

FEDERAL LEGISLATIVE HISTORY RESEARCH

Background Information

Legislative History Documents

Sources of Legislative History

- Online Sources
- Microfiche Collection

Compilations of Legislative History

Additional Resources

Legislative History is made up of the documents preceding and surrounding the enactment of a law. These documents generally include bills, public laws, floor debates and committee hearings and reports and are often used to determine the precise meaning of a statute.

BACKGROUND INFORMATION

Legislative History chapter in any Legal Research text; e.g., *Principles of Legal Research* by Kent Olson or *Basic Legal Research* by Amy Sloan.

Federal Legislative History Research: A Practitioner's Guide to Compiling the Documents and Sifting for Legislative Intent, by the Law Librarians' Society of Washington, D.C.

<http://www.llsdc.org/Fed-Leg-Hist/>

Legislative History Research

http://www.ll.georgetown.edu/guides/legislative_history.cfm

Explains how laws are made, types of legislative documents, tips to stay current, and a list of federal databases to access legislative history.

How Our Laws Are Made (by Charles W. Johnson, House Parliamentarian)

<http://thomas.loc.gov/home/lawsmade.toc.html>

Enactment of a Law (by Robert B. Dove, Senate Parliamentarian)

<http://thomas.loc.gov/home/enactment/enactlawtoc.html>

LEGISLATIVE HISTORY DOCUMENTS

BILLS:

Proposed legislation

COMMITTEE REPORTS:

The publications by which committees report to the Senate or House as a whole concerning the findings of their hearings and deliberations on bills reported out of committee. Usually include the text of the bill, analysis of each section, explanation of the committee's reasoning on every significant point, recommendations and other information related to the enactment of the bill.

DEBATE:

Text of House and Senate floor debate on specific bills by legislators.

COMMITTEE HEARINGS:

When bills are introduced, they are referred to the committee having jurisdiction over that area of legislation. Often, the committee will hold public hearings to gather opinions and information regarding the legislation. Many witnesses prepare extremely valuable and well-documented presentations, including analyses from uniquely informed perspectives.

COMMITTEE PRINTS:

Prepared by committee staff, agency specialists, or private consultants. Their purpose is to provide background information to committees concerning issues that may become the focus of legislative attention and to assist policy formulation.

HOUSE AND SENATE DOCUMENTS:

Prepared by committee staff, agency specialists, or private consultants. Their purpose is to provide background information to committees concerning issues that may become the focus of legislative attention and to assist policy formulation.

PUBLIC LAWS

Enacted bills

Best to use?

- *If there is a compiled legislative history readily available to you - best bet for finding would be to look in WL, LX, HeinOnline, LexisNexis Congressional, library catalogs.*
- *If no compiled legislative history - look for law review articles which may cite to relevant documents. Also, often cited in judicial opinions.*
- *Individual documents - Reports are most authoritative - WL, LX, USCCAN, depository libraries, THOMAS, Committee web sites.*
- *Finding the exact info you need within the legislative history document can be challenging - use keywords whenever possible, find references in secondary sources.*

SOURCES OF LEGISLATIVE HISTORY

ONLINE

- **LexisNexis Congressional** (Access through the library web site) Includes cites to and often summaries of all legislative history documents going back to 1970. Includes full text of recent selected legislative history publications, generally going back to 1990. See Microfiche section below for listing of microfiche at VLS for documents not available full-text in LexisNexis Congressional.
- **Hein Online U.S. Federal Legislative History Library** (Access through the library web site) Includes APA, CAA 1970 and 1990, NEPA 1969, Safe Drinking Water Act 1996, Anti-Dumping Act 1958, Coastal Zone Management Act 1976 and 1980, Energy Research and Development Administration: Statutes and Legislative Histories 1978, Federal Pesticide Act 1978, etc.

- **THOMAS** <http://thomas.loc.gov/> Includes text of recent Bills, Public Laws, Committee Reports (back to 1995), the Congressional Record, Member and Committee information, historical documents, and links to other Congressional Internet services.
- **GPO Access** <http://www.access.gpo.gov> Another way to get to some of the information available through THOMAS. Also provides access to other government documents including full-text of Congressional Hearings back to 1995.
- **FdSys (Federal Digital System)** <http://www.gpo.gov/fdsys/> Currently contains many legislative history documents including bills, Reports, Committee Prints, debate, hearings, etc. most going back to the 1995 or 1997.
- **WESTLAW** www.lawschool.westlaw.com (Westlaw login required) Directory > U.S.> Federal Materials > Legislative History - to find an array of relevant resources.
- **LEXIS** <http://www.lawschool.lexis.com> (Lexis Login Required) Federal Legal - U.S.> View more sources > Legislative Histories, Materials for - to find an array of relevant resources.

MICROFICHE COLLECTION

- Search using LexisNexis Congressional and note accession numbers described below and proceed to the Microfiche for items not available full-text online.

OR

- Search the Congressional Information Services CIS print Index (the print version of LexisNexis Congressional, located in the Microfiche area on Parking Lot Level of the library) to find accession numbers for Reports, Hearings, Documents and Prints.
 - In the print Index:
 - Choose a year (also search a year or two beyond your year), and then a subject, name, public law, or federal agency to search.
 - Find the listing for the publication you need.
 - Note the accession number, i.e. H651-6 H = House S = Senate J = Joint
 - Proceed to the CIS Annual Abstract volume with corresponding year and look up your accession number.
 - You will also find another accession number beginning with a Y, i.e. Y4.R31/3:104-6
 - Note also the Congress and Session, i.e. 104-1, 104th Congress, first session.

In the **Microfiche Cabinets** locate your Congress and session and then your accession number:

- **1970 to 1981** - Use the accession numbers beginning with “S” or “J” or “H” as listed in Lexis Congressional and CIS Indexes to locate the microfiche version of the publication.
- **1981 to date** - Use the accession numbers beginning with “Y” as listed in Lexis Congressional, CIS Indexes and other lists to locate the microfiche of the publication.

COMPILATIONS OF LEGISLATIVE HISTORY

To see if a legislative history is available in print in the VLS library, look in JULIEN under: Legislative History – Name of Act OR United States – Name of Act OR United States – Law, Statutes, etc. Name of Act. Also check WorldCat <http://www.worldcat.org/>.

ADDITIONAL RESOURCES

- For 1947 - 1969 we also have the **Reports and Documents Serial Set** Index and accompanying microfiche collection on the Parking Lot Level.
- **CCH Congressional Index** (Commerce Clearing House) (KF 49 C6) 1975 - Weekly index of bills by subject and sponsor; digests and status of each bill; voting records; committee assignments.
- **USCCAN (United States Code Congressional and Administrative News)** 1948 - (KF/48/W45) Full text of public laws and selected committee reports, references to legislative history materials.
- **United States Statutes at Large** – Chronological - Full text of Public Laws for each Congress.

Christine Ryan / VLS Environmental Law Librarian / July 2010