

**RULES OF THE
DEMOCRATIC CAUCUS**
110th Congress

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RULES

Membership, Officers and Elections

Rule 1. Membership

INCLUSION

- A. All Democratic Members of the House of Representatives, the Resident Commissioner from Puerto Rico, and the Delegates from American Samoa, the District of Columbia, Guam, and the Virgin Islands who are Members of the Democratic Party shall be prima facie Members of the Democratic Caucus of the House of Representatives (hereafter "Caucus").
- B. The following procedures shall govern when a Democratic Member chooses to leave the Democratic Party:

ACTIONS CONSTITUTING CHANGE OF PARTY

- 1. Whenever a Member of the Caucus resigns from or acts affirmatively to change political parties, he or she shall automatically cease to be a Member of the Democratic Caucus. Such acts shall be limited to changing party registration in his or her home state, filing for office as a candidate for nomination of another political party or accepting the nomination of another political party. This section shall not apply to anyone who files for or accepts the nomination of another party in addition to accepting the nomination of the Democratic Party.

NOTIFICATION PROCEDURE

- 2. The Caucus Chairman shall notify the affected Member in writing when he or she ceases to be a Member of the Democratic Caucus in accordance with paragraph (B)(1). That Member shall have the opportunity to seek reinstatement by majority vote, by secret ballot, at a meeting of the Caucus called within 10 days of his or her request provided that at least five Members support, in writing, the Member's request. If the Member is not reinstated within 30 days of receiving notification, the Caucus Chairman shall then notify the Speaker of the House that the affected Member is no longer a Member of the Democratic Caucus.

EXPULSION

- C. The Caucus may expel any Member by a two-thirds vote.

CAMPAIGN ACTIVITY

- D. In order to maintain membership in good standing in the Caucus, Members of the Caucus shall not participate in campaign activities for any candidate in a partisan federal election who is not a Member of the Democratic Party.

Rule 2. Party Leaders and Caucus Officers

PARTY LEADERS

- A. The Caucus shall nominate a candidate for Speaker and shall elect the Democratic Leader and the Democratic Whip.

CAUCUS OFFICES

- B. The Caucus shall elect a Chairman and a Vice Chairman.

TERM OF OFFICE

- C. No Member shall be elected to serve as Chairman or Vice Chairman of the Caucus for more than two consecutive full terms.

TEMPORARY CHAIRMAN

- D. The Vice Chairman shall perform the duties of the Chair during the temporary absence of the Chairman. The Chairman or Vice Chairman shall have the right to name any Member to perform the duties of the Chair during a temporary absence.

SPEAKER'S AUTHORITY WHEN IN THE MINORITY

- E. During any time that the Democratic Party is not the majority party of the House of Representatives, any reference to, and any authority vested in, the Speaker under these rules shall be considered references to and authority vested in the Democratic Leader.

ASSISTANT TO THE DEMOCRATIC LEADER

- F. The Caucus shall elect an Assistant to the Speaker or the Democratic Leader, as the case may be. The Speaker or Democratic Leader, as the case may be, shall nominate a candidate for the position. Members may nominate additional candidates by written notice signed by five Democratic Members other than the nominee.

Rule 3. House Officers

The Democratic nominee for Speaker or Speaker, as the case may be, shall recommend to the Caucus nominees for Officers of the House. The Caucus shall vote on the nominations. Upon a demand supported by 10 or more Members, a separate vote, by secret ballot, shall be had on any nomination. Such demand, if made and properly supported, shall be debated for no more than 30 minutes with the time equally divided between proponents and opponents. If a majority of those present and voting reject any such nominee, the Democratic nominee for Speaker or Speaker, as the case may be, shall be entitled to submit new nominations until any such positions are filled.

Rule 4. Elections

- A. Except as otherwise provided by Caucus rule, the following provisions shall apply to all elections in the Caucus or in entities of the Caucus:

VOTES BY SECRET BALLOT

1. All votes shall be by secret ballot, except on committee lists where no secret ballot is demanded under Rule 14.

QUORUM

2. A quorum shall be required to proceed.

NOMINATIONS

3. The name of each candidate shall be placed in nomination. Nominations shall be limited to not more than one 5-minute nominating speech and three 2-minute seconding speeches on behalf of each candidate so nominated.

BALLOTING

4. After nominating and seconding speeches, balloting shall proceed without interruption or recess from ballot to ballot until one candidate shall have received the votes of a majority of those present and voting and such candidate shall be declared elected. Votes cast for a person whose name was not placed in nomination shall not be counted or considered except to determine the proper majority necessary for election.

ELIMINATION

5. If there are more than two candidates, the nominated candidate receiving the fewest votes on the first and each succeeding ballot shall be eliminated; and votes for such candidate shall not be tallied or considered except for the purpose of determining the number of Members present. If two or more candidates tie for fewest votes on the first ballot or on subsequent ballots, neither shall be eliminated; should such occur for a second time however, both shall be eliminated. Following any ballot a candidate wishing to withdraw shall be entitled to recognition for one minute for the purpose of so advising the Caucus.

BINDING VOTES ON HOUSE LEADERSHIP

- B. With respect to voting in the House for Speaker and other officers of the House, for each committee chairman or ranking minority member, and for membership of committees, a majority vote of those present and voting at a Democratic Caucus shall bind all Members of the Caucus.

Caucus Meetings

Rule 5. Calling and Scheduling Meetings

CALL FOR MEETINGS

- A. Meetings of the Caucus shall be called by the Chairman upon his own motion, at the request of the Speaker or Democratic Leader, as the case may be, or upon written request of 50 Members of the Caucus.

REGULAR MEETINGS

- B. While the House is in session, the Caucus shall meet regularly on the third Wednesday of each month except January in odd-numbered years. If the House is not in session on the third Wednesday the monthly Caucus shall be held on the next succeeding Wednesday on which the House is in session. The Chairman may cancel any monthly Caucus, but not two consecutive monthly Caucuses, provided Members are given reasonable notice of such cancellation.

COMMITTEE SCHEDULES

- C. Members of the Caucus shall not schedule committee meetings or hearings at times when the Caucus is to be in session.

Rule 6. Notice and Agenda of Meetings

NOTICE AND AGENDA

- A. The Chairman shall set the time and place of each meeting of the Caucus and shall provide Members with an agenda listing all matters to be considered. The agenda shall be distributed to Members by noon on the fifth day preceding the day on which the Caucus meeting is convened; however, when the purpose of such Caucus meeting is to consider a veto override or legislation that has been reported to the House or scheduled for House consideration, the Chairman may waive the five-day notice requirement with reasonable notice to Members. Any addition to the agenda other than under paragraphs (B) and (C) shall not be in order except by a two-thirds vote of the Caucus, and where the additional matter has been available for at least two hours.

ADDITIONS TO THE AGENDA ON THE DAY OF ISSUANCE

- B. The agenda for each meeting called with five days notice shall include any matter requested in writing by five or more Members and delivered to the office of the Caucus Chairman on the same day a notice and agenda were issued under paragraph (A). The Caucus Chairman shall provide Members with written notification of any addition to the agenda under this paragraph not later than 5 p.m. the following day. This paragraph shall not apply to any meeting for which the same day notice requirement has been waived by the Caucus Chairman.

ADDITIONS TO THE AGENDA AFTER THE DAY OF ISSUANCE

- C. Following issuance of the agenda, additional items may be placed thereon only by the Caucus Chairman or by the Speaker or Democratic Leader, as the case may be, or upon petition by 50 Members delivered to the office of the Chairman by noon on the second day preceding the day on which the Caucus meeting is convened. The Caucus Chairman shall provide Members with written notification of any addition to the agenda under this paragraph not later than 5 p.m. the same day.

RECESS AUTHORITY

- D. A meeting of the Caucus may, at the call of the Chairman or upon motion, be recessed and later reconvened for continuation of properly noticed business, at a time and place designated, except during election balloting as provided in Caucus Rule 4(A)(4).

AMENDMENT THAT INSTRUCTS REQUIRES NOTICE

- E. It shall not be in order to offer an amendment to a resolution being considered in Caucus if said amendment adds language directing or instructing the Democratic Members of a committee on any matter, unless the intent to instruct said Members was noticed in accord with the provisions of this rule.

Rule 7. Admittance to Meetings

CLOSED MEETINGS

No persons, except Members of the Caucus, a Caucus Journal Clerk and other necessary employees shall be admitted to the meeting of the Caucus without the express permission of the Chairman.

