



Federal Legislative History

Documents produced during the creation of legislation constitute "legislative history." Disputes over the meaning or application of a statute can lead to a search through legislative history for evidence of legislative intent. The Law Library has an extensive collection of documents required to compile a legislative history, including access to an increasing number of electronic sources, both subscription based and free.

Understanding the Legislative Process

The resources listed below provide an in-depth discussion of the federal legislative process and congressional publications.

How Our Laws Are Made, revised and updated by John V. Sullivan, Parliamentarian, U. S. House of Representatives, is available electronically on the U.S. Government Printing Office's [Federal Digital System](#) (FDsys), or as a printed volume in the Law Library Reference Collection ([KF4945 .S9 2007](#)).

Enactment of a Law, by Robert B. Dove, Parliamentarian, U.S. Senate, February 1997, is also available electronically through [Thomas](#), the legislative information website of the Library of Congress.

Congressional Publications and Proceedings: Research on Legislation, Budgets, and Treaties, by Jerrold Swim, is available in print in the Law Library ([JK1067 .Z85 1988](#)).

Congress.gov, the official source for federal legislative information, contains a series of [informational videos](#) that explain the various elements of the legislative process.

Using Legislative History

The following texts address the comparative value awarded to documents produced during the creation of legislation and the arguments for and against relying on legislative history as evidence of legislative intent.

Statutes and Statutory Construction, 7th ed., by Norman J. Singer ([KF425 .S97 2007](#)). This multi-volume set, also known as *Sutherland Statutory Construction*, is available in print and electronically on Westlaw. Updated regularly.

Legislation and Statutory Interpretation, by William N. Eskridge, Jr., Philip P. Frickey, and Elizabeth Garrett ([KF425 .E85 2000](#)).

A Matter of Interpretation: Federal Courts and the Law: An Essay, by Antonin Scalia; Amy Gutmann, editor [et al.] ([KF4552 .S28 1997](#)).

Dynamic Statutory Interpretation, by William N. Eskridge, Jr. ([KF425 .E83 1994](#)).

Using and Misusing Legislative History: A Re-evaluation of the Status of Legislative History in Statutory Interpretation, U.S. Dept. of Justice, Office of Legal Policy, 1989. Available through the Law Library's Documents Collection ([J 1 .96 :H 62](#)). Full text available electronically via [HathiTrust](#).

Compiled Legislative Histories

Before beginning the time-consuming process of compiling a legislative history from scratch, the careful researcher will see if someone else has already produced one.

Indexes for Identifying Compiled Legislative Histories

CIS Index ([KF49 .C62](#)). This multi-volume set (1970-2007) indexes legislative history documents, including House and Senate reports, hearings and committee prints.

[ProQuest Congressional](#) provides detailed indexing of all materials related to legislation from the 91st Congress (1969) to present. This service is available from all campus computers and off-site with Onyen and password verification.

Sources of Compiled Legislative Histories, compiled by Nancy P. Johnson (Reference Desk [KF42.2 1979](#)). A good first stop when searching for legislative history, this title provides citations to compiled legislative histories for the 1st through the 108th Congresses (1789-2004). After identifying a compiled legislative history from Johnson, check the online catalog to see if the Law Library has the title.

Union List of Legislative Histories ([KF4 .U55](#)). This title indicates which libraries in the Washington, DC area contain compiled legislative histories; information is included about whether materials can be borrowed on interlibrary loan or must be used in-house.

To Locate a Legislative History Compilation Online

[ProQuest Legislative Insight](#) contains compiled legislative histories for over 18,000 laws passed between 1929-2013 (with an additional 9,000 histories for laws from 1789-1965 to be added by 2015). Includes PDFs of public laws, bills, House and Senate reports, hearings, committee prints, presidential signing statements, Congressional Record entries and other legislative history documents. Available from all campus computers and off-site with Onyen and password verification.

[Westlaw's](#) U.S. GAO Federal Legislative Histories database includes legislative histories for most public laws enacted between 1921 and 1995 (authorized users only). Westlaw users can also access Arnold & Porter Legislative Histories, a collection of over two dozen compiled legislative histories for major federal legislation.

[LexisNexis](#) contains many compiled legislative histories, including legislation relating to taxation, bankruptcy and the environment (authorized users only).

[HeinOnline's](#) U.S. Federal Legislative History Library contains legislative histories published by the United States Government Printing Office and private publishers, as well as a finding aid based on Nancy Johnson's *Sources of Compiled Legislative Histories*. Available from all campus computers and off-site with Onyen and password verification.

Bills

To begin the process of enacting a law, a member of Congress must introduce a bill in either the House or the Senate (designated either H.R. or S., followed by a bill number, ie. H.R. 3580). Frequently, similar versions of bills will be introduced in both houses. The various versions of a bill may provide useful information about the exact meaning of the words finally chosen to express the intentions of the legislators.

