



Federal Statutes: What They Are and Where to Find Them

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Summary

This report provides a brief overview of federal statutes and where to find them, both in print and on the Internet. When Congress passes a law, it may amend or repeal earlier enactments or it may write on a clean slate. Newly enacted laws are published chronologically, first as separate statutes in “slip law” form and later cumulatively in a series of volumes known as the *Statutes at Large*. Statutes are numbered by order of enactment either as public laws or, far less frequently, private laws, depending on their scope. Most statutes are incorporated into the *United States Code*. The *United States Code* and its commercial counterparts arrange federal statutes, that are of a general and permanent nature, by subject into titles. As the statutes that underlie the *Code* are revised, superseded, or repealed, the provisions of the *Code* are updated to reflect these changes.

The slip law versions of public laws are available in official print form from the Government Printing Office. Federal Depository Libraries (e.g., university and state libraries) provide slip laws in print and/or microfiche format. The *Statutes at Large* series often is available at large libraries. The *United States Code* and its commercial counterparts are usually available at local libraries. In addition, statutes and the *United States Code* can be found on the Internet.

Many significant statutes (for example, the Social Security Act and the Clean Air Act) are published and updated both in the public law, as amended, version and in the *United States Code*. For some titles the public law, as amended, is the authoritative version of the statute and not the *Code*. In these instances, an asterisk will not appear next to the title in the *Code*.

After providing an overview on the basics of federal statutes, this report gives guidance on where federal statutes, in their various forms, may be located on the Internet. This report will be updated periodically.

Contents

Public Laws and Private Laws	1
Commercial Sources of Public Laws (Print Format)	1
The <i>United States Statutes At Large</i>	1
Public Laws, as Amended	2
<i>United States Code</i>	2
Annotated Editions of the <i>United States Code</i>	3
Federal Statutes on the Internet	4

Contacts

Author Contact Information	5
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This report provides a brief overview of federal statutes and where to find them, both in print and electronically on the Internet. When Congress passes a law, it may amend or repeal earlier enactments or it may write on a clean slate. Newly enacted laws are published chronologically, first as separate statutes in “slip law” form and later cumulatively in the bound volumes of the *Statutes at Large*. Additionally, most statutes are also incorporated into the *United States Code (U.S.C.)*. The *U.S.C.* and its commercial counterparts, *United States Code Service (U.S.C.S.)* and *United States Code Annotated (U.S.C.A.)* take the federal statutes that are of a general and permanent nature and arrange them by subject into fifty separate titles. As the statutes that underlie the *Code* are revised, superseded, or repealed, the provisions of the *Code* are updated to reflect these changes.

Public Laws and Private Laws

When a piece of legislation is enacted under the procedures set forth in Article 1, Section 7 of the Constitution, it is characterized as a “public law” or a “private law.” Each new statute is assigned a number according to its order of enactment within a particular Congress (e.g., the 10th public law enacted in the 109th Congress was numbered as P.L. 109-10; the 10th private law was numbered Private Law 109-10). Private laws are enacted for the benefit of a named individual or entity (e.g., due to exceptional individual circumstances, Congress enacts a law providing a government reimbursement to a named person who would not otherwise be eligible under general law). In contrast, public laws are of general applicability and permanent and continuing in nature. Public laws form the basis of the *Code*. All other laws must be researched in the slip laws/*Statutes at Large* format.

The Government Printing Office (GPO) publishes the first official text of a new statute, the slip law, in pamphlet form. Individual slip laws in print format can be obtained from the GPO. Federal Depository Libraries, located throughout the United States, also provide free public access to copies of federal publications and other information. A list of Federal Depository Libraries and their locations is accessible on the Internet at <http://catalog.gpo.gov/fdlpdir/FDLPdir.jsp>. Some private and public libraries compile the laws in looseleaf binders or in microfiche collections.

Commercial Sources of Public Laws (Print Format)

The *United States Code Congressional and Administrative News (U.S.C.C.A.N.)* compiles and publishes public laws chronologically in their slip law version. *U.S.C.C.A.N.*'s annual bound volumes and monthly print supplements include the texts of new enactments and selected Senate, House, and/or conference reports. The *U.S.C.S.* and the *U.S.C.A.* publish new public laws chronologically as supplements.

