
FEDERAL LEGISLATIVE HISTORIES



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INFORMATION GUIDE # 6

What is a Legislative History and How Is It Used?

A legislative history is a collection of the documents created by Congress or a state legislature during the process leading up to the enactment of a law. The legislative history provides evidence that members of the legislative body were aware of particular issues and facts, and includes comments and recommendations of committees and individual members of the legislative body.

A legislative history is used to determine the intent of the legislators when a particular statute was passed. When a question arises concerning the applicability or interpretation of a statute, a legislative history can be consulted to better understand the reasons for the enactment of that statute.

What Documents Make up a Federal Legislative History?

A Federal legislative history includes documentation from all steps in the law-making process. Different documents carry varying degrees of weight in showing congressional intent. The documents which can make up a legislative history include:

1. **Bills and amendments.** The text of a bill as introduced, reported from committees, and acted upon by either or both houses, provides information on the original language of its sponsor as well as evidence of deliberate exclusions and inclusions to the bill as it made

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its way through the legislative process. Bills are numbered consecutively by the chamber in which they were introduced for the two sessions of each Congress (e.g. S.2 is the second bill introduced in the Senate during a particular Congress).

2. **Hearings.** These are primarily transcripts of the testimony of witnesses before House and Senate committees. Hearings are used to illustrate that certain issues and considerations were made known to Congress through the hearing process. Hearings may be held on an individual bill or a group of bills on the same or similar subject. Not all hearings are published. There is often a lengthy delay for those hearings which are officially published. Final official versions may include other documentary evidence presented to a committee during the hearing process.

3. **Committee Prints.** Committee prints can be research studies, compilations of materials or statutes, background information, or working drafts of a bill. Not all committee prints are published or distributed. Some may be reissued as a House or Senate Document or Report or published in the Congressional Record. Although not significant in determining legislative intent they can provide valuable and often hard to find information for the researcher.

4. **Committee Reports.** These are committees' official communications to Congress explaining the purpose of a bill and setting forth the recommendations for passage of the bill. Many also contain a report by the minority members of the committee on their objections to the language or purpose of the bill. Reports may be issued by House, Senate, and Conference (i.e. joint) committees, and are numbered consecutively for each Congress. Committee reports, especially Conference committees, tend to carry a great deal of weight in ascertaining congressional intent.

5. **Debates.** These include all activities which occur on the floor of the two houses of Congress. While individual comments during debates are not proof of congressional intent, statements by the bill's sponsor or chair of the committee reporting the bill, especially those with the stated intention of clarifying or explaining the bill, can have significant weight. Debates are particularly important when amendments to the bill are offered on the floor of the House or Senate.

6. **Presidential Messages.** Sent to Congress by the President, these messages are the comments by the President explaining the reasons for suggesting, signing, or vetoing legislation.

What Are the Major Finding Tools for Compiling a Federal Legislative History?

Print Finding Tools

1. *Sources of Compiled Legislative Histories*

LAW REFERENCE AREA KF 42.2 1979.

This is a checklist of legislative histories that have been compiled for enacted laws which are published in government documents, periodical articles, and books. It indicates whether the source provides citations only or reprints the documents that make up the legislative history. Not all Public Laws are included. It begins with the 1st Congress and is updated periodically. To find a legislative history you need either the Public Law number or popular name of the law.

2. *U.S. Code Congressional and Administrative News*

(1941 to date)

(1941-1950 entitled *United States Code Congressional Service*)

LAW GENERAL COLLECTION KF 48 .U54

U.S.C.C.A.N. publishes the texts of all Public Laws enacted in a particular session of Congress. The legislative history volumes reprint selected Committee Reports, (House, Senate, and Conference) for each of the laws. 1941 - 1947 volumes contain congressional comments which describe the contents of important reports. Both the biweekly advance sheets and the bound volumes contain a legislative history table which lists for each Public Law: date approved, *Statutes at Large* citation, bill and report numbers, committees that recommended the bill, and dates of consideration and passage in the House and Senate.

