

How to Compile a Federal Legislative History

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Introduction.

There are many ways to begin a legislative history, depending on what information you are given at the start. Yet, no matter what, in order to find all the necessary pieces of legislative information, you need to find the Public Law No., Bill No., or Statutes at Large citation. No way around it.

The differences/difficulties in locating legislative information depend on when the law about which you are researching was enacted. Post-1994, the research is fairly easy and most of it can be accomplished using free sources such as FDSys and Congress.gov. Pre-1994 legislative histories are harder and involve a wider variety of resources. I use Heinonline's libraries most often, but you can also access USCCAN (print and on Westlaw), the GAO legislative histories in Westlaw, or ProQuest Congressional. You can use other databases such as CQ.com, Bloomberg Government or Federal News Service (FNS) to supplement. Finally, you can also check the LLSDC Union List to see about the possibility of borrowing older, already compiled print histories.

This Presentation and Guide will focus on compiling legislative histories post-1994. Please do not hesitate to contact me with questions.

Overview of the elements of a legislative history - and how to locate them.

1. **Bill Text.** Post-1993 (103rd Congress), use FDSys. Presently, Congress.gov also provides coverage back to the 103rd Congress with plans to continue adding materials backwards. You can look up the status of legislation at THOMAS going back to 1973 (93rd Congress), but there will be no bill text. Lexis and Westlaw only cover bill text back to 1995 (104th Congress). Prior to 1993, Senate bills can sometimes be found printed in the Congressional Record on the day they were introduced. Both House and Senate bills are also sometimes printed in Hearing records.
2. **Reports.** Post-1995 (104th Congress), use FDSys. Pre-1995, use USCCAN. There is a gray period between 1970 and 1990 where, depending on where you work, all reports are not available electronically. Some libraries may have access to the full Serial Set in Lexis (academic and some government). Otherwise, reports are available in Westlaw (USCCAN-REP) back to 1990 (101st Congress, 2d Session) and in Lexis (CMTRPT)

back to 1990 (spotty coverage from 1990-1993, 101st and 102nd Congresses). All pre-1970 reports are available through ProQuest Congressional. If a report printed between 1970 and 1990 was not associated with a public law, and you do not have access to the Serial Set, then you will only be able to access the report if it was included in a GAO legislative history or other print legislative history, or if someone happens to have it, or from the Library of Congress.

3. **Hearings/Committee Materials.** Post-1995 (104th Congress), use FDSys or the Committee's website. Pre-1995, other sources for hearing records include already compiled legislative histories (print, Westlaw's GAO database, Heinonline) and ProQuest Congressional. Other subscription sites such as Federal News Service (FNS), CQ.com and Bloomberg Government provide transcripts of more recent hearings, usually back to 2000. CQ.com and Bloomberg Government provide mark-up reports. Westlaw and Lexis contain Congressional Testimony databases, but no database devoted solely to Hearing transcripts/records. Print hearing records are available at the Library of Congress.
4. **Debate.** Post-1994 (103rd Congress, 2d Session), use FDSys for the Daily Record. Lexis and Westlaw have the daily Congressional Record back to 1985 (99th Congress). Heinonline has the entirety of Congressional debate back to the first Congress in their US Congressional Documents database, including the Congressional Record in both the Bound and Daily versions. ProQuest Congressional also provides access to the Bound and Daily versions of the Record.
5. **Miscellaneous Materials.** There are a lot of additional materials that can supplement a legislative history. I will not discuss these in detail today, but they are worth mentioning.
 - Presidential Signing Statements
 - Statements of Administration Policy (SAP)
 - GAO Reports
 - CRS Reports
 - Regulatory Actions (Proposing and Adopting releases)
 - Other Agency materials

Six Major Access Points for Legislative History Research

1. US Code Citation.
2. Law Section.
3. Name of Act.
4. Public Law Number.
5. Bill Number.
6. Statutes at Large Citation.

