

RESEARCHING THE UNITED STATES CODE AND FEDERAL STATUTES

General Guidelines to keep in mind: Congress tends to enact legislation in bills that may be hundreds of pages in length that are a conglomeration of language and concepts that have been developing in many other bills that have been pending, sometimes for many years. Although there is typically abundant documentation of the enacted bill in the Congressional Record and Committee Reports, the sheer size of the bills results in minimal and cursory discussion on the vast majority of the provisions enacted by an omnibus bill. In many cases the most detailed and useful information on the legislative intent of particular statutory language can be found in hearing transcripts, committee reports and congressional record discussion of prior unsuccessful bills where a particular concept was first proposed and developed. Finding the bill where this discussion occurs is often the most difficult step in researching Federal Statutes.

Where to do your research: Consider the era you are dealing with. If the Federal Statute was enacted recently much of your work can be done online at the Library of Congress web page, www.thomas.gov. Congress started to put some materials on line starting with Public Laws in 1973. The Congressional Record is available from January of 1989 forward. Committee Reports are available since January of 1995. (But note that hearing transcripts of committee proceedings are not generally available on line). Materials that are not available on line require a trip to a local Federal Depository Library. Most larger County and law school law libraries are Federal Depository libraries with relatively complete collections of Congressional bills, the Congressional Record, Committee hearing transcripts, reports and prints, and other documents important to understanding the history and intent of Federal law.

Overview of a do it yourself Search Protocol: A search should begin with the Public Law that enacted the particular language you are seeking to interpret. From the Public Law number, you can find the Congressional bill that was approved by Congress to send the language to the President for approval. Once you know the bill number you begin to gather and review the published materials available on the bill, including Committee Reports and publications, pertinent excerpts from the Congressional Record, transcripts of committee hearings and Presidential documents. If necessary, you can then use the clues found in those documents to follow the trail of consideration of the particular language you are focused upon back in time to other bills where the proposal developed until you find the point in time where the proposal first appears.

A few additional links and library sources useful in researching Federal Statutes:

The Government Printing Office (GPO) - <http://www.gpoaccess.gov/>. Provides access to a wide variety of Congressional, Regulatory and Presidential documents.

Cornell Law School - www.law.cornell.edu.

United States Code Congressional and Administrative News (USCCAN's) – provides copies of the public law and selected committee reports, along with citations to other committee reports. Found in virtually all Federal Depository Libraries. This multi-volume set is a good place to start many projects.

Congressional Information Services indexes – One index provides information on reports and publications listed by committee, a second set of indexes organizes information available by Public Law.