3. *CCH Congressional Index*

LAW REFERENCE AREA KF 49 .C6 (1979 to date) &

LAW GENERAL COLLECTION KF 49 .C6 (1947 to 1978)

This looseleaf service, supplemented weekly when Congress is in session, is a good source for finding the current status of bills. Bills are indexed by bill number, author, and subject. References are given to reports, hearings, Public Law number, and voting records. Publication began with the 75th Congress (1937).

4. *CIS/Index and Abstracts*

LAW REFERENCE AREA & LAW MICROFORMS KF 49 .C62

(also in *CIS Congressional Universe* - see electronic finding tool #4)

CIS abstracts and indexes most congressional publications (except the *Congressional Record*) issued since 1970. *CIS* is published monthly and cumulated annually in two parts: a subject index, and abstracts of the indexed publications. The legislative history documents can be located

by bill number, Public Law number, report number, subject, title, author or witness name. Multi-year cumulative indexes have been issued, covering 1970-74, 1975-78, 1979-82, and 1983-86, 1987-1990, 1991-1994. Starting in 1984 an annual Legislative Histories volume was added. Arranged by Public Law number, this volume indexes and abstracts all documents relevant to a public law even if the documents are from Congresses prior to the enactment of the law.

5. *CQ Week* (1998 -)

Congressional Quarterly (CQ) Weekly Report (1996 - 1998)

LAW REFERENCE AREA JK 1 .C15 (latest 2 years only)

Congressional Quarterly Almanac

LAW GENERAL COLLECTION JK 8 .C64x (1969 to date)

CQ contains summaries of congressional (and other federal government) activities, status of major legislation, lists of recently-passed public laws, and analyses of important legislative issues. This is particularly useful for tracking complex legislation that involves numerous amendments or researching the political background of legislation.

6. *Congressional Record Index* — “History of Bills and Resolutions” section

LAW GENERAL COLLECTION KF 35 .C56 (biweekly index)

LAW MICROFORMS KF 35 .C56 (bound annual index)

This status table appears in the biweekly index issue of the *Congressional Record*, and is cumulated for the entire session in the bound set in the annual index volume. It is arranged by bill number, with the title and action noted, and a reference to the *Congressional Record* page on which the record of the action can be found. A bill number will appear in the bi-weekly index only if the bill has been acted upon during those two weeks; if listed, however, all previous actions for that session will be recorded.

7. *Congressional Record* — Daily Digest section (1947 -)

LAW GENERAL COLLECTION KF 35 .C56x (Daily Congressional Record)

LAW MICROFORMS KF 35 .C56x (separate volume)

This digest provides a daily summary of actions taken on bills with page references to the *Congressional Record*. As its title implies, it is a section of the daily issue of the *Congressional Record*. A separate cumulative volume, published at the end of each session, provides both subject access and a table, “History of Bills Enacted into Public Law” (arranged by Public Law number). This “history” table gives the title, bill number, dates introduced and reported, hearings, report numbers, and *Congressional Record* citations.

8. *CIS/US Serial Set Index (1789-1969)*

LAW REFERENCE AREA Z 1223 .Z9 C65

(also in *CIS Masterfile I* - see electronic finding tool #1)

The *U.S. Serial Set*, compiled under direction of the Government Printing Office, is an ongoing collection of congressional publications including House and Senate committee reports and documents. The *Serial Set Index* provides access by subject, keyword, and number. Hearings and the *Congressional Record* are not included in the Serial Set.

9. *CIS/US Congressional Committee Hearings Index (1833-1969)*

LAW REFERENCE AREA KF 40 .C56 1981

(also in *CIS Masterfile I* - see electronic finding tool #1)

This index provides access to published U.S. Congressional committee hearings (House and Senate) from the 23rd - 91st Congresses by subject, organization, personal name, title, and bill number.

10. *CIS Index to Unpublished US Senate Committee Hearings*

(1823-1964; 1965-1968)

(also in *CIS Masterfile I* - see electronic finding tool #1)

LAW REFERENCE AREA KF 40 .C55 1986 (1823 - 1964 index)

O'NEILL GOV'T. DOCUMENTS REFERENCE KF 40 .C55 1989 (1965 - 1968 index)

This index provides access to unpublished U.S. Senate hearings from the 18th - 90th Congresses by subject, organization, personal name, title, and bill number.

