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From the Capitol to the West Wing: Making the Most of Federal Law and U.S. Government Information on the Web

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**From the Capitol to the West Wing: Making the Most of Federal Law and
U.S. Government Information on the Web**

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I. Introduction

When searching for federal government materials and federal law on the web, researchers are more likely to encounter an overabundance of information than a lack thereof. Fortunately, free federal government and non-government sites have made great strides in improving accessibility to these materials through better organization and finding tools.

This paper directs researchers to both official and unofficial free sites providing access to federal government materials, including federal law. These sites are an alternative to fee-based services, including Westlaw, LexisNexis, Bloomberg BNA and FastCase, although most do not contain all of the bells and whistles that these commercial services offer. However, in addition to being free, these sites continue to improve their functionality, and some offer features not available in the most expensive of commercial services.

One of the main limitations of using any online legal resource, commercial or free, is lack of authentication. If you plan to rely upon online legal primary sources, you should be certain that your documents are authentic and unaltered. Relying upon authenticated legal resources ensures that the source of the document is verified and the content is unaltered. The U.S. Government Printing Office (GPO) provides digital authentication of many of its documents. The descriptions of the resources below include notations re authentication where it exists.

For many years, the GPO has made many federal government documents available via their Federal Digital System (FDsys) platform. In 2016, the GPO commenced transitioning their materials from the FDsys platform to a new platform, Govinfo. GovInfo is currently in beta release and is cross-linked from the FDsys website. Upon public release, GovInfo will continue digital certification of authentication of selected documents (as is the current practice in FDsys). No specific timeline has been released for the total switch from FDsys to GovInfo, but the site's developers state that once

GovInfo is released from beta status, FDsys will continue to exist for a time while they “work with stakeholders to update links and processes to govinfo.”

FDsys currently provides access to the following materials, most of which are discussed in more detail in the relevant sections below:

- Code of Federal Regulations
- Compilation of Presidential Documents
- Congressional Bills
- Congressional Documents
- Congressional Hearings
- Congressional Record
- Congressional Reports
- Constitution of the United States of America: Analysis and Interpretation
- Economic Indicators
- Federal Register
- Public and Private Laws
- United States Code
- United States Courts Opinions

II. United States Supreme Court Opinions and Materials

A. Supreme Court of the United States – Official Site

<https://www.supremecourt.gov/opinions/opinions.aspx>

The official SCOTUS site posts newly released opinions, often within minutes after the Court issues them, as slip opinions. The slip opinions remain online until published in a bound volume of the U.S. Reports. The site currently provides access to the bound volumes beginning in 2007. The official site also provides case information, oral argument transcripts, audio, briefs, court opinions, and court rules. Search the Court’s site by docket number or case name.

B. Cornell's LII - Supreme Court Decisions

<https://www.law.cornell.edu/supremecourt/text/home>

Cornell's Legal Information Institute provides the text of all U.S. Supreme Court decisions from 1990 – present, along with 300 of the court's most important decisions in its historic collection. Search this user-friendly interface by word or phrase, topic, authoring justice or party name.

C. U.S. Supreme Court Briefs - Office of Solicitor General

<https://www.justice.gov/osg/supreme-court-briefs>

The Department of Justice's website provides a searchable database of all briefs filed by the Office of Solicitor General from 1985 to present. Search by term, caption, docket number, subject or filing date.

D. Oyez – Oral Arguments and Transcripts

<https://www.oyez.org/>

Oyez posts oral arguments and transcripts for most cases from 1968 to the present, as well as selected leading historical cases. The website "aims to be a complete and authoritative source for all audio recorded in the Court since [...] October 1955 (when a recording system was installed at the court).

E. OpenJurist - U.S. Reports

<http://openjurist.org/us>

Open Jurist provides U.S. Supreme Court opinions in pdf format from the U.S. Reports, beginning with volume 1 (1 Dall.), 1790. At present, the most recent opinions are from 2005.

F. SCOTUSblog

<http://www.scotusblog.com/>

SCOTUSblog is a legal blog about the U.S. Supreme Court sponsored by Bloomberg Law. This famous blog tracks cases from the certiorari stage onwards. The site comprehensively covers all of the cases argued before the Court and maintains an archive of the briefing and other documents in each case.

