

During times of crisis or war civilians are often called upon to help their country in different ways. Some are drafted into the armed forces or willingly enlist. At various points in history the United States government has taken actions that limit peoples civil liberties or rights to help better protect those rights. Two such times was the issuing of Executive Order 9066 by the United States government and the USA Patriot Act passed shortly after the events of September 11, 2001. These decisions were controversial and have been questioned by historians and others.

Executive Order 9066 relocated Japanese Americans to internment camps during World War II. Executive Order 9066 was issued shortly after the Japanese attack on Pearl Harbor. This attack led many Americans, who already held racist feelings towards Japanese Americans, to become even more suspicious. Residents of the west coast became fearful of ethnic Japanese that lived among them. (doc. 4) Increased paranoia about Japanese began to hit many of these Americans as newspaper and radio coverage became more sensational. President Franklin D. Roosevelt was convinced by California politicians and military officials to relocate Japanese Americans from the west coast. He stated that Executive Order 9066 would help protect the national security of America during this time of war. He said he believed that every measure possible had to be taken in order to best protect the citizens of the United States against possible threats from our enemy, the Japanese. (doc. 5a) Those who opposed the issuing of Executive Order 9066 believed that it punished

innocent civilians based on nothing but their ethnicity. Some people believe that the government issued this order to intern Japanese Americans came from the deep rooted racism and hostility white men held against the Japanese because they feared their numbers and economic competition. (doc. 5b) Other people argued that these were innocent citizens being sent to intern camps without due process. Very few Japanese Americans had done anything wrong. They were not displaced to the United States government but yet still they suffered by being made to leave their farms, homes, and businesses. (doc. 6) Some argued that the government was out of line with this action and should be held accountable, but others argued that the federal government has the responsibility of protecting the liberties of the many even though it might mean sacrificing the liberties of the few.

The passage of the USA Patriot Act happened shortly after the events of September 11, 2001. The nation was plunged into a state of fear and panic following the terrorist attacks in New York City and Washington. (doc. 7) The USA Patriot Act was an effort that granted the federal government the power to conduct surveillance on all forms of communication that might be used by potential terrorists such as cell phones or email. The ultimate goal of the USA Patriot Act was to help federal agencies to better uncover and prevent potential threats to national security. Supporters of the act believed it would help prevent any new attack against the United States. (doc. 8) Sacrificing personal rights such as the right to privacy would better help the

government to protect the entire nation. Those who did not support the USA Patriot Act believed that President Bush was undermining the Constitution. People believed this act gave the government too much power and felt intruded upon. (doc. 9a + b) Although citizens did believe they needed protection some believed the USA Patriot Act went beyond reasonable measures in trying to do so.

Ultimately both Executive Order 9066 and the USA Patriot Act had support and opposition from the citizens they were trying to protect. Believed by some to exceed the limitations of the federal government's power these decisions were made to deal with crises that affected a whole nation. Both Executive Order 9066 and the USA Patriot Act were necessary at the time to protect the United States. They were controversial decisions but these decisions helped to protect this nation and ultimately the rights of the people.

Anchor Level 3-B

The response:

- Develops all aspects of the task with little depth for Executive Order 9066 and the USA Patriot Act
- Is more descriptive than analytical (*Executive Order 9066*: the attack on Pearl Harbor led many Americans, who already held racist feelings towards Japanese Americans, to become even more suspicious; President Franklin D. Roosevelt was convinced by California politicians and military officials to relocate Japanese Americans from the West Coast; Roosevelt believed that every measure possible had to be taken in order to best protect the citizens of the United States against possible threats from our enemy, the Japanese; the opposition believed that it punished innocent citizens based on nothing but their ethnicity; some believed that it came from the deep-rooted racism and hostility white men held against the Japanese because they feared their numbers and economic competition; some argued that the government was out of line with this action and should be held accountable; some argued that the federal government has the responsibility of protecting the liberties of the many even though it might mean sacrificing the liberties of the few; *USA Patriot Act*: supporters believed it would help prevent any new attacks against the United States; sacrificing personal rights such as the right to privacy would better help the government to protect the entire nation; people who did not support it believed that President Bush was undermining the Constitution; some people felt the act gave the government too much power; citizens believed they needed protection but some believed that the Act went beyond reasonable measures)
- Incorporates some relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates limited relevant outside information (*Executive Order 9066*: increased paranoia about Japanese began to hit many West Coast Americans as newspaper and radio coverage became more sensational; some people argued that innocent citizens were being sent to camps without due process; very few Japanese citizens were disloyal to the United States government but yet they suffered by being made to leave their farms, homes, and businesses)
- Includes some relevant facts, examples, and details (*Executive Order 9066*: it relocated Japanese Americans to internment camps during World War II; it was issued shortly after the attack on Pearl Harbor; residents of the West Coast became fearful of ethnic Japanese who lived among them; Roosevelt stated it would help protect the national security during time of war; *USA Patriot Act*: the passage happened shortly after the events of September 11, 2001; the nation was plunged into a state of fear and panic following the terrorist attacks in New York City and Washington; it granted the federal government the power to conduct surveillance on all forms of communication that might be used by potential terrorists, such as cell phone or email; the goal was to help federal agencies better uncover and prevent potential threats to national security)
- Demonstrates a satisfactory plan of organization; includes an introduction that during times of crisis or war civilians are often called upon to help their country in different ways, and a conclusion that decisions exceeding the limitations of the federal government's power affect the whole country

Conclusion: Overall, the response fits the criteria for Level 3. Outside historical references and some document analysis combine to add substance to supporting and opposing arguments regarding Executive Order 9066. Although recognizing the challenges posed by terrorism, the discussion relies primarily on document information.

In history many actions have been taken by the U.S. government to protect the U.S.A. The question is, has the U.S. government ever went too far when taking action? A couple of actions taken by the federal government in the past was the Espionage and Sedition Acts, and the executive order 9066, relocating Japanese-Americans. Both acts had their supporters, but were publically criticized as well.