Rule 8. Quorum

REGULAR

- A. A quorum of the Caucus shall consist of a majority of the Members of the Caucus. If the absence of a quorum is established, the Chairman may continue the meeting for purposes of discussion only, but no motion of any kind except a motion to recess or adjourn, shall be in order at such continued meetings.

PROCEDURE FOR QUORUM CALL

- B. Subject to the provisions of Caucus Rules 4 and II regarding secret ballots, a quorum call or roll call may be taken by electronic or other means, provided Members shall have not less than 15 minutes in which to have their vote or presence recorded.

Rule 9. Parliamentary Procedure

PARLIAMENTARY LAW; 5-MINUTE RULE

- A. The procedures, motions, and five-minute rule which apply when the House of Representatives is operating in the House as in the Committee of the Whole, with such special rules as may be adopted, shall govern the meetings of the Caucus.

MOTIONS TO SUSPEND THE RULES

- B. Two-thirds of the Members voting may suspend the Caucus rules. Consideration of a motion to suspend the rules, including the discretion of the Caucus Chairman whether or not to entertain such a motion, shall follow the rules of the House.

PROXY VOTING PROHIBITED

- C. Proxy voting is not allowed in the Democratic Caucus, nor in subunits under the Caucus, including Democratic caucuses of House committees and subcommittees.

Rule 10. Caucus Journal

INSPECTION OF JOURNAL UPON REQUEST

The Caucus shall keep a journal of its proceedings, which shall be published after each meeting, and which shall be available for inspection by any Member of the Caucus upon request.

Rule 11. Recorded Votes and Voting Procedure

RECORDED VOTES; SECRET BALLOT REQUIRES MAJORITY

The yeas and nays on any question (except elections under Rule 4) before the Caucus shall, at the desire of one fifth of those present, be entered on the Journal, and a copy of each record vote shall be distributed to each Member of the Caucus. Any question shall be decided by secret ballot or other non-record vote if a majority so demands, before the yeas and nays are ordered.

Committee Membership

Rule 12. Committee Ratios

The Democratic Leadership shall work to ensure that committee ratios are at least as representative of the number of Democrats in the House and that each panel include the greatest number of Democrats possible.

Rule 13. Standing Committees Membership Nominations

DEMOCRATIC STEERING AND POLICY COMMITTEE NOMINATES

- A. The Democratic Steering and Policy Committee shall recommend to the Caucus nominees for membership to committees, one committee at a time. Members of the same class nominated by Steering and Policy for membership to a committee at the same time shall be ranked for seniority purposes in the order in which they were chosen by the Democratic Steering and Policy Committee. This paragraph shall not apply to the Committees on Rules and House Administration as provided by Rule 15, and is subject to the special procedures provided in Rule 16 for selection of Members of the Committee on the Budget.

NOMINATION BY STATE DELEGATIONS

- B. Upon a letter from a Member, signed by 50 percent or more of said Member's State Democratic Delegation, including said Member, said Member shall automatically be considered for nomination by the Democratic Steering and Policy Committee for the committee membership position to which said Member aspires. The Chairman of the Democratic Steering and Policy Committee shall see that such Member's name is placed in nomination. This provision shall not apply to nominations for the Committees on Rules or House Administration.

SENIORITY NOT MANDATORY

- C. Recommendations for committee posts need not necessarily follow seniority.

NON-DISCRIMINATION

- D. In making nominations for committee assignments, the Democratic Steering and Policy Committee shall not discriminate on the basis of prior occupation or profession.

FACTORS TO CONSIDER

- E. In making such nominations, the Democratic Steering and Policy Committee shall consider all relevant factors, including merit, length of service on the committee and degree of commitment to the Democratic agenda, and the diversity of the Caucus.

Rule 14. Procedure for Electing Committee Members

VOTING

- A. Once recommendations are received from the Democratic Steering and Policy Committee, the Caucus shall vote, one committee at a time, on memberships, except as provided in paragraph (B).

DEBATE

- B. Upon a demand supported by 10 or more Members, a separate vote, by secret ballot, shall be had on any member of a committee. Such demand, if made and properly supported, shall be debated for not more than 30 minutes with the time equally divided between proponents and opponents. If the noes prevail on any such vote, the committee list of the committee in question shall be recommitted to the Democratic Steering and Policy Committee for the sole purpose of implementing the direction of the Caucus.

Rule 15. Procedure for Electing Rules and House Administration Committee Members

The Democratic nominee for Speaker or Speaker as the case may be, shall recommend to the Caucus nominees for membership to the Committee on Rules and the Committee on House Administration. Debate and balloting on any such nomination shall be subject to the same provisions as apply to the nomination of Members of other committees, as set forth in Caucus Rules 13 and 14. If any nominee is rejected for membership to the Committee on Rules or the Committee on House Administration, the Democratic nominee for Speaker or Speaker, as the case may be, shall be entitled to submit new nominations until any such positions are filled.

Rule 16. Procedure for Electing Budget Committee Members

The Caucus shall elect the Democratic Members of the Budget Committee, after election of the Budget Chairman or Ranking Minority Member (who by virtue of election as chairman or ranking minority member is a Member of the committee), in accordance with the following provisions:

LEADERSHIP MEMBER

- A. The Democratic nominee for Speaker or Speaker, as the case may be, shall appoint the leadership Member of the committee.

NOMINATION OF OTHER MEMBERS

- B. When the Democratic Party is the majority party of the House of Representatives, the Democratic Steering and Policy Committee shall nominate three Members of the Appropriations Committee, three Members of the Ways and Means Committee, at least one from the Rules Committee, and the requisite number of Members of other Committees to fill all remaining Democratic seats. During any time that the Democratic Party is not the majority party of the House of Representatives, the Democratic Steering and Policy Committee shall nominate two Members of the Appropriations Committee, two Members of the Ways and Means Committee, and the requisite number of Members of other committees to fill all remaining Democratic seats. A list of said nominees shall be distributed to all Members of the Caucus prior to the election meeting. Members may nominate additional candidates by written notice signed by five Members other than the nominee.

Written nominations must be delivered to the offices of the Caucus Chairman and the Caucus Vice Chairman by the close of business on the day immediately preceding the election meeting, and the Caucus Chairman or Vice Chairman shall mail a list of all nominees 10 Members of the Caucus before the election.

ELECTION PROCEDURE

- C. Following election of the chairman or ranking minority member, the other Democratic Members shall be elected. Election shall be by ballot which lists all candidates by category (Appropriations, Ways and Means, other committees, and if the Democratic Party is the majority party, Rules) in the order they were nominated provided that the Member selected as chairman or ranking minority member shall be counted as having filled one position in the appropriate category. A majority of those present and voting for a nominated candidate shall be required to elect; provided however, that any ballot which contains votes for more or fewer candidates than there are vacancies to be filled in each category shall not be counted.

SPECIAL LIMITATION

- D. Members of the Budget Committee shall be subject to the following limitations:

No Member, other than the leadership Member, shall serve as a Member of the Committee on the Budget during more than three Congresses in any period of five successive Congresses (disregarding for this purpose any service performed as a Member of such committee for less than a full session in any Congress). However, an incumbent chairman or ranking minority member, having served on the Committee for three Congresses and having served as chairman or ranking minority member for not more than one Congress shall be eligible for reelection to the Committee as chairman or ranking minority member for one additional Congress. All selections of Members to serve on the Committee shall be made without regard to seniority.

Rule 17. Procedure for Electing Appropriations and Ways and Means Committee Members

The Caucus shall elect Democratic Members to fill vacancies on the Ways and Means Committee and the Appropriations Committee in accordance with the following procedures:

NOMINATIONS

- A. The Democratic Steering and Policy Committee shall nominate one Member for each Democratic vacancy to be filled on the Ways and Means Committee and the Appropriations Committee and shall distribute the name(s) of such nominee(s) to all Members of the Democratic Caucus at least 24 hours prior to the election meeting. Members may nominate additional candidates by written notice signed by five Democratic Members other than the nominee. Written nominations must be delivered to the offices of the Caucus Chairman and the Caucus Vice Chairman by close of business on the day immediately preceding the election meeting, and the Caucus Chairman or Vice Chairman shall distribute a list of all nominees to Members of the Caucus before the election.

