LOCATING FEDERAL REGULATIONS

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I. INTRODUCTION

Federal administrative agencies issue regulations to implement statutes under their jurisdiction. This guide describes the major online, print, and microform 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 through Bloomberg Law, Lexis Advance, or WestlawNext:

- **Bloomberg Law**: Click the “Search & Browse” tab and select “All Legal Content,” and then either enter the name of the source into the “Select Sources” search field or drill down into the “Content Type” list.
- **Lexis Advance**: Enter the name of the source in the search box at the top of the page. Select the source from the list to add it to the search or click “View Table of Contents”.
- **WestlawNext**: Enter the name of the source in the search box at the top of the page and select the source from the list.

To obtain Bloomberg Law, Lexis, or Westlaw credentials, email eservices@law.gwu.edu and include your GWid number.

To locate other databases, including CCH IntelliConnect and HeinOnline, see the Law Library’s Database Subscription & Off-Campus Access LibGuide: [http://law.gwu.libguides.com/databases](http://law.gwu.libguides.com/databases).

II. THE PUBLICATION OF FEDERAL REGULATIONS

A. Federal Register (Fed. Reg./FR)

The daily *Federal Register* is the official publication for notifying the public of proposed regulations, temporary and final regulations, notices from federal agencies, presidential executive orders and other presidential documents, and other documents required to be published by law.

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 can be a considerable time lag between the issuance of proposed and final regulations, 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. Online Government Sources:
   a. **FDsys** (PDF: 1994-)
      > Federal Register
   b. **Federal Register** (Office of the Federal Register) (Feb 1994-)
   c. Federal agency web sites (various)
2. Commercial Databases:
   a. **Bloomberg Law** (1999-)
      Legislative & Regulatory > Search Federal Register
   b. **HeinOnline**
      Federal Register Library (PDF: 1936-)
   c. **Lexis Advance** (1936-)
   d. **ProQuest Congressional** (July 1980-)
   e. **WestlawNext** (1936-)

3. Print:
   Location: **RESERVE (1ST FL)** (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. The C.F.R. contains all federal regulations currently in force and is organized into 50 numbered titles that represent broad areas of federal regulation. For example, Title 49 of the C.F.R. contains transportation regulations. While most title numbers of the C.F.R. correspond to those of the *United States Code*, many do not.

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 where 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; and
- Titles 42-50 as of October 1.

Revision dates of each volume are 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* (USC).

1. Online Government Sources:

   Browse the current C.F.R. or search by keyword. The e-CFR is a prototype of a continually updated version of the C.F.R. and is an unofficial edition.
II. 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 contains:

- A subject index to regulations codified in the C.F.R. The subject index can be difficult to use due to 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 Databases:

   a. **HeinOnline**


2. Print:

   Locations: **RESERVE (1ST FL)** (current year); **LEGAL REFERENCE (LL1)** (1984-88, 1992-93, 2009- )

3. Microform: **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* (USC) 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. Online Government Resource:

   i. **FDsys**: > Code of Federal Regulations

      Provides access to the current “Parallel Table of Authorities and Rules.”

b. Commercial Database:

   i. **HeinOnline**:

      Code of Federal Regulations > Browse By > Parallel Table of Authorities and Rules (PDF: 1938- )

c. Print:

   Locations: **RESERVE (1ST FL)** (current year); **LEGAL REFERENCE (LL1)** (1984-88, 1992-93, 2009- )


Cross references to the Code of Federal Regulations are found under “Library References: Administrative Law” in the annotations after a statutory section (and after the credits and historical and statutory notes).

Print locations: **RESERVE (1ST FL)** and **LEGAL REFERENCE (LL1)** (current edition)


The Index and Finding Aids to the Code of Federal Regulations volume of the U.S.C.S. contains 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 CFR citations to the U.S.C.S. Additionally, following the text of a statutory section each, look for the heading “Code of Federal Regulations” to find regulations promulgated or related to that section.

