orator, Senator [Thomas] Corwin of Ohio, declared in a memorable speech [February 11, 1847] that if he were a Mexican he would say to the Americans, “Have you not room in your own country to bury your dead men? If you come into mine, we will greet you with bloody hands; and welcome you to hospitable graves.”

Abraham Lincoln, who entered the House as a Whig some months after the war began, joined the dissenters. Through his famous “spot resolutions,” which caused him to be dubbed the “spotty Lincoln,” he demanded to know the precise “spot” on American soil where the shooting had begun. Certainly Polk would have been much nearer the truth if he had said that “American blood has been shed on soil in dispute between the United States and Mexico”—soil to which Mexico perhaps had a better technical claim than the United States. . . .

Source: Thomas A. Bailey, *A Diplomatic History of the American People*, Prentice-Hall, 1974 (adapted)

### 2 According to Thomas A. Bailey, what was *one* reason members of Congress opposed war with Mexico?

#### Score of 1:

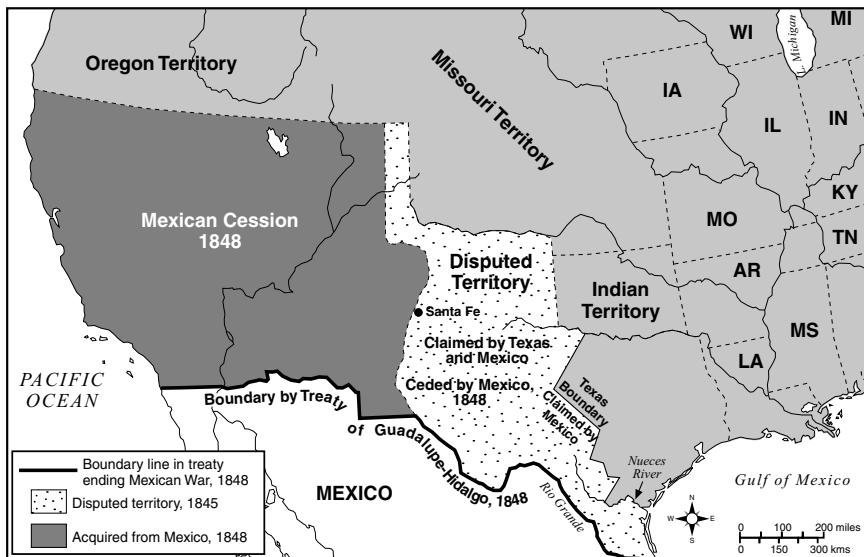
- States a reason members of Congress opposed war with Mexico according to Thomas A. Bailey  
*Examples:* it was seen as “Jimmy Polk’s War”; some thought the war was unholy/unrighteous/damnable; abolitionists saw the war as a way to expand slavery; Lincoln doubted if the precise spot where the shooting began was on American soil; Lincoln questioned Polk’s truthfulness in the “spot resolutions”/Polk wasn’t truthful about the start of the war; American blood was not shed in the United States but on soil in dispute between the United States and Mexico; some thought Mexico had a better technical claim to the land in dispute

#### Score of 0:

- Incorrect response  
*Examples:* the vote was 174 to 14 in the House/40 to 2 in the Senate; all sections/all parties endorsed the conflict; Whigs/antislavery men favored war; Abraham Lincoln was a Whig; the vote was deceptive
- Vague response  
*Examples:* Mexico has hospitable graves; hands have been bloodied; prompt/overwhelming votes; slogans were popular; sentiment developed; Senator Corwin gave a speech; dissenters
- No response

### Document 3a

#### United States Acquisitions from Mexico, 1848



Source: *Historical Maps on File*, Facts on File, 2002 (adapted)

### Document 3b

... But Congress itself was split over the question of slavery, and California's statehood threatened that balance. Congress had once hoped that the issue of slavery's extension had been settled forever by the Missouri Compromise of 1820, which barred slavery in most of the West. But the defeat of Mexico—and the sudden acquisition of so many hundreds of thousands of square miles—had changed everything. . . .

Source: Geoffrey C. Ward et al.,  
*The West: An Illustrated History*,  
Little, Brown and Company, 1996

### 3 Based on these documents, what were *two* effects of the Mexican-American War on the United States?

#### Score of 2 or 1:

- Award 1 credit (up to a maximum of 2 credits) for each *different* effect of the Mexican-American War on the United States

*Examples:* the Mexican Cession became part of the United States/the United States gained Mexican land to the Pacific Ocean/the United States suddenly acquired hundreds of thousands of square miles; the Rio Grande became the boundary of Texas/the Rio Grande replaced the Nueces River as the southern boundary of Texas; lands claimed by Texas and Mexico became part of Texas/the United States; Treaty of Guadalupe Hidalgo settled the Mexico-United States border; the issue of slavery's extension into new territory was not covered by the Missouri Compromise; as a result of territorial acquisition, Congress was split over the issue of slavery; California's statehood threatened the balance in Congress over the question of slavery; the borders of the United States changed/expanded

**Note:** To receive maximum credit, two *different* effects of the Mexican-American War on the United States must be stated. For example, *Mexican Cession became part of the United States* and *United States gained Mexican land to the Pacific Ocean* are the same effect 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 gained control of the Oregon/Missouri/Indian Territory; the Nueces River became the boundary of Texas; Mexico gained control of the Rio Grande; Missouri Compromise banned slavery in the Mexican Cession

- Vague response

*Examples:* there was a boundary line; it had been settled forever

- No response

#### Document 4a

... Abraham Lincoln believed the President should take the lead in peacemaking, and he was disposed to grant relatively mild conditions of peace. In 1863 he announced his willingness to pardon all rebels (except for certain of the leaders) who would lay down their arms and take an oath of future loyalty to the United States. He also proposed his "ten per cent plan" of reconstruction. According to this plan, ten per cent of the qualified voters (as of 1860) in a seceded state, upon taking the oath, could form a new state government and apply for readmission to the Union. They would have to accept the antislavery measures of Congress and the President, including the Emancipation Proclamation. Before the end of the war, the statemaking process had begun under Lincoln's plan in Louisiana, Arkansas, and Tennessee. . . .

Source: Richard N. Current, ed., *Reconstruction [1865–1877]*, Prentice-Hall, 1965

**4a Based on this document, what was *one* proposal made by President Abraham Lincoln concerning the readmission of the South to the Union?**

**Score of 1:**

- States a proposal made by President Abraham Lincoln concerning the readmission of the South to the Union based on this document

*Examples:* he proposed relatively mild conditions of peace; to pardon all rebels who would lay down their arms and take an oath of future loyalty to the United States, except for certain leaders; ten percent of the qualified voters (as of 1860) in a seceded state, upon taking the oath, could form a new state government and apply for readmission to the Union; voters in a seceded state would have to accept the antislavery measures of Congress and the President; voters in a seceded state would have to accept the Emancipation Proclamation; ten-percent plan

**Score of 0:**

- Incorrect response

*Examples:* he proposed that the Emancipation Proclamation be repealed; he pardoned all rebels; he readmitted all seceded states to the Union

- Vague response

*Examples:* he was disposed to grant conditions; he began the process; he took an oath; 10%; state-making

- No response

## Document 4b

... Although Johnson thundered against the Confederate leaders and called for their personal punishment, he believed the states they represented were, in fact, still part of the Union and therefore guaranteed representation in Congress. Thus he desired their immediate restoration—not readmission, because in his view they'd never left. He preferred that this restoration take place after each state had ratified the Thirteenth Amendment abolishing slavery, but he wasn't inclined to insist on even this condition. Nor did he seek any safeguards for the freed people. . . .

Source: Hans L. Trefousse, "Andrew Johnson," in *"To the Best of My Ability": The American Presidents*, edited by James M. McPherson, DK Publishing, 2001

### 4b Based on this document, what was *one* position taken by President Andrew Johnson concerning the restoration of the South to the Union?

#### Score of 1:

- States a position taken by President Andrew Johnson concerning the restoration of the South to the Union based on this document

*Examples:* personal punishment of Confederate leaders; Confederate states should be guaranteed representation in Congress; immediate restoration for Confederate states; he preferred that restoration happen after ratification of the 13th amendment; Confederate states did not need readmission because they had never left

#### Score of 0:

- Incorrect response

*Examples:* Confederate states should not be readmitted; states had to ratify the 15th amendment; Confederate leaders should be pardoned; safeguards for the freed people

- Vague response

*Examples:* he thundered; conditions; represented

- No response

## Document 5a

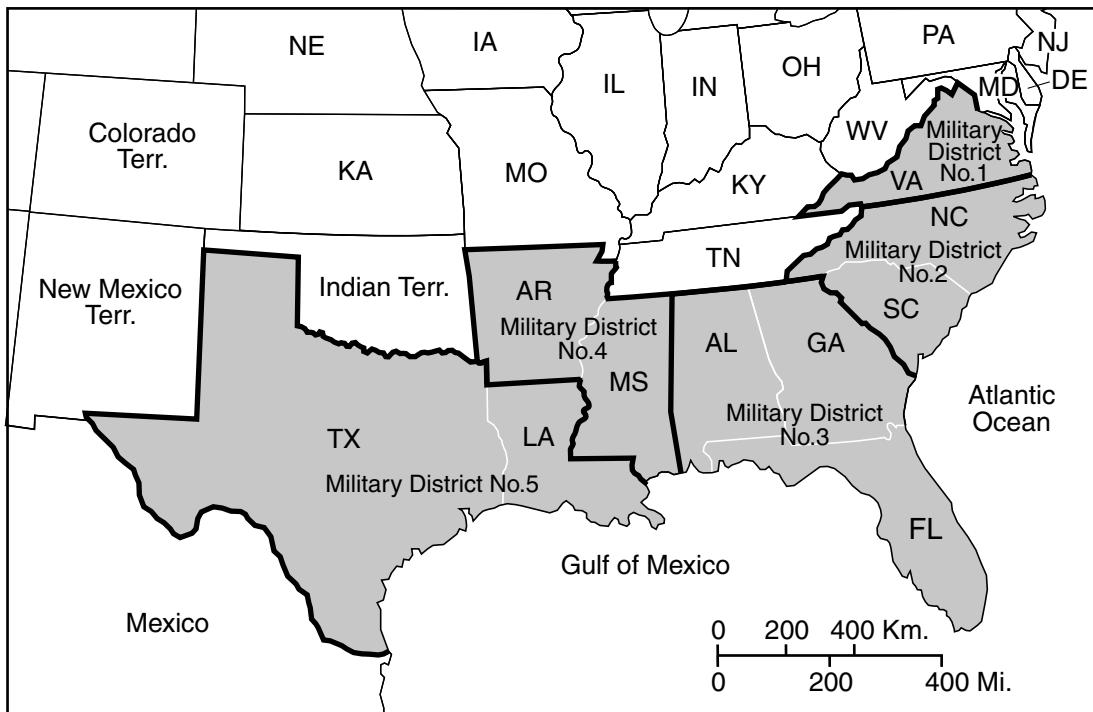
### Selected Events from the Era of Reconstruction

- |             |   |
|-------------|---|
| <b>1864</b> | <ul style="list-style-type: none"><li>Louisiana, Arkansas, and Tennessee established governments loyal to Union under Lincoln's plan</li><li>Wade-Davis Bill passed by Congress</li></ul>   |
| <b>1865</b> | <ul style="list-style-type: none"><li>Johnson tries to readmit rest of Confederate states to Union</li><li>Southern States enact Black Codes</li><li>Congress establishes Freedmen's Bureau</li><li>Congress reconvenes (December) and refuses to admit Southern representatives; creates Joint Committee on Reconstruction</li></ul> |
| <b>1866</b> | <ul style="list-style-type: none"><li>Congress approves Fourteenth Amendment; most Southern states reject it</li></ul>  |
| <b>1867</b> | <ul style="list-style-type: none"><li>Military Reconstruction Act (and two supplementary acts) outlines congressional plan of Reconstruction</li><li>Tenure of Office Act and Command of the Army Act restrict presidential power</li><li>Southern states establish Reconstruction governments under congressional plan</li></ul>     |
| <b>1868</b> | <ul style="list-style-type: none"><li>Most Southern states readmitted to Union under congressional plan</li></ul>   |
| <b>1870</b> | <ul style="list-style-type: none"><li>Last Southern states readmitted to Union</li></ul>  |
| <b>1877</b> | <ul style="list-style-type: none"><li>Congressional Reconstruction ends</li></ul>   |

Source: Richard N. Current et al., *American History: A Survey*, Alfred A. Knopf, 1987 (adapted)

## Document 5b

### Congressional Reconstruction: Radical Rule of the South



Source: Robert A. Devine et al., *America: Past and Present*, Addison Wesley Longman, 1999 (adapted)

**5 Based on this time line and map, identify *two* ways Congress dealt with Reconstruction.**

**Score of 2 or 1:**

- Award 1 credit (up to a maximum of 2 credits) for each *different* way Congress dealt with Reconstruction based on this time line and map

*Examples:* they passed the Wade-Davis Bill; they established the Freedmen's Bureau; Congress refused to admit Southern representatives in 1865; Congress created the Joint Committee on Reconstruction; Congress approved the 14th amendment; they passed the Military Reconstruction Act/Congress established military districts in the seceded states; Congress passed Acts to restrict presidential power/Congress passed the Tenure of Office Act; Congress passed Acts to restrict presidential power/Congress passed the Command of the Army Act; Congress readmitted most Southern states in 1868; admitted the last Southern state to the Union in 1870

**Note:** To receive maximum credit, two *different* ways Congress dealt with Reconstruction must be stated. For example, *Congress established military districts in the seceded states* and *Congress passed the Military Reconstruction Act* are the same way expressed in different words. In this and similar cases, award only **one** credit for this question.

**Score of 0:**

- Incorrect response

*Examples:* Louisiana/Arkansas/Tennessee established loyal governments under Lincoln's plan; Black Codes were enacted in the Southern states; military districts were ended in territories; Southern states rejected the 14th amendment

- Vague response

*Examples:* they were readmitted; there were Southern representatives; it was rejected; Congress met/reconvened

- No response

## Document 6

The long ordeal of slavery came to an end in 1865 for 4 million African Americans. Suddenly the freedom they had longed for during two centuries of bondage was theirs. The world opened before them: they could freely visit loved ones, attend schools, or run for public office. Blacks soon realized, however, that chains other than slavery still held them. Penniless, they could not afford to buy farms; untrained, they could not move into better jobs. In the 1870s and 1880s they lost many of the privileges they had gained when freed, including the right to vote. Booker T. Washington grew to maturity in years when blacks experienced both the exhilaration of freedom and the humiliation of segregation. He proved in his early life that an ex-slave could prosper by hard work. When in his later years he saw the cords of prejudice tightening around his people, he responded in the best way he knew, advocating self-help in the face of prejudice and segregation. . . .

Source: J. William T. Youngs, "Beyond Emancipation," *American Realities: Historical Episodes*, Longman, 2001

### 6 According to J. William T. Youngs, what were *two ways* African Americans were affected by the end of slavery and by Reconstruction?

#### Score of 2 or 1:

- Award 1 credit (up to a maximum of 2 credits) for each *different* way African Americans were affected by the end of slavery and by Reconstruction according to J. William T. Youngs

*Examples:* they could freely visit loved ones; they could attend schools; they could run for public office; they were penniless/they could not afford to buy farms; they were untrained; they could not move into better jobs; in the 1870s and 1880s, they lost many of the privileges they had gained when they were freed/they lost the right to vote; they experienced the exhilaration of freedom; they experienced the humiliation of segregation; some ex-slaves/Booker T. Washington prospered by hard work; the cords of prejudice tightened around them; they understood they needed to advocate for themselves/advocated self-help

**Note:** To receive maximum credit, two *different* ways African Americans were affected by the end of slavery and by Reconstruction must be stated. For example, *they were penniless* and *they could not afford to buy farms* are the same way expressed in different words. In this and similar cases, award only *one* credit for this question.

