

# Federal Legislative History and Intent

## Research Guide

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The U.S. Federal Government, unlike the fifty states, is mandated to provide a written account of a bill as it moves through Congress. This includes the hearing process. Legislative histories are useful when researching the meaning, intent, or effect of a law, especially when it is new or there is little or no case law interpreting it. Sources of federal legislative intent include committee reports and hearings. The Congressional Record publishes floor debates.

### **How to research Federal legislative history:**

1. Decide which code section you wish to research. The United States Code (U.S.C.) is divided into Titles. Each Title deals with a specific subject. Titles are divided into Sections. You will need both the Title and the Section to do your research.

(Title)\_\_\_\_\_ U.S.C. (Section)\_\_\_\_\_

2. Begin by looking in the United States Code Annotated (USCA) (KF 62.U5) under the code section you wish to research. Read the legislative history notes to find the original Public Law number (P.L.) and any amendments listed underneath that P.L. number. The first part of the Public Law number indicates the chronological number of the Congress during which the bill was enacted. The second number after the dash (-) is the sequential number assigned to the bill upon its passage. For example, P.L. 107-67 is the sixty-seventh bill passed during the 107<sup>th</sup> Congress. Remember that each Congress lasts two years.

Public Law Number \_\_\_\_\_

3. You may know the bill by its popular name, for example “Americans With Disabilities Act.” In that case, check either the last volume of the USCA index titled “Popular Name Table Book,” (KF 62. U5) or the “Shepard’s Acts and Cases by Popular Name” (KF 90 .S52) to convert from the popular name to the code section and public law number.

Be aware that the larger acts are often scattered throughout the Code. Neither the USCA index nor the Shepard’s Acts and Cases by Popular Name, specify the exact location of the P.L. number section in the Code, though the Popular Name and Table Book does.

Check the United States Code Congressional Administrative News (USCCAN) (KF48.U5) for popular names created from 1942 to the present or, the U.S. Statutes at Large (KF 50.U545) for the uncodified version of the law. The Library has the Statutes at Large beginning in 1937. The Statutes at Large are also available online free of charge at the Library. They are linked from the Online Catalog or you can use Hein Online which can be accessed through our Legal Reference Databases.

Popular Name \_\_\_\_\_ Public Law No. \_\_\_\_\_

### Useful Internet Resources:

<http://thomas.loc.gov> Named for Thomas Jefferson, this Library of Congress site has online bill information beginning with the 93<sup>rd</sup> Congress (1973-1974) and continuing through today's floor action. Hyperlinks take you from a bill's description, to the text and finally to the sponsors. The site has many features, including the Congressional Record (from 1989-90, the 101<sup>st</sup> Congress) and Committee Reports (from 1995-96, the 104<sup>th</sup> Congress).

<http://www.gpoaccess.gov/congress/index.html> - This site covers official materials related to Congressional Committee Hearings. Hearings are available starting with the 104<sup>th</sup> Congress, 1995-96. It is organized by Committee.

<http://www.senate.gov> - The U.S. Senate website has useful information relating to roll call votes, vetoed legislation, and hearings. Roll call votes are available from the 101<sup>st</sup> Congress, 1989, to the present. Hearings are available back to the 107<sup>th</sup> Congress, 2001.

<http://clerk.house.gov/floorsummary/floor.html> - This site of the Office of the Clerk, US House of Representatives lists legislation and votes, with ancillary information and links. Roll call votes are available from the 101<sup>st</sup> Congress, 1989, to the present.

### To compile a legislative history for materials that are not available online:

1. You can check the Library's online catalog to determine if a legislative history has already been compiled by using the bill's popular name ([www.sandiegolawlibrary.org](http://www.sandiegolawlibrary.org)). Below are some printed resources which list previously compiled legislative histories. Be sure to check which of the four San Diego Law Library branches has which resource. Not every branch has all the materials listed here.