The Espionage and Seditions Acts came into effect during World War I, and that was the main reason for these acts (Document 1). It was important to support government policies during war and not be negative. Another reason was because pro-German propaganda had went unchecked for the first few months of war (Document 1). Immigrant groups depending on where they came from disagreed on which country should be our ally. The government felt threatened by public opinion that was not unified and used the Espionage and Sedition Acts to try and control the debate. These Acts made it illegal to try to interfere with anything to do with the military's success. Charles T. Schenck urged people to resist the draft, and was convicted despite first amendment rights because the supreme court felt that there was a "clear and present danger." (Document 2). One argument against these acts was a crucial one, the restriction of free speech (Document 3a). Free speech has always been a right since the Bill of Rights was added

to the Constitution, and more than 100 years later it was being limited, and people, especially those who disagreed about the war, felt like their rights might permanently be threatened due to these acts.

Another act taken by the U.S. government to protect the country was the relocating of Japanese Americans. This act came during a time of war as well, World War II. The Japanese attacked Pearl Harbor in 1942, and shortly after the country started relocating Japanese Americans primarily because of West Coast fear (Document 4). The government took this action to protect the country in anyway possible just as it had in World War I. (Document 5a). "The day of infamy" is what sparked the relocating of Japanese Americans, but some thought the U.S. went too far. Individuals that were born on U.S. soil, but from Japanese decent, were sent to internment camps as well. One of the most famous case's was Korematsu vs. United States. Even though Korematsu was born in the U.S., and no claim was made that he was disloyal to the country, he was still treated like the enemy and was ordered to leave his home and relocate (Document 6). Internment concerned some people across the country, and some felt the government took the act way to far in the name of national security

The Espionage and Sedition Acts and the interning of

Japanese-Americans were two acts taken by the government to help protect the country. The acts did have their supporters, but they also had just as many of opposers. The American people like their rights, and when they feel they have been violated, they sometimes feel threatened by the government.

Anchor Level 3-C

The response:

- Develops all aspects of the task with little depth for the Espionage and Sedition Acts and Executive Order 9066
- Is more descriptive than analytical (*Espionage and Sedition Acts*: it was important to support government policies during war and not be negative; the government felt threatened by public opinion that was not unified and used them to try and control the debate; people, especially those who disagreed about the war, felt like their rights might permanently be threatened by the acts; *Executive Order 9066*: it was passed to protect the country in any way possible just as they had done in World War I; some thought the United States went too far in the name of national security)
- Incorporates some relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates limited relevant outside information (*Espionage and Sedition Acts*: immigrant groups depending on where they came from disagreed on which country should be our ally; free speech has been a right since the Bill of Rights was added to the Constitution; *Executive Order 9066*: “the day of infamy” is what sparked the relocating of Japanese Americans)
- Includes some relevant facts, examples, and details (*Espionage and Sedition Acts*: World War I was the main reason for the acts; pro-German propaganda had gone unchecked for the first few months of the war; the acts made it illegal to try to interfere with anything to do with the military’s success; Schenck urged people to resist the draft and was convicted because the Supreme Court felt that there was a “clear and present danger”; *Executive Order 9066*: Japanese Americans were relocated during World War II shortly after the Japanese attacked Pearl Harbor; individuals who were born on United States soil, but from Japanese descent, were sent to internment camps; even though Korematsu was born in the United States and no claim was made that he was disloyal to the country he was still treated like the enemy and was ordered to leave his home and relocate); includes a minor inaccuracy (*Executive Order 9066*: Japanese attack on Pearl Harbor in 1942)
- Demonstrates a satisfactory plan of organization; includes an introduction that questions whether the United States government ever went too far when taking action to protect the country and a conclusion that Americans like their rights and when they feel they have been violated, they sometimes feel threatened by the government

Conclusion: Overall, the response fits the criteria for Level 3. Limited outside information is balanced by a few analytical references which, in the case of the Espionage and Sedition Acts, strengthen the discussion. While there is a reference to comparable government actions during World War I and World War II, it is not developed.

There were many times in the history of the United States when the federal government had to take controversial actions that may have limited civil liberties. Two examples of these actions were the passage of the Executive Order 9066 and the Espionage and Sedition Acts.

The Executive Order to place Japanese Americans in internment camps resulted from the Attack on Pearl Harbor. In the attack Japanese planes flew over Pearl Harbor and dropped bombs, ruined war supplies and took many American lives. As Document 4 says, the American people were fearful of the ethnic Japanese around them and their failure to assimilate into society. The order to place these Japanese Americans in ~~isolated~~ isolated internment camps, where they were constantly watched, grew from these fears. Those who opposed the act saw it as immoral and unfair to imprison someone who was born on U.S. ground and should be protected under the Constitution like any other citizens (Doc. 5). Also, it's not fair to isolate these people if they

have nothing to do with the initial crime.

The internment of Japanese-Americans is only one example of the federal government passing laws that violate civil liberties.

Another example would be the Espionage and Sedition Acts passed by Congress during World War I due to the criticism and disloyalty the government faced during the time of war (Doc. 1). The acts imprisoned those who negatively spoke out against government involvement in the military and war efforts.

The Supreme Court justified the acts by saying some newspaper articles/news opinions criticized the government so much they would possibly make people not want to join the armed forces, and during a time of war, the armed forces were extremely important to the safety of the nation (Doc. 2). The other side of the argument was that the United States was based on the Constitution, which included the Bill of Rights and in the Bill citizens had the freedom of speech, however with the Espionage and Sedition Acts, those rights

were violated.

The passage of the Executive Order to intern Japanese - Americans after Pearl Harbor and the Espionage and Sedation Acts are just two examples of the federal government instituting laws that were controversial and limited civil liberties in the United States. Each had its own purpose or reason for being passed, however, along with that reason came those who opposed and those who agreed with the government's actions.

