



# FEDERAL LEGISLATIVE HISTORY RESEARCH GUIDE

## H. DOUGLAS BARCLAY LAW LIBRARY

**Check the library's "Location Guide" and Summit/Voyager the Online catalog for the current location of sources mentioned in this pathfinder.**

### **PURPOSE:**

This Pathfinder provides guidance on how to research a law's legislative history. A quick introduction on how a bill becomes a law is given in order to help understand the types of documents generated in the legislative process and where to find them. Then, resources are suggested for finding the various legislative documents.

(See also the Law Library Pathfinder entitled "Federal Statutes")

### **OUTLINE:**

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#### **II. LEGISLATIVE PROCESS AND ACCOMPANYING DOCUMENTS**

#### **III. LOCATING BILLS**

#### **IV. SOURCES OF LEGISLATIVE HISTORY**

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- B. Congressional Information Service
- C. Compiling your own Legislative History

#### **V. OTHER SOURCES FOR LEGISLATIVE INFORMATION**

### **DEFINITION OF LEGISLATIVE HISTORY**

Legislative History is a collection of documents created by the legislative process which, when viewed together, reveal the history and intent of a statute/law. These documents are produced during the course of a bill's path from introduction to deliberation to enactment as a law. **Note:** The number and type of documents generated varies from statute to

statute. For some laws there may be little or no accompanying documents, for others there will be many.

The major documents which comprise a federal legislative history are:

- Bills and their amendments
- Committee reports
- Debates and records of hearings

## **THE LEGISLATIVE PROCESS AND ACCOMPANYING DOCUMENTS**

In order to compile a federal legislative history, you must understand the federal legislative process and the kinds of documents generated during each stage of this process.

The following segment briefly reviews the path of a federal bill from introduction to enactment as a law, and describes the various documents which are (or can be) produced during each phase of consideration. Locating these documents is the subject of Part III.

### 1) The Bill is Introduced

A bill is introduced in one chamber of Congress (House or Senate), then passed, with or without amendments, to the other chamber. Sometimes companion bills are considered simultaneously.

Bills are identified by the chamber (H. for House and S. for Senate) and a number. For example, S.123 is the 123<sup>rd</sup> bill introduced into the Senate for a given congressional session.

To understand the complete history of a bill:

1. COLLECT ALL AVAILABLE VERSIONS OF THE BILL
2. Track the bill that passed and its companion
3. Track the amendments

### 2) The Bill is Sent to the Appropriate Committee

Committees give a bill its most intensive consideration. A public hearing takes place if the proposed legislation is significant or controversial. After the hearing, if any, the subcommittee deliberates and reports on the bill, in writing, to the full committee. The full committee votes for the bill or tables it.

### 3) If the Bill is Reported Favorably, it is Accompanied by a Committee Report or Print

**The Committee Report is the most important element of a legislative history.** It describes the bill's purpose and impact of the bill on Public Law. A Committee Print

expresses the views of one or more members of the committee. It may include material prepared by the committee staff.

4) The Full Chamber Debates the Bill

The usefulness of records and floor debates depends on the seriousness of the discussion.

5) If the Bill is Passed in One Chamber, it is Sent to the Other Chamber

In the other chamber, a similar procedure is followed (i.e., floor debates, committees, etc.).

6) If the Bill Passes the Other Chamber it is Sent Back to the Originating Chamber With or Without Amendments

**Conference Committee Reports** are generated when members of both chambers meet to discuss discrepancies and make recommendations. Sometimes they convey the committee's inability to reach an agreement.

7) The Originating Chamber Votes on the Bill Again

8) When the Bill is Passed, it is Sent Back to the Other Chamber, Which Votes on the Final Version of the Bill

A **Bill** becomes a **Public Law** after identical versions have been passed by both the House and Senate and, either (a) the President signs it, or (b) ten days pass without getting the President's signature.

A Bill may also become Public Law if the President vetoes and his veto is overruled by two-thirds of Congress.

