



## FEDERAL LEGISLATIVE HISTORY

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### **I. Introduction**

Legislative documents are often used by attorneys and courts in an attempt to determine congressional intent or to clarify vague or ambiguous statutory language. All legislative documents are only persuasive legal authority; however, committee reports are usually considered to have the most persuasive value. This guide will first discuss the types of documents that come out of the legislative process and their use, and will then set out the methods of locating legislative documents for enacted legislation.

This guide does not discuss locating legislative documents for bills that failed to pass, pending legislation, or state laws. For assistance with these types of legislative research, stop by the Reference Desk and ask a reference librarian.

### **II. Legislative Documents**

#### **A. Bills\***

Introduction of a bill into Congress is the first step of the formal legislative process. After a bill is introduced, it is assigned a bill number, printed, and referred to a committee. Bills are frequently amended throughout the legislative process and may be printed several times before they are finally passed. Comparing the various versions of a bill as it moved throughout the legislative process may help in determining the intended meaning of the law. Arguments regarding the meaning of a statutory section may be drawn based on the inclusion, deletion, or modification of language in the text of the bill. Note, too, that the bill number is one of the keys to tracing legislative history.

The full text of bills is available as follows:

<u>Microfiche:</u>	Beginning with the 96 <sup>th</sup> Congress (1979) 4 <sup>th</sup> floor Micro Room Cabinet 20, <u>Final Cumulative Finding Aid, House and Senate Bills</u> should be used to locate the right fiche, KF 49.C63 F56, 4 <sup>th</sup> floor Micro Room.
<u>Lexis:</u>	U.S. Congress file under Legislation and Politics–U.S. & U.K. Full text of bill from the 101 <sup>st</sup> (1989) to date.
<u>LexisNexis Cong.</u>	Full text of bill beginning from 101 <sup>st</sup> (1989) Congress to date.
<u>Westlaw:</u>	Bill tracking file under U.S. Federal Materials Full text of bills beginning with the 104 <sup>th</sup> (1995)
<u>World Wide Web:</u>	Access through THOMAS ( <a href="http://thomas.loc.gov">http://thomas.loc.gov</a> ) and GPO Access ( <a href="http://www.gpoaccess.gov">http://www.gpoaccess.gov</a> ), 101 <sup>st</sup> Congress (1989) to date and Bill summary on THOMAS and GPO Access, 93 <sup>rd</sup> Congress (1973) to date.

Digest of Public General Bills and Resolutions, 1952-1990 KF18 .L5 ( 1<sup>st</sup> Floor)

### ***B. Hearings***

House and Senate subcommittees hear testimony on proposed legislation in order to determine the need for new legislation in a particular area and to hear the views of various persons or organizations interested in the legislation. Hearings can provide a wealth of information for background research into the issue Congress is addressing. Hearings are held for almost all substantive legislation and transcripts of most hearings (including exhibits provided by those testifying) are published. For interpreting enacted legislation, hearings are less useful than other legislative documents because they focus on the views of the parties testifying rather than the views of the committee or Congress.

Hearings are available as follows:

<u>Microfiche:</u>	CIS Microfiche, Micro Room, Cabinet 26-28 (1970 to date)
<u>Lexis:</u>	Committee Hearing Transcripts file under U.S. Congress. Selected transcripts of congressional hearings are available on Lexis (July 1993 to date).
<u>LexNexis Cong.:</u>	Selected full text transcripts of hearings beginning from 1988. Index of hearings from 1824.
<u>Westlaw:</u>	Selected transcripts of Congressional hearings are available on Westlaw in the Congressional Testimony database (2004 to date)
<u>World Wide Web:</u>	A limited number of hearings are available via GPO Access from 1995 ( <a href="http://www.gpoaccess.gov/hearings/index.html">http://www.gpoaccess.gov/hearings/index.html</a> ) Selected transcripts of prepared remarks are available on House or Senate committee websites beginning from 1997.

### ***C. Committee Reports\*\* - House, Senate, Conference***

Committee reports in general, and conference reports in particular, are the most important source of legislative history. Reports are issued for almost every bill that becomes a law, and there is usually a report from each of the House and Senate committees that considered the legislation. A report will accompany the bill when it is sent to the full chamber for debate and voting. Reports usually reprint the text of the bill, describe its purposes, and give reasons for the committee's recommendations on the bill. If a conference committee was appointed to draft a compromise bill acceptable to both the House and Senate, a conference report will be issued. Conference reports are

particularly important because they come at the end of the legislative process and report on the text of the compromise bill.

