

ND Law Library Guide

Federal Legislative History Research

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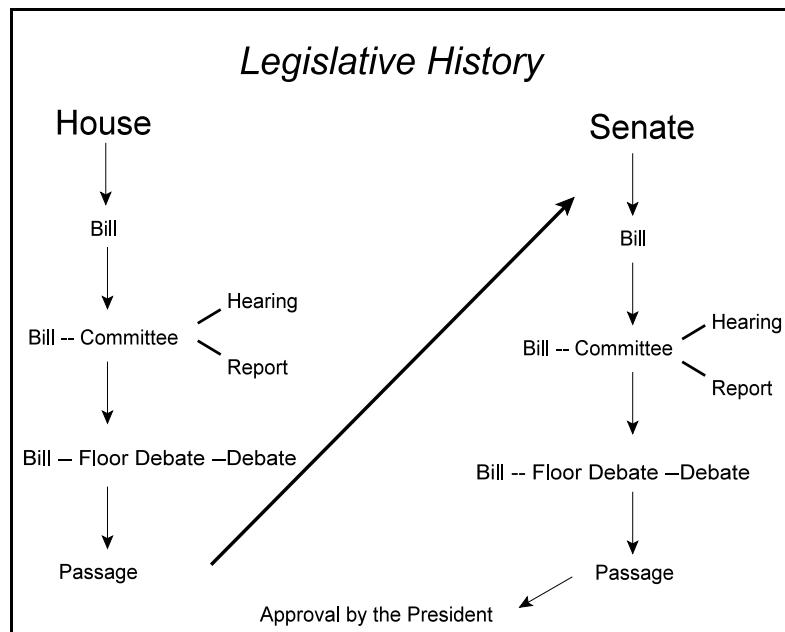
If the hyperlinks do not work, copy and paste the web address into your browser.

- A. The purpose of legislative history research:
1. To monitor the progress of pending legislation.
 2. To determine the legislative intent behind an enacted statute in order to resolve ambiguities created by the words of the statute.
- B. The two-step process of legislative history research to find legislative intent:
1. Identify the documents that were produced as proposed legislation made its way through the legislative process.
 2. Examine these documents for statements of legislators and other noteworthy individuals who addressed this legislation. Hopefully, their statements will shed light on the meaning and purpose of an enacted law's provisions.

- C. Identifying the types of documents:

There are four main types of legislative history documents produced by Congress during the legislative process: bills, hearings, reports and debates.

- D. This diagram of the legislative process shows where each type of document is produced in the legislative process.



E. What each document tells you about legislative intent:

- **Bills.** As a bill is amended during the legislative process, it is reprinted. Each printing contains new language. Progressive additions, deletions and alternatives in language are direct evidence of deliberate thinking. Remember to also examine the differences between companion bills (other bills on the same subject).
- **Hearings.** These are transcripts of testimony offered by invited experts on the subject of the proposed legislation. Hearings suggest what information the legislature had when it enacted the statute.
- **Reports.** These are the most useful of all the legislative documents in proving intent. A report could include a detailed analysis of each section of a bill; an explanation of the purpose of any committee amendments; an indication of what the bill is designed to accomplish and how it changes existing law; and the committee's explanation of its recommendation for action on the bill.
- **Debates.** These are statements about proposed legislation made by legislators on the floors of the Senate and House. Statements for or against passage of a bill can indicate legislators' interpretations of the bill's language.

F. Legislative history research entails identifying relevant bills, hearings, reports and debates and then examining them to determine legislative intent. The following sources can help you in this endeavor:

1. **Statutes at Large.** The official source of federal session laws, Statutes at Large has been a finding tool for legislative history documents since 1963. A legislative history summary appears after the text of each law enacted since 1975. This summary includes citations to House, Senate, and Conference reports. It also lists the law's dates of passage and consideration in each house, and provides references to presidential statements. The summaries do not provide references to exact Congressional Record pages, or to hearings and other relevant documents. From 1963 to 1974, legislative history information appeared at the end of each Statutes at Large volume in a table called "Guide to Legislative History."
2. **U.S. Code Congressional and Administrative News (1941-date).** USCCAN is an unofficial session law source for federal statutes. It is also the legislative service for USCA. USCCAN volumes are divided by Congressional session; volumes within a session are further divided into "laws" and "legislative history."

The legislative history volumes contain edited versions of selected committee reports (and occasionally other documents as well). They provide citations to all of the committee reports, to the Congressional Record and to presidential signing statements (1986-present). Both laws and legislative histories in USCCAN are arranged by public law number.

USCCAN provides a quick legislative history overview, but for a more complete legislative history, you will need to use other sources.

3. **CCH Congressional Index (1937-date).** This publication is solely a finding tool. It doesn't provide the text of Congressional documents.

