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House Subcommittees: Assignment Process

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May 11, 2007

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Introduction

House rules, Republican Conference and Democratic Caucus rules, and individual committee rules all address the subcommittee assignment process, although to varying degrees. Under House Rule X, clause 5(d), prohibits committees from having more than five subcommittees. However, a committee that maintains a subcommittee on oversight may have not more than six subcommittees. The Appropriations Committee may have up to 13 subcommittees (12 have been created) and the Committee on Oversight and Government Reform may have up to seven subcommittees. For the 110th Congress, pursuant to H.Res. 6, the Armed Services Committee and the Foreign Affairs Committee may each have seven subcommittees, and the Committee on Transportation and Infrastructure may have six subcommittees.

In addition, pursuant to Rule X, clause 5(b)(2)(A), Members are limited to service on no more than four subcommittees, although exceptions are allowed. A committee chair is generally prohibited from chairing a subcommittee of his or her committee, and all committee and subcommittee chairs are limited by House Rule X, clause 5(c)(2) to no more than three consecutive terms as chair, beginning with the 104th Congress (although waivers can be granted). Term limits for the Intelligence Committee chair were abolished by H.Res. 5 on January 7, 2003.

Many subcommittee assignment decisions are affected by the full committee assignment process. Information on that process is provided in CRS Report 98-151, *House Committees: Categories and Rules for Committee Assignments*, and CRS Report 98-367, *House Committees: Assignment Process*, both by Judy Schneider.

Size and Ratio

Subcommittee sizes and party ratios are determined by the full committee, usually in concert with the party leadership. Although negotiations are often held with the minority, these prerogatives remain with the majority. Generally, subcommittee ratios reflect the same ratio as that of a full committee, which in turn reflects the ratio of majority to minority members in the full House. Discussions on subcommittee sizes and ratios traditionally begin soon after the November election, and often are completed by the convening of the early organization meetings, usually held in November or December. Final decisions are made after committee assignments are ratified on the House floor. Seat changes within a Congress can necessitate adjusting subcommittee sizes and ratios.

Democratic Caucus Rule 26, which addresses subcommittees “when the Democratic party is the majority,” states that no subcommittee can be more than 60% of the size of a full committee. It further states that the resident commissioner and delegates should not be counted in determining subcommittee (or committee) size. Republican Conference rules are silent on subcommittee size and ratio issues.

Chair and Ranking Member Selection

Under Republican Conference rules, each committee leader determines and provides to other Republican members of the committee the method for selecting subcommittee leaders. However,

a majority of the Republican Members of the full committee can disapprove the selection procedure. Republican Conference rules changes for the 108th Congress required subcommittee leaders of the Appropriations Committee to receive full conference approval. Republicans limit members to a single committee or subcommittee leadership slot; the leadership of the Standards of Official Conduct Committee and the House Administration Committee are exempt, thereby allowing a Member to rank on either of these panels and an additional panel. Finally, Republican Conference rules prohibit a full-committee leader from leading a subcommittee of the committee he or she heads.

House Democrats allow each committee member to bid, in order of seniority, for available subcommittee leadership slots. For all committees, except Appropriations, this is done by full-committee seniority; for Appropriations, it is done by subcommittee seniority. Caucus rules generally limit Members to rank on only one full committee or one subcommittee with legislative jurisdiction. Subcommittee leaders selected for the Appropriations Committee, Energy and Commerce Committee, and Ways and Means Committee require Democratic Steering and Policy Committee approval.

Subcommittee Assignments

Under House rules, Members are limited to service on four subcommittees, although there are some exceptions. House rules are silent on how subcommittee assignments are made. Rather, subcommittee assignments are governed by respective party rules and practices.

Republicans generally leave the decisions on the subcommittee assignment process to the committee leader to determine, although most committees employ a bidding approach that allows members, in order of seniority, to select subcommittee slots. Committee and party leaders also try to suggest certain subcommittee configurations in order to retain more experienced members on key subcommittees.

Democrats formally provide in their caucus rules for a bidding process based on seniority, whereby each Member of a committee selects one subcommittee before any Member receives a second assignment.

Pursuant to House Rule X, clause 5(b)(2)(B), the chair and ranking minority member of a full committee may serve as ex officio members of subcommittees of their committee without that service counting against the limitation of no more than four subcommittees per Member. Some committees address in their committee rules the authority to vote by ex officio members. Some panels allow voting by ex officio members, others do not.

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