Examples for Discussion:

1. **US Code citation** - Look in the Notes section for the law that amended/added the language in which you're interested. If the Public Law is recent (post-1994) then use Congress.gov to look it up. If it is older (pre-1994), find the bill number of the enacted bill and a shortened legislative history list of reports and debate dates (post-1975). You can also use the bill number to search for Congressional Record entries using the "History of Bills and Resolution" index in the Bound Congressional Record.
 - **EX: 15 USC 7217, Commission Oversight of the Board.**
 - Sarbanes Oxley, PL107-204, Section 107
 - **Step 1.** Go to the US Code. There are a few places you could go, depending on your available resources and time.
 - **Step 1a.** Look up the provision in the Code Annotated on Westlaw or Lexis. This will provide you with corresponding regulations, law reviews, cases and also links to some legislative history materials.
 - **Step 1b.** Go to the Code on FDSys, Cornell LII or the LRC website so you can read the Source Notes. <http://uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title15-section7217&num=0&edition=prelim>

15 USC § 7217 - Commission oversight of the Board

US CodeNotesUpdatesAuthorities (CFR)

Source

([Pub. L. 107-204](#), title I, § 107, July 30, 2002, [116 Stat. 765](#); [Pub. L. 111-203](#), title IX, § 929F(i), July 21, 2010, [124 Stat. 1855](#).)

References in Text

This Act and the Sarbanes-Oxley Act of 2002, referred to in text, are [Pub. L. 107-204](#), July 30, 2002, [116 Stat. 745](#). Title I of the Act is classified generally to this subchapter. For complete classification of this Act to the Code, see Tables.

Amendments

2010—Subsec. (d)(3). [Pub. L. 111-203](#) substituted “any person who is, or at the time of the alleged misconduct was, a member” for “any member” in introductory provisions.

Make sure to examine the Amendments section to see if the provision in which you are most interested has been amended since enactment.

- **Step 2. Find the appropriate database to search.** Armed with both the Public Law Number (PL107-204) and also the Stat citation (116 Stat. 765), you then choose where to go next. Since this law was originally enacted post-1995 (in 2003), you can look it up in either Congress.gov or FDSys for free.

The screenshot shows the CONGRESS.GOV website interface. At the top, there are navigation links for LOC.GOV, CONGRESS.GOV, and COPYRIGHT.GOV, along with the LIBRARY OF CONGRESS logo. The main header features the CONGRESS.GOV logo and the text "United States Legislative Information". Below this, there are navigation tabs for Legislation, Congressional Record, Committees, Members, and The Legislative Process, as well as links for About, Glossary, and Help / Contact.

The search bar is located at the top left, with a dropdown menu set to "All Legislation" and the search term "pl107-204" entered. A red arrow points to this search bar. Below the search bar, there is a "Refine By" section with various filters. The main search results area shows "You searched for: pl107-204" and "Refined by: Legislation". The results list "1-1 of 1" and "Results per page 25". A "GO" button is visible. Below the search results, there is a "Sort By Relevancy" dropdown menu and another "GO" button. A red arrow points to the "LAW" button in the results list.

A red box highlights the search results area, containing the following text: "With one search, you will have access to all the reports, debate and bill text versions of the bill that was enacted into law by clicking on the bill numbered HR. 3763 below."

The search results for "LAW" show:

- H.R. 3763** — 107th Congress (2001-2002)
- Sarbanes-Oxley Act of 2002**
- Sponsor: [Rep. Oxley, Michael G. \[R-OH-4\]](#) (Introduced 02/14/2002)
- Cosponsors: [30](#)
- Latest Action: 07/30/2002 Became Public Law No: 107-204.
- Tracker: [Introduced](#) [Passed House](#) [Passed Senate](#) [Resolving Differences](#) [To President](#) [Became Law](#)

- **Step 3. Finding Hearing materials.** To locate hearing materials, you can look at the chronology information on Congress.gov under the “Committees” tab and then go straight to the relevant Committee website to pull information.

[NOTE: Other places to look for hearing materials include FDSys’s hearing database for complete hearing records and Congressional Quarterly Transcripts, FNS or Bloomberg Government for mark-up reports, transcripts and sometimes a more detailed bill chronology (CQ.com and BGov).]

LOC.GOV CONGRESS.GOV COPYRIGHT.GOV LIBRARY OF CONGRESS

CONGRESS.GOV BETA United States Legislative Information

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Search [] p1107-204 GO Search Tips

Home > Legislation > 107th Congress > H.R.3763

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H.R.3763 - Sarbanes-Oxley Act of 2002
107th Congress (2001-2002)

Show Overview v

Summary (5) Text (6) Actions (78) Titles (13) Amendments (5) Cosponsors (30) **Committees (2)** Related Bills (4)

Committees: H.R.3763 — 107th Congress (2001-2002)

Committees and subcommittees associated with this bill are listed here. The nature and date of [committee activity](#) and [Congressional report](#) number are also below.