Committee reports are available as follows:

<u>Paper:</u>	USCCAN, 3 <sup>rd</sup> Floor, KF48 .W45 (78th Congress, 2d Session 1944 to date; selected reports only)
<u>Microfiche:</u>	CIS Microfiche, Micro Room, Cabinet 26-28 (1970 to date)
<u>Lexis:</u>	U.S. Congress file (101st Congress, 2d Session (1990) to date; coverage of the 101st and 102nd Congress is selective)
<u>LexisNexis Cong.:</u>	Indexing, abstracts and full text of most reports from 1789 to date.
<u>Westlaw</u>	Legislative History file, comprehensive coverage from the 101st Congress, 2d Session (1990) to date; from 1948 through 1989 the LH database contains only those committee reports reprinted in USCCAN)
<u>World Wide Web:</u>	Access through THOMAS ( <a href="http://thomas.loc.gov">http://thomas.loc.gov</a> ) and GPO Access ( <a href="http://www.gpoaccess.gov">http://www.gpoaccess.gov</a> ) 104th Congress (1995) to date.

#### **D. Congressional Debates (Congressional Record)\***

The *Congressional Record* contains a transcript of the legislative proceedings and debates on the floor of the House and Senate. The *Congressional Record* may contain arguments for or against a proposed amendment or explanations of provisions that are vague or unclear.

The *Congressional Record* is available as follows:

<u>Paper:</u>	3rd Floor, KF35 .A26 (1997 to date)
<u>Microfiche:</u>	Micro Room, Cabinet 53-54 (1789 to date)
<u>Lexis:</u>	Under U.S. Congress file, beginning from 99 <sup>th</sup> Congress (1985) to date.
<u>LexisNexis Cong.:</u>	Coverage beginning from 99 <sup>th</sup> Congress (1985) to date.
<u>Westlaw:</u>	Congressional Record file, beginning from 99 <sup>th</sup> Congress (1985) To date
HeinOnline	Coverage beginning from 1789 to date.
<u>World Wide Web:</u>	Access through THOMAS ( <a href="http://thomas.loc.gov">http://thomas.loc.gov</a> ) and GPO Access (101st Congress (1989) to date). The Library of Congress's Century of Lawmaking site ( <a href="http://memory.loc.gov/ammem/amlaw/lawhome.html">http://memory.loc.gov/ammem/amlaw/lawhome.html</a> ) has a collection of the debates in image format: <u>Annals of Congress</u> (1789-1824, 1 <sup>st</sup> - 18 <sup>th</sup> Congresses) <u>Register of Debates</u> (1824-1837, 18 <sup>th</sup> -25 <sup>th</sup> Congresses) <u>The Congressional Globe</u> (1833-1873, 23 <sup>rd</sup> -42 <sup>d</sup> Congresses)

#### **E. Presidential Statements**

Often, when the President signs a bill into law, he will issue a statement stating why he is approving the legislation. These statements are usually brief and generally do not contain substantive analysis of the legislation. Since they do not come from Congress and are usually short, they are less useful for determining legislative intent than most of the other documents described above. Presidential signing statements are published in the *Weekly Compilation of Presidential Documents*.

The *Weekly Compilation* is available as follows:

<u>Paper:</u>	3 <sup>rd</sup> floor, KF70 .A4 (Current issues until replaced by Public Papers of the President)
<u>Microfiche:</u>	Micro Room, Cabinet 52 (Vol. 1, 1965 to date)
<u>Lexis:</u>	Under U.S. Executive Branch file(3/24/79 to date)
<u>Westlaw:</u>	WCPD file, 2000 to current; Presidential signing statements Includes all statements reprinted in USCCAN from 1986 to date.
HeinOnline	Coverage beginning from 1965 to date.
<u>World Wide Web:</u>	Access through GPO (1993 to date) <a href="http://www.gpoaccess.gov/wcomp/index.html">http://www.gpoaccess.gov/wcomp/index.html</a>

#### **F. Other Congressional Documents**

Other types of material that may come out of the legislative process include committee prints and House and Senate documents. Committee prints contain information prepared for the use of the committee and sometimes include special reports or studies or compilations of earlier legislative history documents. House and Senate documents are usually of lesser importance for legislative history and contain special material prepared for Congress.