It is a very good source for monitoring the status of proposed legislation or reconstructing the chronological history of an enacted law. It is published weekly while Congress is in session, in a two-volume looseleaf format, with one volume for the House and another for the Senate. It contains important basic information about Congressional activity with indexes of all public general bills by subject and by sponsor; digests of each bill; a status table of actions taken on bills and resolutions; a table of companion bills and much more.

4. **Congressional Information Service (CIS) (1970-date).** In addition to indexing hearings, reports, and other legislative documents, this service provides both abstracts and full-text microfiche reproductions of these documents.

From 1970-1983 two permanent volumes were produced, an Index and an Abstracts volume. The back of the Abstracts volume contained comprehensive legislative histories of public laws. Since 1984 these legislative histories have been published in a third annual volume entitled Legislative Histories. This third volume includes references to bills, hearings, committee reports, debates and other House, Senate and presidential documents. This is the most complete hardcopy source for legislative history information.

5. [ProQuest Congressional](#) is a web-based alternative to the hardcopy Index, Abstracts and Legislative Histories volumes of CIS. Full-text versions of bills (1989-), selected hearings (1988-), reports (1990-), debates (1985-), other legislative documents (1995-), and public laws (1988-) are available online.

With the ProQuest Congressional Digital Collections, one has access to searchable pdf versions of hearings (1824-), reports (1789-), and debates (Congressional Record 1873-1997).

6. **U.S. Congressional Serial Set (1789-present).** The Serial Set contains the full text of all Congressional committee reports and House and Senate Documents. House and Senate Documents include executive communications to Congress, special reports to Congress, and special studies. As a general rule, the Serial Set does not contain hearings.

Serial Set publications from 1789-1969 are available in microfiche in Kresge Library and online in LexisNexis Congressional. Indexing is available in print with the CIS U.S. Serial Set Index or online with [ProQuest Congressional](#).

Materials published in the Serial Set after 1969 can be found in the CIS microfiche set (mentioned above in #4).

7. **WESTLAW and LEXIS.** These two computer-assisted legal research systems offer a significant amount of legislative history information.

WESTLAW

- **Bills on WESTLAW.** The US-BILLTRK, BC and CONG-BILLTXT databases have information about recently introduced federal bills.

CONG-BILLTXT contains the text of all versions of Congressional bills introduced in the current Congress. Bills from earlier Congresses (1995-) are available in historical databases such as CONG-BILLTXT104 (104th Congress).

US-BILLTRK, updated daily, contains summaries and status information on federal legislation introduced in the current Congress. Similar information on bills from earlier legislative sessions (1991-) is available in US-BILLTRK-OLD.

- **Hearings on WESTLAW.** Witness lists and both written and oral statements made in committee hearings since January 1993 are available in the USTESTIMONY database. This database includes full coverage from 1996 and selected coverage from 1993 to 1996. It is updated daily while Congress is in session.
- **Reports on WESTLAW.** The LH database contains edited texts of committee reports from 1948 through 1989. The information is the same as that contained in U.S. Code Congressional and Administrative News. (USCCAN only contains the reports for bills that have become law.) From January 1990, the database contains full-text versions of all committee reports, regardless of whether or not a bill became a law. Also includes legislative history of Securities Laws (1933-). Presidential signing statements from 1986 that have been reprinted in USCCAN are also covered.
- **Debates on WESTLAW.** The CR database contains the Congressional Record from the beginning of the first session of the 99th Congress (1985) to the present. (Citations are to the daily editions of the Congressional Record rather than the annual editions.)
- **Public Laws on WESTLAW.** The US-PL database contains public laws enacted during the current Congress. Public laws passed in prior years, back to 1973, are available in the US-PL-OLD database.
- **Compiled Legislative Histories on WESTLAW.** Compiled full-text legislative histories for some public laws are available. See the Legislative History and Arnold & Porter Collection-Legislative Histories folders for lists.

* Always refer to the SCOPE screens of the aforementioned databases for tips on efficient searching.

- **Graphical Statutes.** “Depicts current and prior statute text, and the corresponding legislative history content for USCA sections on or after January 2, 1996.”
- See the Legislative History-Fed tab for a nifty diagram of the legislative process offering links to relevant Westlaw databases. Click on a particular stage in the process and Westlaw will list the relevant databases for bills, hearings, reports, etc.

LEXIS

Legislative history documents are available in LEXIS under:

Legal > Legislation & Politics -U.S. & U.K. > U.S. Congress

- **Bills on LEXIS.** Congressional Full Text Bills - Current Congress contains the full text of all published versions of bills pending in the House or Senate; Bill Tracking Report - Current Congress monitors their status and provides a link to related news stories.

Bill Tracking - Historical and Full Text of Bills - Historical offer full text versions and tracking information for bills back to 1989.