Print location: **LEGAL REFERENCE (LL1)** (current edition)

IV. LOCATING REGULATIONS USING FEDERAL REGISTER INDEXES

1. Online Government Resources:

   a. **The National Archives**

   b. **Office of the Federal Register**

2. Commercial Database:

   a. **HeinOnline**
V. UPDATING & TRACKING HISTORY OF FEDERAL REGULATIONS

A. List of CFR Sections Affected (LSA)

Use LSA to update a section of the current Code of Federal Regulations (CFR) 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.

LSA: List of CFR Sections Affected 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. LSA provides citations to the Federal Register where the original final regulation can be located, along with its preamble information (agency explanations, citation to proposed rules, summary of comments submitted, docket information, etc.)

1. Online Government Resource:
   a. FDsys:
      Code of Federal Regulations > List of Sections Affected (1997- )

2. Commercial Database:
   a. HeinOnline
      Federal Register Library OR Code of Federal Regulations (1958- )
      HeinOnline provides access to the CFR’s List of 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 (ex.: June 2008), and the Compilation shows section changes organized by title and time period (ex.: Titles 42-50, 1973-85).

3. Print:
   Locations: RESERVE (1ST FL) (last 12 months) and LL1 (Previous 5 years)

B. Updating a Regulation Using LSA on FDsys

Follow the steps below to update a regulation using the LSA on FDsys:

1. Go to the LSA web page:
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:
lists the C.F.R. parts affected by changes since the most recent issue of LSA. Your search will be current to the most recent issue of the Federal Register.

C. Updating a Regulation Using the LSA in Print

Follow the steps below to update a regulation using the LSA in print:

1. Locate your regulation in the C.F.R. (for example, 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.
5. Entries for proposed regulations (“proposed rules”) are less detailed and refer to part numbers rather than section numbers.
6. Check the last issue of the Federal Register for each month after publication of the most recent LSA pamphlet. The last few pages of these issues contain cumulative “CFR Parts Affected” tables that list parts (not sections) affected by documents published in the Federal Register during each month being searched.
7. Locate the most recent issue of the Federal Register. Turn to the “Reader Aids” section at the back 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, LexisNexis, or Westlaw

The Federal Register databases are updated within a day of publication. The Code of Federal Regulations databases are generally updated weekly.

- **Bloomberg Law:**
  Click the “Legislative & Regulatory” tab. Click on “Search Federal Register.” Enter the C.F.R. section in the “CFR Section Affected” box and click “Search.”

- **Lexis.com:**
  Click “Federal Register” found under the “Legal” tab. Under the search box, select “Restrict by Document Segment,” selecting “CFR” and entering: title cfr part number in the segment box (e.g., 40 cfr part 63).

- **LexisAdvance:**
  Click on “Browse Sources.” In the search box, enter “Federal Register.” In the list of links, click on “Federal Register”; select “Add this source to the search.” Enter the C.F.R. citation you are updating within double quotes (e.g., “40 cfr 63”).

- **Westlaw Classic:**
  In the “search for a database” box, type: fr. Below the search box, go to “fields:” and select “Prelim – PR( )” from dropdown menu. In the search box, type within the parenthesis: “40 cfr part 63” so that search appears in the search box in this format: PR(“40 cfr part 63”)”

- **WestlawNext:**
“Browse” > “Federal Materials” > “Federal Register.” Next to the search box, click on the “advanced” link. Under “Preliminary,” type C.F.R. citation in this format in double quotes: “title cfr part number” (e.g., “40 cfr part 63”)

VII. JUDICIAL TREATMENT OF A REGULATION

Federal regulations may be Shepardized in LexisNexis or KeyCited in Westlaw.

VIII. FINDING PUBLIC COMMENTS RELATING TO A REGULATION

Federal agencies often 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. Online Government Resources:
   a. Regulations.gov:
      Find and view public comments on agency rulemaking, adjudications, and other actions (2003-).
   b. Federal agency websites:
      Search agency websites for information about rulemaking dockets.

2. Print

   Contact the federal agency issuing the regulation. Contact information is available from the agency’s website.

IX. LEARN MORE

1. Online Government Resource:

   U.S. National Archives and Records Administration, The Federal Register Tutorial

2. Print:
