



FEDERAL ADMINISTRATIVE LAW RESEARCH GUIDE

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PURPOSE:

This pathfinder reviews with the typical Administrative Law resources available at the law library and how they may be found in print, microfiche and online sources. (See also the Law Library pathfinder entitled "Loose-leaf Services")

OUTLINE:

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FEDERAL AGENCIES AND ADMINISTRATIVE LAW

Federal agencies are set up by Congressional legislation or Act. Agencies provide the expertise and specialization to regulate the detailed requirements of our complex society. The Congressional Act, which broadly defines the purpose of the agency, also empowers the agency to engage in administrative lawmaking activity.

Agency regulations, decisions and orders reflect the predominant forms of administrative law materials. Agency regulations, orders and decisions are not laws, but carry the same legal effect as statutes. They define or interpret law or policy.

For resources on the role, structure or staff of specific federal agencies, consult:

- *The United States Government Manual*, US Government Printing Office.
 - Reference JK 421 .A39
 - <http://www.access.gpo.gov/nara/nara001.html>
- *The Federal Regulatory Directory*, Congressional Quarterly, Inc.
 - Reference KF 5406 .A15F4
- *Official US Executive Branch Web Sites*
 - <http://lcweb.loc.gov/global/executive/fed.html>

OFFICIAL SOURCES OF FEDERAL REGULATIONS

(See also the law library's pathfinder entitled "Loose-leaf Services")

A. Federal Register (FR) Unclassified Floor 4 – current year only. Back issue on Floor 2 in microfiche

Federal agencies create highly detailed regulations for the implementation of their statutory objectives. The daily *Federal Register* disseminates those new regulations to the public before they are codified in the *Code of Federal Regulations*. The *Federal Register* also makes available to the public proposed regulations, amendments and revisions to existing regulations.

- Issued Monday through Friday, by the Office of the Federal Register
- Cited by volume and page number: 44 F.R. 38,252 (1989)

FORMAT	COVERAGE	LOCATION
Paper	current issues	Unclassified Floor 4
Microform	1936 – present	KF70.A2 Floor 2
Westlaw	7/1/80 – present	Yes
Lexis	7/1/80 – present	Yes
Internet	1995 – present	<i>Federal Register Online – GPO Access</i> http://www.gpoaccess.gov/fr/index.html

B. Access to the Federal Register

- No daily subject index to the *Federal Register*.
- *Federal Register* publishes separate cumulative monthly and annual indexes.
- Cumulative monthly and annual indexes list regulations by subject, but only under specific agency names.
- Back issues of cumulative and annual indexes found in *Federal Register* microfiche collection, arranged by year.
- Keyword and browse access for online *Federal Register*.

C. Code of Federal Regulations (CFR) Unclassified Floor 4 – current year only. Back issue on Floor 2 in microfiche

The *Code of Federal Regulations* is an official government compilation of permanent rules and regulations, which have been published in the *Federal Register* by federal agencies.

- Entire Code is revised annually and republished on a quarterly basis
- Arranged by title, chapters, subchapters, parts, and sections.
- Cited by title and section number - **28 C.F.R. 551.83**
- Currency noted on the spine of each CFR Title - ‘July 1,1996’

FORMAT	COVERAGE	LOCATION
Paper	current year	Unclassified Floor 4
Microform	1938 – present	Unclassified Floor 2
Westlaw	current year	Yes
Lexis	current year	Yes
Internet	current year	<i>Code of Federal Regulations Online – GPO Access</i> http://www.gpoaccess.gov/cfr/index.html

D. Access to the Code of Federal Regulations

The only subject-oriented finding aid in the print *Code of Federal Regulations* is the *CFR Annual Index*. It is arranged by broad subject and by agency. It is not very useful unless you know which CFR title and section you need.

For the best access to the CFR, search the online versions by keyword or consult the:

- *Index to the Code of Federal Regulations. Unclassified Floor 4*
 - 1990 - present
 - Annual commercial CIS index to the CFR
 - Four annual volumes of subject indexing of the CFR
 - Quarterly Supplements
 - Includes instructions on “How To Use the Subject Index”

- *Index and Finding Aids to Code of Federal Regulations*. United States Code Service,
 - Lawyer’s Cooperative Publishing Co.
 - Annual commercial index to the CFR.
 - Offers enhanced subject access to the CFR.
 - Finding aids are designed to locate regulations by agency or by CFR citation.