ELECTION PROCEDURE

- B. Election shall be by ballot which lists all candidates in the order they were nominated, and a majority shall be required to elect; provided however, that any ballot which contains votes for more or fewer candidates than there are vacancies to be filled shall not be counted.

PREVIOUS MEMBERS

- C. The nomination of any Member who served on the committee in the preceding Congress shall be reported by the Democratic Steering and Policy Committee for action by the Caucus in the same manner as is provided for nomination of Members to other standing committees under Rules 13 and 14.

Rule 18. Classification of Committees

For the purposes of Caucus Rules the following committee designations shall apply:

EXCLUSIVE

- A. Appropriations; Ways and Means; Rules; shall be “exclusive” committees. The Energy and Commerce Committee shall be an “exclusive” committee for all Members first serving on the committee in the 104th and subsequent Congresses. The Financial Services Committee shall be an “exclusive” committee for all Members first serving on the committee in the 109th and subsequent Congresses.

NON-EXCLUSIVE

- B. Agriculture; Armed Services; Budget; Education and the Workforce; Government Reform; Homeland Security; House Administration; International Relations; Judiciary; Resources; Science; Small Business; Transportation and Infrastructure; and Veterans’ Affairs shall be considered “nonexclusive” committees. The Energy and Commerce Committee shall be considered a “nonexclusive” committee for Members who served on the committee before the 104th Congress. The Financial Services Committee shall be a “non-exclusive” committee for all Members first serving on the committee before the 109th Congress.

Rule 19. Restrictions on Committee Memberships

- A. Except with respect to service on the Committee on the Budget and the Committee on House Administration, no Democratic Member of an exclusive committee shall also serve on another exclusive or non-exclusive committee. The preceding sentence shall not preclude membership during the 109th and 110th Congresses on the Committee on Homeland Security to any Member who served on the Select Committee on Homeland Security during the 108th Congress.
- B. No Member shall serve on more than two committees with legislative jurisdiction. The Committees on House Administration and Standards of Official Conduct shall be exempt from this provision.
- C. Any Member of the Committee on the Budget shall be entitled to take a leave of absence from service on any committee or subcommittee during the period he or she serves on the Budget Committee and seniority rights of such Member on such committee and on each subcommittee to which such Member was assigned at the time shall be fully protected as if such Member had continued to so serve during the period of the leave of absence.

- D. No Member shall serve as a member of the Committee on Standards of Official Conduct during more than 3 Congresses in any period of 5 successive Congresses (disregarding for this purpose any service performed as a member of such committee for less than a full session in any Congress).

- E. No Democratic Member of the Permanent Select Committee on Intelligence may serve on more than one standing committee during that Member's term of service on the select committee. Members shall be entitled to take leaves of absence from service on any committee (or subcommittee thereof) during the period they serve on the select committee and seniority rights on such committee (and on each subcommittee) to which they were assigned at the time shall be fully protected as if they had continued to serve during the period of leave of absence.

Rule 20. Appointments to Joint and Select Committees, Boards and Commissions

In those instances where the Speaker or Democratic Leader, as the case may be, has the power to appoint Members to joint and select committees, boards and commissions, due consideration should be given to sharing the work load and responsibility among qualified Members of the House who have indicated an interest in the subject matter of the committee, board, or commission and have expressed a willingness to actively participate in its deliberations and operations. All Members serving on joint and select committees, boards and commissions by virtue of appointment by the Speaker or Democratic Leader, as the case may be, shall be considered to have completed their tenure and their positions deemed to be vacant until filled by appointment or re-appointment by the Speaker or Democratic Leader at the start of a new Congress.

Committee Chairmanships

Rule 21. Nomination and Election of Committee Chairmen; Ranking Minority Members

NOMINATIONS BY DEMOCRATIC STEERING AND POLICY COMMITTEE

- A. The Democratic Steering and Policy Committee shall nominate one Member of each standing committee, other than the Committee on Rules, the Budget Committee, and the Committee on House Administration for the position of chairman or ranking minority member and such nominations need not necessarily follow seniority. With the exception of the Budget Committee, only Members who have been recommended for membership on the committee shall be eligible for nomination as chairman or ranking minority member. The Committee shall conduct secret ballots for the chairmanships or ranking minority memberships of the standing committees and shall count all such ballots for a chairmanship or ranking membership for which there is more than one nomination. In making each such nomination the Democratic Steering and Policy Committee shall consider all relevant factors including merit, length of service on the committee and degree of commitment to the Democratic agenda, and the diversity of the Caucus.

NO FLOOR NOMINATIONS WHERE SENIOR RETURNING COMMITTEE DEMOCRAT NOMINATED

- B. If the nominee of the Democratic Steering and Policy Committee for chairman or ranking minority member of a committee was the most senior Democratic Member of the committee in the previous Congress who was re-elected and who is eligible for the position, no other nominations shall be allowed and the Caucus shall vote by secret ballot to approve or disapprove that nominee alone. No debate shall be allowed unless requested by the nominee or a Member who wishes to speak in opposition to a nomination provided that the request to speak in opposition is supported by three or more Members.

ADDITIONAL NOMINATIONS

- C. If paragraph (B) does not apply, additional nominations shall be in order from the floor of the Caucus in accord with the provisions of Rule 4(A)(3). Notwithstanding paragraph (B), if 14 or more Members of the Democratic Steering and Policy Committee vote for candidates other than the Member nominated for chairman or ranking minority member of a standing committee, then additional nominations shall be in order from the floor of the Caucus and election shall be in accord with the provisions of Caucus Rule 4(A)(3) or if at least 50 Members request, in writing, that nominations be considered in addition to the nominee of the Democratic Steering and Policy Committee for the chairmanship or ranking minority membership of any standing committee, then such additional nominations shall be in order from the floor of the Caucus and elections shall be in accord with the provisions of Caucus Rule 4(A)(3).

DEBATE

- D. Debate on any nomination shall be limited to 60 minutes equally divided between proponents and opponents of that nominee, such time to be further extended only by a majority vote of the Caucus.

REJECTION AND NEW NOMINATIONS

- E. If a majority of those present and voting reject its nominee for chairman or ranking minority member, the Democratic Steering and Policy Committee shall make a new nomination within five days. Five to ten days after the Democratic Steering and Policy Committee reports such new nominations, the Caucus shall meet to consider the new nominee or the Democratic Steering and Policy Committee and any additional nominations offered from the floor. Should additional nominations be made from the floor, the election shall be conducted in accord with Caucus Rule 4, subject to the debate provided under paragraph (D) of this rule.

Rule 22. Nomination and Election of Rules and House Administration Committee Chairmen or Ranking Minority Members

NOMINATION

- A. The Speaker or Democratic Leader, as the case may be, shall recommend to the Caucus a nominee for chairman or ranking minority member of the Committee on Rules and the Committee on House Administration. Debate and balloting on any such nomination shall be subject to the same provisions as apply to the nominations of chairmen or ranking minority members of other committees under Rules 4 and 21.

ADDITIONAL NOMINATIONS

- B. If a majority of those present and voting reject any nominee for chairman or ranking minority member of the Committee on Rules or the Committee on House Administration the Speaker or Democratic Leader as the case may be, shall be entitled to submit a new nomination until that position is filled.

Rule 23. Nomination and Election of Budget Committee Chairman or Ranking Minority Member

The Caucus shall elect one Member to serve as chairman or ranking minority member of the Budget Committee, from nominations made pursuant to Caucus Rule 16. Election of the chairman or ranking minority member must precede election of other Members. Election shall be conducted in accordance with the provisions of Rules 4 and 21.

Rule 24. Filling Vacancy in Committee Chairmanship or Ranking Minority Membership

A vacancy in a committee chairmanship or ranking minority membership due to the death, retirement or resignation of a chairman or ranking minority member shall be filled within 30 calendar days from the date on which the vacancy occurs in accord with the steps for selecting committee chairmen or ranking minority members outlined in Caucus Rules 21, 22 and 23. The nominee of the Caucus for the vacancy will be submitted to the House of Representatives at the earliest practicable date thereafter.

