

FEDERAL LEGISLATIVE HISTORY

When the President signs a bill that has passed both chambers of Congress, it becomes law and is assigned a two-part Public Law Number. The first part of the number refers to the number of the Congress; the second part of the number refers to the order in which the law passed within that Congress. For example, P.L. 102-203, was the 203rd law passed during the 102nd Congress. (A Congress lasts for two years; each year being a session. For example, the 107th Congress's first session was 2001, and 2002 is the second session of the 107th Congress.)

The Public Law number is an important piece of information for finding the documents of a legislative history. The *U.S. Code*, *U.S. Code Annotated*, and *U.S. Code Service* all provide references to the public laws that added or amended each section. *Statutes at Large* is the official source for public laws. They are also available in the Laws volumes of *U.S. Code Congressional and Administrative News (USCCAN)*.

Compiling a legislative history means identifying and finding the work product of the Congressional law-making process in order to clarify the analysis of an ambiguous statute. The documents of a legislative history are written evidence of the issues legislators considered during the sometimes rather complicated journey of a bill from its introduction, through consideration by committees and subcommittee, debate, and eventual enactment into law.

When you are asked to do legislative history research, make sure you understand how much information is needed. You may only need to track down each version of the bill or select committee reports. You may be asked to track down every document in the legislative history of a public law. If the latter is the case, start your research by determining whether a compiled legislative history already exists for the public law. See the discussion at the end of this handout.

Products of the Legislative Process

Bills and Resolutions (the actual legislative proposals) have a unique number, assigned sequentially for each Congress. Each printing shows the language of the bill at the time of printing. The origin of amendments can be traced by comparing bill prints.

Bills are distributed through the:

House Document Room/Legislative Resource Center
B18
Ford HOB
Second and D. Streets, S.W.
Washington, D.C. 20515
(202) 226-5200

or the

Senate Document Room
Room SH-B04
HSOB
Second Street and Constitution Avenue, N.E.
Washington, D.C. 20510
(202) 224-7860

The NUSL library has microfiche copies of House and Senate bills printed by the Government Printing Office. Our collection contains bills from the 96th Congress (1979) to the present. Bill numbers can be found in *Statutes at Large*, *USCCAN*, or CCH's *Congressional Index*. All three titles are located in the NUSL library on the 4th floor.

To find bills on LEXIS, click on Legislation & Politics, then U.S. Congress on the Sources page. On WESTLAW, go to the Directory and click on U.S. Federal Materials, then Legislative History & Bill Tracking. THOMAS -- U.S. Congress on the Internet, <<http://thomas.loc.gov/home/thomas2.html>>, and GPO Access, <<http://www.gpoaccess.gov/legislative.html>>, are also good sources for bills.

Once you have a bill number, an excellent source to trace its progress in the legislative process is CCH's *Congressional Index*, available in the Law Library stacks at KF 49 .C6 Bill tracking information is also available on LEXIS, on WESTLAW, and at THOMAS.

Committee Reports are official communications from committees to their parent chambers. Committee reports explain the bill and the committee's recommendation to the Congress as a whole. The text of selected Senate and House committee reports are set out in the Legislative History volumes of *USCCAN* available in the Law Library stacks at KF 48 .W45. For reports that are not included, *USCCAN* provides citations. The CIS microfiche has the full-text of committee reports from 1970 to the present.

Committee reports are also available on LEXIS in Legislation & Politics -> U.S. Congress -> Committee Reports, on WESTLAW in U.S. Federal Materials -> Legislative History & Bill Tracking -> Legislative History - U.S. Code, at THOMAS, and at GPO Access. The online version of *USCCAN* is available on WESTLAW in U.S. Federal Materials -> U.S. Code Congressional & Administrative News. The online version of *CIS Legislative Histories* is available on LEXIS in Legislation & Politics -> U.S. Congress -> Legislative Histories -> US - CIS Legislative Histories. Like *CIS Legislative Histories* in print, the online version has abstracts, not full-text documents.

Hearings are held to educate committee members on general issues concerning proposed legislation. For transcripts of hearings from the 91st Congress (1970) to date, see the *CIS Index to Publications of the United States Congress*. The CIS sets are located in the NUSL library microform room on the third floor. CIS indexes hearings by subject, title and bill number. For full-text of the documents referenced, see the CIS microfiche. The CIS microfiche, from 1970-present, is available in the microform room in the NUSL library.

Hearing transcripts are available on WESTLAW in the U.S. Congressional Testimony, Congressional Testimony, and US Political Transcripts databases, all of which are listed in the U.S. Federal Materials -> Legislative History & Bill Tracking part of the Directory. LEXIS hearing transcripts are available in Legislation & Politics -> U.S. Congress -> Committee Hearing Transcripts. GPO Access has hearings from the 105th Congress forward. THOMAS links to some committee hearings.