Anchor Level 2-A

The response:

- Minimally develops all aspects of the task for Executive Order 9066 and the Espionage and Sedition Acts
- Is primarily descriptive (*Executive Order 9066*: American people were fearful of the ethnic Japanese around them; the order to place Japanese Americans in isolated internment camps where they would be constantly watched grew from these fears; those who opposed it saw it as immoral and unfair to imprison someone who was born on United States ground and should be protected under the Constitution like any other citizen; it is only one example of the federal government passing laws that violate civil liberties; *Espionage and Sedition Acts*: they were passed due to the criticism and disloyalty the government faced during the time of war; during a time of war the armed forces were extremely important to the safety of the nation); includes faulty and weak application (*Espionage and Sedition Acts*: the acts were used to imprison those who negatively spoke out against government involvement in the military and war efforts; the Supreme Court justified them by saying some newspaper articles and news opinions criticized the government so much that they would possibly make people not want to join the armed forces; *Executive Order 9066*: Japanese Americans had failed to assimilate into society)
- Incorporates limited relevant information from documents 1, 2, 4, and 5
- Presents little relevant outside information (*Executive Order 9066*: in the attack on Pearl Harbor Japanese planes dropped bombs, ruined war supplies, and took many American lives; some felt it was not fair to isolate Japanese Americans who had nothing to do with the initial crime)
- Includes few relevant facts, examples, and details (*Executive Order 9066*: it was an order to place Japanese Americans in internment camps which resulted from the attack on Pearl Harbor; *Espionage and Sedition Acts*: they were passed by Congress during World War I; in the Bill of Rights citizens had the freedom of speech which was violated by the acts)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that are a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 2. Although an incorrect assumption is made regarding assimilation and internment, some understanding of document information and its relation to the task is demonstrated. The opposition argument in both cases could have been strengthened by more supporting facts and details.

Throughout the history of the United States, there have been times when the federal government felt it necessary to ^{take} actions that limited civil liberties. Two examples of this are the passage of the USA Patriot Act in 2001 and the issuing of Executive Order 9066. Both of these actions had supporters and opposers and were enacted by the government because of troubling circumstances.

The USA Patriot Act was passed in 2001 because of acts of terrorism. As stated in Document 7, there were devastating attacks in both Washington and New York. The most infamous being the attack on the World Trade Center building on September 11th that took many innocent lives. After these attacks the government felt it necessary to limit some civil liberties in order to protect its people. The government supported this action by saying that they were taking measures to stop terrorism while it was still being organized. As ~~g~~ former president George Bush expressed ~~s~~ in Document 8, they were giving

the government powers to survey communication to stop a terrorism attack before it could even start. However, many opposers believed this new power was an invasion on their privacy and a restriction on their rights.

The internment of Japanese Americans was enacted during World War II. As stated in Document 4, the Japanese attack on Pearl Harbor was a big blow to Americans. Many people felt that Japanese Americans were not assimilated or loyal to our country. Document 5a shows how the government supported this decision. According to Franklin Roosevelt, the Japanese Americans were interned to ensure the country from espionage and sabotage. However, some people felt that the internment was the result of racism and paranoia. Document 6 also brings up the fact that Japanese Americans were legally United States citizens and had a right to freedom.

As you can see, these actions taken

by the government were very controversial. In order to help protect their people the government sometimes has to limit their civil liberties. Two such cases are the USA Patriot Act of 2001 and the internment of Japanese Americans in 1942. Both the government and its opposers bring up valid arguements to support their opinion.

Anchor Level 2-B

The response:

- Minimally develops all aspects of the task for the USA Patriot Act and Executive Order 9066
- Is primarily descriptive (*USA Patriot Act*: after the attacks in Washington and New York the government felt it necessary to limit some civil liberties in order to protect its people; government supported its action by saying that they were taking measures to stop terrorism while it was still being organized; many of the opposition believed the new power was an invasion of their privacy and a restriction on their rights; *Executive Order 9066*: many people felt that Japanese Americans were not assimilated or loyal to our country; some people felt the internment was the result of racism and paranoia; Japanese Americans were legally United States citizens and had a right to freedom)
- Incorporates limited relevant information from documents 4, 5, 6, 7, and 8
- Presents little relevant outside information (*USA Patriot Act*: the most infamous attack was on the World Trade Center building on September 11 that took many innocent lives)
- Includes few relevant facts, examples, and details (*USA Patriot Act*: it was passed because of acts of terrorism; it gave the government powers to survey communication to stop a terrorist attack before it could even start; *Executive Order 9066*: internment was enacted during World War II; the Japanese attack on Pearl Harbor was a big blow to Americans; Franklin Roosevelt said the Japanese Americans were interred to ensure the country from espionage and sabotage)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that are a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 2. An understanding that troubling circumstances can result in government limitations on civil liberties is demonstrated in a brief discussion. While primarily relevant document information is used to address both actions, statements about Japanese internment lack sufficient explanation.

Throughout history, there are those who want to enforce peace, and there are others who wish to disrupt it. There are many times in history where this has been seen. America has had its fair share of peace + wartime. And when the nation is affected, the government must act in a manner that protects the people.

During WWII, following the events at Pearl Harbor, America passed the Executive Order 9066: The Japanese Internment Act, in 1942. This act sent all Japanese Americans, citizens or not, to internment camps and forced to give up all their property + belongings. According to Document 4, the people of California were afraid of the Japanese residents because they felt they were in league with the Japanese armies and could attack the West. In response, military defense bases were set up and the Japanese were moved into internment camps. This decision caused much controversy. Theodore Roosevelt argued that necessary actions must be taken to protect the nation in wartime. (Doc 5c)

Writer Stanley Kutler felt that the government passed the internment act as an act of racism and insecurity towards foreigners. (Doc 5b).

On the other hand, many people were against the Japanese Internment. Justice Robert Jackson argued that many of the foreigners in question were citizens and that removing them from society to live in isolation was unconstitutional. (Doc 6).

In the end, however, necessary actions were taken to protect the nation.