III. Other Federal Courts: Opinions and Resources

A number of sites provide access to federal court opinions and related resources.

A. Justia - U.S. Supreme Court, U.S. Courts of Appeals, and U.S. District Courts

<https://www.justia.com/courts/>

- U.S. Supreme Court (1791-)
- U.S. Courts of Appeals (1951-)
- U.S. District Courts and Bankruptcy Courts (Coverage varies)
- Also provides links to other federal courts such as military courts, tax court and international trade courts.

B. FindLaw, U.S. Supreme Court, U.S. Courts of Appeals and U.S. District Courts

<http://caselaw.findlaw.com/>

- U.S. Supreme Court (1893-)
- Federal Circuit Courts and District Courts including tax and bankruptcy (Coverage varies)

C. Google Scholar - U.S. Supreme Court, U.S. Courts of Appeals and U.S. District Courts

<https://scholar.google.com/>

- U.S. Supreme Court (1791-)
- U.S. Courts of Appeals (1923-)
- U.S. District Courts (including tax and bankruptcy courts) (1923-)

D. FDsys/GovInfo - U.S. Supreme Court, U.S. Courts of Appeals and U.S. District Courts

<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=USCOURTS>

<https://www.govinfo.gov/app/collection/uscourts>

FDsys provides selected United States appellate, district, and bankruptcy court opinions since 2004.

E. Public Library of Law

<http://www.plol.org/Pages/Search.aspx>

Sponsored by FastCase, the Public Library of Law provides the full text of all U.S. Supreme Court cases and the Circuit Court opinions from 1950 to present. Searching is free, but to access the text, searchers must register. The site includes advertisements for fee-based access to FastCase. The Public Library of Law is not aimed at the power legal researcher, but rather for non-lawyers to get a streamlined view of cases and access to primary legal resources.

F. OpenJurist - Federal Reporter

<http://openjurist.org/>

- Federal Reporter, First Series, 1880-1925
- Federal Reporter, Second Series, 1925 - 1993
- Federal Reporter, Third Series, 1993 –

G. United States Courts - Administrative Office of the U.S. Courts

<http://www.uscourts.gov/>

The Administrative Office of the U.S. Courts is the official website of the federal courts. The website links to all federal courts, court rules and rule amendments, as well as the federal court locator (<http://www.uscourts.gov/court-locator>) and PACER, which provides access to many of the documents produced during litigation in the federal courts.

H. Federal Judicial Center – History, Judicial Biographies, Studies, Statistics

<http://www.fjc.gov/>

The Federal Judicial Center is the education and research agency of the federal courts. The Judicial Center's website contains resources such as a federal judiciary history, biographies of federal judges from 1789 to the present, research publications, studies, and statistics.

I. Justia - Federal Court Filings and Dockets

<https://dockets.justia.com/>

At Justia, search case filings from federal district civil court cases by party name, court, type of lawsuit or date. Information provided includes case caption, date filed, court,

judge, type of lawsuit and cause of action. Justia also provides a link to the docket sheets of federal courts but access to the docket entries requires a subscription to PACER.

IV. United States Constitution

Numerous sites offer free access to the text of the Constitution. Researchers can also find historical resources providing materials useful in researching the drafting of the Constitution.

A. FDsys/GovInfo and Cogress.gov - Constitution of the United States of America: Analysis and Interpretation

<https://www.gpo.gov/fdsys/pkg/GPO-CONAN-2017/pdf/GPO-CONAN-2017.pdf>
<https://www.govinfo.gov/content/pkg/GPO-CONAN-2017/pdf/GPO-CONAN-2017.pdf>
<https://www.congress.gov/constitution-annotated>

FDsys/GovInfo and Congress.gov all provide the same version of a searchable pdf of an annotated version of the Constitution on their websites. This version includes historical notes, legal analysis, and interpretation based primarily on U.S. Supreme Court case law and prepared by the Congressional Research Service (CRS). This regularly updated resource is especially useful when researching the constitutional implications of a specific issue or topic. The Featured Topics and Cases page highlights recent U.S. Supreme Court decisions that demonstrate pivotal interpretations of the Constitution's provisions.

