Background sources for the Lawmaking Process: Listen to the Parliamentarians!

- House Parliamentarian: How our laws are made (H. Doc. 110-49) [http://purl.access.gpo.gov/GPO/LPS103851](http://purl.access.gpo.gov/GPO/LPS103851)

- Senate Parliamentarian: Enactment of a Law (Senate print from 1997) [http://purl.access.gpo.gov/GPO/LPS56394](http://purl.access.gpo.gov/GPO/LPS56394)
Our American Government

- Our American Government (H. Doc. 108-94)
  [http://purl.access.gpo.gov/GPO/LPS44869](http://purl.access.gpo.gov/GPO/LPS44869)
- Q&A format, but official version omits graphics. Have to go to HathiTrust to see graphics
  [https://catalog.hathitrust.org/Record/003885550](https://catalog.hathitrust.org/Record/003885550)
Lawmaking Process

This chart may be useful to congressional aides or policy wonks, but the next slide will prove to be more useful to government information professionals who need to track down the paper trail left behind in the lawmaking process.

Document Trail of Legislation

From Mastering United States Government Information: Sources and Services
Survey of major publication types

• Bills & Resolutions
• Proceedings & Debates of Congress
• Congressional Reports
• Congressional Documents
• Congressional Hearings
• Committee Prints
• Public and Private Laws
• Statutes at Large
• U.S. Code
## Govinfo.gov vs. Congress.gov

<table>
<thead>
<tr>
<th>Govinfo.gov</th>
<th>Congress.gov</th>
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<tbody>
<tr>
<td>Historic scans as far back as 1873</td>
<td>93rd Congress (1973/74) to present</td>
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<tr>
<td>Broader in scope (congressional with selected executive and judicial branch content)</td>
<td>Only congressional in scope</td>
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<tr>
<td>Official versions</td>
<td>Links to official versions</td>
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<tr>
<td>Emphasis on documents</td>
<td>Emphasis on stages of legislation</td>
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<tr>
<td>Bills: 80 metadata categories; otherwise less analytical access</td>
<td>Analytical access to legislation (by Congress, bill type, status of legislation, committee and subcommittee, sponsor and cosponsor, etc.)</td>
</tr>
<tr>
<td>Nearly all congressional publication types</td>
<td>Focus on Cong. Rec., Bills, and Reports</td>
</tr>
<tr>
<td>Easy to browse and search</td>
<td>Easier to browse</td>
</tr>
<tr>
<td>Updated often, but not as fast as Congress.gov</td>
<td>Often next day updates</td>
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Govinfo.gov Features

• Search by keyword or citation, browse
• Easy and fast to search first and limit later
• Scope – increasingly adding historic content back to 19th century
• Includes specialized titles. Ex: Indian affairs: Laws and Treaties, compiled and edited by Charles J. Kappler
Congress.gov Browse Features

- **Congressional Activity** (including popular names of legislation, nominations, browse actions by date with links to Daily Digest, and roll call votes)
- **Committees** (House and Senate Committee Reports and links to all committees and committee actions)
- **Congressional Record** (browse by date with links to the SHED sections)
- **Executive and Other Communications** (links to Presidential communications with the House and Senate)
- **Laws** (links to Public and Private Laws)
- **Legislation by Actions** (easily browse by Sponsor and Cosponsor; actions by type)
- **Legislation by Number** (broken down by bills, resolutions, concurrent resolutions, joint resolutions, and amendments)
- **Legislation by Subject and Policy Area** (controlled vocabulary for broad policy areas and more specific subject areas legislative subject terms, geographic entities, and organization names)
- **Nominations**
- **Treaty Documents by Topic**
Bills & Resolutions (with selected examples)

• Bills – H.R. or S.
  • Authorization or reauthorization of federal policies, programs, and activities
  • Amendment of existing law (sometimes also by joint resolution)
  • Regular annual general appropriations

• Joint Resolutions – S.J. Res. or H.J. Res.
  • “Incidental, inferior, or unusual purposes of legislation” (House Manual, section 397)
  • Proposed constitutional amendment (requires two-thirds vote in each house)
  • Declaration of war

  • Congressional budget resolution
  • Recess of either or both houses of more than three days

• Simple Resolutions – H. Res. or S. Res.
  • Censure or other discipline of a member
  • Committee funding
Either a Bill or a Joint Resolution can become Law


Bills/Resolution Text from Govinfo.gov

• Govinfo.gov – Browse or Search

• Congress.gov – Browse or Search
  • https://www.congress.gov/ - Also provides access to various versions.