#### Score of 0:

- Incorrect response

*Examples:* they could never attend schools; they could never run for public office; they bought farms; they never gained the right to vote; they grew to maturity

- Vague response

*Examples:* long ordeal; bondage was theirs; the world opened

- No response

## Document 7a



Source: Ray O. Evans, *Columbus Dispatch*, February 10, 1937 (adapted)

### 7a Based on this political cartoon, why is President Franklin D. Roosevelt upset with the Supreme Court?

#### Score of 1:

- States a reason President Franklin D. Roosevelt is upset with the Supreme Court based on this political cartoon

*Examples:* they did not see things his way; he does not like their decisions; he did not like the way the Supreme Court was umpiring; they had declared unconstitutional the NRA/the AAA/AAA tax refunds/original farm mortgage moratorium/wage and hour regulations in Guffy Coal Act/regulations of hot oil shipments/original Railway Pension Act; New Deal acts were declared unconstitutional/“out”; he was worried about other New Deal laws

#### Score of 0:

- Incorrect response

*Examples:* they declared all New Deal laws constitutional; they declared all New Deal laws unconstitutional; the AAA/NRA were declared constitutional; they ended the New Deal

- Vague response

*Examples:* decisions were declared; there were more laws; they were “out”; they were trying to change; he wanted more laws

- No response

## Document 7b

President Franklin D. Roosevelt presented a proposal to encourage more cooperation between the three branches of government.

... Last Thursday I described the American form of Government as a three horse team provided by the Constitution to the American people so that their field might be plowed. The three horses are, of course, the three branches of government—the Congress, the Executive and the Courts. Two of the horses are pulling in unison today; the third is not. Those who have intimated [suggested] that the President of the United States is trying to drive that team, overlook the simple fact that the President, as Chief Executive, is himself one of the three horses. . . .

What is my proposal? It is simply this: whenever a Judge or Justice of any Federal Court has reached the age of seventy and does not avail himself of the opportunity to retire on a pension, a new member shall be appointed by the President then in office, with the approval, as required by the Constitution, of the Senate of the United States. . . .

Source: President Franklin D. Roosevelt, March 9, 1937

### 7b Based on this document, what is President Franklin D. Roosevelt's proposal regarding the Supreme Court?

#### Score of 1:

- States the proposal President Roosevelt made regarding the Supreme Court based on this document

*Examples:* whenever a judge/justice of any federal court has reached the age of 70 and does not retire, a new member shall be appointed by the president; he wanted to make the Supreme Court pull in unison with the other branches of government; he wanted more cooperation from the Supreme Court; to add more justices; to appoint new members; to encourage judges to retire; to increase the size of the Court; he wants to pack the Court

#### Score of 0:

- Incorrect response

*Examples:* federal judges over the age of 70 should be forced to retire; to get the approval of the Senate as required by the Constitution; to appoint judges/justices of federal courts who have reached the age of 70; to allow the Senate to appoint judges

- Vague response

*Examples:* make the president one of the three branches; to approve proposals; find unison

- No response

## Document 8

### THE JUDICIARY REFORM BILL

. . . [President Franklin D.] Roosevelt's "court-packing" proposal shocked many people, yet constitutionally Congress had the power to decide on the size of the Supreme Court. The President believed that since the Democrats had a majority, they would support him. Instead, however, the party split and many Democrats joined those who opposed the President. There were several reasons for the opposition. Perhaps the most important was that Roosevelt had "sprung" the plan upon his supporters without warning. Another was that, although Congress might be extremely annoyed by the Court, it could not bring itself to interfere with the separation of powers. And Congress, throughout its history, has reacted strongly against executive actions which it regarded as dictatorial. . . .

Source: Leonard F. James, *The Supreme Court In American Life*, Scott, Foresman and Company, 1964

- 8 According to Leonard F. James, what is *one* reason Congress opposed President Franklin D. Roosevelt's "court-packing" proposal?**

**Score of 1:**

- States a reason Congress opposed President Roosevelt's "court-packing" proposal according to Leonard F. James

*Examples:* Roosevelt had sprung the plan on his supporters with no warning; Congress did not want to interfere with separation of powers; Congress has a history of opposing executive actions seen as dictatorial/Congress regarded Roosevelt's actions as dictatorial; Congress opposed Roosevelt's proposal because it shocked many people

**Score of 0:**

- Incorrect response  
*Examples:* the Democrats had the majority; Democrats favored the President; Congress was annoyed by the Supreme Court; Congress has no power over the Supreme Court
- Vague response  
*Examples:* Congress had power; they had power; shocked
- No response

## Document 9

. . . The nasty fight over court packing turned out better than might have been expected. The defeat of the bill meant that the institutional integrity of the United States Supreme Court had been preserved—its size had not been manipulated for political or ideological ends. On the other hand, Roosevelt claimed that though he had lost the battle, he had won the war. And in an important sense he had: he had staved off the expected invalidation of the Social Security Act and other laws. More significantly, the switch in the court that spring resulted in what historians call “the constitutional revolution of 1937”—the legitimization of a greatly expanded exercise of powers by both the national and state governments that has persisted for decades.

The 168-day contest also has bequeathed some salutary [beneficial] lessons. It instructs presidents to think twice before tampering with the Supreme Court. FDR’s scheme, said the Senate Judiciary Committee, was “a measure which should be so emphatically rejected that its parallel will never again be presented to the free representatives of the free people of America.” And it never has been. At the same time, it teaches the justices that if they unreasonably impede the functioning of the democratic branches, they may precipitate [bring about] a crisis with unpredictable consequences. In his dissent in the AAA case in 1936, Justice Stone reminded his brethren, “Courts are not the only agency of government that must be assumed to have capacity to govern.” These are lessons—for the president and for the court—as salient [significant] today as they were in 1937.

Source: William E. Leuchtenburg, “When Franklin Roosevelt Clashed with the Supreme Court—and Lost,” *Smithsonian Magazine*, May 2005

### 9 According to William E. Leuchtenburg, what was *one* impact of President Franklin D. Roosevelt’s attempt to pack the Supreme Court?

#### Score of 1:

- States an impact of President Franklin D. Roosevelt’s attempt to pack the Supreme Court according to William E. Leuchtenburg

*Examples:* institutional integrity of the Supreme Court was preserved; the size of the Supreme Court was not manipulated for political/ideological ends; Social Security Act was saved from expected invalidation *or* Social Security was saved; “constitutional revolution of 1937”; expansion of the exercise of powers by national/state governments was legitimized; lessons learned are as significant today as they were in 1937; presidents need to think twice before tampering with the Supreme Court; his proposal has never been presented again; justices learned that if they unreasonably impede the functioning of the democratic branches, they may precipitate a crisis; Roosevelt lost the battle, but won the war

#### Score of 0:

- Incorrect response

*Examples:* his proposal has been presented by every president; it stopped the expansion of national/state governments; it allowed the size of the Supreme Court to be manipulated for political reasons

- Vague response

*Examples:* it persisted for decades; nasty; salutary; 168 days

- No response

**United States History and Government**  
**Content-Specific Rubric**  
**Document-Based Essay**  
**January 2017**

**Historical Context:** Throughout United States history, presidents have made proposals to deal with important issues facing the nation. Members of Congress have not always agreed with these proposals. The outcomes of these situations have affected the United States and American society. These issues have included **the Mexican American War and President James K. Polk**, **Reconstruction and Presidents Abraham Lincoln and Andrew Johnson**, and **Supreme Court decisions and President Franklin D. Roosevelt**.

- Task:** Select **two** issues mentioned in the historical context and for **each**
- Describe the president's position on the issue
  - Describe congressional opposition to the president's position
  - Discuss how the outcome of the situation influenced the United States and/or American society

**Scoring Notes:**

1. This document-based question has a minimum of **six** components (for **each** of **two** issues facing the nation, discussing the president's position on the issue, congressional opposition to the president's position, **and** how the outcome of each situation affected the United States and/or American society).
2. The discussion of Reconstruction as an issue may involve Lincoln's position, Johnson's position, or both Lincoln's and Johnson's positions.
3. The description of a president's position may include the historical circumstances surrounding the issue.
4. The discussion of congressional opposition to a president's position may be the same for both presidents, but the facts and details will vary, e.g., the expansive presidential power of Polk and of Roosevelt was challenged by Congress.
5. The outcome of the situation may be included in the discussion of how the outcome influenced the United States and/or American society.
6. The influence of the outcome of the situation may be immediate or long-term.
7. The discussion about the outcome of the situation may focus on its influence on the United States, on American society, or on both. Although the influence may not be specifically identified, it should be implied in the discussion.
8. As is the case with many historical topics, how the outcome of the situation influenced the United States or American society may be discussed from different perspectives as long as the discussion is supported with accurate facts and examples.
9. Only two issues should be chosen from the historical context. If three issues are discussed, only the first two issues may be scored.
10. For the purposes of meeting the criteria of using **at least four** documents in the response, documents 3a, 3b, 4a, 4b, 5a, 5b, 7a, and 7b may be considered as separate documents if the response uses specific separate facts from each document.

### **Score of 5:**

- Thoroughly develops **all** aspects of the task evenly and in depth for **each** of **two** issues by discussing the president's position on the issue, congressional opposition to the president's position, **and** how the outcome of **each** situation influenced the United States and/or American society
- Is more analytical than descriptive (analyzes, evaluates, and/or creates\* information), e.g., *Mexican-American War*: connects the long-term issues between the United States and Mexico that led to the clash of troops in the disputed territory, President Polk's request for a congressional declaration of war, and the Northern Whig congressional concerns over the potential of the enlargement of slave power to the congressional debates after the war regarding extension of slavery into the Mexican Cession and the passage of the Compromise of 1850 that helped delay a civil war until 1861; *New Deal*: connects the "blank check" powers given to President Roosevelt by Congress to deal with the crisis of the Great Depression, his response to Supreme Court decisions invalidating key aspects of New Deal legislation, and his proposal of the Judiciary Reform Act to the negative public reaction to his proposal and diminished political support for further New Deal legislation
- Incorporates relevant information from *at least four* documents (see Key Ideas Chart)
- Incorporates substantial relevant outside information related to presidential proposals for important issues (see Outside Information Chart)
- Richly supports the theme with many relevant facts, examples, and details, e.g., *Mexican-American War*: Texas War for Independence; Nueces River; Rio Grande; "spot resolutions"; Wilmot Proviso; Treaty of Guadalupe Hidalgo; John Calhoun; "slave power"; *New Deal*: "court packing"; executive power; checks and balances; separation of power; Senate approval of presidential appointments to Supreme Court
- 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 issue more thoroughly than for the second issue *or* by discussing one aspect of the task less thoroughly than the other aspects of the task for both issues
- Is both descriptive and analytical (applies, analyzes, evaluates, and/or creates\* information), e.g., *Mexican-American War*: discusses the clash of United States and Mexican troops in disputed territory, President Polk's request for a congressional declaration of war against Mexico, congressional concerns over the possible extension of slavery, and the admission of California as a free state as a result of the Compromise of 1850; *New Deal*: discusses the use of presidential power exercised by President Roosevelt in the formulation of the New Deal, the further expansion of that power in his proposal for "court packing", and Congress' refusal to support a plan that would further erode its power and jeopardize checks and balances
- 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*** issue 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.**

## Mexican-American War and Polk

### *Key Ideas from Documents 1–3*

President's Position on Issue	Congressional Opposition	Outcome
<p><b>Doc 1</b>—Grievous wrongs by Mexico have been perpetrated on United States citizens</p> <p>United States has made efforts to gain Mexico's good will</p> <p>Mexico disregards treaties</p> <p>Texas, an independent nation, seeks to unite with the United States</p> <p>Mexico threatens to reconquer Texas</p> <p>Mexico has invaded United States territory/crossed Del Norte/Rio Grande</p> <p>American blood has been shed on American soil</p> <p>Mexico is proclaiming the two nations are at war</p> <p>Honor, rights, and interests of the country need to be justified</p>	<p><b>Doc 2</b>—Loss of American lives</p> <p>Whigs, antislavery men, abolitionists considered it “Jimmy Polk’s War”</p> <p>Conflict denounced by abolitionist Congressman as “unholy, unrighteous, and damnable”</p> <p>Opposition to war on grounds that Mexico was justified (Senator Corwin’s speech)</p> <p>Whig Congressman Lincoln demanded to know precise spot on American soil where shooting had begun (“spot resolutions”)</p> <p>Mexico’s claim to disputed territory was technically better than United States claim</p>	<p><b>Doc 3</b>—Mexican Cession acquired from Mexico</p> <p>War ended; boundary established by Treaty of Guadalupe Hidalgo, 1848</p> <p>Disputed territory ceded by Mexico in 1848</p> <p>Rio Grande became part of southern boundary of United States</p> <p>Congressional balance threatened by California’s statehood</p> <p>Missouri Compromise of 1820 challenged by defeat of Mexico</p> <p>Many hundreds of thousands of square miles of land acquired by United States</p> <p>Further spread of slavery was in question</p>

### *Relevant Outside Information*

(This list is not all-inclusive.)

President's Position on Issue	Congressional Opposition	Outcome
<p>Supported Texas becoming a state before his inauguration</p> <p>United States proposal to buy California and settle American claims rejected by Mexico</p> <p>Acquiring California would have economic and strategic importance</p> <p>United States troops had already been sent to disputed territory</p>	<p>Whigs claimed war was provoked and unnecessary</p> <p>Power of Congress undermined by executive branch</p> <p>Enlargement of slave power with addition of land feared by some Northern congressmen</p> <p>Financial resources and attention would be drawn away from Pacific Northwest (Oregon Territory)</p> <p>Casualties and expense of war would increase if the war was not won quickly</p> <p>Some believed that United States controlled enough land</p>	<p>Manifest Destiny goals achieved</p> <p>Natural resources acquired (land, minerals, ports)</p> <p>Led to congressional debate over Compromise of 1850 (Webster, Clay, Calhoun, Stephen Douglas)</p> <p>Led to challenges in transportation and communication (transcontinental railroad; Gadsden Purchase)</p> <p>Stage set for Civil War (Fugitive Slave law; Kansas-Nebraska Act; growth of abolitionist movement; Dred Scott case; Free Soil party; Republican party)</p> <p>Hispanic population annexed into American culture</p> <p>Native American Indian population annexed into American culture</p> <p>Latin American resentment began toward United States</p>

## Reconstruction and Lincoln and Johnson

### *Key Ideas from Documents 4–6*

President's Position on Issue	Congressional Opposition	Outcome
<p><b>Doc 4—Lincoln:</b> Believed that President should take the lead in peacemaking Announced willingness to pardon all rebels, except certain leaders, who laid down their arms and took an oath of future loyalty to the United States Proposed “ten percent plan” for Reconstruction Ten percent of qualified voters in a seceded state could form new state governments and could apply for readmission to Union once oath was taken Seceded states would need to accept antislavery measures of Congress and the president Seceded states would need to accept Emancipation Proclamation <b>Johnson:</b> Called for personal punishment of Confederate leaders Believed Confederate states still part of Union and therefore guaranteed representation in Congress Wanted immediate restoration not readmission Preferred restoration not take place until states ratified 13th amendment</p>	<p><b>Doc 5—</b>Passed Wade-Davis Bill Refused to admit Southern representatives Created Joint Committee on Reconstruction Approved 14th amendment Passed Military Reconstruction Act Restricted presidential power with Tenure of Office Act and Command of the Army Act</p>	<p><b>Doc 5—</b>Louisiana, Arkansas, Tennessee establish governments loyal to Union under Lincoln’s plan Johnson tried to readmit rest of Confederate states to Union Black Codes enacted by Southern states Freedmen’s Bureau established Reconstruction governments established in Southern states Most Southern states readmitted to Union under congressional plan (last states readmitted 1870) South divided into five military districts Radical rule of South established by congressional Reconstruction <b>Doc 6—</b>Slavery ended for 4 million African Americans in 1865 African Americans able to visit loved ones, attend schools, run for public office Most African Americans were penniless and not able to afford to buy farms Most African Americans were untrained and not able to move into better jobs Many privileges gained when freed were lost in 1870s and 1880s (right to vote) African Americans experienced exhilaration of freedom and the humiliation of segregation Ex-slaves could prosper by hard work Booker T. Washington advocated self-help in the face of prejudice and segregation</p>

## Reconstruction and Lincoln and Johnson cont.

### *Relevant Outside Information*

(This list is not all-inclusive.)

