LOCATING FEDERAL REGULATIONS

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LOCATING FEDERAL REGULATIONS

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I. Introduction

Federal administrative agencies issue regulations to implement statutes under their jurisdiction. This research guide describes the major sources of federal regulations and provides a basic explanation of research techniques using these materials.

To determine if a source listed in this guide is available in Bloomberg Law, Lexis Advance, or Westlaw Edge, enter the name of the source in the search box at the top of the page and then select the source from the drop-down list. To obtain Bloomberg Law, Lexis Advance, or Westlaw Edge credentials, email eservices@law.gwu.edu and include your GWid number.

For additional information, see the research guide Federal Regulatory Resources, http://law.gwu.libguides.com/federalregulatory, where you can also access this guide in PDF. For research help, visit http://law.gwu.libguides.com/researchguides for contact information.

II. The Publication of Federal Regulations

A. Federal Register (Fed. Reg.)

The Federal Register is the official publication for notifying the public of proposed regulations, temporary and final regulations, notices of federal agencies, presidential executive orders and other presidential documents, and other documents required to be published by law. It is published Monday through Friday, except Federal holidays, by the Office of the Federal Register, National Archives and Records Administration.

Regulations first appear in the Federal Register in proposed form. Following a comment period, regulations approved as final are published in the Federal Register. There may be a considerable time lag between the issuance of the proposed regulation and the final regulation, and the final version may differ in important respects from the proposed version.

The proposed and final regulatory text published in the Federal Register is usually preceded by a “preamble” that explains the basis and purpose of the regulation, provides contact information, and, for final regulations, summarizes the substance of comments received during the public comment period. Preambles appear only in the Federal Register and are often useful in researching the “administrative history” of federal regulations.

1. Government Sources Online
   a. govinfo (Government Publishing Office) (PDF: 1936- )
2. Commercial Databases
   b. HeinOnline (PDF: Vol. 1, 1936- )
      Federal Register Library
   c. Lexis Advance (1936- )
   d. Westlaw Edge (1936- )

3. Print
   Library Location: Circulation/Reserve Desk (1st Floor) (Current year)

B. Code of Federal Regulations (C.F.R.)

The Code of Federal Regulations (C.F.R.) is a codification of the general and permanent regulations of federal executive departments and agencies. It contains all federal regulations currently in force and is organized into 50 numbered titles that represent broad areas of federal regulation. For example, Title 45 of the C.F.R. contains public welfare regulations.

Each title of the C.F.R. is divided into chapters, parts, and sections. At the beginning of each part, an “Authority” note provides the statutory or executive authority under which the regulations are issued. Following the authority note, a “Source” note gives the Federal Register citation at which the part was originally published. If individual sections have been amended or added later, a separate source note is listed. The C.F.R. text comes entirely from the Federal Register.

The C.F.R. is revised annually according to the following schedule:
   - Titles 1-16 as of January 1;
   - Titles 17-27 as of April 1;
   - Titles 28-41 as of July 1;
   - Titles 42-50 as of October 1.

The revision date of each volume is printed on the front cover.

Although you may find federal regulations reprinted in unofficial sources, there are no unofficial or annotated versions of the complete C.F.R., as there are for the United States Code (U.S.C.).

1. Government Sources Online
   a. govinfo (Government Publishing Office) (PDF: 1996- )

Browse the currently updated C.F.R. or perform a keyword, Boolean, or proximity search. Updated daily by the Office of the Federal Register, but is not an official legal edition.

2. **Commercial Databases**

   a. **Bloomberg Law** (current edition)
   
   b. **HeinOnline** (PDF: 1938- )
      
      Code of Federal Regulations collection
   
   c. **Lexis Advance** (current ed.)
   
   d. **Westlaw Edge** (1984- )

3. **Print**

   Library Location: [Circulation/Reserve Desk (1st Floor)](Current year)

### III. Locating the Codified Version of a Regulation

#### A. Finding Regulations By Subject

**CFR Index and Finding Aids**

The **CFR Index and Finding Aids** is the official index volume of the **Code of Federal Regulations**. The index includes:

- A subject index to regulations codified in the C.F.R. (Note: researchers may find it somewhat difficult to use on account of its broad subject headings.)
- A “Parallel Table of Authorities and Rules,” which lists rulemaking authority for regulations and provides cross-references to the **United States Code, United States Statutes at Large**, Public Laws, and Presidential documents (executive orders, proclamations, and reorganization plans).

1. **Commercial Database**

   a. **HeinOnline**

2. Print

Locations: Circulation/Reserve Desk (1st Floor) (current year); Indexes (Lower Level 1) (1984-88, 1992-93, 2009- )

3. Microfiche (LL1), Fiche 95 (1938-2009)

Indexes are found at the beginning of the microfiche holdings for each individual year.

B. Finding Regulations by Statutory Authority (United States Code citation)

1. “Parallel Table of Authorities and Rules” (found in the CFR Index and Finding Aids volume)

Regulations promulgated under the authority of a federal statute can be located by U.S.C. citation using the “Parallel Table of Authorities and Rules” in the CFR Index and Finding Aids volume.

a. Government Source Online

i. govinfo (Government Publishing Office)

Provides access to the current “Parallel Table of Authorities and Rules,” which “lists rulemaking authority for regulations codified in the Code of Federal Regulations. Also included are statutory citations which are noted as being interpreted or applied by those regulations. The table is divided into four segments: United States Code citations, United States Statutes at Large citations, public law citations, and Presidential document citations.”

b. Commercial Database

i. HeinOnline


c. Print

Locations: Circulation/Reserve Desk (1st Floor) (current year); Indexes (Lower Level 1) (1984-88, 1992-93, 2009- )

Cross references to the *Code of Federal Regulations* are located in the annotations after the relevant statutory section (and after the credits and “Historical and Statutory Notes”).

Print location: [Burns (2nd Floor)](https://www.westlaw.com/), (current edition)


The Index and Finding Aids to the *Code of Federal Regulations* volume of the U.S.C.S. contain the same “Parallel Table of Authorities and Rules” as found in the *CFR Index and Finding Aids* volume and a reverse table that cross-references C.F.R. citations to the U.S.C.S. Additionally, following the text of a statutory section each, the regulations related to that section will be listed under the heading “Code of Federal Regulations.”

Print location: [Burns (2nd Floor)](https://www.lexisnexis.com/), (current edition)

**IV. Locating Regulations Using *Federal Register* Indexes**

1. **Government Sources Online**
   a. [FederalRegister.gov](https://www.federalregister.gov/index/2018)
   b. [The National Archives](https://www.archives.gov/)

2. **Commercial Database**
   a. [HeinOnline](https://www.heinonline.org/)

   Federal Register Library > Federal Register Indexes (PDF: 1936- )

**V. Updating & Tracking the History of Federal Regulations**

To check the status of a regulation, researchers may choose to begin by consulting the [e-CFR](https://www.ecfr.gov/) (Electronic Code of Federal Regulations), the currently updated C.F.R., but it is not an official legal edition, and it is important to know how to update a regulation using official government sources.

A. **LSA: List of CFR Sections Affected**

Use the [LSA: List of CFR Sections Affected](https://www.ecfr.gov/visibility/95/html_e_cfr_title_1.html) to update a section of the current *Code of Federal Regulations (C.F.R.)* or track the history of a federal regulation. Once a relevant regulation in the current edition of the C.F.R. is found, it must be updated to determine whether any changes to the regulation have occurred since the revision date on the front of the C.F.R. volume.
The LSA is a monthly cumulative publication listing new, amended, and proposed regulations that have been published in the Federal Register since the revision date of each current C.F.R. volume. Historical LSAs can be used to determine when a C.F.R. section was added or amended. The LSA provides citations to the Federal Register where the original final regulation can be located, along with its preamble information, which may include agency explanations, citation to proposed rules, summary of comments submitted, and docket information.

1. Government Source Online
   a. govorinfo (Government Publishing Office)

2. Commercial Database
   a. HeinOnline
      HeinOnline provides access to the List of CFR Sections Affected (PDF: 1958- ) and the Compilation of Sections Affected (1949-2000). The difference between the LSA and the Compilation of Sections Affected is that the LSA shows section changes organized by month (e.g., June 2016) and the Compilation shows section changes organized by title and time period (e.g., Titles 42-50, 1973-85).

