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LEGISLATIVE RESEARCH AND RESOURCES

RESEARCHING PRIMARY LEGISLATION OF THE UNITED KINGDOM

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INTRODUCTION

For many law librarians the title of this article conjures up images of flipping through pages of *Halsbury's Statutes of England and Wales*, or accessing the United Kingdom (U.K.) files on LexisNexis or Westlaw. While those sources are still very valid and useful, it is important to be aware that legislative research in the U.K. can mean so much more, just as legislative research in the United States often requires one to go beyond the *United States Code* and the resources of the two major online databases.

However, before I launch into descriptions of various resources for tracking and locating legislation it is worth spending a moment examining the deceptively simple title of this article, "Researching Primary Legislation of the United Kingdom." In the U.K. the terms "primary" and "secondary" are frequently used to differentiate between two types of legislation, the legislation made by Parliament and the legislation delegated to ministerial bodies (what we, in the United States, would refer to as "Administrative Law"). Sometimes the term "delegated" is used to denote secondary legislation, a body of law largely comprised of Statutory Instruments, bylaws, and other rules and regulations. We should also not overlook the use of the term "United Kingdom" in the title. Since 1999 both Scotland and Northern Ireland have had legislative bodies capable of producing primary legislation for those regions.¹ Although Wales has a National Assembly its powers under executive devolution are currently limited to producing only secondary legislation for the principality. The scope of this article is therefore researching the legislation produced by the United Kingdom Parliament for the entire country.

THE PARLIAMENTARY PROCESS

The process of a bill becoming an act of Parliament should not look too unfamiliar to law librarians in the United States. Bills may be introduced into either chamber of this bicameral institution, the House of Commons or the House of Lords. A bill may be a public, private or hybrid bill, terms that are used to help describe the scope of a bill.² A further distinction is made between "government" bills, those that receive the support of the majority party and constitute part of the government's policy, and "private members" bills, those introduced by a backbencher. Full text copies of bills are available on the Parliament Web site.³

Once a bill has been introduced, commonly known as the First Reading, it then proceeds to a Second Reading, a Committee Stage, a Report Stage, and a Third Reading before being sent to the second chamber where it essentially repeats the process.⁴ If a bill emerges from the second chamber it is referred back to the originating chamber where any amendments are considered. Once both houses agree on a version of the bill it is then presented to the Monarch for the Royal Assent.⁵ Amendments to a bill are most often made in the Committee Stage, the Report Stage, and sometimes the Third Reading.

The key to tracking a bill through Parliament is *The Weekly Information Bulletin*.⁶ *The Weekly Information Bulletin* provides information on where in the Parliamentary process a bill is at any given time together with information on forthcoming business. Included with the bill's status are the bill number(s) and the name of the person who introduced the bill.⁷ If floor or committee debate is required the researcher can access this information using a

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EDITOR'S COLUMN

Jennifer Korpacz
Covington & Burling

LET'S FACE IT, D.C. LAW LIBRARIANS KNOW LEGISLATIVE RESEARCH. After all, federal legislation happens here. This issue of *Lights* builds upon 2 previous issues that were dedicated to legislative research and resources. The March/April 1998 (Vol. 41 No. 4) issue included federal and state legislative research tips, and the November/December 2000 (Vol. 44, No. 2) issue focused on local legislative research in D.C., Maryland, and Virginia.

This issue looks at CQ Online and Gallery Watch, finding CRS reports, researching campaign and election information, and the *Congressional Record* and predecessor publications.

We also branch outside of the U.S. with articles on legislative research in Canada and the United Kingdom. It also includes 2 useful handouts from Legislative SIS Brown Bag Luncheon presentations on using Adobe Acrobat in compiling legislative histories and a list of useful legislative Web sites. In addition, don't miss our hot topic article on finding market share information, and a new column entitled "GR Insider" by Tanya Brown that will help keep us informed as to current developments in government relations.

Finally, don't forget that LLSDC and the
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resource who's name is very familiar to law librarians, *Hansard*.⁸ *Hansard* should be thought of as the *Congressional Record* of Parliamentary research, providing verbatim text of the proceedings in the chambers, including Prime Minister's question time, and proceedings in standing committees.

ACTS OF PARLIAMENT

Invariably, when we need to locate legislative materials from the U.K. we are looking for bills that have survived the Parliamentary process and have become Acts of Parliament. The actual number of acts passed by Parliament can vary tremendously from one calendar year to the next, however it is rare for there to be less than 30 or more than 60. A bill becomes an act once it receives the Royal Assent, a procedure that has not been denied to a bill approved by Parliament in almost three centuries.⁹ An act may be designated as either a "public general act" or a "local act" depending on the scope and impact of the legislation, however researchers are almost always attempting to locate public general acts rather than local acts.

Acts of Parliament are most readily available on the H.M.S.O. Web site, usually within 24 hours of publication in printed form.¹⁰ This Web site contains public acts from 1988 to the present, and local acts from 1991 to the present. Acts are arranged by year and then listed both alphabetically and numerically.¹¹ Other electronic sources for public acts of Parliament include Westlaw and LexisNexis, however an important distinction between the coverage of the big two databases is that while Westlaw only provides coverage of "in force" statutes, LexisNexis also provides coverage of recently passed legislation that has not yet come into force. A recent search revealed that availability of statutes in both databases substantially lags behind the official H.M.S.O. Web site.¹² One other electronic source worth mentioning is BAILII, the free database for the British and Irish Legal Information Institute, which replicates the H.M.S.O. coverage of public statutes.¹³ The following databases represent additional, electronic fee-based sources of U.K. legislation; Butterworth's Law Direct,¹⁴ Lawtel,¹⁵ and Justis.com.¹⁶

Paper copies of acts are first published in "Queen's Printer's Copy" format, referred to in the United States as slip law format. These are first listed in *The Daily List* on the Stationery

Office's Web site where individual copies of acts may be purchased.¹⁷ They are later compiled in annual volumes entitled *Public General Acts and Measures*, which are also reprinted by the Incorporated Council of Law Reporting for England and Wales as the *Law Reports Statutes* series.¹⁸

Although the length of this article does not allow for a close examination of the various elements of an act of Parliament, two features are worth highlighting due to their importance in the research process – the commencement and extent sections of an act. Both of these sections usually appear toward the end of an act and determine not only when the act or parts of the act come into force, but also where in the United Kingdom the act or parts of the act come into force.¹⁹

One final word on acts concerns an issue that perhaps causes the greatest confusion on this side of the Atlantic, the citation format of older acts. Prior to January 1, 1963, and the coming into force of the *Acts of Parliament Numbering and Citation Act of 1962*, all acts were cited using the Parliamentary session of the regnal year(s) and chapter number.²⁰ The regnal year begins on the date of the monarch's accession to the throne. Thus, for Queen Elizabeth II the date is February 6. Since it is often the case that the session of Parliament and the regnal year overlap it is very common to see citations to an act passed in a parliamentary session that spanned two regnal years.²¹

STATUTORY COMPILATIONS

There is little doubt that the one title that stands out in U.K. legislative research is *Halsbury's Statutes of England and Wales*. Although not an official source of information it is still regarded as the most useable and complete source of statutory information in print. Now in its fourth edition, the set can be a little challenging to use due to its seemingly complex updating system. The 50 gray, base volumes are accompanied by a Tables and Index volume, an Annual Cumulative Supplement volume, a Noter-up Service binder, six Current Statutes Service binders, Destinations Tables, and two companion volumes described below. Users who are unsure as to how all the components of the set work together should consult the "How To Use" guide which is usually located in the front of the first Current Statutes Service binder. Unlike its American counterparts (*U.S.C.A.*, *U.S.C.S.*) *Halsbury's* is a subject arrangement of the statutes and is not a codification of in force law.²²

The official compilation of U.K. statutes,

THE KEY TO TRACKING A BILL THROUGH PARLIAMENT IS "THE WEEKLY INFORMATION BULLETIN."



**DETERMINING
WHETHER A PIECE
OF LEGISLATION
HAS COME INTO
FORCE IS A LARGE
COMPONENT OF
STATUTORY
RESEARCH IN THE
UNITED KINGDOM.**

the equivalent of the *U.S.C.*, was *Statutes in Force* published by H.M.S.O. This subject arrangement of the statutes contained in a multi-volume loose-leaf set suffered from two of the same problems encountered by its American counterpart; namely lack of timely updating and poor indexing. The set is no longer officially updated and is not widely available in the United States, although a couple of Washington, D.C. area libraries, including The Law Library of Congress, possess a copy. The Statutory Publications Office of the Lord Chancellor's Department is currently producing an electronic replacement for *Statutes in Force*, entitled *The Statute Law Database*.²³

Indexes to statutes are available in a variety of sources, however the most commonly used indexes include the official *Index to the Statutes* and *Chronological Table of Statutes*.²⁴ The Index volume to *Halsbury's* is also a very easy to use and readily available access point to the statutes, and benefits from being kept up to date on a regular basis.

IS IT IN FORCE?

Throughout this article reference has been made to in force legislation. Determining whether a piece of legislation has come into force is a large component of statutory research in the United Kingdom. As I have indicated above, many acts contain within them a commencement section which outlines when the act, either in whole or in part, comes into force. Usually, and particularly with larger, more complicated pieces of legislation, a combination of scenarios is employed to bring the act into force; sections may come into force upon the date the act receives the Royal Assent, sections may come into force on a pre-determined date in the future, or sections may come into force at a future date to be determined by a Minister of the Crown.²⁵

The researcher is therefore required to make sure that the section of the statute they are researching, even though it has received the Royal Assent, has come into force. To assist with this process *Halsbury's* has produced a companion publication to its *Statutes of England and Wales* simply entitled *Is It In Force?* This annual volume covers a 25-year span and is brought up to date with a monthly section within the *Noter-Up* binder of the main set.²⁶ It should also be mentioned that many of the online services only provide coverage of in force legislation and therefore sections of an act that have not achieved their commence-

ment date are not included in the databases.²⁷

Determining whether a section or sections of an act have been amended, substituted or repealed is most easily accomplished using *Halsbury's Statutes Citor*, another of the companion volumes to the *Statutes of England and Wales*. This is also kept up to date with regular inserts in the *Noter-up* binder, however coverage is provided for acts extending back to 1236.

HISTORICAL RESEARCH

It is not unusual to be asked to locate copies of statutes that may be hundreds of years old and long since repealed or otherwise removed from the statute books. The two sets that immediately come to mind when researching older statutes are *Statutes of the Realm* and *Statutes at Large*. However, many researchers admit to being a little unsure as to the differences in coverage between the two sets.

Statutes of the Realm provides what is arguably the most authoritative collection of older statutes. Produced by the Record Commission, this 12-volume set covers the periods 1235 to 1713. The title of the second set, *Statutes at Large*, is not a title specific to one set of statutes but is actually a generic title applied to a variety of sets that appeared in the eighteenth century. Most of the sets under this title provide coverage of statutes promulgated between the thirteenth and the eighteenth centuries.²⁸ The most famous of these sets include "*Ruffhead's Edition of Statutes*" and "*Pickering's Statutes at Large*." Needless to say there is much duplication in coverage between *Statutes of the Realm* and *Statutes at Large*, however the latter comes into its own for access to statutes published between 1714 and the end of the eighteenth century. Elizabeth Moys provides an excellent description of the various historical resources in *Manual of Law Librarianship* (2nd ed., 1987).

CONCLUSION

An article such as this can only begin to scratch the surface of performing research in U.K. primary legislation, however there are a number of more substantial sources that can be consulted. Among the best are Peter Clinch's *Using a Law Library* (2nd ed., 2001), and Dane & Thomas' *How to Use a Law Library* (4th ed., 2001). I also highly recommend the use of House of Commons Information Office Factsheets for any unanswered questions regarding the workings of Parliament.²⁹ It should come as no surprise to learn that the approach one takes to statutory research in the U.K. is very



similar to the approach one takes to statutory research in the United States; a mixture of hard copy and online sources is often called for with a strong emphasis on using official and/or up to date resources. ■

ENDNOTES

- 1 Information on the devolution process for Scotland, Northern Ireland and Wales can be located in Noreen Burrows, *Devolution* (1999).
- 2 An excellent glossary of terms is available on the Parliament Web site at <http://www.parliament.uk/glossary/glossary.cfm>. It should be noted that the Parliament Web site is currently undergoing an extensive "makeover." When it is completed by Winter 2002 the site should be more user friendly, however some of the links may have changed. The House of Commons Information Select Committee recently released a fascinating self-study (HC 1065) on the use of technology by Parliament. This 48-page document is available at <http://www.publications.parliament.uk/pa/cm200102/cmselect/cminform/1065/1065.pdf>.
- 3 Public, Private and Hybrid bills for both chambers are available at <http://www.parliament.uk/bills/bills.cfm>. Bills are available in either pdf or html format.
- 4 House of Commons Factsheet L1 "Parliamentary Stages of a Government Bill" (available at <http://www.parliament.uk/commons/lib/fs01.pdf>) provides an excellent overview of the various stages and procedures encountered by a bill in Parliament.
- 5 For the purposes of this article this is a simplified description of the process. A more complete description can be found in Stephen Young, *The Electronic Parliament: Resources for Tracking U.K. Legislation* (available at http://www.llrx.com/features/e_parliament.htm).
- 6 *The Weekly Information Bulletin* is available on the Parliament Web site at <http://www.publications.parliament.uk/pa/cm/cmweb.htm>
- 7 A bill is assigned a number when it is introduced into the first chamber, however the number may change if substantive revisions or amendments are made. The bill number will also change when the bill is introduced into the second chamber.
- 8 Hansard began publication in the early 1800's and became an official source of information in 1909. It is available (1988-present) on the Parliament Web site at <http://www.parliament.uk/hansard/hansard.cfm>. The daily version of Hansard is loaded on the Web site at 8:00am GMT.
- 9 Queen Anne vetoed the Scottish Militia Bill in 1707.
- 10 Her Majesty's Stationery Office oversees the printing and publication of all U.K. legislation. Acts of Parliament are available at <http://www.legislation.hmso.gov.uk/acts.htm>.
- 11 Once an act receives the Royal Assent it is assigned a sequential chapter number for that calendar year.
- 12 Based on searches performed over a three week period in August, 2002 I discovered that acts that had received the Royal Assent since late March 2002 were not available on either Westlaw or LexisNexis.
- 13 BAILII, a registered public trust in the U.K., began with the assistance of AustLII (the Australasian Legal Information Institute) to supply primary legal materials for the U.K. and Ireland. BAILII is available at <http://www.bailii.org/>.
- 14 Information on Butterworth's Law Direct is available at <http://macdonald.butterworths.co.uk/index.asp>. The site includes a bill tracking services as well as coverage of statutes and a useful "Is It In Force" feature.
- 15 Lawtel, a Sweet & Maxwell product, is available at <http://www.lawtel.co.uk/>.
- 16 Justis.com is available at <http://justis.com/navigate/main.html>.
- 17 *The Daily List* provides information on the publication of most official documents and reports. It is available at <http://www.tso.co.uk/bookshop/bookstore.asp?FO=38793>.
- 18 The ICLR version of the statutes is provided in Royal Octavo size, whereas the H.M.S.O. has recently published statutes only in A4 size.
- 19 If an act contains no provision for commencement and/or extent it is presumed that the act will come into force on the date it receives the Royal Assent and/or will apply throughout the United Kingdom.
- 20 Since 1/1/1963 all acts of Parliament are cited using their calendar year and chapter number (e.g., *The Homelessness Act 2002*, c.7)
- 21 A far more complete and understandable explanation of regnal years is provided by Peter Clinch in *Using a Law Library* (2nd ed., 2001) at 47.
- 22 The Law Commission is working on various projects aimed at codifying certain areas of law such as criminal and family law. More information on the work of the Commission is available at <http://www.lawcom.gov.uk/>.
- 23 The Statute Law Database project has been ongoing for a few years and appears to have run into some problems. The Lord Chancellor's Department Web site has information on the project available at <http://www.lcd.gov.uk/lawdatfr.htm>.
- 24 Publication of *The Index to the Statutes* is "in suspension" according to the entry on the Stationery Office's Web site. The most recent edition available is therefore the two-volume edition published in 1992, which covers 1235-1990. *The Chronological Table of Statutes* was most recently published in 2001 and covers 1235-1999.
- 25 This last method requires the making of a commencement order, a form of secondary legislation.
- 26 An online version of this publication is available on Butterworth's Legislation Direct.
- 27 This is particularly true of Westlaw, which only provides coverage of in force legislation.
- 28 During the Interregnum (1642-1660) the country was governed as a Commonwealth. Acts issued by Parliament during this time are available in a three-volume set entitled *Acts and Ordinances of the Interregnum*.
- 29 House of Commons Information Office Factsheets are available on a wide range of issues at <http://www.parliament.uk/commons/lib/fact.htm>. I have also had success with e-mailing the Information Office at hcinfo@parliament.uk.

