

Chapter 7

FEDERAL LAW

The U.S. federal system consists of executive, legislative, and judicial branches, each of which creates legal information that can be the subject of legal research. This chapter provides brief descriptions of the legislative process and the federal judiciary and focuses on the primary sources of federal law (i.e., cases, statutes, and regulations). Included are references to both print and Internet sources. For a more detailed list of federal law sources please see Chapter 8: [Bibliography of Federal Law Resources](#).

Contents:

- [U.S. Constitution](#)
- [Federal Legislation](#)
 - [The Legislative Process](#)
 - [Federal Statutes](#)
 - [Researching Federal Legislative History](#)
 - [Tracking Current Legislation](#)
 - [Determining Legislative Intent](#)
 - [Selected Legislative History Sources](#)
- [Federal Case Law](#)
 - [The Federal Judiciary](#)
 - [Federal Case Law Publications](#)
- [Federal Regulations & Regulatory Decisions](#)
- [Presidential Materials](#)
- [Selected Bibliography](#)
- [List of Internet Sources Cited in this Chapter](#)

U.S. Constitution

The United States Constitution is the most important document for all Americans. It creates the framework for politics, limits the government's powers, and guarantees that citizens have fundamental freedoms. The U.S. Supreme Court is the ultimate court that interprets the meaning and scope of the Constitution.

While the actual text of the Constitution can be printed in twenty pages or less, the legal research sources, such as cases and treatises which offer analysis and interpretation of this basic document, number in the millions of pages.¹ The text of the Constitution may be found in many standard reference sources available in every library (e.g., dictionaries and encyclopedias). It is printed at the beginning of the *United States Code*, the official publication of federal statutes. The Internet is also a great source. For a historical perspective, one may view a signed copy of the Constitution on the National Archives' [America's Historical Documents](#) Web page. For those seeking commentary and analysis, the Government Printing Office (GPO) makes available editions and supplements (from 1992 forward) of the [Constitution of the United States, Constitutional Analysis and Interpretation](#).² Another great Internet resource is Cornell University Law School Legal Information Institute (LII)'s [U.S. Constitution](#) page, which has the Constitutional text, along with the annotations prepared by the Congressional Research Service (CRS).

Federal Legislation

*The Legislative Process*³

Because a majority of Congressional bills originate in the House of Representatives, the following discussion traces the progress of a bill that originates in the House. Please note that Senate procedures are very similar.

Ideas for bills come from varied sources including constituents, members of the President's Cabinet and members of the Congress. Proposed legislation may take one of four forms: bills, simple resolutions, joint resolutions or concurrent resolutions. The designated bill number (e.g., H.R. 1 or S. 1) that a proposed piece of legislation receives does not change as the bill progresses from one house to the next. In the federal system,

¹ An excellent six-volume set, *Encyclopedia of the American Constitution*, 2nd ed. Leonard W. Levy, Kenneth L. Karst and Adam Winkler, eds. Macmillan Reference USA, 2000, includes articles on constitutional doctrines, landmark court opinions, individuals, and historical periods.

² This is an extensive and authoritative source published by the Congressional Research Service. Scroll down the page of "Additional Government Publications" to the most recent 2002 edition and supplements. The 1992 edition and supplements are also available on this page.

³ For background articles about the federal legislative process, please consult the following: Charles W. Johnson, Parliamentarian, United States House of Representatives. [How Our Laws Are Made](#) (July 24, 2007) and Robert B. Dove, Parliamentarian, United States Senate, [Enactment of a Law](#) (February 1997).

CHAPTER 7: FEDERAL LAW

“H.R.” designates a bill which originated in the House of Representatives and “S.” signifies that a bill originated in the Senate. In contrast, in the California legislative system “S. B.” designates a Senate bill and “A.B.” identifies an Assembly bill.

The first and second readings of a House bill are accomplished by publication of its title in the [Congressional Record](#); while in the Senate, the bill title is read aloud. Once introduced, bills are assigned to appropriate committees for consideration. Each committee has jurisdiction over particular types of proposed legislation. These committees may opt to route a bill to a specialized subcommittee.

Committees schedule public hearings for important bills so that witnesses for and against the proposed measure may present testimony. The subcommittee that has been assigned the bill will then decide whether to table the bill, or to report the bill out favorably to the full committee. The bill may be reported out favorably either with or without amendments. An appointed committee member will prepare a detailed report if the committee decides to report the bill favorably to the House. All reports issued, beginning with the 91st Congress, are numbered with a prefix designating the issuing Congress, followed by the report number (e.g., [H. Rpt. 110-513](#)).