Public Laws (P.L.) are assigned numbers to show which laws Congress enacted during a given session. For example, P.L.89-123 means that this is the 123<sup>rd</sup> public law enacted by the 89<sup>th</sup> Congress.

## LOCATING BILLS

- *Commerce Clearing House (CCH) Congressional Index* **J69.C6** (current congress only)
  - Looseleaf containing current information about the status and course of federal bills.
  - Separate volumes for House and Senate.
  - The subject index is located in Senate volume. Also includes an index to committee hearings and indexes to previous sessions.

- Information provided includes: synopsis of bill; name of sponsor; course of proceedings during consideration; date of passage/when signed by the President; and Public Law number, if passed.
- *Calendar Of Business* **Microform J37 .C3; Unclassified Floor 4**
  - Official daily calendar of Congress.
  - Separate editions for House and Senate.
  - Contains bill numbers, synopses of bills, brief legislative histories, and committee information.

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below
Microform	97 <sup>th</sup> – current congress	<b>Unclassified Floor 2</b>
* Westlaw	current congress	<b>Yes</b>
* Lexis	Current congress	<b>Yes</b>
Internet	1989 – current congress 1989 – current congress	Thomas – Legislative Information on the Internet <a href="http://thomas.loc.gov/">http://thomas.loc.gov/</a> <i>Congressional Universe (SU campus access only)</i>

\* Authorized Westlaw and Lexis users please see Reference Librarian or online vendor student reps for database identifier information

## SOURCES OF LEGISLATIVE HISTORY

### A. Published Compilations

Published legislative histories may be available for significant or controversial legislation. Unfortunately, there is usually a long delay between enactment and publication of a legislative history. Specialized looseleaf services (such as Tax or Bankruptcy) frequently include legislative history materials.

**Consult the following to determine if a legislative history has been published or has been compiled:**

- Check SUMMIT Online catalog under the name of the act or by subject
  - Some statutes' legislative histories are published as separate titles.
  - Try a keyword search in SUMMIT using the “legislative history” in quotes:  
Ex. **copyright +“legislative history”**
- *Sources of Compiled Legislative Histories* **Reference KF 42.2 .J68**
  - This is a location guide for published legislative histories.
  - Arranged by Public Law number, it indicates the titles and sources of compiled legislative histories pertaining to that law.

- It also provides bill numbers and citations to the Statutes at Large
- *Federal Legislative Histories* **Reference KF42.2 .R43**
  - This annotated bibliography describes compiled legislative histories of laws from the 37<sup>th</sup> Congress (1862) to the 101<sup>st</sup> Congress (1990).
  - It provides the title of the compiled legislative history and SuDoc and/or CIS number where it can be found.
  - The compiled legislative histories can be accessed by author, popular name, public law number or bill number.
- *Union List of Legislative Histories* **Reference KF 49 .L39**
  - Covers the 37<sup>th</sup> to 102nd Congresses (1861-1992).
  - Provides a list of libraries in the Washington, D.C. area that have compiled in-house legislative histories.

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below
Microform	1963-1980	<b>Microform Unclassified</b> (arranged by Public Law number)
* Westlaw	varies	Yes
* Lexis	varies	Yes

\* Authorized Westlaw and Lexis users please see Reference Librarian or online vendor student reps for database identifier information.

## **B. The Congressional Information Service (CIS)**

CIS is a privately published, comprehensive source for legislative histories of laws passed from 1970 to the present. CIS lists the documents that make up individual legislative histories and provides the full-text of the following documents:

- Records of Hearings
- Committee Reports
- House and Senate Documents
- Miscellaneous special publications

The components of the paper and microfiche CIS system include:

- *CIS Index Volumes*
  - Main index which includes subjects, names, titles and authors.
  - When you need a legislative history, but don't know the Public Law number:
    1. Look under the general subject in the Index volume
    2. You will be given a Public Law (P.L.) number
    3. With a P.L. number, you can access legislative histories in either the *Abstracts Volumes* (pre-1984) or the *Annual Legislative History Volumes* (1984-present)

- *Abstracts Volumes* (used for legislation enacted between 1970-1984)
  - All Public Laws are abstracted with citations to full-text legislative history documents available in the microfiche collection.
  - Locate the Public Law abstract in the “Legislative History” section of the appropriate Abstracts volume. Abstracts of legislative histories are arranged by P.L. number.
  - There is no general subject index in the Abstracts volume; you must refer to the Index volumes for that year.
  
- *Annual Legislative History Volumes* (used for legislation enacted on or after 1984)
  - All Public Laws are outlined with citations to full-text legislative history documents available in the microfiche collection.
  - Arranged by P.L. number for each year.
  - Includes a subject index.
  
- *CIS Microfiche Collection*
  - The full-text of congressional documents cited in the *Legislative History* and *Abstracts* volumes are available in microfiche.
  - Documents are arranged by year and CIS document number (same as the Abstract numbers for individual documents). The collection is divided into Senate/House/Joint publications.

<b>FORMAT</b>	<b>COVERAGE</b>	<b>LOCATION</b>
Paper	1970 – present	<b>Unclassified Floor 2</b> (indexes & abstracts only – see below)
Microform	1970 – present	<b>Microform Unclassified</b> (full-text documents – see below)
* Lexis	1970 – present	<b>Yes</b>
Internet	1970 - present	<i>Congressional Universe (SU campus access only)</i> (index, abstracts & full-text documents)

\* Authorized Westlaw and Lexis users please see Reference Librarian or online vendor student reps for database identifier information.

### **C. Compiling Your Own Legislative History: An Introduction**

If a law does not have a previously compiled legislative history, nor is it located in CIS (pre 1970), then a legislative history must be compiled from scratch. The following procedure should be used when compiling a statute’s legislative history:

#### **1. Read the text of the code section in the USCA/USCS**

Consult the Law Library pathfinder entitled “*Federal Statutes*” for sources and tools regarding researching in the *United States Code Annotated*, *United States Code Service* and the *United States Code*.

2. **Consult the *United States Code Congressional and Administrative News* Floor 4**  
The *United States Code Congressional and Administrative News* (USCCAN) collects public laws and legislative histories by Congressional session.

Both sections are organized chronologically, and each annual set has its own subject index and popular name table.

The Legislation History section provides the text of important committee reports and an outline of other elements in the legislative history.

Each multi-volume edition covers a particular session of Congress and also includes Executive Orders and Presidential Proclamations.

**Note:** USCCAN materials are arranged by Public Law number (i.e., laws are compiled in chronological order). If you don't know the Public Law number, use the general subject index or the popular name table in the last volume.

FORMAT	COVERAGE	LOCATION
Paper	1952 - present	<b>Floor 4</b>
* Westlaw	1948 – present	<b>Yes</b>

\* Authorized Westlaw and Lexis users please see Reference Librarian or online vendor student reps for database identifier information.

### OTHER SOURCES FOR LEGISLATIVE INFORMATION

- *Congressional Record*
  - The *Congressional Record* contains verbatim transcripts for floor debates and proceedings, transcripts, including remarks by members of Congress, votes, proposed amendments, and sometimes, the texts of bills.
  - The *Congressional Record Index* contains the General Index, History of Bills and Resolutions, and status and course of bills, names of committees, indication of debates and citations to the Record published semi-monthly.

