

GUIDE SERIES 1 – FEDERAL RESEARCH



Guide #1B - FEDERAL LEGISLATIVE HISTORY

Researchers interested in federal matters frequently must determine the legislative intent of Congress in enacting a particular law. To determine this intent, one must locate materials from which a legislative history of the law can be developed. A search for such materials frequently turns up massive amounts of information. To avoid confusion, it is best to develop a chronology of events (introduction of a bill, dates of hearings, dates reports issued, dates of passage, etc.), noting all citations, before tracking down any of those items.

This guide includes three components:

1. an explanation of what documents are used to compile a legislative history;
2. finding aids to help locate legislative documents in this library; and
3. a step-by-step method to compile your legislative history.

Attached to the end of this guide is a brief overview of the legislative process and the publications that are produced at each stage of the process.

1. DOCUMENTS IN A LEGISLATIVE HISTORY

Bill - A bill is a proposed law. It provides information on the original intent and language of its sponsor. All versions of a bill should appear in a legislative history. Comparing the language of a bill as introduced and its amendments to that of the final bill as passed, may give some indication as to legislative intent. A bill keeps its same number until passed or until the end of the Congress during which it was introduced.

Committee Prints - These items are printed by House or Senate committees and are intended for internal use by the committee. The same items may be published as hearings, reports, or documents if intended for public information. Among items issued as prints are studies, investigative reports, section-by-section analysis of certain bills, and excerpts from hearings.

Hearings - Congressional committees hold hearings on particular bills as well as on topics that fall within the scope of their responsibility. Hearings are distinguished from debates, which take place on the floor of the House or Senate. Not all hearings are published. Not all bills have hearings. Hearings are held early in the legislative process and carry less weight than reports and Congressional debates in determining legislative intent.

Reports - Generally, reports are the most important documents in determining Congressional intent. Issued by one of the committees of either house or by conference committee, reports present the committee's recommendations and findings to the House or Senate as a whole. Reports detail the purpose of the bill and the committee's explanation and analysis of the bill. Each report is identified with the house of the committee, the number of the Congress, and a number indicating the

order in which it was issued (example - H.R. Rept. No. 94-130 is the 130th House report of the 94th Congress.)

Debates - Congressional debates take place on the floor of the House or Senate and are printed in the *Congressional Record*. Debates are to be distinguished from hearings, which take place before a committee. In addition, debates are between members of the legislature while hearings generally consist of non-legislators expressing their opinions on the language and purpose of the bill. Generally, debates carry more weight in determining legislative intent than hearings, but not as much as reports.

Presidential Messages - These messages are delivered from the president to Congress to explain reasons for suggesting, signing, or vetoing legislation.

2. FINDING AIDS

1. **CCH CONGRESSIONAL INDEX (Congressional Index)** (Call# KF 49 .C6; Current year in Reference, 1965 - in Law Stacks.) This service provides a chronology for every bill introduced. Two volumes are issued for and updated during each Congress (one volume for House bills and one for Senate bills). Included are indexes by subject and bill author, voting records, and brief biographical information for members of Congress.

2. **CONGRESSIONAL INFORMATION SERVICE (CIS)** (Lower Level B-2) - This set, frequently called CIS, reproduces on microfiche all hearings, reports, documents, committee prints, and debates from 1970 to date with companion index and abstract volumes issued to aid in locating materials. Contained in each "abstract" volume is a list of all hearings and reports issued for each law enacted during that year. Also listed are dates of House and Senate debates for use in the *Congressional Record* and references to the *Weekly Compilation of Presidential Documents*.

3. **CIS U.S. CONGRESSIONAL COMMITTEE HEARINGS INDEX (CIS Hearings Index)** (Lower Level B-2) - This covers all hearings issued from 1833 to 1969. The hearings are issued on microfiche with a hard copy index. The Law Library has the index, but does not have the hearings themselves. They can be found at other nearby federal depository libraries. Check with a reference librarian for locations.

4. **CIS U.S. CONGRESSIONAL COMMITTEE PRINTS (CIS Committee Prints)** (Lower Level B-2) - Prints issued by committees for internal use (and not published in the *Serial Set*) have been reproduced on microfiche in this set. You can use a five-volume hard copy index to locate prints by subject, title, bill number, and Congress and committee. Included are all prints issued through 1969; prints issued from 1970 to date are found in the *CIS* microfiche set.

5. **CONGRESSIONAL RECORD** (Call# J 11 R5, Law Stacks; early years on microfilm and fiche in Lower Level B-2; and on the Internet at <http://www.gpoaccess.gov/crecord/index.html>). The *Congressional Record* prints all debates taking place on the floor of the House of Senate. While it is generally assumed to be a verbatim transcript, you should note that Senators and Representatives have the right to change the text of their remarks before a final version is issued. An index is issued each year to locate remarks by subject, bill number, or sponsor.

6. **MONTHLY CATALOG OF U.S. GOVERNMENT PUBLICATIONS (*Monthly Catalog*)** (Lower Level B-2) - You may find that Congressional publications are not located in any of the traditional sources. Hearings, for example, are not found in the *Serial Set* and may prove difficult to locate for the years prior to 1970 when *CIS* began. You may use the *Monthly Catalog* to track down these items and then try to locate them here or elsewhere. The older the item, the more difficult it is to find. The Law Library has the *Monthly Catalog* from 1948 to date. The San Francisco Public Library has earlier volumes as well as an excellent collection of hearings and other Congressional materials. The *Monthly Catalog* is also available on the Internet, <http://catalog.gpo.gov/>.