The *United States Statutes At Large*

Slip laws (both public laws and private laws) are accumulated, corrected and published at the end of each session of Congress in a series of bound volumes entitled *Statutes at Large*. The laws are cited by volume and page number (e.g., 96 Stat. 1259 refers to page 1259 of volume 96 of the *Statutes at Large*). Researchers are most likely to resort to this publication when they are interested in the original language of a statute or in statutes that are not codified in the *Code*, such as appropriations or private laws.

Public Laws, as Amended

Most statutes do not initiate new programs. Rather, most statutes revise, repeal, or add to existing statutes. Consider the following sequence of enactments.

- In 1952, Congress passed the Immigration and Nationality Act of 1952 (P.L. 82-414, 66 Stat. 163). This law generally consolidated and amended federal statutory law on the admission and stay of aliens in the U.S. and how they may become citizens. The Immigration and Nationality Act of 1952 was codified at Title 8 of the *U.S.C.* §§ 1 et seq.
- In 1986, Congress passed the Immigration Reform and Control Act of 1986 (P.L. 99-603, 100 Stat. 3359). Section 101 of this act amended Section 274 of the Immigration and Nationality Act of 1952 (codified at 8 U.S.C. § 1324) by adding Section 274a (codified at 8 USC § 1324a). This new section (Section 274a) made it unlawful for a person to hire for employment in the United States an illegal alien.
- In 1996, Congress passed the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208 (Division C), 110 Stat. 3009). Section 412 of the 1996 Act amended the employer sanctions process by requiring an employer to verify that a new employee is not an illegal alien. As with the 1986 Act, the 1996 Act expressly amended the Immigration and Nationality Act of 1952 (Section 274A in this case) and Section 1324a in Title 8 of the U.S.C. (8 U.S.C. § 1324a).

As the above sequence illustrates, the canvas upon which Congress works is often an updated, stand-alone version of an earlier public law (e.g., Immigration and Nationality Act of 1952, as amended), and not the *U.S. Code*. On the “Titles of *United States Code*” page of the *Code* an asterisk appears next to some of the titles. The asterisks refer to a note that states: “This title has been enacted as positive law.” If the title is asterisked, the *Code* provides the authoritative version of the public law, as amended. For example, there is no asterisk beside Title 42 of the *U.S.C.* Thus, the provisions codified in Title 42 are not authoritative. Should there be a discrepancy, a court will accept the language in the *Statutes at Large* as the authoritative source and not the *Code*. It should be noted that there is no substantive difference between the language of the public law as published in the *Statutes at Large* and that of the *Code*.

It is often difficult to find current, updated versions of frequently amended public laws in print. Many congressional committees periodically issue committee prints containing the major public laws within their respective jurisdictions. Alternatively, the various commercial publishers, discussed herein, print updated versions of major public laws. In addition, the amended versions of some major public laws can be found on the Internet.

United States Code

The *United States Code* is the official government codification of federal legislation. This resource has been printed by the United States Government Printing Office since 1926. The *U.S.C.* is published every six years and supplemented by annual cumulative bound volumes. The latest edition is dated 2006.

In the *U.S.C.*, statutes are grouped by subject into fifty titles. Each title is further organized into chapters and sections. A listing of the titles is provided in each volume. Unlike the statutes, the *Code* is cited by title and section number (e.g., 28 U.S.C. Sec. (or §) 534 refers to Section 534 of Title 28). Notes at the end of each section provide additional information, including statutory origin of the *Code* provision (both by public law number and *Statutes at Large* citation), the effective date(s), a brief citation and discussion of any amendments, and cross references to related provisions.

Annotated Editions of the *United States Code*

The *United States Code Annotated (U.S.C.A.)* published by Thomson/West and the *United States Code Service (U.S.C.S.)* published by LexisNexis are unofficial, privately published editions of the *Code*. These publications include the text of the *Code*, annotations to judicial decisions interpreting the *Code* sections, cross references to the *Code of Federal Regulations (C.F.R.)* provisions and historical notes. Both also provide references to selected secondary sources. For example, the *U.S.C.S.* includes selected law review articles.