To Locate Bills Online

[Thomas](#), sponsored by the Library of Congress, contains bill summaries and status updates from the 93rd Congress (1973) forward. Full text versions of the bills are available from the 101st Congress (1989) to present, and different bill versions are linked. **NOTE: The Thomas website will be retired at the end of 2014. All Thomas content will be migrated to a new site, [Congress.gov](#) (see below).**

[Congress.gov](#), a beta site launched by the Library of Congress in collaboration with the U.S. House of Representatives, Senate and Government Printing Office, is replacing Thomas as the official site for federal legislative information. The site currently contains all House and Senate bills from the 103rd Congress (1993) forward. Thomas will remain accessible from the [Congress.gov](#) homepage through late 2014.

All published versions of bills from the 103rd Congress (1993) forward can be found on the U.S. Government Printing Office website, [FDsys](#). The information is updated daily.

[ProQuest Congressional](#) is available on campus computers and off-site with Onyen and password verification. It features bill tracking and includes the full text of bills from 1989 forward. You can locate bills on ProQuest Congressional by selecting the Search By Number feature and then entering the applicable bill number.

[LexisNexis](#) contains bill tracking and the full text of all versions of bills from the 101st Congress (1989) through the current Congress (authorized users only).

[Westlaw](#) contains bill tracking and the full text of all versions of bills from the 104th Congress (1995) through the current Congress (authorized users only).

To Locate Bills in Print

Older bills can be identified through the *Congressional Index* ([KF49 .C6](#)).

House and Senate Bills (Microfiche Y1.4/1...). The Law Library has received all versions of bills introduced from the 98th Congress, second session (1984) through the 106th Congress, second session (2000). A printed guide for locating individual bills is provided on the 1st floor documents microfiche cabinets.

Davis Library also has microfiche copies of bills through the 106th Congress in the Government Documents collection.

The final version of a bill is usually provided in the committee report and is sometimes found in the *Congressional Record* or one of the hearings records.

Hearings

In some cases, hearings on the need for the proposed legislation are held before the bills are introduced in Congress. Although these hearings are not considered of primary importance in determining legislative intent, they often contain testimony by experts in the field, and the questions asked may indicate particular concerns of legislators or may show that legislators considered some issues that are or are not reflected in the final legislation. Hearings are not held for all legislation and not all hearings are published.

To Locate Hearings Online

Some committee hearings are recorded and placed on the individual committee's website.

Links to House Committee websites are available through the U.S. House of Representatives [website](#). Similarly, links to Senate Committee websites can be found through the U.S. Senate [website](#).

The U.S. Government Printing Office posts committee hearings beginning with the 104th Congress (1995) on its website, [FDsys](#).

[ProQuest Congressional](#) is available on campus computers and off-site with Onyen and password verification. It provides hearings from 1824 forward under "Congressional Publications, Advanced Search."

[LexisNexis'](#) CQ Transcriptions database contains transcripts of complete congressional hearings, including witness statements and Q&A between witnesses and congressional committee members. Coverage begins with January 1995 (authorized users only).

[Westlaw's](#) US Congressional Testimony database contains witness lists for congressional hearings and transcripts of oral and written statements submitted to committees of Congress. Select coverage begins with January 1993 (authorized users only).

To Locate Hearings in Print

The Law Library has scattered holdings in paper for published hearings prior to 1985, particularly from the Judiciary Committee. In 1985, the Law Library began collecting all published hearings in microfiche. To find a particular published hearing in the Law Library microfiche collection, search the online catalog using a keyword search. For example, search "hearing and senate and international trade and 1986." Or, perform a keyword search using the hearing number, "S. hrg. 100-402."

Davis Library has all published hearings in paper or in microform in its Government Documents collection. Those from 1976 forward can be found through the library's online catalog. The *Monthly Catalog of United States Government Publications*

[\(Z1223 .A18\)](#)indexes published hearings pre-1976.

Unpublished hearings are sometimes printed and sold by commercial publishers, and both the Law Library and Davis Library have some holdings of these unpublished hearings in microform only. In the Law Library, unpublished hearings can be found in the microfiche collection on the 3rd floor at [KF40 .C54 1988](#). Particular unpublished hearings can be identified through indexes to unpublished house and senate hearings located on the 3rd floor.

House and Senate Committee Reports

The House and Senate committee reports are generally considered the most authoritative documents of legislative history. When a piece of legislation is "reported out of committee," i.e. sent to the floor of one chamber for consideration, this printed report accompanies the bill, indicating the rationale behind the legislation, its scope and purpose, the way in which it would be funded, a statement of why it should be enacted, how it will affect current law, and a section by section analysis of the content of the bill. When a **conference committee** is formed to resolve differences between bills passed in each chamber, its report may indicate why certain sections were finally incorporated or omitted.