...THE APPROACH ONE TAKES TO STATUTORY RESEARCH IN THE U.K. IS VERY SIMILAR TO THE APPROACH ONE TAKES IN STATUTORY RESEARCH IN THE UNITED STATES...

LIGHTS DEADLINE



If you would like to write for *Lights*, please contact the editor at lights@llsdc.org. For the most up-to-date information regarding the 2002-2003 submission deadlines and issue themes, check the LLSDC Web site at <http://www.llsdc.org>.



ADVENTURES IN CANADIAN LEGISLATIVE HISTORY

Val Holley
Covington & Burling

PERHAPS THE
MOST STARTLING
DIFFERENCE TO
AMERICANS
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CANADIAN LAW IS
THAT THERE IS NO
NORTH-OF-THE-
BORDER COUNTER-
PART TO THE U.S.
CODE.

THE PURSUIT OF LEGISLATIVE HISTORY IN CANADA IS, AS YOU MIGHT GUESS, SIMILAR IN SOME WAYS TO ITS AMERICAN EQUIVALENT AND DIFFERENT IN OTHER WAYS. To highlight the differences: the United States is more approving of legislative history as a tool in statutory interpretation. Although one school within the U.S. judicial system (headed by Justice Scalia) believes that a statute's legislative history is irrelevant to its meaning, this view has never been embraced by a majority of U.S. jurists (thus allowing legislative librarians to remain employed).

Although in recent years the Supreme Court of Canada has relaxed its longstanding ban on legislative history as evidence of a statute's meaning, the conditions under which legislative history may be admitted remain limited. Essentially, it is used only to clarify situations that Canada's Parliament intended to remedy through legislation; although the scenarios under which legislative history is admissible are on the increase, it is currently unlikely to be allowed as direct evidence of what a statute's words mean.¹ (In Canada, the terms "Parliamentary history" and "legislative history" are often used interchangeably.)

Perhaps the most startling difference to Americans researching Canadian law is that there is no north-of-the-border counterpart to the U.S. Code. There is only the *Revised Statutes of Canada*, comparable to the U.S. *Statutes at Large*. For the uninitiated, working with laws arranged chronologically instead of by subject matter is akin to a telephone directory arranged according to customers' date of subscription rather than alphabetically.

More later on the challenges of working with uncodified law. The good news is that many of the American researcher's needs can be met through Canadian Web sites. Assuming that the American researcher is already familiar with the U.S. Congress' THOMAS Web site (<http://thomas.loc.gov>), it is helpful to approach the Canadian sites in terms of their parallels with THOMAS.

KEY CANADIAN WEB SITES

The best Web sites for Canadian federal legislation are maintained under the auspices of Parliament, at <http://www.parl.gc.ca/common/index.asp?Language=E&Parl=37&Ses=2>, and of the Canadian Department of Justice, at <http://laws.justice.gc.ca/en/index.html>.

Parliament's Web site is roughly equivalent to THOMAS, providing links to text of

bills, status of bills, debates, and committee reports. The four most useful links on Parliament's home page are Chamber Business, Committee Business, Bills, and Virtual Library.

The Chamber Business page is the gateway to documents from the full Senate and full House of Commons. Its most prominent features are four links to the latest issues of both Debates and Journals of the Senate and House of Commons. As with the American *Congressional Record*, a day's debate is typeset overnight and posted the following day. To access an issue earlier than yesterday, links on the left side of the Chamber Business page will take you to any issue back to 1994 in the House of Commons and 1996 in the Senate.

HANSARD DEBATES

Printed Parliamentary floor debates are officially known as the *Hansard*. Hansard was the name of the family who was the official printers of British Parliamentary proceedings in the Nineteenth Century, and the name was adopted throughout the British Commonwealth for both federal and provincial printed legislative proceedings. (At the federal level, *Hansard* is the Canadian translation of the *Congressional Record*.)

The "Journal" of Parliament is similar to the *Congressional Record's* Daily Digest, although it is a separate publication (whereas the Daily Digest is included with the debate under one cover). It summarizes the bills, amendments, and matters of chamber business considered and voted on over the course of the day's proceedings. Selected committee reports are sometimes published in the Journal as appendixes.

As with THOMAS's Bill Status File, the Canadian Senate's "Progress of Legislation" link and the House of Commons' "Status of House Bills" link will list the dates and nature of all actions on a bill. The Senate's "Order Paper and Notice Paper" link and the House of Commons' "Projected Order of Business" link are to the official calendars (or "agendas") of each chamber.

HOW A CANADIAN BILL BECOMES LAW

The Senate's "Progress of Legislation" page charts the dates of a bill's first, second, and third readings; filing of reports, and Royal Assent. The actual legislative pathway, or how a bill becomes law, in Canada is distinct from the American route. A description of the legislative process is at <http://www.parl.gc.ca/information/about/process/house/precis/chap11>



-e.htm. In a nutshell, a Canadian bill must pass three “readings” in each chamber. The most substantive debate generally happens at the second reading. The biggest difference from the American protocol is that a Canadian bill’s referral to the appropriate committee ordinarily occurs after, not before, substantive debate by the full chamber.

The Committee Business page features links to lists of committees, committee memberships, schedules of upcoming committee business meetings, and committee reports and other publications.

The Bills page will link you to full text of each version of each bill. Senate bills, like their American counterparts, are denoted by the letter “S” (S-1, S-2, etc.). House of Commons bills are denoted as C-1, C-2, etc. Significantly, most bills are accompanied by a Legislative Summary prepared by the Parliamentary Research Branch of the Library of Parliament.

Through the Virtual Library page, the Parliamentary Research Branch does for Parliament what the Congressional Research Service does for the U.S. Congress: provide analytical studies, at the request of Members of Parliament, on an almost unbounded range of subjects. Unlike the Congressional Research Service, which treats its reports as if they were classified, the Parliamentary Research Branch makes its reports easily available to the public at http://www.parl.gc.ca/common/library_prb.asp?Language=E.

When a Canadian bill is approved (through “Royal Assent” by the Governor General), the law (“Public Act”) and its enactment proclamation will be published in the *Canada Gazette, Part III*. (Parts I and II of the *Gazette* are for regulations and public notices, as in the U.S. *Federal Register*.) Its URL is , and laws from May 1998 to the present are online.

The Canadian Justice Department maintains the official Web site of the Consolidated Statutes and Regulations of Canada, which are listed alphabetically, and the Annual Statutes of Canada, which are listed by year of enactment from 1995. In the absence of a federal code in Canada, this site’s search engines afford the easiest way to search for the text of the law.

For those who habitually compare the relative merits of American and Canadian governmental services, it may be comforting to know that the Canadian Web sites that host Parliamentary documents can be as exasperating as the U.S. Government Printing Office Web site. Downloading time can be agonizing, as can the occasional click on a link where noth-

ing happens. In addition, Canadian librarians share the apprehension of their American alter egos about the possibility that older electronic government documents could someday be removed from hosts’ Web sites.

HARD COPY RESEARCH

To locate legislative history for statutes enacted in the pre-electronic era, it is necessary to consult the print versions of the *Journal of the House of Commons* and *Journal of the Senate*, which will identify relevant *Hansard* debates and committee reports. (There are both annual and sessional editions of these.) This is easier said than done for Americans, unless they live near the Canadian Embassy, Library of Congress, or any other archive that maintains these materials. Some American librarians resort to hiring private Canadian researchers when they do not have access to pre-electronic era documents and indexes. Private researchers often advertise in Canadian publications such as the weekly *Ontario Reports*.

Although Canadian law is uncodified, the process of ascertaining a statute’s original enactment and subsequent amendments is much the same as in the U.S. – historical notes below a section of law direct the reader back to its earlier incarnations. According to Connie Crosby, a law library manager in Toronto, there is no table that speeds this process up. The knack for it is acquired through trial and error. Crosby says she uses a “convoluted” process synthesizing paper research, a Canadian system called Quicklaw, and the Internet.

CONCLUSION

Selected Web sites are quite helpful in familiarizing Americans with what a Canadian legislative history should look like. Shikha Sharma, reference librarian at the University of Toronto Faculty of Law, created a research guide to Canada’s Anti-Terrorism Bill of 2001, which is available at <http://web.archive.org/web/20011123075322/http://www.law.utoronto.ca/c-36/history.htm>. The British Columbia Courthouse Library Society produced the guide, “How to Compile a Federal Parliamentary History,” which is located at www.bccls.bc.ca/RL_publications_fed_Legis.asp?ID=RL. ■

ENDNOTE

¹ A history of the Canadian Supreme Court’s gradual relaxation of the ban on legislative history is given in Christopher Rhone, *Accepting the Words of Parliament: Parliamentary History As a Means to Interpret Legislation*, 59 THE ADVOCATE 697-702 (2001).

THE BIGGEST DIFFERENCE FROM THE AMERICAN PROTOCOL IS THAT A CANADIAN BILL’S REFERRAL TO THE APPROPRIATE COMMITTEE ORDINARILY OCCURS AFTER, NOT BEFORE, SUBSTANTIVE DEBATE BY THE FULL CHAMBER.

RESEARCHING CAMPAIGNS & ELECTIONS ONLINE

Julia Taylor
*Dickstein, Shapiro,
Morin & Oshinsky*

**GREEN PAPERS IS A
GREAT ONE-STOP
SHOP ON POLITICS
AND ELECTION
INFORMATION.**

INTRODUCTION

Research on campaigns and elections is an important part of legislative research. Other than those appointed due to special circumstances, the members of Congress who craft legislation and the President who signs that legislation into law, are elected to their positions. Here are some helpful online sources for researching campaign related information.

GENERAL POLITICAL & ELECTION NEWS

The library staff is often asked to monitor news stories about a particular election match-up, a particular candidate, or general articles about what's going on in the political arena. Here are some general political and election news sites for these types of requests.

NEWSWIRES If you're looking for wire stories on political news throughout the day, then bookmark Yahoo!'s Full News Coverage – Politics site. Articles are added throughout the day on various political topics, and often include links to additional news stories, Web sites, bios, and voting records for the individuals mentioned in the article. From the main Politics site, you can also link to specialty pages on presidential, House of Representatives, Senate, gubernatorial, state, and local office races.

NEWSPAPERS Print media sources are still the mainstay of news distribution in the country. Being the newspaper of the nation's capital, the *Washington Post* OnPolitics Web site does a great job of covering the major political stories of the day. They also have an agreement with Congressional Quarterly whereby selected CQ articles are placed on the *Washington Post* site. There is also a page with detailed information on elections, including information on specific races, candidate bios, and "race ratings" which project how the election will fall along party lines. Other major papers such as *the New York Times* and *USA Today* do a fair job, but, for specific state races, it's best to check the major papers of that particular state.

NEWSPAPER INDEXES There are a few sites that have links to local news stories on campaigns and elections. Election Online and StatesNews are two Web sites that provide links to local news stories related to elections. They are particularly handy when you're looking for news on a race that the major papers just didn't cover.

BROADCAST MEDIA The broadcast media also play an important role in political news coverage. C-Span and CNN do a great job of election coverage among broadcast media net-

works. C-Span will sometimes have video clips of newsworthy speeches or debates from high profile races. The four major networks – ABC, CBS, NBC and Fox, and other cable news networks – Fox News, MSNBC also have election new coverage on popular races.

SUBSCRIPTION SERVICES If you want to go the extra mile to stay even more informed, you can subscribe to industry trade publications. Congressional Quarterly publishes the *Congressional Monitor* daily and *CQ Weekly* once a week. Copies of the publication with search functionality are available on their Web site. *Congress Daily*, published by National Journal, arrives in the morning and late afternoon. National Journal also publish a weekly magazine, aptly titled *National Journal*. Text of most of the articles are available on their Web site, as well. National Journal goes beyond pure news on their Web site. They have a specific page dedicated to election coverage containing detailed information on all the Congressional races, including poll data.

If you don't want to subscribe to these services, you can also search or set up automated searches on LexisNexis and Westlaw.

GENERAL POLITICS & ELECTIONS INFORMATION

When you need to do research beyond news, there are dozens of great online resources you can consult.

MEGA SITES Green Papers is a great one-stop shop on politics and election information. From the main page, the site gives you headline election news, selected information about the current election, and links to background information on election related topics. The pages on specific state elections have information on which offices are up for election, statistical information about the state, news, and links to the candidates' Web sites.