11. *CIS Index to Unpublished US House of Representatives Committee Hearings (1833 - 1936; 1937 - 1946)*

(also in *CIS Masterfile I* - see electronic finding tool #1)

O'NEILL GOV'T. DOCUMENTS REFERENCE KF 40 .C54 1988 (1833 - 1936 index)

O'NEILL GOV'T. DOCUMENTS REFERENCE KF 40 .C54 1990 (1937 - 1946 index)

This index provides access to unpublished U.S. House of Representatives hearings from the 23rd - 79th Congresses by subject, organization, personal name, title, and bill number.

12. *CIS/US Congressional Committee Prints Index*

("From the Earliest Publications through 1969")

LAW REFERENCE AREA Z 1223 .Z7 C66

(also in *CIS Masterfile I* - see electronic finding tool #1)

This index provides access to a variety of prints prepared for internal committee use. Prints are indexed by title, subject, author, bill number, Congress and committee, and Superintendent of Documents classification number.

13. *Digest of Public General Bills and Resolutions*

LAW U.S. SUPT. OF DOCS. COLL. LC 14.6: (1975 - 1990)

Published by the Library of Congress during each session, with a final cumulative issue, the *Digest* is a good source for fairly extensive summaries of public bills and resolutions, and also gives the status of proposed legislation. Entries are indexed by bill or resolution number, by sponsor, subject, title and companion bill number. It does not give references to debates or hearings. B.C.'s holdings begin with the 94th Congress, 1st Session (1975) and end with the 101st Congress, 2nd Session (1990). The *Digest* ceased publication in 1990.

Electronic Finding Tools

1. *CIS Masterfile I*

LAW REFERENCE AREA - CD-ROM database

This searchable database allows boolean searching of the index and abstract information described in print finding tools #8, 9, 10, 11, 12.

2. *Thomas: Legislative Information on the Net*

<http://thomas.loc.gov>

Thomas makes available a wide range of federal legislative information starting in 1989 (101st Congress). Of interest in compiling legislative histories are the *Bills*, *Congressional Record* and *Committee Information* databases. Most databases within *Thomas* cover 1989 - current year.

The *Bills* database includes a "Public Laws by Law Number" section which provides summary and status records for bills which became law. Coverage begins in 1973 (93rd Congress). A Congress is searchable by Public Law number or by word/phrase, subject, or bill number. For Public Laws enacted since 1989, the "Bill Text" section provides the full text of all versions of bills (including those which were not enacted). This section also provides links to *Congressional Record* pages. The "Bill Text" section is searchable by word/phrase or bill number.

The *Committee Information* database contains a "Committee Reports" section which provides full text of most House and Senate committee reports (including conference reports) issued since 1995 (104th Congress). This database is searchable by word/phrase, report number, bill number, and committee.

The *Congressional Record* database contains the "Congressional Record Text" section and the "Congressional Record Index" section. The full text of the daily *Congressional Record* is available from 1989 to the current

issue. It is searchable by word/phrase, member name, date, or date range. The *Congressional Record Index* is available from 1994 (103rd Congress, 2d Session). It is searchable by index terms (topics) and bill numbers or browsable by index terms arranged in alphabetical ranges.

3. GPO Access

http://www.access.gpo.gov/su_docs/dbsearch.html

This Web site provides access to a number of full text document databases essential to legislative history research. Each database is searchable by phrase (include “ ” around a phrase) or by use of the Boolean operators *adj*, *and*, or. Sample searches are provided.

The databases are:

Congressional Bills (1993 to date)

Congressional Documents (House, Senate and Treaty documents - 1995 to date)

Congressional Record (1994 to date)

Congressional Record Index (1983 to date)

Congressional Reports (1995 to date)

History of Bills and Resolutions (1983 to date)

Public Laws (1995 to date)

4. CIS Congressional Universe

<http://web.lexis-nexis.com/congcomp>

Congressional Universe provides access to *CIS Index and Abstracts* described in print finding tool #4 plus the *Congressional Record*. The “Publications” and “Bills and Laws” segments are particularly useful for legislative researchers. The abstracts are searchable by subject, Public Law number, committee, witness, bill number, and publication title. Keyword searching of the compiled histories is also available.