Bills of a noncontroversial nature may be placed on a consent calendar, where they will quickly be passed without debate. Other bills not on the consent calendar may be debated on the floor and amendments to the text may be offered.

Voting takes place after the third reading of the bill. If a bill passes the House, it will then be sent to the Senate where the procedure is more formal. If the bill is noncontroversial, it may be considered at the time of introduction and passed without delay. Other bills are read a second time and are subject to the debate/amendment procedure. After the third reading, a vote is taken. A majority is required for the bill to pass. The version of the Senate bill that has passed is returned to the House with a request for concurrence in the amendments.

Conference committees will be appointed by each house to resolve differences in proposed, disputed amendments. If an appointed conference committee is unable to agree on the amendments, it will be discharged and a new conference committee appointed. Both the House and the Senate must vote to accept the conference committee report and the identical text of amendments, or a bill will not become law.

Bills that successfully pass both houses are enrolled and sent to the President for his action. The bill will become law either by Presidential approval and signature, or by the

lapse of ten days in which no action has been taken. If the President disapproves of a bill, he returns his veto with his objections to the originating house. A two-thirds majority in each house is required to override the Presidential veto.

Federal Statutes

Bills approved through the federal legislative process become statutes and are known as Public Laws. [Public Laws](#) are numbered sequentially with the Congress number and item number designation (e.g., [Pub. L. 107-236](#)). The [Public Laws](#) are published in chronological order by Congressional year in volumes called the [United States Statutes at Large](#). This large set is published in print by the government and is available online through GPO's [Federal Digital System \(FDsys\)](#). Researchers who wish to read the legislation in its entirety as Congress passed it will need to refer to the *Statutes at Large*. The laws are arranged by their Public Law numbers (e.g., Pub. L. 108-262) and are cited by volume and page number (e.g., 118 Stat. 696).⁴ In addition, one may find selected statutes in a set published by Thomson West called *United States Code, Congressional and Administrative News (USCCAN)*.

However, the most helpful compilation of federal laws is the subject arrangement found in the official [United States Code](#), which is prepared and published by the Office of the Law Revision Counsel of the U.S. House of Representatives.⁵ The *U.S. Code* is arranged by 50 numbered "Titles" (e.g., Title 15 deals with commerce and trade).⁶ New editions of the *U.S. Code* are published every six years, with cumulative supplements published annually to update the bound volumes. Because laws are passed throughout a Congressional session, the issue of currency should be a concern for researchers using the official *U.S. Code*. Fortunately, [Cornell's LII U.S. Code Collection](#) integrates the date listings on the House servers with the [Library of Congress' Thomas service](#) to notify searchers of any updates to sections which have changed.

The two commercial publishers, Thomson West's *United States Code Annotated* (U.S.C.A.) and LexisNexis' *United States Code Service* (U.S.C.S.), update much more

⁴ In this case, the law was passed by the 108th Congress and was assigned the number 262. You will find this law in the *U.S. Statutes at Large* (abbreviated as Stat.) in volume 118 and starting on page 696.

⁵ Note that during the summer of 2011, the House Law Revision Counsel launched a [new site in beta](#) to test out new search features. The [United States Code](#) is also available online through GPO's Federal Digital System (FDsys).

⁶ One may browse titles on GPO's FDsys by selecting a year and clicking *Go*. Here's the [list of titles from 2009](#).

frequently than the official *United States Code*. If these sources are available to researchers, they should be consulted, not only because of the issue of currency, but also because of their added content. While they both offer the same subject arrangement as the *U.S. Code* and reproduce the same statutory language, these sets also include notes of court decisions, regulations and other sources that interpret or discuss the text of the federal laws. Hence, citations to the Consumer Product Safety Act may appear as 15 U.S.C. § 2051 et seq., 15 U.S.C.A. § 2051 et seq., or 15 U.S.C.S. § 2051 et seq. Each refers to the same statutory language, which appears in Title 15 (Commerce and Trade) and begins at section 2051. In addition, in the annotated codes, following the statutory language and notes, researchers will find references to relevant sections in the *Code of Federal Regulations* (discussed at the end of this chapter), citations to law review commentaries and other secondary sources, and cases that have discussed or referred to this section of the Consumer Product Safety Act. For other examples of code citations, please see page Chapter 2: *How to Read a Legal Citation*.