Bound volumes of the *U.S.C.A.* and the *U.S.C.S.* are updated by annual inserts (“pocket parts”) and supplements. These updates include newly codified laws and annotations. Both *U.S.C.A.* and *U.S.C.S.* issue pamphlets containing copies of recently enacted public laws arranged in chronological order. Since there is a time lag in publishing the official *U.S.C.*, codified versions of new enactments usually appear first in the *U.S.C.A.* and *U.S.C.S.* supplements.

General Index

Each edition of the *Code* has a comprehensive index which is organized by subject. For example, to locate the provision of law establishing a review committee for farm marketing quotas, search the term “farm marketing quotas,” in the index. There are references to several other subject headings, including the Agricultural Adjustment Assistance Act of 1938. Turning to that heading and looking under the subheading “farm marketing quotas,” there is a reference to a “committee for review” codified at 7 U.S.C. § 1363. The index is updated in each annual supplement to the *Code*.

Popular Name Table

Each edition of the *Code* also has a table which can be used to find an act if its citation is not known. The public laws are arranged alphabetically and can be searched under their commonly known names. This reference also provides the public law number and the citations to the *Statutes at Large* and the *U.S.C.* If the original laws have been amended, the same information is provided for each amendment. For example, searching for the “Special Drawing Rights Act” in the table shows that it has been codified at 22 U.S.C. § 286q.

Statutes at Large Table

The *Statutes at Large* table is one of the most useful research tools because it shows the relationship between public laws, the *Statutes at Large*, and the *U.S.C.*. A researcher who has either a public law number or a *Statutes at Large* citation can use this table to ascertain where that law is codified and its present status. The table is particularly useful when searching in one

section of a law that contains many subsections because it can be used to find where individual sections and subsections of a public law have been codified. For example, the table indicates that P.L. 99-661, Section 1403 is codified in the *U.S.C.* at 20 U.S.C. § 4702.

U.S.C.A. and the *U.S.C.S.* also have their own versions of the research tools discussed above.

Federal Statutes on the Internet

The Internet has made legal resources, including federal statutes, more widely available to both scholars and the general public. There are several considerations that should be taken into account when using Internet materials.

- Materials on Internet sites may not be up-to-date, and it may be difficult to discern how current the material is or whether it has been revised.
- It may be difficult to find current federal statutes, especially in the case of “popular name” statutes that are amended frequently. On their websites, federal agencies do not always include the current versions of the statutes they administer, however, they may provide useful summaries and discussions of the statutes.
- Websites are constantly changing. The inclusion and location of information may differ from time to time. The address or URL of a website may also change. In addition, each website has its own format and search capabilities which sometimes can result in a frustrating and time-consuming research process.

With the foregoing caveats in mind, the following are public resources for the selected statutory materials described in this report.

Public Laws:

Library of Congress - American Memory
<http://memory.loc.gov/ammem/amlaw/lawhome.html>

This page provides access to the *Statutes At Large* from 1774 to 1875.

Library of Congress: THOMAS <http://thomas.loc.gov/>

This page provides access to the full-text of public laws from the 104th Congress (1989 – 1990) to present.

GPO Access Public and Private Laws
<http://www.gpoaccess.gov/plaws/index.html>

This page provides access to private and public laws from the 104th Congress (1995 - 1996) to the present.

United States Code:

Office of the Law Revision Counsel *U.S.C.*
<http://uscode.house.gov/search/criteria.shtml>

This page provides access to the 2006 edition. The page also links to the previous 1988, 1994 and 2000 editions and their supplements.

GPO Access *U.S.C.*

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

This page provides access to the 1994 through 2006 editions and their supplements.

Cornell University Law School *U.S.C.*

<http://www.law.cornell.edu/uscode/>

This page provides access to the most recent official version made available by the House of Representatives.

Popular Name Index:

Cornell University Law School Popular Name Index

<http://www4.law.cornell.edu/uscode/topn/>

This page provides access to a popular names table that links to some of the public laws.

Other Resources:

U.S. Code Classification Tables

<http://uscode.house.gov/classification/tables.shtml>

This page shows where recently enacted laws will appear in the *United States Code* and which sections of the *Code* have been amended by those laws. The tables only include those provisions of law that have been classified to the *Code*.

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