B. Law Library of Congress - Guide to Law Online: U.S. Constitution

<http://www.loc.gov/law/help/guide/federal/usconst.php>

The Law Library of Congress' website provides an extensive list of links to texts, commentaries, historical texts, influences, judicial decisions, and additional information.

C. University of Chicago Press - Founder's Constitution

<http://press-pubs.uchicago.edu/founders/>

The Founders' Constitution is a joint venture of the University of Chicago Press and the Liberty Fund. First published in 1986 in five oversized volumes with more than 3,200 double-column pages, this online version is regularly updated and provides links to

historical documents related to the development of the Constitution. The documents included range from the early seventeenth century to the 1830s, from the reflections of philosophers to popular pamphlets, from public debates in ratifying conventions to the private correspondence of the leading political actors of the day.

D. Library of Congress - Documents from the Continental Congress and the Constitutional Convention, 1774 to 1789

<https://www.loc.gov/collections/continental-congress-and-constitutional-convention-from-1774-to-1789/>

This Library of Congress collection contains original images of 277 documents relating to the work of Congress and the drafting and ratification of the Constitution. Items include extracts of the journals of Congress, resolutions, proclamations, committee reports, treaties, and early printed versions of the United States Constitution and the Declaration of Independence. A number of these items contain manuscript annotations not recorded elsewhere that offer insight into the delicate process of creating consensus.

V. United States Code

The U.S. Code is freely available from several websites. The downside to using a free online version of the U.S. Code is that case references and other annotations are not provided. If you seek cases that have interpreted a code section or links to related resources, your best bet is to use a commercial database or print resources. However, if you wish to verify the text of a federal statute, locate a historical version of a statute, or find an authenticated version of the text of the U.S. Code, you can easily do so for free on the web.

You must also be careful to note the currency of any federal statutes you locate on free websites. Remember from your first year legal research course, the U.S. Code is published every six years. Consequently, individual code sections may be outdated. You may need to update an individual code section using session laws.

If you wish to search the full text of the U.S. Code or related resources, these websites will be useful for you:

A. U.S. Code - Office of the Law Revision Counsel

<http://uscode.house.gov/>

The most frequently updated version of the U.S. Code is available at the site of the House of Representatives' Law Revision Counsel. The U.S. House of Representatives is responsible for publishing the print version of the U.S. Code. Researchers can retrieve code sections by citation or search by keyword.

B. U.S. Code – FDsys/GovInfo

<https://www.gpo.gov/fdsys/browse/collectionUScode.action?collectionCode=USCODE>
<https://www.govinfo.gov/app/collection/USCODE>

The official online version of the U.S. Code provided at the GPO's website and is available in authenticated PDF. Although the online version of the U.S. Code is authenticated, note the following language from the FDsys' website:

“While every effort has been made to ensure that the U.S. Code on FDsys is accurate, those using it for legal research should verify their results against the printed version of the U.S. Code available through the Government Publishing Office.”

C. U.S. Code – Cornell's LII (current version)

<https://www.law.cornell.edu/uscode/titles.html>

The most robust search engine for the U.S. Code is available from Cornell's LII. However, this version of the code may not be as current as the GPO or House of Representatives websites. Code sections contain amendment history and CFR rule making authority links. Each section contains a “current through” notation indicating the currency of the text.

D. Historical Versions of the U.S. Code – Law Library of Congress

<https://www.loc.gov/collections/united-states-code/>

Historical versions of the U.S. Code can be invaluable if you need to know the language of a law from a particular year. The Law Library of Congress provides a very helpful archive of annual versions of the U.S. Code from 1925 to 1988. . Historical versions of the U.S. Code are not available on FastCase, and this is a good free alternative to other commercial vendors.

E. Session Laws – U.S. House of Representatives Office of Law Revision Counsel
<http://uscode.house.gov/classification/tables.shtml> (recent session laws)
<http://uscode.house.gov/classification/priortables.shtml> (older session laws back to 1995)

Session laws are the collection of statutes enacted by a legislature during a single session of that legislature, often published following the end of the session as a bound volume. The Office of Law Revision Counsel arranges these session laws by public law number and by eventual location in the U.S. Code.

