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Pathfinder Series

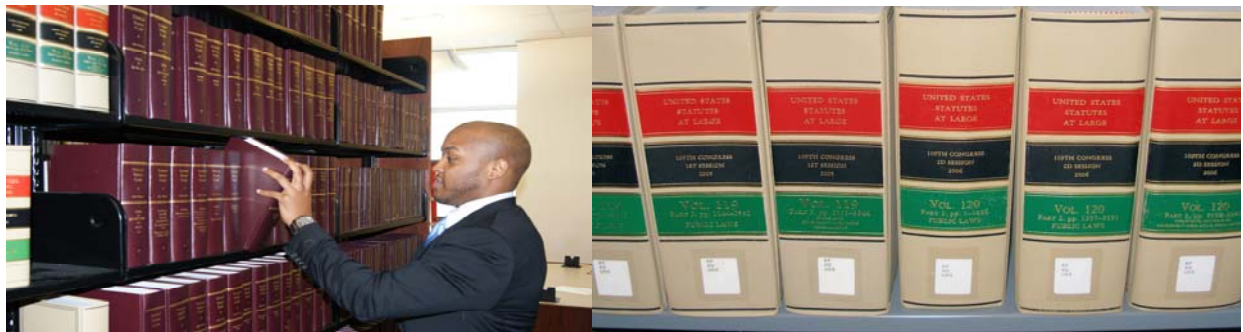
Danyahel Norris, Law Library Associate Director

Revised April 2015

Federal Statutes and Codes

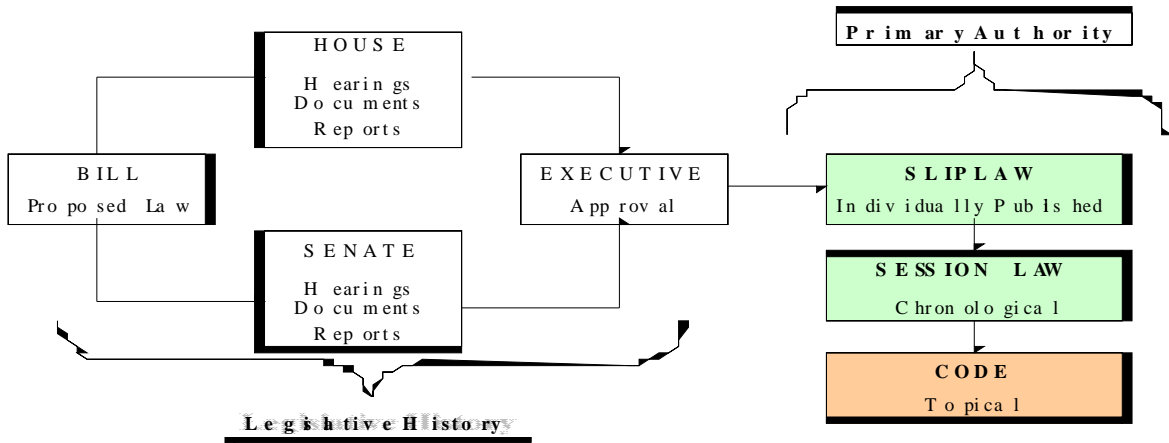
INTRODUCTION

Statutes are the formal written enactment of a legislative body, whether federal, state, city or county. Statutes are **primary authority**. Statutes are rules intended to apply broadly to all persons and in any legal situation. Legal research is incomplete without a search for relevant statutory authority.



Some statutes are simple and short while others may be complex and massive. Some statutes are written with precision intending to address every possible scenario. Other statutes are left vague intentionally allowing room for administrative agencies, through regulations or courts through case law, to interpret the statute and fill in the gaps. Unlike judicial opinions, all statutes are published. Finding **relevant** case law interpreting a statute is an important part of statutory research.

The Legislative Process



There are two types of federal laws/statutes:

- * Public Laws
- * Private Laws

Public Laws: Affect the nation as a whole or deal with individuals as a class and relate to public matters.

Private Laws: Benefit only a particular person or group of individuals, primarily deal with matters relating to claims against the government or immigration and naturalization.

Every law, public and private, enacted by the Congress is published in the *Statutes at Large* in order of the date of its passage.