Rule 25. Limitations on Committee and Subcommittee Chairmanships and Ranking Minority Memberships

- A. No chairman or ranking minority member of an exclusive or non-exclusive committee may serve on another exclusive or non-exclusive committee. Except that this limitation shall not apply to the chairman or ranking member of the Committees on the Budget, Government Reform, House Administration, International Relations, Resources, Science, Small Business, and Veterans' Affairs.
- B. The chairman or ranking minority member of a full committee shall not serve simultaneously as the chairman or ranking minority member of any other full, select, permanent select, special, ad hoc, or joint committee unless the Caucus grants an exemption in the case of an ad hoc committee; provided, however, the chairman or ranking minority member of the Ways and Means Committee may also serve as chairman or ranking minority member of the Joint Committee on Taxation and the chairman or ranking minority member of the Committee on House Administration may also serve as chairman or ranking minority member of the Joint Committee on Printing and the Joint Committee on the Library.
- C. No chairman or ranking minority member of an exclusive or non-exclusive committee or select committee with legislative jurisdiction shall serve as a Member of the Committee on Standards of Official Conduct.

- D. No Member shall be chairman or ranking minority member of more than one subcommittee of a full committee or select committee with legislative jurisdiction. Provided, however, that the following committees shall be exempt from this provision: House Administration; Standards of Official Conduct; and Joint Committees.
- E. The chairman or ranking minority member of a full committee or select committee with legislative jurisdiction shall not be the chairman or ranking minority member of a subcommittee of that committee or any other such full committee. Provided, however, that the following committees shall be exempt from this provision: Appropriations; House Administration; Standards of Official Conduct; and Joint Committees.

Committee Caucuses

Rule 26. Committee Organizing Caucus

- A. There shall be a caucus of each standing committee and any other committee with legislative jurisdiction consisting of all Democratic Members of the committee hereafter referred to as “committee caucus”. At the start of each Congress the chairman or ranking minority member of each standing committee (except the Committee on Standards of Official Conduct) or other committee with legislative jurisdiction shall call a meeting of the committee caucus, giving at least three days notice to all Democratic Members of the committee. Said meeting shall be called subsequent to the House Democratic Caucus approval of the committee lists but prior to any organizational meeting of the full committee. Such committee caucuses shall fill the positions of subcommittee chairmen or ranking minority members and subcommittee Members in accordance with procedures described in Caucus Rules 28 through 31.
- B. If within 10 days after the organization or subsequent reorganization of any committee, a Member of the relevant committee raises a point of order against the organization or reorganization of that committee with the Chairman of the Democratic Caucus, on the grounds that the Caucus rules have been violated, the Caucus Chairman shall communicate with the chairman or ranking minority member of that committee informing him or her of the point of order. If the point of order is sustained by the Caucus Chairman and if the committee has not brought itself into compliance within five legislative days of receipt of the communication of the Caucus Chair, the matter will be referred to the Democratic Steering and Policy Committee for disposition.
- C. When the Democratic party is the majority party of the House of Representatives, the committee caucuses as described in paragraph (A), shall approve and secure adoption of committee rules incorporating the following principles:

ESTABLISHING SUBCOMMITTEES

Prior to the start of the bidding process for subcommittee chairmanships and assignments, the caucus of each committee shall establish the number of subcommittees, shall fix the jurisdiction of each subcommittee, and shall determine the size of each subcommittee. The Resident Commissioner and Delegates shall not be counted in determining committee and subcommittee sizes for purposes of this rule. Subcommittee size shall be limited to no more than 60 percent of the size of the full committee. However, if the caucus determines to change the size of any subcommittee after the start of the bidding process, it may do so, but in that event, all previous action on the bidding process shall start anew. No panel, task force, special subcommittee, or any other subunit of a standing committee may be created without the knowledge of the full committee chairman and concurrence of the caucus of that committee. The

committee chairman shall notify the Chairman of the Democratic Caucus within seven days of the creation of any panel, task force, special subcommittee of any other subunit of a standing committee.

SUBCOMMITTEE POWERS

Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the committee on all matters referred to it. Subcommittee chairmen shall set meeting dates after consultation with the chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

SUBCOMMITTEE REFERRALS

All legislation and other matters referred to a committee shall be referred to all subcommittees of appropriate jurisdiction within two weeks unless, by majority vote of the Democratic Members or the full committee, consideration is to be by the full committee.

PARTY RATIOS ON SUBCOMMITTEES

The committee caucuses shall determine an appropriate ratio of Democratic to minority party members for each subcommittee and shall authorize a Member or Members to negotiate that ratio with the minority party. Provided, however, that party representation on each subcommittee, including ex-officio members, shall be no less favorable to the Democratic Party than the ratio for the full committee. The Resident Commission or Delegates shall not be counted for purposes of this rule.

- D. The Democratic Leader should negotiate full committee ratios so that when all Democratic Members have committee assignments, Rule 19(C) is being complied with.

If additional committee positions remain available after all Democratic Members receive assignments, the Democratic Steering and Policy Committee shall, when possible, leave those additional positions vacant to ensure flexibility if more Democratic Members are elected during a Congress.

However, if the Democratic Steering and Policy Committee decides it is in the best interest of the Democratic Caucus to fill any vacant committee position, the Democratic Steering and Policy Committee shall fill those positions with temporary assignments such that any Member receiving temporary assignment:

1. Does not obtain seniority on that committee:
2. May not participate in the bidding process for any subcommittee position but may fill any temporary subcommittee position remaining after all other Democratic Members of that committee have completed the bidding process:
3. Can be removed at any time if a Democratic Member is selected to serve as a permanent Member of that committee:
4. Is removed from the committee at the end of the Congress for which the temporary assignment was made.

Rule 27. Periodic Committee Caucuses

Meetings of the committee caucus may be called by the chairman or ranking minority member or a majority of the Members of the committee caucuses with due notice to all Members of such caucuses. A quorum of the committee caucus on each committee shall consist of a majority of the Democratic Members assigned thereto. All actions by the caucuses of said committees shall require a majority of those voting, a quorum being present. Upon written request of ten Democratic Members of any committee or upon written request of a majority of the Democratic Members, whichever is less, addressed to the chairman or ranking minority member thereof to hold a committee caucus, said chairman or ranking minority member shall call such caucus within ten days of such a request. Said request shall contain the subject matter for discussion at such caucus.

Subcommittee Chairmanships or Ranking Memberships

Rule 28. Election of Subcommittee Chairmen or Ranking Minority Members

BIDDING PROCEDURE

- A. Except for the Appropriations Committee, the Democratic Members of any standing committee shall have the right, at the committee caucus described in Caucus Rule 26, to bid, in order of full committee seniority, for subcommittee chairmanships or ranking minority memberships on that committee. The committee caucus of the Appropriations Committee, in its discretion, may use seniority on the subcommittee concerned, as determined by the order in which Members elect to go on the subcommittee, as the criterion for determining subcommittee chairmanships or ranking minority memberships. Any request for a subcommittee chairmanship or ranking minority membership shall be subject to approval by a majority of those present and voting by secret ballot in the committee caucus. If the committee caucus rejects a Member's bid for a subcommittee chairmanship or ranking minority membership, that Member may bid for any remaining chairmanship or ranking minority membership. If that Member is not elected to any subcommittee chairmanship or ranking minority membership the next senior Democratic Member may bid for any remaining chairmanship or ranking minority membership as in the first instance.

APPROPRIATIONS, ENERGY AND COMMERCE, FINANCIAL SERVICES, AND WAYS AND MEANS COMMITTEES

- B. The election of subcommittee chairmen or ranking minority members of an Appropriations subcommittee, Energy and Commerce subcommittee, Financial Services Subcommittee, or Ways and Means subcommittee shall be as follows:
 1. The Democratic Steering and Policy Committee shall vote on each member nominated by the committee caucus of the Committee on Appropriations, the Committee on Energy and Commerce, the Committee on Financial Services, and the Committee on Ways and Means to serve as chairman or ranking minority member of an Appropriations subcommittee, Energy and Commerce subcommittee, Financial Services subcommittee, or Ways and Means subcommittee, as applicable. If a majority of those present and voting reject any nominee for chairman or ranking minority member of an Appropriations subcommittee, Energy and Commerce subcommittee, Financial Services subcommittee, or Ways and Means subcommittee, the committee caucus of the Appropriations Committee, Energy and Commerce Committee, Financial Services Committee, or Ways and Means Committee, as applicable, shall submit new nominations to the Democratic Steering and Policy Committee until all such nominations have been approved. In reviewing such nominations, the Democratic Steering and Policy Committee shall consider all relevant

factors, including merit, length of service on the committee and degree of commitment to the Democratic agenda, and the diversity of the Caucus.