To Locate Committee Reports Online

[ProQuest Congressional](#) provides searching and full text of committee reports from the 101st Congress (1990). The database is available on campus computers or off-site with Onyen and password verification.

Both [Thomas](#) and [Congress.gov](#) contain committee reports from the 104th Congress (1995) forward and are easy to search.

[FDsys](#) also provides the full text of committee reports from the 104th Congress (1995) to present.

[Westlaw's](#) coverage of committee reports begins with 1948 in the Legislative History database. From January 1990 forward, the database contains all congressional committee reports, including reports on bills that did not become law. This database also includes legislative history of securities laws beginning in 1933 (authorized users only).

[LexisNexis'](#) Committee Reports database contains House and Senate reports from January 1990 to present with selected coverage of the 101st (1989) and 102nd (1991) Congresses (authorized users only).

To Locate Committee Reports in Print

Superintendent of Documents (SuDoc) Classification Number - Federal government publications are arranged by a classification scheme called SuDoc, which was designed to group all publications created by the same author together (eg. government agency). House and Senate reports are grouped under the letter Y. The SuDoc number for House reports begins with **Y 1.1/8**: The SuDoc number for Senate reports begins with **Y 1.1/5**:

If the Senate or House report number is known, e.g. H.Rpt. 107-1, that number will serve as a guide to locating the full text in the microfiche collection on the 1st floor. Simply add that number to end of the appropriate SuDoc range in order to identify the proper microfiche. For example H. Rpt 107-1's SuDoc number becomes Y 1.1/8:107-1. (When searching for a report in the catalog, be aware that there is a space between the Y and 1.)

Microfiche - The Law Library has scattered microfiche holdings of committee reports before 1985 and a full collection after 1985. Davis Library has a full collection of published reports. The committee reports may be located in the Law Library 1st floor cabinets by using the SuDoc number identified in the CIS Index or obtained through a search of the online catalog.

Search the online catalog using a keyword search including words from the committee name and/or bill title, such as, "report and senate and committee on health and mental health." Use the SuDoc number to locate the microfiche on the 1st floor of the Law Library or in the Davis Library.

Committee Prints

Committee prints are materials prepared for committee members to use while considering a bill or an issue. Prints may be prepared by the committee staff, by a congressional support agency such as the Congressional Research Service, or by private entities. Some prints provide section-by-section analysis of different proposed and/or existing law, some review a particular issue, and

some contain opinions of particular committee members. Nonetheless, committee prints remain of lesser value to the legislative intent seeker when the authors are not elected legislators and because many are not published for wider distribution.

To Locate Committee Prints Online

For committee prints from 1999-2004, one can perform searches and locate full text of prints on [ProQuest Congressional](#). This database is accessible from any campus computer or off-site with Onyen and password verification.

[LexisNexis](#) contains a searchable database of committee prints from 1994 to 2004 with a smaller selection from the 104th Congress. (authorized users only.)

A limited number of committee prints are available at [FDsys](#) from the 102nd Congress (1991) forward.

To Locate Committee Prints in Print

The Law Library's microfiche collection of committee prints is complete for all published prints from 1985. The library has scattered microfiche holdings for pre-1985 prints.

If you retrieve a SuDoc number from the *CIS Index*, search the online library catalog by that SuDoc number to confirm local holdings, or go directly to the microfiche cabinets on the 1st floor, and check for the SuDoc number there.

The microfiche committee prints can also be located through a keyword search in the online library catalog using the committee and/or subcommittee name or words from the title of the print, such as "committee on transportation and motor carrier safety." A committee print number can be used to perform a keyword search such as "print and 106-77."

In addition to holdings in the Law Library, a [UNC catalog](#) search will show holdings for Davis Library, where all published committee prints should be available.

Floor or Chamber Debates

Once a bill has been sent to the floor of either chamber, it may be debated by the members. The permanent edition of the *Congressional Record* contains the debates, including "extended remarks," not presented on the floor, but added afterward. These extended remarks usually appear in italics and may be of lesser value to the legislative history researcher. The value of floor debates varies, depending on the activity, but the debates are generally not considered as important as committee reports.

The Congressional Record comes in a permanent and daily edition. The Bluebook requires that the permanent edition be cited when available. HeinOnline provides a [Congressional Record Daily to Bound](#), which researchers can use to convert citations from the daily edition to the corresponding pages in the permanent bound volume.

To Locate Debates Online

From 1994 forward, the full text of the *Congressional Record* is searchable on [FDsys](#).

[Thomas](#) contains the *Congressional Record* from the 101st Congress (1989) to present.

[Congress.gov](#) currently includes the *Congressional Record* from the 104th Congress (1995) to present.