THE PRINTING OF FEDERAL STATUTES

		
<p>Slip Laws</p>	<p>Statutes at Large (Bound Session Law)</p>	<p>U.S.C.C.A.N.</p>

Slip Laws → Session Laws → Statutes at Large

The first form in which a statute is available is *Slip Laws*. *Slip Laws* are one or more unbound sheets of paper with separate, nonconsecutive pagination published immediately after the passage of the act. Each law receives a unique public or private law number that consists of two parts: the Congressional session number and a sequentially assigned number (Example: Public Law Number 108-213 is the 213th public law of the 108th Congress).

- 110th Congress (2007-2008)
- 111th Congress (2009-2010)
- 112th Congress (2011-2012)
- 113th Congress (2013-2014)

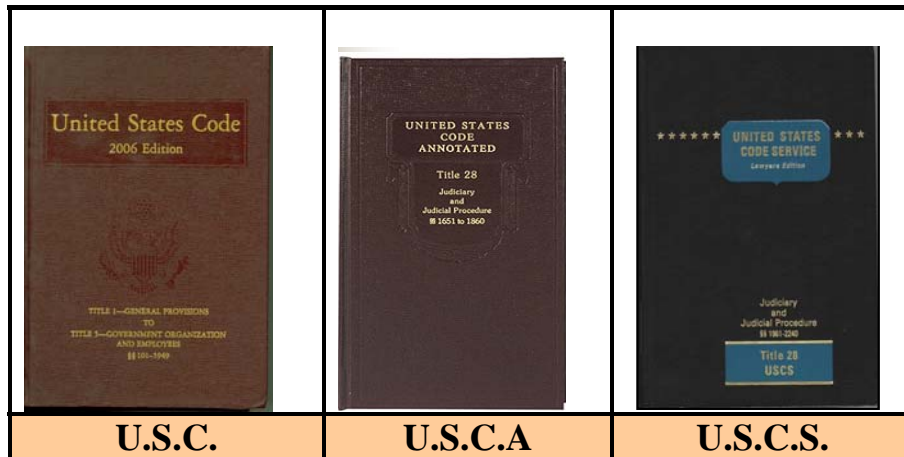
Slip Laws are compiled into softbound volumes known as *Session Laws* and hardbound volumes known as *Statutes at Large*. The hardbound volumes are published in two sources, the *United States Statutes at Large (Statutes at Large)* and *United States Code Congressional and Administrative News (U.S.C.C.A.N.)*

CODES THAT HOUSE FEDERAL STATUTES

One Statute can cover a variety of topics such as government, criminal or labor. Because Statutes are not in any specific order, the user must know the Statute number to locate a needed law. It is almost impossible to locate relevant Statutes without a tool that places the Statutes into a subject-based format. Hence, the most useful form of a federal law is not its session law format, but its codified format. A codified Statute is called a **Code**.

A Code rearranges a set of statutes for a particular jurisdiction into a subject format. In the process of creating a subject arrangement of the law, a Code incorporates later amendments into the text of the original law. Repealed laws are deleted and minor technical adjustments are made to the text. Statutes are then divided into titles and further divided into sections. Codes have a detailed outline for each statutory title as well as an alphabetical **General Index**.

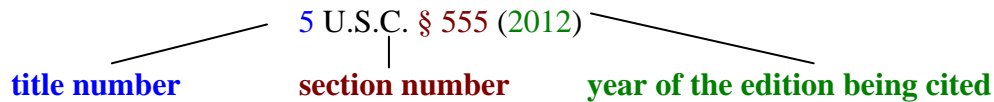
Codified Statutes are located in three different Codes:



United States Code (U.S.C.)

- The *official* code published by the United States Government (GPO)
- Contains all federal statutes organized topically by title
- 50 "titles" each represent a particular subject area
- Published every six years
- Updated annually with hardbound supplements
- No annotations are included
- Amendments are used to indicate prior history of the statute
- Notes other statutory sections that refer to your statute in **“Section referred to in Other Sections”**
- The Bluebook **mandates** that you cite to the U.S.C. instead of the unofficial codes when it is available

An example of a citation to the U.S.C. is:



Unofficial codes

Unofficial versions of the U.S.C are more current than the official version and contain useful annotations to cases and secondary materials. Two unofficial versions of the U.S.C. are the U.S.C.A and the U.S.C.S.