- Union List of Legislative Histories: 47<sup>th</sup> - 85<sup>th</sup> Congresses (1959), KF 4. L4. This covers 1883 through 1958.
- Sources of Compiled Legislative Histories (1<sup>st</sup> -94th Congress), KF 49.B5.
- CIS Annual (Congressional Information Service ), KF 49.C62.
- American Landmark Legislation (1984), KF 68.S5. It contains primary materials relating to a few specific laws.

- CCH Public Laws: Legislation Histories ( Microform ). This covers the 96<sup>th</sup> to 100<sup>th</sup> Congresses. It is available in microfiche cabinet 8, drawer 4 under F36. Ask Reference for assistance.
  - Bankruptcy Reform Act of 1978 Y 4J 89/2:B22/18. Ask Reference for assistance.
  - Revenue Acts, KF 6276 YEAR. These are yearly, starting with 1954.
  - Legislative History Copyright and Electronic Data Processing (2001), KF 2989.573.A15. This is the legislative history for the Copyright Act from 2001.
  - Legislative History Social Security Law and Legislation, KF 3649.A15 S53.
2. To begin a new legislative history for older materials, first determine the original bill number. You can do this in a number of ways:
    - § Check the US Code Congressional and Administrative News (USCCAN) (KF 48.U5). The Library has USCCAN from 1942.
    - § For bill numbers from early Congresses, e.g. 1789-1903, see the Legislative Reference Checklist at KF 49. L43 1982.
    - § Check the CCH Congressional Index, KF 49.C6. These are available from 1965 to 2000. Please ask Reference for assistance.
    - § Read the Digest of Public General Bills and Resolutions, KF 49 .L5. (through 1990). Note the Bill Number: \_\_\_\_\_ (S=Senate, HR = House).
  3. Once you know the Bill Number, you can locate the text of the bill. The Library has microform of bills from the 96<sup>th</sup> Congress (1979-80) to date. Ask for assistance at the Reference Desk.
  4. USCCAN has citations to the Congressional Record, committee reports, presidential proclamations and so forth. Committee Reports are also listed in the Finding Aid for each session. The Finding Aids cover the 96<sup>th</sup> to 106<sup>th</sup> Congresses and are no longer published.
  5. The Congressional Record has the floor debates. Check the index to find the page number of the debate. The Library has the last five years in paper. (KF 35. U5). Older editions are on microfilm beginning with the 81<sup>st</sup> Congress (1949-50) through the 92<sup>nd</sup> Congress and on microfilm from the 93<sup>rd</sup> to the present.
  6. The Library has the United States Congressional Serial Set for the 96<sup>th</sup> to the 104<sup>th</sup> Congresses (1979 through 1996) in microform. The library has printed volumes from the 90<sup>th</sup> through the 95<sup>th</sup> Congress (1968 - 1978) in storage. Volumes for the 104<sup>th</sup> through 110<sup>th</sup> Congresses are available online at [www.gpoaccess.gov/serialset/cdocuments/index.html](http://www.gpoaccess.gov/serialset/cdocuments/index.html). The Serial Set contains House and Senate Documents and House and Senate Reports.
  7. The Library also has Senate and House Reports and selected Committee Hearings on microfiche beginning with the 96<sup>th</sup> Congress (1979-80). Ask for assistance.
  8. Search LegalTrac or Hein Online (online services available at the Library) to determine if a law review article has been written about the act. If so, there might be legislative history information and a bibliography to help in your research.

## Presidential Documents and Executive Orders

There are several resources you may consult:

1. Weekly Compilation of Presidential Documents. The library has the microform copies beginning with the 96<sup>th</sup> Congress. These are also available online beginning with 1993, at: <http://www.gpoaccess.gov/wcomp/index.html>
2. Public Papers of the Presidents of the United States. The library has 1929 - 2003 (J 80 .A283).
3. Title 3 of the Code of Federal Regulations contains Executive Orders and proclamations.
4. Codification of Presidential Proclamations and Executive Orders (1945-1989) (KF 70.A3 T3a).