Each set of the U.S. Code includes a subject index. A particularly useful finding tool is the *Table of Popular Names of Acts*. Oftentimes, researchers will know only the name of the act as it is referred to in the popular press (e.g., Family and Medical Leave Act). In order to find the citation to the act in the *U.S. Code* or the *Statutes at Large*, one may look up the popular name of the act in either U.S.C.A. or U.S.C.S. or using one of the following online sources: the U.S. House of Representative's [Popular Name Tool](#) or Cornell Law School, Legal Information Institute's [Popular names of Acts in the US Code](#).

Researching Federal Legislative History

Legislative history traces the legislative process of a particular bill for the purpose of (1) locating the current status of a bill and monitoring its progress, or (2) determining the legislators' intent behind the enactment of a law to explain or clarify ambiguities in the language or the perceived meaning of that law. The work of compiling a legislative history involves searching for the documents generated during the legislative process such as the various versions of a bill; committee hearings, reports and prints; debates; and presidential messages. While there are many sources to aid a researcher in locating these documents, this discussion highlights readily available Internet sources as well as print sources commonly found in law libraries and in larger public libraries. See *Selected Legislative History Sources* at the end of this section for additional sources.

- ***Tracking Current Legislation***

[Thomas](#), a service of the Library of Congress, was launched in 1995 to make federal legislative information freely available to the public. Bills in the current Congressional session can be searched by bill number or key word and can be browsed by sponsor name.

[Thomas](#) provides the text of pending bills as well as a link to the *Bill Status and Summary* file which indicates the current status of the bill and the last major action on the bill. It also offers links to the [Congressional Record](#) (floor debates) and links to committee actions. Once a bill is passed into law, Thomas will include the Public Law as well.

Researchers can also search for analysis and commentary on a bill as it goes through Congress in publications such as *Congressional Quarterly Weekly Report*, the *New York Times*, and the *Washington Post*.

- ***Determining Legislative Intent***

Compiling a legislative history to determine intent can be a daunting task, especially if you are unfamiliar with this type of legal research. Once you know the steps involved, however, legislative history research can be straightforward. Fortunately, many law libraries offer detailed guides to federal legislative history research.⁷

The first step in legislative history research is to determine whether someone has already compiled the legislative documents for you. Some libraries have complete legislative histories in both paper copy and microform. Search in the library catalog by title (e.g., legislative history housing act 1961), by subject (e.g., United States Laws, etc. Bankruptcy law of the United States), or by committee name (e.g., U.S. Congress House (or Senate) Committee on Interior and Insular Affairs Sub-committee on Indian Affairs Menominee Restoration Act).

*Sources of Compiled Legislative Histories*⁸ also offers a good starting point for locating completed histories. The Law Librarians' Society of Washington, D.C.

⁷ UCLA Law Library has a detailed [Federal Legislative History Research Guide](#). In addition, [an alphabetical list of state legislative history guides](#) has been compiled by Jennifer Bryan Morgan, Documents Librarian, Indiana University School of Law Library—Bloomington.

⁸ Compiled by Nancy P. Johnson, published by the American Association of Law Libraries, and updated by loose-leaf. Available to HeinOnline subscribers (check your local college or university for access).

CHAPTER 7: FEDERAL LAW

(LLSDC)'s [Legislative Source Book](#), which is compiled by members of the Legislative Research Special Interest Section, is another excellent resource. Some of this material has been published in print for many years, and is now also available on their Web site. Resources include *Federal Legislative History Research: A Practitioner's Guide to Compiling the Documents and Sifting for Legislative Intent*, *A Research Guide to the Federal Register and the Code of Federal Regulations*, and *Selected Congressional Research Service Reports on Congress and Its Procedures*. Also note [Legislative Histories of Selected U.S. Laws on the Internet](#), which is arranged by popular name and public law number.

For laws enacted since 1970, the CIS (Congressional Information Service) Index provides the most comprehensive single access to legislative histories for all major bills. The index volumes and companion abstract volumes bring together all the bills, hearings, reports, etc. as well as related bills from the same or prior sessions of Congress. All the documents (except full text of debates) are available in microfiche and online via the LexisNexis Congressional database. LexisNexis also publishes a retrospective collection.

