

An hourglass-shaped graphic with a globe in the top bulb and another globe in the bottom bulb. The hourglass is light blue and has a dark blue cap at the top. The globe in the top bulb is dark blue, and the globe in the bottom bulb is light blue. The text is centered within the hourglass shape.

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Subcommittees in the House of Representatives

Judy Schneider, Government and Finance Division

May 3, 2007

Abstract. Subcommittees are entities created by full committees to assist them in managing their work. Pursuant to Rule XI, clause 1(a)(1), "The Rules of the House are the rules of its committees and subcommittees so far as applicable...." According to clause 1(a)(2) of the same rule, "each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules so far as applicable."

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Summary

Subcommittees are entities created by full committees to assist them in managing their work. Pursuant to Rule XI, clause 1(a)(A), “The Rules of the House are the rules of its committees and subcommittees so far as applicable....” According to clause 1(a)(2) of the same rule, “each subcommittee of a committee is a part of that committee, and is subject to the authority and direction of that committee and to its rules, so far as applicable.”

Service on subcommittees enables members to develop expertise in specialized fields. Subcommittees diffuse the legislative process. For the most part, they are independent, autonomous units with written jurisdictions, and, pursuant to longstanding practice, most bills are referred by a full committee to them. Prior to the 104th Congress, subcommittees controlled their own, autonomous staffs.

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Creation

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 subcommittee. 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.

House rules further limit committees from creating “panels” by stating that any subunit of a full committee that lasts longer than six months counts against the subcommittee limit.

Democratic Caucus Rule 26 addresses creation of subcommittees “when the Democratic party is the majority party.” Essentially, each committee caucus would establish the number of subcommittees, fix their jurisdiction, and determine their size, although no subcommittee could be more than 60% of the size of the full committee.

Jurisdiction and Bill Referral

Subcommittee jurisdictions are not enumerated in House rules. Their jurisdictions are determined by each committee, and several panels list the jurisdictions in their committee rules. Pursuant to jurisdiction and by practice, most legislation is referred by a committee to a subcommittee prior to consideration by the full committee. However, some committees retain specific legislation at the full-committee level. For example, the Ways and Means Committee keeps legislation amending the income tax sections of the Internal Revenue Code at full committee, and the Natural Resources Committee retains matters relating to Native Americans for the full committee.

Staff and Funding

In the 104th Congress, the Republican majority adopted procedures whereby all subcommittee staff would be controlled by the full-committee chair. Previously, subcommittee chairs had the authority to hire one staffer. The rule, House Rule X, clause 6(d), requires the committee chair “to ensure that sufficient staff is made available to each subcommittee to carry out its responsibilities.” Relatedly, associate staff for the Appropriations Committee was reduced from two staffers per member to one; continuing members of the Budget Committee (funding for new

Budget members to hire associates was withheld) and all Rules Committee members were entitled to retain their associate staff.

Chairman 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. For the 110th Congress, subcommittee leaders of the Appropriations Committee require the approval of the Republican Steering Committee. House Republicans also limit members to a single committee or subcommittee ranking slot, although the Committee on Standards of Official Conduct and House Administration Committee are exempt. Finally, Republican Conference rules prohibit full-committee leaders from leading a subcommittee of the committee they head. Under House rules, subcommittee chairs are limited to 6 years of service, although waivers can be granted.

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 chair only one full committee or one subcommittee with legislative jurisdiction. Some subcommittee leaders require full Democratic Caucus approval.

Subcommittee Assignments

Under House Rule X, clause 5(b)(2)(A), Members generally are limited to service on four subcommittees. However, there are some exceptions. House rules are silent on subcommittee assignment procedures; they are traditionally governed by party rules and practices.

Republicans generally leave assignment decisions to the committee leader to determine, although most employ a bidding approach that allows members to select subcommittee slots. Democrats formally provide for such a bidding process.

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