CANDIDATE BIOGRAPHIES There are several Web sites you can use to obtain biographical information on the candidates, Congress.org, US Elections, Politics1, and Leadership Directories are just a few. Some give the biographical information right there on the site, while others link you to the candidate's Web site where you can usually find the information. Some sites have better information than others, so it's probably best to check a few sites, rather than rely on just one.

STATE OFFICES Although many of the sites previously mentioned contain information on state offices, Statesides Associates operate Stat-



eDecisions2002, which focuses just on state elections. It lists all the state offices up for election including Governor, Lieutenant Governor, Attorney General, state legislature, state supreme court, and ballot questions. It lists which party currently holds the office, and posts a breakdown of the changes to these party standings following the election. The National Governors Association's Web site has information on the gubernatorial races and the National Association of Legislature's Web site has information on state legislature races.

STATE ELECTION LAWS In the event you need to research state election law, the National Association of State Election Directors has links to election offices in all 50 states, many of which have information on the laws of that state. The main page also has information on various election law reform proposals.

ELECTORAL COLLEGE We all got quite a lesson on the Electoral College in the November 2000 election. But, in case you need a refresher, the National Archives and Records Administration (NARA) and the Federal Election Commission have information on how the Electoral College works, how the votes are distributed and a history of the College on their Web sites. NARA also has Electoral College totals for past elections if you need them.

CONGRESSIONAL DISTRICTS Often, patrons want to know which cities make up a particular Congressional district. The Congressional Directory via GPO Access provides district maps for all 50 states, the District of Columbia, and the territories. The Census bureau site goes one step further and provides demographic information on those districts. They also have information on how those districts changed as a result of redistricting efforts following the last census.

CONGRESSIONAL ELECTION PRIMARIES The Federal Election Commission retains information on primaries, run-offs, ballot cutoff dates, and independent filing dates for Congressional Elections.

NATIONAL PARTIES

Since party politics play such an important role in campaigns, it's often useful to check the major party's Web sites for information. The Democratic and Republican parties have position statements, press releases, and links to grass roots organizations on their sites. During a presidential election, they will also have candidate biographies. The Democratic and Republican Congressional campaign committees are more focused on the candidates for Congress.

POLLS

Polls are heavily used by those trying to predict the outcome of an election. Gallup, perhaps the most widely known polling agency, has election-related polling information on their Web site, but it's hard to find and it tends to be of a more general nature. For polls on specific races, the Polling Report is a better choice since they compile polls on specific races from various news sources. If you're a subscriber, National Journal has a similar collection on its Web site, which was discussed earlier.

CAMPAIGN FINANCE

It's hard to get a campaign off the ground without adequate financing. The Federal Election Commission Web site has a great primer on campaign finance law. As does the Campaign Finance Institute Web site, but it also serves as a clearinghouse, with links to recent articles on campaign finance.

Campaign finance law was most recently changed by the Bipartisan Campaign Finance Reform Act, Pub. L. No. 107-155, 116 Stat. 81 (2002), passed earlier this year. So, it's best to consult the BCFRA to make sure your research is current. Brookings has a great Web site about the new law, a legislative history, articles, and updates on the legal challenges to the Act.

CAMPAIGN REPORTS Candidates, party committees, and political action committees (PACs) are required to file reports to the FEC on their receipts and distributions. The FEC has scanned these disclosure reports from 1993 to present. You can search by individual, committee, or candidate. This same information is available on LexisNexis, if you'd prefer to search full-text.

SOFT MONEY "Soft money" is a term for contributions that are given to national party campaign committees for activities not directly related to federal elections and is therefore outside the contribution limitations set by FECA. You can obtain information on soft money contributions from Common Cause and Open Secrets' Web sites. Both allow you to search by donor name and industry. Open Secrets also allows you to search by organization.

LOBBYING DISCLOSURE

So many of our law firms also have lobbying practice groups and as such, are required to file lobbying disclosure reports with the Secretary of the Senate and Clerk of the House. There is a primer on lobbying disclosure law on the House Clerk's Office Web site. The Senate has lobby-

IN THE EVENT YOU NEED TO RESEARCH STATE ELECTION LAW, THE NATIONAL ASSOCIATION OF STATE ELECTION DIRECTORS HAS LINKS TO ELECTION OFFICES IN ALL 50 STATES...



ing disclosure reports available online from 1999 to present (for the House, you have to visit the House Clerk's office to make copies).

VOTER EDUCATION

We can not forget the voters in this whole process. The League of Women voters and Project Vote Smart offer ways of educating the American voter. For researchers, we can find candidate position statements on these sites as well.

STATISTICS

In the event you need to do historical research

on elections, the House of Representatives keeps election statistics dating back to 1920. The statistics include state-by-state information on the number of votes each candidate received and how those votes broke down by party affiliation.

CONCLUSION

I hope this bibliography of online political and election resources is of value to you the next time you have a political or election related research question. See the attached chart for a list of the relevant Web sites. ■

GENERAL POLITICAL & ELECTION NEWS	
NEWSWIRES	
Yahoo! Full News Politics Coverage	http://news.yahoo.com/news?tmpl=index2&cid=703
NEWSPAPERS	
Washington Post	http://www.washingtonpost.com/wp-dyn/politics/
New York Times Campaign Coverage (#)	http://www.nytimes.com/pages/politics/campaign/index.html
USA Today	http://www.usatoday.com/news/washington/digest.htm
NEWSPAPER INDEXES	
Election Online	http://www.electionline.org/electionlinetoday.jsp
StatesNews	http://www.statesnews.org/search/news_archives.htm
BROADCAST MEDIA	
C-Span	http://www.c-span.org/campaign2002/index.asp
CNN AllPolitics	http://www.cnn.com/allpolitics/
SUBSCRIPTION SERVICES	
National Journal Congress Daily & Weekly (\$)	http://nationaljournal.com
National Journal Congress Daily on Westlaw/LexisNexis (\$)	Westlaw, Library= CONGDLY; Lexis, Library=LEGIS, File=CNGDLY
National Journal Weekly on Westlaw/Lexis Nexis (\$)	Westlaw, Library= NATJNL; Lexis, Library=LEGIS, File=NTLJNL
National Journal Election Coverage (\$)	http://nationaljournal.com/members/campaign/
Congressional Quarterly's Daily Monitor & CQ Weekly (\$)	http://oncongress.cq.com/pubviews/monitor.jsp
GENERAL POLITICS & ELECTIONS INFORMATION	
MEGA SITES	
Green Papers	http://www.thegreenpapers.com/
CANDIDATE BIOGRAPHIES	
Congress.org	http://www.congress.org/congressorg/election/
US Elections	http://www.uselections.com/uselections/
Politics1	http://www.politics1.com/
Leadership Directories	http://www.leadershipdirectories.com/elect.htm
STATE OFFICES	
StateDecisions2002	http://www.statedecisions2002.com/
National Association of Governors	http://www.nga.org/Election2002/1,2031,,00.html
National Conference of State Legislatures	http://www.ncsl.org/programs/legman/elect/statevote2002.htm



STATE ELECTION LAWS	
State Election Offices	http://www.nased.org/statelinks.htm
ELECTORAL COLLEGE	
Federal Election Commission	http://www.fec.gov/pages/ecmenu2.htm
NARA	http://www.archives.gov/federal_register/electoral_college/electoral_college.html
CONGRESSIONAL DISTRICTS	
Congressional Directory (GPO Access)	http://www.access.gpo.gov/congress/browse-cd-02.html
The Census Bureau	http://www.census.gov/prod/www/abs/congprof.html
Redistricting	http://www.census.gov/population/www/censusdata/apportionment.html
CONGRESSIONAL ELECTION PRIMARIES	
Federal Election Commission	http://www.fec.gov/pages/primary02.htm
NATIONAL PARTIES	
Democratic National Committee	http://www.dnc.org/
Democratic Congressional Campaign Committee	http://www.americashouse.org/index.phtml?here=yes
Republican National Committee	http://www.rnc.org/
National Republican Campaign Committee	http://nrcc.org/
POLLS	
Gallup	http://www.gallup.com/
Polling Report	http://www.pollingreport.com/index.html
National Journal (\$)	http://nationaljournal.com/members/polltrack/2002/races/
CAMPAIGN FINANCE	
BACKGROUND	
FEC Federal Campaign Finance Law	http://www.fec.gov/pages/fecfeca.htm
Campaign Finance Institute	http://www.cfinst.org/
Bipartisan Campaign Reform Act of 2002	http://www.brook.edu/GS/CF/debate/challenge.htm
CAMPAIGN REPORTS	
FEC Campaign Reports	http://www.fec.gov/finance_reports.html
CIS/Lexis Nexis Candidate Receipt Reports (\$)	Library=LEGIS; File=MEMFIN
CIS/Lexis-Nexis Political Action Committee Reports (\$)	Library=LEGIS; File=PAC
SOFT MONEY	
Common Cause	http://www.commoncause.org/laundromat/
Open Secrets	http://www.opensecrets.org/
LOBBYING DISCLOSURE	
LDA Reports – House	http://clerk.house.gov/pd/guideAct.php
LDA Reports – Senate	http://sopr.senate.gov/
VOTER EDUCATION	
League of Women Voters	http://www.dnet.org/
Project Vote Smart	http://www.vote-smart.org/index.phtml
STATISTICS	
Statistics of the Congressional Election	http://clerk.house.gov/members/election_information/elections.php

ONLINE
LEGISLATIVE
TRACKING
SERVICES:
CQ.COM,
GALLERYWATCH,
AND CQ
THROUGH
LEXISNEXIS

Lorelle Anderson
Crowell & Moring LLP

Laura Reilly
Morgan Lewis & Bockius

FREQUENTLY THERE
IS AN ITEM THAT IS
OF IMMEDIATE
INTEREST TO AN
ATTORNEY, AND I
LOOK REALLY GOOD
WHEN I CAN FOR-
WARD IT TO THEM
THAT QUICKLY!

INTRODUCTION

The advent of electronic systems for legislative tracking has changed the way many legislative librarians work. No longer are we slaves to the House and Senate cloakrooms and our print copies of the *Congressional Record* – the electronic age has dawned, and we are now assured of instantaneous information delivered straight to our desktops.

But which system is the right system? CQ.com On Congress is pretty and has vast holdings of information – but is it worth the price? GalleryWatch is an up-and-comer, but can its tracking compete with CQ's offering of its flagship publications, the *Congressional Monitor* and *CQ Weekly*? Can LexisNexis's offerings compete with these two dedicated legislative information systems? The answer will depend on the needs of your organization and the limits of your budget.

In this article, Laura Reilly will outline the usefulness of CQ.com. Lorelle Anderson will explore the world of GalleryWatch, and discuss the merits of subscribing to CQ through LexisNexis, which began offering subscriptions to CQ content earlier this year.

CQ.COM

Tracking and staying current on pending federal legislation can be a daunting task. Hundreds of bills are introduced each Congress on a wide variety of issues; many do not go anywhere but die in committee. Others get subsumed into new or companion bills, or are passed independently. The House and Senate each have rules and procedures manuals that are several inches thick, governing how legislation moves through Congress. The whole process can be overwhelming. Fortunately there are Web sites and commercial products that help librarians monitor federal legislation of interest to their attorneys. Morgan Lewis & Bockius has a contract with CQ for their CQ.com On Congress online service. This discussion is not intended to serve as a comprehensive overview of what the product entails. The CQ representatives are better trained to do that. Rather, it is one librarian's personal experience with On Congress.

Although some of our attorneys are registered as lobbyists for clients and have an interest in placing language in proposed legislation, most of the demand for information on federal legislation comes from attorneys who need to provide advice to clients. Primarily they need to know what bills on a particular issue have been introduced, whether they include language that might

be beneficial or harmful to the client, if the bills are moving and will they pass, and the effective dates of the legislation. CQ's On Congress helps me pull all that together and present it to the attorney in the most useful format.

Two of the main features that I use are the Custom Bill Report and Bill Watch. The Custom Bill Report is easily created and will present broad information on a bill. The user selects the My CQ feature from the top of the home page; selects Custom Bill Report; 3) and enters the bill number(s) in a dialog box. Clicking on Create Report will yield a chart with headings such as Bill Number, Introduced, House, Senate, Conference, and Public Law. Below these headings are hot links to such documents as bill text, which is listed in reverse chronological order so the most recent version appears first; links to committee markups and action; links to applicable House and Senate reports and floor votes; and information on bill enactment including date, public law number and statutory citation. The chart is an especially helpful format if I am researching a variety of bills for an attorney. The bill numbers will all appear in the most left-hand column, with action items and dates following across the row. I can use this graph as a cover sheet, highlighting the items that I have printed and appended to it. The attorney can tell quickly which bills are moving and at what point in the process they are currently. Clicking on the Bill Number in the graph leads to the CQ Bill Track feature. An especially helpful aspect of this is the added analysis and information that is frequently included in the bill action entries. Expanded information is given on proposed amendments, and the links to *Congressional Record* citations frequently give hints of what the entry contains. Doing a browser Find search can identify which *Congressional Record* citations are relevant to the attorney's needs, and I can easily print them and add them to the report.

Bill Watch is a useful extension to either a simple news search or to the Custom Bill Report. In addition to the basic bill information, such as sponsor, title, etc., Bill Watch provides detail on provisions, highlights, background, related bills, and outlook. From the home page, the user selects the CQ Bill Watch feature, and any additional news sources to search, such as *CQ Monitor News*, *CQ Weekly*, or *White House Bulletin*, and enters the bill number. This yields a list of CQ articles, most recent first, with checkboxes to select and



print the articles all at one time, instead of opening and printing each one separately.

These two features together provide a wealth of information for an attorney, but what about just a quick snapshot of what's happened recently? Selecting the Bills tab on the home page, the user is prompted to enter the bill number or numbers, or keywords. Bill News and Views comes up with the basic bill information, the latest major action, and hot links to the most recent articles in CQ's news sources. For quick information on the appropriations bills, CQ's home page has a link to a status of appropriations chart. This chart includes features similar to the Custom Bill Report features, but adds links to recent articles about the appropriations bills.

I also subscribe to the CQ Daily Monitor Mid-Day Update which is delivered to my e-mail about 2 p.m. each day. Updates on selected Congressional action are included, as are items of a more general political interest, both on the federal and state fronts. Frequently there is an item that is of immediate interest to an attorney, and I look really good when I can forward it to them that quickly!