FORMAT	COVERAGE	LOCATION
Paper	1996 - present	<b>Bird Library Government Documents Floor 3</b>
Microform	complete series	<b>Bird Library Government Documents Floor 3</b>
Microform	1976 – present	<b>Unclassified Floor 2</b>
* Westlaw	1985 – present	<b>Yes</b>
* Lexis	1985 – present	<b>Yes</b>
Internet	1994 – present	<i>Congressional Record Online</i> <a href="http://www.access.gpo.gov/su_docs/aces/aces150.html">http://www.access.gpo.gov/su_docs/aces/aces150.html</a>
	1985 – present	<i>Congressional Universe (SU campus access only)</i>
	1774-1875	<i>A Century of Lawmaking for a New Nation</i> , produced by the Library of Congress: <a href="http://memory.loc.gov/ammem/amlaw/lawhome.html">http://memory.loc.gov/ammem/amlaw/lawhome.html</a>

\* Authorized Westlaw and Lexis users please see Reference Librarian or online vendor student reps for database identifier information.

- *United States Government Documents*
  - Government Documents are issued Superintendent of Documents (SuDoc) Numbers, which serve the same purpose as call numbers.
  - For example, if you were doing a SUMMIT search for Immigration law, any document with the author listed as “United States” is a Government publication.
  - Use the SuDoc number (i.e. Y 4.H 81/3:N 21) to locate the document in the collection.
  - Bird Library also has paper indices for locating Government Publications.
  - Government Publications are typically difficult to search on SUMMIT, therefore, try the *Government Publications Index* on InfoTrac CD-ROM Database.

FORMAT	COVERAGE	LOCATION
Paper	complete collection limited collection	<b>Bird Library Government Documents Floor 3</b> <b>Law Library Stack 4</b>
Microform	limited collection	<b>Unclassified Floor 2</b>
CD-ROM	1976 - present	<i>InfoTrac – Government Publications</i> <b>Electronic Research Center</b>
Internet	1994 – present	<i>Catalog of US Government Publications (MoCat)</i> <a href="http://www.gpo.gov/catalog">http://www.gpo.gov/catalog</a>

- *The CIS US Congressional Committee Hearings Index* **KF 40 .C56**
  - Covers the period between 1833 - 1969 (ends with the 91<sup>st</sup> Congress)

- Provides comprehensive access to the subject matter and issues covered in Congressional hearings from 1833 to 1969, including bills and laws discussed, federal agencies concerned, witnesses and the organizations they represented.
- Index includes informative *User's Handbook*.
- *Major Legislation of the Congress (MLC)* **KF 42 .M34**
  - Library has 1981 through current year.
  - A monthly journal containing abstracts on more than 700 key legislative issues addressed during the current session of Congress.
  - Abstracts often cite to committee reports and other useful documents.
  - The December issue summarizes the year's legislative activity.

### **Web Sites For Congressional & Legislative Resources:**

- *Thomas Internet Site* <http://thomas.loc.gov>
  - This site contains links to recent Bills, proposed legislation, current activities of Congress, the Congressional Record and historical documents.
- *U.S. Legislative Branch* <http://thomas.loc.gov/home/legbranch/legbranch.html>
  - The United States Congress has created a comprehensive site featuring congressional and political news, information about members of Congress, committees, organizations, E-Mail addresses, calendars and schedules, voting records, etc.
  - Searchable by keyword.
- *How Our Laws are Made* <http://thomas.loc.gov/home/lawsmade.toc.html>
  - Description of the law-making process, from the origin of a bill to its enactment into law.
  - Emphasis is on House procedure.

### **Resources For Locating Federal & State Government Documents:**

- *Finding Government Information on the Internet* **Reference Z1223.Z7 M26**
  - Provides information and addresses of government internet sites.
  - Other books can be found by doing a Subject Search on SUMMIT, e.g., Government Information - United States - Computer Network Resources.
- *Federal Information Center (FIC)* **1-800-FED-INFO**
  - The FIC is open for public inquiries from 9:00 a.m. to 8:00 p.m., eastern time, Monday through Friday, except Federal holidays.
  - [http://fic.info.gov/](http://fic.info.gov)
- *New York State Library Reference Desk* **1-518-474-5355**
  - The most complete Federal Depository Library in New York State.
  - <http://www.nysl.nysed.gov>