From: https://www.govinfo.gov/help/bills
Bill/Resolution Text from Congress.gov
Proceedings and Debates of Congress

- Congressional Record (1873 – present)
- Previous titles published by private entities:
  - *Register of Debates in Congress* (1825–1837) (HT 008688491, 001719525)
  - *Congressional Globe* (1833–1873) (site:memory.loc.gov annals debates globe)
Congressional Record - Two Versions

United States of America

CONGRESSIONAL RECORD—HOUSE, Vol. 152, Pt. 13

September 6, 2006

HOUSE OF REPRESENTATIVES—Wednesday, September 6, 2006

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. Bunker of Utah).

DESIDERATION OF THE SPEAKER PRO TEMPORE:

The Speaker pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC—September 5, 2006.

The Speaker, pro tempore, informed the House that he has attended the funeral of John B. P. Langdon, late Speaker of the House of Representatives.

PUBLICATION OF THE SPEAKER PRO TEMPORE:

[Text]

PLEDGE OF ALLEGIANCE:

The Speaker pro tempore, in the name of the United States of America, and in the name of the House of Representatives, dothrake and assent to the following pledge:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE PRESIDENT:

A message from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

PRAYER:

The Reverend Dr. J. Alfred Smith, Sr., Senior Pastor, Allen Temple Baptist Church, Oakland, California, offered the following prayer:

O God, Your sacred word teaches us the words of Jesus who said: “Blessed are the peacemakers, for they shall be called the children of God.”

Teach us the religion of African American slaves who sang about laying down their burdens and studying war no more. Give us the knowledge for understanding how to remove the causes of violence. Open our eyes to see that vision as a solution only multiplies conflicting violence.

Grant us the wisdom to make peace in our hearts, hearts, homes, school lawns, neighborhoods, and in the world. And give us the courage to become advocates for the weak and the minority, for the strong are their own advocates. May the fresh resurrection of Your precious Son Jesus

FOX come forward and lead the House in the Pledge of Allegiance.

Ms. FOXX led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE:

A message from the Senate by Mr. Corzine, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is required:

S. 929. A bill to establish a certain project for navigation, Blackwood Harbor, New Jersey.

COMMUNICATION FROM THE CLERK OF THE HOUSE:

The Speaker pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC—August 6, 2006.

M. C. BRIDGES, Clerk of the House.

The Speaker, pro tempore, informed the House that Mr. Speaker pro tem has been appointed to the Committee on Education and Labor, to which the following bill was referred:

H.R. 6699. A bill to establish a certain project for navigation, Blackwood Harbor, New Jersey.

COMMUNICATION FROM THE CLERK OF THE HOUSE:

The Speaker pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC—August 6, 2006.

M. C. BRIDGES, Clerk of the House.

The Speaker, pro tempore, informed the House that Mr. Speaker pro tem has been appointed to the Committee on Education and Labor, to which the following bill was referred:

H.R. 6699. A bill to establish a certain project for navigation, Blackwood Harbor, New Jersey.

NATIONAL SECURITY

(Ms. FOXX asked and was granted permission to make an amendment.)

Mr. LEW asked and was granted permission to address the House for 1 minute.