The unofficial codes — **United States Code Annotated & United States Code Service**

- Contain the United States Code
- Are published by commercial publishers
- Provide annotations that give the researcher summaries of cases that were decided about the statute, and also reference other information

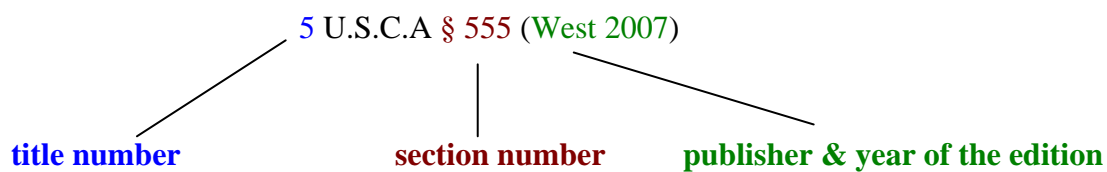
Name & Abbreviation	Status / Publisher	Library Location
U.S. Statutes at Large P.L. 106-212, Stat.	Official Statutes / GPO	First Floor, Aisles 111-112
U.S. Code Congressional and Administrative News U.S.C.C.A.N	Unofficial Statutes / West	First Floor, Aisle 111
United States Code U.S.C.	Official Code / GPO	First Floor, Aisle 112
United States Code Annotated U.S.C.A.	Unofficial Code / West	First Floor, Aisle 112

United States Code Service U.S.C.S.	Unofficial Code / LexisNexis	First Floor, Aisle 112-113
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United States Code Annotated (U.S.C.A.)

- Updated with annual supplements called "pocket parts" and periodic supplemental pamphlets
- Has Historical Notes, that describe those parts of a law that was changed by particular amendments with citations to United States Congressional and Administrative News (U.S.C.C.A.N.), which contain portions of legislative history
- Cross References to other related statutory sections
- Library References to important digest topics and key numbers, Corpus Juris Secundum (C.J.S.), federal regulations, law review articles and Notes of Decisions
- The Notes of Decisions are arranged alphabetically with an index located at the beginning of the section. These notes summarize cases relating to the code

An example of a citation to the U.S.C.A. is:



United States Code Service (U.S.C.S.)

- Updated annually with pocket parts as well as with periodic supplemental pamphlets
- Has sections on History, Ancillary Laws and Directives that cite changes from prior law
- Cites to Code of Federal Regulations (C.F.R.), that indicate possible applicable administrative regulations
- Cross References to related code sections
- Research Guide listing relevant sections in American Jurisprudence 2d (AM. JUR. 2d)
- Annotations in American Law Reports (A.L.R.)

An example of a citation to the U.S.C.S. and its supplement is:



HOW TO FIND FEDERAL CODES

Using a Code Citation

If you already have the code and its citation, your job is half way done. For example, **42 U.S.C. § 289g (2012)** is Title 42 of the United States Code section 289g, dealing with fetal research. The United States Code is the official version of the Code.

Using the Name of a Known Code

If you do not have a citation but you have the name of the Act, use the volume at the end of the U.S.C.A. or U.S.C.S. sets with “**Tables and Popular Names**” written on its spine. Then flip to the section called **Acts Cited By Popular Name**. The Acts are listed in alphabetical order. Locate the name of your Act and write down the citation given for the act.

Using the Index

Each code has its own index. First, you must formulate search terms and phrases about the topic you intend to research. Second, search the index for the term you need. You may have to use several terms. Remember there may not be a specific statute addressing the topic you are researching. However, your research must be thorough to ensure complete results.

Using the Title Outline Approach

This approach should **only** be used when you are very familiar with the topic you are researching. When you know the topic involved (title), search the beginning of the particular code for the title you are researching. The titles are usually arranged alphabetically. Locate the section that is listed for your title.

LOCATING FEDERAL STATUTES & CODES ON THE INTERNET

Federal Bills:

- [GPO Access - Legislative](#)
- <http://www.gpoaccess.gov/legislative.html>
- <http://thomas.loc.gov/>
- <https://www.govtrack.us/congress/bills/>
- <https://www.congress.gov/>
- <https://www.opencongress.org/bill/all>
- LexisAdvance – “Congressional Full Text of Bills” Databases
- WestlawNext – “Congressional Bills” Database

Public Laws:

- <http://thomas.loc.gov>
- <http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PLAW>
- <http://www.archives.gov/federal-register/laws/>
- LexisAdvance – “USCS Public Laws” Database
- WestlawNext – “U.S. Public Laws” Database

U.S.C.:

- <http://www.gpoaccess.gov/uscode/index.html>
- <http://www.law.cornell.edu/uscode>
- <http://uscode.house.gov/usc.htm>
- LexisAdvance – “USCS - United States Code Service - Titles 1 through 54” Database
- WestlawNext – “United States Code Annotated (USCA)” Database