Congressional Universe also provides searchable access to the full text of certain congressional documents. Our subscription to *CIS Congressional Universe* provides for access from the law library only. A selected list and dates of coverage are provided below.

Committee Reports (1989 to date)

House and Senate Documents (1994 to date)

Committee Prints (1993 to date)

Committee Witness Testimony (1989 to date)

Bill Texts (1989 to date)

Congressional Record (1985 to date)

Public Laws (1988 to date)

How Do I Compile a Federal Legislative History?

To compile a legislative history you must first obtain citations to the documents that comprise a legislative history, then locate and read the documents. Listed here are steps to follow and finding tools to use.

1. To see if a legislative history has already been compiled:

If you have:	From:	You can use:
Public Law Number	major legislation only - any date	<i>Sources of Compiled Legislative Histories</i>
	1941 or later	<i>U.S. Code Congressional and Administrative News</i>
	1983 or later	<i>CIS Index Legislative Histories</i> volumes
	1970 - 1983	<i>CIS Annual Abstracts</i> volumes, "Legislative Histories" section
	1973 or later	<i>Thomas</i> - "Public Laws by Law Number"
Statutes at Large citation	major legislation only - any date	<i>Sources of Compiled Legislative Histories</i>
	1941 or later	<i>U.S. Code Congressional and Administrative News</i>
Popular Name	major legislation only - any date	<i>Sources of Compiled Legislative Histories</i>
		BCAT or WCAT databases on QUEST
Year or Congress and Bill Number	1973 or later	<i>Thomas</i> - "Bill Summary & Status"

2. To find a Public Law number:

If you have:	From:	You can use:
U.S. Code, U.S.C.A., or U.S.C.S. citation		The credits/history citations at end of code section text
Popular Name		<i>Shepard's Acts and Cases by Popular Name</i> ; <i>Popular Names Table</i> of the U.S. Code, U.S. Code Annotated or U.S. Code Service
Year or Congress and Bill Number	legislation enacted in 1983 or later	<i>CIS Index Legislative Histories</i> volumes - "Index of Subjects and Names" table
	legislation enacted in 1937 or later	<i>CCH Congressional Index</i> - Enactments section; "Names of Laws Enacted"
	legislation enacted in 1983 or later	<i>CIS Index Legislative Histories</i> volumes - "Index of Bills" table
	legislation enacted from 1970 - 1983	<i>CIS Cumulative Index</i> volumes - Supplementary Indexes section - "Index of Bills" table
	legislation enacted in 1983 or later	<i>Congressional Record</i> - "History of Bills and Resolutions" section
	legislation enacted in 1973 or later	<i>GPO Access - History of Bills and Resolutions</i> database
	legislation enacted since 1941	<i>Thomas</i> - "Summary of Bills & Status"
	legislation enacted since 1937	<i>U.S. Code Congressional and Administrative News</i> - "Bills & Joint Resolutions Enacted" table <i>CCH Congressional Index</i> - Enactments section; "Enactments by Bill/ Resolution Number"

3. To find a Bill number:

If you have:	From:	You can use:
Public Law Number or Statutes at Large citation	legislation enacted in 1901 or later	<i>United States Statutes at Large</i>
	legislation enacted in 1941 or later	<i>U.S. Code Congressional and Administrative News</i> - "Legislative History" table
Public Law Number	legislation enacted in 1973 or later	<i>Thomas</i> - "Public Laws by Law Number"
	legislation enacted in 1983 or later	<i>CIS Index Legislative Histories</i> volumes
	legislation enacted from 1970 - 1983	<i>CIS Annual Abstract</i> volumes - "Legislative Histories" section
	legislation enacted in 1937 or later	<i>CCH Congressional Index</i> - Enactments section "Enactments by Public Number"
Subject or topic information only		<i>CCH Congressional Index</i> - Subject Index
		<i>Thomas</i> - "Bill Summary and Status"
		<i>GPO Access</i> - <i>History of Bills</i> database
		<i>Congressional Record</i> database or <i>Congressional Record Index</i> database
		<i>CIS Congressional Universe</i> database