Mr. LEW. Mr. Speaker, I rise today to


Longest Filibuster: 24 hours, 18 minutes

Senator Strom Thurmond beginning the longest filibuster on record – in the Congressional Record. He begins by reading election laws from each of the 50 states’ statutes, objecting to the Civil Rights Act of 1957.
Ted Cruz Reading Dr. Seuss

SE6732

September 24, 2013

CONGRESSIONAL RECORD — SENATE

Ted Cruz, R-Texas, said about the book:

"You can see the way that he is reading it to them..."
Congressional Record Daily Edition

Sections form a SHED
- Senate
- House
- Extension of Remarks
- Daily Digest
Differences between Permanent Ed. and Daily Ed.

Other changes can also be made in the bound edition, such as edits, revisions, or rearrangement of text.
Bullets for Changes in Senate Section

The names we snares with neighboring States is invaluable. He has contributed to a number of regional water supply efforts, including the Colorado River Basin States Salinity Control Program. He also serves as Wyoming’s representative on the Platte River Recovery Implementation Program, a cooperative agreement with Nebraska, Colorado, and the Federal Government, to maintain water usage and development by implementing conservation practices for certain endangered and threatened fish and birds.

We are fortunate Harry chose early in his professional life to use his skills and talents to focus on water. He has dedicated his career to being a water advocate for the people of Wyoming and to finding long-term solutions to securing Wyoming’s water needs. We are all better for his efforts.

I invite all members of the Senate to join me in congratulating Harry on his retirement, and wishing both him and his family much happiness and success in the future.

TRIBUTE TO STEVE CANNON

• Mr. CRAP. Madam President, I congratulate Steve Cannon, who is retiring after a 42-year career in Idaho television.

Steve Cannon translated his deep interest in weather as a youth into a lifetime career. He retired this month from his position as weatherman for KIDK Eyewitness News 3, which has during retirement that begins as his wife also retires from teaching. I wish you both well, and thank you for your outstanding work in our community.

REMEMBERING GEORGE DAUCHERTY

• Mr. MANCHIN. Madam President, my home State has truly lost a shining star. We have lost a devoted West Virginian, a noble Vietnam Veteran, a gifted performer, and a dear friend to all. George Daucherty’s enthusiasm for life was infectious to anybody who had the privilege of knowing him, and it is an honor to recognize his life and legacy.

You could often find George on Morgantown’s High Street next to the bronze statue of Don Knotts singing a rousing chorus of “Hail West Virginia.” He would usually tack on a phrase at the end about beating Pitt that was met with rousing applause from those who stopped on the street to cheer him on. He was quite a character and best known as a musician, but he made a life for himself by practicing law.

Despite his musical comedy role in the Charleston jamboree, George’s professionalism working on medical malpractice cases never faltered. He said he never had a bad relationship with a doctor he sued, and he generally ended up becoming friends with them. That was just who he was.

Another key component that made George the person he was, affecting his grandchildren, Alisa, Leah, Allie, Jamie, and Beth, as well as to George’s many dear friends and extended family.

I know he is looking down on all of you with a smile. I am honored to join each of you in honoring George’s memory, as well as the unwavering love he had for his family, our great Nation, and our home State.

TRIBUTE TO DAN O’NEILL

• Mr. MERKLEY. Madam President, Robert F. Kennedy once said: “We want to make sure that we bequeath to our descendants a better and safer world than the one in which we live today.” For nearly four decades, Dan O’Neill has dedicated himself to creating that better, safer world for future generations. As he prepares to step back from his work and enjoy a much-deserved retirement, I want to share a few thoughts about this wonderful individual.

As a young man volunteering for an NGO in Africa, Europe, and the Middle East, Dan came face to face with some of the worst that humankind has to offer: extreme poverty, oppression, famine, and war. At first, he documented these horrors in photos, articles, and journals, until one day when he decided he couldn’t just watch anymore. In the face of relentless horror and carnage, specifically the brutal genocide in Cambodia and coverage of the Khmer Rouge Killing Fields, Dan’s conscience wouldn’t allow him to just
Mr. MARSHALL changed his vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CURTIS. Madam Speaker, I was unavoidably detained at the White House for a bill signing with President Trump. Had I been present, I would have voted “yea” on rollover No. 121.