President's Position on Issue	Congressional Opposition	Outcome
<p><b>Lincoln:</b> Set stage for reunification of nation in his Second Inaugural Address</p> <p>Responded to Wade-Davis Bill with pocket veto (an effort to maintain presidential control of Reconstruction)</p> <p><b>Johnson:</b> Continued and expanded Lincoln's plan</p> <p>Was willing to accept Black Codes</p> <p>Realized that his status as non-elected president hurt his relations and effectiveness with Republicans</p> <p>Vetoed legislation (extension of Freedmen's Bureau; Civil Rights Act of 1866; Military Reconstruction Act; Tenure of Office Act)</p>	<p>Radical Republicans concerned that Lincoln's plan to return South to Union quickly was too lenient</p> <p>Details of Wade-Davis Bill</p> <p>Congressional Reconstruction passed over Johnson's vetoes (extension of Freedmen's Bureau; Civil Rights Act of 1866)</p>	<p>Impeachment charges brought against Johnson for violation of Tenure of Office Act</p> <p>Congressional measures passed by Radical Republicans to further African American economic, social, and political equality (Civil Rights Act of 1866, citizenship rights, 15th amendment, Civil Rights Act of 1875)</p> <p>African American suffrage and participation in government resented by white Southerners (Ku Klux Klan, white citizens' councils)</p> <p>Judiciary interpreted 14th and 15th amendments narrowly</p> <p>Northerners failed to support Reconstruction goals after 1877</p> <p>Home rule established in South as result of Compromise of 1877 (grandfather clauses, literacy tests, poll taxes, Jim Crow laws)</p> <p>NAACP established to combat racial inequities</p> <p>Discrimination against African Americans continued until civil rights activism of the 1950s and 1960s achieved major gains</p>

## Supreme Court and Roosevelt

### Key Ideas from Documents 7–9

President's Position on Issue	Congressional Opposition	Outcome
<p><b>Doc 7</b>—Disagreed with Supreme Court decisions declaring many of his New Deal Acts unconstitutional (NRA, AAA, original farm mortgage moratorium, AAA tax refunds, wage and hour regulations in Guffy Coal Act, regulation of “hot oil” shipments, original Railway Pension Act)</p> <p>Criticized Supreme Court for not pulling in unison with other branches of government</p> <p>Proposed appointing new member for any judge or justice of any federal court who reached the age of 70 and did not avail himself of opportunity to retire on a pension</p> <p><b>Doc 8</b>—Proposed “court packing”</p>	<p><b>Doc 8</b>—Constitution gives Congress power to decide on size of Supreme Court, not the president</p> <p>Many Democrats supported opposition because plan was sprung on supporters without warning</p> <p>Believed support of bill would interfere with separation of powers</p> <p>Regarded Roosevelt’s actions as dictatorial</p>	<p><b>Doc 9</b>—Judiciary Reform Bill defeated</p> <p>Institutional integrity of Supreme Court preserved as a result of defeat</p> <p>Size of Supreme Court not manipulated for political or ideological ends</p> <p>Stopped expected invalidation of Social Security Act</p> <p>Resulted in “constitutional revolution of 1937”</p> <p>Expanded exercise of powers by national and state governments legitimized</p> <p>Presidents learned to think twice before tampering with Supreme Court</p> <p>Roosevelt’s plan for Supreme Court never presented again</p> <p>Justices taught that if they unreasonably impede functioning of democratic branches, a crisis of unpredictable consequences may be precipitated</p> <p>Lessons continue for presidents and Supreme Court</p>

### Relevant Outside Information

(This list is not all-inclusive.)

President's Position on Issue	Congressional Opposition	Outcome
Believed that legislative power was given to him by Congress to deal with emergency of Great Depression	Claimed that Roosevelt attempted unconstitutional use of executive power	Passage of further New Deal reforms blocked by conservatives in both parties
Believed that <i>Schechter Poultry Corporation v. United States</i> undermined government ability to deal with economic crisis	Priority of Congress was to preserve system of checks and balances and federalism	New Deal momentum curtailed as result of Roosevelt’s diminished political reputation
Believed efficiency of Supreme Court was vital to its functioning (able to handle more cases)	Independence of Supreme Court and federal judiciary should be maintained	Most of Roosevelt’s New Deal reforms upheld after “court packing” proposal
Supreme Court New Deal decisions countered public opinion		Eight new justices to Supreme Court named by Roosevelt in second and third term More liberal direction taken by “Roosevelt Court” in interpreting the Constitution Question of whether Supreme Court can be an independent body separated from political influences continues

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**Anchor Paper – Document-Based Essay—Level 5 – A**

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At several crucial points in the nation's history, the various branches of government have vied for greater influence in pursuit of their goals. Two such conflicts occurred during the presidencies of Andrew Johnson and Franklin Delano Roosevelt, as the nation struggled with the tasks of Reconstruction and recovery from the Great Depression, respectively. In both cases, the relative power of the three branches was called into question, although in Johnson's case the Judicial Branch was quiet about Reconstruction issues. Both struggles, however, eventually, proved that the integrity of the system of checks and balances would be maintained, seen in Congress's failure to impeach Andrew Johnson and its refusal to approve FDR's "court packing" scheme.

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At the end of the Civil War, Abraham Lincoln's institution of his relatively lenient Ten Percent Plan, was rejected by Congress which cried for harsher punitive measures against the former Confederacy (Doc 4a) in the Wade-Davis bill which Lincoln rejected. Congress then refused to accept representatives from states such as Louisiana which was ready to be readmitted under the Ten Percent plan. After Lincoln's assassination and the ascension of Andrew Johnson to the presidency, the divide in opinions between Congress and the president grew even sharper. Johnson favored expedient reintegration of the South, a view unpopular in the predominantly Radical-Republican Congress, and he, like Abraham Lincoln, did not believe that Confederate states had ever left the Union. He was ready to pardon most Southerners while preferring but not requiring ratification of the Thirteenth Amendment (Doc 4b). Safeguards for former slaves were not his concern either, unlike Radical Republicans Thaddeus Stevens and Charles Sumner.

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**Anchor Paper – Document-Based Essay—Level 5 – A**

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Johnson did not want to continue the Freedmen's Bureau and he vetoed the Civil Rights Act in 1866 which would have protected freedmen from Black Codes. Congress opposed him by overriding his vetoes. The congressional opposition to this stance hardened with their proposal for the fourteenth Amendment which the president opposed. Republican members of Congress had refused to admit Southern Congressmen elected under Johnson's lenient plan when they first returned to Washington, DC. because many were former high-ranking Southern state and Confederate officials. Undeterred Johnson continued to lower his approval among Congressional Republicans when he continued issuing pardons including the "Christmas Pardons," granting amnesty to all former Confederate leaders. This blanket pardoning of those responsible for secession and the Civil War was a blunder on his part, as it served to enrage Republicans, who still had control of Congress and wanted to keep Southern Congressmen out of Congress for as long as possible. They wanted to keep the power they had during the Civil War after the South left the Union. The schism of opinions between Congress and Johnson eventually led to the Radical Republican faction of Congress controlling Reconstruction, during which Congress repeatedly overruled Johnson's vetoes to institute plans that included continuing direct aid to former slaves through the extension of the Freedmen's Bureau and putting the South under military supervision, insisting on tougher readmission requirements including ratification of the fourteenth Amendment, and eventually voting rights for freedmen. (Doc. 5a/5b). The Radicals wanted to make sure that political power in the South was in different hands than those that had led the rebellion. Allowing blacks to vote offered

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## Anchor Paper – Document-Based Essay—Level 5 – A

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the best chance of shifting power in the South. This massive expansion of Congressional power culminated in the movement to impeach President Johnson for high crimes and misdemeanors, for violation of the Tenure of Office Act which had been passed over Johnson's veto. However, as much as the Radicals disagreed with Johnson, they could not convict him on impeachment charges or for exaggerated offences. This effort to impeach the president for political reasons, even though unsuccessful, resulted in Gilded Age presidents who were reluctant to exercise strong executive power. However this decision to acquit President Johnson upheld the integrity of the United States' checks and balances and separation of powers, as did the response to FDR's court-packing scheme.

Sixty years after Reconstruction ended, a very different problem concerning the separation of powers arose. FDR, throughout the first years of his presidency had ushered through unprecedented amounts of New Deal legislation using unprecedented presidential power to combat the Great Depression with the enthusiastic help of the so-called "100 Days Congress". As recovery started to take hold, there was some opposition to the New Deal. However, the presidential and congressional elections of 1936 reflected strong support for reform and federal government interventionist programs even increasing the Democratic majorities in the House and Senate. As a result, FDR believed he had a mandate from the people to continue to expand the New Deal. At the same time, the conservative Supreme Court, with holdovers from the Republican-dominated laissez-faire decade of the 1920s, had begun to rule New Deal programs such as the Agricultural Adjustment Act and the National Recovery Act unconstitutional (Doc 7a). Thinking that

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**Anchor Paper – Document-Based Essay—Level 5 – A**

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the Social Security and Wagner Acts might also be declared unconstitutional, FDR began to worry about the whole New Deal. To continue his initiatives, FDR proposed that if a justice who has reached the age of seventy did not retire, the president could appoint a new justice with Senate approval. (Doc 7b). That would mean that he could choose Democratic justices who would support his New Deal. This was in addition to a request for several more seats on the federal bench to make the "judiciary more efficient". FDR overestimated Congress's support and his mandate and so made the greatest mistake of his presidency. The Congress of 1937, taken by surprise by so monumental and controversial a proposal and full of too much respect for the separation of powers, denied the proposal (Doc 8). Even if Congress had disagreed with Supreme Court decisions such as the Schechter Poultry case, FDR's idea of packing the Court with New Deal judges was seen as not right by the public or by politicians. This was not what the founding fathers intended. It seemed to some as if FDR was acting too much like a dictator. This Congressional decision set several precedents. The most obvious is that an executive can not manipulate another branch of government to suit their political needs or viewpoints, but the fact that the judiciary cannot halt the other two branches with impunity became abundantly clear (Doc. 9) Flexibility in decision-making was important in times of national crisis. Thus checks and balances were upheld. In the late 1930s, FDR got his chance to nominate judges that were supportive of his policies when vacancies occurred naturally. The court obviously got FDR's message and started to approve key New Deal cases. When the Wagner Act and the Social Security Act were challenged as unconstitutional, the

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**Anchor Paper – Document-Based Essay—Level 5 – A**

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Supreme Court upheld them. Unfortunately FDR was viewed somewhat differently and lost the support of some Congressmen which would not be good for further expansion of the New Deal. Nonetheless he is still considered to be a great president by most historians because of his strong leadership during times of crisis.

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Questions of the respective authority of each branch of government have been raised several times in United States history, but each time the constitutional separation of powers worked the way it was supposed to. Two examples of this are the dispute between Congress and the president over Andrew Johnson's Reconstruction plan and attempted impeachment and FDR's court-packing scheme. Though each situation was vastly different, both ended by setting beneficial precedents for the nation's future.

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## Anchor Level 5-A

### The response:

- Thoroughly develops all aspects of the task evenly and in depth for Reconstruction and Presidents Abraham Lincoln and Andrew Johnson and for Supreme Court decisions and President Franklin D. Roosevelt
- Is more analytical than descriptive (*Reconstruction*: Congress refused to accept representatives from states such as Louisiana; Johnson like Lincoln did not believe Confederate states ever left Union; Johnson ready to pardon most Southerners while preferring but not requiring ratification of 13th amendment; blanket pardoning enraged Republicans who wanted to keep Southern congressmen out; schism between Congress and Johnson led to Radical Republicans controlling Reconstruction; Congress insisted on tougher readmission requirements including ratification of 14th amendment; decision to acquit Johnson upheld integrity of checks and balances and separation of powers; *Supreme Court*: Roosevelt proposed if a justice reached seventy and did not retire president could appoint a new justice with Senate approval; Roosevelt's plan would mean he could choose justices who would support New Deal; Congress, taken by surprise by controversial proposal, denied it; set precedent that executive cannot manipulate another branch to suit political needs; Roosevelt was able to nominate judges supportive of policies)
- Incorporates relevant information from documents 4, 5, 7, 8, and 9
- Incorporates substantial relevant outside information (*Reconstruction*: Congress passed Wade-Davis bill, which Lincoln rejected; Johnson vetoed 1866 Civil Rights Act; Johnson lowered his approval with pardons, granting amnesty to all former Confederate leaders; allowing blacks to vote offered the best chance of shifting power in the South; expansion of congressional power culminated in movement to impeach Johnson for high crimes and misdemeanors for violation of Tenure of Office Act passed over his veto; effort to impeach president for political reasons resulted in presidents reluctant to exercise strong executive power; *Supreme Court*: Roosevelt had ushered through unprecedented amount of legislation, using unprecedented presidential power to combat Great Depression; 1936 elections made Roosevelt believe he had a mandate from people to continue to expand New Deal; Roosevelt's idea of packing court with judges was not what founding fathers intended; Court got Roosevelt's message and started approving key New Deal cases)
- Richly supports the theme with many relevant facts, examples, and details (*Reconstruction*: rejection of Lincoln's ten-percent plan; military supervision; "Christmas Pardons"; *Supreme Court*: AAA and NRA unconstitutional; checks and balances upheld; congressional respect for separation of powers; Wagner Act; Social Security Act)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that discuss how the respective authority of each branch of government has been raised in United States history and how the constitutional separation of powers has been upheld

**Conclusion:** Overall, the response fits the criteria for Level 5. An analytical discussion of Reconstruction and the Supreme Court is well supported by substantive details. Thoughtful conclusions reflect good historical and political understandings integral to the system of checks and balances.

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**Anchor Paper – Document-Based Essay—Level 5 – B**

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Disputes between the different branches of American government have on several occasions contributed to change in the country. These disputes often take the form of disagreement between the legislative and executive branches as Congress sometimes disapproves of actions taken by the president, especially policies taken during events of great impact and change. Such events can be seen throughout the nineteenth century. Two such events in which actions taken by the president caused dissent with Congress were the situation with Mexico in the Mexican-American War, and later the policies of Reconstruction used by Presidents Abraham Lincoln and later Andrew Johnson.

When the independent nation of Texas, formerly under Mexican ownership, wished to be annexed to the United States, it was delayed because it would mean another slave territory and maybe war with Mexico. When Congress finally did annex Texas, Mexican officials protested because they believed Texas to be theirs. A disagreement between the governments about the borders of Texas also became a problem. Mexicans viewed the border as the Nueces River and the United States as the Rio Grande. When Mexico sent in troops to what they viewed as their territory, and America did the same, the fighting that broke out angered some in Washington, and most especially, President James K. Polk, who asked for a declaration of war by Congress. As the special message he gave to Congress regarding the situation shows, this loss of American lives by, as he viewed them, Mexican invaders, was the reason he gave for the justification of the war although the border was not agreed upon. Tensions between the United States and Mexico had long been high. According to President Polk, the United States repeatedly tried to reconcile with its southern

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**Anchor Paper – Document-Based Essay—Level 5 – B**

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neighbor without success. The United States had also tried to buy California from Mexico, but Mexico rejected the negotiations which angered the President. He called for Congress to view the border fight as a show of Mexican intentions and hostilities, and called upon Congress to allow the United States to retaliate in kind (Doc 1). The quick vote and overwhelming majority in Congress that led to troops being sent south soon gave way, however, to controversy as some congressmen were eager to believe the war to be a mistake, growing scornful of "Jimmy Polk's War" and questioning Polk's reasons for engaging the country in a war that seemed to have been started for political reasons and campaign promises. Some in Congress questioned the legality of the war and of sending men off to fight and die in an unnecessary war. They wondered if Mexico had indeed more of a claim to the land than America and argued that this was a war Polk wanted to get California. Some of the greatest opposition, however, could be heard from abolitionists, who said that the United States was only fighting a war that would probably extend slavery, citing in part a claim put forth that the land that would be gained from the fighting would become slave holding land. Another congressman proposed that slavery be banned from any land gained from Mexico as a result of the war. Although not passed, it was clear that concern was growing over the motives for the war and the spread of slavery. Although dissent grew, especially in New England, and the war was becoming more controversial, it was won quickly by the United States, and did bring about great change. As seen in the map showing the U.S.'s acquisitions from Mexico in 1848, the U.S. gained a massive amount of land, hundreds of thousands of square miles that

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**Anchor Paper – Document-Based Essay—Level 5 – B**

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allowed for new settlement and the closer realization of Manifest Destiny. It also opened up as predicted the issue of the expansion of slavery, as both pro and anti slavery groups wished to gain the Mexican Cession territory for their side, thus opening up an issue that had been solved for the Louisiana Territory as a result of the Missouri Compromise. Pro slavery forces knew that a free California would mean their point of view would be threatened by being outnumbered in Congress. This situation would require another compromise in 1850. Unfortunately, this compromise included the Fugitive Slave Law that would create more sectional tension and keep the union together only until 1861.

