



Regulations Research

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What are regulations?

Regulations, also called administrative rules, are a form of delegated legislation. Legislatures delegate to administrative agencies the power to create or promulgate regulations, especially when they want to establish complex controls or incentives that require close monitoring or specialized knowledge.

Why use regulations?

Regulations have the force and effect of law when an administrative agency promulgates them within its authority and according to appropriate procedures. Regulations frequently provide detailed instructions on how to comply with a law. Publication of regulations provides constructive notice of their contents.

How are regulations published?

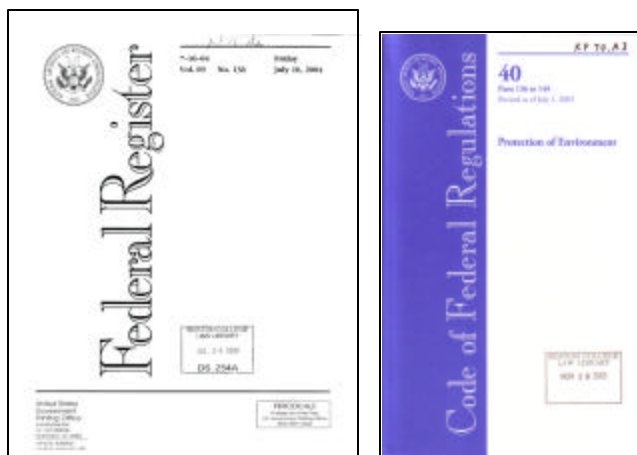
Regulations are published both chronologically and topically. Chronological publications are called administrative registers. Topical arrangements of regulations are called administrative codes. Administrative codes and registers can be published in print or a variety of electronic formats.

Federal regulations appear chronologically in the order in which they are promulgated in the Federal Register (Fed. Reg.) and topically in the Code of Federal Regulations (C.F.R.).

The Federal Register is published daily Monday through Friday except holidays, throughout the calendar year; each volume covers an entire year. In addition to final regulations, it also contains proposed rules and regulations, approved rules and regulations, notices of hearings, Presidential proclamations and executive orders.

The C.F.R. is a subject-matter arrangement of all United States administrative agency rules and regulations currently in effect. It is divided into 50 titles, with each title covering one agency or area. The paper version is published annually on a quarterly rotating basis.

Massachusetts regulations appear chronologically in the biweekly Massachusetts Register (Mass. Reg.) and topically in the Code of Massachusetts Regulations (C.M.R.) which is published in a looseleaf format.



FEDERAL REGULATIONS

How do I find current federal regulations?

Current federal regulations are available in a variety of formats. The easiest way to find citations to federal regulations is to use a secondary source or topical research service, such as the CCH Standard Federal Tax Reporter or the BNA Environment Reporter.

The government publishes a print index to the C.F.R. which can be used to find regulations by subject. The Boston College Law Library shelves this next to the C.F.R. at Law General Collection KF 70.

Another way to obtain C.F.R. cites is to use the United States Code Service (U.S.C.S.). U.S.C.S. provides citations to regulations in its annotations following the federal legislation that authorized the regulations.

The Code of Federal Regulations is available as a full-text searchable database from the U.S. Government Printing Office (GPO Access) from 1996 to the present <http://www.gpoaccess.gov/cfr/index.html>. In this database you may locate parts and subparts of the C.F.R. that contain your search terms, even if they do not appear in the same section.

The C.F.R. is also available through subscription legal research services such as LexisNexis (short file name GENFED;CFR) and Westlaw (database name CFR). LexisNexis and Westlaw's powerful full-text search capabilities may be used to locate C.F.R. sections that contain key words or phrases. Westlaw's Regulations Plus allows you to view citing cases and related agency and administrative materials and to link to prior versions of a C.F.R. section.

To make sure that the regulations you have located are current, be sure to check the currentness of any C.F.R. book or database you use. The official C.F.R. at GPO Access is updated on the same schedule as the print publication – once a year per volume. Since each print volume of the C.F.R. is updated only once a year, researchers using the official C.F.R. in either format should also check for very recent regulations in the List of Sections Affected (L.S.A.) pamphlets that accompany the C.F.R. or the L.S.A. online at GPO Access <http://www.gpoaccess.gov/lisa/index.html> for Federal Register pages that contain new and amended regulations published after a C.F.R. volume was last reprinted. For the latest changes to a C.F.R. section when using the print L.S.A., check the "C.F.R. Parts Affected" in the Reader Aids section in the back of the latest Federal Register issue for each month since the publication of the L.S.A. pamphlet.

LexisNexis and Westlaw versions of the C.F.R. as well as GPO's e-C.F.R. at <http://ecfr.gpoaccess.gov/>, incorporate changes to regulations more quickly than the print and PDF versions, but should still be checked for currency and updated when necessary by the using the Federal Register. Westlaw's Regulations Plus supplies links to Federal Register final rules and proposed rules related to the section being viewed.