Another step that was taken to protect America was the Patriot Act, established in 2001 by George W Bush (Doc 7) after 9/11. The Patriot Act gives the government the right to wire-tape possible terror suspects, allowing them to intercept calls, texts, e-mails, or any communication of the sort. (Doc 8). The Patriot Act had its flaws however. Some felt it infringed on the privacy of the American citizens. Many, like Richard Lucayo, feel that the Patriot Act was not that necessary. He stated

The government was taking drastic measures in protecting the US. (Doc 9, a+b).
No matter how you look at it, drastic times do call for drastic measures. When a nation is attacked, its government is responsible for protecting the citizens and doing what is needed to ensure that safety.
In times of war we all must make sacrifices.

Anchor Level 2-C

The response:

- Develops some aspects of the task for Executive Order 9066 and the USA Patriot Act
- Is primarily descriptive (*Executive Order 9066*: people of California were afraid of Japanese residents; Roosevelt argued that necessary actions must be taken to protect the nation during wartime; Kutler felt that the government passed the internment act as an act of racism and insecurity towards foreigners; Justice Robert Jackson argued that many in question were citizens and that removing them from society to live in isolation was unconstitutional; *USA Patriot Act*: some felt it infringed on the privacy of American citizens; many felt it was not necessary and that the government was taking drastic measures in protecting the United States); includes faulty and weak application (*Executive Order 9066*: it sent all Japanese Americans, citizens or not, to internment camps and they were forced to give up all their property and belongings; many foreigners in question were citizens; people of California felt Japanese residents were in league with the Japanese armies and could attack the West)
- Incorporates limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Executive Order 9066*: it was passed following the events at Pearl Harbor during World War II; military defense bases were set up; *USA Patriot Act*: it was established in 2001 by George W. Bush after 9/11; it gives the government the right to wiretap possible terror suspects, allowing them to intercept calls, texts, emails, or communication of any sort); includes an inaccuracy (*Executive Order 9066*: Theodore Roosevelt instead of Franklin D. Roosevelt)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that when a nation is affected by war, the government must act in a manner that protects the people

Conclusion: Overall, the response fits the criteria for Level 2. Although misconceptions regarding the Japanese American internment weaken the discussion, a limited understanding of its controversial nature is demonstrated. Historical circumstances surrounding Executive Order 9066 and the passage of the USA Patriot Act are limited to the mentioning of a date and an event. A brief explanation of the action is presented as a supporting argument.

At various times in United States history, the Federal government has taken controversial actions that have limited civil liberties. Two such actions were internment of Japanese Americans (1942), and the passage of USA Patriot Act (2001):

In 1942 World War II was going on. The Japanese were attacking the Americans. The government thought that Japanese Americans would betray America. Government officials in California called for the relocation of Japanese Americans because the West Coast is much closer to Japan than every other part of the USA. and Japanese planes could land in California and the government thought that Japanese Americans would help them. It was to protect the USA against Espionage and Sabotage in time of war. Those who opposed the government's action said If you are born in American soil you are an American citizen of the United States of America.

On September 11, 2001 New York was attacked. There were new power given to the Federal government by the USA Patriot Act. The USA Patriot Act gives law-officials better tools to put an end to financial counterfeiting, smuggling, and money laundering. The goal of passing of the USA Patriot Act was to stop anybody who wanted to do something bad to the USA. Those who opposed the government's action said is significant civil liberties price to be paid as we adopt various national security.

When the United States is at war things change. People are sometime not okay with it.

Anchor Level 1-A

The response:

- Minimally develops some aspects of the task for Executive Order 9066 and the USA Patriot Act
- Is descriptive (*Executive Order 9066*: the government thought that Japanese Americans would betray America; government officials in California called for the relocation of Japanese Americans because the West Coast was much closer to Japan than every other part of the United States; the government thought that if Japanese planes landed in California Japanese Americans would help them; the government wanted to protect the United States against espionage and sabotage in time of war; those who opposed the government's action believed if you are born on American soil you are a citizen of the United States of America; *USA Patriot Act*: the goal of the act was to stop anyone who wanted to do something bad to the United States; those who opposed the government's action said civil liberties was a significant price to be paid as various acts of national security were adopted)
- Includes minimal information from documents 4, 5, 6, 7, 8, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*Executive Order 9066*: in 1942 World War II was going on; Japanese were attacking Americans; *USA Patriot Act*: on September 11, 2001 New York City was attacked; it gave the federal government new power; it gave law officials better tools to put an end to financial counterfeiting, smuggling, and money laundering)
- Demonstrates a general plan of organization; includes an introduction that is a restatement of the theme and a brief conclusion that when the United States is at war things change and people are sometimes not okay with it

Conclusion: Overall, the response fits the criteria for Level 1. An attempt is made to use relevant information from the documents to establish historical circumstances for both actions. Statements that represent arguments to support the government action are presented without explanation. Statements representing arguments against the government action are vague.

In many years, the United States took actions that denied people of their civil liberties. In 1917, the passage of the Espionage and Sedition Act, and the passage of the USA Patriot Act (2001) were some actions taken.

The Espionage and Sedition act gave the government the right to do anything to prevent people from speaking out against the military. This deprived people of their constitutional rights. At the passage of this act the government claimed it was to protect the USA's ~~secret~~ security. The citizens ~~there~~ who were accused of Espionage and sedition felt a whole other way. They felt rumors, criticism and propaganda was one way the act was passed. They also felt it was a way that the President can screen himself from criticism (Doc 1). People were deprived of their constitutional rights. The rights were limited if they created "a clear and present danger." The printing of leaflets could be intended to obstruct the recruiting of armed forces. (Doc 2).

The USA Patriot Act was passed in 2001. This act was to prevent acts of terrorism (Doc 3) It was passed after the tragic September 11, 2001 attack. That

attacked prompted a change in national security, law enforcement, and intelligence operations. More than half the US felt that the government would not go far enough to protect us.

Other citizens felt that the U.S would go too far. The passage of the USA Patriot Act resulted in the absence of constitutional rights. (Doc 9). These citizens felt that some of the changes weren't necessary because our rights were being ignored.