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Following the Civil War's end some twenty years later, the United States once more found itself with a dispute raised between Congress and the Presidency—over the reconstruction or reinstatement of the southern states. The two groups had opposing ideas over how the issue should be handled during the presidency of Abraham Lincoln. Secession had never happened before so there was nothing in the Constitution outlining the process for reinstatement of states. Constitutional power for presidential pardons was Lincoln's justification for reconstruction. The plan put forth by the president was one of forgiveness which was a theme in his Second Inaugural Address. He wanted an easy re-entry, as Lincoln never saw the states as actually leaving the Union because he believed it wasn't constitutionally possible. His 10% plan proved unwelcome in Congress, however, as they wished to see the South suffer for their "sins" of secession and devastating Civil War. Lincoln's plan, as shown in the excerpt by Richard Current, stated the states could

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**Anchor Paper – Document-Based Essay—Level 5 – B**

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reenter if only 10% of 1860 voters took an oath of Loyalty to the union and erected a state government that would accept anti slavery measures put before them by the central government. The policy put forth and instituted by Congress was much more hard line and was not as forgiving as Lincoln's. This difference of opinion continued into Andrew Johnson's presidency. Johnson was a little tougher than Lincoln and kept wealthy Southerners from being allowed to take an oath of Loyalty, but he then started giving out pardons in huge numbers. The new governments in the South then passed Black Codes, which harshly restricted freedmen in all parts of their lives. Southern states then elected many former rebels to Congress, infuriating the Radical Republicans. Congress took over Reconstruction forcing former Confederate states into military districts, as seen in the map of congressional Reconstruction. Andrew Johnson seemed powerless in the face of the uncompromising Radical Republicans. As a result of the policy set forth by congress, many former Confederate leaders were not allowed to vote for new state governments and they had to ratify the fourteenth Amendment giving citizenship to African American males whose citizenship had been denied in the Dred Scot decision. The dislike of the national government in the south intensified to a new degree as a result of Northern Reconstruction policies. The Democratic Bloc was firmly put in place against the Republican Party when Reconstruction ended and federal troops left in 1877 when President Hayes took office. However no great change could be seen in the lives of African Americans. Although Congress passed the Civil War amendments, and had passed a Civil Rights Act hoping to help freed slaves get more equal treatment. These acts were not enforced by

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**Anchor Paper – Document-Based Essay—Level 5 – B**

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Redeemer governments. The Civil Rights Act was even declared unconstitutional by the Supreme Court. As a result, blacks found their lives hindered greatly by Jim Crow segregation laws, voting restrictions, and few economic opportunities. Booker T. Washington and W.E.B. Dubois would address those issues but it would not be until the Civil Rights movement of the 1950s and 1960s that significant progress would be made in the lives of African Americans.

## Anchor Level 5-B

### The response:

- Thoroughly develops all aspects of the task evenly and in depth for the Mexican-American War and President James K. Polk and for Reconstruction and Presidents Abraham Lincoln and Andrew Johnson
- Is more analytical than descriptive (*Mexican-American War*: Mexico viewed border of Texas to be Nueces River and United States viewed it as Rio Grande; Mexico sent troops to what they viewed as their territory and America did the same; United States repeatedly tried to reconcile with Mexico without success; Congress asked to view border fight as a show of Mexican hostilities; some questioned engaging in a war started for political reasons and campaign promises; some questioned legality of war and of sending men to fight and die in unnecessary war; issue of expansion of slavery opened up as both pro- and antislavery groups wished to gain Mexican Cession territory; *Reconstruction*: constitutional power for presidential pardons was Lincoln's justification for Reconstruction; Lincoln wanted easy reentry as leaving the Union was not constitutionally possible; Congress wanted South to suffer for secession and devastating Civil War; Johnson was a little tougher than Lincoln; Congress took over Reconstruction forcing former Confederate states into military districts)
- Incorporates relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates substantial relevant outside information (*Mexican-American War*: Texas annexation delayed because it would mean another slave territory and maybe war; proposal that slavery be banned from land gained from Mexico not passed; dissent grew, especially in New England; free California would mean the proslavery point of view would be threatened; required another compromise in 1850 that created more sectional tensions and kept Union together until 1861; *Reconstruction*: secession never happened before so there was nothing in the Constitution about reinstatement of states; Johnson seemed powerless in face of the uncompromising Radical Republicans; Southern states had to ratify 14th amendment giving citizenship to African American males; Democratic bloc firmly in place when Reconstruction ended and federal troops left in 1877; Civil War amendments and Civil Rights Act not enforced by Redeemer governments; Civil Rights Act declared unconstitutional by Supreme Court; blacks hindered by Jim Crow laws, voting restrictions, and fewer economic opportunities; not until Civil Rights movement of 1950s and 1960s was significant progress made for African Americans)
- Richly supports the theme with many relevant facts, examples, and details (*Mexican-American War*: Texas formerly under Mexican ownership; war won quickly; Manifest Destiny; Louisiana Territory; Missouri Compromise; Fugitive Slave Law; *Reconstruction*: Second Inaugural Address; Lincoln's ten-percent plan; Johnson's pardons; Black Codes; Dred Scott decision)
- Demonstrates a logical and clear plan of organization; includes an introduction that states occasional disputes between different branches of government have contributed to change the country and lacks a conclusion

**Conclusion:** Overall, the response fits the criteria for Level 5. Historical details effectively support a critical appraisal of document information. Analytic statements are employed to discuss the outcomes of each situation and demonstrate a good understanding of their continuing influence on the United States.

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**Anchor Paper – Document-Based Essay—Level 4 – A**

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Throughout the history of the United States of America, there has been several instances where a great President has clashed with Congressional opposition over specific proposals. A paramount example would be the huge opposition toward President Franklin Delano Roosevelt felt by Congress with regards to his court packing plan. Another example is the opposition felt by Congress with regards to Reconstruction against President Abraham Lincoln and later President Andrew Johnson. The outcome of these governmental clashes would create a lasting influence for the future of the United States.

In response to the Great Depression, President Franklin Delano Roosevelt greatly increased government's role into the society and the economy through his New Deal programs such as the Civilian Conservation Corps (CCC), the Works Progress Administration (WPA), and the Tennessee Valley Authority (TVA). Some of his New Deal programs, however, were ruled unconstitutional by a conservative Supreme Court that didn't have any Roosevelt appointees. This Supreme Court was filled with older conservatives who received lifetime appointments in the 1920s. Although they had many times ruled in favor of New Deal programs, they basically believed in less rather than more government. Some justices decided not to retire out of fear of what President Franklin Delano Roosevelt would do to the country if he centralized any more power in the presidency. This resulted in the President introducing his court-packing plan without discussing it first with Congress. This proposal would add an Supreme Court justice for every existing one that would not retire when he reached the age of seventy; this was done in an effort to prevent more of his New Deal programs from being declared unconstitutional.

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**Anchor Paper – Document-Based Essay—Level 4 – A**

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(Doc. 7b). This court packing proposal caused the president to gain much unpopularity among the public and Congress. There was much congressional opposition to this plan, even within his own democratic party. Congress opposed the court-packing plan because it was sprung upon them without warning and that it interfered with the constitutional principle of separation of powers. (Doc. 8). The public also felt strongly that this proposal might violate the Constitution and would threaten the balance between the three branches. This clash would have a long-lasting influence. Future presidents would be unlikely to tamper with the institution of the Supreme Court and the Supreme Court seemed to decrease its opposition to the New Deal. The president would finally get to appoint enough Supreme Court justices to give him a majority so New Deal programs would not be in danger of being declared unconstitutional by the Supreme Court (Doc. 9). The opposition of Congress toward President Delano Roosevelt would have a long lasting impact on USA history. However with the start of war in Europe and the Japanese attack on Pearl Harbor, congressional support for the president would again result in allowing him to effectively fight World War II.

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President Lincoln and President Johnson also faced opposition from Congress with regards to Reconstruction. Lincoln and Johnson wanted to be lenient with the South while radical republicans wanted to punish the South for the Civil War. Congress would win due to Lincoln's assassination and Johnson's inability to be a strong leader. Lincoln's plan for Reconstruction was to pardon all rebels who would swear an oath of loyalty to the USA except for certain leaders and to readmit states once 10% of their 1860 voters took that oath (Doc. 4a).

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**Anchor Paper – Document-Based Essay—Level 4 – A**

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Johnson's plan was more lenient; he wanted to immediately restore the South to Congress without strict conditions for the readmitting process (Doc 4b). Johnson granted widespread pardons to many Confederates which offended many Republicans in the North. The Congressional plan was more radical and eventually implemented over Johnson's objections. Congress passed the Military Reconstruction Act which would set up the former Confederacy into 5 military districts. (Doc 5). Troops would make sure new state governments were set up that supported radical Republican objectives. To destroy the old power structure in the South, the radicals gave African Americans more political rights and some were elected to public office. This would last until 1877 with the election of Rutherford Hayes when Military Reconstruction was ended. Radical Reconstruction created an angry uncooperative South and would have a long lasting impact. After 1877 the South strongly opposed the Republican Party and any hope for African American equality was delayed for almost 100 years. Ignoring the 14<sup>th</sup> and 15<sup>th</sup> amendments, most of the South continued to deny African American rights and hopes for economic progress and social mobility. The Congressional oppositions to Lincoln's and Johnson's plans for Reconstruction would have a long lasting effect on the USA.

Throughout history, presidents faced opposition from Congress with regards to specific proposals. President Roosevelt faced congressional opposition with regard to his court packing plan. President Lincoln and President Johnson would face opposition with their Reconstruction plans. These clashes would have a large impact on U.S. history and upheld the system of Checks and Balances.

## **Anchor Level 4-A**

### **The response:**

- Develops all aspects of the task for Supreme Court decisions and for Reconstruction
- Is both descriptive and analytical (*Supreme Court*: Roosevelt's New Deal greatly increased government's role in economy; court-packing effort to prevent more New Deal programs from becoming unconstitutional; much congressional opposition to Roosevelt's plan even among Democrats; Congress opposed plan because it interfered with constitutional principle of separation of powers; future presidents unlikely to tamper with institution of Supreme Court; *Reconstruction*: Radical Republicans wanted to punish South for Civil War; Lincoln's plan to pardon all rebels except certain leaders; Lincoln would readmit states once ten percent of 1860 voters took an oath; Johnson wanted to restore South to Congress without strict conditions for readmitting process; most of South continued to deny African American rights and hopes for economic progress and social mobility)
- Incorporates relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates relevant outside information (*Supreme Court*: conservative Supreme Court with no Roosevelt appointees; although Supreme Court ruled many times in favor of New Deal programs, they believed in less rather than more government; public felt strongly that Roosevelt's proposal might violate Constitution and would threaten the balance between branches; president able to appoint enough Supreme Court justices to give him majority; *Reconstruction*: Congress would win due to Lincoln's assassination and Johnson's inability to be a strong leader; congressional plan more radical and implemented over Johnson's objections; troops would make certain new state governments supported Radical Republican objectives; to destroy the old power structure in the South, the Radicals gave African Americans more political rights; military Reconstruction ended in 1877 with election of Hayes; South strongly opposed Republican Party)
- Supports the theme with relevant facts, examples, and details (*Supreme Court*: Great Depression; some New Deal programs unconstitutional; decreased its opposition to New Deal; *Reconstruction*: 14th and 15th amendments; Military Reconstruction Act; five military districts)
- Demonstrates a logical and clear 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 4. Methodical presentation of document interpretation is enriched by good relevant outside information and analytic statements. Good historical insights are integrated in the discussion of both outcomes.

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## Anchor Paper – Document-Based Essay—Level 4 – B

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Presidents throughout history have taken an issue upon themselves and tried to resolve it based on what they think is right. A president's power is not absolute and is constantly monitored through the system of checks and balances by both Congress and the Supreme Court. Disputes can be created between Congress and the President on differing opinions for how to resolve an issue, and this causes conflict within the government. Both Abraham Lincoln and Andrew Johnson held contrasting views to that of Congress on how the Southern states should be readmitted into the Union after the Civil War. Similarly, Franklin D. Roosevelt had a new idea for the Supreme Court that shocked Congress and the American people. Each of these presidents dealt with a different issue, but shared the controversial way of thinking that put them at conflict with Congress.

After the Civil War ended, the question was raised on what to do with the states that had seceded and who should control Reconstruction. President Lincoln believed in a theory that the states had a binding contract with the country and could not truly leave the Union. This meant that the states were still part of the Union and should not have to go through obstacles to be readmitted. This view differed from Congress because they believed the Rebel States needed to be punished since they had created the Civil War which killed hundreds of thousands of people. President Lincoln thought this harsh method of readmittance would only cause more conflict between the states. Instead, he only wanted all of the seceded states to accept the Emancipation Proclamation, free all slaves, and take an oath of loyalty to the U.S. Only high ranking confederate leaders would not be pardoned for their involvement in the war, as stated in the article

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**Anchor Paper – Document-Based Essay—Level 4 – B**

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titled "Reconstruction", (Doc. 4a). unfortunately Abraham Lincoln would be assinated, and his idealistic views died with him.

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Andrew Johnson took the position as president after Abraham Lincoln died, and took control of Reconstruction. Congress did not respect Johnson's views and wanted to take charge of Reconstruction themselves. Abraham Lincoln and Andrew Johnson held similar views in that the South should be forgiven easily, but Congress created their own Reconstruction Plan. This plan placed the military in the South to make sure the states formed Reconstructive governments and followed all the rules of congressional Reconstruction. This military presence meant Black Codes were reversed. African Americans were able to vote and go to school. Having martial law in the Southern states created a deep division between North and South. After Reconstruction ended, the Southern states for the next hundred years would continually vote democrat against the Republican views that had been in control during Reconstruction. Even with the ratification of the 13th, 14th, and 15th Amendments, African Americans faced discrimination and resentment from Southerners. After Reconstruction ended, Jim Crows Laws were created to Segregate public facilities and literacy tests were created to prevent them from voting. Booker T. Washington embraced the "exhilaration of freedom, but the humiliation from segregation," as stated in the article, titled, "American Realities: Historical Episodes," (Doc. 6). Later in his Atlanta Compromise speech, Washington seemed to accept social segregation in favor of economic opportunities which African Americans had few of after the Civil War and Reconstruction. Resentment and hostility toward African Americans was worsened by

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**Anchor Paper – Document-Based Essay—Level 4 – B**

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Radical Republican efforts to punish the South. Groups such as the Ku Klux Klan were active into the 20th century and discrimination continued to not be addressed by the federal government until forced by civil rights activists and groups such as the NAACP. Had Lincoln not been killed things might have turned out differently.

During the Great Depression, America needed a leader that would take control of the nation's economic problems and create a solution. President Franklin D. Roosevelt created the New Deal, which made many new programs to support the impoverished and unemployed. Establishing these programs sometimes went outside his constitutional limit of power into the power of the legislative branch which the Supreme Court questioned. For that reason the Supreme Court began to declare some of his programs such as the NRA unconstitutional, as seen in the cartoon titled, "Trying to change the umpiring," (Doc. 7a). President Roosevelt wanted to add more justices to the Supreme Court in hopes that more of his programs would be safe. He wanted any Supreme Court Justice who reached the age of 70 to retire and if they did not he wanted to be able to add another judge as stated in his address of March 9, 1937. (Doc. 7b). Congress would have to approve this change in the number of Justices on the Supreme Court and they refused. Congress was shocked by the President's notion and felt they could not help because it went against the separation of powers, as stated in "The Supreme Court in American Life," (Doc. 8).

The proposal by President Roosevelt was never passed and left a controversial reputation for him. Many Americans thought he had gone too far in expanding his powers and was not respectful of checks and balances even though the country was in a Great Depression. It

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## Anchor Paper – Document-Based Essay—Level 4 – B

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showed the Supreme Court that if they unreasonably hindered the democratic process in making their decisions, especially in times of crisis, they could face risky consequences because they are not the only branch that governs the country. It also set a precedent for future presidents that they should not try to dominate the government and ignore the other branches, as shown in the article titled, "When Franklin clashed with the Supreme Court," (Doc. 9). It is still debated today whether President Roosevelt's actions were too far or not far enough since what he did helped the country but did not entirely end the Great Depression.

President Abraham Lincoln and Present Roosevelt both took risky initiatives to try and accomplish their goals while in office. These motives were questioned by Congress because they either expanded the president's power or differed from their opinion. Although neither president was entirely successful in their actions, precedents were set for future leaders and Congress to consider the constitutionality of their actions.