- **Hearings on LEXIS.** Coverage varies among the five sources contained in the Committee Hearing Transcripts folder. Coverage is generally from 1993 to present; Federal News Service contains selected Congressional hearings which treat major topics of interest from 1988.
- **Reports on LEXIS.** Committee Reports contains the full text of House and Senate reports issued since January 1990.
- **Debates on LEXIS.** Find current debate in Congressional Record - Current Congress. The *Congressional Record* is available from 1985 to present as one group file in Congressional Record, All Congresses Combined or as individual files for each Congress from the 99th to the present one in the Congressional Record - Historical folder.

Legal > Federal Legal - U.S. > United States Code Service (USCS) Materials > USCS - Public Laws

- **Public laws on LEXIS.** USCS - Public Laws contains all public laws from 1988 to present.
- **Compiled Legislative Histories files on LEXIS.** Legislative Histories and Materials contains legislative history information either on specific laws or in particular subject areas. For example, there is a full-text history of the Financial Institutions Reform Recovery Enforcement Act of 1989 and combined legislative histories for bankruptcy and tax laws.

Legislative Histories & Materials > US - CIS Legislative Histories contains Congressional Information Service legislative history summaries of key US public laws enacted from 1970 to present. Abstracts of the hearings, reports and documents cited in the Legislative Histories are included.

* Always refer to the “Source Information” icon for instructions on efficient searching in each database.

8. **Congressional Bills and Resolutions.**

Published by the Government Printing Office, this microfiche set contains copies of Congressional bills. (The Kresge Library collection includes bills from 1988 to present.)

9. [THOMAS.](#)

This website was developed by the Library of Congress in January 1995 to make federal legislative history information freely available.

- **Bills on THOMAS.** [Bills, Resolutions](#) contains the full text of bills introduced from 1989-present. "Bill Summary and Status" monitors the progress of pending legislation from 1973. The names of the bill's sponsors and cosponsors, its popular name, and a detailed chronology of legislative action are provided. The chronology includes the dates of referral to committees and subcommittees, and *Congressional Record* page references for floor debate information. The bill text files are updated several times a day. Bill status information is usually available one day after the action occurs.
- **Hearings on THOMAS.** Not available.
- **Reports on THOMAS.** The full text of most House and Senate committee reports (including conference reports) published from 1995 forward can be found in the [Committee Reports](#) database. This file is updated intermittently as the reports are published by the Government Printing Office.
- **Debates on THOMAS.** [Congressional Record](#) contains the full text of the daily edition of the *Congressional Record* from 1989. The *Congressional Record* is the edited daily transcript of what is said on the floors of the Senate and House. Coverage for the *Congressional Record Index* goes back to 1995.
- **Public laws on THOMAS.** After a bill is approved by Congress and signed by the President (or his veto is overridden) it becomes a public law. [Public Laws](#) contains bill summary and status information (1973-) and the full text of public laws from 1989 to present.
- **United States Code.** Every six years, public laws still in effect and of a general and permanent nature are arranged by subject and incorporated into the *United States Code*. Thereafter, any reference to the statute should include the U.S.C. citation. In [U. S. Code](#), THOMAS provides the text from the most recent edition of the United States Code.
- **The Legislative Process.** For a detailed description of the steps involved in the federal lawmaking process, see "The Legislative Process" link. It includes *How Our Laws are Made*, revised and updated in 2007 by Charles W. Johnson, House Parliamentarian, and *Enactment of a Law*, revised in 1997 by Robert B. Dove, Senate Parliamentarian. *How our Laws are Made* emphasizes procedure in the House of Representatives; *Enactment of a Law* stresses the process in the Senate.

10. [GPO Access / FedSys](#)

GPO ACCESS is a free service funded by the Federal Depository Library Program of the Government Printing Office. (GPO Access will be archive-only in late 2011, all current information will be transferred to FedSys.) This service resulted from the Government Printing Office Electronic Information Enhancement Act of 1993. There is overlap with information on THOMAS, so consider GPO Access a worthy alternative site to use. **The documents are found under the Legislative Resources heading or under the Legislative Resources >View All heading.**