*Note: The \*\*asterisks indicate the most useful or influential legislative documents. Reports are usually considered the most important legislative documents and contain more analysis than the other documents. Bills and Congressional debates also may be relevant. The other legislative materials provide little information that would help you to determine legislative intent, although they often provide valuable background and factual information on the issue being addressed by the legislation.*

### **III. LexisNexis Congressional Database**

LexisNexis Congressional is the most **comprehensive** access to U.S. legislative information. The service offers access to a variety of information by and about the United States Congress. With LexisNexis Congressional, you can:

- 1 Search an index of congressional publications from 1789 to the present
- 2 Find testimony from congressional hearings
- 3 Track bills as they move through the House and Senate
- 4 Search the Congressional Record and Federal Register
- 5 Locate information about members and committees
- 6 Retrieve full text of bills, committee reports, house and senate documents, etc.

LexisNexis Congressional is available on the Library's web site under "Research Databases."

### **IV. Finding Legislative Documents**

#### **A. USCCAN - Quick! Easy to Use! Full Text of Reports! Caution: Selective!**

USCCAN is a great source for quickly getting to the most important committee reports for legislation enacted since 1944 and should be the first place you turn to for locating legislative documents to help you determine Congressional intent. USCCAN reprints **selected** committee reports in full text. In addition, USCCAN provides the bill number, date of enactment, and a list of all committee reports for every law passed by Congress. To use USCCAN, you only need to know the public law number of the law or amendment you are researching. The public law number for the original enactment and all subsequent amendments is cited in parentheses at the end of each section of the U.S. Code. If you know the name of the law, you may use the Popular Name tables in any of the codes or the *Statutes at Large* volumes. USCCAN is located on the 3<sup>rd</sup> floor (KF48.W45) and is also available online on **Westlaw**.

**B\*. CIS Index to Publications of the United States Congress (1970-) Easy to Use! Comprehensive! Citations and Abstracts, not Full Text!**

For a **comprehensive** legislative history, you should turn to the CIS Index. The CIS/Index begins in 1970 and contains three sections - Legislative Histories, Abstracts, and a Subject Index. Since 1984, a separate volume titled "Legislative Histories" has been published annually, which is an essential and easy-to-use tool for locating all legislative documents associated with the passage of a particular law. To use this index, you only need to have the Public Law number, Popular Name, or Subject of the act. The CIS/Index will provide you with citations to and abstracts of each bill, hearing, report, and other document produced in connection with passage of your bill. You will also find citations to the *Congressional Record* where your bill was debated. The library has the full microfiche set produced by CIS, so all documents cited in the indexes are available in the library. The Legislative Histories section of CIS/Index for the years from 1970 to 1983 is located at the end of each year's Abstracts volume.

CIS/Index is located on the 3<sup>rd</sup> floor reference area (Ref KF49 C622). The CIS index is also available on the Library's web site through [LexisNexis Congressional](#).

**C\* Pre-1970 CIS Indexes**

There is no single print index that will allow you to locate all legislative documents for federal laws enacted before 1970. The following indexes will be helpful to do the search between 1789-1969.

CIS US Serial Set Index 1789-1969 Ref Z1223 .Z9 C65 (indexing committee reports, Hearings, Unpublished House and Senate Hearings, and Committee Prints).

CIS US Congressional Committee Prints Index Ref Z1223 .Z7 C66

CIS US Congressional Committee Hearings Index Ref Z1223 .A2 C5

**D. Sources of Compiled Legislative Histories**

For major legislation, legislative histories are often compiled for you and published in a set with indexes and other finding aids. To determine whether such a legislative history has been compiled, check *Sources of Compiled Legislative Histories* (Ref. KF42.2 1979).

This book lists, by public law number, all available published legislative histories. In addition, this book contains citations to articles that discuss and analyze the legislative history of a particular statute. If you're working with well-known and important legislation, this is an excellent starting point. The library has many, but not all, of the compiled legislative histories cited in this book. This publication is also available on **HeinOnline**.

**E. Search Library Online Catalog for a Compiled Legislative History**

Our library has a collection of legislative histories in print. Go to library online catalog at <http://uconl.law.uconn.edu/> and do a key word search, e.g. tax reform and legislative history, you will get legislative history of Tax Reform Act.

\* B and C can be searched online by using [LexisNexis](#) and [LexisNexis Congressional](#) at the library website.