F. Public and Private Laws (Slip Laws) – FDsys/GovInfo
<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=PLAW>
<https://www.govinfo.gov/app/collection/PLAW>

Newly enacted public and private laws are also known as slip laws. A slip law is an official publication of the law and is competent evidence admissible in all state and federal courts. Public laws affect society as a whole, while private laws affect an individual, family, or small group.

G. U.S. Statutes at Large – FDsys/GovInfo
<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=STATUTE>
<https://www.govinfo.gov/app/collection/STATUTE>

The U.S. Statutes at Large is legal and permanent evidence of all the laws enacted during a session of Congress (1 U.S.C. §112). It also contains concurrent resolutions, reorganization plans, proposed and ratified amendments to the Constitution, and proclamations by the President. This collection dates from 1951 to 2011.

VI. Federal Bill Tracking

Using a variety of online tools, attorneys can easily monitor and track specific pending federal legislation that might affect their client's interests.

A. Congress.gov – Library of Congress
<https://www.congress.gov/>

Congress.gov is the official website for federal legislative information. It provides extensive bill tracking information and timely information for tracking bills through

each stage in the legislative process. Congress.gov is updated the morning after a session adjourns.

B. Govtrack

<https://www.govtrack.us/>

Govtrack is an independent non-governmental entity, Civic Impulse, LLC, that aggregates legislative data from official government websites. You can search bills easily and sign up for automated updates. You can also browse by subject area and voting records. Govtrack also includes statistical analyses of pending legislation including prognosis of passage.

C. U.S. House of Representatives

<http://www.house.gov/legislative/>

The U.S. House of Representatives' site provides numerous links related to its work, including the text of bills, schedule of hearings and committee meetings for the day, voting records for recently considered bills, and bill reports. The website also includes streaming video feeds of House floor proceedings, beginning in 2009.

D. U.S. Senate

<http://www.senate.gov/>

The U.S. Senate site also provides links to resources related to its work such as the schedule of hearings and committee meetings for the day. The site provides statistics, information on nominations, a virtual reference desk, a biographical directory, and an organizational chart.

E. Congressional Record – FDsys/GovInfo

<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CREC>

<https://www.govinfo.gov/app/collection/CREC>

The Congressional Record is the official record of the proceedings and debates of Congress. It consists of four parts: the Daily Digest, the House section, the Senate section, and Extension of Remarks. The Daily Digest summarizes bills introduced, committee meetings, and joint meetings, while the House and Senate sections provide more lengthy details on any actions concerning bills.

F. Legex- Center for American Politics and Public Policy
<http://www.legex.org/>

Legex, short for Legislative Explorer, is an interactive visualization tool that allows users to explore patterns of lawmaking in Congress. Legex allows you to visualize which bills are introduced, where they go, and what their ultimate fate is. You can animate each Congressional term to watch bills move through the process (or not). You can sort by individual lawmakers, parties, topics, committees, and more.

G. Twitter
<http://www.twitter.com>

Social media, such as Twitter, is an additional resource for tracking activity regarding pending legislative action. Both the House @housefloor and the Senate @senatefloor tweet the outcome of floor votes.

VII. Federal Legislative History Materials

Some of the documents that may be useful for compiling a legislative history of a piece of legislation include:

- Congressional Bills
- Congressional Hearings
- Congressional Reports
- Congressional Committee Prints
- Congressional Record

Compiled legislative histories, which gather these types of documents for a specific piece of legislation, are infrequently available on free sites. Selected compiled legislative history information may be available at special interest sites and occasionally as a research guide at a law library's site. See, for example, the guide prepared to compile legislative history documents for the "Repeal and Replace" legislation related to the Affordable Care Act at <http://drexellaw.libguides.com/c.php?g=608161>. It is worth the effort of a quick internet search (using Google or Bing or alternative search engine) for the name of the legislation and "legislative history."

Generally, you will need to compile your own legislative history piece by piece using the following websites:

A. Congress.gov

<https://www.congress.gov>

- Congressional Bills (1973 -)
- Committee Reports (1995-)
- Committee Hearings (2012 -)
- Congressional Record (1995-)
- Treaty Documents (1995-)
- Member profiles (1973-)

B. FDsys/GovInfo

<https://www.gpo.gov/fdsys/>

<https://www.govinfo.gov/>

Note: these materials are usually authenticated.