There are certainly many more specialized features of On Congress, such as bill text comparison, or those which highlight topics such as the environment and homeland security, that I have not had an opportunity to use. It is a powerful tool that enables me to manage and keep current on my legislative monitoring.

GALLERYWATCH

GalleryWatch (<http://us.gallerywatch.com>) provides access to bill text, committee reports, the *Congressional Record*, committee hearing testimony, and floor votes. The information may be accessed through any one of several points, including bill or report number, subject, sponsor, committee, and date. Those of us who do legislative research know where this information may be found on government Web sites, but the chief selling points are the ease of one-stop shopping and GalleryWatch's notification system. The system can be configured to e-mail announcements of bill or committee action to multiple persons. Full-text searching of bills and the *Congressional Record* is also available for tracking, as are current and upcoming committee and floor schedules.

One valuable feature is the ability to search and view draft legislation before it is introduced. GalleryWatch assigns an internal number to designate these bills (HGW X) and replaces it with the bill's official number once

it is introduced. Hearing about and finding draft legislation is a spotty prospect, so this feature can be quite useful.

To set up recurring searches in bills and the *Congressional Record* is fairly simple: select Congress from the top menu bar, choose one of the provided options (bills, committee, etc.) and enter your search, using option number 9 to name and save it. Searches are run daily, but you will be notified only if there are results. Configuring the system to notify you of upcoming hearings, current committee and floor schedules is just as straightforward, but is accessed differently: select Notify Me from the top menu bar, select one of the notification options, and follow the steps to configure your search.

Another particularly useful tool is Bill Comparison, which allows you to view the difference in text between two separate bills or two versions of the same bill. The identical text is printed in black, while the differences are printed in red for one bill, blue for another. This makes it very convenient to pick up and compare differences.

The U.S. Budget option is a tool exclusive to GalleryWatch and has two primary features. The daily newsletter gives a quick rundown of the previous day's activity in authorization and appropriations legislation, and can be accessed online or e-mailed directly. The line item chart offers the ability to track line items in the current and previous years' budget bills back to FY 96. If you are tracking an item through the current year's process, you can configure the chart to compare the numbers of one version against another. Alternatively, you can compare a current line item with its numbers in prior years' appropriations. This feature also contains links to useful offsite budget resources. It is not part of the regular GalleryWatch package, but is available for an additional subscription.

LEGISLATIVE TRACKING AND CQ VIA LEXISNEXIS

With the two dedicated legislative research and tracking systems available, LexisNexis may be overlooked as a source. But for a long time, LexisNexis has offered limited legislative tracking capabilities via Eclipse searches. Searches may be set up in the Congressional Bills and Bill Tracking file (LEGIS;BILLS). The Bill Tracking file is updated daily, and includes committee action, floor action, and remarks. A search performed on November 20 found the file for H.R. 333 updated with a notation to remarks from Rep. Slaughter on November 19.

THE LINE ITEM CHART OFFERS THE ABILITY TO TRACK LINE ITEMS IN THE CURRENT AND PREVIOUS YEARS' BUDGET BILLS BACK TO FY 96.



The file contains a hotlink to the *Congressional Record* pages on LexisNexis.

In recent months, LexisNexis has joined in an alliance with CQ, and access to certain of CQ's electronic products is now available for a subscription. Offerings include CQ Billwatch, Committee Markup Coverage, the *Daily Monitor*, *CQ Weekly*, House Action Reports, and Member Profiles. These files are only updated once daily, as opposed to CQ.com's midday update, but for the library that does not need instant information, it is a respectable (and often less expensive) alternative. Tracking may be accomplished with ECLIPSE searches, as in LexisNexis's other files.

CONCLUSION

These varied options available make it possible for each library, no matter what its tracking needs, to choose a system that will fit. Please contact a CQ.com, GalleryWatch, or LexisNexis representative for pricing information, as prices will vary depending on the number of users and the packages chosen. ■

CONTINUED FROM PAGE 2

Legislative Research SIS offer 3 great resources:

- **Legislative Source Book.** This resource is compiled by the Legislative SIS. It is available via the LLSDC Web site at: <http://www.llsdc.org/sourcebook/index.html> or in print (see enclosed publications form).
- **Union List of Legislative Histories**, 7th edition. A new supplement to this publication is also available. See the enclosed publications form and/or <http://www.llsdc.org/sourcebook/about-union-histories.htm>.
- **GPO Congressional Publication Releases.** Since May of 1998, the week by week listing of newly issued Congressional documents for sale by the GPO has been transcribed from the twice daily GPO telephone recording by volunteers from the Legislative Research SIS. It is currently being transcribed by Emily Carr at the Law Library of Congress. See: <http://www.llsdc.org/gpo/index.html>. ■

MARK YOUR CALENDARS!

LLSDC 2003 LEGAL RESEARCH INSTITUTE MARCH 10-11, 2003

The Legal Research Institutes are all-day programs aimed at those working in law libraries who want to sharpen their research skills and non-law library personnel and paralegals with limited experience using basic American legal sources.

Topics will include:

CASE & ADMINISTRATIVE LAW
STATUTES
SECONDARY AUTHORITIES
LEGISLATIVE HISTORY
INTERNATIONAL LAW

Check the LLSDC web site at <http://www.llsdc.org> for further details or contact Tracey Bridgman at the Edward Bennett Williams Law Library, 202/662-9145, trb@law.georgetown.edu.

BNA ad

AN OVERVIEW OF THE CONGRESSIONAL RECORD AND PREDECESSOR PUBLICATIONS

Richard J. McKinney
Federal Reserve Board
Law Library

THE REGISTER OF DEBATES IN CONGRESS...WAS THE FIRST CONTEM- PORANEOUS ATTEMPT TO PUBLISH...ALL THE LEADING DEBATES AND INCIDENTS OF CONGRESS.

HOUSE AND SENATE JOURNALS

Article I, section five of the *Constitution of the United States* provides that “each House shall keep a Journal of its Proceedings and from time to time publish the same.” Pursuant to this clause, the *Journal of the United States House of Representatives* and the *Journal of the United States Senate* have provided legislative action proceedings for their respective bodies since 1789. They include no verbatim or summary remarks of debates - just the legislative minutes, including congressional votes, history of bills, procedural matters, and Presidential messages. Each *Journal* volume covers one congressional session. The *Journal of Executive Proceedings of the U.S. Senate*, also published since 1789, covers Senate action on nominations and treaties submitted by the Executive Branch. While most of the material in the *Journals* can also be found in the publications discussed below, the *Journal* indices and bill tables can be helpful in locating the debate on pieces of legislation in those other publications.

THE ANNALS OF CONGRESS

There was no precedent in colonial or English legislative practice for more than just the keeping of journals.¹ Consequently, for the first 41 congresses (85 years), there were no official government publications that recorded congressional debate. Newspapers and other commercial publishers² recorded proceedings to the extent they saw viable according to the limits on column space available, the political leanings of the editors, the limits on existing shorthand methods, and the ability to hear from the galleries or assigned floor areas.³

In 1834 commercial publishers Joseph Gales and William Seaton began collecting and selectively publishing these early summaries of debates and legislative actions in a publication called the *Annals of Congress*.⁴ Organized by session in 42 volumes, and taking 22 years to compile and publish, the *Annals* are recognized as the best source for coverage of Congress during the first 18 congresses, 1789 through 1824. Funds appropriated by Congress in 1849 assisted in its production with each volume containing a separate index for House and Senate proceedings. In addition, the *Annals* includes an appendix for each Congress containing public laws and some executive reports. Records for each chamber in the *Annals* are organized by congressional session and are numbered consecutively by column, not by page, with two columns per page.

THE REGISTER OF DEBATES

The *Register of Debates in Congress*, also published by Gales and Seaton, was the first contemporaneous attempt to publish, what they claimed was, a substantially accurate report of all the leading debates and incidents of Congress.⁵ The *Register* covers the years 1824 to 1837 (the second session of the 18th Congress to the first session of the 25th Congress) and was published at the end of each congressional session. Like the *Annals*, which was actually compiled some ten years after the *Register* began, it is not a verbatim account. Although selected reporters were allowed on the House and Senate floor, stenography was still primitive at the time and longhand was often employed. Some speeches that were deemed as lacking general interest were not reported and members were invited to revise their remarks before the *Register* was published at the end of the session and it was often written in the third person.⁶ An appendix to each session contained presidential messages, public laws, and selected executive department and congressional committee reports. Separate indices to each House and Senate session and to the appendix of the *Register* were also produced. Like the *Annals*, the *Register* was numbered in consecutive columns, not pages, with two columns per page.

THE CONGRESSIONAL GLOBE

Beginning in 1833, a newspaper type publication, the *Congressional Globe*, began daily coverage of congressional proceedings, with bound cumulative volumes being published at the end of a session.⁷ Published by Blair & Rives, coverage continued to 1873 (the 23rd to the 42nd Congress).⁸ The *Globe*, at least initially, was not considered a verbatim account, but, according to its early subtitle, provided only “sketches of the debates and proceedings”. In contrast to the *Register*, the *Globe* was thought to be more partisan with many members claiming to be misrepresented or not reported at all.⁹ Members could, however, submit a copy of the full text of their speeches to be included in an appendix to be published at the end of congressional session. Like the *Register* appendices to the *Globe* also contained presidential messages, certain executive department reports, and the text of public laws, but not congressional committee reports or hearings.¹⁰ By the middle of the 19th century, due to improvements in shorthand and in congressional willingness to pay for the salaries of reporters and



for copies of their reports, the *Globe* became a more verbatim account of congressional debates, and complaints against its reporters became fewer.¹¹

The *Congressional Globe* is organized by congressional session and arranged in consecutively numbered pages, with three columns per page. Although each *Congressional Globe* volume represents one congressional session, after volume 14, covering the second session of the 28th Congress (1844-1845), volume numbers were no longer noted, or noted inconsistently, in the text of the *Globe* and were replaced by the phrase "New Series." However, librarians and others have sometimes manually appended volume numbers to the spines of the bound edition of the *Globe* according to a congressional session sequence, but citations to the *Globe* should be by congress and session instead by volume number.¹² For each congressional session an index to House proceedings and to Senate proceeding was published as well as a separate index for the appendix. Beginning with the 40th Congress (1867-1869) the index to the *Globe* also included a history of House and Senate bills and resolutions, which was continued by its successor publication.

THE CONGRESSIONAL RECORD

The *Congressional Record* began publication in 1873 (43rd Congress) when Congress decided to that it would be more economical and satisfactory to publish its debates and proceedings under its own direction.¹³ Since that time, whenever Congress has been in session, the *Record* has been published daily by the Government Printing Office (GPO) on newspaper quality paper. Each *Congressional Record* volume covers one congressional session with consecutively numbered pages. A permanent hardbound edition of the *Congressional Record* on better quality paper is published after the finish of a congressional session, but the numeric sequence of pages differs significantly from the numeric sequence of the daily edition. For a number of decades, in addition to the daily and permanent editions of the *Congressional Record*, GPO also published a biweekly edition (basically a duplication of the daily edition) that was glued together inside a thick green paper cover with its own index. This "green-back" edition was discontinued in 1985 at the same time that the daily edition was glued together, instead of being stapled, inside a thick white paper covering.

The *Record* has varied in length over the

years and varies from day to day. A single days issuance could be a few pages to hundreds of pages with multiple parts. Volume 1 covering the first session of the 43rd Congress (December 1, 1873 to June 15, 1874), contains 5500 pages. Volume 147, covering the first session of the 107th Congress (January 3 to December 20, 2001), contains 27,572 pages. In general the size of the *Congressional Record* gradually became larger over the years until it peaked in the 1970's when it was not uncommon to have well over 40,000 pages a session. In the past decade the range has been around 15,000 to 30,000 pages per congressional session.

Until volume 87 (77th Congress; 1941-1942) of the *Congressional Record* a two column per page format was used and since that time a three column format has been employed. The 77th Congress also began the standard two-session congress with the first session beginning in January on an odd numbered year and the second session beginning in January on an even numbered year. Before that time it was not uncommon to have two to four sessions in one congress and sometimes the first session would not even meet until December of the year following an election. Since 1941 congressional sessions have pretty much followed the calendar year, with sessions being longer on odd years when there is no general election and shorter on even years, when there is a general election.¹⁴

The legal authority for publishing the *Congressional Record* is found in Title 44 USC §901-910. The Joint Committee on Printing, established in 1895 (Title 44 USC §101-103) has oversight of the *Record* and all congressional printing, but legislative authority is vested in the House Committee on House Administration and the Senate Committee on Rules and Administration.¹⁵

GENERAL CONTENTS OF THE CONGRESSIONAL RECORD

The *Congressional Record* contains House and Senate floor proceedings, substantially verbatim transcripts of floor debate and remarks, notice of all bills introduced, full text of all conference committee reports, notices of committee and Presidential actions and communications, and statements or documents submitted by members of Congress for publication. Non-substantive changes can be made by members before the daily edition is published and again before the hardbound permanent edition is published. The daily edition is usual-

THE CONGRESSIONAL RECORD BEGAN PUBLICATION IN 1873...



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PUBLISHED.**

ly available the morning after that day's proceedings. The bound edition usually takes several years to be published after a congressional session ends.

The text of bills, as passed by a chamber, are normally published in the *Record*, but generally the text of bills as introduced, reported, or enrolled for the President's signature, are not published in the *Record*. One exception to this is in the "Statements on Introduced Bills and Joint Resolutions" area in the Senate proceedings that, since 1971, is published after a list of newly introduced bills and additional cosponsors. In the statements area most newly introduced Senate bills will be commented upon by their sponsors and "frequently" they are accompanied by the full text of the bill. Comments on newly introduced House bills are sometimes inserted in the Extension of Remarks section, but usually not with the text of the bill. The text of standing committee reports and hearings are almost never printed in the *Record*, but the text of conference committee reports have always been printed within it, usually in the House proceedings. Conference committee reports contain the agreed decisions or text of joint House-Senate conferences on a bill. They also frequently contain detailed joint explanatory statements on the compromise text as well, and as such, are usually quite valuable in discerning legislative intent.

Beginning with volume 113 (90th Congress; 1967) the pages for the daily edition of the *Congressional Record* are consecutively numbered within a congressional session, but they start with a letter corresponding to different sections in each issue: S (Senate proceedings), H (House proceedings), E (Extension of Remarks), D (Daily Digest), and HL (lobbyist listings).¹⁶ In alternate days either the House proceedings or the Senate proceedings lead off the day's *Record*, but the Extensions of Remarks section is placed behind them and at the back of all the daily issues is the Daily Digest section. On various days during the week, in the daily edition of the *Record*, between the Extension of Remarks and Daily Digest sections, is placed a list of members of Congress, member committee assignments, House and Senate officers, Supreme Court justices with the circuits assigned to them, and a helpful page entitled "Laws and Rules for Publication of the Congressional Record."

