

FEDERAL LEGISLATIVE HISTORY RESEARCH

Christine Ryan
Vermont Law School Library

Background Information

Legislative History Documents

Sources of Legislative History

- Online Sources
- Microfiche Collection

Compiled Legislative Histories in Book Format

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 a Legal Research textbook; e.g., *Legal Research in a Nutshell* by Kent Olson and Morris Cohen 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:

Include various communications to Congress such as presidential messages, proposed legislation, vetoing messages, special studies, and miscellaneous publications.

PUBLIC LAWS

Enacted bills

Best to use?

- *LexisNexis Congressional (Access through the library web site) is the most complete source for legislative history documents.*
- *If there is a compiled legislative history readily available to you - best bet for finding would be to look for it on Westlaw, Lexis, HeinOnline, LexisNexis Congressional, or library catalogs. Consulting "Commercial Legislative Histories of U.S. Laws on the Internet" <http://www.llsdc.org/leg-hist-commercial/> would be a good first step, since it lists legislative histories included on Westlaw, Lexis, and HeinOnline.*
- *Looking for law review articles or judicial opinions that cite to relevant legislative history documents could save you time.*
- *Finding the exact info you need within the legislative history document can be challenging - use keywords whenever possible, find references in other sources.*
- *Individual documents - Reports are most authoritative - in LexisNexis Congressional or on Westlaw, Lexis, USCCAN, depository libraries, THOMAS, Committee web sites.*

SOURCES OF LEGISLATIVE HISTORY

ONLINE

LexisNexisCongressional (Access through the library web site) Includes congressional documents going back to 1789. * * *This is the most complete source for congressional publications.*

Commercial Legislative Histories of U.S. Laws on the Internet

<http://www.llsdc.org/leg-hist-commercial/>

A list of legislative histories included on Westlaw, Lexis, and HeinOnline.

Hein Online (Access through the library web site) U.S. Federal Legislative History Library

Includes compiled legislative histories for a number of laws, including: APA, CAA 1970 and 1990, NEPA 1969, Safe Drinking Water Act 1996, Anti-Dumping Act 1958, Coastal Zone Management Act 1976 and 1980, etc.

Hein Online (Access through the library web site) U.S. Congressional Documents Collection

Includes the Congressional Record back to 1873 as well as its three predecessor titles: *Annals of Congress* (1789-1824), *Register of Debates* (1824-1837) and the *Congressional Globe* (1833-1873).

WESTLAW www.lawschool.westlaw.com Directory > U.S.> Federal Materials > Legislative History - to find an array of relevant resources.

LEXIS <http://www.lawschool.lexis.com> Federal Legal - U.S.> View more sources > Legislative Histories, Materials - to find an array of relevant resources.

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.

FdSys (Federal Digital System) <http://www.gpo.gov/fdsys/> Contains many legislative history documents including bills, Reports, Committee Prints, debate, hearings, etc. most going back to 1995 or 1997.

MICROFICHE COLLECTION (Often needed before most documents became available online)

Search using LexisNexis Congressional and note accession numbers described below and proceed to the Microfiche.

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.

COMPILED LEGISLATIVE HISTORIES IN BOOK FORMAT

To see if a full 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/> to see if a full legislative history is available in print and available through another library.

ADDITIONAL RESOURCES

CCH Congressional Index

Call number: 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 -

Call number: KF/48/W45 and on Westlaw

Full text of public laws and selected committee reports, references to other legislative history materials.

United States Statutes at Large – Chronological - Full text of Public Laws for each Congress.

Christine Ryan / VLS Environmental Law Librarian / last updated 1/7/2011