- Congressional Bills (1993 -)
- Congressional Hearings (1985-)
- Congressional Committee Reports (1995-)
- Congressional Record (1994-)
- Congressional Committee Prints (1975-)

C. Library of Congress - American Memory: A Century of Law Making for a New Nation <http://memory.loc.gov/ammem/amlaw/lawhome.html>

Congressional documents from the first 100 years of the U.S. Congress (1774-1875) are available from the American Memory website including:

- Congressional Bills (House 1799-1873, Senate 1819-1873)
- Congressional Committee Reports (1833-1917)

- Congressional Record (1789-1877)

D. The Legislative Process - U.S. House of Representatives

http://www.house.gov/content/learn/legislative_process/

The House of Representatives provides a comprehensive explanation of the legislative process from a bill's introduction to consideration by the President.

VIII. Federal Administrative Law

The executive branch of the U.S. government provides substantial online content. The executive branch consists of the President, Vice-President, the Cabinet and federal administrative agencies. Congress gives federal agencies the authority to promulgate rules and regulations, to interpret, and to administer those laws. In addition to searching useful administrative law resources such as the Code of Federal Regulations and the Federal Register, you can find a vast amount of resources by searching the websites of administrative agencies and the related resources described below.

A. Code of Federal Regulations, CFR – FDsys/GovInfo (1996-)

<https://www.gpo.gov/fdsys/browse/collectionCfr.action?collectionCode=CFR>

<https://www.govinfo.gov/app/collection/CFR>

The Code of Federal Regulations (CFR) is a codification of the general and permanent rules published in the Federal Register by the federal agencies. The GPO provides a searchable and browsable version of the CFR. Furthermore, the GPO's website contains historical versions of the CFR from 1996 to present. Historical versions are very useful for identifying which regulations were in effect at any particular point in time.

B. Electronic Code of Federal Regulations, e-CFR – FDsys/GovInfo (current)

<http://www.ecfr.gov/cgi-bin/ECFR?page=browse>

The e-CFR is a currently updated, *unofficial* version of the CFR. This editorial compilation of material from the CFR and the Federal Register is produced by the National Archives and Records Administration's Office of the Federal Register and the GPO. The e-CFR is updated on a daily basis, and its update status displays at the top of all e-CFR pages.

C. Federal Register - FDsys/GovInfo

<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR>

<https://www.govinfo.gov/app/collection/FR>

The Federal Register is the official daily publication for rules, proposed rules, and notices of federal agencies and organizations, as well as executive orders and other presidential documents. GPO provides access dating back to 1970.

D. Federal Register 2.0

<https://www.federalregister.gov/>

This XML-based web version of the Federal Register is currently unofficial but seeks unofficial status. Federalregister.gov provides many features designed to aid the user, including a broad subject arrangement, basic search, advanced search, document toolbars, a preview (“public inspection”) of forthcoming content, and customization features (My FR). Use the helpful videos and tips to maximize your use of the site.

E. Historical Federal Register, Law Library of Congress (1936-1994)

<https://www.loc.gov/collections/federal-register/>

The Law Library of Congress provides historical versions of the Federal Register, volumes 1 – 58 (1936 – 1992).

F. Regulations.gov

<https://www.regulations.gov/>

Regulations.gov allows users to search for proposed and final rules, comment on proposed rules, and sign up for e-mail alerts and track pending regulations.

Regulations.gov is searchable by agency, type of document, docket number, and keyword.

G. Reginfo.gov

<http://www.reginfo.gov/public/>

The Office of Information and Regulatory Affairs and the Office of Management and Budget maintain Reginfo.gov as part of their effort to provide “reliable, transparent information about regulations under development to enable the public to participate effectively in the regulatory process.” Look here for the Unified Agenda, which reports data on regulatory activities under development throughout the federal government.

The [Reginfo.gov](http://www.reginfo.gov) website also includes Reg Map (<https://www.reginfo.gov/public/reginfo/Regmap/index.jsp>), a chart providing a detailed description of the regulatory process.

