Introduction

Statutory language may be ambiguous on its face or as applied to a specific set of facts. To get a better idea of what a legislature intended, you can review the documents created during the legislative process. These documents are called legislative history. Courts and attorneys often rely on legislative history to clarify statutory language.

Researching legislative history can be time consuming because of the amount of material that may be available. You don't have to research the legislative history for each statute you encounter. Before researching legislative history, reread the statute to make sure it's truly unclear. If it's ambiguous, search for caselaw or secondary sources interpreting the statute. Researching legislative history is generally considered a last resort.

Here are the documents included in a federal legislative history, in order of importance:

- Mark-Ups/amendments to a bill's text
- Committee reports
- Congressional debates published in the Congressional Record
- Congressional hearings
- Background materials collected by Congressional staff, such as Committee Prints and Committee Documents

Mark-Ups are committee meetings where members propose and consider amendments to a bill. If a bill is reported out of committee for consideration by the entire House or Senate, a committee report may be issued. Committee reports often describe the purpose of legislation and explain specific provisions. Debates on bills in the House and Senate may also be helpful, especially if a bill's sponsors discuss its purpose and meaning. Other types of documents can reveal background information considered by Congress.

Legislative history materials are available on subscription databases such as ProQuest Congressional, Westlaw, Lexis, and HeinOnline. Free sites, such as Congress.gov and Senate and House committee websites, contain legislative history as well.

The easiest way to find a legislative history for an act is to search by its public law number. A public law number consists of the session of Congress in which the law was passed and the number of the law as passed. For example, Pub. L. 100-690 is the 690th law passed during the 100th session of Congress. Committee reports also have a similar numbering system. H. Rept. 103-88 is the 88th House report issued during the 103rd Congress.
Public Law numbers can be found just below the text of sections in the U.S. Code. Here’s an example:

18 U.S.C. § 1460. Possession with intent to sell, and sale, of obscene matter on Federal property

Whoever, either *** knowingly sells or possesses with intent to sell an obscene visual depiction shall be punished by a fine in accordance with the provisions of this title or imprisoned for not more than 2 years, or both.


18 U.S.C. § 1460 was enacted by public law 100-690 in 1988 and amended by public law 101-647 in 1990. To do a complete legislative history for § 1460 you may have to review the legislative documents for both public laws. Once you have the public law citation(s) for the act or code section you are researching, you need to choose a source for the legislative history documents.

**Subscription Services**

- **ProQuest Congressional**

ProQuest Congressional is our most complete database for researching legislative history. Here’s how to find the legislative history documents for Pub. L. 100-690:

- **Click on Search by Number** in the Legislative and Executive Documents drop down menu:

  ![ProQuest Congressional](image)

- **Select Public Laws**, choose the session of Congress and input the Law Number.

  ![Legislative & Executive Publications - Search by Number/Citation](image)
• Choose the Legislative History link to see a compiled legislative history for Pub. L. 100-690 including the text of bills, committee reports, and Congressional debate.

Westlaw Edge
In Westlaw, click on Legislative History on the main page.
The federal legislative history databases in Westlaw include:

- Congressional Record (debates)
- Legislative History-United States Code (committee reports)
- U.S. Code Congressional & Administrative News (public laws, committee reports, and presidential signing statements)
- U.S. Congressional Testimony (Congressional hearings)
- U.S. GAO Federal Legislative Histories (compiled legislative histories for selected public laws)
- U.S. Political Transcripts (Congressional hearings)
- Arnold & Porter Legislative Histories—compiled legislative histories for select acts that are full-text searchable

You can also access legislative history documents from within a U.S. Code section by selecting the History drop down menu.
Lexis Advance

On Lexis’ main page, select the Content Type tab. Choose the Statutes and Legislation link and then the Legislative Histories link. Note that the Congressional Record, which contains Congressional debates, is on the Statutes and Legislation page, not the Legislative Histories page.

The Legislative Histories page includes the following content:

- Compiled legislative histories for selected acts
- Committee Reports
- Congressional Documents 1777-present—House and Senate Reports and Documents in PDF format
- US-CIS/Index—abstracts of legislative histories for public laws from 1970-present
- CIS/Historical Index—includes abstracts of House and Senate committee reports, documents, and hearings from 1789-1984
- Congressional Hearings
• HeinOnline

HeinOnline, in its U.S. Federal Legislative History Library, has a large collection of compiled legislative histories for selected acts in PDF format. The compiled histories are full-text searchable. You can also search by public law number and the name of the act.

Free Websites

• Congress.gov

Congress.gov is the free go-to government resource for federal legislative history documents including bill texts, committee reports, the Congressional Record, and Public Laws.

The default search for Congress.gov is the current Congress, so if you want to search for legislation from prior Congresses you need to select All Legislation. You can also select the blue MORE OPTIONS tab underneath the search box to limit your search to a specific Congress, bill, or public law. Searching by citation can be tricky. For example, to search for a specific public law you need to use the citation pl103-141. Use the Search Tools link on the top right of the main page for information on how to search Congress.gov.
A search for pl103-141 in All Legislation retrieves information for H.R. 1308, the enacted bill that became the Religious Freedom Restoration Act of 1993. (H.R. is an acronym for House of Representatives, not House report, which would be H. Rep. or H. Rept.) You can see the bill’s sponsor, a related committee report, and (under the Text tab) different versions of the bill.

- **House and Senate Committee Websites**

Some House and Senate committees post mark-ups, which are changes or amendments to legislation, on their websites. For example, the House Committee on the Judiciary has videos of mark-up sessions.
More Information
