Compiling a Legislative History of an Older Public Law

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Electronic Handout

GETTING STARTED

I. Compiled Legislative Histories

A. LLSDC’s Union List of Legislative Histories

B. LLSDC’s Legislative Source Book http://llsdc.org/sourcebook/leg-hist.htm

C. Dept. of Commerce digital legislative histories http://dcom.sirsi.net/ (click “digital legislative histories” in top right corner)

D. Westlaw legislative histories

E. LexisNexis legislative histories

F. HeinOnline legislative histories http://heinonline.org/

G. Nancy P. Johnson - Sources of Compiled Legislative Histories

H. Bernard D. Reams - Federal Legislative Histories: An Annotated Bibliography (LHs published by committees, CRS, exec. branch)

I. OCLC FirstSearch http://firstsearch.oclc.org/

J. Online catalogs (Library of Congress, local universities)


M. Committees of jurisdiction

N. LLSDC listserv http://llsdc.org/listserv/
II. A Galaxy of Documents

A. Public Law

B. Presidential signing statements

C. Conference reports, superseded conference reports

D. Committee reports

E. Debate and statements (Cong. Record, Cong. Globe, Register of Debates, Annals of Congress)

F. Hearings

G. Bills and draft legislation

H. Committee prints (chairman’s mark, draft reports and bills, legislative analyses, hearings, directories, statistical materials, investigative and staff reports, historical reports, situational studies)

I. Committee markup documents:
   1. Manager and Member amendments
   2. Summaries of amendments
   3. Committee action reports
      4. Vote counts
      5. Transcripts of markups
      6. Markup reports/information (issue of copyright)
         a. National Journal
         b. CQ
         c. GalleryWatch

J. Conference committee documents:
   1. Drafts conference committee reports
   2. Offers of conferees

K. Dear Colleague letters

L. Correspondence
M. Committee or Member media releases

N. News conference transcripts, handouts
   O. News articles (issue of copyright)

P. Administration legislative proposals

Q. OMB Statements of Administration Policy

R. Executive department or agency reports

S. House Documents (e.g., veto messages) and Senate Documents

T. Tax legislative histories
   1. Joint Tax Committee’s Blue Book ("General Explanation of...")
   2. Other Joint Tax Committee prints
   3. Treasury’s Blue Book ("General Explanations of the Administration’s Fiscal Year ...
      Revenue Proposals")

III. Format for Tables of Contents

A. Chronological

B. Reverse chronological

C. Grouped by type of document

D. Documents grouped by Congress if multiple Congresses

E. Narrative explanation of action

IV. Sources for Determining Contents

Note: Search sources using any available information: words and phrases, bill numbers, date ranges

Note: Make special note of bill numbers that can be used to check other sources

Note: One excellent online source for locating hard copies of documents:

Note: Four major subscription databases that have bill tracking and full text of documents, among other features

- GalleryWatch [http://us.gallerywatch.com/](http://us.gallerywatch.com/) (Roll Call magazine, a subsidiary of The Economist Group)

A. CIS Legislative Publications [http://www.lexisnexis.com/academic/3cis/cisl/LegislativePublications.asp](http://www.lexisnexis.com/academic/3cis/cisl/LegislativePublications.asp) (CIS part of LexisNexis)

1. CIS/Abstracts and Index of Congressional Publications and Legislative Histories,1970+
   

Congress/Legislative Histories

2. CIS/Historical Indexes
   

Congress/Legislative Histories

1. Bibliographic records for six bodies of Congressional documents:
   
i. U.S. Serial Set, including reported bill numbers (1789-1969)
   
ii. Senate Executive Documents and Reports (1817-1969)
   
iii. U.S. Congressional Committee Hearings (1833-1969)
   
v. Unpublished U.S. Senate Committee Hearings (1823-1972)
   
vi. U.S. Congressional Committee Prints (1830-1969)

B. USCCAN – U.S. Code Congressional and Administrative News (1941+; USCCAN is on Westlaw)

1. Legislative History - notes at top list some reports; debate dates listed later years

2. Numerical Table of Legislative History (1964+) Table 4, last volume

C. Last page of Public Laws - thumbnail listing of main reports, dates of debate, Presidential signing statement (1975+)
D. THOMAS - Advanced Bill Summary & Status Search (1973+)
http://thomas.loc.gov/bss/d093query.html

E. GPO Access - History of Bills as reported in the Cong. Record (1983+)
http://www.gpoaccess.gov/hob/search.html

F. CCH Congressional Index – WoltersKluwer (1937+)

G. Final Congressional Calendars
1. Final Calendars of the U.S. House of Representatives and History of Legislation
   http://www.gpoaccess.gov/calendars/house/index.html
2. Final Senate Calendar of Business
   http://www.gpoaccess.gov/calendars/senate/search.html