Debates are the floor proceedings in each chamber. The *Congressional Record*, published daily since 1873, has the transcript of the floor proceedings. The *Congressional Record* is available on LEXIS from the 99th Congress forward, on WESTLAW from the 99th Congress forward, on THOMAS from the 101st Congress forward, and on GPO Access from 1994 forward (the *Congressional Record Index* is available on GPO Access from 1983 forward).

Committee Prints are special studies prepared for Congressional committees. The *CIS* microfiche contains committee prints from 1970-present. GPO Access also has a limited number of committee prints available from the 105th Congress forward.

Presidential Statements, explaining reasons for vetoing or ultimately signing legislation, may be found in the *Weekly Compilation of Presidential Documents*, which is located on the 4th floor of the NUSL library in print and in microformat in the microforms room on the library's 3rd floor. WESTLAW's Legislative History - U.S. Code database also contains Presidential Signing Statements, issued at the time the President signs a bill into law, from 1986 forward. The *Weekly Compilation of Presidential Documents* from 1993 forward is also available at GPO Access, <<http://www.gpoaccess.gov/executive.html>>.

Compiled Legislative Histories

Whenever you do legislative history work, check to see if there's been one compiled before you begin. Two excellent sources to check to see if a legislative history has been done for your law are:

Johnson, Nancy P. *Sources of Compiled Legislative Histories: A Bibliography of Government Documents, Periodical Articles and Books, 1st Congress - 99th Congress*. Littleton, Co.: Fred B. Rothman & Co., 1988 (Ref KF 42.2 1979).

Law Librarians' Society of the District of Columbia. *Union List of Legislative Histories: 47th Congress, 1881 - 101st Congress, 1990*. 6th Edition, Littleton, Co.: Fred B. Rothman & Co., 1991. (Ref KF 4. U55 2000).

Both WESTLAW and LEXIS have compiled legislative histories online.

CCH's Congressional Index

CCH's *Congressional Index* is a looseleaf service that is updated weekly. A new two-volume set is issued for each Congress. The first volume contains information about House Bills and Resolutions, and the second contains information about Senate Bills and Resolutions.

If you do not already know the bill or resolution number, start in one of the indexes. The indexes for both volumes can be found in the Senate volume.

For an abstract of the bill or resolution look in the House Bills, House Resolutions, Senate Bills, or Senate Resolutions section of the appropriate volumes. To find out what has happened with a bill or resolution, look in the Bills or Resolutions section of Status of House Bills or Status of Senate Bills.

Because of the way *Congressional Index* is updated, you may have to look in as many as three places for the Subject Index, Author Index, or Status sections. Updates are called Current [Status/Author Index/Subject Index] and Latest Additions - [Status/Author Index/Subject Index]. The fine print at the top of each page will remind you of this requirement.

U.S. Code Congressional and Administrative News (USCCAN)

USCCAN issues monthly pamphlets while Congress is in session. Bound volumes of *USCCAN* are published at the end of each session of Congress. The Laws volumes are exact duplicates of Public Laws as they appear in *Statutes at Large*. The Legislative History volumes contain selected committee reports, conference committee reports (since 1985), and presidential signing statements (since 1986).

If you know the Public Law number, you can go directly to the Laws or Legislative History volumes. If you do not know the Public Law number, start in the Index, Popular Name or other Tables in the last volume.

The last volume of *USCCAN* also contains Proclamations, Executive Orders, and Special Features.

CIS Index to Publications of the United States Congress

The *CIS Index to Publications of the United States Congress* has been published since 1970 and consists of three annual volumes, Index, Abstracts, and Legislative History available on bookshelves in room 322 at KF 49 .C621. User Guides are available in the front of each volume. Full-text documents are included in the CIS microfiche. The annual volumes are updated by monthly pamphlets.

The Index volume includes an Index of Subjects and Names, as well as Indexes of Titles, Bill Numbers, Report Numbers, Document Numbers, Senate Hearings Numbers, Senate Print Numbers, Superintendent of Documents Numbers, and Committee and Subcommittee Chairmen.

The Abstracts volume includes Abstracts of Congressional Publications (available in full-text on CIS microfiche) and a Table of Contents by Committee.

Since 1984, CIS has published a separate Legislative Histories volume. Each public law is listed, along with citations to the bill number, committee reports, hearings, the *Congressional Record*, and any committee prints or other Congressional documents. For major legislation abstracts and related bills and debates are included. In the back of the volume are an Index by Subject and Name and an Index of Bill Numbers. Prior to 1984, legislative history information for public laws passed during the year was included in the back of the Abstracts volume for that year.

References in all three volumes are to *CIS* microfiche numbers. In the Legislative History volumes, microfiche numbers appear in the following format: CISxx:H183-5 (where xx refers to the year). In the Index or Abstracts volumes, that same fiche would be identified as H183-5. It is important to note the date of the volume you are using, because the fiche are arranged by year.

Updated 9/29/2005