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being made; (3) precedents *sub silento*—that is, practices or procedures of the House which are never specifically ruled on.

From what has been said it is clear that a “precedent” may be broadly defined as a ruling, decision, or conclusion of the Speaker or Chairman or even a longstanding practice or custom of the House that is applied in settling some question or issue concerning the House or its committees or Members.⁽²⁴⁾ The rulings of the Speaker or Chairman are the most common examples of the precedents of the House, and are applied in the interpretation of the House rules.

Although the term “precedent” is broadly defined, a routine step in the legislative process which in no way illuminates the practice or procedure of the House is not to be considered a precedent. Thus, the mere fact that the House voted routinely for or against a particular bill is without precedential value. By the same token, the mere fact that a particular Member was appointed to a committee is not a precedent, but the method of his appointment may well be regarded as such.

A decision or conclusion by the Speaker or Chairman is a precedent in subsequent disputes where the very point is again in controversy. Likewise, a ruling or conclusion by him is a precedent only on the point or points which he actually decides; a question which merely lurks in the Record and was never brought to his attention, is not to be considered a precedent.

In the absence of controlling precedents, one House may look for guidance to the precedents of the other, although neither body is in any way bound by such precedents.⁽²⁵⁾

Recordkeeping and the Precedents

The precedents cited in these volumes are drawn from a recordkeeping and research system initiated by me when I first took office as Parliamentarian of the House in 1928. Under this system, each ruling of the Speaker, Speaker pro tempore, or Chairman of the Committee of the Whole, is recorded on a day-to-day basis, supplemented with excerpts when available from the *Congressional Record*. The magnitude of this task can hardly be overestimated, many thousands of these precedents having been entered in these records since 1928.

24. See 6 Cannon’s Precedents § 58 (indicating that the opinion of one member of a committee, absent approval by the House, would be insufficient to establish a precedent).
25. See 3 Hinds’ Precedents § 1724, noting that, in 1860, the Senate looked to the precedents of the House in proceeding against a witness in contempt of a Senate committee.

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The system involves the drafting of a concise statement of each ruling, together with annotations explaining any unusual circumstances attending it. These rulings, together with pertinent floor debate and other materials, are then placed in a scrapbook prepared for each session, for future reference. A special index of the rulings, arranged by subject, is prepared at the conclusion of each Congress. This index enables the Parliamentarian or his staff to obtain ready access to the Speakers' rulings over the past 50 years on any topic.

Plan of the Work; Arrangement of Materials

The chapters in this work have been arranged in the approximate sequential order in which the subjects covered occur or arise in the House; thus, the first chapter deals with the organization of the House at the beginning of a Congress, and the last chapter deals with adjournment.

Generally, each section or division in a chapter begins with a relatively short summation of the precedents covered under the topic. These summaries provide the reader with a frame of reference in which to read the precedents that follow, and also reflect constitutional and statutory provisions as well as case law.

Each chapter begins with an identification of the section in Hinds' or Cannon's in which comparable coverage is provided. In addition, information based on material in Hinds' or Cannon's is given when necessary to give the reader a comprehensive understanding of the topic, or to provide a missing link between one precedent and another.

The term "Parliamentarian's Note" is used where a point is to be made for which there is no *Congressional Record* source or other appropriate citation, or where some editorial comment is needed.

As can be seen from glancing through these volumes, the rulings of the Speaker or Chairman are set forth in the form of blackletter syllabi, and excerpts from the *Congressional Record* are provided where necessary to support, explain, or illustrate each syllabus. Excerpts are not used where they will in no way add to the reader's understanding of the headnote. When an excerpt from the Record is used, it is edited in such a way as to eliminate material not relevant to the point made in the syllabus.

The citations in these volumes contain many references to the pages of the *Congressional Record*, House Journals, and court reports. It is unreasonable to assume that no errors will