Those actions resulted in the ignoring of our constitutional rights. The USA Patriot Act and the Espionage and Sedition Act made the US feel that they could ignore our rights.

Anchor Level 1-B

The response:

- Minimally develops some aspects of the task for the Espionage and Sedition Acts and the USA Patriot Act
- Is descriptive (*Espionage and Sedition Acts*: they deprived people of their constitutional rights; the government claimed they were passed to protect the country's security; people felt the acts were a way the President could screen himself from criticism; people's constitutional rights were limited if they created "a clear and present danger"; printing of leaflets could be intended to obstruct the recruiting of armed forces; *USA Patriot Act*: it was to prevent acts of terrorism); lacks understanding and application (*Espionage and Sedition Acts*: they gave the government the right to do anything to prevent people from speaking out against the military; *USA Patriot Act*: it resulted in the absence of constitutional rights)
- Includes minimal information from documents 1, 2, 7, and 9
- Presents no relevant outside information
- Includes few relevant facts, examples, and details (*USA Patriot Act*: it was passed in 2001 after the tragic September 11, 2001 attack; the attack prompted a change in national security, law enforcement, and intelligence operations; more than half the citizens felt the act did not go far enough to protect us)
- Demonstrates a general plan of organization; includes an introduction that is a restatement of the theme and a conclusion that actions of the federal government resulted in ignoring citizens' constitutional rights

Conclusion: Overall, the response fits the criteria for Level 1. Document information is used to hint at historical circumstances associated with the USA Patriot Act. Arguments supporting and opposing the government actions, although document-based, are poorly stated and demonstrate very little understanding.

Throughout American History, war time has brought a unique sense of urgency and security to the nation. The necessity to protect the well-being and safety of the American people becomes a priority. Many methods used have stirred great controversy on the grounds that these precautions interrupt individual rights and freedoms guaranteed by the United States Constitution. The Executive order 9066 and the USA Patriot Act of 1942 and 2001, respectively, both offer protection to the American People, however they both become target for those who thought they were a ~~hand~~ hindrance to individual rights and freedoms. The internment of ~~Japen~~ Japanese-Americans and they surveillance of all forms of communication was intended to protect the nation, but had more implications than that.

From a standpoint of national security and necessity, it could be argued by some that Executive Order 9066 and The USA Patriot Act were in the best interest of the American People. Although it was never proven that there was widespread sabotage ~~of~~ or treason by the Japanese American community, ~~reel~~ relocation was an extra step taken to insure the public's safety. It would hopefully prevent even the slightest possibility of spy activities. Pearl Harbor made many people on the West Coast anxious because of its geographic location. The intent of these camps was not to physically harm or mistreat Japanese Americans, although psychologically they did great harm. Internment was designed

to eliminate the possibility of trouble on the home front during a national emergency. Similarly, after the September 11, 2001 terrorist attacks, the USA Patriot Act was passed a precaution taken in order to better the chances of the government finding potential terrorist threats and hopefully eliminating them before other attacks occur. It significantly increased the power of the federal government to monitor different forms of communication (doc 8).

The opposition to these attempts at homeland security posted good arguments. Although the Supreme Court case of *Korematsu vs. United States* said that relocation of Japanese Americans to internment camps during World War II was constitutional, many points were made that strongly favor *Korematsu's* defense. As an American citizen, and a native to the United States, why should it be made a crime for being of Japanese descent (doc 6)? If it was, internment was an act of racism. Other arguments stated that it was done because of the insecurity of military officials (doc 56). Nativist Californians who were anti-Japanese American had supported legislation to limit their right to become citizens and to own land (doc 4). Basically because of being of Japanese descent, their rights were stripped again when the federal government made them relocate to camps without evidence of wrongdoing. Similarly, people against the USA Patriot Act argued that it was a direct interruption of privacy. Though most

Americans agreed that the government should resort to almost any means necessary to stop terrorism (Doc 7), there was controversy as to how much power the government should have in monitoring communication. There was much question as to how far from guaranteed civil liberties the government should go to protect the American Public for national security reasons (Doc. 9b).

There were ~~a~~ many arguments favoring both sides of the situation when it came to the welfare of the nation, and the national security of the U.S. Most of the precautions taken which have compromised civil liberties ~~has~~ throughout history have had mixed results. Congress eventually apologized to the Japanese Americans, but the Patriot Act so far seems to have helped prevent further terrorist acts. Many continue to believe that the lives negatively impacted by these steps taken to insure national security have been sacrifices necessary for the good of America.

Although the United States is seen by many countries as a country of many freedoms, there have been times when the U.S. had to limit the rights people had. Two such examples are, the passage of the Espionage & Sedition Acts of 1917 and 1918 and Executive Order 9066 in 1942. Both of these examples limited the rights of Americans during war-time and both were seen as exaggerated responses to a mostly non-existent problem.

Initially reluctant to get involved in a European war, the U.S. declared ^{neutrality} ~~neutrality~~. This was consistent with our foreign policy traditions all the way back to George Washington and his Proclamation of Neutrality during the wars stemming from the French Revolution. However, in 1917, the U.S. had joined the war effort of World War I on the side of the Allies. This switch came in part from Germany's use of submarine warfare which took hundreds of American lives. Anti-German sentiment was one factor creating support for shutting down pro-German activities here at home. Although most Americans were convinced of the war's idealistic goals and saw it as a way to protect democracy, some also saw it as a waste of men and material for a war thousands of miles away. Some who were not sympathetic to the British, started spreading ill rumors and pushing pro-german propaganda. Since the U.S. was unprepared to fight in a world war the national gov't saw dissent as a dampener on the U.S. war effort. To counter antiwar sentiments and worries about German sabotage, the gov't passed the Espionage and Sedition Acts in 1917 and 1918 respectively. The Espionage Act allowed the government to arrest and imprison people seen as spreading negative opinions about the war or trying to do something to impede the war effort. The Sedition Act made it illegal

to say or write anything disloyal about the government or the armed services. Many Americans were for this, seeing it as patriotic and necessary to keep radical antiwar groups such as the IWW and Socialists in their place. The Espionage Act led Charles Schenck to be imprisoned for passing out leaflets to people saying not to support the draft. Others though, saw it as a way for the government to limit criticism of its war efforts and control public opinion. Senator Robert M. LaFollette stated that Americans need to be allowed their free speech during wars when the government becomes more powerful. Some thought Americans should have the right to disagree with a war or the policies imposed on a country during a war. These opposing viewpoints in such a problematic time has made these two acts very controversial just as the Alien and Sedition Acts were in the 1790s. Passing legislation targeting individuals who disagree with the government goes against our democratic ideals.

