

## TYPES OF LEGISLATIVE DOCUMENTS

### *MEASURES (BILLS, ETC.)*

Bill: a basic legislative vehicle introduced by a member. Designated first by chamber (House or Senate) and then by sequential number. **S** indicates Senate and **HR** indicates House of Representatives (**NOT** House Report). May become law.

Joint Resolution: very much like a bill but encountered less frequently. Designated first by originating chamber (with a **J** to indicate **joint**) and then by sequential number, e.g., H.J. Res. 516. May become law.

Resolution (also called Simple Resolution): measure concerning only a single chamber generally expressing a consensus of opinion regarding a particular issue (e.g., Congressional pay, daylight-saving time, deployment of U.S. troops overseas, etc.) or legislative housekeeping. **The housekeeping function is particularly important in the House, as rules governing debate in this chamber are issued as resolutions.** Furthermore, the reports accompanying these rules may contain the text of amendments that will subsequently be voted upon. Designated by chamber and then by sequential number (S. Res or H. Res.), **simple resolutions do not become law.**

Concurrent Resolution: measure concerning both chambers. Infrequently encountered, **concurrent resolutions do not become law.** However, the legislative translation of the President's budget is always a concurrent resolution (e.g., H. Con. Res. 64/S. Con. Res. 18). Even though a concurrent resolution does not become law and is therefore **not binding**, it may well go through the entire legislative process save the final steps concerned with enactment.

*N.B.: As bills and joint resolutions may become law, they are also subject to Presidential veto. If not enacted into law by the end of a Congress, a measure may be reintroduced during succeeding Congresses. In such cases, its number is not necessarily the same (e.g., the Family and Medical Leave Act in the 102d Congress, H.R. 770, was introduced in the 103d Congress as H.R. 1), but the language, sponsor, and title are often nearly identical to the preceding version(s).*

### **HEARINGS**

Hearings are the public's chance to comment on legislation, matters of Congressional responsibility and/or pressing public interest. Not all hearings are published. Moreover, there is usually a delay of 3-18 months after a hearing takes place until it is actually printed by the Government Printing Office. Printed hearings may also contain the text of "materials submitted for the record" by persons/organizations who did not actually testify. Note that **hearings are not verbatim transcripts** of testimony/questions & answers: witnesses have the opportunity to make "technical corrections" to their remarks, which may well involve wholesale deletions and changes.

## TYPES OF LEGISLATIVE DOCUMENTS (cont'd)

### *COMMITTEE PRINTS*

Prints are the miscellany and ephemera of legislative documents. A committee may issue a print as to assist in the consideration of legislation or in the performance of other committee business. Prints may be study reports done by outside consultants for the committee or the result of research done by committee staff or by the CRS (Congressional Research Service) on the committee's behalf.

**Committee prints may also be compilations of laws under the committee's jurisdiction reprinted as they currently stand or even legislative histories of selected laws compiled by the House's Office of the Legislative Counsel or less often, by the committee staff.** Finally, from time to time, a manager's draft bill or amendment to be marked-up (revised in committee) are also called committee prints, but they are not generally published by GPO or given a committee print number.

### *COMMITTEE REPORTS*

Reports are committee analyses and recommendations regarding legislation. **The committee report is a goldmine for legislative history research in that it often sets out in detail the purpose of a given bill, its prior history, and the reasons why the statutory language is worded in a particular way.** Note that if the subject matter of a bill falls within the jurisdiction of more than one committee, more than one report may be issued. Depending upon the circumstances, these publications may be different freestanding reports each with its own number, or different parts of the same report.

### *FLOOR DEBATE*

While not freestanding documents, debate is the near verbatim record of consideration of legislation on the floor of each chamber and is **published in the Congressional Record (or its predecessors).** Mixed in with the evidence of members' concerns on legislation are often **amendments: their efforts to change the legislative language.** Though not all amendments are printed in full in the Congressional Record, many are, especially in the Senate. **Floor debate, especially the consideration of a conference report, is another good, often underutilized source of legislative history.**

### *CONFERENCE REPORTS*

Most bills do not go to conference; differences between the House and Senate versions are usually reconciled when one chamber accepts the other chamber's language. In more difficult cases, a measure may be passed in one chamber, sent to the other and amended, sent back to the first chamber and amended yet again and vice versa a few more times until one side finds the other's legislative language acceptable. **Only in the rare cases when the House and Senate cannot reconcile the differences**

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**between their respective versions of the same bill does a conference occur.** Conference committees, temporary committees composed of selected members from both chambers to deal only with a single bill (vs. House/Senate/Joint committees), arrive at compromise language. The language is then included in a conference report with explanation and analysis which refer to the previous versions of the bill, usually on a section-by-section basis. A description of the reasoning underlying the compromise version is included. **The conference report is an excellent starting point for legislative history research. Unlike committee reports, conference reports are always printed in the Congressional Record** (House Section), often before they are available elsewhere. Next, **BOTH chambers must consider and pass the conference report for the bill to become a law** (occasionally conference reports do not pass!).

### *PUBLIC LAWS*

More than 10,000 bills are usually introduced each Congress. Of these, only 600 or so are enacted into law. In such instances, each law is assigned a number, which is preceded by the number of the Congress, e.g., P.L. 109-8, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, is the eighth public law enacted during the 109<sup>th</sup> Congress. Public laws are published first in stand-alone pamphlet form as **slip laws** and then compiled annually into the United States **Statutes at Large**.