THE DAILY DIGEST

Beginning with volume 93 (1st session, 80th

Congress; 1947), each day's issue of the *Congressional Record* began to be accompanied by a "Daily Digest", which summarizes Senate and House chamber and committee actions with cites to page numbers in that day's proceedings. The daily digests, placed in the back of the daily edition, are later published together in the hardbound permanent edition of the *Congressional Record* as a separate book (final part) for each session volume with page citations to the bound edition. New public laws and committee meetings and floor schedules for the coming day or week are also noted in the Daily Digest of daily edition, but not in the bound edition. At the end of the daily edition of the Daily Digest is an explanation on how to obtain access or a subscription to the *Congressional Record*. The Daily Digest is very helpful in finding particular proceedings in the *Record* and it is generally the only place where most all hearings and committee actions are noted in the *Record*.

THE CONGRESSIONAL RECORD INDEX

A subject index to the daily *Congressional Record* is published covering a two-week period. This biweekly index is later cumulated into a bound volume index covering an entire congressional session but cites to pages in the bound edition not the daily one. The material in the index is organized alphabetically by subject or last name and it notes and cites to the bills, remarks, letters, and other items in the *Record*. Not until volume 129 (1983) are dates noted in this index. The bound permanent index, which has been a part of the *Congressional Record* from its beginning, is normally the last part published in a session volume series and it is usually released some five or six years after the end of a congressional session.

From the beginning the bound *Congressional Record* index has always been accompanied by a separate Senate and House "History of Bills and Resolutions." Within it all Senate and House measures are listed with notes and citations to page numbers where activity can be found in the bound *Congressional Record*. Notations to dates with the page numbers have only been given since volume 142 (1996). The biweekly index also contains a history of bills and resolutions, but it only covers measures that have some action during the biweekly period. Hearings are not noted in these histories and while beginning page numbers to debates are noted the debates may continue for multiple pages without being so noted. Remarks on newly



introduced bills are also not noted, but they can be found using the index. Finally it important to understand that a bill's history may have prior or subsequent notations in a previous or subsequent session of the same congress.

APPENDICES AND EXTENSIONS OF REMARKS Besides the proceedings and index, an appendix, containing daily extensions of remarks and inserted documents has almost always been a part of the *Congressional Record*, but it has had a varied history. Since the days of the *Register of Debates* members of Congress have had the opportunity to add speeches or revisions to remarks not delivered on the floor. This, as well as other material, was normally placed in an appendix to the debates at the end of a congressional session. The practice was continued in the *Congressional Record* with members, usually from the House, being free to withhold their remarks for revision or to insert speeches and other material under "leave to print" motions that were later placed in an appendix to the *Record*. From volumes 1 through 57 (43rd - 65th congresses; 1873-1919) appendices to each congressional session had their own consecutive pagination with the phrase "Appendix to the *Congressional Record*" at the top of each page. The early appendix also had its own index and was either bound with the debates and proceedings or with the regular index.

In volumes 58 to 62 (66th Congress through the second session of the 67th Congress; 1919-1922) pagination to the bound appendix continued from the consecutive sequence in the proceedings and the appendix no longer had its own index. Then, beginning with volume 63 (third session of the 67th Congress), rather suddenly, the appendix to the bound *Congressional Record* ceases to appear and does not reappear until volume 81 (73rd Congress; 1933-1934). Pagination in this new appendix series is consecutively numbered in a separate format from the debates and proceedings and contains the letter "A" before each numeral in both the daily and bound editions. There was also no separate index to the appendix as the material was covered in the regular index.

Beginning with volume 100 (2nd session of the 83rd Congress; 1954), the appendix to the daily edition was dropped altogether from the bound version of the *Congressional Record* until volume 113 (90th Congress, 1st Sess.; 1967). During this time, material that was con-

sidered germane to Senate and House proceedings was published in the bound *Congressional Record*, but was incorporated in an "Extensions of Remarks" section, after the daily House proceedings. The material that was not considered germane, such as reprinted editorials, articles, speeches by executive branch officials and the like, was not printed in the bound *Congressional Record* during this time (1954-1966).¹⁷ However, this non-germane material was still be noted and cited in the annual bound *Congressional Record* index. Consequently, many libraries have collected the pages of the daily appendix, with its newspaper quality paper, bound the pages together by session, and placed the books alongside their corresponding *Congressional Record* volumes. Some microform editions of the bound *Congressional Record* also carry the daily appendix for that time period.

Beginning with volume 113 (90th Congress; 1967) in the daily edition, extensions of remarks were consecutively numbered with the letter E in front of each numeral. In the bound edition, beginning with volume 114 (1968), the extensions of remarks, both germane and non-germane, are placed after the House proceedings on a daily basis and all pages are numbered consecutively within a congressional session. There is no easy method for determining hard bound pagination cites from the daily cites except by using the index, the daily digest, and by hunting by date in the approximate area. As noted above there is also no correspondence in the numeric pagination of the bound *Record* and the daily *Record* before 1967 even though both employed a straight numeric sequence in the proceedings and appendix of each volume.

ELECTRONIC SOURCES AND LINKS TO THE CONGRESSIONAL RECORD

As early as 1985, a full-text electronic version of the daily edition of the *Congressional Record* has been available on LexisNexis and Westlaw and it is available on CQ's OnCongress.com from 1987, on THOMAS from 1989, and on GalleryWatch.com from 1999 forward. Links to *Congressional Record* pages are also provided in the bill tracking services of CQ's On Congress (from 1987), LexisNexis (from 1989), GalleryWatch.com (from 1999) and THOMAS (from 1999). Bill status summaries on THOMAS with notes of actions by date go back to the 93rd Congress (1973). CQ's online Record Scanner, which provides *Congressional Record* abstracts, goes back until 1987.¹⁸

...GENERALLY THE TEXT OF BILLS AS INTRODUCED, REPORTED, OR ENROLLED FOR THE PRESIDENT'S SIGNATURE, ARE NOT PUBLISHED IN THE RECORD.



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Beginning in 1994, the Government Printing Office, through its own on-line service, GPO Access, has made the daily *Record* available via the Internet or dial-in mode and from 1995 forward it is available there in PDF format. GPO Access also has available a cumulative annual *Congressional Record* index to the daily edition as well as a "History of Bills" (but not resolutions) from 1983 to the present with citations to the daily edition.

Although there is no public accessible electronic version of the bound *Congressional Record* or its index, the situation is quite different for early predecessor publications to the *Congressional Record* as the Library of Congress, through its American Memory Project,¹⁹ has optically scanned all the early series, including the complete *Annals of Congress*, *Register of Debates*, and *Congressional Globe*, as well as the early Senate and House *Journals* from 1789 to 1873. While these online works are not word searchable there are a number of indices and navigators to the publications that are word searchable.

CITING TO THE CONGRESSIONAL RECORD

In citing to the *Congressional Record* the Blue Book²⁰ recommends the following samples 131 CONG. REC. 17,147 (1977) or 131 CONG. REC. S11,465-66 (daily ed. Sept. 13, 1985) (statement of Sen. Wallop). Examples from the Blue Book for predecessor publications include the following: CONG. GLOBE, 36th Cong., 1st Sess. 1672 (1860); 10 REG. DEB. 3472 (1874); and 38 ANNALS OF CONG. 624 (1822). An example of a Congressional Research Service cite is "Annunzio, Frank. Notice to House Members. *Congressional Record*, v. 131, Sept. 4, 1985, p. 22835."²¹ If the daily edition is being cited then "(daily edition) or (Daily Edition) or (Daily ed.)" should be surrounded by parentheses just after "*Congressional Record*." The month can be abbreviated or written in full, but the important point is that enough information be given so that the reader can know exactly where to find the cite.

**FLOW OF SENATE PROCEEDINGS AND
PUBLICATION IN THE RECORD**

Since 1971, the flow and publication of Senate proceedings and debate have generally followed a common pattern. The Senate is called to order by the presiding officer who, according to the Constitution, is the Vice President of the United States, but since the mid-twentieth century the Senate is usually chaired by the President pro tempore (the Senator with the

most seniority in the majority party) or the Acting President pro tempore designated by him or her. The Presiding officer refers to himself or herself as the chair and is addressed as Mr. President or Madam President.

A typical Senate day is begun by prayer and followed by an explanation by the majority leader of the day's schedule. Next is the transaction of routine morning business. This includes most procedural matters, such as the receipt of presidential messages, executive communications, and messages from the House, the filing of committee reports, the introduction of bills and resolutions, and other matters, and concludes with miscellaneous floor speeches delivered by various Senators under prearranged "special orders" (usually no more than five minutes each). After morning business legislative measures are then considered and debated but these may be interrupted by other non-germane speeches from Senators recognized by the presiding officer.

Although morning business precedes Senate debate in time, since 1971, most of the items in the morning business are generally placed in the *Record* after measures being considered and debated. Senate debate is generally unlimited by time or subject matter. Since 1971, after the listing of measures introduced, most senators will have inserted into the *Record* a statement on the bill they are introducing and often the text as well. Since 1983 the text of proposed amendments follows these statements, followed by "additional statements" not delivered on the floor. These statements, not spoken on the floor of the Senate, are indicated by a bullet dot (since 1978) at the beginning and ending of the speech. Many other types of documents like correspondence, selected testimony and news articles are frequently inserted into the *Record* as well. At the end of the Senate proceedings is a list of nominations by the President to the Executive branch to be confirmed by the Senate.

The Senate has a seven member team of professional stenographers who are present on the floor and who are responsible to take down all that is spoken and all the business transacted, sometimes moving from senator to senator. The stenographers, known as "Official Reporters of Debate", are skilled in shorthand and the use of stenographic machines, and are also knowledgeable on parliamentary procedure. They work in 10 minute shifts and immediately after a shift, a reporter will have his or her notes transcribed, edited, and within an



hour made available to relevant senators. Under Senate rules senators are permitted to make minor corrections to their remarks, but no substantive changes.²²

FLOW OF HOUSE PROCEEDINGS AND PUBLICATION IN THE RECORD

The arrangement of proceedings and debate in the House differs from that in the Senate. Procedures in the House call for stricter controls, including the adoption of rules setting the conditions for debating a legislative measure. The chair for the House is the Speaker of the House of Representatives elected by the majority of members of that Congress. In his absence a Speaker pro tempore, designated by the Speaker, presides over the House. After the opening prayer and approval of the last day's journal, members are given permission to make floor speeches on topics of their choice. After this comes the consideration of various legislative measures. However, before a controversial bill is debated, the resolution setting conditions for the debate may be debated and voted upon. It is the Rules Committee, controlled by the leadership of the majority party, that sets these rules and, unlike the Senate, unlimited amendments and debate is rarely an option in any rule. Many non-controversial measures are passed without a roll call vote under a rule suspension. During the debate articles and correspondence may be submitted and printed in smaller type in the *Record*. Since 1978, speeches not delivered on the House floor are printed in a sans-serif typeface.

After the debate on legislative matters the chair usually recognizes many members to speak on various issues under a prearranged special orders (usually for five minutes). The full text of any conference report is also printed under these special orders. A listing of the special orders granted is then printed followed by a listing of extensions of remarks granted and a list of bills referred from the Senate, signed by the House or presented to the President. Typically then, a member moves to adjourn.

At the back of the House proceedings are placed listings of executive branch communications, reports from committees, bills and resolutions, additional cosponsors of measures, and the few amendments permitted by House rules. In a separate section are the "Extension of Remarks" which are speeches or inserts not made on the House floor usually as a tribute to some person or organization or a statement about a bill recently introduced.

The House also has a team of stenographers covering its chamber, but unlike the Senate, the House member in control of the floor at the time is the one who receives the transcript and has the responsibility of returning it after perhaps showing it to others who have spoken within the time period allotted to the first member. After various transcripts are reviewed by senior reporters the material, together with the Senate transcripts, are delivered to the Government Printing Office, usually beginning around 4:00 p.m. Deliveries continue every 45 minutes throughout the evening until all transcripts have been delivered. By 1:15 a.m. typesetting is usually completed, and by 2:30 a.m. the proofreading is complete. By 3:30 a.m. page makeup is completed and by 4:45 a.m. the last plate goes to press. Copies of the *Congressional Record* on proceedings from the day before are normally available on the Hill before Congress convenes the next day.²³ Sometimes, if a late night session causes delay or if materials in the *Record* are particularly lengthy then the *Record* that day may be divided into more than one issue or part and be published the following day. Daily issues which are very short are often combined with one or more subsequent issues and printed and released with them.

CONCLUSION

The *Congressional Record*, remarkable in its size, content, and turn around time, is a unique source of American public documentation. Nearly all the major and minor policies and concerns of the day are discussed and debated in its pages. It is likely to be with us for a long time to come, but the format in which we read it has changed and no doubt will continue to change in the future. ■

ENDNOTES

- 1 Elizabeth G. McPherson, *Reporting the Debates of Congress* 28 QUAR. J. SPEECH 141 (1942).
- 2 Mildred L. Amer, *THE CONGRESSIONAL RECORD; CONTENT, HISTORY AND ISSUES 2-4* (CRS Report 93-60) (Jan. 14, 1993). Early commercial publications included the *New York Daily Gazette*, the *Philadelphia Gazette*, the *Congressional Register*, the *National Intelligencer* and others.
- 3 Peggy Garvin, *Before the Record*, 32 LAW LIB. LIGHTS 1 (Jan./Feb., 1989)
- 4 The formal title of the *Annals of Congress* is *The Debates and Proceedings in the Congress of the United States*.
- 5 Preface and title to volume one of the REGISTER OF THE DEBATES IN CONGRESS.
- 6 McPherson, p. 144.
- 7 Originally, the *Globe* appears to have been issued every few days at 16 page intervals, whether or not a sentence

FROM THE BEGINNING THE BOUND CONGRESSIONAL RECORD INDEX HAS ALWAYS BEEN ACCOMPANIED BY A SEPARATE SENATE AND HOUSE "HISTORY OF BILLS AND RESOLUTIONS."



