

FEDERAL LEGISLATIVE HISTORY: Legislative Documents

WHAT IS LEGISLATIVE HISTORY? Legislative History refers to the documents generated by Congress during the passage of a statute. Legislative history is often used by litigants and courts to help ascertain the meaning of a statute. For a description of the Federal legislative process, see **Enactment of a Law** by U.S. Senate Parliamentarian Robert Dove at <http://thomas.loc.gov/home/enactment/enactlawtoc.html> or **How Our Laws Are Made** by U.S. House of Representatives Parliamentarian Charles Johnson at <http://www.thomas.gov/home/lawsmade.toc.html>

WHAT DOCUMENTS COMPRISE LEGISLATIVE HISTORY?

The Statute	Often overlooked, the text of the statute as passed is the best evidence of legislative intent.
Bills and Amendments	Versions of the bill, as introduced, and as amended during the Congress consideration
Committee Hearings	A bill typically will be referred to a House and/or Senate committee. The committee may hold hearings on the bill. Sometimes Congressional committees hold hearings on issues prior to drafting legislation. Hearings are useful for identifying competing views, but typically carry less weight than reports as evidence of legislative intent.
Committee Reports	Whenever a bill is voted out of committee it goes to the floor for full debate. The bill is then accompanied by a committee report. Committee reports are generally considered very good indicators of Congressional intent.
Congressional Debates	All members of the House or Senate can participate in the floor debate. These debates, proposed amendments and floor votes are recorded in the Congressional Record.
Conference Reports	When bills passed by the Senate and House differ substantively, a Conference Committee, comprised of members of both houses will try to work out a compromise version. The Conference Report explains the changes made by this committee.
Presidential Messages	Presidential messages can include signing statements, when the president approves legislation or veto messages, when (s)he vetoes a bill. Also, the president sometimes sends a message in support of legislation that (s)he proposes to Congress.

SOURCES FOR LEGISLATIVE HISTORY DOCUMENTS

The Statute	<i>U.S. Statutes at Large</i> (1789+)	US 002 A2 2d floor and HeinOnline http://libweb.lib.buffalo.edu/pdp/index.asp?ID=204
	<i>U.S. Code Congressional and Administrative News</i> (USCCAN, 1941+)	US 002 U6 2d floor
GPO Access	104 th Cong., 1995+	http://www.gpoaccess.gov/plaws/index.html
Thomas	93 th Cong., 1973+	http://www.thomas.gov
Bills & Amendments	1981 to 2000 are available in microfiche in the Koren AV Center.	
GPO Access	103 rd Cong., 1993+	http://www.gpoaccess.gov/bills/index.html
Thomas	101 st Cong., 1989+	http://www.thomas.gov/home/bills_res.html

Committee Hearings	<p><i>Congressional Information Service</i> (CIS) Hearings from 1970-2006 on microfiche are in the Koren AV Center. Use the CIS Index and Abstract volumes at Reference to locate the CIS #.</p> <p>Lexis-Nexis Congressional includes full text hearings from 1824 to 1969 and selected witness testimonies from 1988+ http://libweb.lib.buffalo.edu/pdp/index.asp?ID=104</p> <p>United States Serial Set has some 300 select hearings from the 19th and early 20th centuries. http://libweb.lib.buffalo.edu/pdp/index.asp?ID=35</p> <p>GPO Access 104th Congress, 1995+ http://www.gpoaccess.gov/chearings/index.html</p> <p>Also search by the hearing <u>title</u> in the University Libraries Online Catalog.</p>
Committee Reports	<p><i>Congressional Information Service</i> (CIS) Reports from 1970-2006 on microfiche are in the Koren AV Center. Use the CIS Index and Abstract volumes at Reference to locate the CIS #.</p> <p>Lexis-Nexis Congressional, the online version of CIS, has the full text of committee reports from 1989+ in PDF format. Lexis-Nexis Congressional has a variety of finding devices, including searching by subject and report number. http://libweb.lib.buffalo.edu/pdp/index.asp?ID=104</p> <p>United States Serial Set has reports from 1789-1969 http://libweb.lib.buffalo.edu/pdp/index.asp?ID=35</p> <p><i>U.S. Code Congressional and Administrative News</i> (USCCAN, 1941+) US 002 U6 2d floor USCCAN publishes the full/partial text of selected committee reports for all significant legislation. USCCAN is on Law School Westlaw. It is not on West s Campus Research.</p> <p>GPO Access 104th Congress, 1995+ http://www.gpoaccess.gov/serialset/creports/index.html THOMAS 104th Congress, 1995+ http://thomas.loc.gov/</p> <p>Also search by the report <u>title</u> in the University Libraries Online Catalog.</p>
Conference Reports	<p>Conference Committee Reports are available as part of each of the collections listed under Committee Reports.</p>
Congressional Debates	<p>The Law Library has a print version of the Congressional Record from its inception in 1874 its predecessors, the Register of Debates (1824 to 1837), and the Congressional Globe (1833 to 1873) on the 6th floor. All are digitally available in <i>Hein-On-Line</i> http://libweb.lib.buffalo.edu/pdp/index.asp?ID=204 . Click on Congressional Documents.</p> <p>GPO Access 103rd Congress, 2d Sess., 1994+ http://www.gpoaccess.gov/serialset/creports/index.html THOMAS 101st Congress, 1989+ http://thomas.loc.gov/</p>
Presidential Messages	<p><i>Weekly Compilation of Presidential Documents</i> 1967+ J 80 A284 1993+ http://www.gpoaccess.gov/wcomp/index.html</p> <p><i>Public Papers of the Presidents</i> 1929-33; 1945-2004 J 80 A283 1991+ http://www.gpoaccess.gov/pubpapers/index.html</p> <p>Presidential signing statements from 2001 to 2007 are indexed at http://aclaw.org/node/5309</p> <p><i>U.S. Code Congressional and Administrative News</i> (USCCAN) 1986+ US 002 U6 2d floor</p>
Collected Legislative Histories	<p><i>Congressional Information Service</i> (CIS) Legislative History volumes contain exhaustive cites to Congressional documents related to each statute passed by Congress 1970+. Also available on Lexis-Nexis Congressional http://libweb.lib.buffalo.edu/pdp/index.asp?ID=104</p> <p>Nancy P. Johnson, <i>Sources of Compiled Legislative Histories</i> Ref Desk KF 42.2 1979 Lists book-length sources and law review articles that have compiled legislative histories of significant legislation.</p> <p>Hein-On-Line http://libweb.lib.buffalo.edu/pdp/index.asp?ID=204 Includes the Johnson book above as well as its own U.S. Federal Legislative History Collection.</p>