

CHAPTER 10: SPECIAL RESEARCH ISSUES

- A. Legislative History: see web-sites p. 403
for 3 excellent guides to legislative history
 - 1. Bill version
 - compare language in different versions
 - 2. Committee Hearing Transcripts
 - 3. Committee Reports
 - 4. Debates
 - 5. Research Process:
 - a. USCCAN: Use Table 4, Table of Legislative History:
insert public law # and you'll get original bill #
i.e. HR 289, S. 741
 - b. CIS: volume 2 is comprehensive index by
(1)subject matter, (2)hrq witness name (3)
bill # (4) popular name, and (5) name of
committee chairperson
 - c. CIS: volume 1: summaries of bills,
testimony at hrgs,
committee reports, and references to
debate days in Congressional Record
 - d. CCH Congressional Index: looseleaf-weekly;
2 volume set each Cong session; index to
all public laws for that session
 - e. Congressional Record: look up bill # in
History of Bills and Resolutions to get
debate dates, then locate on spine of
volume

- f. See text sections on electronic sources to compile legislative history
 - 1. Lexis: database called Legislation and Politics, then US Congress, then can search by Congress number (106th), by bill #, by public law #, topic of legislation, committee report # etc
 - will get full text of bill, selected hearing transcripts, committee reports, Congressional Record (since 1985) and compiled legislative histories for legislation of wide-spread interest
 - 2. Westlaw: database "BC" provides info on current bills in Congress
 - "BC-OLD"= info on public laws from previous session of Congress
 - "BILLS"= full text of bills pending in congress
 - "CR"= Congressional Record
 - "LH"= legislative history for selected statutes
 - 3. THOMAS: free, 24/7 source:
<http://thomas.loc.gov>
 - see p. 410 on info available
 - in search box, enter bill number or public law # and you will get:
 - a. exact text of bill or public law
 - b. summary of it
 - c. its status (when introduced, when referred to committee, when voted upon, when sent to & signed by Pres)

-- if you don't have bill # or PL #,
can search by word or phrase or by
Popular Name (ie., Family & Medical
Leave Act)

-- see page 410 for coverage
-- generally searching done by Cong.
session i.e. 106th
-- see sample page- p. 411

4. GPO Access -govt printing office:

<http://www.gpoaccess.gov>

--see coverage and info available
on p. 412 text and note toll-
free number for questions

** See types of documents and where to access
them on pp. 412 & 413

**See other info on pp. 413-414 and note
web-based tutorials on p. 416

6. More difficult process to compile state
statute legislative history- determine if
legislative service exists for your state
--examine historical notes after statute's
language

-- see pp. 417 & 418: Manz's Guide

a. call legislative counsel

b. NetScan at <http://www.netscan.com>
and StateNet at: <http://www.statenet.com>

c. Westlaw & Lexis: provide bill text and bill tracking for all 50 states

--see web-based tutorials referenced-p. 419

**See pp. 421-422 on ranking of legis history documents

B. Executive Materials

1. Proclamations and executive orders

- a. USCCAN
- b. Federal Register
- c. C.F.R.-Title 3
- d. Lexis & Westlaw
- e. Weekly Compilation of Presidential Documents and Title 3 of C.F.R. both available on Internet **gpo** site:

<http://www.gpoaccess.gov/wcomp/index.html>

<http://www.gpoaccess.gov/pubpapers/search.html>

2. See pp. 423 & 426 examples

C. Administrative Law

**rules, regulations, decisions

1. Agencies

- a. Process

2. Publication

- a. Federal Register: proposed regs-
see p. 429 (weekday pamphlet)
- b. Code of Federal Regulations (C.F.R.)-
enacted regs: see p. 431
 - (1) organized by titles, chapters, parts,
& sections
 - (2) revised annually-issued in different
colors each year
 - (3) Use C.F.R. Index-access by subject
matter and/or name of agency: directs
you to appropriate Title & Part- see
p. 432; also has alpha lists of
agencies
 - (a) Parallel Table of Statutory
Authorities & Agency Rules: in
Index volume toward the back
(Table I)
 - (4) Updating C.F.R.
 - (a) List of Sections Affected (L.S.A.):
look up title and section and it
directs you to Federal Register page
(see p. 434 example)

