

# THURGOOD MARSHALL SCHOOL OF LAW LIBRARY

## *Pathfinder Series*

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## Guide to the online Code of Federal Regulations (C.F.R.) and Federal Register

The Code of Federal Regulations (hereafter “C.F.R.”) compiles all regulations made by the federal government’s agencies. Other contents of the C.F.R. include presidential documents and proclamations. This pathfinder only concerns online access to the C.F.R. via the Government Printing Office’s “FDsys” web site (which replaced the old GPO Access web site), the free method of access provided by the U. S. government. (Note: FDsys covers much more than the C.F.R., so this pathfinder only deals with a small portion of that site.) The C.F.R. is also electronically accessible through HeinOnline, Lexis, and other pay resources not covered herein. **Finally, the FDsys C.F.R. is only accessible online back through 1996.**

### Searching the C.F.R Online

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This guide explores four possible ways users might find a desired regulation on the FDsys homepage (<http://www.gpo.gov/fdsys/>):

- ✓ Simple Search (of the entire FDsys)
- ✓ Advanced Search (of just the C.F.R.)
- ✓ Retrieve by C.F.R. citation
- ✓ Browse the C.F.R.

Begin by looking at the FDsys homepage (see Illustration 1) and noting the following:

- 1) The Simple Search bar displayed prominently in the center of the page, just under the FDsys logo;
- 2) Three links to the right of the search bar: “Advanced Search”, “Retrieve by Citation”, and “Help” (Help opens up the FDsys manual for searching including a list of all search query operators (see Illustration 2).);

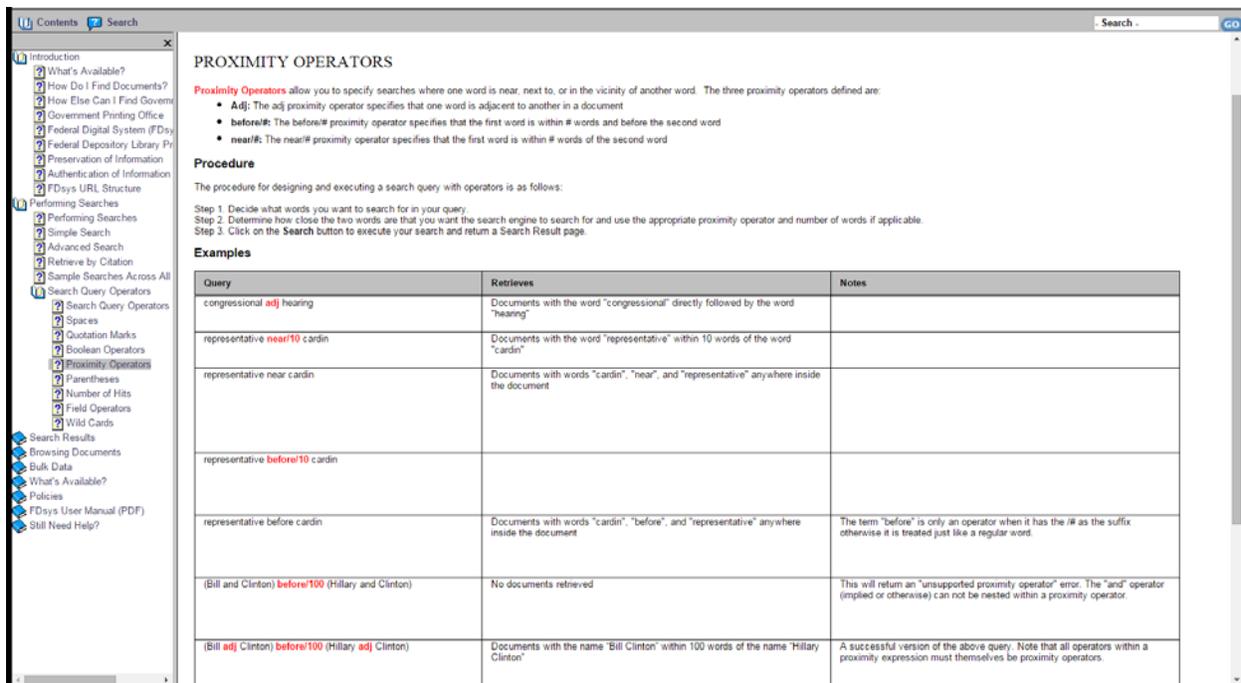
- 3) The Browse section in the right column's links to the "Code of Federal Regulations" and the "Federal Register"; and
- 4) The link to the FDsys tutorials and webinars in the left-hand column.



**Illustration 1:** <http://www.gpo.gov/fdsys/search/home.action>

### **SIMPLE SEARCH: SEARCH THE ENTIRE FDSYS**

The Simple Search can be done directly using the search bar found prominently centered on the FDsys homepage (identified above). The goal of the Simple Search is to provide Google-like searching of FDsys using the keywords the user types into the search bar. Users should not, however, expect the search algorithm to be as "smart" as a Google search. The Simple Search can perform "complex queries" using Boolean operators such as 'and', 'or', and 'not' though. Complex queries can also search based on proximity, relative location, and other factors. Finally, the complex query can limit the search to certain fields such as the document title, the name of a member of Congress or the President, or the number of the Congress for example. The full list of operators is found in the FDsys searching manual. **BE AWARE that by default the Simple Search searches all of FDsys, not just the C.F.R.**



*Illustration 2: <http://www.gpo.gov/help/index.html>*

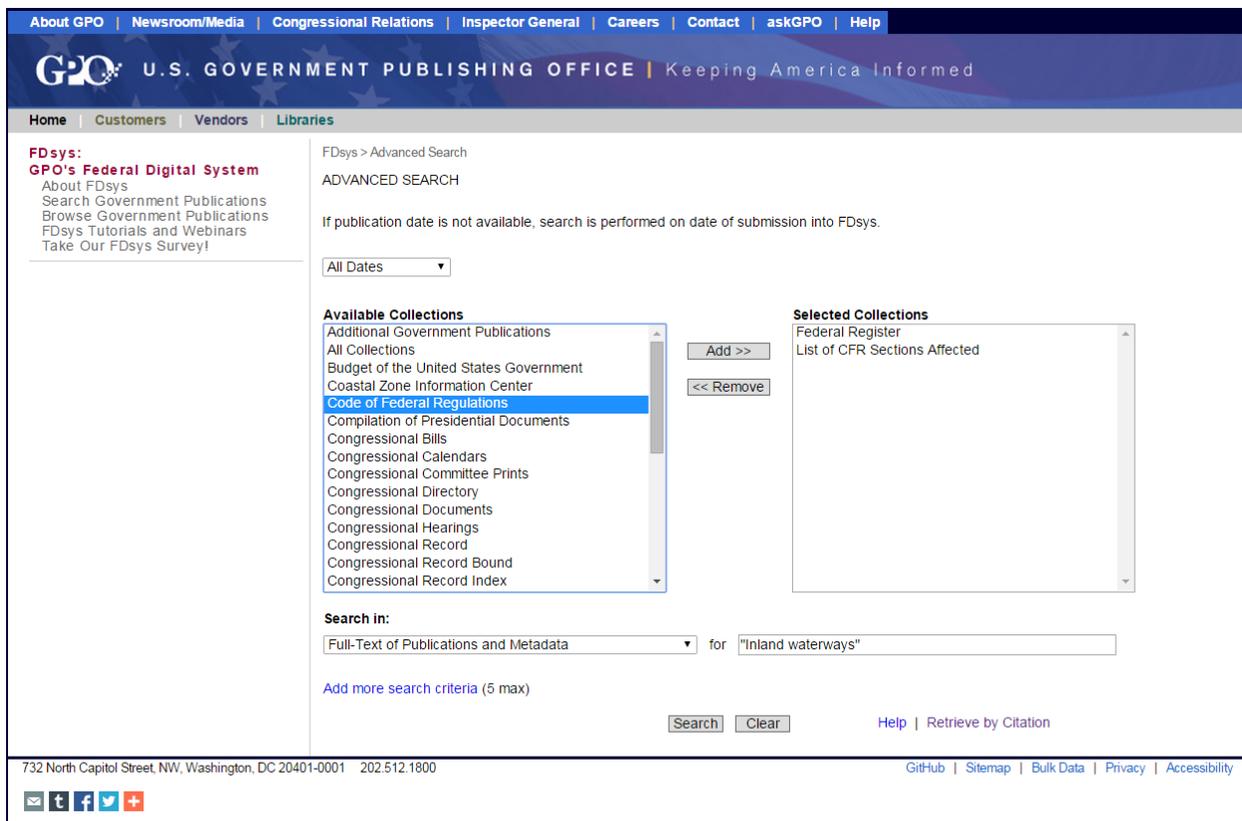
Some things to be aware of:

- Boolean operators no longer need to be in upper case.
- Search results can be refined using a search within results feature.
- Simple Searches can be limited to the C.F.R. by using the field operator, "collection:cfr".

**NOTE: the words "collection" and "cfr" must be in lower case and there are no spaces.** Similarly, users could limit the search to the List of Sections Affected or the Federal Register ('collection:lsa' and 'collection:fr' respectively) or any combination of these using Boolean operators.

### **ADVANCED SEARCH: SEARCH ONLY THE C.F.R.**

To get to the Advanced Search, follow the "Advanced Search" link to the right of the search box on the main page. Advanced Search requires users to select the collection within FDsys upon which to run the search. (See Illustration 3.) To do this, find the collection in the left-hand column titled "Available Collections" and click it a single time to highlight it. Then click the button in the center titled "Add >>" to move it to the right-hand column titled "Selected Collections". For this guide, the collection most likely to be selected is "Code of Federal Regulations" although users might also want "List of C.F.R. Sections Affected" and/or "Federal Register". Once the collection(s) is (are) selected, users can further limit the search results by using the date field above the collections panes.

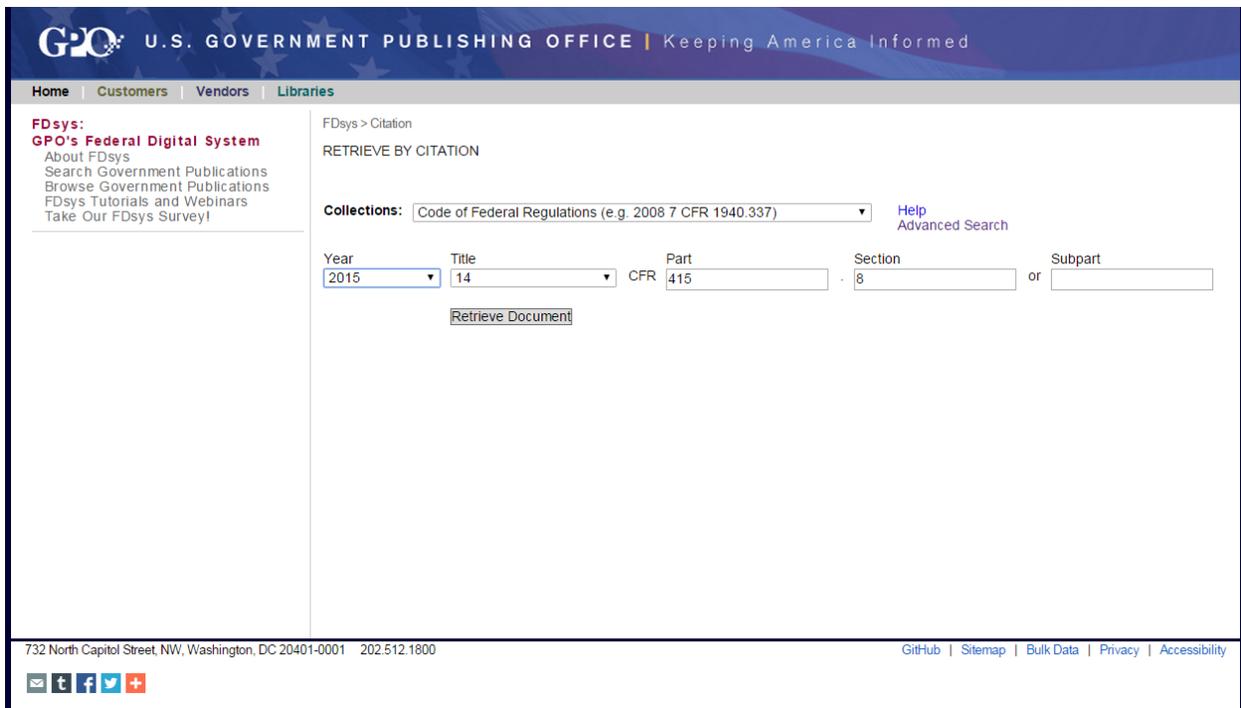


**Illustration 3: Advanced Search**

Below the collections panes, find the search boxes. To the right is a box where users type the actual search term(s) while to the left are field limiters telling the search engine where to look for those terms. Most users will wish to search for the terms in “Full-Text of Publications and Metadata” although sometimes limiting the search to only the title may prove more fruitful. Additional search lines are available, up to five total.

### **RETRIEVE C.F.R. BY CITATION**

Users must have a citation to use this option. Follow the “Retrieve by Citation” link to the right of the search box on the FDsys homepage. As with Advanced Search above, users will need to select the collection for which the citation applies, in this case most likely the C.F.R. or the Federal Register collection. Selecting the collection triggers a special page with drop down boxes for the parts of a citation to that collection. (See Illustration 4.) C.F.R. collections can be searched back to 1996. **NOTE: FDsys returns results by opening a pop-up window or new tab. You need to allow pop-ups from this site in order to do this kind of retrieval.**



**Illustration 4: Retrieving by citation**

**Components of C.F.R. citation:**

A C.F.R. citation should provide you with the Title, the Part, the Section, and the date of publication. “Title” here does not mean the name of the publication, rather it is a topical division of the C.F.R. into subject areas. So one Title might be on “Customs Duties” while another might be on “Agriculture.” Each Title has a number, though some Titles are no longer in use. Titles may have Chapters and Subchapters, but these are not included in the citation. Each Title is broken up into numbered Parts which further subdivide the topic, and each Part is divided into Sections. Most commonly, the Part and the Section are expressed together separated by a period as shown below. In a sample Bluebook C.F.R. citation, the parts are represented like this:

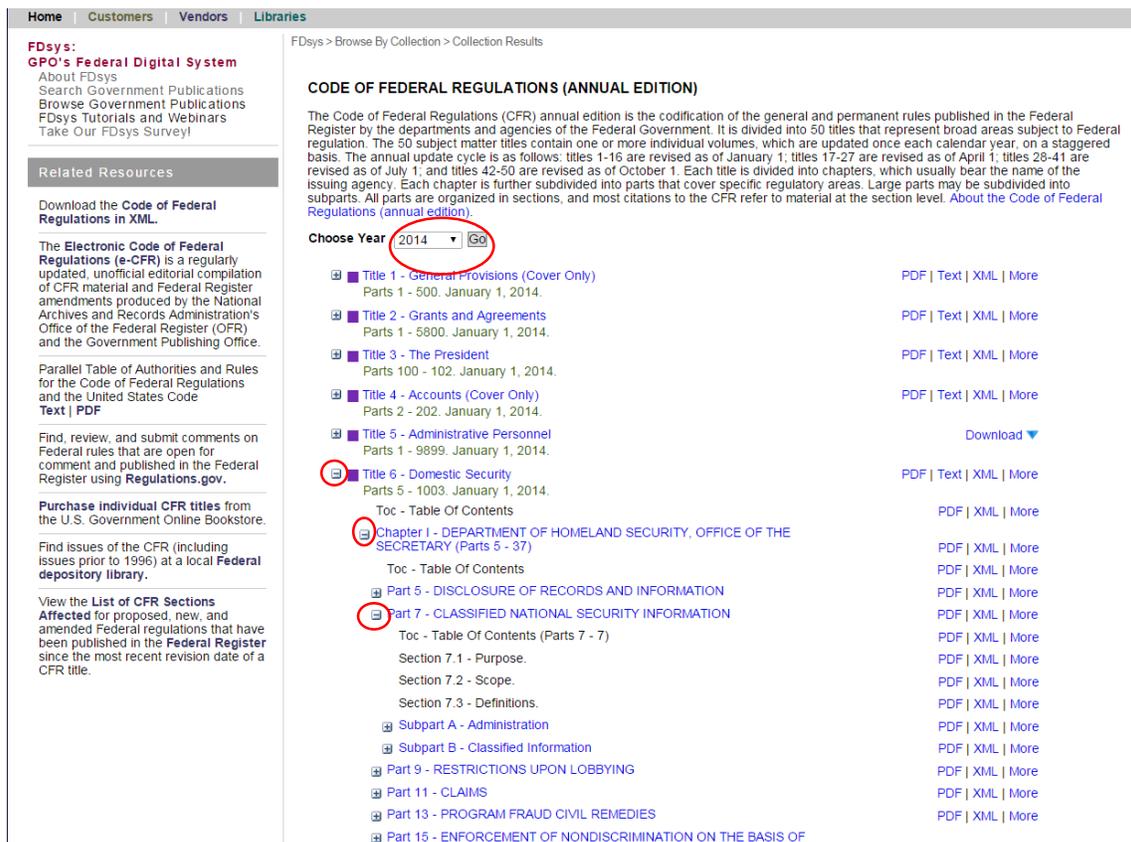


You can see the same labels in Illustration 4, above.

**BROWSE THE C.F.R.**

This option can be used if users know the specific Title of the C.F.R. to be browsed or searched, but perhaps not the specific Part or Section. Alternatively, the entire collection can be browsed if users simply want to see what provisions are to be found in a specific Title or Part. Also, Titles from old editions (back to 1996) can be selected for browsing. To Browse the C.F.R. or the

Federal Register, follow the links by that name in the right-hand column (under the “Browse” subheading) of the homepage. This opens a page where users then need to select the date for which they want to browse and click the gray “Go” button. With the Federal Register, the only remaining step is to select the agency whose section the user wants to browse which opens the list of available documents. With the C.F.R., users are presented with the topical division into Titles (see the discussion of C.F.R. citations above). Each Title has various access options from opening a pdf to downloading the larger sections. Users, however, can drill down more specifically into the various Titles with each step presenting its own access options. To do this, select the small “+” boxes to the left of the Titles, Chapters, Subchapters, and Parts as they are displayed. (See Illustration 5.)



