

The House of Representatives and Senate: What's the Difference?

The United States Congress consists of two legislative bodies, the House of Representatives and the Senate. There are many similarities between these institutions. Representatives and Senators are directly elected by the public (see Capitol Visitor Center essay “Who Elects our Senators?”). Passing legislation requires the agreement of both the House and Senate. There are chambers for both in the U.S. Capitol. Given these commonalities, are there really differences between the House and Senate?

Let's begin to answer that question by reading the Constitution. Look at Article 1, Sections 2 and 3. Notice that members of the House are elected every two years, whereas senators are elected for six-year terms. Do they share the same age and citizenship requirements? House members must be twenty-five years of age and citizens for seven years. Senators are at least thirty years old and citizens for nine years. Another difference is who they represent. Senators represent their entire states, but members of the House represent individual districts. The number of districts in each state is determined by a state's population. Each state has a minimum of one representative in Congress.

The House and Senate have evolved into very different bodies. They have entirely separate rules and ways of conducting business.

Today, Congress consists of 100 senators (two from each state) and 435 voting members of the House of Representatives. The terms of office and number of members directly affects each institution. With four times the membership, the House follows procedures closely and limits debate. Debate is nearly unlimited in the Senate and all members have an opportunity to influence legislation. Senators feel less pressure to move quickly on issues.

Party leaders and committees function differently in the House and Senate as well. The House elects a Speaker (Article 1, Section 2) who exerts great control. The Speaker is in charge of the calendar (what bills are debated and when that occurs) and influences the House Rules Committee in deciding the legislation to be considered. The Senate does not have a position similar to Speaker. In the Senate, the majority and minority leaders generally work together in consultation with all members to determine the schedule.

Every two years the entire membership of the House of Representatives is elected. Members vote on the rules that apply for the next two years at the beginning of each new Congress. Only one-third of senators are elected every two years (two-thirds of the senators remain current members). Therefore, the Senate is a “continuous body.” The Senate does not adopt rules every two years but depends more on tradition and precedent when determining procedure.

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- 1** Why did the founders place different requirements in the Constitution for members of the House and Senate?
- 2** According to the Constitution, what other responsibilities, in addition to writing legislation, are specified for the House and Senate?
- 3** Suppose each member of the House could speak on an issue for 15 minutes. What would be the length of the debate? Is lengthy debate desirable or undesirable? Under what circumstances?

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- 1** The founders intended the House to be closest to the people (hint: keep in mind members of the Senate were not directly elected by voters until the 17th Amendment passed in 1913) and most responsive to their constituents. How? They must run for office often and generally represent fewer people. Senators are expected to be more experienced and less influenced by the ebb and flow of popular opinion. With a smaller number of members, they can take their time to carefully consider and debate issues.
- 2** All bills that raise money must originate in the House of Representatives. The House has the power to impeach (formally accuse) while the Senate tries impeachments. In addition, the Senate approves treaties and certain presidential appointments, such as ambassadors and Supreme Court Justices.
- 3** If each voting member spoke for 15 minutes, to be followed immediately by another speaker, nearly 109 hours of time would be required. That translates into eleven ten-hour days of non-stop speeches. Debate is important when considering contentious issues. Nevertheless, given the reality of our large House, members often choose knowledgeable colleagues who represent a point of view supported by others to speak on their behalf.
- 4** The majority leader is elected to lead the party with the greatest number of members. The minority leader heads the party with fewer members. We have a two-party system which means that most members of Congress are either Republicans or Democrats.
- 5** Example (a) illustrates majority rule as the numerical majority always has ultimate control of whether or not to pass a bill. Thus, the wishes of the majority members are followed. The second example (b) demonstrates minority rights. The senator, who may have a different opinion than the majority of members, can request that a bill not be considered for debate or vote.
- 6** According to the New Oxford American Dictionary (2010), precedent is “an earlier event or action that is regarded as an example or guide to be considered in subsequent similar circumstances.” The Senate uses precedent to decide how to proceed with legislation and other business.

SOURCE:

Oleszek, Walter J., *Congressional Procedures and Policy Process*, 9th Edition, Congressional Quarterly, Inc., 2013.