2. The full Democratic Caucus shall vote on each Member nominated to serve as chairman or ranking minority member of an Appropriations subcommittee, Energy and Commerce subcommittee, Financial Services subcommittee, or Ways and Means subcommittee following the same procedure set forth in Caucus Rule 21 for the election of standing committee chairmen or ranking minority members. If a majority of those present and voting reject any nominee for chairman or ranking minority member of an Appropriations subcommittee, Energy and Commerce subcommittee, Financial Services subcommittee, or Ways and Means subcommittee, the committee caucus of the Appropriations Committee, Energy and Commerce Committee, Financial Services Committee, or Ways and Means Committee, as applicable, shall submit new nominations to the Democratic Steering and Policy Committee until such position is filled by the Caucus.

CAUCUS VOTES ON SUBCOMMITTEE CHAIRMEN AND RANKING MINORITY MEMBERS

- C. The Chairman or ranking minority member of each standing committee (except the Committee on Standards of Official Conduct) shall report to the Democratic Steering and Policy Committee and the Chairman of the Democratic Caucus the names of Members selected by the committee caucus to serve as subcommittee chairman or ranking minority member. The Chairman of the Democratic Caucus shall distribute the list to the Members of the Caucus. Except as provided in paragraph (B) or (E), the Democratic Caucus shall vote on any Member so selected if a vote is recommended by the Democratic Steering and Policy Committee, or is requested in writing by 50 or more Members of the Caucus to the Caucus Chairman within three legislative days. The Caucus will convene within seven legislative days to hold the election. The subcommittee chair or ranking minority member shall not exercise his or her duties until the issue is resolved by the Caucus. The debate and vote of the Democratic Caucus shall be in accordance with the procedures set forth in Caucus Rule 21(D). If the full Democratic Caucus disapproves of the selection of any Member as subcommittee chairman or ranking minority member a new subcommittee chairman or ranking minority member shall be selected by the appropriate committee's caucus in accordance with procedures established in paragraph (A) of this rule.

CONVICTED OR CENSURED MEMBERS

- D. The full Democratic Caucus shall vote on each Member selected by a committee caucus to serve as chairman or ranking minority member of any subcommittee who, within the two years of the preceding Congress, has been convicted of a felony or has been censured by the House. The debate and vote of the full Democratic Caucus shall be in accordance with the procedures set forth in Caucus Rule 21 for the election of standing committee chairmen or ranking minority members. If the full Democratic Caucus disapproves of the selection of such Member as subcommittee chairman or ranking minority member, a new subcommittee chairman or ranking minority member shall be selected in accordance with procedures established in this Rule.

STEERING AND POLICY VOTES ON CERTAIN SUBCOMMITTEE CHAIRMEN OR RANKING MEMBERS WHO ALSO SERVE ON EXCLUSIVE COMMITTEES

- E. If any Democratic Member who serves on any committee referred to in paragraph (B) is nominated by the committee caucus of any standing committee other than one referred to in such paragraph to serve as chairman or ranking minority member of any of its subcommittees, then the election of such member to such position shall be voted upon by the Democratic Steering and Policy Committee and the Democratic Caucus pursuant to the procedures set forth in paragraph (B) as if such subcommittee were a subcommittee of a committee referred to in such paragraph. In reviewing such nominations, the Democratic Steering and Policy Committee shall consider all

relevant factors, including merit, length of service on the committee and degree of commitment to the Democratic agenda, and the diversity of the Caucus.

Rule 29. Subcommittee Chairmanship or Ranking Membership Vacancies

BIDDING

- A. The bidding procedure for subcommittee chairmanships or ranking memberships described in Caucus Rule 28 shall begin anew as at the beginning of a Congress when any vacancy occurs in a subcommittee chairmanship or ranking minority membership. Under Rule 31, all subsequent subcommittee positions shall then be filled. Provided, however, the Democratic caucus of the committee in question may by unanimous consent provide for a different procedure.

APPROPRIATIONS SUBCOMMITTEES

- B. A vacancy in a subcommittee chairmanship or ranking membership on the Committee on Appropriations shall be filled within 30 calendar days from the date on which the vacancy occurs in accord with the steps for selecting the subcommittee chairmen or ranking minority members on the Committee on Appropriations outlined in Caucus Rule 28.

VACANCIES AFTER MARCH 1 OF A SECOND SESSION

- C. Any vacancy occurring after March 1 of the second session of a Congress may be filled for the remainder of that Congress by the next ranking Democrat on that subcommittee notwithstanding the provisions of Caucus Rule 28.

Subcommittee Membership

Rule 30. Waiver of Committee and Subcommittee Chairmanship Restrictions

After March 1 of a second session of a Congress, Members who are elected as chairman or ranking minority member of a full committee or of a subcommittee or appointed as chairman or ranking minority member of a permanent select committee with legislative jurisdiction, shall be exempt for the remainder of that Congress from the provisions of Caucus Rule 25(A) (prohibiting service on another committee), Caucus Rule 25(D) (prohibiting two subcommittee chairmanships or ranking minority memberships), and Caucus Rule 25(E) (prohibiting full committee and subcommittee chairmanships and ranking minority memberships).

Rule 31. Election of Subcommittee Members

BIDDING PROCEDURE

- A. With the exception of subcommittees of the Appropriations Committee, no Member elected as a subcommittee chairman or ranking minority member shall choose a second subcommittee position before Members who served in the preceding Congress and newly elected Members, in order of their rank on the full committee, have selected one subcommittee assignment. This provision in no way precludes a subcommittee chairman or ranking minority member from bidding for an additional subcommittee position during each subsequent round of bidding.

- B. The Resident Commissioner and Delegates shall bid for subcommittee chairmanships or ranking minority memberships and memberships pursuant to the provisions of paragraph (A).
- C. All Democratic subcommittee positions on House standing committees shall be filled at the committee caucus pursuant to Caucus Rule 26 according to these five steps:
1. Step One - Members who served on that committee in the preceding Congress who are not subcommittee chairmen or ranking minority members shall have the option during the first round of bidding, in order of their rank on the full committee, either to retain one subcommittee assignment held on that committee in the preceding Congress (or in the case where the Democratic caucus of the committee has determined to split a subcommittee into two subcommittees, to select assignments on both of said subcommittees) or to pass and forego their right to retain any committee position held in the preceding Congress. Members of the Appropriations Committee who served on that committee in the preceding Congress shall be entitled to retain not more than two subcommittee assignments held on that committee in the preceding Congress.
 2. Step Two - Members who passed in Step One shall be entitled, in order of their rank on the full committee, to select a new subcommittee assignment to the extent that subcommittee size permits. Appropriations Committee Members who retain no subcommittee assignments and new committee Members shall be entitled, in order of their rank on the full committee, to select one subcommittee position each.
 3. Step Three - New committee Members shall be entitled to choose anyone subcommittee assignment to the extent that subcommittee size permits. Members of the Appropriations Committee who have only one subcommittee assignment shall be entitled, in order of their rank on the full committee, to select a second subcommittee assignment, to the extent that subcommittee size permits.
 4. Step Four - Members shall be entitled to select additional subcommittee assignments during further rounds of selection in order of Members' rank on the full committee until remaining subcommittee vacancies are filled.
 5. Step Five - Members who are assigned to standing committees on a temporary basis shall be entitled to select subcommittee assignments, only after steps one through four have been completed, during further rounds of selection in the order of such temporary Members' ranks on such full committee until remaining subcommittee vacancies are filled.
- D. For the purposes of these rules, the term "subcommittee" refers to any panel, task force, special subcommittee, or any other subunit of a standing committee which is established for a period of longer than six months. However, such term shall not apply to a task force of the Budget Committee, except for purposes of Caucus Rule 32(A), or an investigative or adjudicatory subcommittee of the Committee on Standards of Official Conduct.

Rule 32. Limitation on Subcommittee Membership

- A. No Member shall serve on more than four of the following entities:
1. subcommittees as defined in Rule 31(D);
 2. subcommittees of a non-legislative select committee, excepting one such subcommittee.

- B. As soon as is practicable following the organization of a Congress the Caucus shall conduct a survey to determine if any Member of the Caucus is in violation of this rule. The Caucus shall provide those Members with written notification of any such violation and shall grant those Members 30 calendar days to bring themselves into compliance with paragraph (A). If, at the end of 30 calendar days following written notification, a Member is still not in compliance, the matter will be referred to the Democratic Steering and Policy Committee for disposition.