4. To determine what actions have been taken on a bill:

If you want:	From:	You can use:
Committee actions, committee reports, and floor activities	legislation in 1973 or later	<i>Thomas - "Bill Summary & Status"</i>
	for legislation in 1937 or later	<i>CCH Congressional Index - "Status" section</i>
Floor activities only		<i>Congressional Record Index - "History of Bills and Resolutions"</i>

5. To locate citations to committee reports:

If you want:	From:	You can use:
Report numbers only		<i>Congressional Record - Daily Digest - "History of Bills Enacted into Public Law"</i>
	for laws enacted in 1941 or after	<i>U.S. Code Congressional and Administrative News</i> (may also include text of selected reports)
Reports numbers, abstracts, and references to CIS microfiche	legislation in 1970 or later	CIS/Index and Abstracts <i>CIS Congressional Universe - "Congressional Publications"</i> (also provides full text of reports from 1995 and later)
	legislation in 1937 or later	<i>CCH Congressional Index - "Status" section</i>
	legislation from 1789 - 1969	CIS US Serial Set Index CIS Congressional Masterfile I

6. To find citations to hearings on a bill or general topic

If you have:	From:	You can use:
Bill number, subject information, or persons testifying	legislation in 1970 or later	<i>CIS Index</i> - "Index of Subjects and Names" or "Index of Bill Numbers" (a supplementary index contained within the "Index of Subjects and Names")
		<i>CIS Congressional Universe</i> - "Congressional Publications" (also provides full text of selected testimony from last 10 years)
	legislation from 1833 - 1969	<i>CIS Congressional Committee Hearings Index</i>
		CIS Masterfile I

7. To find citations to Congressional debates

If you have:	From:	You can use:
Bill number or name of sponsor		<i>Congressional Record Index</i> - "History of Bills and Resolutions"
		<i>Congressional Record Index</i>
	1989 or later	<i>Thomas</i> - Congressional Record database
	1983 or later	<i>GPO Access</i> - Congressional Record Index database

8. To find Presidential messages

If you have:	From:	You can use:
Bill number		<i>Congressional Record Index - "History of Bills and Resolutions"</i>
	1983 or later	<i>GPO Access - Congressional Record Index database</i>
Date, Popular Name, or Public Law Number		Weekly Compilation of Presidential Documents

What finding tools should I use for compiling a legislative history for legislation enacted prior to 1970?

CIS Masterfile I

Sources of Compiled Legislative Histories

U.S. Code Congressional and Administrative News

CCH Congressional Index

Congressional Record and the Congressional Record Index

CIS/US Serial Set Index

CIS/US Congressional Committee Hearings Index

CIS/US Congressional Committee Prints Index

Where are the Legislative History Documents in the Boston College Law Library ?

The Boston College Law Library has most of the legislative history documents for federal legislation enacted from 1959 to date. The Library also has all the proceedings that took place on the floor of Congress since the ratification of the Constitution. A majority of these documents are available in micro-format. All need to be accessed using the finding tools discussed in this information guide. More recent documents are available online or through the World Wide Web. Lexis and Westlaw have developed legislative databases covering bills, hearing testimony, committee reports, committee prints, debates, and public laws as well as compiled legislative histories. At the Boston College Law Library, access to both LEXIS and WESTLAW is limited by the terms of our contracts to

Boston College law students and faculty. Congressional Information Service (CIS) has developed *CIS Congressional Universe* (www.web.lexis-nexis.com/congcomp). *Congressional Universe* is available only from internet accessible workstations in the Boston College Law Library. *GPO Access* databases (www.access.gpo.gov/su_docs/dbsearch.html) and *Thomas* (www.thomas.loc.gov) are available to anyone with access to the internet and web browser software.