Danny’s service has entailed sacrifice, not only from him, but from his entire family. We’re grateful for the patience, love, and support from his wife, Anne, and his daughters, Catherine and Maia.

Madam Speaker, I ask my colleagues to please join me in thanking my distinguished chief of staff, Danny Weiss.

Madam Speaker, I yield to the gentleman from Oregon (Mr. DeFAZIO), the chairman of the Transportation and Infrastructure Committee.

Mr. DeFAZIO. Madam Speaker, you know Danny came to Congress a year after I did. He must have been underage at the time, as you can see the difference in our appearance, but he was working on what was then the House For the People agenda to clean up corruption in Washington, lower healthcare costs, and rebuild our country through investments in our infrastructure. Developing this agenda was no easy task, and as anybody like Danny knows, it is just as hard to keep Members of Congress on message—I thought that was funny—but Danny tried his hardest.

With Danny’s efforts and with his persistence, we were successful and gained a historic majority and a record number of women in the 116th session of Congress. To say that Danny was instrumental in our efforts would be an understatement.

His career will also be defined by his undying belief that this body and each and every one of us can make a dif-
Résumé of Congressional Activity

• Beginning the 1947, at the end of each session of Congress

• Two tables:
  • All legislative business transacted by the House and Senate
  • An accounting for all nominations submitted to the Senate for confirmation
Résumé of Congressional Activity

SECOND SESSION OF THE ONE HUNDRED FIFTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY
January 3 through November 30, 2018

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<tr>
<th></th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
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<tr>
<td>Bills introduced</td>
<td>1874</td>
<td>4856</td>
<td>6730</td>
</tr>
<tr>
<td>Bills pending</td>
<td>1425</td>
<td>3642</td>
<td>5067</td>
</tr>
<tr>
<td>Bills referred to committee</td>
<td>1212</td>
<td>2047</td>
<td>3259</td>
</tr>
<tr>
<td>Bills passed</td>
<td>1247</td>
<td>2968</td>
<td>4215</td>
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<tr>
<td>Bills vetoed</td>
<td>163</td>
<td>247</td>
<td>410</td>
</tr>
<tr>
<td>Bills returned to sender</td>
<td>108</td>
<td>217</td>
<td>325</td>
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<tr>
<td>Bills lost</td>
<td>67</td>
<td>102</td>
<td>169</td>
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<tr>
<td>Bills due</td>
<td>1</td>
<td>2</td>
<td>3</td>
</tr>
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DISPOSITION OF EXECUTIVE NOMINATIONS
January 3 through November 30, 2018

<table>
<thead>
<tr>
<th></th>
<th>Senate</th>
<th>House</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total nominations</td>
<td>2738</td>
<td>5574</td>
<td>8312</td>
</tr>
<tr>
<td>Confirmed</td>
<td>3700</td>
<td>5760</td>
<td>9460</td>
</tr>
<tr>
<td>Unconfirmed</td>
<td>5742</td>
<td>5704</td>
<td>11446</td>
</tr>
<tr>
<td>Withdrawn</td>
<td>25</td>
<td>32</td>
<td>57</td>
</tr>
</tbody>
</table>

Easiest way to find it in Cong. Rec.:
Résumé of Congressional Activity

But there’s an even easier way to get all résumés back to 1947:
https://www.senate.gov/legislative/ResumesofCongressionalActivity1947present.htm

OR

Search Google like this:
site:senate.gov resume of congressional activity
Congressional Record Index (Daily)

• Never underestimate the value of an index.
• We are so accustomed to full-text keyword searching that we rarely consider consulting an index. But we should!
INDEX TO THE PROCEEDINGS

NINETY-SECOND CONGRESS, FIRST SESSION, JANUARY 3, 1949, TO JUNE 30, 1949

A. B. C. (Spanish publication), article article, The Conquistadores, 27195.

ABBAGG, HANSKOT, remarks in House, Lord Mayor of Amsaar, Ethiopia, visits U.S., 19784.

