5.5 US Congress: Structure and Formal Powers of the House and Senate

Total Marks

EDEXCEL 9PL0 · about 60 minutes · Write-in edition

Name: _____ Date: ____ / ____ / _____

Answer ALL questions. For levels-marked questions, write extended, well-structured responses with accurate factual detail and clear evaluation. At least three questions require full-sentence answers: the 12-mark source question and the final 30-mark essay, and the 9-mark explanatory question where requested. Allow about 70 minutes for completion.

1 State the number of voting members in the United States House of Representatives.

(Total for Question 1 is 1 mark)

2 State the current size of the United States Senate and how many senators represent each state.

(Total for Question 2 is 1 mark)

3 This question asks about term lengths: state the constitutionally specified term length for a member of the House of Representatives.

(Total for Question 3 is 1 mark)

4 This question asks about term lengths: state the constitutionally specified term length for a United States Senator.

(Total for Question 4 is 1 mark)

5 State which chamber of Congress revenue bills must originate in.

(Total for Question 5 is 1 mark)

6 This question asks about eligibility ages for Congress: state the minimum ages required to serve in the House of Representatives and in the Senate.

(Total for Question 6 is 2 marks)

7 Explain, with two reasons, how the different term lengths of House members and Senators affect the nature of their constituencies and electoral incentives. Refer to term lengths of 2 years and 6 years.

(Total for Question 7 is 3 marks)

8 State the Senate's constitutional role in the making of treaties.

(Total for Question 8 is 1 mark)

9 Using the two short source extracts below about Congresss formal powers, analyse two ways in which Congresss formal constitutional powers can constrain the President. Source A is a modern textbook summary; Source B is an excerpt of the US Constitution clauses cited. Source A: "Congress holds the power of the purse and the authority to pass statutes, with revenue measures originating in the House; the Senate must consent to treaties and confirm certain appointments." Source B: "Article I, Section 7: All Bills for raising Revenue shall originate in the House of Representatives. Article II, Section 2: He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur." Using the source, analyse two ways in which these formal powers can constrain the President. Write in full sentences and use the source in your analysis.

(Total for Question 9 is 12 marks)

10 Evaluate the extent to which the Senate is more powerful than the House of Representatives in the US constitutional system. In your answer, consider their formal constitutional powers, the thresholds required for key actions and the ways each chamber can check or enable presidential action. Reach a reasoned judgement.

(Total for Question 10 is 30 marks)

11 This question asks about Congress's role in impeachment under the Constitution. Explain the distinct roles of the House of Representatives and the Senate in the impeachment process, and state the vote thresholds required in each chamber where relevant.

(Total for Question 11 is 4 marks)

Mark scheme · 5.5 US Congress: Structure and Formal Powers of the House and Senate

Question 1

identifies that the House of Representatives has 435 voting members cao **B1**

Answer: 435 voting members in the House of Representatives.

Question 2

identifies that the Senate has 100 members, two from each state cao **B1**

Answer: 100 senators, two from each state.

Question 3

states that House members serve two-year terms cao **B1**

Answer: Two years.

Question 4

states that Senators serve six-year terms cao **B1**

Answer: Six years.

Question 5

identifies that revenue bills must originate in the House of Representatives cao **B1**

Answer: Revenue bills must originate in the House of Representatives.

Question 6

states minimum age for the House, 25 years cao **B1**

states minimum age for the Senate, 30 years cao **B1**

Answer: House minimum age 25 years; Senate minimum age 30 years.

Question 7

states that 2-year House terms make Representatives more frequently accountable to voters, increasing short-term electoral incentives **B1**

states that 6-year Senate terms allow Senators to plan longer-term policy work and reduce immediate electoral pressure **B1**

connects these differences to constituency representation, e.g. House members represent smaller districts and campaign more often, while Senators represent entire states and can adopt broader, longer-term positions **B1**

Answer: Two-year House terms make Representatives face voters more often, creating stronger short-term electoral incentives and responsiveness to district-level concerns. Six-year Senate terms reduce the frequency of campaigning, allowing Senators to pursue longer-term policy goals and take positions for a statewide electorate rather than a smaller district.

Question 8

identifies that the Senate gives advice and consent to treaties, with consent requiring two-thirds of senators present cao **B1**

Answer: The Senate gives advice and consent to treaties; consent requires the concurrence of two-thirds of senators present.

Question 9

Level 0 No relevant content. **0**

Level 1 Basic use of the source with limited or generalised statements about congressional constraints, little development or specific linkage to constitutional clauses. **1-3**

Level 2 Clear use of the source to identify at least one formal constraint (such as power of the purse or treaty ratification) with some analysis of its operation, but limited development or examples. **4-6**

Level 3 Detailed use of both extracts to analyse two distinct constitutional constraints on the President, with developed explanation of how each constraint operates in practice and reference to the relevant constitutional text in Source B. **7-9**

Level 4 Sophisticated analysis driven by the sources, examining two formal constraints in depth, linking constitutional clauses to concrete effects on presidential action, considering strengths and limits of the constraints and reaching a reasoned judgement about their practical impact. **10-12**

Indicative content:

- Power of the purse: Source A notes Congress holds the power of the purse and Source B quotes the Origination Clause for revenue bills, which constrains the President because the executive cannot raise revenue unilaterally and must secure House approval for taxation or major spending that funds presidential priorities.
- Analysis of purse constraint: explain how control of appropriation and authorisation bills allows Congress to withhold funding for executive initiatives, forcing the President to negotiate or abandon policy proposals, with examples such as budget standoffs or amendments limiting executive programmes, and mention that the Houses origination role strengthens this constraint.
- Treaty ratification: Source A and B show the Senate must consent to treaties by a two-thirds vote, constraining the Presidents ability to bind the US internationally because negotiated treaties require substantial Senate support to take effect.
- Analysis of treaty constraint: develop how the two-thirds threshold is high, meaning a President must build bipartisan Senate support or resort to executive agreements that lack the permanence of treaties, and note historical examples where treaties failed in the Senate despite presidential negotiation efforts.
- Limits and qualifications: consider limits on these constraints, for example Congresss decision to fund the executive may be influenced by party alignment with the President, reducing the practical constraint when the Presidents party controls Congress; similarly, the President can use executive agreements to bypass treaty ratification, and emergency spending or continuing resolutions can reduce the Houses leverage over the purse.
- Judgement: weigh the constitutional powers as significant formal constraints because they set legal prerequisites for revenue and treaties, but note the practical effect varies with party control, public opinion and the Presidents alternative instruments such as executive agreements and reprogramming authority.

Question 10

Level 0 No relevant content. **0**

Level 1 Basic knowledge of one or two constitutional powers of the Senate or House with little developed analysis or evaluation. Argument is superficial or descriptive.	**1-7**
Level 2 Clear knowledge of the distinct formal powers of both chambers with some analysis of their implications and limited evaluation. May show a one-sided view or lack wider contextualisation.	**8-15**
Level 3 Detailed, accurate knowledge of multiple relevant constitutional powers and thresholds, with sustained analysis comparing the chambers and well-developed evaluation that recognises qualifications and counterarguments, leading to a supported judgement.	**16-23**
Level 4 Sophisticated, wide-ranging knowledge used to construct a balanced, well-evidenced evaluation. Analysis compares the constitutional and practical significance of the Senates and Houses powers, considers thresholds and procedural limits, addresses countervailing evidence and reaches a clearly justified, nuanced judgement on the extent of Senate power relative to the House.	**24-30**

Indicative content:

- Powers favouring the Senate: two senators per state gives equal state representation irrespective of population, the Senate provides advice and consent on treaties and certain presidential appointments (Article II) requiring typically a simple majority for appointments and two-thirds for treaties, and the Senate tries impeachment cases requiring a two-thirds vote to convict.
- Powers favouring the House: the Origination Clause requires revenue bills to originate in the House; it does not require all appropriation decisions to begin there. Both chambers share control over taxation and spending legislation. The House has the sole power to impeach, a powerful political weapon against presidents or officials.
- Thresholds and constitutional weight: the Senates two-thirds requirement for treaties is a high barrier giving the chamber significant leverage on foreign policy. Advice and consent for appointments, including federal judges and Cabinet members, gives the Senate enduring influence over the executive and judiciary.
- Scale and democratic legitimacy: the Houses larger size, shorter terms and district basis create closer electoral accountability and a stronger claim to represent the popular will on taxation and spending, which is a democratic source of power the Senate does not match.
- Procedural and practical limits: the Senate has procedural tools such as unanimous consent requirements and the potential for extended debate, but the filibuster is a matter of Senate rules and practice rather than the Constitution and so lies outside the pack scope; still, advice and consent majorities can be influenced by party control, diminishing or enhancing Senate influence.
- Interdependence and checks: both chambers possess checks the other lacks but often need each other to enact legislation; revenue and appropriation authority in the House means that even if the Senate blocks a treaty or appointment, the House can constrain presidential policy through budgetary control, and successful governance generally requires cooperation between chambers.
- Party control and context: where one chamber is controlled by the Presidents party, that chamber is less able to check the President, so assessments of 'more powerful' must consider conditional political context not only formal powers.
- Conclusion strategies: a balanced conclusion might argue the Senate is more powerful in foreign policy and appointments due to advice and consent and the treaty threshold, while the House is more powerful over finances and initiating impeachment; overall the Senate is not uniformly more powerful, but is stronger in specific constitutional domains, so the extent of Senate power is significant in some areas yet limited when considering the full constitutional system and the Houses fiscal primacy.

Question 11

identifies that the House of Representatives has the sole power to impeach, meaning to bring formal charges	**B1**
identifies that impeachment in the House is decided by a simple majority vote	**B1**
identifies that the Senate has the sole power to try impeachments and to convict or acquit	**B1**
identifies that conviction in the Senate requires a two-thirds majority of Senators present	**B1**

Answer: The House of Representatives has the sole power to impeach, that is to bring formal charges against a federal official, and this requires a simple majority vote in the House. The Senate has the sole power to try impeachments and to convict or acquit; conviction in the Senate requires a two-thirds majority of Senators present.