Unfortunately, compiled legislative histories are not always available. Researchers wanting to research the legislative intent are best served in a law library or a depository library. The following steps offer a methodology for identifying and locating the appropriate legislative documents:

1. Read the Code section in *U.S.C.A.* or *U.S.C.S.*
2. Look at the "Historical Note" (which follows the text of the Code section). In the *U.S.C.A.* look for a citation to the *U.S. Code Congressional and Administrative News* (USCCAN) for legislative history and purpose.
3. Review the annotations for references to cases and law review articles that discuss legislative intent.
4. Take note of the Public Law citation (e.g., Pub. L. 90-325).
5. Consult one of the following publications to identify relevant documents:
 - a. *CIS/Annual's* Index of Bill, Report and Document Numbers
 - b. *USCCAN's* Table of Legislative History
6. Read the statute's history

- a. The original bill and any subsequent versions
[Thomas](#) includes bills from the 101st Congress forward.
Finding aids: CCH Congressional Index, CIS/Annual, [Congressional Record Index](#)
- b. Committee hearings and reports
Finding aids: CCH Congressional Index, CIS/Annual, CIS U.S. Congressional Committee Hearings Index, Monthly Catalog/Cumulative Subject Index⁹
- c. House & Senate conference reports
Finding aids: CCH Congressional Index, CIS/Annual, [Congressional Record, Catalog of U.S. Government Publications](#), USCCAN, U.S. Serial Set Index
- d. Debates in Congress
Finding aid: [Congressional Record Index](#)
- e. Roll call votes
Finding aid: CCH Congressional Index, [Congressional Record Index](#), [House Journal](#), [Senate Journal](#), and Senate's [Roll Call Votes & Tables](#) page
7. Look at any Presidential statements
 - a. [Public Papers of the President](#)
 - b. [Compilation of Presidential Documents](#)
8. Locate veto messages
 - a. [Congressional Record](#)
 - b. [House](#) and [Senate Journals](#)
 - c. [Compilation of Presidential Documents](#)
9. Find the Congressional votes on vetoes

⁹ The *Monthly Catalog of the United States Government Publications*, which had been printed since the passage of the Printing Act of 1895, was discontinued with the December 2004 edition. For publications issued prior to 1976, the printed *Monthly Catalog* should be consulted. The print editions were distributed to [federal depository libraries](#). For publications issued after 1976, please use the online [Catalog of U.S. Government Publications](#) (CGP), which provides descriptive records for historical and current publications and provides direct links to those that are available online.

CHAPTER 7: FEDERAL LAW

- a. *CCH Congressional Index*
- b. [*Congressional Record*](#)

- ***Selected Legislative History Sources***

Below is a chart with the Internet addresses and selected contents of the most efficient and reliable sources for federal legislative materials.

NAME	GPO ACCESS	THOMAS	CORNELL'S LII	FINDLAW
Link	<u>Government Publications by Collection on GPO's FDsys</u>	<u>Library of Congress' Thomas</u>	<u>Legal Information Institute (LII)</u>	<u>FindLaw's Federal Government Resources</u>
Selected Contents	U.S. Constitution, U.S. Code, Statutes at Large, Congress. Bills, Congressional Record, Congress. Hearings, Congress. Reports, and much more.	Bills & Resolutions, Bill Summary & Status, House & Senate Roll Call Votes, Congressional Record Daily Digest, Committee Reports, and more.	U.S. Constitution, CRS Annotated Constitution, U.S. Code, & Popular Names of Acts in the U.S. Code.	U.S. Constitution, U.S. Code, Table of Popular Names, links to Thomas, GPO Access, etc.

Another notable site is Vanderbilt University's [Frequently Used Sites Related to U.S. Government Information](#).

Print Sources:

1. *Commerce Clearing House (CCH). Congressional Index (1938-current)*
Lists each bill by number and all the pages in that year's Congressional Record on which the bill is mentioned.
2. *CIS/Index (LexisNexis) (1970-current)*
Lists each public law in the annual abstracts volume chronologically and references hearings, reports, documents and prints.
3. *Digest of Public General Bills and Resolutions (GPO) (1971-1990)*
Contains summaries of each Public Law. Gives dates of reports, debate,

roll call, and passage. Ceased with final issue for 101st Congress, 2nd session.

4. Nancy P. Johnson. *Sources of Compiled Legislative Histories: A Bibliography of Government Documents, Periodical Articles, and Books: 1st Congress to 102d Congress* (AALL Publication No. 14, 1996)

Arranged by Public Law number. Includes an author and title index as well as an act index.