ABBATE, CRISTINA, AND GIUSEPPE, relief (see bill H.R. 20389).

ABBOTT, WATKINS M. (a Representative from Virginia),


Bills and resolutions introduced by

Peanuts: provide continuing authority for maintaining farm income, stabilizing prices, and assuring adequate supplies of (see bill H.R. 13831), 19147.

Supreme Court Justices: amend Constitution relating to continuance in office of (see H.J. Res. 1448), 26265.

Territorial sea: declare policy of United States with respect to (see H.J. Res. 1089), 2471.

Tobacco acreage allotments: lease and transfer (see bill H.R. 18102), 18778.

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ABBOTT, JOHN E., relief (see bill H.R. 15875).

ABBORASOL, MOUCHOUL, relief (see bill H.R. 15058).

ABBOLIAN, MASAK, relief (see bill H.R. 15099).

ABDULRAHMAN, MUSTAPA S., relief (see bill S. 3210).

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Who’s on First? 15846.
Rapid DNA Act of 2017

March 11, 2011.—Committed to the Committee on the Judiciary, reported the following

Mr. Goodlatte, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H.R. 510]

[Including cost estimates of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 510) to establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog, having considered the same, report thereon without amendment and recommends that the bill do pass.

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Purpose and Summary

H.R. 510 will establish a system for integration of Rapid DNA instruments for use by law enforcement to reduce violent crime and reduce the current DNA analysis backlog.

Background and Need for the Legislation

The DNA Identification Act of 1994 established federal DNA labs and authorized the Federal Bureau of Investigation (FBI) to begin compiling DNA information into a central database. This database is known as the National DNA Index System (NDIS) and the system for analyzing and communicating the data is the Combined DNA Index System (CODIS). The 1994 Act allowed DNA testing to then be done by accredited state labs with results from state labs being uploaded to CODIS.

DNA technology has advanced a great deal in the years since the 1994 Act. Whereas it once took days or weeks, DNA testing can now be completed in a matter of hours. There is currently technology, known as Rapid DNA technology, that allows for DNA testing and identification on a small, copier-sized machine. A DNA sample—often a cheek swab—is taken, placed into a cartridge that slide into the Rapid DNA machine, and reports back the DNA profile in approximately ninety minutes. This technology has already been used by police and law enforcement in some jurisdictions. The FBI, working with the forensics community, is hopeful that this technology can be used in a forensic setting to help identify suspects in the same way a fingerprint is currently used. At present, Rapid DNA technology can only be used for identification purposes, not crime scene analysis.

Unfortunately, the 1994 Act creating CODIS does not allow for the use of this technology since only state labs are allowed access to CODIS. Currently, state labs have to send their DNA samples off to state labs and wait weeks for the results. This has created a backlog that impacts all criminal investigations using forensics, not just forensic used for identification purposes. H.R. 510 would modify the current law regarding DNA testing and access to CODIS. The short turnaround time resulting from increased use of Rapid DNA technology would help to quickly eliminate potential suspects, capture those who have committed a previous crime and left DNA evidence, as well as free up current DNA profilers to do advanced forensic DNA analysis, such as crime scene analysis and rape kits.

Hearings

The Committee on the Judiciary held no hearings on H.R. 510. However, the Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations held a hearing on a virtually identical bill, H.R. 329, on June 18, 2015. Testimony was received from: Mr. Amy Hess, Executive Assistant Director of Science and Technology, Federal Bureau of Investigation; Mr. Jody Wolf, Assistant Crime Laboratory Administrator, Phoenix Police Department Crime Laboratory; President, American Society of Criminal Laboratory Directors; and Ms. Natasha Alexenko, Founder, Natasha's Justice Project.