   Congressional Documents and Debates,
   1774-1875: Continental Congress and the Constitutional Convention, Statutes and Documents
   (Bills, Statutes at Large, American State Papers, U.S. Serial Set), Journals of Congress, Debates of Congress; searching and printing can be problematic
   1. Homepage
   http://memory.loc.gov/ammem/lawhome.html (also link from THOMAS http://thomas.loc.gov/)
   2. Search individual or all titles
   http://memory.loc.gov/ammem/lawquery.html
   3. Search Help
   http://memory.loc.gov/ammem/help/search_help.html

I. National Archives and Records Administration (NARA) - committees control what they give; records closed for 20-50 years
   1. Finding Aids to Legislative Records from the NARA Center for Legislative Archives
   http://www.archives.gov/legislative/finding-aids/

J. Journals of Proceedings of the House and Senate - History of Bills and Resolutions - by bill number, and Appendix to Index - chronological
   1. Library of Congress – AmericanMemory - A Century of Lawmaking
      a. Journal of the House of Representatives (1789-1875)
      http://memory.loc.gov/ammem/amlaw/lwhj.html
      b. Senate Journal (1789-1875)
      http://memory.loc.gov/ammem/amlaw/lwsj.html

Note from above link: “From the 15th through the 82nd Congress, the House and Senate Journals were routinely assigned the first sequential Serial Set volume numbers in the House and Senate series for each session of each Congress.”


and Senate Executive Journals, Series I (1789-1866) http://www.readex.com/readex/product.cfm?product=8

K. Congressional Committee Materials Online (date coverage and content varies by committee)

1. Committee websites


b. Senate Committees http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm


L. Congressional Record Index (1873+) Subject Index and History of Bills and Resolutions

M. U.S. Code section - Historical and Statutory Notes

N. Legislative Reference Checklist: The Key to Legislative Histories from 1789-1903 by Eugene Nabors (1982) - essential for identifying bill numbers, which were not indicated on public laws until the 58th Cong. (1903-1905)


(1991, 2nd ed.)

P. Readex - America ’s Historical Gov’t Publications – Serial Set, American State Papers, Journals http://www.readex.com/readex/?content=95
FINDING SPECIFIC DOCUMENTS - Research and Full Text Sources

Note: ILL from Law Library of Congress – LoC Interlibrary Loan (Collections Access, Loan & Management Division) http://www.loc.gov/rr/loan/

Note: Depository, university, and court libraries more likely to have full text CIS microfiche; but problem of ILLing fiche

Note: CIS offprints available from LexisNexis (1970+)


A. Research

1. Popular Name Indexes
   a. United States Code Service (USCS) Popular Name Table; also on LexisNexis
   b. United States Code Annotated (USCA) Popular Name Table; also on Westlaw
   d. Shepard's Acts and Cases by Popular Names

B. Research and Full Text

1. Statutes at Large
   a. HeinOnline http://heinonline.org/
   b. LexisNexis (1789+)
   c. Westlaw (1789-1972)

2. Public Laws

   a. USSCAN (United States Code Congressional & Administrative News); Westlaw (1973+)
   b. Westlaw (1973+)
   c. LexisNexis (1988+)

e. THOMAS

i. Research (1973+)  http://thomas.loc.gov/bss/d093/d093laws.html


f. CQ.com searchable (1999+); scanned PDFs (1789+)

II. Conference and Committee Reports

Note: Make special note in committee reports of section “history of legislation” or “legislative history” for prior legislation, hearings, other

Note: Modern era: always printed as House reports; prior to WWI, Senate and House conference reports occasionally different

Note: All reports are compiled in the Serial Set (1817+); documents before 1817 may be found in the American State Papers

Note: M's favorite source for the Serial Set in hard copy is the Dept. of Commerce

A. Research

1. Congressional Record Index (1873+) Subject Index and History of Bills and Resolutions; both include report numbers

2. LLSDC Legislative Source Book - Schedule of Volumes to the U.S. Congressional Serial Set (1970+)

   http://llsdc.org/sourcebook/sch-v.htm

3. GPO Access

http://www.gpoaccess.gov/serialset/numerical.html

http://www.gpoaccess.gov/serialset/schedule.html
B. Research and Full Text

1. Library of Congress - A Century of Lawmaking


3. CIS Indexes and Microfiche

4. GPO Access

   a. Committee reports (1995+)
      http://www.gpoaccess.gov/serialset/creports/search.html

   b. Conference reports (separate category: 2005+)
      http://www.gpoaccess.gov/confrpts/index.html


6. USCCAN (selected 1941+)

7. Westlaw (selected 1948-1989; all 1990+)

8. LexisNexis (all 1990+)

   a. Securities Acts committee reports (1933-1995)

   c. Tax Acts committee reports and bills (1954+); Joint Tax Committee Bluebooks (1976+); selected JCT prints (1981+)


