

GUIDE SERIES 1 – FEDERAL RESEARCH



Guide #1C - LOCATING FEDERAL REGULATIONS

Regulations are rules and procedures written by federal administrative agencies, such as the Department of Justice, the Environmental Protection Agency, and the Department of Treasury, that enforce and implement statutes that are under their jurisdiction. Federal regulations are first published in the daily *FEDERAL REGISTER* and eventually compiled in a subject arrangement in the *CODE OF FEDERAL REGULATIONS* ("*CFR*"). While research into federal regulations usually starts with the *CFR*, it is important that the *FEDERAL REGISTER* be used for updating.

CODE OF FEDERAL REGULATIONS (KF 70.A3 C6)

The *CODE OF FEDERAL REGULATIONS* is a subject arrangement of all the regulations promulgated in the *FEDERAL REGISTER*. This compilation allows for efficient access to the regulations. It is divided into fifty broad subject areas called "titles" within which all rules and regulations are arranged. While other codes (such as those for legislation) are usually issued in bound volumes with annual pocket parts for updating, the *CFR* is totally revised and reprinted annually to include only those items in force as of the date of publication. It is actually issued in many pamphlet-type volumes that are slowly replaced over the period of a year. This often results in

a rather complicated arrangement with some volumes of an agency's regulations being very current while others may be almost a year old. It is therefore very important to note the date on the cover of the *CFR* volume being used. When using the *CFR*, be sure to locate the most recent volumes. The Library retains the past year's volumes of the *CFR* in paper for research purposes. *CFR* for earlier years is available on microfiche in the Reserve Room, starting with 1938. The current *CFR* is available on the Internet at the following address: www.gpoaccess.gov/cfr/index.html

Finding material in the *CFR*:

CFR Index and Finding Aids: This volume, re-issued each year as part of the *CFR*, can be used to locate current regulations by subject or by U.S. CODE section number. The cross-reference list to US Code section numbers is useful for finding regulations pertinent to specific Code sections. Many items are listed by agency in the subject index. Subject headings used are somewhat general. *CFR Index* for 1938- is available on microfiche in the Reserve Room. The last 2 years are available at KF 70.A3 C63, next to the *CFR*.

Code of Federal Regulations Index (Call# KF 70.A34 I46): This annual set, published by CIS, provides a comprehensive subject index to the *CFR*. While the index issued by the

government as part of the *CFR* is contained in only one volume, this set is issued in four volumes. This index lists under each subject entry the year of the *CFR* volume indexed, the title number, and the part number within the title. Its major drawback is that it is often issued long after the *CFR* volumes are revised so it might not be useful for locating very recent regulations. The Law Library has volumes for 1977-1987 in the Lower Level B-2. Volumes from 1988 forward are shelved next to the *CFR*.

United States Code Service (Call# KF 62.A3 L38) and **United States Code Annotated** (Call# KF 62 1927 W45): Annotations in these compilations of U.S. Statutes give cross-references to relevant *CFR* sections.

FEDERAL REGISTER (Call# KF 70 .A34 F34) The library keeps the latest 6 months in paper, earlier issues on microfiche. The Federal Register from 1994 to the present is available on the Internet at the following address: www.gpoaccess.gov/fr/index.html

The *Federal Register* is published daily, Monday through Friday, except on official holidays. It provides a uniform system for making available to the public regulations and legal notices issued by federal agencies. These include Presidential proclamations and Executive Orders and federal agency documents having general applicability and legal effect, documents required by an Act of Congress, and other federal agency documents of public interest. In most instances an agency must first publish in the *Federal Register* a "Notice of Proposed Rulemaking" so as to give interested persons an opportunity to participate in the rule making function.

The notice includes the proposed rule, methods by which comments may be offered, persons to contact for further information, and reference to the authority under which the agency is promulgating the rule. At a later date (often years later) the agency will publish its final rule. This must usually be done not less than 30 days before the rule is to take effect. Printed with the final rule is information regarding any changes made by the agency, which might be useful to researchers trying to interpret the rule.

Finding Aids:

Table of Contents: in each issue, listed by agency, the rules, proposed rules, and notices contained therein.

Index: The *Federal Register Index* is a separately issued monthly publication. Each issue cumulates the information for the year and the December issue therefore serves as an annual index. The *Index* is difficult to use since everything must be looked up under the name of the issuing agency with occasional cross-references.

CFR Parts Affected: In the back of each issue of the Federal Register is a list of CFR sections altered or added by items in the Federal Register.

List of CFR Sections Affected (LSA): The *LSA* is a separately issued pamphlet used to find the *CFR* sections altered or added by items in the Federal Register. It is shelved with the *CFR*.

CIS Federal Register Index: (Lower Level B-2) This privately published index is issued weekly, cumulating semiannually. It has detailed subject

headings that include agency names and geographical designations.

UPDATING FEDERAL REGS.

Once you have located the relevant regulation in the *CFR*, check the *Federal Register* to see if the regulation has been altered or deleted since publication of the *CFR* volume. Start with the monthly *CFR List of Sections Affected (LSA)* pamphlets. Look at the date on the cover of the *CFR* volume being used, and refer to the cumulative *LSA* pamphlet(s) indexing issues of the *Federal Register* from that date to the present. Each *LSA* pamphlet is arranged by title and section of the *CFR* with references to any new materials appearing in the *Federal Register*. Proposed regulations appear at the end of the title listing, not in numerical order with existing regulation. Each *LSA* pamphlet will cover a different time period for different titles, depending on the date of issuance of that title's annual *CFR* volume. Sometimes more than one *LSA* pamphlet must be consulted to find all changes affecting a particular *CFR* title. Since publication of the *CFR LSA* pamphlets is usually delayed by a month or two behind the *Federal Register*, consult the table of "CFR Parts Affected" found in the back of each issue of the *Federal Register* to ascertain changes within the past two months or so. These tables are cumulative through the end of each

month, so you should only need to check the last issue of the prior month and the most recent of the current month.

EXAMPLE: You want to know if any changes have been made to the regulations found at 8 CFR §214.2(f). The latest pamphlet of the *CFR* containing those regulations was issued on January 1 of this year. Assume it is now September 20. You find that the latest *LSA* pamphlet covers the period from January 2 through July 31 for Title 8. In the Title 8 listing, you discover that interim amendments to §214.2(f) were published at page 38333 of the *Federal Register* during that period. You go to that page of the *Federal Register* to read the text of the amendments. To ascertain if any more recent changes have been made, look at the cumulative tables of "CFR Parts Affected" in the *Federal Register* issue for August 31 and the last issue received for September.

SUMMARY

Use a subject index to find a *CFR* citation, if needed.

Use the *LSA* to update (may need to use more than one issue).

Use *Federal Register* "CFR Parts affected" to further update. (Look in the latest issue and in the one for the last day of the month for any month between the present and the month covered by the latest *LSA*.)

For Further Information Consult a Librarian

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