**Illustration 5: Browsing the C.F.R.**

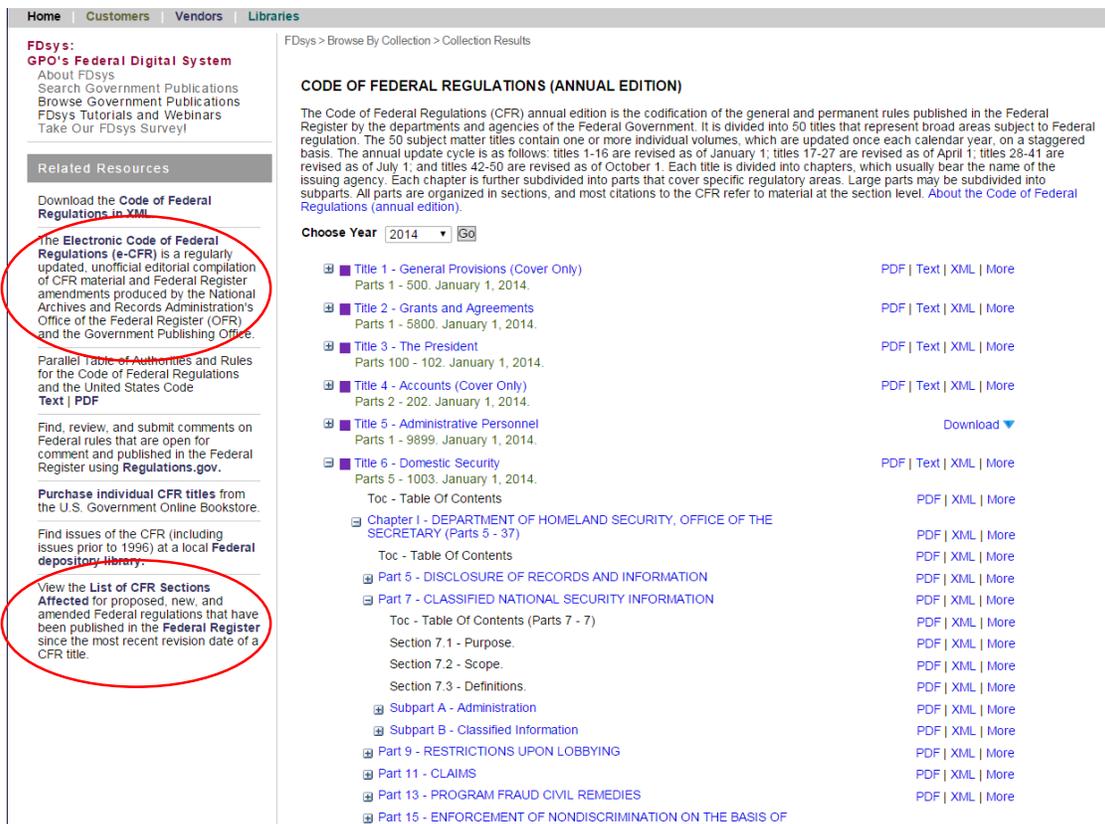
## Updating the C.F.R. Online

To determine if a particular piece of regulation is still valid, determine the publication date of the version at hand. The print C.F.R. and the electronic counterpart on FDsys are revised once a year in this order: Titles 1-16: Jan.1; Titles 17-27: Apr.1; Titles 24-41: Jul.1; and, Titles 42-50: Oct.1. If the current date (month and day) falls after the publication date for the Title, then the Title has been published in the current calendar year and will appear on the browse page for the current

year. However, if the current date falls before the Title’s scheduled publication date for the current year, then users will not see that Title listed yet under the current year, and should consult the previous year. Either way, users should seek out the target regulation in the most recent version of the C.F.R. available. Likewise, when attempting to retrieve by citation, users select the year they wish to retrieve. If the year selected has not yet been published, no result will be returned.

**USING THE LIST OF C.F.R. SECTIONS AFFECTED & THE FEDERAL REGISTER:**

In order to locate any changes to a regulation made after the last date of C.F.R. publication, users should consult the List of C.F.R. Sections Affected (the “LSA”) and the Federal Register. The GPO publishes the LSA every month to show all changes to C.F.R. regulations during the previous month. Once a user has referenced the most recent C.F.R. version of a regulation, the user needs to consult **every** LSA published since the date of that version’s publication to see if the regulation changed. The LSA is organized by C.F.R. Titles, so users can easily find the area of the LSA which would show changes to the regulation in question. If nothing appears in the LSA, no changes have occurred in that month. Similarly, the GPO publishes the Federal Register on an almost daily basis. Each issue of the Federal Register contains all changes made to C.F.R. regulations since the previous Federal Register. Researchers use the Federal Register to cover the time period from the date of the last published LSA to the current date.



*Illustration 6: Points of interest on the browse page*

Checking the LSA and the Federal Register online is actually fairly easy. The most direct way, assuming one has the citation of the regulation to be updated, is from the browsing view of the C.F.R. Notice the left-hand column in Illustration 6 above showing the browsing view of the C.F.R. At the bottom of the column is a link to “View the List of CFR Sections Affected . . . .” (See Illustration 6.)