10. CQ.com (1995+)

11. National Archives and Records Administration (NARA)
    http://www.archives.gov/legislative/finding-aids/

12. Readex Serial Set (1817-1980)
    http://www.readex.com/readex/product.cfm?product=9; and

III. Debate and Statements

A. Research Only

1. Congressional Record Index (1873+) Subject Index and History of Bills and Resolutions; both include bill numbers

B. Research and Full Text

1. Library of Congress - A Century of Lawmaking
   a. Annals of Congress (1789-1824; debates paraphrased)  
      http://memory.loc.gov/ammem/amlaw/lwac.html
   b. Register of Debates (1824-1837; debates summarized)  
      http://memory.loc.gov/ammem/amlaw/lwrd.html
   c. Congressional Globe (1833-1873; pre-1851 abstracts, post- approach verbatim)  
      http://memory.loc.gov/ammem/amlaw/lwcg.html
   d. Congressional Record (1873-1875; Daily Digest not included)  
      http://memory.loc.gov/ammem/amlaw/lwcr.html

2. CIS Indexes and Microfiche

3. THOMAS
   a. Congressional Record Index (1995+)  
      http://thomas.loc.gov/j104/j104index1.html
   b. Congressional Record (1989+)  
      http://thomas.loc.gov/home/r101query.html

4. GPO Access
   a. Congressional Record Index (1983+)  
      http://www.gpoaccess.gov/cri/index.html
   b. Congressional Record (1994+)  
      http://www.gpoaccess.gov/crecord/search.html
      http://www.gpoaccess.gov/crecordbound/index.html

5. LexisNexis (1985+)

6. Westlaw (1985+)


8. CQ.com (1995+)
IV. Bills and Resolutions

Note: Sequential numbering of bills – House (1817) and Senate (1847)

A. Research Only

1. Congressional Record Index (1873+) Subject Index and History of Bills and Resolutions

B. Research and Full Text

1. Library of Congress – A Century of Lawmaking (House: 1799-1873; Senate: 1819-1873)
   keyword browse

   http://memory.loc.gov/ammem/amlaw/lwhbsb.html

2. CIS Indexes and Microfiche

3. GPO Access
   a. Congressional Bills (1993+)
      http://www.gpoaccess.gov/bills/search.html
   b. Catalog of Congressional Bills (1993+)
      http://www.gpoaccess.gov/bills/browse.html
   c. History of Bills (1983+) as reported in the Cong. Record
      http://www.gpoaccess.gov/hob/search.html


8. CQ.com (1995+; CQ Archives 1987+)

9. National Archives and Records Administration (NARA)
   http://www.archives.gov/legislative/finding-aids/
V. Congressional Committee Prints

A. Research and Full Text

1. CIS Indexes and Microfiche


5. Committee websites

6. National Archives and Records Administration (NARA)
   http://www.archives.gov/legislative/finding-aids/

VI. Congressional Documents

Note: House Documents and Senate Documents originate from committees; may be
Congressional, Executive, non-governmental;

Note: House and Senate Documents are part of the Serial Set

A. Research and Full Text

1. Library of Congress - A Century of Lawmaking


2. LexisNexis U.S. Serial Set Digital Collection (1789-1969) (includes American State
   Papers) gaps, problems, work-in-progress

3. CIS Indexes and Microfiche

4. GPO Access

   http://www.gpoaccess.gov/serialset/cdocuments/search.html

   http://www.gpoaccess.gov/serialset/numerical.html


5. National Archives and Records Administration (NARA)
   http://www.archives.gov/legislative/finding-aids/
VII. Hearings – Printed Hearings or Electronic Versions of Printed Hearings

Note: Prepared statements and transcripts usually not suitable for compiled legislative histories

Note: Special thanks to Emily Carr of the Law Library of Congress, the LLSDC volunteer who transcribes the weekly hearings listi from GPO

A. Research and Full Text
   1. CIS Indexes and Microfiche

2. GPO Access (House 1995+; Senate 1997+); selected
   http://www.gpoaccess.gov/chearings/search.html

   3. Committee websites
      b. Senate Committees
         http://www.senate.gov/pagelayout/committees/d_three_sections_with_teasers/committees_home.htm
      c. University of Michigan (links to committees)
         www.lib.umich.edu/govdocs/hearings.html

4. Departments, agencies, or firms specializing in the subject

5. National Archives and Records Administration (NARA)
   http://www.archives.gov/legislative/finding-aids/

VIII. Presidential Signing Statements

Note: President signing statements and messages may be reissued as House or Senate documents (Serial Set)

Note: Published by the Office of the Federal Register (NARA)

A. Research and Full Text
   1. Serial Set – Signing statements may be printed as Congressional Document:

2. Weekly Compilation of Presidential Documents 1965+
   c. Westlaw (1986+)

3. Public Papers of the Presidents of the United States