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## **Anchor Level 4-B**

### **The response:**

- Develops all aspects of the task for Reconstruction and for Supreme Court decisions
- Is both descriptive and analytical (*Reconstruction*: Lincoln believed states could not leave Union; only high ranking Confederate leaders would not be pardoned; Congress did not respect Johnson's views and wanted to take charge of Reconstruction; congressional plan placed military in South to make sure reconstructed governments followed congressional Reconstruction rules; resentment and hostility toward African Americans worsened by Radical Republican efforts to punish South; *Supreme Court*: Roosevelt wanted to add more justices in hopes his programs would be safe; Congress would have to approve change in number of justices on Supreme Court and they refused; Congress shocked by Roosevelt's proposal and believed it went against separation of powers; many Americans thought he was not respectful of checks and balances; showed Supreme Court that if it unreasonably hindered democratic process in making decisions, it could face risky consequences; set a precedent for future presidents that they should not try to dominate government and ignore other branches)
- Incorporates relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates relevant outside information (*Reconstruction*: Congress believed seceded states needed to be punished since Civil War killed hundreds of thousands; Lincoln's idealistic views died with him; having martial law in South created a deep division between North and South; groups such as Ku Klux Klan were active into 20th century; *Supreme Court*: New Deal included many programs to support impoverished and unemployed; sometimes New Deal programs went outside Roosevelt's constitutional limits of power and into power of legislative branch which the Supreme Court questioned; issue still debated as to whether Roosevelt went too far or not far enough)
- Supports the theme with relevant facts, examples, and details (*Reconstruction*: Black codes; Jim Crow laws; Booker T. Washington; Atlanta Compromise; *Supreme Court*: Great Depression; some New Deal programs unconstitutional)
- Demonstrates a logical and clear plan of organization; includes an introduction that states a president's power is not absolute as he is monitored through a system of checks and balances and a conclusion that states precedents were set for future leaders and Congress to consider the constitutionality of their actions

**Conclusion:** Overall, the response fits the criteria for Level 4. Good relevant outside information is used effectively to support document interpretation especially in the discussion of Reconstruction. Although the treatment of the Supreme Court is framed by document interpretation, the conclusions are analytic.

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**Anchor Paper – Document-Based Essay—Level 4 – C**

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Every leader regardless of their amount of power, will probably face some sort of adversity or controversy in their reign. Being that the President of the United States is arguably one of the most powerful persons in the world, this claim holds forth. Throughout the Presidency of President James K. Polk and his pro-war approach to the Mexican American War, he and congress had ample quarrels. Also, throughout the Presidencies of Presidents Abraham Lincoln and Andrew Johnson regarding the Reconstruction Period, the views of these two presidents conflicted with that of Congress at the time.

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In the eyes of President James K. Polk, the United States had no choice but to invade the U.S.'s long time neighbors. According to Polk, Mexico fired the first shot and consequently, American blood was shed as a result, therefore the U.S. had no choice but to declare war and Congress agreed. (Doc 4). However, some in Congress developed views that were in fact polar opposites. According to Thomas A. Bailey, even Congressman Abraham Lincoln wanted it confirmed as to where the first shots took place and who fired them (Doc 2). Therefore dissenters in Congress believed the war is unnecessary and unjust despite the original inclination of Congress for it. In fact, Bailey credits this original inclination to a deceptive arousal of emotion over the sudden loss of American life disregarding all potential rationalities (Doc 2). Regardless, the U.S. ended up fighting this controversial war and they won as well. The U.S. significantly expanded their territory by gaining practically all of the disputed area as well as ample territory on the Pacific Coast (Doc 3a). In addition, this sudden increase in U.S. territory led to a surge of sectionalism between the North and South which could have been predicted when Congress began the debate.

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Anchor Paper – Document-Based Essay—Level 4 – C

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over the Wilmot proposal before the war was over. Essentially, it was disputed as to whether the new territories would be made free states or slave states (Doc 3b). In fact, it can be argued that the Mexican American War had one of the greatest impact on the U.S. entering in a civil war years later. In fact most of the terms included in Henry Clay's compromise of 1850 involved concessions that were needed because of issues caused by the war and disagreements over slavery in new territories. This compromise basically sums up some important reasons both sections became unhappy and a civil war occurred. Some who fought in the Mexican American War would fight in the civil war. It would take the election of Abraham Lincoln and the Civil War to finally solve the issue of slavery in the territories.

Throughout the Presidencies of Abraham Lincoln and Andrew Johnson during the Reconstruction Period, the role of congress in making decisions about Reconstruction was challenged by the Executive Branch. Lincoln believed he should be in control of Reconstruction. To begin, one proposal made by Abraham Lincoln was the "Ten Percent Plan." This plan essentially stated that in order to be readmitted into the union as a state, ten percent of the 1860 voters of the Southern States must take an oath of allegiance to the union prior to re-entry (Doc 4a). Now congress responded in two fashions. Radical Republicans believed that Lincoln was being too lenient and believed that Lincoln did not inflict enough punishment on the south. In the case of Andrew Johnson, he preferred that the southern states ratify the 13th Amendment before being "restored" to the Union (Doc 4b). This was a relatively similar approach to that of Lincoln but was in fact more moderate. Some states were in fact ready to be readmitted under

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**Anchor Paper – Document-Based Essay—Level 4 – C**

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these two plans. However, Congress refused and passed their own plan which made it harder for southern states to rejoin the union. In fact it was not until 1868 that most southern states were readmitted. Meanwhile troops were stationed in military districts throughout the former Confederacy making sure that Radical Republican Reconstruction policies were being followed. (Doc 5a). Moreover, this was yet another prime example of how the U.S Executive and Legislative Branch were not always in unison. The situation between Congress and Andrew Johnson worsened with Johnson's impeachment. Partly as a result of this conflict, not enough attention was being paid to the future prospects of the newly freed African Americans. Congress had turned the freedmen into voters to undermine the people who had dominated the South before and during the war. After 1877, freedmen would lose the rights they had gained.

These Presidents exemplify the diversities of Presidential leadership despite their differences with Congress. This can mostly be accredited to the power that exists within the U.S government according to the Constitution. In conclusion, when presented with power to make a decision, the president is sometimes forced to make difficult decisions that are controversial. These decisions have sometimes met with congressional opposition.

## Anchor Level 4-C

### The response:

- Develops all aspects of the task for the Mexican-American War and for Reconstruction
- Is both descriptive and analytical (*Mexican-American War*: in Polk's eyes, the United States had no choice but to invade its neighbors; Mexico fired first shots; some in Congress developed views that were polar opposites; Congressman Lincoln wanted it confirmed where first shots took place and who fired them; dissenters in Congress believed war to be unnecessary and unjust despite original inclination; United States gained practically all of disputed area as well as territory to Pacific Coast; *Reconstruction*: role of Congress in making decisions about Reconstruction challenged by executive branch; Lincoln believed he should be in charge of Reconstruction; Radical Republicans believed Lincoln was too lenient; Johnson preferred Southern states ratify 13th amendment before being restored to Union; some states ready to be admitted under presidential plans; Congress passed their own plan, making it harder for Southern states to rejoin Union; troops stationed in military districts throughout former Confederacy making certain Radical Republican Reconstruction policies followed; not enough attention paid to future prospects of newly freed African Americans)
- Incorporates relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates relevant outside information (*Mexican-American War*: sudden increase in territory led to surge of sectionalism between North and South, which could have been predicted when Congress began debate over Wilmot proposal; war had great impact on United States entering in a civil war years later; most terms in Clay's Compromise of 1850 involved concessions needed because of issues caused by war and disagreements over slavery in new territories; took election of Lincoln and Civil War to finally solve issue of slavery; *Reconstruction*: situation between Congress and Johnson worsened with Johnson's impeachment; Congress had turned the freedmen into voters to undermine the people who had dominated the South before and during the war)
- Supports the theme with relevant facts, examples, and details (*Mexican-American War*: American blood shed; United States won; disputes over whether new territory would be free or slave states; *Reconstruction*: ten percent of 1860 voters must take oath of allegiance to Union; not until 1868 were most Southern states readmitted)
- Demonstrates a logical and clear plan of organization; includes an introduction that states every president will probably face some sort of adversity or controversy and a conclusion that states the president is sometimes forced to make difficult decisions that are controversial

**Conclusion:** Overall, the response fits the criteria for Level 4. Although the discussion of the Mexican-American War includes good relevant outside information, the discussion of Reconstruction is framed by document interpretation. Analytic statements enhance the discussion of both situations.

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## Anchor Paper – Document-Based Essay—Level 3 – A

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Over the course of United States history, many presidents have made proposals and demands that are meant to deal with situations facing the country. These situations have ranged from declaring war and protecting the nation to economic and social recovery and well-being. Sometimes, along the way those proposals met with opposition from Congress, and even the American public. In the long run, however, the outcome of these crises have and would affect both the United States and its people for decades to come.

A prime example of Presidential proposals gone awry, would be the ideologies of Presidents Abraham Lincoln and Andrew Johnson concerning reconstruction. After slavery was abolished and the Civil War ended, the government's next order of business was how to bring the formerly seceded states back into the Union. (O1) According to document 4a, Abraham Lincoln proposed a ten percent plan, in which if ten percent of the eligible voters in a state in 1860 took a loyalty oath, a new state government could be established and the readmission process into the Union could begin. Several states such as Louisiana, Arkansas, and Tennessee were ready for re-admission under Lincoln's plan but he died before the rest of his plan was fulfilled (O1). There were some in Congress however who felt Lincoln's plan for the Southern states were too lenient, they believed that the South deserved a harsher punishment for being the instigators of secession and eventually the war. When President Johnson came to power, he adopted even looser policies than Lincoln. Congress in an effort to show their displeasure with the new President's policies, upon reconvening refused to admit any southern Congressmen and formed a joint committee on Reconstruction. (Doc. 5a) This of course, interfered with Johnson's plan

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Anchor Paper – Document-Based Essay—Level 3 – A

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for “immediate restoration” detailed in Document 4b. Johnson’s plan did not provide any protection for the newly freed people or even insist on the ratification of the amendment abolishing slavery. Congress decided to take things into their own hands. They wanted African Americans to have their citizenship rights which were limited by the Dred Scot decision. They also wanted them to have the right to vote. Congress forced the Southern states to approve the 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> amendments and divided the old Confederacy into military districts. When Congressional Reconstruction ended not much more was done for African Americans. One of the outcomes of the whole debacle is what inevitably led to the start of segregation and Jim Crow in the south, due to their anger over oppression through martial law. The North wanted to move on from the Civil War and were too busy to notice that the situation was not much better for most African Americans.

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A further instance of the discrepancies between Congress and the President occurred in the 1930’s during the Great Depression. President Franklin Delano Roosevelt had many ideas on how to piece the country back together. These ideas and programs became collectively known as the New Deal. (O1) Programs such as the TVA and the CCC were enacted to provide gainful employment to those without work such as creating bridges and dams, and the conservation of the environment which benefited the United States as a whole (O1). However, not all of Roosevelt’s programs under the New Deal went unchallenged and some went to the Supreme Court where they were struck down as unconstitutional. (Document 7a) In order to counter this, President Roosevelt proposed a system of court-packing in which

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**Anchor Paper – Document-Based Essay—Level 3 – A**

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if a federal justice upon reaching a certain age, would not step down whereupon the president would appoint a new one, as depicted in document 7b. The problem with this proposal, is that it might allow the courts to be “packed” with supporters of the President perhaps making the judiciary system biased and ineffective when it came to checking the other two branches. (O1). Congress, much to the President’s surprise opposed his plan, mainly because “Congress...has reacted strongly against executive actions which it regarded as dictatorial” (document 8). That statement shows that Congress felt court packing would give the President too much power. FDR’s proposal was struck down but it served as a lesson to both Congress and American society. The failure of court-packing meant that the United States had a government that took a stand against political manipulation as its integrity had to be preserved even during a time of crisis. (document 9)

All the proposals and President’s stated above are stellar examples of discord between Congress and the executive branch. In the case of Lincoln and Johnson’s plan for reconstruction, the inability for the two branches of government to work together caused a period of strife and contributed to inequality for a vast majority of the African Americans particularly in the South. The willingness of Congress to reject court-packing was a positive impact as it proved to the American people that despite Roosevelt’s attempts to change the Supreme Court, the government’s commitment to separation of powers remained strong. The outcomes of both of these situations continued to impact America for a long time.

## **Anchor Level 3-A**

### **The response:**

- Develops all aspects of the task with some depth for Reconstruction and for Supreme Court decisions
- Is more descriptive than analytical (*Reconstruction*: some in Congress felt Lincoln's plan too lenient and believed South deserved harsh punishment for being instigators of secession and war; Congress refused to admit Southern Congressmen; Johnson's plan for immediate restoration did not insist on ratification of amendment abolishing slavery; inability of two branches of government to work together contributed to inequality for vast majority of African Americans; *Supreme Court*: if a federal justice upon reaching a certain age did not step down, president would appoint a new justice; court packing might allow courts to be "packed" with supporters of president, making judiciary system biased and ineffective; Congress opposed plan; Congress regarded Roosevelt as dictatorial and court packing would give him too much power; United States government took a stand against political manipulation to preserve its integrity, even during a time of crisis)
- Incorporates some relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates relevant outside information (*Reconstruction*: Lincoln died before plan fulfilled; Congress wanted African Americans to have citizenship rights that were limited by Dred Scott decision; wanted them to have right to vote; anger over oppression through martial law led to start of segregation and Jim Crow in South; *Supreme Court*: Roosevelt had many ideas to piece country back together; programs known as New Deal; TVA and CCC enacted to provide gainful employment to those without work)
- Includes relevant facts, examples, and details (*Reconstruction*: ten percent of eligible 1860 voters; Louisiana, Arkansas, and Tennessee ready for readmission; Joint Committee on Reconstruction; military districts; *Supreme Court*: Great Depression; some programs unconstitutional)
- Demonstrates a satisfactory plan of organization; includes an introduction that is a restatement of the theme and a conclusion that summarizes the outcome of Reconstruction and court packing

**Conclusion:** Overall, the response fits the criteria for Level 3. An understanding of the task is demonstrated by a logical presentation of relevant document information supported by good explanations. The discussion of the outcome of each situation integrates some good analytic statements but would have been strengthened by additional facts and details.

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Anchor Paper – Document-Based Essay—Level 3 – B

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Often times in United States history, Presidents have proposed plans and enacted laws to deal with pressing political, social, and economic issues. Members of congress have disapproved of these presidential plans for varying reasons. Many members of congress did not approve of the Mexican American War under President James K. Polk. President Franklin D. Roosevelt clashed with congress over his "court-packing" proposal.

When Mexico owned Texas, Mexican laws applied to Texas. However, many Americans who moved to Texas disregarded Mexican law and became angered when the new leader, Santa Anna, of Mexico began enforcing them. To gain independence, Texans fought Mexico unsuccessfully at the Alamo but eventually Sam Houston forced Santa Anna to recognize Texas' independence with a "gun to his head". Once free, Texas applied for annexation by the United States and it was eventually approved. This angered the Mexicans, who invaded Texas by crossing the Rio Grande. President James K. Polk called for immediate war claiming, "Mexico has passed the boundary of the United States, has invaded our territory and shed American blood on the American soil", which can be seen in President James K. Polk's special message to congress on Mexican Relations in 1846 (Doc. 1). Some members of congress however, believed the war was, "unholy, unrighteous, and damnable" because of the unfair way in which Texas was obtained and that it was a war that might allow slavery to spread. Abraham Lincoln, who was a member of the house as a Whig demanded to know the precise spot where blood had been shed, "Certainly Polk would have been much nearer the truth if he had said that 'American blood has been shed on soil in dispute between the

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**Anchor Paper – Document-Based Essay—Level 3 – B**

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United States and Mexico'—soil to which Mexico perhaps had a better technical claim than the United States," which can be seen a *Diplomatic History of the American People* (Doc. 2). Other members of congress shared this ideology. Still though, the war was fought by soldiers mostly from the south and southwest and easily won by the United States. The nation gained hundreds of thousands of square miles of land through the Treaty of Guadalupe Hidalgo (1848). The South, looking for more states to keep balance in the Senate, was hopeful that more slave states could be carved from that territory. But there was no regular system of deciding about slavery in brand new territories that were acquired by the United States. Each time the Congress had to make a new decision. The earlier Missouri Compromise did not apply to the Mexican Cession. Once again, Congress failed to settle the issue. Because of this and the growing number of abolitionists, more tensions over that matter built up, eventually bringing the US into Civil War when the South seceded. The South feared that the federal government might want to abolish slavery altogether.