Rule 33. Subcommittee Vacancies

The steps for selecting subcommittee membership in Caucus Rule 31 shall apply to membership vacancies on subcommittees and to membership on special subcommittees or subunits, exclusive to the committee and with legislative jurisdiction, that may be created during a Congress. Subject to the provisions of Rule 29 on vacancies in subcommittee chairmanships and ranking minority memberships, new members of a committee shall be entitled to choose subcommittee assignments under Step Three of Rule 31 and all subsequent subcommittee positions shall then be chosen anew as at the beginning of a new Congress. Provided, however, the Democratic caucus of the committee in question may by unanimous consent provide for a different procedure.

Rule 34. Subcommittee Staff and Organization

The Democratic chairman or ranking minority member as the case may be, of each full committee, after appropriate consultation with the subcommittee Democratic chairmen or ranking minority members of the committee, shall control the committee budget designated for the Democratic majority or minority, as the case may be, including the responsibility to select and designate staff members, subject to the approval of a majority of the Democratic Members of said full committee. Such staff shall serve all the Democratic Members of the full committee. All committee staff appointments are subject to the approval of the Speaker or Democratic Leader as the case may be.

Floor and Conference Procedure

Rule 35. Closed Rule Limitation

NOTICE

- A. When the Democratic Party is the majority party of the House it shall be the policy of the Caucus that a Democratic committee chairman or his or her designee shall not seek, and the Democratic Members of the Rules Committee shall not support any rule or order prohibiting any germane amendment to any bill reported from committee until four legislative days have elapsed following notice in the Congressional Record of an intention to do so.

AMENDMENTS

- B. If, within the four legislative days following said notice in the Congressional Record, 50 or more Democratic Members give written notice to the Democratic chairman of the committee seeking the rule and to the Democratic chairman or Democratic ranking minority member of the Rules Committee that they wish to offer a particular germane amendment, the Democratic chairman or Democratic ranking minority member or his or her designee shall not seek and the Democratic Members of the Rules Committee shall not Support any rule or order relating to the bill or resolution involved until the Caucus has met and decided whether the proposed amendment should be allowed to be considered in the House.

CAUCUS MEETING

- C. If 50 or more Democratic Members give notice as provided in paragraph (B) above, then notwithstanding the provisions of Caucus Rule 6, the Caucus shall meet for such purpose within three legislative days following a request for such a Caucus to the Speaker or Democratic Leader, as the case may be, and to the Chairman of the Caucus by said committee chairman, ranking minority member or designee.

NOTIFICATION TO LEADERSHIP

- D. Provided, further, that notices referred to above also shall be submitted to the Speaker or Democratic Leader, as the case may be, and the Chairman of the Caucus.

Rule 36. Notice of Appropriations Violations

- A. It shall be the policy of the Caucus that when the Committee on Appropriations orders reported any general appropriation bill which includes any provision in violation of clause 2 of House Rule XXI and within the jurisdiction of a standing committee, it shall give notice immediately to the chairman and ranking minority member of the standing committee which has jurisdiction over such provision of the specific provisions in violation of clause 2 of House Rule XXI; provided further, that when any other committee of the House orders reported any bill, resolution or amendment thereto carrying an appropriation from a committee not having jurisdiction to report appropriations in violation of clause 4 of House Rule XXI, such committee shall give notice immediately to the chairman of the Committee on Appropriations.
- B. It shall be the policy of the Caucus that it is the responsibility of the Committee on Appropriations to deliver copies of House-passed appropriation bills with numbered Senate amendments to the chairman and ranking minority member of the appropriate authorizing committees at least 24 hours prior to requesting appointment of conferees thereon unless the Speaker determines otherwise. It shall be the policy of the Caucus that it is the responsibility of the Committee on Appropriations upon filing of a conference report on an appropriations measure to deliver copies of the conference report and joint statement of the managers to the chairman and ranking minority member of the appropriate authorizing committees at least 24 hours' prior to floor action thereon unless the Speaker determines otherwise.

Rule 37. Committee Review of Legislation Developed by Certain Ad Hoc Task Forces

It shall be the policy of the Democratic Caucus that the standing committee or committees of jurisdiction of the House of Representatives shall have the right, for a period not less than five legislative days, to consider, review, and report on any legislative measure developed by any ad hoc Task Force appointed or designated by the Speaker.

Rule 38. Guidelines on Suspensions of House Rules

- A. When being consulted on the consideration of bills or resolutions under the suspension of the Rules of the House of Representatives, the Democratic Leadership shall not consent to such consideration of any measure that;
1. Has not been cleared with the Democratic Leader and the ranking Democrat(s) on the committee(s) of jurisdiction;
 2. Will be amended by an amendment that was not authorized by the committee(s) of jurisdiction, is not agreed to by the ranking Democrat(s) on the committee(s) of jurisdiction, and is not available at least three calendar days in advance of consideration (including the day of consideration);
 3. Is considered a “major piece of legislation”;
 4. Was opposed by more than one-third of any committee reporting it;
 5. Is added to the suspension list less than one day in advance of consideration (except in case of a legitimate emergency); or
 6. Does not meet the requirements of Paragraphs (B)–(E) of this rule.
- B. Any Committee ranking minority member supporting a request that a bill or resolution be brought up under the suspension of the Rules of the House must provide to the Democratic Leader in writing any cost estimate provided to the committee by any of the following:
1. The committee considering said bill or resolution;
 2. The Congressional Budget Office;
 3. The relevant executive department, agency, or instrumentality having jurisdiction in the matter; or
 4. Any other department, agency, or instrumentality of the government; in every case where such an estimate indicates that the bill or resolution in question may make or authorize appropriations in excess of \$100,000,000 for any fiscal year.
- C. The Democratic Leader shall not consent to consideration of any bill or resolution for consideration under the suspension of the Rules of the House or Representatives in any case where a request made under paragraph (B) of this Rule contains a cost estimate in excess of \$100,000,000 in any fiscal year.

- D. In any case where the Democratic Leader requests the Democratic Steering and Policy Committee of the Democratic Caucus to review a request to schedule for consideration under suspension of the Rules of the House an individual bill or resolution which may make or authorize appropriations in excess of \$100,000,000 (as established under paragraph (A) of this Rule) in any fiscal year, and the Democratic Steering and Policy Committee authorizes the Democratic Leader to consent to scheduling said bill or resolution for consideration under the suspension of the Rules of the House, paragraph (C) of this Rule shall not apply to such bill or resolution.
- E. In any case in which the Democratic Steering and Policy Committee of the Democratic Caucus authorizes the Democratic Leader to consent to scheduling a bill or resolution for consideration under the suspension of the Rules of the House as provided in paragraph (C) of the Rule, the Democratic Leader shall not consent to such bill or resolution being scheduled under the suspension of the Rules before the fourth calendar day (excluding Saturdays, Sundays, and legal holidays) following the day on which the Democratic Steering and Policy Committee authorized such action.

EMERGENCY PROVISION

- F. Paragraph (A) of this Rule shall not apply to:
1. Any measure for the declaration of war, or extreme emergency; or
 2. Any measure directly related to any executive decision, determination, or action which would become or continue to be, effective unless disapproved or otherwise invalidated by one or both Houses of Congress.

END OF SESSION

- G. Paragraph (A) of this Rule shall not apply in any session after the adoption by the House of Representatives near the end of that session or a resolution waiving certain Rules of the House for the consideration of legislation for the remainder of that session.

Rule 39. Motions to Recommit and Motions to Instruct Conferees

- A. All motions on the floor of the House for which Democratic Members, when in the minority party of the House of Representatives, are granted priority in recognition, including motions to recommit and motions to instruct conferees, shall be used, to the extent possible, to support the positions of the Democratic Caucus and the leadership.
- B. When more than one Democratic Member proposes to offer such a motion, the Democratic Leader (or if not present and in the absence of a stated leadership position, the most senior elected Member of the leadership available) shall determine the course of action that best reflects the position of the Democratic Caucus and the Leadership. Any Democratic Member having priority in recognition to offer such a motion shall act in accordance with that determination, including, if necessary yielding one's rights to offer such a motion to another Democratic Member.

Rule 40. Role of Subcommittee Chairman or Ranking Minority Member on House Floor

The Chairmen or ranking minority members of full committees shall, insofar as practicable, permit subcommittee chairmen or ranking members to handle on the floor legislation from their respective subcommittees.