1. **Bills.** Bills for Congresses beginning with the 96th Congress (1978) are available on microfiche at LAW MICROFORMS — cabinet 6, drawers 2 - 7. *Thomas* provides full text of bills from the 101st Congress (1989). *GPO Access - Congressional Bills* database provides full text of bills from the 103rd Congress (1993). *CIS Congressional Universe* provides full texts of bills from the 101st Congress (1989).

2. **Hearings.** Beginning with 1959, hearings are available in the *Congressional Information Service (CIS) Microfiche Collection* housed at LAW MICROFORMS — cabinets 11 - 14. The library has paper copies of selected hearings from the 48th Congress to the 94th Congress. Hearings held in the collection in paper copy appear in the library catalogs under the name of the committee and subcommittee, and sometimes by subject or title. Consult a reference librarian for assistance with the library catalogs. LEXIS-NEXIS provides summaries of congressional hearings from 1995 and text of witnesses' written testimony, since July, 1993. WESTLAW provides text of committee witnesses' oral and written testimony from January, 1993. *CIS Congressional Universe* provides text of oral and written committee testimony from 1989.

3. **Committee Prints.** Committee prints since 1970 can be found in the *CIS Microfiche Collection*, at LAW MICROFORMS — cabinets 11 - 14. Some committee prints prior to 1970 are available in paper and can be located through the library catalogs. Consult a reference librarian for assistance with the library catalogs. In addition, *CIS Congressional Universe* includes full text of committee prints since 1993. LEXIS-NEXIS provides full text of selective committee prints since 1995.

4. **Reports.** Beginning with 1959, committee reports are available in the *CIS Microfiche Collection* and are housed at LAW MICROFORMS — cabinets 11 - 14. Paper copies of some reports prior to 1977 can be located through the library catalogs. Reports are cataloged by committee, subject, or title. Consult a reference librarian for assistance with the library catalogs. Reports also appear selectively in *United States Code Congressional and Administrative News*, LAW GENERAL COLLECTION KF 48 .U54. Full text of committee reports are also available on LEXIS-NEXIS and WESTLAW

from 1990 to date. *Thomas* and *GPO Access* provide full text since 1995. *CIS Congressional Universe* provide full text of reports since 1989.

5. **Debates.** Debates and other official congressional activities appear in the *Congressional Record* (1873 to date). Individual issues of the *Congressional Record, Daily Edition* in paper are at LAW GENERAL COLLECTION KF 35 .C56. After a delay of approximately five years, the *Congressional Record* is compiled into annual permanent editions with pagination different from the daily edition. Volumes 1 - 60 are on microfilm in cabinet 2, drawers 6 & 7. Volumes 61 - date are on microfiche in cabinet 5, drawers 6 & 7. The earliest predecessor of the *Congressional Record*, the *Annals of Congress* (1789 - 1824) is at LAW GENERAL COLLECTION KF 35 .C558. Its more recent predecessors are in microfilm — the *Register of Debates* (1824 - 1837) in cabinet 2, drawer 7, and the *Congressional Globe* (1833 - 1873) in cabinet 2, drawers 5 & 6. The full text *Congressional Record* is on LEXIS-NEXIS and WESTLAW from the 99th Congress (1985 to date); *GPO Access* (1994 to date) and *CIS Congressional Universe* (1985 to date).

6. **Presidential messages.** Presidential messages can be found in two publications, both located in the government documents section of the library. The *Weekly Compilation of Presidential Documents* contains a wide range of documents relating to the presidency, including messages. Our holdings date from vol. 1 (1965) at LAW GENERAL COLLECTION J 80 .A2844x. *Public Papers of the Presidents of the United States* begin with the papers of Herbert Hoover and continue to the present. They are at LAW GENERAL COLLECTION J 80 .A284x. Presidential messages sometimes are printed as House or Senate documents. These are included in the *CIS* microfiche. LEXIS-NEXIS also provides text of presidential messages since 1979.

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An electronic version of this guide may be found at:
<http://www.bc.edu/lawlibrary/leghist.html>

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