H. Administrative Decisions, University of Virginia Library
http://guides.lib.virginia.edu/administrative_decisions

Many federal agencies have a quasi-judicial power to determine cases and to rule about questions arising from their regulations. There is no centralized system for publishing these materials. The University of Virginia's Library provides this helpful A-Z listing of administrative agencies and links to their decisions.

I. U.S. Government Manual - FDsys/GovInfo
<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=GOVMAN>
<https://www.govinfo.gov/app/collection/GOVMAN>

The U.S. Government Manual is a directory of the federal government's administrative agencies, quasi-official agencies, and international organizations in which the U.S. participates. The directory includes statutory authority, jurisdiction, directories of personnel, and major publications. GPO provides access to editions beginning in 1995.

J. Federal Statistics - FedStats
<https://fedstats.sites.usa.gov/>

FedStats provides statistics from more than 100 federal agencies and does not require users to know in advance which federal agency produces which particular statistic.

K. Federal statistics - Data.gov
<https://www.data.gov/>

The U.S. General Services Administration provides Data.gov as a central repository for statistical datasets produced by the federal executive branch. These datasets are downloadable and can be used with popular statistical programs.

L. Guide to the Rulemaking Process, Office of the Federal Register
https://www.federalregister.gov/uploads/2011/01/the_rulemaking_process.pdf

The Office of the Federal Register provides a comprehensive description of the administrative rulemaking process.

IX. Presidential Documents

The Office of President releases many types of documents. The two most important documents for legal research purposes are executive orders and proclamations. There is not much distinction between presidential proclamations and executive orders although usually proclamations deal with general matters of widespread interest, while executive orders relate to the conduct of government. Executive orders are printed in the Federal Register.

A. Compilation of Presidential Documents - FDsys/GovInfo

<https://www.gpo.gov/fdsys/browse/collection.action?collectionCode=CPD>

<https://www.govinfo.gov/app/collection/cpd/1992>

The Compilation of Presidential Documents collection consists of the Weekly Compilation of Presidential Documents and the Daily Compilation of Presidential Documents which are the official publications of materials released by the White House Press Secretary. The presidential documents in this collection include statements, nominations, messages, speeches, press conferences and other presidential materials released by the White House. GPO provides access to these materials dating back to 1992.

B. The White House: Presidential Actions

<https://www.whitehouse.gov/briefing-room/presidential-actions>

The White House's website provides links to current presidential documents such as press releases, executive orders, proclamations, and presidential memoranda.

C. Public Papers of the President, National Archives

<https://www.archives.gov/federal-register/publications/presidential-papers.html>

The National Archives provides an official series including presidential writings, addresses, and public remarks, organized chronologically from President Hoover to present. This online collection begins with the presidency of Ronald Reagan.

D. American Presidency Project

http://www.presidency.ucsb.edu/executive_orders.php?year=2016&Submit=DISPLAY

The American Presidency Project (APP) collection of executive order texts is complete beginning with the administration of Harry S. Truman through the present. For

administrations prior to Truman's, they provide "a sporadic collection" from various publications, and the contents of the APP continues to grow as its creators obtain and digitize original texts. The APP, established in 1999 as a collaboration between John Woollley and Gerhard Peters at the University of California, Santa Barbara, provides the most comprehensive collection of resources related to the study of the American presidency. This archive currently contains over 103,000 documents.

X. Archived Federal Government Information

A. The End of Term Web Archive

<http://eotarchive.cdlib.org/>

Beginning in 2008, the End of Term Archive (EoTA) captures and saves U.S. Government websites at the end of presidential administrations, recognizing that as each new administration comes in, federal data and sites can be lost. The EoTA contains government sites (.gov, .mil, etc) in the Legislative, Executive, or Judicial branches. This archive is a joint project of the Internet Archive, the Library of Congress, University of North Texas, George Washington University, Stanford University, California Digital Library, and other public and private libraries.

B. DataLumos

<https://www.datalumos.org/datalumos/>

DataLumos is a crowd-sourced repository for government data resources. DataLumos accepts deposits of public data resources from the community with the goal of ensuring their long-term availability. This resource is provided by the Inter-university Consortium for Political and Social Research.