Rule 41. Democratic Representation on Conference Committees

The Democratic Party representation on conference committees shall be no less favorable to the Democratic Party than the ratio for the full House committee when the Democratic Party is the majority party of the House of Representatives. When the Democratic Party is not the majority party of the House, the Democratic Leader shall make recommendations to the Speaker on all Democratic Members who shall serve as conferees.

Party Committees

Rule 42. Democratic Steering and Policy Committee

There shall be a House Democratic Steering and Policy Committee constituted as follows:

MEMBERSHIP

- A. The Democratic Steering and Policy Committee shall consist of the Speaker or Democratic Leader, as the case may be, the Majority Leader if the Democratic Party is in the majority, Caucus Chairman, Caucus Vice Chairman, Whip, Chairman of the Committee on Organization, Study and Review, Chairman of the Democratic Congressional Campaign Committee, two co-chairmen, two vice chairmen, Senior Chief Deputy Whip, seven Chief Deputy Whips, a Member of the freshman class, 12 Members who shall be elected from 12 equal regions as set forth below, not to exceed 15 Members who shall be appointed by the Speaker or Democratic Leader, as the case may be, the Chairman or Ranking Minority Member of the Committee on Appropriations, the Chairman or Ranking Minority Member of the Committee on the Budget, the Chairman or Ranking Minority Member of the Committee on Rules, the Chairman or Ranking Minority Member of the Committee on Energy and Commerce, the Chairman or Ranking Minority Member of the Committee on Financial Services, and the Chairman or Ranking Minority Member of the Committee on Ways and Means.

ORGANIZATION AND PROCEDURE

- B. The Speaker or Democratic Leader, as the case may be, shall serve as Chairman of the Committee, two Members appointed by him or her shall serve as Co-Chairs, and two Members appointed by him or her shall serve as Vice Chairs. The Committee shall adopt its own rules which shall be in writing; shall keep a journal of its proceedings; and shall meet upon the call of the Chairman or whenever requested in writing by four of its Members. In addition, the committee may authorize the Chairman to appoint ad hoc committees from among the entire membership of the Caucus to conduct special studies or investigations whenever necessary.

FUNCTIONS

- C. The Committee is vested with authority to report its nominations for committee memberships and chairmen or ranking minority members.

- D. The Democratic Steering and Policy Committee may, by majority vote, recommend a committee chairman or ranking minority member position or a subcommittee chairman or ranking minority member position be declared vacant, or may recommend the removal of a Member's committee assignment. Such a recommendation shall be circulated to the Democratic Caucus by the Chairman of the Democratic Caucus.

The Democratic Caucus shall meet to consider such a recommendation within five to ten legislative days after the Democratic Steering and Policy Committee reports its recommendation. Debate on any such recommendation shall be limited to 60 minutes, equally divided between proponents and opponents of the recommendation of the Democratic Steering and Policy Committee.

If the recommendation by the Democratic Steering and Policy Committee is approved, the vacancy shall be filled pursuant to Caucus Rules 13, 21, and 28.

- E. The Democratic Steering and Policy Committee shall assist the Leadership and the full Democratic Caucus in the establishment and implementation of a Democratic policy agenda and legislative priorities. The Democratic Steering and Policy Committee shall coordinate policy development and implementation and message coordination efforts between the Democratic Leadership, Party Committees, the whip organization, and Democratic Members of standing Committees. The Democratic Steering and Policy Committee shall supplement ongoing policy development by the chairman or ranking minority members, as the case may be, in each of the standing Committees. When practicable, the Democratic Steering and Policy Committee shall recommend party policy to the Democratic Caucus for approval.

REGIONS

- F. The 50 States (and other areas represented in the House) shall be divided into 12 compact and contiguous regions, each containing approximately one twelfth of the Members of the Caucus. Following each election, the Chairman of the Democratic Steering and Policy Committee shall review the number of Members in each region, and if necessary, shall submit to the Caucus for its approval changes necessary to maintain, as near as practicable, an equal number of Members in each region. The proposed changes and a list of Members in each region indicating the total years of service for each as of the start of the new Congress shall be made available to Members of the Caucus at least seven days before a Caucus which shall meet to approve or amend the regions.

REGIONAL ELECTIONS

- G. Each region shall meet to elect its representatives to the committee at a time determined by the Chairman of the Democratic Steering and Policy Committee and announced by written notice at least seven days in advance. The Chairman shall also designate a Member from each region to call the region's election meeting to order and to preside until a permanent presiding officer is elected, which shall be the first order of business. If at such meeting, the election of a Member to the Democratic Steering and Policy Committee does not take place due to lack of quorum, the Chairman shall reschedule the meeting as soon as practicable, provided Members are given at least 48 hours notice in writing of when and where the rescheduled meeting will be held. Nominations may be made from the floor or in advance of the election meeting by written notice signed by two Members from the region other than the nominee. Written nominations must be delivered to the Democratic Steering and Policy Committee office not later than 5 p.m. on the second day immediately preceding the day of the election meeting and mailed to all Members of the Caucus in that region not later than midnight of the second day immediately preceding the election meeting. Following the close of advance nominations, a ballot shall be prepared for each region containing the names of candidates nominated in advance for election from the region. Candidates shall be listed in alphabetical order and all ballots shall contain space to write in the names of Members nominated from the floor.

One-half of the Members of a region shall constitute a quorum for an election and a majority of those present and voting for a nominated candidate shall be required to elect. If more than one ballot be required, the candidate receiving the fewest votes on each ballot shall be eliminated from all succeeding votes until one candidate receives a majority of the votes cast.

SENIORITY LIMITATION

- H. If a region's representative in the preceding Congress had completed 12 or more years service at the start of his or her continuous service on the committee, he or she shall be succeeded by a member who has less than 12 years service unless that member seeks election in a newly constituted region. This provision shall not apply to the reelection of an incumbent Member of the committee who is entitled to seek another term.

TERMS OF SERVICE

- I. Terms of service for Members of the Democratic Steering and Policy Committee shall expire when a successor is elected or appointed. In the event of a regional vacancy the region shall elect a successor to fill the unexpired term. No Member shall be appointed or elected to more than two consecutive full terms. No regionally elected Member shall serve concurrently as a regional whip.

Rule 43. Regional Whips

ELECTION PROCEDURE

Regional Whips shall be elected by secret ballot in accordance with the provisions of Caucus Rule 42(G) which governs the election of regional representatives to the Democratic Steering and Policy Committee. In the event of a vacancy, the region shall elect a successor to fill the unexpired term. No Member shall be elected to more than two consecutive full terms as a regional Whip.

Rule 44. Democratic Congressional Campaign Committee

MEMBERSHIP

- A. The Democratic Congressional Campaign Committee shall consist of the Speaker or Democratic Leader, as the case may be, and one Member from each State which has Democratic representation in the House, the Resident Commissioner from Puerto Rico, and the Delegates from American Samoa, the District of Columbia, Guam and the Virgin Islands who are Members of the Democratic Party, and eight additional Members who shall be appointed by the Speaker or Democratic Leader, as the case may be. The state delegations shall choose their committee Members and inform the Speaker or Democratic Leader, as the case may be, of their choice, and the Speaker or Democratic Leader, as the case may be, shall make his or her appointments no later than January 31 of the first session of a new Congress. Members of the Democratic Congressional Campaign Committee shall serve for the duration of that Congress.

NOTICE

- B. No later than February 1 of the first session of a new Congress, the Speaker or Democratic Leader, as the case may be, shall send to all Members of the Caucus a listing of the Membership of the Democratic Congressional Campaign Committee for that Congress.

ELECTION OF CHAIRMAN

- C. No later than February 15 of the first session of a new Congress, the Speaker or Democratic Leader, as the case may be, shall nominate a chairman of the DCCC. Such nomination shall be submitted to the Caucus. The Caucus shall vote on that nomination, and other nominations which may be made from the floor on petition of five Members of the Caucus, at a meeting of the Caucus no later than March 1 of the first session of a new Congress. Candidates for chairman shall not necessarily already be a Member of the Democratic Congressional Campaign Committee.