Committee / Subcommittee	Activity	Date	Committee Reports
House Financial Services	Referral	02/14/2002	
	Reporting	04/22/2002	H. Rept. 107-414
	Hearing	04/09/2002	
	Markup	04/16/2002	
House Financial Services Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises	Referral	03/04/2002	
	Discharged	04/11/2002	
Senate Banking, Housing, and Urban Affairs	Referral	04/25/2002	
	Discharged	07/15/2002	

- **Step 4. Finding Debate materials.** Congress.gov will provide links to the Daily Congressional Record debates under the “Actions” tab. These links take you straight into FDSys.

- **Step 5. Related Bills and Reports.** Very often, a bill will be introduced with a companion bill that is also debated, considered by Committee, reported, and even included into the final enacted bill. Congress.gov now includes a “Related Bills” tab that will help you find materials on these bills.

Home > Legislation > 107th Congress > H.R.3763

Print | Subscribe | Share/Save | Give Feedback

H.R.3763 - Sarbanes-Oxley Act of 2002

107th Congress (2001-2002)

Show Overview

Summary (5) | Text (6) | Actions (78) | Titles (13) | Amendments (5) | Cosponsors (30) | Committees (2) | **Related Bills (4)**

Related Bills: H.R.3763 — 107th Congress (2001-2002)

A related bill may be a [companion measure](#), an [identical bill](#), a [procedurally-related measure](#), or one with substantive similarities. Bill relationships are identified by the House, the Senate, or CRS, and refer only to same-congress measures.

Bill	Latest Title	Relationships to H.R.3763	Relationships Identified by	Latest Action
H.R.5070	Public Company Accounting Reform and Investor Protection Act of 2002	Related bill	CRS	08/19/2002 Referred to the Subcommittee on Capital Markets, Insurance and Government Sponsored Enterprises.
H.R.5118	Corporate Fraud Accountability Act of 2002	Related bill	CRS	07/19/2002 Read twice and referred to the Committee on the Judiciary.
H.Res.395	Providing for consideration of the bill (H.R. 3763) to protect investors by improving the accuracy and reliability of corporate disclosures made pursuant to the securities laws, and for other purposes.	Rule related to H.R.3763	House	04/24/2002 Motion to reconsider laid on the table Agreed to without objection.
S.2673	Public Company Accounting Reform and Investor Protection Act of 2002	Text from this bill was inserted into H.R.3763	Senate	07/15/2002 Returned to the Calendar. Calendar No. 442.

- **Step 6. Locate Miscellaneous Materials.** These include Presidential Signing Statements, Statements of Administration Policy (SAPs), CRS Reports, GAO Reports, and other Administrative materials.
 - FDSys
 - White House website
 - GAO Website
 - CQ.com or Penny Hill Press

2. **Law section/Name of Act** - This happens a lot with the Securities laws, for instance. I tend to find that lawyers who work in practice areas governed by a specific set of laws often refer to those Acts by name rather than by their US Code sections. You may get a question such as: “Please pull the legislative history for Section 4A of the 33 Act.” You still need to find the Public Law No., however, in order to locate the enacted bill number and other pieces of legislative history. There are a few ways to find the law number using a section of that law. My favorite is a combination of the Popular Name Tool and the Classification Tables appended to the US Code. You can access these in print using the USCA (Westlaw) or online via the Law Revision Counsel’s website or Cornell’s LII. The online Popular Name Tool on the Law Revision Counsel’s website provides links to the appropriate Classification Table, which will give both Statutes at Large citations and US Code citations.

- **EX: Section 4A of the Securities Act of 1933**
 - 15 USC 77d-1
- **Step 1.** Go to the Popular Name Tool.
<http://uscode.house.gov/popularnames/popularnames.htm>

The screenshot shows the website for the Office of the Law Revision Counsel, United States Code. The page is titled "POPULAR NAME TOOL". It provides a search and browse interface for the United States Code Table of Acts Cited by Popular Name. The page lists several Acts, including the Securities Act of 1933, which is circled in red. A red arrow points from the "Editorial Reclassification" link in the left-hand navigation menu to the "Securities Act of 1933" entry.

- **Step 2.** Locate the Securities Act of 1933. Note the link that will take you directly to the Classification Tables. http://uscode.house.gov/table3/1933_38.htm

- **Step 3.** Scroll down in the Classification Tables until you find Section 4A. This shows you that Section 4A of the Securities Act of 1933 is located at 15 USC 77d-1. There is also a link to the Code.