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- or a day's proceedings was completed. Eventually, Congress stipulated that its proceedings be published daily. See Act of March 2, 1865, Chap. 73 at Sec. 7, 13 Stat. 460.
- 8 For its first few volumes the *Globe* was published contemporaneously with the *Register* until the later ceased publication after the first session of the 25th Congress (1837).
 - 9 McPherson, p. 145-146.
 - 10 LAURENCE F. SCHMECKEBIER & ROY B. EASTIN, *GOVERNMENT PUBLICATIONS AND THEIR USE* 139 (2nd ed. 1969).
 - 11 McPherson, p. 147. After the introduction and adoption of the phonetic shorthand method of Issac Pitman by the Senate in 1848 and by the House in 1850, near verbatim reporting of congressional debate became a reality for the first time and complaints against reporters were noticeably fewer.
 - 12 Schmeckebier, p. 138.
 - 13 Amer, p. 5. Annual appropriations had been provided to report congressional debate since 1863 and the *Congressional Record* only began after the contract with the publisher of the *Congressional Globe* had expired on March 3, 1873, at the end of the 42nd Congress.
 - 14 Although in an election year Congress usually has less days in session it usually gets more accomplished. See *Resumes of Congressional Activity* at <http://thomas.loc.gov/home/resume/resume.html>.
 - 15 Amer, p. 6 and 28 Stat. 603.
 - 16 Quarterly statements on newly registered lobbyists were published in the daily and bound editions of the *Congressional Record* until volume 142 (1996).
 - 17 Schmeckebier, p. 139-141.
 - 18 See RICHARD J. MCKINNEY, *INTERNET AND ONLINE SOURCES OF LEGISLATIVE AND REGULATORY INFORMATION* at <http://www.llsdc.org/sourcebook/docs/internet.pdf>.
 - 19 The relevant collection is entitled *A Century of Law-making for a New Nation: U.S. Congressional Documents and Debates 1774-1873*. See <http://memory.loc.gov/ammem/amlaw/lawhome.html>.
 - 20 *THE BLUEBOOK: A UNIFORM SYSTEM OF CITATION* 95 (17th ed. Harv. Law Rev. Association) (2000)
 - 21 Amer, p. 20.
 - 22 *Ibid.*, p. 12.
 - 23 *Ibid.*, p. 13

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LEXIS/NEXIS AD



HOT TOPIC
A SHORT
PRIMER ON
HOW TO FIND
MARKET SHARE¹

Raphael I. Panitz
Wilmer, Cutler & Pickering

**"KNOWING
MARKET SHARE
INFORMATION IS
ESSENTIAL WHEN
COMPANIES
CONSIDER
MERGING."**

Author's Note: The views expressed herein are those of the author and do not constitute an endorsement by Wilmer, Cutler & Pickering.

INTRODUCTION

Antitrust lawyers, economists, arbitrage specialists, and econometricians often need to know a company's market share, which can be defined by either the percentage of sales in an industry held by an individual firm or by the percentage of the quantity of a particular product/service manufactured or provided by an individual company. Knowing market share information is essential when companies consider merging. If companies merge and the combined market share is above a certain percentage, prior to merging the government may step in and try to block the merger outright or force the combined company to sell off some of its assets to reduce the market share. Finding market share data is often crucial for properly analyzing a merger and its effect on the industry and on competition. How to quickly find accurate and correct market share numbers is often the responsibility of librarians and other information professionals.

This article provides a descriptive list of sources for finding the most current and relevant market share information. The list is divided into the following categories: 1) Printed sources (the most popular print publications, trade press), 2) free internet sites, and 3) online, fee based services that provide analyst reports. By far, the largest source of market share information are analyst reports written by investment analysts and researchers for investors.

The authors of these reports are usually (but not always!) independent third party analysts or researchers with no vested interest in the companies that are being reviewed. While companies offer their own numbers for market share, that data may be self promoting, inaccurate, or out of date. For those reasons, the antitrust community prefers the market share data found in investment analyst reports, even though the data in the report may not represent the current market share, but a prior period. For example, a report dated May 2002 may only provide data as late as December 2001.

It is also important to note that analyst reports are written to provide research and guidance to investors and brokers who wish to invest in *public companies*. Finding market share data for *private companies* is more challenging, and entails searching the relevant industry for market share information or news reports that mention the private company's market share numbers.

PRINTED SOURCES

GALE'S MARKET SHARE REPORTER AND WORLD MARKET SHARE REPORTER

The *Market Share Reporter* covers companies located in North America. Published annually by Gale/Thomson, the cost for the 2003 edition is \$275. The information contained in this publication is culled from news, trade press, and web sites. The date of the market share data varies from several months to several years. The Reporter is a solid source for doing *initial* market share research, by providing the names of the companies in the various markets and industries.

The *World Market Share Reporter* is a relatively new publication, first published in 1993. It is a companion to the *Market Share Reporter*, and covers foreign companies. Also published by Gale/Thomson, the most recent edition costs \$340. Use the data here with caution because the source may be several years old and not reflect any changes in market share since the data was first published.

THE DAILY DEAL

The *Daily Deal* is a trade publication that covers mergers and acquisitions. Published by The Deal, the cost is \$498 annually.

ADDITIONAL PUBLICATIONS BY INDUSTRY

Advertising Age. Publisher: Crain Communication. Price: \$119 annually. Publishes market share data for advertising companies.

Best's Insurance Reports. Publisher: A.M. Best. Price: hard copy: \$985/annually. CD ROM: \$1375. Provides market shares figures for insurance companies. One report covers numbers of premiums sold in life/health insurance; another report provides numbers of premiums sold in property/casualty insurance.

Market Scope. Publisher: Trade Dimensions. Price: \$365/annually; with a midyear update: \$565. Provides market share information for grocery stores, supermarkets, and the like.

National Petroleum News. (NPN) Publisher: Adams Business Media. They also publish an annual yearbook. Price (includes yearbook): \$64. NPN provides market share data for oil and gasoline producers, as well as for products sold in convenience stores.

Private Label Magazine. Publisher: EB Williams. Price: \$85/annually. Provides market share information in the private label industry.



Radio Business Report and Television Business Report. Publisher: Radio Business Report. Price: \$220/annually. Presents market share information for radio and television stations.

FREE SITES

THE COMPANY'S SEC FILINGS.

Web site: <http://www.sec.gov/>

A company's SEC filings such as the 10K may provide the company's market share information. If it's a foreign company that trades on a US Stock Exchange, check the 20F filing. This data may not always be trustworthy, since it is generated by the company itself.

THE COMPANY'S WEB SITE

A company's web site may provide its market share data. Please remember that since the web site relies on information provided by the company, the market share numbers may not be accurate or current.

NEWS SEARCHES ON THE WEB

One can sometimes find market share data for products or for companies by doing simple searches on Google, Netscape, Yahoo, and others web searchers. The caveats using these services include the currency of the data, the provider of the information, and the accuracy of the market share numbers.

HOOVER'S.

Web site: <http://www.hoovers.com>

Hoover's offers both free and fee-based information. The free information often provides a short history of a firm (both public and private companies), products, competitors, and executives. In some instances, one can find in Hoover's company descriptions the company's market share numbers.

ONLINE, FEE-BASED SERVICES²

There are a number of these services that retrieve analyst reports which contain market share data. Retrieving these reports requires a knowledge of the search engine, the specific search terms, and the time frame for which the service provides the reports. It is also important to know the costs involved in searching, retrieving, downloading, or printing the reports.

The names of these services are given in alphabetical order. This order does not imply or suggest the superiority or preference of one over another.

ALACRA.

Web site: <http://www.alacra.com>

This company is a data aggregator, formerly known as Portal B and XLS. The service provides simple as well as free text searching of Investext reports. Alacra offers the ability to search analyst reports by the term "market share." Alacra is available on a subscription service or by pay as you go. One may purchase individual pages from analysts reports as well as complete reports; individual pages cost anywhere from \$7.50 to \$20.

BLOOMBERG PROFESSIONAL TERMINAL

Analyst reports may be retrieved using a Bloomberg Professional terminal, depending upon the terms of the contract with Bloomberg. Reports are provided by services such as First Call, Multex, or Thomson, (see below for a description of these).

DIALOG PRODUCTS.

Web site: <http://www.dialog.com>

DIALOG and DATASTAR are now owned by Thomson. There are numerous DIALOG products that provide analyst reports, but most come through Investext. DIALOG provides files that contain analyst and researcher reports. Investext can be found in files 545 (coverage since 7/1982), 745 (coverage since 1999), IV 92 (Datastar 82-92) and INVE (Datastar 93 to present). Free tables of contents are available for many but not all reports. Pricing ranges from \$7.95 to \$20 a page plus any additional charges depending upon which DIALOG system is being used. Reports are available in PDF and other formats.

DOW JONES. (soon to change name to FACTIVA.)

Web site: <http://www.djinteractive.com>

Analyst reports from Investext and Multex are available from Dow Jones. There is a time lag between original publication and republication by Dow Jones. There is no charge for time for on line searching. Tables of Contents (for Investext) are available for free; pages cost \$7.25 a page; (for Investext); costs for Multex reports depends on the length of the report- \$5 and up. There is also a charge for a password, which is currently \$69/year. As mentioned above, this service will shortly change its name to FACTIVA.

FIRST CALL.

Web site: <http://www.firstcall.com>

First Call, also owned by Thomson, provides

FOR ANTITRUST PROFESSIONALS, A KNOWLEDGE OF THE MARKET SHARE NUMBERS OF MERGING COMPANIES IS CRUCIAL.



**THESE SOURCES
WILL PROVIDE
MARKET SHARE
DATA; BE SURE
AND CHECK THE
DATE OF THE
ANALYST REPORT...
A REPORT DATED
IN 2001 MAY GIVE
DATA FOR 2000.**

nearly real time analyst reports to investors. The home page provides free news about analysts and companies; reports are restricted to subscribers. Contracts for First Call can be fairly expensive. First Call will set up law firms with sell sides with passwords for general reports and will sell access to consensus earnings (current and historical). Law firms with buy side practices (managing funds and hiring analysts) may qualify for access to those reports. Law firms that work for brokers do not have access.

LEXIS-NEXIS.

Web site: <http://www.lexis.com>

There is an Investext file in the Company Library in both the web and software versions that contains all Investext reports, as well as individual files for reports by company, industry, etc. Additionally, the Investext Preview library offers the Table of Contents and a summary of the report before deciding to purchase. The price for analyst reports on Lexis-Nexis depends upon the terms of the contract with Lexis-Nexis. Alternatively, purchase reports on a pay as you go basis. There are additional charges for retrieving images, graphs, and charts that are included in the report. Once you have read a page, you have purchased it. Lexis does not receive all of the reports that Thomson publishes, and very often there is a time lag between the time that Thomson publishes them on Investext and when Lexis receives them. The software version of Lexis has older reports and more Tables of Contents than the Web version of Lexis. The web version has reports from 1996; the software version contains reports from 1982.

One can also perform news searches in the Nexis news files for market share data and information.

MULTEX.

Web site: <http://www.multex.com>

Multex provides analyst reports with market share information. Reports are available via pay as you go or via entitlement with the research firm. Multex provides synopses of reports, seldom Tables of Contents. Searching is free, but once you read a report, you have purchased it. Report prices can range from \$10 and up. Reports are viewed in PDF files. Some Multex reports are accessible in real time, others are delayed for 7-14 days. Lexis has most recently added Multex reports to its files.

RESEARCH BANK WEB.

Web site: <http://www.tfsd.com>

(As this is going to press, Thomson was launching a new web site for research: <http://research.thomsonib.com>)

The direct source for Investext reports, this site is provided by Thomson and was previously called Investext and it is still known by that name. Search by company name, industry, or free text. The older version of Investext allowed one to search by the category of "market share"; that category was eliminated when Investext became a web based product and was never brought back in the new version.

Research Bank Web claims to have the largest collection of analyst reports, dating back from Investext's inception in the early 80's. Reports are kept up to date. These reports also include Markintel and Trade Association reports. When available tables of contents are free, and pricing ranges from \$7.95 a page to \$30 a page. Reports are available in PDF format.

SKYMINDER.

Web site: <http://www.skyminder.com>

Owned by a company called Cribis Corporation, this service provides analyst reports and market share data for domestic and foreign companies. Skyminder relies upon Investext for its analyst reports, and can be purchased on a contract basis or pay as you go. There is no charge for search time, and one can purchase individual pages as well as full reports. Prices are \$9.99/page for reports less than 60 days old and \$7.99 a page for older reports. Not all Investext reports are available on Skyminder.

WESTLAW.

Web site: <http://web2.westlaw.com>

Westlaw provides analysts reports from Investext in a number of files (News; Company; Corporate and Public Financing; Reference Materials) in both the web version and the software. Reports date back to 1999 (in PDF format) and 1996 (other formats). Westlaw also has reports from as early as 1982 via DIA-LOG. Pricing is \$60 per search and .15/line.

ZACK'S.

Web site: <http://www.zacks.com>

Zack's provides equity research on US public companies only. There is no charge for searching. Price depends upon the size of the report and begin at \$10. Individual pages cannot be purchased, there are no Tables of Contents or



synopses provided. All one sees is the title of the report, the subject, and, when provided, the name of the analyst.

SELECTED PRIVATE RESEARCH ORGANIZATIONS

Many private research companies provide market share data in their research reports on various industries and services. Following is a list of some of the more prominent companies and is a starting point for researching market share data.

Frost and Sullivan.

Web site: <http://www.frost.com>

Frost and Sullivan provides research reports on various markets. Areas of research: aerospace and defense, chemical materials and food, communications and information technology, consumer products, electronics and semiconductors, environment and energy, healthcare, industrial, and transportation. **Cost:** Full reports: \$1,000 and up; Individual Chapters: \$50 and up.

Tables of contents: free on the web site.

Availability elsewhere: Investext, Dialog files 765,767 and Dialog Profound.

Freedonia Group.

Web site: <http://www.freedoniagroup.com>

Freedonia provides research reports in many industries.

Areas of research: automotive and other transportation equipment, chemicals, coatings, adhesives, sealants, and elastomers, construction and other building materials, energy/power equipment, household goods, household industrial components and equipment, life sciences and biotechnology, medical equipment and pharmaceuticals, metals and minerals, packaging, paper and textiles, plastic materials and processing, plastics markets, private companies reports, security, electronics, and communications.

Cost: Full reports: \$1,000 and up; Individual Chapters: \$50 and up.

Availability: Tables of Contents are available for free from the Website. Investext now receives some of their reports, and Dialog provides some of their reports in File 763 as does Dialog Profound.

Gartner Group.

Web site: <http://www3.gartner.com/>

Gartner is a public company that is traded on the New York Stock Exchange.

Areas of research: Hardware, E-business and the Internet, Software, Services, Semiconductors, and Telecommunications. Have to

register (free) to receive information on reports including pricing and availability of reports.

Cost: Prices for reports range from \$100 and up.