How do I find regulatory history of federal regulations?

The Federal Register contains promulgated regulations, but it also contains the rulemaking activities ("legislative history") of regulations. The usual rulemaking process includes publication of a notice of intent, proposed rules, requests for comments, and final rules. Also included are explanations of the rulemakers' intent, including summaries of comments received and how those comments affected the regulations.

The back of each C.F.R. volume contains List of Sections Affected (L.S.A.) tables that indicate when each regulation was added, amended or repealed. Earlier changes are contained in the L.S.A. bound volumes shelved near the C.F.R. volumes in the Boston College Law Library.

The introduction of the Federal Docket Management System (FDMS) to Regulations.gov has made it possible to easily access additional regulatory material such as supporting analyses and the actual comments submitted by the public. Regulations.gov <http://www.regulations.gov/> was launched in January 2003 as a centralized online access point for proposed rules, and is open for comment by members of the public. In September 2005 Regulations.gov enabled public electronic access to entire rulemaking dockets from participating agencies, including supporting analyses and comments submitted by the public. Each agency determines what information to make available on the site. The number of agencies participating in the eRulemaking Initiative continues to grow.

How do I use the Federal Register?

The print version of the Federal Register has its own daily, monthly, and annual indexes. Use these indexes to locate federal regulations by issuing agency or type of activity, e.g. EPA, or rulemaking.

The full text of the Federal Register for many years can also be searched on LexisNexis (short file name GENFED;FEDREG) and Westlaw (database name FR). The Internet offers perhaps the simplest and most economical way to search the Federal Register. Visit the GPO Access site at <http://www.gpoaccess.gov/fr/index.html> to search the Federal Register from 1995 through the present.

The complete Federal Register is available electronically through the BC Law Library's subscription to Hein Online. A link is available on the Law Library's homepage.

Where are Federal Regulations shelved at the Boston College Law Library?

Paper copies of the latest two years of the Federal Register and the current C.F.R. are shelved at Law General Collection KF 70 .A2. Indexes are shelved with the sets. Complete historical sets of the Federal Register and the C.F.R. can be found in the Microform Room. The Federal Register from 1936-1980 is available on microfilm and is kept in cabinet 2, drawers 1-5. The Federal Register from 1981-present is on microfiche and is kept in cabinet 5, drawers 8-10. The C.F.R. on microfiche is kept in cabinet 5, drawers 1-4.

STATE REGULATIONS

Do all states have administrative codes and registers?

Most states publish administrative codes and registers, although some, like Arkansas, only formally publish regulations in one format.

Most state administrative codes and many registers are available through the LexisNexis and Westlaw computer-assisted legal research systems. Some of these materials are not available to academic subscribers of the systems due to restraints placed upon them by the publishers of the primary materials.

Additionally, many states have at least some of their administrative materials freely available on the web. To find publicly accessible versions of a state's regulations, visit the Boston College Law Library's state legal research materials web page at <http://www.bc.edu/schools/law/library/research/state/> and click on the FindLaw link.

Where do I find current Massachusetts regulations?

Current Massachusetts regulations appear in the Code of Massachusetts Regulations (C.M.R.) which is kept on reserve at the Information Desk. Regulations in the C.M.R. are arranged by issuing agency. Also on Reserve is an index to the C.M.R. In addition, references to regulations are found in the annotations to the unofficial Massachusetts statutory codes, M.G.L.A. and Ann. L. Mass., which are indexed.

The C.M.R. is also available through LexisNexis (short file name MASS;MADMN) and Westlaw (database identifier MA-ADC). Some, but not all, Massachusetts regulations are freely available on the Web at <http://www.lawlib.state.ma.us/cmr.html>.

New regulations and amendments are published in the biweekly Massachusetts Register. Massachusetts Register pages containing newly promulgated regulations are then filed into the looseleaf C.M.R. set to keep it up to date.

The Massachusetts Register contains a cumulative table of amendments and regulations (including emergency regulations) published during the current year but not filed in the C.M.R. Emergency regulations can remain in effect for up to three months.

Where do I find older Massachusetts regulations?

The library maintains a historical set of the Massachusetts Register which can be used to determine the status of a particular regulation on a particular date. The bound paper copies of the Massachusetts Register are shelved at Law Massachusetts Collection KFM 2434.5 .M3x. A microfiche edition of the Massachusetts Register is available in the Microform Room. The complete C.M.R. from 1988 is also available in the Microform Room.

Lexis has historical C.M.R. databases beginning in 2004, and Massachusetts Registers from May 19, 1995, (short file name MASS;MARGST). Westlaw contains C.M.R. databases back to 2002.

An electronic version of this guide may be found at <http://www.bc.edu/schools/law/library/research/researchguides/>

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