

## ADMINISTRATIVE LAW RESOURCES — RULES AND REGULATIONS

### What is administrative law?

There are two main types of administrative law: rules and regulations and administrative decisions. Both are made by government agencies or commissions which derive their authority from Congress or a state legislature. Most of these agencies or commissions are part of the executive branch of government.

### What are administrative rules and regulations?

The laws passed by the United States Congress or a state legislature do not go into detail about how the law is to be applied and enforced, or about the procedures to be used. This is the role of executive departments and agencies, which promulgate and administer rules and regulations that govern how the law will be carried out. Like statutes and case law, these rules and regulations are considered primary and binding law for citizens of the jurisdiction.

## FEDERAL RULES AND REGULATIONS

### Code of Federal Regulations

The Code of Federal Regulations (CFR) contains the rules and regulations of federal agencies, arranged by subject. These rules and regulations are first published in the Federal Register (described below). They are then arranged into 50 CFR “Titles” (such as Title 12: Banking and Title 40: Environment) and into section numbers within each title. All titles in the CFR are updated once each year to reflect any changes or amendments since the last updating. During the year, new changes are listed in monthly pamphlets called the “List of CFR Sections Affected,” or LSA. LSA pamphlets also list the Federal Register volumes and pages where the changes were published.

*Code of Federal Regulations* (hard copy, current), Reading Room, KF70 .A3

*Code of Federal Regulations* (microfiche), 1938 – current

*West’s Code of Federal Regulations Index* (Reading Rm., KF70 .A3)

Lexis: CFR (current, with new regulations included about one week after publication); CFR Archive (prior versions, 1981 – 2005)

Westlaw: CFR (current, annotated version with new regulations included about 1 week after publication); prior versions (1984 – 2005); West’s RegulationsPlus Index for CFR (online version of West’s CFR Index), updated biweekly

GPO Access (U. S. government internet site): <http://www.gpoaccess.gov/cfr/index.html>; 1997 – current; some titles from 1996; searchable PDF

Electronic Code of Federal Regulations (e-CFR): beta test version of a *currently updated* version of the CFR; government sponsored demonstration project freely available to the public, but not an “official legal edition” of the CFR. URL: <http://ecfr.gpoaccess.gov/>

HeinOnline (Hofstra Law Library subscription database): Code of Federal Regulations Collection (coverage: 1938 -1986, 2007); searchable PDF

### Federal Register

The Federal Register, published since 1936, is the official daily publication for proposed and final rules and regulations, notices and activities of federal agencies. Other information helpful in determining the agency’s intent in proposing the rule (“regulatory history”), such as a discussion of its background and the need for the rule, its authorizing statute, the effective date, and agency contact information is often included. The Federal Register is currently published Monday through Friday, except federal holidays, with one year’s issues constituting a volume. Each issue also lists the “CFR Parts Affected in This Issue.” A cumulative monthly index is published; the December index is an annual index.

*Federal Register* (hard copy, current and prior year), Reading Room, KF70 .A2

*Federal Register* (microfilm, 1936 – 1980; microfiche, 1981 – current)

Lexis: FEDREG (July 1980 – current), updated daily

Westlaw: FR (1981 – current), updated daily; FR-OLD (1936 – 2000)

GPO Access (U.S. government internet site):

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

Federal Register (1994 – current), updated daily; PDF, 1995 forward

HeinOnline (Hofstra Law Library subscription database): Federal Register Collection:

FR (coverage: 1936–), current to within four months of present date; FR Indexes (1939 – 2006); Compilation of CFR Sections Affected (1949 – 2000); searchable PDF

### **Federal Agency Web Sites**

Most federal agencies post their regulations on the agency's official Web site. Links to agencies: <http://www.usa.gov/Agencies/Federal/Executive.shtml>.

### **NEW YORK STATE RULES AND REGULATIONS**

In New York, administrative codes, rules and regulations are issued by executive departments and agencies granted rulemaking authority by the laws that govern them. Notices of adopted regulations, and summaries or full text of proposed regulations, are first published in the weekly *New York State Register*. New York's current rules and regulations are compiled in a subject arrangement and published as the NYCRR (Official Compilation of Codes, Rules and Regulations), with an index.

*NYCRR* (multi-volume loose-leaf, with updates), Reserve Collection, KFN5035 .A22 N4

*New York State Register* (hard copy, 1989 – current), Reading Room,

KFN5035 .A3NA; *New York State Register* (microfiche, July 1974 – current)

Lexis: NYADMN (current NYCRR); Administrative Code Archive (NYCRR, 20004-2006); NYRGST (New York State Register, partial 1997 and 1998 – current); NYREGS (combined NYCRR and NYRGST files); RGALRT (RegAlert, NY documents: regulation tracking information including proposed regulations and text of final regulations, November 1997 – current; updated daily)

Westlaw: NY-ADC (current NYCRR); NY-REGTRK (New York Regulation Tracking: information including summaries and status of pending and recently-adopted regulations; current data only; updated daily)

Guide to New York State Agency Rules and Regulations (links to internet sites of agencies that make their regulations available online):

[http://www.gorr.state.ny.us/Main\\_GORR\\_Pages/Reg\\_Guide.html](http://www.gorr.state.ny.us/Main_GORR_Pages/Reg_Guide.html)

*New York State Register* (2003 – current, PDF), located at New York Department of State internet site: <http://www.dos.state.ny.us/info/register.htm>

### **OTHER STATES — RULES AND REGULATIONS**

This site provides links to internet sources of state and U.S. territory rules and regulations: <http://www.law.cornell.edu/states/listing.html>.