3. Print
   Locations: Circulation/Reserve Desk (1st Floor) (last 12 months) and Lower Level 1 (earlier editions)

B. Updating a Regulation Using the LSA on govorinfo.gov

Follow the steps below to update a regulation using the LSA on GPO’s govorinfo.gov:

1) Go to https://www.govinfo.gov/app/collection/LSA
2) To update a regulation ending with the most recent of the LSA, click “Monthly LSA.”
3) Find the most recent month available in the current year’s issues of the LSA. Select the title and look for the section you are updating.
4) To update a regulation after the most recent issue of LSA, go to: https://www.govinfo.gov/app/cfrparts/, which lists the C.F.R. parts affected by changes since the most recent issue of the LSA. Your search will be current to the most recent issue of the Federal Register.
C. Updating a Regulation Using the LSA in Print

1) Locate your regulation in the C.F.R. (e.g., 8 C.F.R. § 241.1), noting the revision date shown on the front cover of the volume.

2) Using the most recent issue of the LSA, check inside the front cover and find the listing for Titles 1-16, which will include Title 8. This will show changes for Title 8 from the revision date of the C.F.R. volume through the issue date of the LSA pamphlet.

3) Inside the LSA pamphlet, look for the C.F.R. title number. C.F.R. title numbers are listed sequentially. For each title number, Federal Register page references are provided for final and proposed regulations.

4) For final regulations, there is a statement of whether the regulation revises or amends an existing regulation or adds a new regulation. Entries for proposed regulations (“proposed rules”) are less detailed and refer to part numbers rather than section numbers.

5) Check the last issue of the Federal Register for each month after publication of the most recent LSA pamphlet. The final few pages of each issue contain a “Reader Aids” section, which includes cumulative “CFR Parts Affected” tables that list parts (not sections) affected by documents published in the Federal Register during each month being searched.

6) Locate the most recent issue of the Federal Register. Turn to the “Reader Aids” section at the end of the issue. If your title and part number do not appear in the “CFR Parts Affected” table, you may conclude that the regulation you are researching has not been revised or amended during the current month.

VI. Updating a Regulation Using Bloomberg Law, Lexis Advance, or Westlaw

- **Bloomberg Law:**
  Enter the C.F.R. citation in the search box at the top of the page and then click the drop-down “Go to this citation” option. Note the “Currency” information in the box on the right-hand side.

- **Lexis Advance:**
  Enter the C.F.R. citation in the search box at the top of the page. Be sure to note the date in the “This document is current through the (date of the particular) issue of the Federal Register” line, and examine any notes above the C.F.R. text describing the status of the regulation.

- **Westlaw Edge:**
  Enter the C.F.R. citation in the search box at the top of the page. Be sure to then click on the “Currentness” link and examine any notes below it (and above the C.F.R. text) describing the status of the regulation.

VII. Judicial Treatment of a Regulation

Once you retrieve your C.F.R. citation, use the citation services in Lexis (Shepard’s) and in Westlaw (KeyCite) to see whether courts have examined a particular regulation. Note whether there appear any Shepard’s signal indicators in Lexis or KeyCite status flags in Westlaw Edge.
VIII. Finding Public Comments on a Regulation

Federal agencies give the general public a period of time to comment on proposed regulations, adjudications, notices, and other actions. Generally, any submitted comments and materials become public documents and are available for review.

1. Government Sources Online
   a. Regulations.gov
      Find, view, and submit public comments on agency rulemaking, adjudications, & other actions (2003- ).
   b. Federal agency websites
      Visit agency sites for information about rulemaking dockets: https://www.usa.gov/federal-agencies

2. Print

   Contact the federal agency issuing the regulation. Contact information is available from the agency’s site: https://www.usa.gov/federal-agencies

IX. To Learn More

1. Government Sources Online
   U.S. National Archives and Records Administration: The Federal Register Tutorial
   Office of the Federal Register: Reader Aids

2. Print

   Location: Stack Level 3, KF5411.K47 2011

   Location: Circulation/Reserve Desk (1st Floor), KF240 .S585 2018

Updated by Ken Rodriguez, Reference Department, Burns Law Library
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