Follow this link to a page which provides the ability to view the Monthly LSA by year and then by month. (See Illustration 7.) To check the Federal Register, follow the link on the List of C.F.R. Sections Affected page just below the introductory paragraph called, “Browse C.F.R. Parts Affected from the Federal Register.” Select “Latest Month” in the “Browse By Date” dropdown box, and then work to the citation by Title and Part numbers. As before, the online publications only go back to 1996.

The screenshot shows the GPO website interface. At the top, the GPO logo and the text "U.S. GOVERNMENT PUBLISHING OFFICE | Keeping America Informed" are visible. Below the logo, there are navigation links for "Home", "Customers", "Vendors", and "Libraries". The main content area is titled "FDsys > Search Results > Collection Results". On the left side, there is a sidebar with "FDsys:" and "GPO's Federal Digital System" links, including "About FDsys", "Search Government Publications", "Browse Government Publications", "FDsys Tutorials and Webinars", and "Take Our FDsys Survey". Below this is a "Related Resources" section with a link to "Purchase select List of CFR Sections Affected documents from the U.S. Government Online Bookstore." and a note to "Locate List of CFR Sections Affected in a local Federal depository library." The main content area is titled "LIST OF CFR SECTIONS AFFECTED" and contains an introductory paragraph. Below the paragraph, there is a link "Browse CFR Parts Affected from the Federal Register" which is circled in red. Underneath, there are dropdown menus for "LSA Compilation", "Monthly LSA", and "2015". A list of affected sections is displayed, including "List of CFR Sections Affected (LSA), February 2015", "List of CFR Sections Affected", and various titles (Title 1 - General Provisions, Title 2 - Grants and Agreements, etc.) with links for "PDF" and "More".

**Illustration 7: LSA with Federal Register link circled**

NOTE: Using the Advanced Search (or the citation field limiter in the Simple Search), users can search the LSA and the Federal Register for search terms. This is generally less helpful for

updating, but the Advanced Search can be used to search for a specific citation, allowing a user to search for references to that citation within the designated collection. However, users using this method may miss any new regulations coming in under new Section numbers.

## UPDATING THE C.F.R. WITH E-CFR

The e-CFR is an electronic compilation of the complete C.F.R updated almost daily with changes. For this reason, it is one of the best (and easiest) ways to update your C.F.R. research. However, the e-CFR is **not** the official version of the C.F.R., even if it is probably the most current authoritative source available.

To access the e-CFR, start from the Browse the Code of Federal Regulations link from the right-hand column of the FDsys homepage. Then, in the left-hand column, under “Related Resources” users will see a paragraph about “The Electronic Code of Federal Regulations (e-CFR) . . . .” (See Illustration 6.) Select that link and go to the e-CFR page. In big red type across the page, it tells users the currency of the present information. Below that, Users select the Title of interest from a dropdown box, then select the part, and so on. This information is not available in a .pdf file. (See Illustration 8.)

The screenshot shows the GPO's Federal Digital System (FDsys) website. The header includes the GPO logo and the text "U.S. GOVERNMENT PUBLISHING OFFICE | Keeping America Informed". The main content area is titled "ELECTRONIC CODE OF FEDERAL REGULATIONS" and features a large graphic with "e-CFR" in a stylized font. A prominent red message states "e-CFR data is current as of April 8, 2015". Below this is a "USER NOTICE" section explaining that the e-CFR is a currently updated version of the Code of Federal Regulations (CFR) and is not an official legal edition. A search interface is visible, showing a dropdown menu with "Title 11 - Federal Elections" selected and a "Go" button. The left sidebar contains navigation aids such as "Browse / Search Previous", "Browse", "Simple Search", "Advanced Search", and "Related Resources".

*Illustration 8: The e-CFR webpage*

Users should also see the “e-CFR Navigation Aids” in the left-hand column of the e-CFR page. Specifically, there are Simple Search and Advanced Search links for the e-CFR. Note, however, that these search tools are not quite the same as those on the main FDsys webpage. Extensive use is made of dropdown boxes to control fields and how the results are returned.