On December 7th, 1941, the Japanese Imperial Fleet destroyed most of the U.S. Pacific Fleet at Pearl Harbor using a devastating plane assault. This made Americans, particularly on the west coast, very afraid of a possible Japanese invasion of the U.S. People living on the west coast, perhaps due to a long-term "yellow peril" racism and paranoia, began to say that the Japanese Americans living in their areas might actually be spies for the Japanese Empire. The U.S. general charged with defending the west coast argued that military necessity demanded the removal of Japanese Americans. The FBI and others claimed this was nonsense, but the military prevailed. Franklin D. Roosevelt then issued Executive Order 9066 in 1942. This allowed for the re-location of Japanese-Americans on the basis of their ethnic origin from

the coast to internment camps in the interior of the U.S. Many white Americans on the Pacific Coast saw this as necessary due to fears that Japanese Americans might sabotage factories or join Japanese forces if they invaded. Taking a chance of having so many enemies "within" didn't make sense to some when so much had to be done to win a war against the Japanese and Germans. But others, such as Justice Robert H. Jackson of the Supreme Court, thought it was an unconstitutional order that went against everything the U.S. stood for. He went on to state as a dissenter in the Supreme Court case *Korematsu vs. U.S.*, that Korematsu was living in America, was born in America and was Japanese by heritage and that his heritage was the reason of his internment. The Supreme Court however ruled that the internment policies were a military necessity. Executive order 9066 kept the Japanese Americans in relocation camps for more than three years. Some today see this as an act of paranoia and racism by the U.S. against Japanese Americans. A congressional apology for the internment does not erase this terrible violation of civil liberties.

The United States is said to be the "land of the free and the home of the brave." What many people don't realize is that, at times, especially wartime, individuals have been forced to give up certain liberties due to their ethnicity or their beliefs. 2 such times were the passing of the Espionage & Sedition acts of 1917 and 1918 and the issuing of Executive Order 9066 in 1942. Both of these government policies, although seeming right at the time, undermined what the U.S. stood for.

In several cases during United States history, government became more involved with citizens' personal rights and liberties for various reasons, including war and terrorism. Two such acts included the Executive Order 9022 for the relocation of Japanese Americans and the USA Patriot Act. Each of these two acts was faced with a series of oppositions and support, leading to their characterization of being "controversial" federal actions.

~~These~~ The first of these two acts was the Executive Order 9022, issued during the 1940's in response to the Japanese aggression in World War II. With the bombing of Pearl Harbor, the Japanese initiated a conflict between America and Japan that led to American involvement in the second World War. Another event, according to Rehnquist's ALL LAWS BUT ONE, was the shelling of oil installations in Feb. 1942 near Santa Barbara. "Public officials began to call for the 'relocation' of persons of Japanese ancestry." The government supported this action in response to American ~~war~~ ^{citizens' fear} efforts, that Japanese-Americans would become traitors and sabotage American war efforts. President Roosevelt approved of the measure, stating that "successful prosecution of the war required every possible protection against espionage and against sabotage to national self-defense material." Apparently, the government believed that if Japanese continued to live in American society, they would remain loyal to their native lands and send American secrets to them. However, some believed that

This act was ~~only~~ overly drastic and denied rights to legal, Japanese-American citizens. Stanley I. Kutler wrote that "very few [Japanese] were disloyal persons" and that "no military necessity existed to justify so Draconian a measure." In *Korematsu vs. US*, Justice Robert Jackson stated his opinion that the Japanese were being unfairly treated. They were "law abiding and well disposed," and their only "crime" was being of Japanese birth. Many Japanese Americans were Nisei, American-born Japanese, and harbored very little sentimental connections to their native land. Many years later, the government formally apologized to the Japanese internment camp survivors for the Executive Order and awarded compensation for their material losses.

The second government interference in citizens' personal rights was seen in the USA Patriot Act of 2001. This act was a response to the terrorist attacks on September 11th, the anthrax mailings and American fear of another terrorist attack. Leone and Anrig in *The War on Our Freedoms* wrote that the majority of American citizens supported the Act, stating that they would rather protect the country from terrorist attacks even if it meant possible government infringement on their civil liberties. The act changed "the laws governing information-sharing." The government could now initiate the surveillance of communications legally, which included phone-tapping, emails, Internet and cell-phones. However a rather large portion of American

population expressed a negative sentiment of the Patriot Act. Stating that the act denied American citizens' right to privacy, people protested the invasive and intrusive acts of the government into their personal lives. People had the right to freedom of speech and expression, and this right was nullified by allowing the government to possibly prosecute American citizens and legal residents by recording their ^{communication} ~~conversations~~ with others. Although the government passed the measure, declaring it the most effective way to root out terrorism, many citizens felt discomfort at the lack of privacy and the dismissal of their privacy rights and freedom of speech. Federal courts have declared some parts of the Patriot Act unconstitutional.

Both the Executive Order 9822 and the USA Patriot Act held different, varying opinions by American citizens. Neither act was completely good nor evil, but was a measure taken by government in order to protect American people. However, no matter how much America needed protection, many believed that citizen's' original rights should be respected and that certain measures were far too drastic and gave the federal government too much power.

The espionage act and the
Sedition legislation were two Acts.

The US took the Sedition and
legislation act two severely.

The US took the espionage
Act right because people were dying from
fevers and US had to fix it

Both Acts has helped united
States.

Throughout United States History the federal government has taken actions which led to the limiting of civil liberties. Two of these actions include the Espionage and Sedition Acts of 1917 and 1918 and the USA Patriot Act of 2001.

The Espionage and Sedition Acts were the government's ability to limit the freedom of speech of the people. They did this because many negative rumors began to spread, America's military preparations were being criticized, and people in favor of Germany had sent out propaganda which was left unchecked. (Doc 1) The Act said that any statement that interfered with the armed forces or was disloyal to the army was now to be punished. The government could now control what the people said.

The Supreme Court's argument to support the Espionage and Sedition Acts was backed up by Brandeis. They said that the words by the people created a "clear and present danger" which Congress had to prevent. (Doc 2) It was the job of the government to make sure that nobody interfered with the army even if that meant taking away freedom of speech. However others thought differently. Senator La Follette argued that

Citizens and representatives in Congress, especially in times of war must be allowed to maintain freedom of speech (Doc 3a) Without freedom of speech there is no way to express the ideas of the people. Others believed that the Acts were far too drastic, (Doc 3b) and that such severe action was not needed.

The USA Patriot Act also limited civil liberties. After the attack on September 11, 2001, the nation was put into a state of chaos. Threat after threat was coming in and anthrax mailings became a constant concern. (Doc 7) The people wanted the government to do all they could to protect the civil liberties of the people, no matter what the cost. In fact, some feared the government wouldn't do enough.

According to President Bush, the USA Patriot Act gave law officials better tools to put an end to financial counterfeiting, smuggling and money laundering. (Doc 8a) Those against it said that it went against the constitution (Doc 9b) and unraveled the original constitution to protect the people.

Both acts were made to limit the civil

liberties of the people. the Espionage and Sedition Acts tried to limit free speech to prevent army interference and USA Patriot Act unraveled the Constitution to protect the liberties of the people. Both acts were made for the people and illustrated government interference.

Practice Paper A—Score Level 3

The response:

- Develops all aspects of the task with little depth but discusses Executive Order 9066 more thoroughly than the USA Patriot Act
- Is more descriptive than analytical (*Executive Order 9066*: Pearl Harbor made many people on the West Coast anxious because of its geographic location; internment was designed to eliminate the possibility of trouble on the home front during a national emergency; in *Korematsu v. United States* many points were made that strongly favored Korematsu's defense; arguments stated that internment was because of the insecurity of military officials; *USA Patriot Act*: after the September 11, 2001 terrorist attacks it was passed as a precaution to better the chances of the government finding potential terrorist threats and hopefully eliminating them before other attacks could occur; people who argued against it believed it was a direct interruption of their privacy; it significantly increased the power of the federal government to monitor different forms of communication)
- Incorporates some limited relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates relevant outside information (*Executive Order 9066*: although it was never proven that there was widespread sabotage or treason by the Japanese American community, it was an extra step taken to ensure the public's safety; it would hopefully prevent even the slightest possibility of spy activities; the intent of the camps was not to physically harm or mistreat Japanese Americans although psychologically they did great harm; nativist Californians who were anti-Japanese American had supported legislation to limit the right of Japanese Americans to become citizens and own land; the federal government made them relocate to camps without evidence of wrongdoing basically because they were of Japanese descent)
- Includes some relevant facts, examples, and details (*Executive Order 9066*: the Supreme Court case of *Korematsu v. United States* said that relocation of Japanese Americans to internment camps during World War II was constitutional; Korematsu was an American citizen and a native to the United States; *USA Patriot Act*: most Americans agreed that the government should resort to almost any means necessary to stop terrorism; there was controversy over how much power the government should have in monitoring communication)
- Demonstrates a satisfactory plan of organization; includes an introduction that war has brought a unique sense of urgency and security to the nation and a conclusion that steps taken to ensure national security have been necessary sacrifices for the good of America

Conclusion: Overall, the response fits the criteria for Level 3. The premise that actions taken by the federal government have had implications beyond their intent and that compromising civil liberties can have mixed results are supported by good document analysis. Further development of ideas and the inclusion of relevant outside information would have strengthened the discussion of the USA Patriot Act.

Practice Paper B—Score Level 5

The response:

- Thoroughly develops all aspects of the task evenly and in depth for the Espionage and Sedition Acts and Executive Order 9066
- Is more analytical than descriptive (*Espionage and Sedition Acts*: some saw them as a way for the government to limit criticism of its war efforts and control public opinion; Senator La Follette stated that Americans needed to be allowed free speech during wars when the government becomes more powerful; passing legislation targeting individuals who disagree with the government goes against our democratic ideals; *Executive Order 9066*: Pearl Harbor made Americans, particularly those on the West Coast, very afraid of a possible Japanese invasion; people living on the West Coast, perhaps due to long-term “yellow peril” racism and paranoia, began to say that the Japanese Americans living in their areas might actually be spies; taking a chance of having so many enemies “within” did not make sense to some when so much had to be done to win a war against the Japanese and Germans; Justice Jackson thought internment was unconstitutional)
- Incorporates relevant information from documents 1, 2, 3, 4, 5, and 6
- Incorporates substantial relevant outside information (*Espionage and Sedition Acts*: this was consistent with our foreign policy traditions all the way back to George Washington and his Proclamation of Neutrality; most Americans were finally convinced of the war’s idealistic goals and saw them as a way to protect democracy; some saw the war as a waste of men and material for a war thousands of miles away; some who were not sympathetic to the British started spreading ill rumors and pushing pro-German propaganda; national government saw dissent as a dampener on the war effort; many Americans supported the acts as patriotic and necessary to keep radical antiwar groups in their place; they were as controversial as the Alien and Sedition Acts were in the 1790s; *Executive Order 9066*: the Japanese Imperial fleet destroyed most of the United States Pacific fleet at Pearl Harbor; it kept the Japanese Americans in relocation camps for more than three years; a congressional apology for the internment does not erase the terrible violation of civil liberties)
- Richly supports the theme with many relevant facts, examples, and details (*Espionage and Sedition Acts*: Espionage Act allowed the government to arrest and imprison people seen as spreading negative opinions about the war; Sedition Act made it illegal to say or write anything disloyal about the government or the armed services; Espionage Act led to Schenck’s imprisonment for passing out leaflets to people saying not to support the draft; *Executive Order 9066*: it allowed for relocation of Japanese Americans on the basis of ethnic origin to internment camps in the interior of the United States; Justice Jackson stated that Korematsu’s heritage was the reason for his internment; the Supreme Court ruled that internment policies were a military necessity)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that while we are seen by many countries as a country of freedoms, there have been times when the United States has had to limit the rights of the people

Conclusion: Overall, the response fits the criteria for Level 5. A good knowledge of historical factors influencing support for the passage of the Espionage and Sedition Acts sets the stage for a thorough discussion of arguments supporting and opposing those actions. Limited historical information about Executive Order 9066 is offset by sophisticated analytical conclusions that reflect a thoughtful approach to document interpretation.

Practice Paper C—Score Level 3

The response:

- Develops most aspects of the task with some depth for Executive Order 9066 and the USA Patriot Act
- Is more descriptive than analytical (*Executive Order 9066*: American citizens feared that Japanese Americans would become traitors and sabotage American war efforts; some believed the act was overly drastic and denied rights to legal Japanese American citizens; Stanley Kutler wrote that very few Japanese were disloyal and “no military necessity existed to justify so Draconian a measure”; Justice Jackson stated that the Japanese were being unfairly treated because they were “law abiding and well disposed” and their only “crime” was being of Japanese birth; many Japanese Americans were Nisei and harbored very little sentimental connections to their native land; *USA Patriot Act*: the majority of American citizens supported the Act, stating that they would rather protect the country from terrorist attacks even if it meant possible government infringement on their civil liberties; some stated the Act denied American citizens’ right to privacy; people protested the invasive and intrusive acts of the government into their private lives; many citizens felt discomfort with the lack of privacy and the dismissal of their privacy rights and freedom of speech)
- Incorporates some relevant information from documents 4, 5, 6, 7, 8, and 9
- Incorporates limited relevant outside information (*Executive Order 9066*: with the bombing of Pearl Harbor, the Japanese initiated a conflict between America and Japan that led to American involvement in the second World War; many years later the government formally apologized to the Japanese internment camp survivors and awarded compensation for their material losses; *USA Patriot Act*: federal courts have declared some parts of the Act unconstitutional)
- Includes some relevant facts, examples, and details (*Executive Order 9066*: oil installations near Santa Barbara were shelled in February 1942; the government supported the relocation of persons of Japanese ancestry; President Roosevelt stated that the successful prosecution of war required every possible protection against espionage and against sabotage to national self-defense material; *USA Patriot Act*: it was a response to the terrorist attacks on September 11, 2001, the anthrax mailings, and American fear of another terrorist attack; it changed the laws governing information sharing; government could initiate the surveillance of communications legally, which included phone-tapping, emails, Internet, and cell phones); includes an inaccuracy (*Executive Order 9066*: Executive Order 9022)
- Demonstrates a satisfactory plan of organization; includes an introduction that is a restatement of the theme and a conclusion that no matter how much America needed protection, many believed that citizens’ rights should be respected

Conclusion: Overall, the response fits the criteria for Level 3. The documents are used to frame the response to make key points. Quotations from documents are aligned with the task. A methodical approach to the development of the task is enhanced by the inclusion of some analytical statements.

Practice Paper D—Score Level 0

The response:

Attempts to develop the task; refers to the theme in a general way; includes no relevant facts, examples, and details

Conclusion: Overall, the response fits the criteria for Level 0. Although there is recognition that the Espionage and Sedition Acts are different, that is not relevant to the task. There is no indication of an understanding of the task.

Practice Paper E—Score Level 2

The response:

- Minimally develops some aspects of the task for the Espionage and Sedition Acts and the USA Patriot Act
- Is primarily descriptive (*Espionage and Sedition Acts*: they were passed because many negative rumors began to spread; people in favor of Germany had sent out propaganda which was left unchecked; the government could now control what the people said; Congress had to prevent a “clear and present danger”; the Supreme Court said it was the job of the government to make certain that no one interfered with the army even if that meant taking away freedom of speech; Senator La Follette argued that citizens and representatives in Congress, especially in times of war, must be allowed to maintain freedom of speech; without freedom of speech there is no way to express the ideas of the people; others believed they were far too drastic and that such severe action was not needed; *USA Patriot Act*: some feared the government would not do enough; those against it said it went against the Constitution); includes faulty and weak application (*Espionage and Sedition Acts*: the Supreme Court’s argument to support them was backed up by Rehnquist; *USA Patriot Act*: people wanted the government to do all they could to protect the civil liberties of people, no matter what the cost)
- 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 (*Espionage and Sedition Acts*: they gave the government the ability to limit freedom of speech; America’s military preparations were being criticized; the act said that any statement that interfered with the armed forces or was disloyal to the army was now to be punished; *USA Patriot Act*: after the attack on September 11, 2001 the nation was put into a state of chaos; threat after threat was coming in and anthrax mailings became a constant concern; according to President Bush it gave law officials better tools to put an end to financial counterfeiting, smuggling, and money laundering)
- Demonstrates a general plan of organization; includes an introduction that is a restatement of the theme and a conclusion that is unclear and confusing

Conclusion: A limited understanding of the task is demonstrated. While document information related to arguments supporting and opposing the Espionage and Sedition Acts and the USA Patriot Act is provided, this information is not explained or clarified.

United States History and Government Specifications August 2012

Part I Multiple-Choice Questions by Standard

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

Parts II and III by Theme and Standard

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

Notes:

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

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

The *Chart for Determining the Final Examination Score for the August 2012 Regents Examination in United States History and Government* will be posted on the Department's web site at: <http://www.p12.nysed.gov/apda/> 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.