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When Franklin D. Roosevelt was elected to the presidency, it was in the middle of one of the largest economic crisis' in the US: the Great Depression. The over-extension of credit and overproduction were major causes of the economic collapse in the 1920s. Franklin D. Roosevelt, in spite of this, hit the ground running when he came into office. He closed all banks so only solvent ones would be able to open. He proposed his New Deal plan and Congress passed many acts to stimulate the economy. Under Roosevelt, deficit spending was used extensively for the first time in history. However, some parts of the New

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**Anchor Paper – Document-Based Essay—Level 3 – B**

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Deal were declared unconstitutional by the Supreme Court who believed President Franklin D. Roosevelt had overstepped his bounds. To counter Supreme Court rejection, Franklin D. Roosevelt proposed a plan which came to be known as court-packing. Roosevelt wanted to change the number of Supreme court members from nine to thirteen. He claimed that "whenever a judge or justice of any Federal court has reached the age of seventy and does not avail himself of the opportunity to retire on a pension, a new member shall be appointed by the president then in office..." which can be seen in President Franklin D. Roosevelt's Fireside Chat from March 9, 1937 (Doc. 7b). Congress was appalled by this idea. Many members saw it as Franklin D. Roosevelt's way of filling the court with people who shared similar ideology and thus would not claim New Deal Acts unconstitutional. Even though the Supreme Court's decisions may have annoyed congress, which had passed the legislation and had strongly supported Franklin D. Roosevelt's presidency, "it could not bring itself to interfere with the separation of powers," which can be seen in The Supreme Court in American Life (Doc. 8). Some in Congress might have thought they had already given up too much power to the executive branch so a check was in order. Franklin D. Roosevelt's conflicts with congress and the Supreme Court ultimately resulted in him achieving one of his goals. With the distraction caused by this clash of ideologies, the expected invalidation of the Social Security Act was delayed and it was not declared unconstitutional. This was a great New Deal success. Many elderly people have become dependent upon and benefit from Social Security.

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Throughout United States history, Presidents have had to deal with

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## Anchor Paper – Document-Based Essay—Level 3 – B

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social, political, and economic issues. To do this, plans are proposed and laws enacted. Often times, Congress disagrees with these plans and ideologies clash. Although some members of Congress did not support the Mexican American War under James K. Polk, it was fought and won. It caused the US to gain territories and tensions to rise over the spread of slavery. Franklin D. Roosevelt proposed a "court-packing" system to gain support in the Supreme Court. The idea was shot down, but the clash in some ways stopped the Social Security Act from being invalidated and served as an important lesson for all three branches.

### Anchor Level 3-B

**The response:**

- Develops all aspects of the task with some depth for the Mexican-American War and for Supreme Court decisions
- Is more descriptive than analytical (*Mexican-American War*: Polk claimed Mexico passed boundary of United States; Lincoln demanded to know precise spot where blood shed; South hoped more slave states could be carved from territory won; no regular system of deciding about slavery in brand new territories; *Missouri Compromise* did not apply to the Mexican Cession; *Supreme Court*: Roosevelt proposed court-packing plan; Supreme Court believed Roosevelt overstepped his bounds; many congressmen saw court packing as way of filling court with people who shared a similar ideology; Supreme Court's decisions may have annoyed Congress which had passed the legislation; Congress could not bring itself to interfere with separation of powers; Social Security Act was not declared unconstitutional)
- Incorporates some relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates relevant outside information (*Mexican-American War*: unfair way in which Texas was obtained; growing number of abolitionists and tensions brought United States into Civil War; South feared the federal government might want to abolish slavery altogether; *Supreme Court*: Roosevelt elected president in middle of Great Depression; some in Congress may have thought too much power already given to executive branch)
- Includes relevant facts, examples, and details (*Mexican-American War*: Mexicans crossed Rio Grande; hundreds of thousands of square miles of land gained; Treaty of Guadalupe Hidalgo; *Supreme Court*: parts of New Deal unconstitutional); includes a minor inaccuracy (*Supreme Court*: Roosevelt wanted to change number of Supreme Court members from nine to thirteen)
- Demonstrates a satisfactory plan of organization; includes an introduction that restates the theme and a conclusion that briefly summarizes the outcome of the issues

**Conclusion:** Overall, the response fits the criteria for Level 3. Quoted statements from the documents establish a framework and demonstrate an understanding of the task. Good information enhances the historical development of the background for both issues.

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**Anchor Paper – Document-Based Essay—Level 3 – C**

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When the 13 states ratified the constitution, a three branch system government was set into motion. The separation of power and the system of checks and balances are a crucial part in maintaining our democratic government. This system was generally proven very effective; the power of the government is not all contained in the president's lap, as evidenced in the congressional opposition to James K. Polk and Franklin D. Roosevelt.

The Mexican-American War in the 1840's was a heavily debated issue at a time when many in the country were looking to expand westward. Mexico's refusal to cooperate with James K. Polk's attempts to buy California led to his sending American troops into the area between the Nueces River and the Rio Grande. Mexico responded by sending in their troops. Polk fervently argued that since the Mexicans have come onto U.S. soil and shed American blood, the U.S. has a right to attack them. (Doc 1) A majority of Americans agreed with the President and agreed with the war. Several congressmen though were against war; Abraham Lincoln was particularly famous for his 'spot resolutions', in which he demanded to know the exact spot where the scuffle had occurred. He believed that the soil in question was part of the disputed land to which both Texas and Mexico claimed the right, and thus should not be considered outright U.S. soil. (Doc 2) Lincoln questioned the president's use of war power but he and other critics of the war lost their argument. The U.S. did go to war, and found itself in 1848 winning a huge area of land. (Doc 3a) Although a land gain is generally a good thing, in this case the matter did not bode well; the land gained was in the Southwest, and immediately the question of 'slave state or no slave state' came into question. (Doc 3b) Slavery in

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Anchor Paper – Document-Based Essay—Level 3 – C

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territories we might get from Mexico was questioned even before the war was over. Many abolitionists opposed the war and a proposal was made that slavery not be allowed in any territory gotten from Mexico. Slaveholding Southerners believed they should have an equal right to take their slaves into new territories if they wanted to. The arguments were too extreme and threatening to be successfully solved through compromise. Ultimately, the civil war was an effect of the Mexican War just as nationalists feared.

Another case in which a president's decision was disputed was with Franklin D. Roosevelt and the Supreme Court. After the Great Depression took hold of the country and Herbert Hoover failed in his efforts to end it, FDR was elected and started his New Deal with appeals for vigorous legislation to help bring back the nation on its feet. Although much legislation was implemented, the Supreme Court did check some of the laws passed by Congress, (Doc 7A) and eventually FDR became frustrated and fed up. He believed that laws such as the AAA were vital to the national recovery and he proposed a "court-packing" proposal; basically, the proposal suggested that whenever a justice or a judge in the Supreme Court turns 70, if he does not retire, the president should be able to appoint a new judge/justice. (Doc 7b) Although some in Congress were just as annoyed with the Supreme Court as Roosevelt was, they regarded this proposal as extreme, even dictatorial, and thus shot it down. (Doc 8) Although unhappy with Congress, Roosevelt's "court-packing" idea scared the Supreme Court into starting to approve New Deal cases like Social Security. Most of his New Deal programs continued. The separation of powers was thus sustained, since Roosevelt was stopped

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## Anchor Paper – Document-Based Essay—Level 3 – C

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from tampering with the third branch of government by the people's branch—Congress.

Polk and Roosevelt both had strong opinions about an issue that Congress disagreed with. Thanks to the system of checks and balances, it was possible for there to be a disagreement between branches and a resolution.

### Anchor Level 3-C

**The response:**

- Develops all aspects of the task for the Mexican-American War with more depth than for Supreme Court decisions
- Is more descriptive than analytical (*Mexican-American War*: Polk argued since Mexicans came onto United States soil and shed American blood, we had the right to attack; majority of Americans agreed with President; Lincoln famous for “spot resolutions” since the soil in question was part of disputed land which both Texas and Mexico claimed; although a land gain is generally a good thing, it did not bode well because land in Southwest brought “slave state or no slave state” into question; *Supreme Court*: Roosevelt started New Deal programs to help bring nation back on its feet; Supreme Court checked some laws and Roosevelt became frustrated; proposal suggested whenever a justice in Supreme Court turned 70 if he did not retire, the president should be able to appoint a new justice; although Congress was just as annoyed with Supreme Court, they regarded this proposal as extreme; separation of power sustained since Roosevelt could not tamper with third branch)
- Incorporates some relevant information from documents 1, 2, 3, 7, and 8
- Incorporates relevant outside information (*Mexican-American War*: Mexico’s refusal to cooperate with Polk’s attempts to buy California led to his sending troops into area; abolitionists made proposal that slavery not be allowed in any territory from Mexico; slaveholding Southerners believed they should have equal right to take slaves into new territories; Civil War was an effect just as nationalists feared; *Supreme Court*: Roosevelt believed AAA vital to national recovery; Roosevelt’s “court-packing” idea scared the Supreme Court into starting to approve New Deal cases)
- Includes some relevant facts, examples, and details (*Mexican-American War*: Nueces River; Rio Grande; *Supreme Court*: Great Depression; Herbert Hoover; Social Security)
- Demonstrates a satisfactory plan of organization; includes an introduction that states checks and balances have played a crucial role in maintaining our democracy and a brief conclusion

**Conclusion:** Overall, the response fits the criteria for Level 3. Some good relevant outside information is included in the discussion of the Mexican-American War. Although the treatment of the Supreme Court is document driven and some thoughtful conclusions are included, additional facts and details would have strengthened the discussion.

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## Anchor Paper – Document-Based Essay—Level 2 – A

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When the founders of our beautiful nation came up with the idea of three houses, it is doubtful they thought everyone would agree 100% of the time. Good thing, too, because they haven't all always agreed. There have been many instances in our history where the president has disagreed with Congress. Everytime, though, it effects the people of the U.S.

President James Polk disagreed with Congress over the Mexican American War. Polk thought the war necessary as Mexico invaded & killed US people on US soil. (Document 1). Congress didn't quite like the idea though, as they thought the war to be unnecessary and maybe even unneeded. There was potential that Mexico deserved the land being fought for. Alas, Mexico did give the US miles upon miles of land. (Document 3A) This brought to question the issue of slavery, and how the US would handle slavery in the new land. (Document 3b)

Another disagreement came in President Franklin D. Roosevelt's presidency. FDR was a very active president, who brought many new laws and acts to the table in order to fight the Great Depression. Unfortunetly for him, the Supreme Court disagreed with many of these and declared them unconstitutional. Fed up with the court, FDR proposed another new law. He thought to force SC Justices retirement at 70, have the President appoint the new judge (with Congressional approval), and to increase the amount of justices. (Document 7b) In a shocking twist of fate, Congress did not pass this bill. People who once supported FDR did not this time. They felt that by them passing it, it gave FDR too much power. (Document 8) It would also have disrupted the process of checks and balances. In the end, though, FDR got his wish, as a few judges passed away/retired. If FDR had gotten his wish,

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## Anchor Paper – Document-Based Essay—Level 2 – A

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he'd've faced severe negative reactions from the public, but instead, he was able to take control of the Court.

While most presidents are not universally agreed with, some stand out more than others. FDR and Polk both eventually got their wishes, but if it was up to congress, they wouldn't have. Their receiving of what they wanted in the end effected the American people, in ways they wouldn't have been affected otherwise. Whether positive or negative, parts of their lives were changed because of these disagreements.

### Anchor Level 2-A

**The response:**

- Minimally develops all aspects of the task
- Is primarily descriptive (*Mexican-American War*: Polk thought war necessary as Mexico invaded and killed United States people on United States soil; potential that Mexico deserved the land being fought for; war brought up issue of slavery; *Supreme Court*: Roosevelt brought many laws to fight Great Depression; Roosevelt became fed up with Court and proposed a new law; Congress did not pass the bill; passing the law would give Roosevelt too much power; would disrupt process of checks and balances; if Roosevelt had gotten his wish, he would have faced severe negative reactions from the public); includes weak application (*Supreme Court*: disagreed with many laws and declared them unconstitutional)
- Incorporates limited relevant information from documents 1, 2, 3, 7, and 8
- Presents some relevant outside information (*Supreme Court*: Roosevelt got his wish as a few judges passed away/retired; Roosevelt took control of Court)
- Includes few relevant facts, examples, and details (*Mexican-American War*: Mexico gave United States miles upon miles of land; *Supreme Court*: have president appoint new judge and increase number of justices); includes inaccuracies (founders' idea of three houses; *Mexican-American War*: Congress thought war unnecessary; *Supreme Court*: force justices to retire at 70)
- Demonstrates a general 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 2. Although the stronger discussion of Roosevelt's conflict with the Supreme Court and Congress incorporates a hint of analysis, the minimal discussion of the Mexican War and the inaccuracies weaken the response.

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

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Throughout the history of the United States, Presidents have made many proposals to deal with issues facing the country. Congress has not always agreed with these proposals. American society has since been affected by the outcomes of these proposals. Two of those situations were caused by President James Polk and his involvement in the Mexican American War, and President Franklin Roosevelt and his attempted court packing scheme. Doc 1. In 1846, President James Polk wanted Congress to declare war on Mexico. He claimed his reasoning behind this was that the Mexicans had invaded American lands and murdered American citizens. Aroused by the loss of American lives, Congress immediately and overwhelmingly voted for war. Soon after however, many members of Congress began to reconsider their vote. In document 2, Abraham Lincoln, a Whig at the time used his "spot resolutions" tactic to demand knowledge of the precise "spot" on American soil in which the conflict had begun. President Polk would not give Lincoln a clear answer to the question. The debate over the legitimacy of the war would not be the only problem the U.S. would face. After the war ended in 1848 with the Treaty of Guadalupe Hidalgo, the debate over slavery would continue to pick up speed. Doc 3. In "The West, and Illustrated History", Geoffrey C. Ward wrote that Congress was split over the issue of slavery, and California's statehood threatened that balance. Congress had once hoped the issue of slavery's extension had been forever settled by the Missouri Compromise of 1820, which outlawed slavery in most of the West. But with the defeat of Mexico, and the instant acquisition of vast land, everything changed. Now the main issue would be whether or not new states such as California would be free or slave states. President Roosevelt was very

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

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upset that the supreme court ruled that most of the bills enclosed in his New Deal Recovery Plan were unconstitutional. He then decided to create a proposal that would increase the number of supreme court justice's from 9 to 18 in order to appoint more judge's favorable of his New Deal. His proposal shocked many people, including members of his own party. Doc 8 Congress was severely opposed to his plan, stating that they would not interfere with the separation of powers put in place by the United States Constitution. Doc 9. In the aftermath of the court packing scheme, many felt that the opposition shown by congress to President Roosevelt should stand as a warning to future Presidents who are planning to tamper with branches of government such as the supreme court.

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### Anchor Level 2-B

#### The response:

- Minimally develops all aspects of the task
- Is primarily descriptive (*Mexican-American War*: Polk claimed Mexicans had invaded American lands; Congress overwhelmingly voted for war because of loss of American lives but soon began to reconsider their vote; Abraham Lincoln demanded knowledge of precise spot where conflict had begun; Polk did not give a clear answer to Lincoln's question; Congress split over issue of slavery and California's statehood threatened that balance; Congress had hoped issue of slavery's extension settled by Missouri Compromise; *Supreme Court*: Roosevelt wanted to appoint new judges more favorable to his New Deal; proposal shocked many people, including members of his own party; Congress would not interfere with separation of powers put in place by Constitution; opposition should stand as a warning to future presidents who plan to tamper with branches of government); includes faulty application (*Supreme Court*: Roosevelt very upset that Supreme Court ruled most of bills enclosed in his New Deal Recovery Plan unconstitutional)
- Incorporates limited relevant information from documents 1, 2, 3, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Mexican-American War*: spot resolutions; Treaty of Guadalupe Hidalgo; instant acquisition of vast land); includes an inaccuracy (*Supreme Court*: Roosevelt created a proposal that increased number of Supreme Court justices from 9 to 18)
- Demonstrates a weakness in organization, beginning with introductory statements and lacking a conclusion

**Conclusion:** Overall, the response fits the criteria for Level 2. Restatements of document information are the basis of the discussion. Although a basic understanding of the issues is demonstrated, the treatment of Roosevelt and the Supreme Court is less developed and includes some faulty and inaccurate information.