5. Bernard D. Reams, Jr. *Federal Legislative Histories: An Annotated Bibliography and Index to Officially Published Sources* (Greenwood Press, 1994)
6. *United States Code, Congressional and Administrative News (USCCAN)* (Thomson West) (1952-current)

Reprints major House, Senate, and Conference Reports for most Public Laws.

Federal Case Law

Case law, which consists of the written opinion of judges rendered in particular cases, is one of the most important sources of U.S. legal authority. While cases involve a specific dispute between parties, judges, in their written decisions, will shape legal doctrine by interpreting statutes and regulations. Statutes, however clearly worded, must be read in conjunction with court decisions that construe and apply their provisions. Cases can also “create” law in areas where there are no governing statutes or regulations.

*Federal Judiciary*¹⁰

The judicial power of the United States is vested in the Supreme Court of the United States and the various inferior or lower federal courts. Federal courts hear cases based on the U.S. Constitution, cases dealing with treaties or federal law, and certain other conflicts. Examples of issues based on federal law are immigration, bankruptcy, and federal taxation. Although the U.S. Supreme Court does have original jurisdiction (i.e., it may be the first court to hear a particular case) for some matters such as disputes

¹⁰ See also the U.S. Courts’ [Understanding the Federal Courts](#), which provides an introduction to the federal judicial system, its organization and administration, and its relationship to the legislative and executive branches of the government. Sections are linked on the left, highlighted by arrows.

CHAPTER 7: FEDERAL LAW

between states, it is predominantly an appellate court. The U.S. Supreme Court is compelled to hear certain cases, but in most situations it is within the Court's discretion whether or not to hear an appeal. Cases come to the U.S. Supreme Court from both lower federal courts and state courts, but there must be a federal question involved. Ordinarily, cases are appealed from the highest state appellate court (e.g., the California Supreme Court) or from one of the U.S. Courts of Appeals.

The U.S. Courts of Appeals are the primary federal appellate courts. The United States is divided geographically into twelve circuits.¹¹ California is in the Ninth Circuit, which is based in San Francisco. In the Ninth Circuit, bankruptcy appeals can be made either to the Bankruptcy Appellate Panel or to the Circuit Court. There is also a special Court of Appeals for the Federal Circuit. Cases from all fifty states based on patent appeals and appeals from the Court of International Trade, United States Claims Court, the Merit System Protection Board, and other specified cases are appealed to the Court of Appeals for the Federal Circuit.

District Courts are the trial courts for the federal system. California is divided into four districts. The Northern District is based in San Francisco; the Central District sits in Los Angeles and Santa Ana; the Southern District has offices in San Diego; and the Eastern District sits in Sacramento and Fresno. District courts are courts of first instance for most federal questions. There is also a bankruptcy court in each district.

In addition to the regular court system, there are several administrative agencies with judicial or quasi-judicial powers. The U.S. Tax Court and the National Labor Relations Board (NLRB) are two examples. Appeals from these agencies go to the Courts of Appeals.

Federal Case Law Publications

Cases are published chronologically in multi-volumes sets called "reporters" or "reports." When the volumes reach a certain number (e.g., 100 or 300) the publisher will start over with volume one and designate it the publication's second series. For example, the *Federal Reporter* began in 1880 and is currently in its third series. Hence, there is more than one volume with the number 1 in the *Federal Reporter* series: volume 1 of the first series (cited as F.), volume 1 of the second series (cited as F.2d.), and volume 1 of the third series (cited as F.3d).

¹¹ For a Circuit map, please see http://www.uscourts.gov/court_locator.aspx.

Please note that while all decisions of the U.S. Supreme Court are published, only some of the U.S. Courts of Appeals and U.S. District Courts' decisions are published. Also note that there are separate reporters for specialized subject fields of federal law. For example, the decisions of the U.S. Court of Appeals for the Armed Forces (formerly U.S. Court of Military Appeals) are published in West's *Military Justice Reporter* (1978 to current). The *Bankruptcy Reporter* (1980-current) contains the decisions of the U.S. Bankruptcy Courts and the bankruptcy decisions from the U.S. District Courts. For a complete list of federal court reporters, please see Table 1.1: United States Jurisdictions, Federal of *The Bluebook: A Uniform System of Citation*, 19th ed. (Harvard Law Review Association, 2010).

Below is a chart that shows where federal cases are published.

