

Compiling a Legislative History of an Older Public Law

LLSDC Legislative Research-SIS Program, November 6, 2006

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Legislative Research-SIS President 2006-2007

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)
- K. U.S. Government Catalog of U.S. Government Publications <http://catalog.gpo.gov/F>
- L. U.S. Government Bookstore <http://bookstore.gpo.gov/>
- 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- C. Conference reports, superseded conference reports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:

LLSDC's Union List of Legislative Documents, 1994 3d ed. <http://llsdc.org/sourcebook/union-list-docs.htm>

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

- Congressional Quarterly Inc. <http://cq.com/> Also, publications: Almanac, CQ Weekly, and Congress and the Nation
- GalleryWatch <http://us.gallerywatch.com/> (Roll Call magazine, a subsidiary of The Economist Group)
- LexisNexis <http://www.lexis.com/> (Reed Elsevier Properties Inc.) Also, Zimmerman's Research Guide
- Westlaw <http://west.thomson.com/westlaw/> (West, a Thomson business)

A. CIS Legislative Publications

<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+

a. LexisNexis: CISINX or Federal Legal - U.S./Legislative Histories & Materials or Legislation & Politics - U.S. & U.K./U.S.

Congress/Legislative Histories

2. CIS/Historical Indexes

a. LexisNexis: CISHST or Federal Legal - U.S./Legislative Histories & Materials or Legislation & Politics - U.S. & U.K./U.S.

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)
- iv. Unpublished U.S. Senate Committee Hearings (1823-1972)
- v. Unpublished U.S. House Committee Hearings (1833-1958)
- 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

a. GPO Access (1995+) <http://www.gpoaccess.gov/calendars/house/index.html>

2. Final Senate Calendar of Business

a. GPO Access (1995+) <http://www.gpoaccess.gov/calendars/senate/search.html>

H. Library of Congress American Memory – A Century of Lawmaking for a New Nation – U.S. 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/amlaw/lawhome.html> (also link from THOMAS <http://thomas.loc.gov/>)

2. Search individual or all titles <http://memory.loc.gov/ammem/hlawquery.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>

2. LexisNexis CIS Indexes <http://www.lexisnexis.com/academic/3cis/ovwJournals.asp> (1789+; microfiche 1789-1978)

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."

3. GPO Access - House Journal Only (1991-1999) <http://www.gpoaccess.gov/hjournal/index.html>

4. Readex House and Senate Journals, Series I (1789-1817)
<http://www.readex.com/readex/product.cfm?product=7>

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

a. House Committees <http://www.house.gov/house/CommitteeWWW.shtml>

b. Senate Committees

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

2. GPO Access <http://www.gpoaccess.gov/congress/index.html>

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)

O. A Research Guide to Congress: How to Make Congress Work for You by Judith Manion, Joseph Meringolo, and Robert Oaks

(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+)

I. Public Laws/Statutes at Large – Background: Rick McKinney's Basic Overview on How Federal Laws are Published, Organized and Cited <http://www.llsdc.org/sourcebook/docs/Federal-Laws.pdf>

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

c. LII's Popular Names of Acts in the US Code
<http://www.law.cornell.edu/uscode/topn/> (Cornell's Legal Information Institute)

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)
- d. Library of Congress - A Century of Lawmaking (1789-1875)
<http://www.memory.loc.gov/ammem/amlaw/lwsl.html>
- e. GPO Access (vol. 117, 2003-2004) <http://www.gpoaccess.gov/statutes/index.html>
- f. Potomac Publishing Company <http://www.potomacpub.com/>

2. Public Laws

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

- d. GPO Access (1995+) <http://www.gpoaccess.gov/plaws/search.html>
- e. THOMAS
- i. Research (1973+) <http://thomas.loc.gov/bss/d093/d093laws.html>
- ii. Full text (1995+;1989-1994 enrolled bill only) <http://thomas.loc.gov/bss/d109/d109laws.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

- a. Numerical Lists of Documents and Reports (1987-2002) includes brief title
<http://www.gpoaccess.gov/serialset/numerical.html>
- b. Schedule of Serial Set Volumes (1987-2002)
<http://www.gpoaccess.gov/serialset/schedule.html>

B. Research and Full Text

1. Library of Congress - A Century of Lawmaking

a. U.S. Serial Set (selected: 1833-1917) <http://memory.loc.gov/ammem/amlaw/lwss.html>

b. American State Papers (1789-1838) <http://memory.loc.gov/ammem/amlaw/lwsp.html>

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

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>

5. THOMAS (1995+) <http://thomas.loc.gov/cp104/cp104query.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+)

9. GalleryWatch (1996+)

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

American State Papers (1789-1838) <http://www.readex.com/readex/product.cfm?product=6>

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>

c. Bound Congressional Record (1999-2000)

<http://www.gpoaccess.gov/crecordbound/index.html>

5. LexisNexis (1985+)

6. Westlaw (1985+)

7. GalleryWatch (1996+)

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>

4. Thomas (1989+)

5. LexisNexis (1989+)

6. Westlaw (1995+)

7. GalleryWatch (1997+)

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
 2. GPO Access (1997+) <http://www.gpoaccess.gov/cprints/search.html>
 3. LexisNexis (1995-2004)
 4. GalleryWatch (1996+) markup committee prints
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
 - a. U.S. Serial Set (1833-1917) selected <http://memory.loc.gov/ammem/amlaw/lwss.html>
 - b. American State Papers (1789-1838) <http://memory.loc.gov/ammem/amlaw/lwsp.html>
 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
 - a. Congressional Documents (1995+)
<http://www.gpoaccess.gov/serialset/cdocuments/search.html>
 - b. Numerical Lists of Documents and Reports (1987-2002)
<http://www.gpoaccess.gov/serialset/numerical.html>
 - c. Schedule of Serial Set Volumes (1987-2002) <http://www.gpoaccess.gov/serialset/schedule.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 list from GPO

A. Research and Full Text

1. CIS Indexes and Microfiche
2. GPO Access (House 1995+; Senate 1997+); selected <http://www.gpoaccess.gov/hearings/search.html>
3. Committee websites
 - a. House Committees <http://www.house.gov/house/CommitteeWWW.shtml>
 - b. Senate Committees http://www.senate.gov/pagelayout/committees/d_three_sections_with_tasers/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+
 - a. HeinOnline (1965+) <http://heinonline.org/>
 - b. GPO Access (1993+) <http://www.gpoaccess.gov/wcomp/search.html>
 - c. Westlaw (1986+)
3. Public Papers of the Presidents of the United States
 - a. GPO Access (1991+) <http://www.gpoaccess.gov/pubpapers/search.html>