7. **CIS U.S. SERIAL SET INDEX (*Serial Set*)** (Lower Level B-2) - All reports and documents issued by the Congress are eventually bound in the *Serial Set*. The *Serial Set* does not contain hearings or committee prints. The *CIS U.S. Serial Set Index* covers the years 1789 through 1969. All materials published in the *Serial Set* from 1970 to date are reproduced in CIS microfiche. The Law Library has the 86th Congress through the 91st Congress, first session (1959-1969), available on microfiche. Earlier years are available at the San Francisco Public Library and other local Depositories. Check with the Reference Librarian.

8. **U.S. CODE CONGRESSIONAL AND ADMINISTRATIVE NEWS (*USCCAN*)** (Call# KF 48 U54, Law Stacks) - Beginning in 1944, the USCCAN reprints Public Laws along with significant committee or conference reports from which to develop an interpretation of legislative intent. Not all reports are included. The editors have included only those reports likely to suit the needs of most users. Hearings and committee prints are not included.

9. **THOMAS** - The Library of Congress legislative Internet site, Thomas, <http://thomas.loc.gov/>, provides the full-text of bills, the status of bills, detailed legislative histories, and Congressional reports. Thomas contains information on bills from the 93rd Congress (1973 - 1974) to the present.

10. **WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS** (Call# J 80.A284 W43, Law Stacks) The *Weekly Compilation of Presidential Documents* provides the text of communications sent from the President to the Congress. It also cites the laws approved by the President.

11. **SOURCES OF COMPILED LEGISLATIVE HISTORIES** (Call# KF 42.2 1979, Reference) - This book is arranged in two parts. The first part contains information about major sets and services that provide access to legislative histories. The second part is arranged by Congress and furnishes bibliographic information to help you locate published histories. It covers the period from the 1st Congress (1789 - 1791) through the 105th Congress (1997-1998).

12. **FEDERAL LEGISLATIVE HISTORIES** (Call# KF 42.2 1994 Reference) - This source provides bibliographic information to government published legislative histories that appeared as a committee print, inserted in a congressional hearing, or as a study or an issue brief prepared by the Congressional Research Service. It covers the time period from the 37th Congress (1862) through the 101st Congress (1990).

13. **LIBRARY CATALOG** - To determine if our library owns a particular compiled history, check the library's catalog under the title of the compiled history. You can

also search using the subject approach by looking up the name of the jurisdiction and the act (example - United States. Administrative Procedures Act).

3. STEPS IN COMPILING A LEGISLATIVE HISTORY

Below are the steps in compiling a legislative history. Under each step are listed sources where you can identify or find the information you needed.

1. If the law has been enacted, check to see if a legislative history has been compiled.
 - Sources of Compiled Legislative Histories.
 - Federal Legislative Histories.
2. If no law has been enacted, find the bill number.
 - Congressional Index.
 - CIS
 - *Congressional Record*
3. Determine the actions that have been taken on the bill.
 - Congressional Index – Bill Status Report.
 - *Congressional Record* – History of Bills and Resolutions
 - Thomas
4. Identify citations to committee reports, hearings, congressional floor actions, and presidential actions that relate to the bill.
 - CIS
 - CIS Hearings Index
 - CIS Committee Prints
 - *Congressional Record*
 - *Monthly Catalog*
 - Serial Set
 - USCCAN
5. Locate the documents
 - CIS
 - CIS Committee Prints
 - *Congressional Record*
 - Serial Set
 - USCCAN
 - Thomas
 - *Weekly Compilation of Presidential Documents*
 - Library Catalog

HOW A BILL BECOMES LAW

A basic understanding of the legislative process is helpful in compiling a legislative history. Below is a chart outlining the steps that it takes for a bill to become a law, beside which are listed the publications that are produced at that step.

Legislative Process	Publications Issued
Senators or Representatives introduce bills or resolutions into their respective houses.	Bills and Resolutions
Bills are referred to the appropriate committee and sub committee. Hearings are held.	Hearings
Committees and subcommittees report their findings and recommendations to their houses.	Reports
House bills are debated by the entire House. If they are passed, the bill is forwarded to the Senate for consideration. Senate bills are debated by the entire Senate and if approved are forwarded to the House for consideration.	<i>Congressional Record</i>
If different versions of the bill are passed by the two houses, a conference committee is formed to settle the differences. The conference committee consists of members from both the House and Senate.	Conference Report
The compromise is sent back to both the House and the Senate, where it is again debated. If both houses pass the bill it is forwarded to the President for approval.	<i>Congressional Record</i>
The President will either sign the bill into law or will veto the bill. If the president vetoes the bill, it can go back to Congress, where a 2/3 vote of each overrides the veto.	Slip Law Veto Message <i>Congressional Record.</i> Slip Law if veto is overturned

For Further Information Consult a Librarian

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<http://www.ggu.edu/lawlibrary>