<http://uscodebeta.house.gov/view.xhtml?req=granuleid:USC-prelim-title15-section77d-1&num=0&edition=prelim>

TABLE III TOOL

The Table III Tool enables you to browse the United States Code Table III. For printing purposes, the [PDF file](#) is recommended.

73d Cong. ↑ 48 Stat. ↑ May 27, 1933 ↑

[1933:37](#) **1933:38** [1933:42](#)

Act Section	Stat. Pg.	United States Code		
		Title	Section	Status
1	74	15	77a	
2	74	15	77b	
2A		15	77b-1	
3	75	15	77c	
4	77	15	77d	
4A		15	77d-1	
5	77	15	77e	
6	78	15	77f	
7	78	15	77g	
8	79	15	77h	
8A		15	77h-1	
9	80	15	77i	
10	81	15	77j	
11	82	15	77k	

Get Document

- **Step 4.** Go to the US Code Section and examine the Notes at the end. This will tell you that 77d-1 originated in Pub. L. No. 112-106, Title III, §302(b), Apr. 5, 2012, 126 Stat. 315.
- **Step 5.** From this point, you can go to a couple of sources depending on where you like to search and what resources you have available to you.
 - **Step 5a.** Use [Congress.gov](#) to pull up the Public Law and you will have everything you need – reports, debate, Committee actions, bill versions and related bills.
 - **Step 5b.** Use [Westlaw/Lexis](#) to pull up the annotated version of the Code section. This will provide you with links to law reviews, any regulations, and

additional materials that Westlaw/Lexis would make available on the right and left sides of the page.

- **Step 5c.** Use CQ.com to look up the Public Law number and see a more detailed chronology for the bill, including mark-up and hearing information.
- **Step 6.** Once you have the public law number and it is post-1994, you can follow the steps outlined in Example #1 above.

3. **Public Law Number/Bill Number** - Sometimes, you may be asked about a bill or law number. This, of course, is one of the easiest ways to get into legislative history materials. If it is a recent bill or law (post-1994), use FDSys or Congress.gov (THOMAS) to look it up. If it is an older bill (pre-1994) look up that bill number in the Congressional Record index in the Bound Record in order to find the debate and any report numbers. Also, the old THOMAS site still includes bill status and summary information for Public Laws going back to the 93rd Congress (1973). Although this will not give you links to the documents themselves, it is an invaluable way to find bill numbers, dates of debate, report numbers and likely Committee activity.

[NOTE: Do not focus solely on bill numbers, even when they are given to you. It is highly likely that the relevant issues in the bill also popped up in other pieces of legislation during the same or previous sessions. Any other bills could be relevant as well, even if they are just used for comparison purposes. Focusing on the ISSUE in the bill is very important for current legislative tracking].

- **EX: HR. 3204, 113th Congress**
- **EX: HR. 3107, 104th Congress (ILSA)**
- **EX: PL 106-554**

4. **Statutes at Large Citation.** This is the most infrequent access point to legislative history research and you are likely to never get just the Stat citation. Usually it will be found in conjunction with a Public Law number or the name of an Act. If you are given a Stat citation by itself, however, you can use the print Classification Tables at the end of the USCA (all volumes), Heinonline's Statutes at Large database (all volumes), FDSys Search (just type in the citation) or Citation Search (vols. 65-117), ProQuest Congressional (all volumes), or Westlaw (vols. 1-86).

- **EX. 126 Stat. 315**

- **Step 1.** If you do not have access to the print Classification tables and since this Stat citation is outside FDSys's citation search function, I would simply type the citation into FDSys's simple search box on their homepage. The search results will pull up the Public Law associated with the Stat citation.

- **Step 2.** Refer to the steps under Example #2 above to find all the legislative information associated with the Public Law. (In this case PL112-106).

Helpful Sites/Links.

- THOMAS: <http://thomas.loc.gov/home/thomas.php> (to be discontinued in 2014).
- Congress.gov <http://www.beta.congress.gov>
- FDSys <http://www.gpo.gov/fdsys/> or <http://www.fdsys.gov>
- Law Revision Counsel <http://uscode.house.gov/browse.xhtml>
- Cornell's LII <http://www.law.cornell.edu/>
- LLSDC's Legislative Sourcebook <http://www.llsdc.org/sourcebook>
- LLSDC's Union List Information <http://www.llsdc.org/union-list-information>