Availability: Only from Gartner. Reports not available elsewhere.

SRI Consulting.

Web site: [www.http://sriconsulting.com](http://sriconsulting.com)

SRI publishes directories.

Research Areas: Chemical and health industries. Indispensable for tracking mergers in the chemical industry.

Cost: \$1,000 and up.

Availability: SRI, Dialog File 363.

Yankee Group.

Web site: <http://www.yankeegroup.com>

Areas of research: Communications, Information Technology products, services, and software

Cost: Based on subscription. Must register.

Availability: Executive summaries of the research reports are available for free from the website. Not available elsewhere.

"MANY PRIVATE RESEARCH COMPANIES PROVIDE MARKET SHARE DATA IN THEIR RESEARCH REPORTS..."

CONCLUSION

I have assembled here some helpful hints for finding the sources of market share data. The list compiled above is by no means exhaustive, and there are other sources of market share information out there, particularly in the specialized industry areas. But using the sources listed in this primer will more often than not find you current and accurate market share information for domestic and foreign, public as well as private companies, for industries, and for services. ■

ENDNOTES

¹ I would like to thank my colleagues in the Information Center of Wilmer Cutler & Pickering for their helpful insights, comments, and criticisms. Any factual errors or misinformation is the sole responsibility of the author.

² The pricing of these reports is subject to change at any time.

LIGHTS DEADLINE

■ ■ ■ If you would like to write Lights, please contact Jennifer Korpacz, editor, at lights@llsdc.org or 202/662-6153. Submission deadlines for this year's remaining issues are as follows: February 7 (Spring 2003), and May 2 (Summer 2003).

TRACKING DOWN CONGRESSIONAL RESEARCH SERVICE (CRS) REPORTS EASILY

Debra L. Atkins
Arent, Fox, Kintner,
Plotkin & Kahn

EACH YEAR CRS ISSUES OVER 3,000 STUDIES OR UPDATES OF INTEREST.

WHEN I FIRST STARTED AS A LEGISLATIVE LIBRARIAN I used to cringe whenever a request came across my desk requesting a Congressional Research Service report, but nowadays things are not quite as bleak. In this article I hope to provide useful access points to tracking down these elusive CRS reports.

BEST KEPT SECRETS

Congress recognized the need for a nonpartisan source of public policy research and in 1914 created a division within the Library of Congress to handle such requests. Annually CRS produces in-depth comprehensive issue briefs and updates on legislative proposals strictly for Congressional Members and Committees. These reports are written in a straightforward manner and make complex topics easily understood. CRS is organized into six interdisciplinary research division: American Law, Domestic Social Policy, Foreign Affairs, Defense and Trade, Government and Finance, Information Research and Resources, Science and Industry. Each year CRS issues over 3,000 studies or updates of interest. The topics are extremely diverse and offer a wealth of information. Some recent issues have included:

- *Agricultural Trade Issues in the 107th Congress*
- *Electricity: The Road Toward Restructuring*
- *Iraq: Weapons Threat, Compliance, Sanctions, and U.S. Policy*
- *Telecommunications Discounts for Schools and Libraries: The "E-Rate" Program and Controversies.*

So you're thinking what a great source for background information on an issue you have been tracking or trying to find information on. Of course a new source to provide to your patrons will be the untapped CRS reports. The obstacle to this idea is that the CRS does not distribute its reports to the public. They are not available by simply going to the Library of Congress website. Yes, you can call your Representative or Senator and request a copy be sent to your attention. However, this approach tends not to fit the usual time frame librarians are usually faced with, "I needed the information yesterday." CRS has declined to open access to the information directly to the public due to concerns about liability issues and, most likely, the fear of increased workload as Joe Citizen could then, conceivably, ask the organization to research topic directly. For CRS the mission is simply to serve the needs of Congress.

Do not despair about the shortcoming of limited access to CRS reports; we do have the ability to obtain copies of a large number of the reports. Legislative efforts have been made to

begin the process of opening the CRS database to the general public. Legislation has been introduced in several recent Congresses. In the 107th Congress, Senators McCain, Leahy, Lott and Lieberman introduced Senate Resolution 21, requiring more open Government to include public access to CRS reports. On the House side several Congressman have placed selected CRS reports on their Web sites as a public service. Of course the possibility always exist to purchase a CRS report from a vendor.

WHERE TO FIND THE REPORTS

Where can you obtain a particular report? Obviously knowing the CRS report number and name can clearly ease the process. Surprisingly it can be as simple as typing the number and name of the report into a search engine. However, work requests are seldom that straight forward and easy – that's why the patron has asked us to do the work! I have listed below a selection of websites that provide access to CRS reports. I have noted the search capabilities and the breadth of their collections. And remember, as a last resort, CRS reports are still available upon request of your Congressional Office. Good Luck!

HILL COLLECTIONS

The CRS reports available are listed alphabetically by the title, with no subject index, however the Committee sites reflect the jurisdiction of the Committee in terms of the subjects available. All appear to be updated regularly. The Member's portals divide the reports by the length of the report, with long reports being over 7 pages, and separate entries for appropriation reports and issue briefs. The Congressional Web sites available include:

- http://www.house.gov/shays/CRS/CRS_Products.htm – provided by Rep. Shays
- <http://www.house.gov/markgreen/crs.htm> – provided by Rep. Green
- <http://www.radanovich.house.gov/crs.htm> – provided by Rep. Radanovich
- http://www.house.gov/rules/crs_reports.htm – provided by the House Rules Committee (Congressional procedural based reports with about 200 listed)
- <http://www.house.gov/judiciary/crs.htm> – provided by the House Judiciary Committee (Small number of documents from 1998-1995 range, mostly on impeachment and immigration)

VENDOR COLLECTIONS

There are services you can contact for a fee and



obtain a copy of any CRS report needed:

- <http://www.pennyhill.com/> – Penny Hill Press collects all reports prepared by CRS since 1995. The website offers access by topics and the ability to review the abstract of the report. Subscriptions are provided with monthly listings of new offerings and deep discounts on the purchase of reports. Recently, Penny Hill partnered with GalleryWatch.com and subscribers to GalleryWatch.com can monitor newly released documents through the News files and then gateway over to Penny Hill to order needed documents.
- <http://www.lexisnexis.com/academic/2upa/Acrs/MajorStudiesIssueBriefsCRS.htm> – LexisNexis UPA Publications provides subscriptions to individual and cumulative indexes from the CRS collections dating back to 1916. The collection also includes annual indexes available as CD-ROM, microfilm and microfiche. (800/638-8380)

MISCELLANEOUS SOURCES

Several organizations have posted various CRS reports:

- <http://cnie.org/NLE/CRS> – The National Council for Science and the Environment posts CRS reports on the environment and related topics. The site provides a search engine including title, author, topic and date with over 1000 reports listed.
- <http://www.fas.org/irp/crs> – The Federation of American Scientists posts CRS reports on the following subjects: Intelligence; Military and National Security; Space and Science; and Nuclear, Chemical and Missile Weapons and Proliferation.
- <http://fpc.state.gov/c4763.htm> – The U.S. State Department's Foreign Press Center posts a small number of reports which it updates daily. The reports deal with foreign nations, terrorism, foreign assistance, and military affairs.
- http://www.ipmall.fplc.edu/hosted_resources/CRS_Index2002.htm – The Franklin Pierce Law Center posts intellectual property, cyber-law, and electronic commerce related documents from 1993 to the present.
- <http://countingcalifornia.cdlib.org/crs> – The GPO's Gate CRS program has 222 titles from 1994 to 1998.
- <http://www.freepint.com/gary/crs.htm> – Gary Price, Library & Internet Research Consulting, created a resource to serve as a clearinghouse to the many Congressional Research (CRS) reports that are accessible via the Web, however it was last updated in September 2001. ■

WASHINGTON AREA LIBRARY DIRECTORY AD



YOU FOUND WHAT WHERE? UNUSUAL INTERNET SOURCES FOR LEGISLATIVE INFORMATION

Presented by: **Lorelle Anderson**, Crowell & Moring
Julia Taylor, Dickstein Shapiro, Morin & Oshinsky
Richard J. McKinney, Federal Reserve Board Law Library
Hosted by **Connie Dickson** on October 30th, 2002 at Gibson, Dunn & Crutcher

CONGRESSIONAL

CURRENTLY ON THE HOUSE FLOOR

<http://clerk.house.gov/floorsummary/floor.php3>

USC CLASSIFICATION TABLES

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

TREATIES ON THOMAS

<http://thomas.loc.gov/home/treaties/treaties.htm>

SENATE RECORD VOTE ANALYSES

<http://www.senate.gov/~rpc/rva/home.htm>

CONGRESSIONAL BUDGET OFFICE

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

CRS REPORTS

<http://www.freepint.com/gary/crs.htm>

CONGRESSIONAL APPORTIONMENT

<http://www.census.gov/population/www/censusdata/apportionment.html>

LEGISLATIVE HISTORIES

LEGISLATIVE HISTORY TUTORIAL

<http://library.wcl.american.edu/leghist/>

WESTLAW LEGISLATIVE HISTORY PAGE

<http://intranetsolutions.westlaw.com/gov/leghist/>

LEXIS LEGISLATIVE HISTORY PAGE

<http://leghist.lexis.com/>

CIS MICROFICHE BLOWBACKS ORDER PAGE

<http://www.lexis-nexis.com/academic/3cis/off-prints.htm>

OLD CONGRESSIONAL DOCUMENTS

<http://memory.loc.gov/ammem/amlaw/lawhome.html>

THE PRESIDENT & FEDERAL AGENCIES

US BUDGET DOCUMENTS

<http://w3.access.gpo.gov/usbudget/index.html>

AGENCY BUDGET REQUESTS

<http://www.budgetanalyst.com/links3.htm>

NATIONAL ARCHIVES FEDERAL REGISTER MAIN PAGE

http://www.archives.gov/federal_register/index.html

THE E-CFR

<http://www.access.gpo.gov/ecfr/>

GENERAL ACCOUNTING OFFICE

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

PRESIDENTIAL PARDONS

<http://jurist.law.pitt.edu/pardons.htm>

FEDERAL IMPEACHMENT

http://www.lexisnexis.com/academic/research_resources/impeachment/

BILL CLINTON IMPEACHMENT

<http://www.lib.umich.edu/govdocs/impeach.html>

CLINTON PRESIDENTIAL MATERIALS PROJECT

<http://clinton.archives.gov/>

GEORGE BUSH PRESIDENTIAL LIBRARY

<http://bushlibrary.tamu.edu>

RONALD REAGAN PRESIDENTIAL LIBRARY

<http://www.reagan.utexas.edu/>

JIMMY CARTER PRESIDENTIAL LIBRARY

<http://www.jimmycarterlibrary.org/>

TRADE COMPLIANCE CENTER

<http://www.tcc.mac.doc.gov/cgi-bin/doi.cgi?226:54:332504373:>

GENERAL POLITICAL

POLITICAL GRAVEYARD

<http://www.potifos.com/tpg/>

POLITICAL RESOURCES

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

NEWS

C-SPAN ARCHIVES

<http://www.c-spanarchives.org/>

US NEWSWIRE

<http://www.usnewswire.com/topnews/current.htm>

CAMPAIGN FINANCE

OPEN SECRETS

<http://www.opensecrets.org/>

BNA MONEY & POLITICS

<http://www.bna.com/moneyandpolitics/>



GLOBAL SECURITIES
AD



PRESIDENT'S COLUMN

Lisa Harrington
Holland & Knight LLP

THIS YEAR IS REALLY STARTING OFF STRONG. We have had several well attended events. I encourage you to get involved and attend society events whenever possible.

The Opening Breakfast was held on October 3rd at the Metro Center Marriott and attended by 85 members. Thank you to Leanne Battle and Linda Hutchinson and the Lexis-Nexis Librarian Relations Group for not only sponsoring this event, but for also providing us with great door prizes. Thank you also to Mindy Klasky for providing the attendees with an enthusiastic reading from her new book. A good time was definitely had by all.

The New Member breakfast took place on October 17th at the Old Ebbitt Grill. About 30 new members attended and were able to network with other new members as well as find out more about the society from the many SIS chairs, committee chairs and officers that were in attendance. Thank you to Laura Reilly and the other members of the membership committee for organizing this event. Be sure to watch for future new member activities in the coming months.

The Society had two education programs in the fall. The first was "Dealing with Vendors." Twenty-one members attended and heard Douglas Lind, Jean O'Grady and Mary Grady discuss how they deal with vendors. The second was "Researching International Law," which was also well-attended, and speaker Marci Hoffman gave valuable research methods for researching this topic. Thank you to all the speakers and the LLSDC education committee for their efforts on these two programs. Several other educational events are being planned including the Legal Research Institute and the Joint Spring Workshop in the spring. If you have any ideas for program topics, please contact either Lisa Harrington or Tracey Bridgman.

Our SIS's have also been quite busy planning and holding both education and social activities. The Private Law Library SIS has had a few social events including a visit to the Spy Museum as well as education programs such as "Marketing and Public Relations." The Legislative SIS recently had a program, "Unusual Sources for Legislative Information." The Foreign and International SIS has also been busy with a program entitled "Foreign Legal Research: Japan." Be sure check upcoming *Dates To Remember* for future events.

It is hard to believe that by the time this issue of *Lights* is published, just about half my term as president will be over. Time sure does fly by. Thank you to all the committee chairpersons and members, SIS chairs, and board members – keep up the good work.

Have a safe and happy holiday season! ■

CAL INFO AD

NEW PUBLICATION NOW AVAILABLE

NEW PUBLICATION: ***Supplement to the Union List of Legislative Histories***. The supplement updates the 7th edition, including new contact information, errata, and histories from the 106th & 107th Congresses. **Price:** \$25, plus \$3.56 shipping/handling, and \$1.44 D.C. Sales tax (total cost: \$30.00). This title is also available from Hein at 800-828-7571 or <http://www.wshein.com>. Hein allows payment with a credit card.

TWO TOTALLY UNRELATED TERMS (well, unrelated except for the fact that they both begin with the letter “k”) provide the topics for this installment of Tech Talk: “k-log” and “Klez.” Both terms, however, represent issues that are relevant to law library technology.

“K-log” is shorthand for “knowledge log” and it refers to the application of web logs, or “blogs,” in the corporate or institutional setting as part of (or a substitute for) a knowledge management system. Blogs have been all the rage on the web in the past few years. They typically are the product of individuals using simple desktop software or web-based tools to post information to a personal web site in a regular and orderly fashion, much like a journal. You may already be familiar with *librarian.net* (<http://www.librarian.net>), a well-known blog by Jessamyn West addressing library-related issues.