TERM OF THE CHAIRMAN

- D. The chairman of the Democratic Congressional Campaign Committee shall serve while a Member of the House and until a new chairman is elected in accordance with the provisions of paragraph (C).
- E. 1. If a vacancy occurs in the office of chairman prior to the end of a Congress, the Speaker or Democratic Leader, as the case may be, shall appoint a temporary chairman immediately and convene a meeting of the Democratic Congressional Campaign committee within 45 days of the vacancy to nominate a new chairman. The Caucus shall act upon that nomination and additional nominations made from the floor on petition of five Members of the Caucus within 75 days of vacancy.
2. If a vacancy in the office of chairman occurs at the beginning of a Congress, a temporary chairman shall be appointed by the Speaker or Democratic Leader, as the case may be, to serve until a new chairman is elected in accordance with the provisions of paragraph (C).
3. Should a state Democratic Congressional Campaign Committee Member or an appointee of the Speaker or Democratic Leader, as the case may be, be unable to serve a full term, the state delegation or the Speaker or Democratic Leader, as the case may be, shall fill such vacancy within 15 days.

OFFICERS

- F. The Chairman shall nominate, and the Democratic Congressional Campaign Committee shall elect, as many as eight officers to assist the chairman with his or her duties. Candidates for these positions shall be Members of the Caucus. Any officer who is not, at the time of his or her election, a Member of the Democratic Congressional Campaign Committee, shall become a Member by virtue of his or her election as an officer.

Amendment and Review of Caucus Rules

Rule 45. Procedure for Amending Caucus Rules

- A. The Chairman of the Caucus shall be responsible for codifying and technically revising the Caucus Rules, and for recommending modification where advisable.
- B. When a Member offers an amendment to the Democratic Caucus Rules, the Member must provide twenty (20) copies of such amendment at the time the amendment is offered.

Rule 46. Committee on Organization, Study and Review

The Caucus Chairman shall appoint a Committee on Organization, Study and Review for the purpose of review of the Caucus Rules as circumstances may indicate, with no powers other than those recommending action to the Caucus.

Rule 47. Exemptions, Exceptions and Waivers

- A. Any recommendation by the Committee on Organization, Study and Review relating to an exemption or exception from, or waiver of, any rule of the Democratic Caucus with respect to any Member or group of Members shall be accompanied by a written report setting forth the reasons or arguments in support of the committee's recommendation and the arguments made in opposition to such action. Said recommendation and report shall be distributed to all Members of the Caucus before said matter is considered by the Caucus.
- B. Any vote relating to a request or recommendation that a specific Member or group of Members be exempted or excepted from any rule of the Democratic Caucus, or that any such rule be waived with respect to any Member or group of Members, shall be by secret ballot.

Disciplinary Procedures

Rule 48. Temporary Step Aside of a Chairman or Ranking Minority Member Who is Indicted

- A. The chairman or ranking minority member of a standing, select, special or joint committee of the Congress, or subcommittee thereof, who is indicted for a felony for which a sentence of two or more years imprisonment may be imposed, shall cease to exercise the powers of chairman or ranking minority member and shall step aside in favor of the next senior Democratic Member of the committee or subcommittee concerned who shall serve as acting chairman or ranking minority member for the remainder of that Congress unless the chairman or ranking minority member resumes the chair or ranking minority membership in accord with paragraph (B) or (C).
- B. If a chairman or ranking minority member steps aside and subsequently during that Congress the charges are dismissed or reduced to less than a felony as described in paragraph (A); or if the Member is found not guilty of said charges, the chairman or ranking minority member shall automatically resume the powers and duties of the office of chairman or ranking minority member unless the Caucus within 10 legislative days decides otherwise.
- C. The Caucus may waive the provisions of this rule at any time by majority vote.

- D. If at the start of the next Congress a Member referred to in paragraph (A) is still under indictment, the Caucus shall fill the position of chairman or ranking minority member, for which that Member shall not be eligible, on an interim basis with a Member selected in accord with Caucus Rules 21, 22, 23 or 28 as acting chairman or ranking minority member. If said chairmanship or ranking minority membership is filled in this manner, and if during that Congress the charges against said Member are dismissed, or if the Member is found not guilty of said charges, or if circumstances no longer warrant holding said chairmanship or ranking minority membership in an interim status, the chairmanship or ranking minority membership shall be determined in accord with Caucus Rules 21, 22, 23 or 28, the same as at the start of a Congress.
- E. The phrase “next senior Democratic Member” in paragraph (A) shall not include the chairman or ranking minority member of a standing, select, special or joint committee or an Appropriations subcommittee.
- F. The member chosen as acting committee chairman or ranking minority member in accordance with paragraph (D) shall not serve simultaneously as the chairman or ranking minority member of any other full or permanent select committee. Service as an acting committee or subcommittee chairman or ranking minority member in accordance with paragraph (D) shall not be subject to the restrictions in Caucus Rule 25(C). If an indictment against a member referred to in paragraph (A) is quashed or otherwise vitiated and the Member returns to his or her former position of chairman or ranking minority member, then the next senior Democratic Member who took the place of the indicted member shall return without prejudice to his or her former subcommittee chairmanship or ranking minority member status.

Rule 49. Automatic Replacement of a Chairman or Ranking Minority Member Who Is Censured or Convicted

- A. The chairman or ranking minority member of a standing, select, special or joint committee of the Congress, or subcommittee thereof, who is censured by a vote of the House or who is convicted of a felony for which a sentence of two or more years of imprisonment may be imposed, shall cease to exercise the powers of chairman or ranking minority member, shall be replaced in such position in accord with Caucus Rules 21, 22, 23, or 28, and shall not serve as chairman or ranking minority member of any committee or subcommittee for the remainder of that Congress.
- B. Immediately upon censure or conviction of many chairman or ranking minority member referred to in paragraph (A), the next senior Democratic Member of the committee or subcommittee concerned other than the chairman or ranking minority member of a standing, select, special or joint committee or an Appropriations subcommittee, shall assume the powers of chairman or ranking minority member and shall serve as acting chairman or ranking minority member until a new chairman or ranking minority member is selected or until the Caucus acts in accord with paragraph (C).
- C. If circumstances so warrant, the Caucus may order that the chairman or ranking minority member step aside rather than be replaced and that the acting chairman or ranking minority member continue in such status for the remainder of that Congress only, or may waive the provisions of paragraph (A) entirely. Provided, however, that the request for action by the Caucus under this paragraph shall be made by the chairman or ranking minority member involved within 15 calendar days of the censure or conviction.

- D. If a Member is replaced as chairman or ranking minority member of a committee or subcommittee in accord with Caucus rules 21, 22, 23, or 28 and if subsequently during that Congress the conviction of said Member is reversed and all appeals are exhausted, the Member shall be presumed to have been the chairman or ranking minority member of that committee or subcommittee for the entire Congress for purposes of selecting committee and subcommittee chairmen or ranking minority members at the start of the next Congress. Provided, however, that if said Member was ordered to step aside rather than be replaced as chairman or ranking minority member, the Member shall automatically resume the powers and duties of the office of the chairman or ranking minority member unless within 10 legislative days of such reversal the Caucus decides otherwise.

Rule 50. Temporary Step Aside of a Member of the Leadership Who is Indicted

- A. The Democratic Leader, the Democratic Whip, the Chairman or Vice Chairman of the Caucus, the Chairman of the Democratic Congressional Campaign Committee, or the Assistant to the Democratic Leader who is indicted for a felony for which a sentence of two or more years imprisonment may be imposed shall cease to exercise the power of his or her office. The Caucus may determine who shall exercise those powers on a temporary basis.
- B. If the Democratic Leader, the Democratic Whip, the Chairman or Vice Chairman of the Caucus, the Chairman of the Democratic Congressional Campaign Committee, or the Assistant to the Democratic Leader steps aside pursuant to paragraph (A) and subsequently the charges are dismissed or reduced to less than a felony as described in paragraph (A), or if the Member is found not guilty of such charges, that Member shall automatically resume the powers and the duties of that office unless the Caucus within 10 legislative days decides otherwise.

Rule 51. Automatic Replacement of a Member of the Leadership Who is Convicted

- A. The Democratic Leader, the Democratic Whip, the Chairman or Vice Chairman of the Caucus, the Chairman of the Democratic Congressional Campaign Committee, or the Assistant to the Democratic Leader who is convicted of a felony for which a sentence of two or more years of imprisonment is imposed shall cease to exercise the powers of his or her office, shall be removed from such position and shall not serve in any such position for the remainder of that Congress.
- B. Immediately upon the removal of any Member from a position described in paragraph (A), the Caucus shall select a replacement in accordance with Caucus Rule 2, 4, or 44.