COURT	PUBLICATION TITLE
U.S. Supreme Court	<i>United States Reports</i> (Official) <i>West's Supreme Court Reporter</i> (Unofficial) <i>LexisNexis' Supreme Court Reports, Lawyers' Edition</i> (Unofficial) ¹²
U.S. Courts of Appeals	<i>West's Federal Reporter</i> (Unofficial) <i>West's Federal Appendix</i> (Unofficial) ¹³
U.S. District Courts	<i>West's Federal Supplement</i> (Unofficial) <i>West's Federal Rules Decisions</i> (Unofficial) ¹⁴

The chart on the next page lists the Internet sources where one may find federal cases.

¹² Although only the printed bound volumes of the *United States Reports* contain the final, official opinions of the Supreme Court, the time lag between issuance of an opinion and its final publication in a bound volume is about four years. For this reason, print researchers must consult one of the unofficial, commercial publications, which are far more current.

¹³ Cases not selected for publication (by West's editors) in the *Federal Reporter* series are published in the *Federal Appendix*.

¹⁴ This set began publication in 1940 and contains a selected number of U.S. District Court decisions dealing with procedural issues under the *Federal Rules of Civil Procedure* and the *Federal Rules of Criminal Procedure*.

CHAPTER 7: FEDERAL LAW

FEDERAL CASES ON THE INTERNET		
<i>U.S. Supreme Court</i>	<i>U.S. Courts of Appeals</i>	<i>U.S. District Court*</i>
<p>Official Web site of the U.S. Supreme Court (for latest opinions and U.S. Reports from volumes 502 et seq.)</p> <p>The Public Library of Law (volume 1 of <i>U.S. Reports</i> to current decisions)</p> <p>LexisNexis' Communities Free Case Law (1781 to present)</p> <p>FindLaw (1893 to present)</p> <p>Cornell's Legal Information Institute (decisions from 1990 and over 600 historic decisions)</p>	<p>The Public Library of Law (1950 to present, except 11th Circuit (1981 to present) and Federal Circuit (1982 to present))</p> <p>OpenJurist (U.S. Court of Appeals opinions from 1880)</p> <p>LexisNexis Communities Free Case Law (last 10 years)</p> <p>FindLaw (varies by circuit, earliest opinions are dated between 1994 and 1997)</p> <p>Cornell's Legal Information Institute (varies by circuit, earliest opinions are dated in 1992)</p>	<p>Justia's Federal District Court Cases (from 2002)</p> <p>FindLaw (provides links to official district courts' Web sites, arranged alphabetically by state)</p> <p>Cornell's Legal Information Institute (varies by district)</p> <p>*Note that district court opinions are not readily available for free on the Internet. Consider contacting your local academic library or public law library for availability of LexisNexis Academic Universe or public access Westlaw or LexisNexis.</p>

Federal Regulations & Regulatory Decisions

Federal regulations are rules and procedures promulgated by the executive and administrative agencies, which are delegated power by Congress. Agencies have both quasi-legislative power and quasi-judicial power. Hence, agencies may promulgate binding regulations and issue decisions involving particular parties on a case-by-case basis. Agencies may also issue advisory opinions or decisions, which may also be called orders or releases. This area of research is often called administrative law. Researchers new to this area of law may consult the [United States Government Manual](#), which provides comprehensive information on the agencies of the legislative, judicial, and executive branches. Another useful resource is Louisiana State University Libraries' [Federal Agency Directory](#). It lists current/active/existing U.S. federal government agencies. Since the directory is not annotated, researchers should use this resource

when they know the name of the agency but do not know the URL.

Regulations

Regulations supply detailed explanations and interpretations for the broad mandates of Congressional acts. Regulations are a binding source of law similar to statutes and cases. Regulations from all federal agencies can be found in two publications issued by the government. The [Federal Register](#) is a daily publication that contains the text of new and proposed regulations.¹⁵ The [Code of Federal Regulations \(CFR\)](#) is the codification of the general and permanent rules published in the Federal Register. Consult Appendix C of the [U.S. Government Manual](#) for a list of agencies and where they appear in the CFR.

Research for federal regulations should begin with the [Code of Federal Regulations](#).¹⁶ The CFR is divided into 50 titles that represent the broad areas subject to federal regulation. Each title is divided into chapters, usually bearing the name of the issuing agency, which are divided further into parts that cover specific regulatory areas. Within the titles are chapters subdivided into subchapters by subject and then into parts dealing with specific topics. CFR parts are further subdivided into subparts and finally into sections. Each title is published annually, with the new edition replacing the old. An index is also published. The publication schedule divides the CFR into fourths, with one-fourth of the titles being published in the spring, one-fourth in the summer, etc. A typical citation would read 23 C.F.R. § 750.308, where 23 is the title number and 750.308 is the section number.

During the year, the daily Federal Register prints amendments to the CFR, and provides cross-referenced tables to allow the researcher to determine whether a particular CFR section has been amended since the last annual edition was published. The [e-CFR](#) is a current, daily edition of the CFR. Please note that it is not an official, legal edition of the CFR.

Regulatory Decisions

Federal agencies such as the National Labor Relations Board and the Federal Maritime Commission often have judicial or quasi-judicial authority and may issue

¹⁵ Also available is a prototype edition of the Federal Register: <http://www.federalregister.gov/>. In addition, the Office of the Federal Register's [Public Inspection Desk](#) provides access to documents that will appear in the next days' Federal Register, as well as selected documents scheduled for later issues.

¹⁶ Id. The [List of CFR Sections Affected](#) (1997-present) is available on FDsys.

administrative decisions. The decisions of many agencies are not published officially by the agency. Electronic database and loose-leaf law publishers are the main sources for this information. However, an increasing number of administrative decisions are becoming available on the Internet, but there is little consistency in how agencies provide access to this information. The University of Virginia Library's [Administrative Decisions & Other Actions – By Agency](#) provides links to administrative actions that are outside the scope of the CFR or the FR. The only other avenue for these decisions and rulings is to make a request to the appropriate agency.

Presidential Materials

Materials that emanate from the President's lawmaking function include executive orders for officers in departments and agencies and proclamations for announcing ceremonial or commemorative policies. Executive orders and proclamations may be found in the *Federal Register*, *Code of Federal Regulations* and the Web sites listed below.

Presidential Materials available on [GPO's Federal Digital System \(FDsys\)](#)
Includes the [Budget of the U.S. Government](#), the [Economic Report of the President](#), and [Compilation of Presidential Documents](#).

[Presidential Actions](#) (via the White House's official Web site)
Includes recent Executive Orders, Memoranda, and Proclamations

[Codification of Presidential Proclamations and Executive Orders](#) (via NARA)
Provides access to the edited and re-arranged text of Presidential Proclamations and Executive Orders from April 13, 1945 to January 20, 1989. This page also includes a link to the [Executive Orders Disposition Tables](#), which begins with E.O. 7532, January 8, 1937 and includes title, signature date, *Federal Register* citation, and detailed histories of amendments and revocations.

[The American Presidency Project](#)

Established in 1999 as a collaboration between John Woolley and Gerhard Peters at the University of California, Santa Barbara, this site contains over 86,000 documents related to the study of the Presidency. The Document Archive includes the Messages and Papers of the Presidents (Washington to Taft, 1789-1913), the Public Papers of the President (Hoover to Bush, 1929-1993), as well as documents such as party platforms, candidates' remarks, formal farewell addresses, and much more.

Selected Bibliography

- *Basic Legal Research: Tools and Strategies*, 4th ed. Amy E. Sloan (Aspen, 2009)
- *Finding the Law*, 13th ed. Robert C. Berring & Elizabeth A. Edinger (Thomson West, 2009)
- *Fundamentals of Legal Research*, 9th ed. Steven M. Barken, Roy M. Mersky, & Donald J. Dunn (Foundation Press, 2009)
- *Legal Research Explained*, 2nd ed. Deborah E. Bouchoux (Aspen Publishers, 2010)
- *The Process of Legal Research*, 7th ed. Christina L. Kunz et al. (Aspen Publishers, 2008)



List of Internet Sources Cited in this Chapter

U.S. Constitution:

America's Historical Documents: <http://www.archives.gov/historical-docs/>
Constitution of the United States, Constitutional Analysis and Interpretation:
<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=GPO> (scroll down
list of Additional Government Publications)
Cornell University Law School's Legal Information Institute (LII), Constitution with CRS
annotations: <http://www.law.cornell.edu/anncon/>

Federal Legislation:

Statutes at Large:
<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=STATUTE>
U.S. Code:
<http://uscode.house.gov/>
<http://www.law.cornell.edu/uscode/>
<http://www.gpo.gov/searchwebapp/browse/collectionUSCode.action?collectionCode=USCODE>
Thomas: <http://thomas.loc.gov>
Popular Name Tables:
<http://uscode.house.gov/popularnames/popularnames.htm>
<http://www.law.cornell.edu/uscode/topn/>
Articles on the federal legislative process:
<http://thomas.loc.gov/home/lawsmade.toc.html>
<http://thomas.loc.gov/home/enactment/enactlawtoc.html>

CHAPTER 7: FEDERAL LAW

GPO's Federal Digital System (FDsys): <http://www.gpo.gov/fdsys/search/home.action>

Cornell's Legal Information Institute: <http://www.law.cornell.edu/>

FindLaw's Federal Government Resources:

<http://www.findlaw.com/10fedgov/legislative/index.html>

GODART's Frequently Used Sites Related to U.S. Federal Government Information:

<http://www.library.vanderbilt.edu/romans/fdtf/>

Federal Legislative History Sources:

Indiana University, Maurer School of Law, State Legislative History Research Guides:

<http://www.law.indiana.edu/lawlibrary/research/guides/statelegislative/index.shtml>

UCLA Federal Legislative History Research Guide:

<http://libguides.law.ucla.edu/federallegislativehistory>

Law Librarians' Society of Washington, D.C.

Legislative Source Book: <http://www.llsdc.org/sourcebook/>

Legislative Histories of Selected U.S. Laws on the Internet:

<http://www.llsdc.org/Leg-Hist/>

Congressional Bills:

<http://thomas.loc.gov/home/multicongress/multicongress.html>

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=BILLS>

Congressional Calendars:

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CCAL>

Office of the Clerk, U.S. House: <http://clerk.house.gov/>

Contact Elected Officials: <http://www.usa.gov/Contact/Elected.shtml>

List of Federal depository libraries: <http://www.gpo.gov/libraries/>

Catalog of U.S. Government Publications: <http://catalog.gpo.gov/F>

NARA's Finding Aids to Legislative Records:

<http://www.archives.gov/legislative/finding-aids/index.html>

Congressional Record Index:

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=CRI>

Congressional Record:

<http://thomas.loc.gov/home/LegislativeData.php?n=Record>

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CREC>

House Journal:

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=HJOURNAL>

Congressional Calendars:

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=CCAL>

Public Papers of the President:

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=PPP>

Weekly Compilation of Presidential Documents:

<http://www.gpo.gov/searchwebapp/browse/collection.action?collectionCode=CPD>

Federal Case Law:

Understanding the Federal Courts:

<http://www.uscourts.gov/FederalCourts/UnderstandingtheFederalCourts/FederalCourtsInAmericanGovernment.aspx>

U.S. Supreme Court: <http://www.supremecourt.gov/>

The Public Law Library: <http://www.plol.org/Pages/Search.aspx>

LexisNexis Communities Free Case Law:

<http://www.lexisone.com/lx1/caselaw/freecaselaw?action=FCLDisplayCaseSearchForm&lloc=L1ED&tcode=PORTAL>

OpenJurist: <http://openjurist.org/>

FindLaw:

<http://www.findlaw.com/casecode/supreme.html>

http://www.findlaw.com/10fedgov/judicial/appeals_courts.html

http://www.findlaw.com/10fedgov/judicial/district_courts.html

Cornell's LII:

<http://www.law.cornell.edu/supct/>

<http://www.law.cornell.edu/federal/opinions.html>

<http://www.law.cornell.edu/federal/districts.html#circuit>

Federal Regulations & Regulatory Decisions:

United States Government Manual:

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=GOVMAN>

Federal Agency Directory: <http://www.lib.lsu.edu/gov/index.html>

Federal Register:

<http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>

<http://www.federalregister.gov/>

Code of Federal Regulations:

<http://www.gpo.gov/searchwebapp/browse/collectionCfr.action?collectionCode=CFR>

e-CFR: <http://www.gpoaccess.gov/ecfr/> or <http://ecfr.gpoaccess.gov/>

Administrative Decisions & Other Actions—By Agency (University of Virginia):

http://www2.lib.virginia.edu/govtinfo/fed_decisions_agency.html

Presidential Materials

GPO's FDsys: <http://www.gpo.gov/fdsys/browse/collectiontab.action>

Current Presidential Actions (via Official site of the White House):

<http://www.whitehouse.gov/briefing-room/presidential-actions>

Codification of Presidential Proclamations & Executive Orders (NARA):

<http://www.archives.gov/federal-register/codification/>

Executive Orders Disposition Tables (NARA):

<http://www.archives.gov/federal-register/executive-orders/disposition.html>

American Presidency Project: <http://www.presidency.ucsb.edu/index.php>