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

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Throughout history, there have been many proposals made by presidents regarding important issues facing the nation. There has been congressional opposition to some of these proposals. Some of the proposals that were opposed by Congress were President Franklin D. Roosevelt's proposal and President James K. Polk and the Mexican American War.

President James K. Polk supported the war with Mexico for a few reasons. He supported this war because Mexico not only passed the boundary of the U.S., but also invaded American territory and shed American blood on our soil (Doc. 1).

Congress on the other had opposed this support because they thought that war with Mexico was unholy, unrighteous, and (Doc. 2) damnable. Even though Congress opposed the idea of war with Mexico, it had some impacts on the United States. These impacts include acquiring the Mexican Cession in 1848 and also barring slavery in the West due to the Missouri Compromise. (Doc. 3). As shown, James K. Polk supported the Mexican American War even though Congress Opposed it.

Franklin D. Roosevelt tried to take advantage of the Supreme Court by packing it with judges. This was called the "court-packing" proposal and FDR's proposal was not agreed upon by Congress. They might be annoyed by the Court but Congress could not bring itself to interfere with the separation of powers (Doc. 8). This "court packing" proposal had an impact because it taught the justices that if they unreasonably impede the functioning of the three branches of government it might bring about unpredictable consequences. (Doc. 9)

Abraham Lincoln's proposal was called the "ten per cent plan". This plan stated that 10% of the qualified voters in a seceded state could

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

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form a new state government and apply for readmission to the union upon taking an oath (Doc. 4a). Andrew Johnson stated that all states never really left the union and therefore shall be restorated and not readmitted. He said that each state wishing to be restorated to the union must ratify the Thirteenth Amendment. As you can see, Abraham Lincoln and Andrew Johnson had proposals about readmitting states to the union.

In summary, in United States History several Presidents have made proposals that Congress has not always agreed upon. These proposals include James K. Polk and the Mexican American War, Franklin D. Roosevelt and the Supreme Court, and Abraham Lincoln and Andrew Johnson and Reconstruction. These proposals have made an impact on America and our society today.

### Anchor Level 2-C

**The response:**

- Minimally develops all aspects of the task
- Is primarily descriptive (*Mexican-American War*: Polk supported war with Mexico because they had passed boundary of United States, invaded American territory, and shed American blood on our soil; *Supreme Court*: court-packing proposal not agreed on by Congress; Congress could not bring itself to interfere with separation of powers; if justices unreasonably impede the functioning of the three branches of government, it might bring about unpredictable consequences)
- Incorporates limited relevant information from documents 1, 2, 3, 8, and 9
- Presents no relevant outside information
- Includes very few relevant facts, examples, and details (*Mexican-American War*: Mexican Cession acquired in 1848); includes inaccuracies (*Mexican-American War*: slavery barred in West due to Missouri Compromise; *Supreme Court*: Roosevelt tried to take advantage of Supreme Court by packing it with judges)
- 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. Three issues are addressed, however, only the first two can be rated. The response is based on document statements with minimal explanation. Although all aspects of the task are addressed, a limited understanding of the task is demonstrated.

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## Anchor Paper – Document-Based Essay—Level 1 – A

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Often times, the President and Congress don't see eye to eye. These oppositions can cause a great deal of conflict in the federal government. Two such instances of this conflict between branches are when Abraham Lincoln and Andrew Johnson tried to reconstruct the nation after the Civil War and when FDR tried to pack the supreme court so he could pass the New Deal.

After the Civil war President Lincoln tried to make it easy for states to be readmitted in to the union. Within his plan, only ten percent of the population had to pledge loyalty to the union. His successor wanted the states to be readmitted easily as well. Although he wanted the states to ratify the thirteenth amendment, he did not require it, according to James M McPherson in "To the Best of my Ability, the American Presidents". Congress on the other hand wanted steeper requirements for readmission and thus the President's plans for rebuilding the union were rejected.

FDR had conflicts with Congress as well. When trying to enact the New Deal Laws, the Supreme Court rejected his plans as unconstitutional, as seen in the political cartoon by Ray O. Evans. In an effort to combat their rejection FDR attempted to pack the Court by making laws to force judges to retire at seventy and adding to the number of judges. His attempts were rebuffed by those in Congress both that normally disagreed with him and those that usually supported him. They did not want to "interfere with the separation of power" as Leonard F. James says in "The Supreme Court in American Life." This complete lack of support for changing the Supreme Court sets a precedent that presidents should not attempt to change the balance of powers in the government.

## **Anchor Level 1-A**

### **The response:**

- Minimally develops most aspects of the task
- Is descriptive (*Reconstruction*: Lincoln tried to make it easy for states to be readmitted to Union; successor wanted states to ratify 13th amendment, but did not require it; Congress wanted steeper requirements for readmission and presidents' plans for rebuilding Union were rejected; *Supreme Court*: Roosevelt attempted to pack the court and add judges; Roosevelt's attempts rebuffed by those in Congress; issue set a precedent that presidents should not attempt to change balance of powers in the government); includes faulty and weak application (*Supreme Court*: when Roosevelt tried to enact New Deal laws, Supreme Court rejected his plans as unconstitutional)
- Includes minimal information from documents 4, 5, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Reconstruction*: only ten percent of population of state had to pledge loyalty to Union; *Supreme Court*: separation of powers); includes an inaccuracy (*Supreme Court*: Roosevelt tried to make laws to force judges to retire at seventy)
- 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 1. Statements based on document information indicate a limited understanding of the task. The influence of the outcome for the issue of Reconstruction is not addressed.

## Anchor Paper – Document-Based Essay—Level 1 – B

Throughout United States history, presidents have made proposals to deal with important issues facing the nation. Members of Congress have not always agreed with these proposals. These situations have affected the U.S. and the American Society.

President James K. Polk thought that America should go to war with Mexico. This was because "American blood was shed" on American soil. In document 2, they explain that blood wasn't actually shed on American soil, but on soil the Americans and Mexicans were fighting over.

President Abraham Lincoln believed the president should take lead in peacemaking. In document 4a, it explains how Lincoln created the "ten per cent" plan. This plan qualified 10% of voters in a seceded state, under oath, could form a new state government and apply for readmission into the union.

### Anchor Level 1-B

#### The response:

- Minimally addresses a few aspects of the task
- Is descriptive (*Mexican-American War*: Polk thought America should go to war with Mexico because American blood was shed on American soil; shed on soil Americans and Mexicans were fighting over; *Reconstruction*: Lincoln believed president should take the lead in peacemaking; voters in a seceded state could form a new state government and apply for readmission into Union); includes weak application (*Mexican-American War*: blood was not actually shed on American soil)
- Includes minimal information from documents 1, 2, and 4
- Presents no relevant outside information
- Includes very few relevant facts, examples, and details (*Reconstruction*: Lincoln created ten percent plan)
- Demonstrates a general plan of organization; does not clearly identify which aspect of the task is being addressed; includes an introduction that restates the theme and lacks a conclusion

**Conclusion:** Overall, the response fits the criteria for Level 1. An attempt to address the task is made in brief statements. An indirect statement is included about the congressional position on the Mexican-American War, but the outcome is not addressed for either issue.

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## Document-Based Essay—Practice Paper – A

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The presidents of the United States have always been expected to face difficult issues head on. From war and territorial disputes to questioned constitutionality of their actions, these Presidents have taken a position and found support or opposition from Congress and ultimately had a great effect upon the nation as a whole. Franklin Delano Roosevelt and James K. Polk are two such presidents who faced opposition to their position and ultimately had a great influence on the United States due to the outcome of the situation.

Elected to four terms, Franklin Delano Roosevelt was the leader of the nation thru two of its most grueling periods of time, the Great Depression and World War Two. During the Great Depression he attempted to remedy the economy by moving away from "rugged individualism" and "trickle down" to federal government-funded Relief, Recovery and Reform programs. Through his New Deal programs, such as the Works Progress Administration, Tennessee Valley Authority and the Civilian Conservation Corps. His goal was to provide jobs and hope to unemployed citizens and dissuade them from sprouting communistic or socialistic ideals. Regulatory agencies such as the Security and Exchange Commission and the FDIC would give the nation more confidence to invest and save. Through stimulation of the economy he hoped his New Deal would save capitalism. However his critics thought some of his ideas were socialistic and some thought he was becoming too powerful. The Supreme Court challenged his legislative power by declaring some New Deal legislation such as the AAA and NRA unconstitutional (Document 7a). Clearly sensing a problem that could jeopardize what he perceived to be the solution to the Great Depression, he proposed a plan that would allow him to add a new

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## Document-Based Essay—Practice Paper – A

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court justice for any judge age 70 who did not retire (doc 7b). This would give him the opportunity to appoint candidates who would not rule against New Deal policies. Congress as well as many American voters were vehemently opposed to this court-packing as they viewed his actions to be dictatorial in nature and a threat to separation of powers. (doc 8). Clearly congress opposed his actions and would not pass the legislation that would have increased Supreme Court membership and given Roosevelt more power. Yet that was not the only downside to his actions. He also lost the support and respect of many in Congress as some in the democratic party started to pull away from him (document 8). This split would be quite terrible for Franklin Delano Roosevelt's future legislative actions as he would now be limited in his effectiveness as he no longer could have a strong majority backing him. Although there was a positive outcome to this as it established that the Supreme court could not be changed to simply fit the ideology or wants of the Congress or presidency (Document 9). Separation of powers remained a sacred element in United States government. Yet Franklin Roosevelt was not the first president to find themselves in a conflict with Congress.

Reannexation of Texas and acquiring California were promises made by James K. Polk when he ran for president. These promises led to his being another president who faced congressional opposition. He was faced with a border dispute between Mexico and the United States, so he sent troops to the Rio Grande river where they were then considered by Mexico to have been trespassing on Mexican Lands, thus instigating a fight between Mexican and American forces. Polk, asserting that this was United States territory saw this as an attack

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## Document-Based Essay—Practice Paper – A

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and convinced Congress to declare war (document 1). But soon many Northern Whigs in congress began to change their previous support of the conflict and instead spoke out against it. Some went so far as to say we were simply sending soldiers to their deaths to extend slave power or that the land was not America's to begin with. Abraham Lincoln demanded to know the exact spot where the conflict began. And some blamed Polk for starting a war to get more land from Mexico. (document 2). Yet ultimately the war continued and ended in a United States victory that added hundreds of thousands of square miles to the United States. In the treaty of Guadelupe Hidalgo the United States gained the Mexican Cession which included California, Nevada, Colorado, Arizona, New Mexico and formally established the Rio Grande as the southern boundary of Texas (document 3a). The greatest impact although came in the form of the revival of the issue of the spread of slavery that had been thought to have been solved in the Missouri Compromise of 1820. The addition of the Louisiana Territory had brought up the same issue. The 36°30' line established in this compromise was considered the solution to slavery in new territories in the Louisiana Territory. But with acquisition of new territory from Mexico, the precarious balance in the Senate was now tipped in favor of the non-slave North and would most likely be permanent. Some thought the 36°30' line should be extended to the Pacific but others thought each territory should decide the slavery issue for themselves through popular sovereignty. The Compromise of 1850 allowed for popular sovereignty in Utah, New Mexico, and admission of California as a free state. This debate led some in the South such as John Calhoun to start talking about secession. (document 3b).

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## Document-Based Essay—Practice Paper – A

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ultimately this renewed issue would culminate into the Civil War which would literally and figuratively tear apart the nation.

Clearly presidents such as James K. Polk and Franklin Delano Roosevelt have been challenged thoroughly by the issues of the time and have gone onto form a position, like how Polk decided war with Mexico was the only option and how Roosevelt thought that Supreme Court membership must be changed if he was to solve the Great Depression. In both cases these presidents were faced with opposition from the congress who viewed their actions negatively, yet ultimately these events would have a tremendous impact upon the nation as a whole. All of this culminates into showing that presidents have often been forced to address important issues, have sometimes faced opposition to their solutions, and have ultimately left a lasting impact upon the nation that would last for ages to come.

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## Document-Based Essay—Practice Paper – B

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Congress and the President have not always gotten along. When Polk seemed to be trying to start a war with Mexico for the sake of getting more land, Congress found flaws in his reasoning. Also, when Lincoln wanted to go easy on the Southern rebels, Congress was not so agreeable. These arguments often led to conflict and not always the right thing being done.

Polk got his momentum to start fighting for a war when some Americans were killed on what he claimed to be American soil (1). He was largely influenced by the idea of Manifest Destiny at the time. He believed that the United States was meant to go from ocean to ocean and after settling the Oregon issue, only Mexico was in their way (3a). Congress first started to question Polk's motives when it was unclear exactly where American blood had been spilled and it was on disputed land, not officially American soil (2). Despite this disagreement, Polk carried out the war as commander in chief and the Mexican American War had important results. The large amount of land the United States received, though, was difficult to divide into states without disrupting the balance of slave states and non-slave states (3b). This had been a problem before that was solved when Missouri became a slave state and Maine became a free state. The South really feared being outnumbered by free states and was angry because many Northerners did not want any new slave states to be made out of the Mexican Cession. This would later help lead to the Civil War with Lincoln's presidency and the South wanting to become an independent slave-holding nation.

Congress didn't argue much with Lincoln during the war (even though he infringed on people's rights and made decisions without

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## Document-Based Essay—Practice Paper – B

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congressional approval). Figuring out what to do with the rebels after the war was a little harder on the relationship between those two branches. Lincoln wanted to be kind to the southern states and was willing to pardon everyone, except for a few leaders, who promised to remain loyal to the union in the future (4a). After Lincoln was shot, Johnson took over and followed his lead in being gentle to the ex-confederates. Although he didn't require it, Johnson wanted the states to ratify the 13th Amendment, which freed slaves (4b). Congress wanted much harsher punishments on these ex-confederates and was able to ignore Johnson and use their power to put military districts into the South and encourage Republican reconstruction governments. The army could watch over the defeated Southerners and prevent them from causing any more trouble or treating the ex-slaves badly as they did with Black Codes. (5a, 5b). After the Emancipation Proclamation, Lincoln fought the war to have the states free of slavery. After his death, Congress tried to safeguard the ex-slave's freedom and liberties by passing amendments, but states put Jim Crow Laws in place after military districts were ended. (6).

Arguments between Congress and the President have led to long-term consequences that neither side could predict.

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## Document-Based Essay—Practice Paper – C

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Even though the federal government is regulated by a system of checks and balances, one of the branches of government may reach too far and upset the equilibrium. For example, the president can be either supported or opposed by Congress. The overstepping of a president can cause outrage from both the legislative and judicial branches of the government, and also the public as well.

The support for a war against Mexico by president James Polk was met with controversy. In Document 1, Polk claims that Mexico caused enough problems to garner starting a war, because they shed American blood on American soil. Those opposed to war thought since Polk wanted land in the West belonging to Mexico, he took advantage of Mexico crossing an unsettled boundary line and attacking Americans to start a war. Document 2 shows general support from the Senate and House, but some legislators like Senator Thomas Corwin claimed that Mexico had a right to the land, as it was disputed land. However, we did go to war with Mexico, and Documents 3a and 3b show the results of this war that led to more conflicts because of the Treaty of Guadalupe-Hidalgo. With this newly acquired land from Mexico, the issue of slavery was brought up and it was hoped by some that the Missouri Compromise line of 36°30' might be extended to the Pacific Ocean. Because that could extend slavery into new territories, others disagreed. Southern slaveholders wanted all new territories open to slavery. This new land led to Stephen Douglas' idea of popular sovereignty which was used in the Compromise of 1850. Popular sovereignty would decide if New Mexico or Utah would be free or slave and would later lead to Bleeding Kansas. There was overall support for the Mexican American War by the legislative branch, but conflict

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## Document-Based Essay—Practice Paper – C

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continued throughout the 1850s leading to a divided country.