Committee Consideration

On April 27, 2017, the Committee met in open session and ordered the bill H.R. 510 favorably reported, by voice vote, a quorum being present.
Congressional Documents – Historical Importance

• In the past FDLP Spring Conference, we learned of the importance of H. Doc. 116-4

• Other examples:
  • Bob Dole. 1989. *Historical Almanac of the United States Senate* (S. Doc. 100-35; Serial 13850; HTG 100888133).
  • Mark O. Hatfield, and Wendy Wolff. *Vice Presidents of the United States, 1789–1993* (S. Doc. 104-26; Serial 14332; HT 003150715; see also Govinfo .gov).
Congressional Hearings

• Legislative Hearings
• Oversight Hearings
• Investigative Hearings
• Confirmation Hearings

“Field hearings” - May be held in various locations outside of DC.
Legislative Hearings

- Energy Efficiency Improvement Act of 2015 (P.L. 114-11)
Oversight Hearings
Investigative Hearings
CONFIRMATION HEARING ON THE NOMINATION OF HON. NEIL M. GORSUCH TO BE AN ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE UNITED STATES

HEARING BEFORE THE COMMITTEE ON THE JUDICIARY UNITED STATES SENATE ONE HUNDRED FIFTEENTH CONGRESS FIRST SESSION MARCH 20, 21, 22, and 23, 2017

Printed for the use of the Committee on the Judiciary

S. Res. 115-286

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Committee Prints

May include:

- Reports on policy issues
- Committee rules
- Committee and Subcommittee membership lists
- Historical matters
Public Laws and Slip Laws


• Later bound in United States Statutes at Large (abbreviated *Stat.*) [https://www.govinfo.gov/app/collection/STATUTE](https://www.govinfo.gov/app/collection/STATUTE) (currently 1951-2012)

• If you can’t wait for GPO digitization, use HathiTrust (HT 011571265)

• Table III Tool – All public laws back to 1789 that have been incorporated into the U.S. Code. (just Google *Table III Tool*).
**Private Laws**

Private laws are also acts of Congress but are done on behalf of an individual, not the general public.

<table>
<thead>
<tr>
<th>Congress (Years)</th>
<th>Number of Private Laws Enacted</th>
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<td>93rd Congress (1973–1974)</td>
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<tr>
<td>94th Congress (1975–1976)</td>
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<td>95th Congress (1977–1978)</td>
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<td>103rd Congress (1993–1994)</td>
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<td>104th Congress (1995–1996)</td>
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<td>107th Congress (2001–2002)</td>
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*Source: Congress.gov*

*From Mastering United States Government Information: Sources and Services, p. 109.*
U.S. Code

• Published every six years, with annual supplements.


• Official version on Govinfo.gov: 
  https://www.govinfo.gov/app/collection/US CODE

• Most useful version on the House website: 
  https://uscode.house.gov/
U.S. Code in Time

- A special feature of the House Office of Law Revision Counsel site
U.S. Code Tables

• I – Revised Titles
• II – Revised States of 1878 Classified into current U.S. Code
• III – Statutes at Large Volumes
• IV – Executive Orders contained in U.S. Code
• V – Proclamations contained in the U.S. Code
• VI – Reorganization Plans in the U.S. Code (from the New Deal through creation of Homeland Security)
House and Senate Journals

- Published at close of session.
- Think of it as “minutes” rather than “proceedings” (Cong. Rec.).
- Like “year in review” volumes.
- List bills and resolutions with votes.
- In depository libraries: XJH (House Journals); XJS (Senate Journals)
- GovInfo.gov
  - Journal of the House of Representatives, 1992 to 2017
  - Journal of the Senate of the United States, 108th Congress to Present
- Library of Congress American Memory project (site:loc.gov "journals of congress").
- HathiTrust: House (HT 002137422, 100884583); Senate (HT 100884660).
Congressional Calendars

• Committee calendars are comprehensive records of their actions in a summary format. They usually contain committee rules, membership, and subcommittees. Also provided is a brief legislative history of each measure referred to, lists of hearings, and conference reports.

• Govinfo.gov is (the first place to check) from 104th Congress (1995)

• Most recent is on Congress.gov: https://www.congress.gov/resources/display/content/Calendars+and+Schedules
Questions?

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