[LexisNexis](#) and [Westlaw](#) contain the *Congressional Record* from the 99th Congress (1985) forward (authorized users only).

To Locate Debates in Print

Congressional Record: Proceedings and Debates of the Congress. Both the permanent and daily editions of the Congressional Records are available at the Law Library. The daily edition ([KF35 .U584](#)) can be accessed in microfiche on the 3rd floor or in print on the 4th floor. Bound volumes of the permanent edition for most years are located on the 1st floor of the library near superseded materials. Microfiche copies of the permanent edition are on the 3rd floor at [KF35 .U583](#). Davis Library also contains these materials.

House and Senate Documents

These documents include Presidential messages, reports from administrative agencies, and memoranda from private corporations or lobbying groups - any of which may be related to pending or enacted legislation. Their value in determining legislative intent varies but these documents are generally not considered as authoritative when they are authored by persons other than legislators and because they are not published for wide distribution.

To Locate House and Senate Documents Online

[ProQuest Congressional](#) serves as both index and source for House and Senate Documents. Abstracts and indexing for these documents are available from the 91st Congress (1970) to present. Full text is available from the 104th Congress (1995) to present. This database is searchable from any campus computer or off-site with Onyen and password verification.

[FDsys](#) provides searching and full text results of documents from the 101st Congress (1989) to present.

To Locate House and Senate Documents in Print

Prior to the 99th Congress (1985) the Law Library collected only selected House and Senate Documents. Davis Library has a complete collection of House and Senate Documents as part of the *Serial Set*.

All House and Senate Documents in the Law Library and all since 1976 in Davis Library can be found individually in the online catalog. Search the online catalog using a keyword search including words from the title, such as, "document and senate and social security." Use the SuDoc number to locate the microfiche on the 1st floor of the Law Library or in the Davis Library. If the document number is known, the keyword search could include it, for example: "senate and 94-259."

The print *CIS Index* ([KF49 .C62](#)) can be used to identify a SuDoc number for a document, and that number can be searched in the catalog or used to locate documents in the Law Library. Most of the SuDoc numbers can be located in the 1st floor microfiche cabinets.

Presidential Messages

When legislation originates from the White House, it is frequently accompanied by an explanation of its purpose or rationale. When legislation is signed into law or vetoed by the President, an explanatory message or speech may be presented. Presidential messages are compiled and presented in several places.

To Locate Presidential Messages Online

[FDsys](#) provides access to the *Weekly Compilation of Presidential Documents* from 1993 forward. This publication is the predecessor of the *Daily Compilation of Presidential Documents* and the most comprehensive collection of presidential messages available.

[FDsys](#) also contains the *Public Papers of the Presidents of the United States*, which serves as the edited version of the *Weekly Compilation*. Public papers of presidents George H.W. Bush, Bill Clinton, George W. Bush and Barack Obama have been converted and posted for searching.

HeinOnline's [U.S. Presidential Library](#) includes the *Daily and Weekly Compilation of Presidential Documents*, the *Public Papers of the Presidents* and numerous other presidential documents. Available from all campus computers and off-site with Onyen and password verification.

[LexisNexis](#) provides the *Public Papers of the Presidents of the United States* from March 24, 1979 forward (authorized users only).

[Westlaw](#) offers access to the *Daily Compilation of Presidential Documents* from 2000 to present (authorized users only).

To Locate Presidential Messages in Print

Public Papers of the Presidents of the United States ([J80 .A283](#)). These print volumes are available for presidents Hoover,

Truman, Eisenhower, Kennedy, Johnson, Nixon, Ford, Carter, Reagan, George H.W. Bush, Clinton, George W. Bush and Barack Obama (2009 only).

Weekly Compilation of Presidential Documents ([J80 .A284](#)). The Law Library has bound volumes for 1965-1995 and microfiche from 1992-2008.

Public Laws

Enacted public laws are first published separately as slip laws. Public laws are then published chronologically in the *United States Statutes at Large*, the first official publication of enacted laws. Public Laws are then integrated into the *United States Code*. Because the subject arrangement of the Code may require the public law to be split to fit into its arrangement, some nuances of legislative language and some introductory material may be lost in the process. For this reason, the public law should be consulted in the search for legislative intent.

To Locate Public Laws Online

Public laws are available on [Thomas](#) from the 93rd Congress (1973) to present and on [FDsys](#) from the 104th Congress (1995) to present.

[ProQuest Congressional](#) provides public laws from the 100th Congress, 2nd session (1988) to present and is available from campus computers or off-site with Onyen and password verification.

[Westlaw](#) contains public laws from 1973 forward (authorized users only).

[LexisNexis](#) provides access to public laws from the 100th Congress, 2nd session (1988) to present (authorized users only).

To Locate Public Laws in Print

Public laws are printed in the *Statutes at large* ([KF50 .U58](#)) and accessible through the index.

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