The New Deal program orchestrated by FDR is looked at by many as one of the greatest economic policies in the history of the U.S., but some of the programs that were established were rejected by the Supreme Court. Document 7a illustrates FDR's outrage at the stubbornness of the Supreme Court. The Great Depression was the worst the country had ever experienced and FDR wanted the Supreme Court to see things his way. He believed his programs would move the country out of the Depression, and in the bottom right of the political cartoon, FDR's rejected policies such as the NRA and the AAA are listed. These developments created tension between the judicial, legislative, and executive branches. FDR's "court-packing" plan, as described in Document 7b, was the idea to appoint another Supreme Court Justice if they were age 70 and over and did not retire. This sparked outrage not only from the Supreme Court as age was irrelevant to their decision making but also Congress, who thought the idea violated separation of powers as described in Document 8. Many believed FDR was simply attempting to gain the upperhand in the Supreme Court, and he was overstepping his powers by getting deeply involved in the judiciary branch of the federal government. The "court-packing" plan is considered by some to be one of FDR's biggest mistakes. However, in Document 9, FDR states that he "lost the battle with Congress but won the war." This idea is true because the New Deal programs he worried might be rejected such as Social Security were not. Later on, he did get the chance to appoint judges who supported his policies.

Throughout American history, the constitutional policy of checks

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**Document-Based Essay—Practice Paper – C**

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and balances has guided our government. Examples of this include President FDR's actions during the Great Depression which was checked by Congress and the Supreme Court and President James Polk's successful request for a congressional declaration of war towards Mexico which eventually met with congressional opposition.

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## Document-Based Essay—Practice Paper – D

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In times of great crises in the United States it falls upon the president's shoulders to lead the country. Although the president is given much power by the Constitution he is checked and balanced by the two other branches of government. During and after the Civil War it fell upon Lincoln to reunite the country and lead the Union. In the period of the Great Depression Franklin D. Roosevelt was elected to lead the United States out of the economic hole it was in. In both of these situations the president was challenged by Congress.

Following the Civil War it was Abraham Lincoln's job to piece the country back together. Lincoln's philosophy was to bring the southern states back into the Union as equals with forgiveness and no significant punishment. As seen in the excerpt by Richard Current, President Lincoln had a simple plan to bring the southern states back into the Union. If ten percent of the legal voters from the 1860 election in the state swore an oath of loyalty to the United States the state could form a new state government and apply to be readmitted into the Union. Along with this ten percent plan Lincoln planned to pardon the majority of southern rebels. This plan would have allowed the South to very easily rejoin the Union. However, Congress did not have the same view as Lincoln. The majority of Congress members wanted to punish the South for starting a war that resulted in the deaths of thousands of Americans. After Lincoln was assassinated his successor Andrew Johnson was not a powerful figure. This allowed Congress to carry out their harsh plan for reconstruction. As seen in the timeline of reconstruction Congress began by refusing to admit southern representatives chosen under Johnson's plan into Congress. Johnson wanted immediate restoration and agreed with Lincoln that

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## Document-Based Essay—Practice Paper – D

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the South had not left. The southern states were broken into military districts and occupied by the union army. This is seen in the map of the south under congressional reconstruction. This reconstruction period run by congress which ended in 1877 resulted in long term negative effects on American society that continue into the 21st century. Many hopes that the African Americans had when the civil war ended and slavery was abolished were gone once the army left. Groups such as the KKK kept African Americans from voting and segregation took over their lives while the federal government paid little attention to them. Many southerners maintained deep contempt for the north following the civil war. They reimposed a culture of racism and supported states rights again. They made the amendments giving African Americans citizenship and voting rights ineffective by passing poll taxes and giving literacy tests. The South also blocked civil rights legislation by supporting Democrats who opposed measures that promoted equality. Eventually they ignored court orders desegregating schools as seen in the massive resistance to Brown v. Board. This disdain was cemented into place by the period of radical congressional reconstruction. Although civil rights legislation has been passed and there is more equality in the South, issues involving race continue.

Another period of great distress for the United States was the Great Depression. President Herbert Hoover was in office when the economy tanked. A firm belief in Laissez Faire, trickle-down economics, and self help resulted in minimal federal action to help the unemployed. The American people then elected Franklin D. Roosevelt a man who would use the government as a tool to help the people. He carried

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## Document-Based Essay—Practice Paper – D

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through with his promise for a New Deal and greatly expanded federal government powers to help the people who supported him because the country was suffering and bold actions were needed. He pushed work programs, regulations on wages, hours, and help for farmers through congress. Not all of this congressional legislation was safe from judicial review. As seen in the political cartoon of FDR and the supreme court the supreme court declared a selection of his acts unconstitutional such as the AAA and the NRA. This made FDR angry so changes were made to these laws so they would pass the constitutional test. He also attempted to get congress to pass a law that would allow him to appoint new judges to the supreme court so that a majority of judges would side with him. This became known as the court packing scandal and he was met with resistance in congress. For a change one of his acts was not even passed by congress because they thought his idea was a violation of the United States Constitution. Even though most Americans believed in the New Deal they did not believe Roosevelt should have the power to control the Supreme Court. This defeat had a positive impact on American society because it proved to the people that a system of checks and balances was still in place and was working the way it should.

In times of great struggle the presidents of the United States must lead the union which sometimes leads to conflict with other branches. This was true for Abraham Lincoln and Andrew Johnson and the civil war as well as Franklin D. Roosevelt and the great depression.

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## Document-Based Essay—Practice Paper – E

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Throughout history presidents haven't always been agreed with by Congress. In trying to improve America their proposals are often shot down. James K. Polk and Franklin D. Roosevelt are great examples of this.

Franklin D. Roosevelt was having a very hard time getting the Supreme Court to agree with him. (Doc 7a) To try and prevent this he came up with the "court-packing" proposal (7b). In this proposal if a member was older than 70 and didn't retire a new member would be appointed by the president (7b). FDR liked this because he would be able to choose someone who would support and fight for him. Congress didn't like it because it interfered with the separation of powers (8). Due to the congress vetoing the bill it was never passed and the institutional integrity of the Supreme Court was preserved (9). Also lessons were learned to think twice about tampering with the Supreme Court, and that if justices unreasonably impede the functioning of the democratic branches they could cause a crisis (9).

James K. Polk badly wanted to go to war with Mexico but Congress opposed. Polk wanted it because Mexico was beginning to cross the U.S. boundary and the U.S.'s nice ways weren't working (1). He believed people should fight because it was their duty and patriotic to vindicate with decision their honor, rights, and interests of America (1.). Congress disagreed because too many were dying and it was unholly (2). After a while people felt the fight was for Polk and not the country (2). Through the war America gained new territory and because of this the constant fight of slavery vs. non-slavery continued (4a & 4b).

Both Polk and FDR had strong opinions on their proposals and

## Document-Based Essay—Practice Paper – E

congress did not agree. Polk's proposal would eventually go through however FDR's would not. But whether congress agreed or not, America wouldn't be what it is today without the conflict on both proposals.

### Practice Paper A—Score Level 5

#### The response:

- Thoroughly develops all aspects of the task evenly and in depth for Supreme Court decisions and President Franklin D. Roosevelt and for the Mexican-American War and President James K. Polk
- Is more analytical than descriptive (*Supreme Court*: sensing a problem that could jeopardize his solution to the Great Depression, Roosevelt proposed a plan that would allow him to add a new court justice for any judge age 70 who did not retire; would give Roosevelt the opportunity to appoint candidates who would not rule against New Deal policies; Congress viewed Roosevelt's court-packing plan as dictatorial; Democratic Party started to pull away from him; established that Supreme Court could not be changed to fit ideology or wants of Congress or presidency; *Mexican-American War*: Mexico considered troops sent by Polk to the Rio Grande to be trespassing on Mexican lands; Polk asserted the Rio Grande was United States territory and convinced Congress to declare war; Congress began to change previous support of conflict; some congressmen blamed Polk for starting war to get land; with acquisition of new territory, the precarious balance in Senate tipped in favor of non-slave North and would most likely be permanent)
- Incorporates relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates substantial relevant outside information (*Supreme Court*: Roosevelt attempted to remedy economy by moving away from "rugged individualism" and "trickle down" to federal government-funded "Relief, Recovery, and Reform"; Roosevelt's goal was to provide jobs and hope to unemployed citizens; Roosevelt hoped New Deal would save capitalism; outcome limited Roosevelt's effectiveness as strong majority no longer backing him; *Mexican-American War*: reannexation of Texas was promise made by Polk; some congressmen said Polk was sending soldiers to deaths to extend slave power and that land was not America's; some thought 36°30' line established in Missouri Compromise should be extended to Pacific, but others thought each territory should decide slavery issue; Compromise of 1850 allowed for popular sovereignty in Utah, New Mexico, and admission of California as a free state; debate led some in South to start talking about secession; would culminate in Civil War)
- Richly supports the theme with many relevant facts, examples, and details (*Supreme Court*: Great Depression; WPA, TVA, and CCC programs; AAA and NRA ruled unconstitutional; threat to separation of powers; *Mexican-American War*: United States victory; Treaty of Guadalupe Hidalgo; Rio Grande as southern boundary of Texas; John Calhoun); includes an inaccuracy (*Mexican-American War*: promise of acquiring California by Polk)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that state presidents of the United States have often faced difficult issues despite opposition

**Conclusion:** Overall, the response fits the criteria for Level 5. A thoughtful discussion is supported by substantive details and analytic statements. In the treatment of Roosevelt, the response shows a strong economic understanding of the Great Depression. Critical appraisal of document information effectively establishes a link between conflicting positions and the outcome of each situation.

## Practice Paper B—Score Level 3

### The response:

- Develops all aspects of the task with some depth for the Mexican-American War and for Reconstruction
- Is more descriptive than analytical (*Mexican-American War*: when Polk seemed to be trying to start a war with Mexico, Congress found flaws in his reasoning; Americans killed on what Polk claimed to be American soil; Congress started to question Polk's motives when it was unclear exactly where American blood was spilled; large amount of land United States received difficult to divide into states without disrupting balance of slave and non-slave states; *Reconstruction*: Lincoln willing to pardon everyone who promised to remain loyal to Union except for a few leaders; Johnson wanted former confederate states to ratify 13th amendment but did not require it; Congress wanted much harsher punishments on ex-Confederates; army could prevent Southerners from treating ex-slaves badly)
- Incorporates some relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates relevant outside information (*Mexican-American War*: Polk largely influenced by idea of Manifest Destiny as he believed United States meant to go from ocean to ocean; Polk carried out war as commander in chief; South feared being outnumbered by free states and was angry because many Northerners did not want any new slave states; South wanted to become independent slaveholding nation; *Reconstruction*: after Lincoln was shot, Johnson took over; Congress tried to safeguard ex-slaves' freedom and liberties by passing amendments but states put Jim Crow laws in place after military districts ended)
- Includes some relevant facts, examples, and details (*Mexican-American War*: Mexican Cession; Civil War; *Reconstruction*: military districts in South; Republican Reconstruction governments; Black Codes)
- Demonstrates a satisfactory 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 3. Although document information frames the treatment of both issues, the discussion of outcomes includes some historically based conclusions. The response includes scattered analytic statements that would have benefited from the inclusion of additional facts and details.

## Practice Paper C—Score Level 3

### The response:

- Develops all aspects of the task with some depth for the Mexican-American War and for Supreme Court decisions
- Is more descriptive than analytical (*Mexican-American War*: Polk claimed Mexico shed American blood on American soil; those opposed to war thought since Polk wanted land in west belonging to Mexico, he took advantage of Mexico crossing unsettled boundary lines; Senator Corwin claimed Mexico had a right to the land; issue of slavery was brought up; conflict continued throughout 1850s leading to a divided country; *Supreme Court*: court packing sparked outrage from Supreme Court as age was irrelevant to their decision making; Congress thought court packing violated separation of powers and Roosevelt was overstepping his powers; court packing considered by some to be one of Roosevelt's biggest mistakes)
- Incorporates some relevant information from documents 1, 2, 3, 7, 8, and 9
- Incorporates relevant outside information (*Mexican-American War*: some hoped Missouri Compromise line of 36°30' might be extended to Pacific Ocean; others disagreed because that could extend slavery; Southern slaveholders wanted all new territories open to slavery; new land led to Douglas's idea of popular sovereignty being used in the Compromise of 1850; popular sovereignty would decide if New Mexico or Utah would be free or slave; *Supreme Court*: New Deal program orchestrated by Roosevelt seen as one of greatest economic policies in history of the United States; Roosevelt believed his programs would move country out of the Depression; New Deal programs that Roosevelt worried might be rejected were not; he got the chance to appoint judges who supported his policies)
- Includes some relevant facts, examples, and details (*Mexican-American War*: general support from Senate and House; Treaty of Guadalupe Hidalgo; "Bleeding Kansas"; *Supreme Court*: NRA and AAA rejected; appoint another Supreme Court justice for those who did not retire; Social Security)
- Demonstrates a satisfactory plan of organization; includes an introduction that states the federal government is regulated by a system of checks and balances but one branch may upset the equilibrium and a conclusion that is somewhat beyond a restatement of the theme

**Conclusion:** Overall, the response fits the criteria for Level 3. Document interpretation is used to organize a primarily descriptive discussion that includes an occasional good conclusion. The strength of the response is in the development of the outcome of the Mexican-American War.

## Practice Paper D—Score Level 4

### The response:

- Develops all aspects of the task for Reconstruction more thoroughly than for Supreme Court decisions
- Is both descriptive and analytical (*Reconstruction*: Lincoln's philosophy was to bring Southern states back as equals with forgiveness; Lincoln planned to pardon majority of Southern rebels; majority of Congress wanted to punish South for starting war that resulted in deaths of thousands; Johnson agreed with Lincoln that South had not left; many hopes African Americans had when Civil War ended were gone once army left; *Supreme Court*: Roosevelt expanded federal government powers; Roosevelt attempted to get Congress to allow him to appoint new judges so majority would side with him; Congress thought idea was a violation of Constitution; most Americans did not believe president should have the power to control Supreme Court; defeat of court packing proved system of checks and balances was working)
- Incorporates relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates relevant outside information (*Reconstruction*: Lincoln assassinated and Johnson not a powerful figure; Ku Klux Klan kept African Americans from voting and federal government paid little attention; many Southerners maintained deep contempt for North; Southerners reimposed a culture of racism and supported States rights; South made the amendments giving African Americans citizenship and voting rights ineffective with poll taxes and literacy tests; South blocked civil rights legislation by supporting Democrats who opposed measures promoting equality; issues involving race continue; *Supreme Court*: Hoover believed in laissez-faire, trickle-down economics, and self-help, resulting in minimal federal action; Roosevelt used government to help people; Roosevelt pushed work programs, regulations on wages, and help for farmers through Congress; not all congressional legislation was safe from judicial review)
- Supports the theme with relevant facts, examples, and details (*Reconstruction*: ten percent of state voters from 1860 election; refusal to admit Southern representatives; military districts; Reconstruction ending in 1877; *Supreme Court*: Great Depression; AAA and NRA declared unconstitutional; New Deal)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that state that in times of great struggle, the president must lead the United States, which sometimes leads to conflict with other branches

**Conclusion:** Overall, the response fits the criteria for Level 4. Recognizing the long-term negative effects of congressional Reconstruction on the rights of African Americans demonstrates a good historical understanding of its influence on American society. The discussion of the Supreme Court during the Depression could be strengthened by additional supporting facts and details.

## Practice Paper E—Score Level 2

### The response:

- Minimally develops all aspects of the task
- Is primarily descriptive (*Supreme Court*: Roosevelt would be able to choose someone who would support and fight for him; Congress did not like court-packing plan because it interfered with separation of powers; lessons learned were that presidents should think twice before tampering with Supreme Court and, if justices unreasonably impede functioning of branches of government, they could cause a crisis; *Mexican-American War*: Mexico beginning to cross United States boundary; Polk believed people should fight because it was their duty; people felt fight was for Polk and not the country; constant fight of slavery versus non-slavery continued); includes faulty and weak application (*Supreme Court*: Congress' veto of bill because it was never passed; *Mexican-American War*: Polk badly wanted to go to war with Mexico, but Congress opposed it)
- Incorporates limited relevant information from documents 1, 2, 3, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Supreme Court*: if a Supreme Court member at 70 did not retire, a new member would be appointed by president; *Mexican-American War*: America gained new land)
- 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. Information selected from the documents leads to simple but accurate conclusions that demonstrate a basic knowledge of the issues. Brief general statements address all aspects of the task.

# **United States History and Government Specifications**

## **January 2017**

### **Part I**

#### **Multiple-Choice Questions by Standard**

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

#### **Parts II and III by Theme and Standard**

	<b>Theme</b>	<b>Standards</b>
Thematic Essay	Cultural and Intellectual Life; Reform Movements; Places and Regions; Change	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; Foreign Policy; Citizenship; Places and Regions; Constitutional Principles; Government	Standards 1, 2, 3, 4, and 5: United States and New York History; World History; Geography; Economics; 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 2017 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.