***this is monthly publication
 - (b) C.F.R. Parts Affected in Federal
Register: Reader's Aid in back of
Federal Register:
-if no entries, then no changes to
your regulation

***this is daily publication
(c) electronic methods- Lexis &
Westlaw

**GPO offers Federal Register since 1994 &
CFR since 1996: go to gpoaccess site &
select Fed. Reg. (search by subject, key
words, agency's name) or CFR (search by
key word, citation, or titles)

--see steps on p. 435

** can update on these sites too

(1) <http://www.gpoaccess.gov> to update
CFR and Federal Register

(2) LSA and CFR Parts Affected offered online
at:

<http://www.gpoaccess.gov/lsa/index.html>

** See p. 435: administrative law research
tutorial

(5) Citation Form:

3. Administrative Decisions

a. See Table T.1 in Bluebook, pp.196-197

b. See Table T.15 in Bluebook:
100+ looseleaf services identified

c. [http://www.lib.virginia.edu/govdocs/fed_
decisions_agency.html](http://www.lib.virginia.edu/govdocs/fed_decisions_agency.html)

** the above e-mail address can link you to admin decisions for many agencies

** US Government Manual: see pp.438-439 in text:
detailed info on agencies; officers; purposes;
history of agency; enabling statute;
activities

--diagrams showing organization of executive
depts; info on terminated agencies

--free online at:

<http://www.gpoaccess.gov/gmanual/index.html>

(can search by key words)

4. State Administrative Law

i.e. DMV

a. See Bluebook for particular state's
administrative compilation

b. Contact state agency for info

c. Westlaw: offers state agency rules &
some state agency decisions

d. also free on Internet: find your state's
home page

<http://www.megalaw.com> and select "state law"

<http://washlaw.edu> and find your state link

D. International Law

i.e. GATT, NAFTA

1. Public: conduct & regulation of nations

2. Private: older/archaic term used in Europe
more like "conflict of laws"

*Sources of Int'l Law:

- a. Int'l conventions-treaties
- b. Int'l custom: general practice
- c. General principles accepted by civilized nations
- d. Judicial decisions

* See p. 442 : basic texts & sources

* Foreign Relations of the U.S.: volumes since 1945 available at State Dept web-site

* Treaties: i.e. "Geneva Convention Relative to Treatment of Prisoners of War"

1. initiated by executive branch; negotiated by State Dept; 2/3 of Senate must approve
2. Executive Agreements- President
3. See pp.443-445 for info re: pre-ratification and post-ratification info sources (esp Thomas & gpo web-sites)
4. see p. 445 re: cases interpreting treaties
5. See p. 447 for citation forms and tutorials

* International Tribunals:

1. Permanent Court of Arbitration at the Hague
2. World Court-see p. 448

* International Organizations:

1. United Nations
2. OAS
3. European Union
4. G8

**See p. 449 re: links to international & regional organizations

E. Municipal Research:

1. Charter for city like constitution for state
2. Ordinances/Resolutions: enacted by council, board
 - a. codified
 - b. local libraries

** see material on p. 451 re: Internet sources for municipal codes

3. Interpretation of ordinances: can get by Key-Citing ordinance in Westlaw

F. Court Rules

1. Rules of Civil Procedure (Federal): U.S.C.A., Title 28—see material on p. 453
2. Rules of Criminal Procedure (Federal): U.S.C.A., title 18

** Federal Rules Decisions (F.R.D.): cases interpreting rules

--available at:

<http://www.uscourts.gov/rules/newrules4.html>

**Can also Key-Cite Rules to get cases, ALR's, law review articles

** Can get Federal Rules of Court: lower fed court rules available at:

<http://www.uscourts.gov/rules/newrules8.html>

** also see Bluebook-Table BT.2: references

3. State rules: state stat. code, court-house, law libraries, state court web-sites

--see Megalaw link:

<http://megalaw.com/rules.php>

--also see BT.2 in Bluebook

4. See citation forms: pp. 456-457

5. CyberSites: pp. 457-459:excellent resources