E. Updating Regulations

- *List of Sections Affected (LSA) Unclassified Floor 4*
 - Separate monthly publication that refers to new regulations in the *Federal Register* which update the CFR.
 - References are to *Federal Register* volume and page numbers.
 - Regulations are found under the name of the issuing agency
- “CFR Parts Affected During” in the *Federal Register* **Unclassified Floor 4**
 - “CFR Parts Affected During” table lists CFR parts affected by the past month’s agency activity.
 - Check last issue of each month for the latest CFR changes.
 - References are to regulations found in the *Federal Register* which update, revise or amend the CFR.
- “CFR Parts Affected In This Issue” in the *Federal Register* **Unclassified Floor 4**
 - “CFR Parts Affected In This Issue” table lists CFR parts affected by the current day’s agency activity.
 - Check each daily issue of the *Federal Register* for the latest CFR changes not found in the *LSA* or the monthly “CFR Parts Affected During” table.
 - References are to new regulations and notices found in the *Federal Register* which update, revise or amend the CFR.
- *Shepard’s Code of Federal Regulations Citations*. **Unclassified Floor 4**
 - Arranged by CFR title and section.
 - Citations to federal and state cases, presidential and executive orders.
- For further information on updating the *Code of Federal Regulations* consult:
 - Cohen, Morris L., “Updating and Verifying Regulations,” *How To Find The Law* 9th ed., West Pub Co, 1989, pp. 281 - 283. **KF240 .H68 1989**

PRESIDENTIAL DOCUMENTS

The President has a wide-ranging administrative lawmaking authority. In fulfilling his function as the nation’s chief executive, the President issues Executive Orders, Proclamations, and other documents of legal effect. In addition to the formats listed above, Executive Orders and Proclamations can be found in the following print sources:

- Title 3 of the *Code of Federal Regulations*. **Unclassified Floor 4**
- *US Code Congressional and Administrative News*. **Unclassified Floor 4**
- *Weekly Compilation of Presidential Documents*.
 - 1968 - present **J80.A284**
 - 1992 - present **Microform Unclassified**

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below
Microform		various titles, see list below
Westlaw	1936 – present	Yes
Lexis	1981 – present	Yes
Internet	1993 – present	<i>White House Publications</i> http://www.whitehouse.gov/
	1993 – present	<i>Weekly Compilation of Presidential Documents</i> http://www.access.gpo.gov/nara/nara003.html

FEDERAL AGENCY ADMINISTRATIVE DECISIONS

Many federal administrative agencies also serve a quasi-judicial function. They determine cases arising under their statutes and issue decisions in a form similar to official court reports. These decisions are published in both official and unofficial sources.

Official sources of agency decisions include examples such as:

- *Interstate Commerce Commission Reports*. **Microform KF 2181.A55.I5**
- *Federal Trade Commission Decisions*. **KF 1611.A2F4**

Unofficial sources of agency decisions are commercial loose-leaf publications which may track agency rules or cases.(see also the law library’s pathfinder entitled “Looseleaf Services”). Examples include:

- *BNA Labor Relations Reporter*, Bureau of National Affairs. **KF 3365 .B87**
- *CCH Standard Federal Tax Reporter*, Commerce Clearing House. **KF 6285 .C67**
- *Trade Cases*, Commerce Clearing House. **KF1648.C65**

FORMAT	COVERAGE	LOCATION
Paper		various titles, see list below
Microform		various titles, see list below
Westlaw	Varies	consult Westlaw directory under agency name
Lexis	Varies	consult Lexis directory under agency name
Internet	Varies	Internet Agency Index & Administrative Decisions http://www.washlaw.edu/doclaw/executive5m.html

Updating Federal Agency Decisions

- *Shepard's US Administrative Citations*, Shepard's/McGraw-Hill, Inc., **KF 153.2.S5**
 - Allows you to update and verify agency decisions.
 - Citations given to decisions and orders of federal administrative departments.
 - Citations appearing in law reviews and in annotations are also shown.

FEDERAL AGENCIES - INTERNET SOURCES

For quick access to federal agencies on the World Wide Web search the "Federal Web Locator" at <http://www.infoctr.edu/fw1/>

- All agency Web sites found by the Locator provide information on the agency's role, structure, programs, text of regulations, reports, speeches, etc.