- **Bills on GPO Access.** All published versions of bills from 1993 to the present are available in full text in [Congressional Bills](#). [History of Bills](#) under [Legislative Resources](#) > [View All](#) provides a summary of the proposal, the names of the bill's sponsors and cosponsors, and a chronological list of actions on the bill. The chronology identifies the related legislative documents that were produced as the bill moved through Congress. This section contains information on bills since 1983, and the file is updated daily.
- **Hearings on GPO Access.** A limited number of hearing transcripts are available from 1995 in [Congressional Materials](#) > [Congressional Hearings](#).
- **Reports on GPO Access.** [Legislative Resources](#) > [Congressional Reports](#) provides the full text of reports published from 1995 forward.
- **Debates on GPO Access.** The *Congressional Record*, the edited transcript of Congressional proceedings, is available from 1994 forward. The [Congressional Record Index](#) database is also available from 1983 forward.
- **Public Laws (and Private Laws) on GPO Access.** The final laws resulting from bills approved by Congress and signed by the President from 1995 forward are contained in [Legislative Resources](#) > [Public and Private Laws](#). The Office of the Federal Register, National Archives and Records Administration (NARA) prepares and publishes these documents, so the database is updated when publication is authorized by the OFR.
- **United States Code on GPO Access.** Every six years, public laws still in effect and of a general and permanent nature are arranged by subject and incorporated into the *United States Code*. Thereafter, any reference to the statute should include the U.S.C. citation. In [U. S. Code](#), GPO Access provides the text from the most recent edition of the United States Code.

11. [HeinOnline](#)

Largely known for its full-text, pdf versions of law reviews and journals, this database also contains all volumes of [Statutes at Large](#) from 1789 - 2007.

[U.S. Federal Legislative History Library](#) > [U.S. Federal Legislative History Title Collection](#)

“[A] collection of full-text legislative histories on some of the most important and historically significant legislation of our time.”

Selected Sources for Federal Legislative History Research

SOURCE	DOCUMENT				
	Bill	Hearing	Report	Debate	Statute
CCH Congressional Index (MRR - KF49.C6)	C	C	C	C	C
CIS (Microfiche)	C Abstracts volume (1970–83) Legislative Histories volume (1984–present)	FT	FT	C	FT
Congressional Bills and Resolutions (Microfiche)	FT (1988–2008)				
<u>Congressional Record</u> (Available in HeinOnline)	C, OFT		FT (Conference Reports only)	FT Permanent edition (1873–2008) Daily edition (1980–2011)	OFT
<u>GPO Access/ FedSys</u>	C History of Bills (1983–present) FT Congressional Bills (1993–present)	OFT Congressional Hearings (selected, 1995–present)	FT Congressional Reports (1995–present)	C Congressional Record Index (1983–present) FT Congressional Record (1994–present)	FT Public and Private Laws (1995–present) United States Code (1994–present)
HeinOnline				PDF <u>Congressional Record</u> (1873–present)	PDF <u>U.S. Statutes at Large</u> (1789–2008) <u>U.S. Federal Legislative History Library</u> for legislative history of specific statutes

KEY: FT = full text ET = edited text C = citations MRR = Main Reading Room OFT = occasionally provides full text PDF

Selected Sources for Federal Legislative History Research (continued)

SOURCE	DOCUMENT				
	Bill	Hearing	Report	Debate	Statute
LEXIS * (path)--Legal > Legislation & Politics - U.S. & U.K. > U.S. Congress	FT Congressional Full Text Bills--Current Congress <i>see also</i> Full Text of Bills-- Historical (from 1989)	OFT Federal News Service (1988--present) FT CQ Transcriptions (1995-- present)	FT Committee Reports (1990--present)	FT Congressional Record-- Current Congress <i>see also</i> Congressional Record--Historical (from 1985)	FT Legal > Federal Legal - U.S. > USCS Materials > USCS - Public Laws (1988--present)
ProQuest Congressional	FT (1989--present)	FT (selected, 1988--present) PDF (1824--present)	FT (selected, 1990--present) PDF (1819--present)	FT (1985--present) PDF (1873--1997)	FT (1988--present)
Serial Set (Available in ProQuest Congressional)		OFT (some 19th century hearings)	PDF (1789--1969)		
THOMAS	FT Bills, Resolutions (1989--present)	Not Available	FT Congressional Reports (1995--present, contains most but not all)	FT Congressional Record (1989--present)	FT Public Laws (1989--present) U.S. Code
U.S.C.C.A.N. (MRR - KF48.W45)	C		C; ET or OFT (selected, 1948--present)	C	FT
U.S. Statutes at Large (Available in HeinOnline)	C		C	C	PDF (1789--2008)
WESTLAW **	FT CONG-BILLTXT- ALL (1994--present)	FT USTESTIMONY (selected, 1993--1996) (1996--present)	OFT LH (Contains edited texts of committee reports from 1948--1989, info. is same as that in USCCAN. From Jan. 1990 to present, it contains all committee reports)	FT CR (1985--present)	FT US-PL (current) & US-PL-OLD (1973--2008)

* LEXIS contains compiled legislative histories for some public laws in [Legislative Histories](#). ** WESTLAW contains compiled legislative histories for some public laws. See U.S. Federal Materials > Arnold & Porter Collection - Legislative Histories for a list. See **Graphical Statutes** for legislative history of laws enacted after January 2, 1996.

KEY: **FT** = full text **ET** = edited text **C** = citations **MRR** = Main Reading Room **OFT** = occasionally provides full text **PDF**