In contrast, the concept of k-logging changes the context of blogging to the business setting and the medium to the firm’s intranet. The purpose also changes from personal expression to institutional knowledge sharing, such as a collaborative journal documenting the progress of a project or a newsletter highlighting links to documents or other files within the intranet or on the external web. Although these knowledge sharing efforts are not new or revolutionary, the intriguing aspect of this is the suggestion to use blogging software, which requires little to no familiarity with HTML or web page design. For a brief pitch of the k-log concept, see <http://writetheweb.com/read.php?item=123>. A Yahoo! Group also has sprung up to discuss k-logs. See <http://groups.yahoo.com/group/klogs/>.

Information professionals in law are well-placed to evaluate the potential usefulness of k-logs in their libraries and institutions. As pointed out by Carol Bannen in the “Cutting Edge KM: Law Firm and Librarian Experiences on the Edge” (Law Library Lights, Summer 2002), law librarians “are the perfect people to be on the cutting edge of knowledge management.” Carol’s article, by describing her firm’s deployment of a variety of knowledge management applications, also implies a problem for k-logs: this function may be covered by a system in which the institution has already invested time and money.

The other k-word of the day, “Klez,” is part of the name of an infamous “e-mail worm” (a self-replicating computer virus that spreads via e-mail) that appeared several months ago.

Anti-virus software teams have identified several variants of the Klez worm, which is best known for its method of spreading. On an infected computer it searches the Windows address book and a variety of file types to grab e-mail addresses, which it then uses as “To:” and “From:” addresses on self-generated e-mails containing an infected attached file. As a result, if your e-mail address appears anywhere on an infected computer that belongs to someone else — their address book, cached web pages, memos, etc. — there is the chance that the Klez worm could send out an infected message to you, or an infected message to a third party that appears to be from you.

The ensuing confusion from these spoofed e-mail messages, which are rarely from the person listed as the sender, has proven to be as troublesome as the virus itself. Recipients of the virus-laden messages often contact the “sender” to inform them of the infection, or to blame them for spreading the problem, when in fact the “sender” had nothing to do with the transmission of the message. Also, because the Klez worm probably grabbed the “To:” and “From:” addresses from the same computer, there is a chance that the recipient recognizes the spoofed sender’s e-mail address, leading to direct but unwarranted confrontation.

Dealing with the receipt of a Klez worm message is simple: delete it from your inbox. (Dealing with a Klez worm infection of your computer, on the other hand, is best left to the IT department in your organization.) Yet learning how to recognize these messages and how to explain their method of propagation can be a useful exercise for librarians, who are often asked for technology advice. Recognizing the messages can be as easy as spotting unsolicited messages from unexpected senders with nonsensical or strange subject lines. More information about the characteristics of the Klez worm, and other recent but similar viruses, can be found on anti-virus software company web sites such as Sophos (<http://www.sophos.com/virus-info/>) and Symantec (<http://securityresponse.symantec.com/>). ■

TECH TALK
BROUGHT TO
YOU BY THE
LETTER “K”

Christopher Reed
*The George Washington
University Law Library*

**WE APPRECIATE OUR ADVERTISERS ...
SO WHEN YOU USE THEIR SERVICES,
TELL THEM YOU SAW IT IN LAW
LIBRARY LIGHTS!**

Tanya Shelli Brown
 Spiegel & McDiarmid

DMCRA: RESTORING THE BALANCE
 BETWEEN USERS, CREATORS AND OWNERS

AALL hopes that H.R. 5544, the *Digital Media Consumers' Rights Act* (DMCRA), introduced on October 3, 2002 by Congressmen Rick Boucher (D-VA-9) and John Doolittle (R-CA-4), will be our second proactive legislative victory for the new millennium. At a standing room only press conference, Rep. Boucher made a lengthy statement on introducing this important legislation that reaffirms fair use in the digital world. Noting that the *Digital Millennium Copyright Act of 1998* (DMCA) dramatically eroded the historic balance in copyright law among users, creators and owners, Boucher affirmed that the DMCRA would restore that balance. There are three components to the new legislation:

First, it will amend Section 1201 of the DMCA to provide that the circumvention of a technological protection measure is prohibited *only* when the purpose is to infringe the copyright of the work. An act of circumvention for fair use purposes would be lawful. Additionally, a manufacturer, distributor, or someone who traffics in a technology that enables the circumvention of a technological protection measure will no longer be held liable under the DMCA if the technology is capable of substantial non-infringing uses. This change will allow manufacturers to continue to develop useful multi-purpose consumer electronics and computing devices, and will ensure that the public has access to technologies that allow them to make fair use of copyrighted works.

Second, it will expand the narrow encryption research exemption of DMCA Sec. 1201 to include "research on technological protection measures."

Finally, it will direct the Federal Trade Commission to do a rulemaking so that record companies must provide adequate notification to the consumer on any copy-protected CD. Such disclaimers are generally difficult to locate on the CD case and often do not state clearly that copies may not be made and that it will not play in various devices. Such notice must be obvious and easy to understand.

The new "DMCRA coalition," which includes AALL, ALA, SLA, and MLA, will start work immediately to develop aggressive congressional and grassroots strategies. A large and diverse group spoke in support of the DMCRA upon its introduction, including: Intel, the Philips Corporation, Verizon, Sun Microsystems, Gateway, the Consumer Elec-

tronics Association, the Home Recording Rights Coalition, the Computer and Communications Industry Association, the Association of American Universities, AALL and our sister library associations, the Digital Future Coalition, the National Writers Union, the Consumers Union, the Electronic Frontier Foundation, Public Knowledge and the American Foundation for the Blind.

Your help in getting cosponsors as the 108th Congress gears up is crucially important. While having the support of so many business interests is wonderful, AALL as a membership organization, has the ability to run a successful grassroots campaign that will be essential to move the DMCRA into a stronger position when the new Congress convenes in January. For more information, see Rep. Boucher's press statement, an overview of the legislation, the bill and a section-by-section analysis at: <http://www.house.gov/boucher/internet.htm>.

CONGRESS SENDS MESSAGE TO ADMINISTRATION, IT OPPOSES OMB MEMO O2-07 OMB Memorandum M-02-07, issued May 3, 2002 seeks to decentralize the authority for publication procurement and printing throughout the executive branch.¹ The Joint Committee on Printing, led by Senator Mark Dayton held a hearing on this issue on July 10, 2002. Library association representatives have been meeting with officials from OMB, GPO, and the Federal CIO to ensure that this memo does not adversely affect libraries, specifically by endangering the Federal Depository Library Program.

Before heading home for elections, Congress voiced its strong disagreement with the Administration/OMB by inserting new language in a continuing resolution that will keep the federal government funded until Nov. 22.

The new CR language relating to the OMB memo follows:

SEC. 4. Section 117 of Public Law 107-229 is amended to read as follows:

SEC. 117. (a) The Congress finds that section 501 of title 44, United States Code, and section 207(a) of the Legislative Branch Appropriations Act, 1993 (44 U.S.C. 501 note) require that (except as otherwise provided in such sections) all printing, binding, and blankbook work for Congress, the Executive Office, the Judiciary, other



than the Supreme Court of the United States, and every executive department, independent office, and establishment of the Government, shall be done at the Government Printing Office.

(b) No funds appropriated under this joint resolution or any other Act may be used—

(1) to implement or comply with the Office of Management and Budget Memorandum M-02-07, 'Procurement of Printing and Duplicating through the Government Printing Office', issued May 3, 2002, or any other memorandum or similar opinion reaching the same, or substantially the same, result as such memorandum; or

(2) to pay for the printing (other than by the Government Printing Office) of the budget of the United States Government submitted by the President of the United States under section 1105 of title 31, United States Code.

FAR NOTICE ON PRINTING: ACCESS TO GOVERNMENT INFORMATION IN JEOPARDY
The changes being proposed by the FAR Council to implement the May OMB Memorandum on Procurement of Printing and Duplicating through the GPO were published in Federal Register on November 13, 2002.² The proposed FAR raises many concerns, including: the absence of an enforcement mechanism to ensure that agencies adhere to the regulations; the requirement that GPO bear the cost of purchasing publications from the newly appointed independent printers to support both the Sales Program and the Federal Depository Library Program; and the ability of executive agencies to satisfy the regulations by providing electronic copies of documents, despite potential printed formatting issues, to the Superintendent of Documents, which would effectively eliminate the availability of executive agency publications in the print program. This FAR notice is viewed by GR Insiders as particularly serious not just on its face but also within the context of several current political realities: the persistent battle between Congress and the Administration as demonstrated when Vice-President Cheney refused to give GAO information about his energy task force;³ the Administration's information policy post-9/11, in particular the new "sensitive but unclassified" category of information, the resolve not to grant

FOIA requests, and the Administration's efforts to control agency information dissemination;⁴ and the Republican control of the Senate, which will make impacting policy, in areas in which information professionals and the Administration have differing opinions, more difficult during the 108th Congress. We can only hope that the November 20th confirmation of Bruce James as the new Public Printer can affect OMB's current course of action. James said at his hearing that one of the first things he will do as Public Printer is to meet with OMB director Mitch Daniels to discuss the FAR regulations. He has also said publicly on several occasions that he wants to bring GPO back to its "former glory."

PUBSCIENCE DISCONTINUED, IS PUBMED OR THOMAS NEXT!?!

With minimal fanfare, an effort spearheaded by the Software and Information Industry of America (SIIA) has successfully brought about the discontinuation of PubScience. This discontinuation came about despite the fact that there were only 7 comments in favor of ending PubSCIENCE; there were nearly 240 public comments, many from librarians and other PubSCIENCE users, pressing for continuance of the indexing service. PubScience was developed by the Department of Energy's (DOE) Office of Scientific and Technical Information (OSTI) to facilitate searching and accessing peer reviewed journal literature in the physical sciences and other energy-related disciplines; it was modeled after PubMed. SIIA admits that it is looking at other publicly funded web sites after its success with PubScience, the software association believes that free government services could drive out corporate competition. Will FirstGov, PubMed, THOMAS, or GLIN be the next free information service targeted by SIIA, not if the researchers and information professionals have anything to say about.

PAGI AWARD SOLICITATION

The Government Relations Committee is currently soliciting nominations for the 2003 **Public Access to Government Information (PAGI) Award**. Established in 1999, this award honors significant contributions by persons or organizations involved in the protection and promotion of greater public access to government information. Recipients need not be law librarians or members of AALL. Previous PAGI award winners have been the United States Government Printing Office in 1999 for



its website, GPO Access, and the Library of Congress in 2000 in honor of its website, THOMAS. This year it was awarded to FirstGov for their wonderful revised web site. Criteria for selection include:

1. A contribution that significantly improves public access to government information, thereby increasing the public's knowledge about the workings of government.
2. The extent to which the individual or organization has had a positive impact on protecting and promoting public access to governmental information.
3. The extent to which the effort advances the AALL mission and Government Relations Policy.

Though nominations are solicited annually, there is no requirement that the award be given every year.

The award is jointly administered by the Government Relations and Awards Committees. The Government Relations Committee advertises the award, solicits and reviews nominations, and recommends two to four nominees for consideration by the Awards Commit-

tee. The Awards Committee makes the final decision from the nominees presented and notifies the winner. All nominations are considered on an individual basis, with complete confidentiality, and according to the criteria listed above.

Nominations must be sent to the Chair of the Government Relations Committee, Charlene Cain (Louisiana State University, Paul M. Hebert Law Center Library, Baton Rouge, LA 70803-1010, llcain@lsu.edu), **no later than February 1, 2003.** ■

ENDNOTES

1 <http://www.whitehouse.gov/omb/memoranda/m02-07.pdf>

2 67 F.R. 68913 (November 13, 2002). <http://a257.g.akamaitech.net/7/257/2422/14mar20010800/edocket.access.gpo.gov/2002/pdf/02-28668.pdf>

3 Walker v. Cheney, USDC, D.C. Docket No. 02cv340. See <http://www.gao.gov/press/wvc.html> for a GAO Access Case Factsheet.

4 See letter from Rep. Henry Waxman alleging that scientific information is being removed from the Department of Health and Human Services website and other related websites (CDC, NIH, etc.) due to ideological conflict with the Bush administration. http://www.house.gov/waxman/news_files/news_letters_thompson_hhs_websites_10_21_02.pdf

OFFICE MOVERS AD



SEPTEMBER

PRESENT: Lisa Harrington, Scott Larson, Susan Ryan, Stephen Mellin, Frances Brillantine, Ellen Feldman, Judith Leon, Ann Green.

ABSENT: Scott Pagel.

CALL TO ORDER: President Lisa Harrington called the September 12, 2002 meeting to order at 9:00 A.M.

MINUTES: No minutes to approve – first meeting of the 2002/2003 year.

REPORTS

PRESIDENT: The date and details for the Opening Reception were covered. Also other dates already on the master calendar were reviewed as well as how to get dates on the calendar. Discussion of law library services for prisoners. Discussion of the list serv discussion regarding Fast Case. Contact was made with FastCase representatives who have offered to do a program/possible focus groups on the product. Report on hosting Pro Se workshop – Nov. 22 – sponsored by AALL.

TREASURER Stephen Mellin reviewed budget report. Checks coming in slowly, recently received Lexis sponsor check for 2002 Legal Research Institute. Discussion of management fees, conversion fees to management company, electronic format for reports to the treasurer.

ASSISTANT TREASURER Frances Brillantine reviewed deposits; discussion of General Legal List and whether to continue.

CORRESPONDING SECRETARY Susan Ryan reviewed memorial checks received; problems discussed with getting dates onto the Web; more discussion on how to handle getting new dates up quickly.

Report from committee/group liaisons: **Liaison/PLL** – discussion of activities of the group; **Liaison/Legislative** – nothing particular; group was organizing some programs; **Liaison/Education** – committee needs new chair; **Liaison/Publications** – discussion of union list (near to being finished); Counsel – need to do poll on whether to continue or not.

NEW BUSINESS

Discussion on how to handle the relationship with management company personnel. Review of draft of dates to remember; changes discussed and noted. Suggestions included reduce to only 2-3 months at a time being covered; also confirm that calendar matches the one posted on the Web. Discussion of getting money back from look.net for prior dates listings. Limit Dates distribution to 1 physical

mailing per month but updates can be done electronically more often.

MOTION TO ADJOURN: Adjourned at 9:45am – motion by Ann Green; seconded by Steve Mellin.

MOTION TO RE-OPEN: Re-opened with arrival of Management Company representative – Debbie Trocchi.

MANAGEMENT COMPANY REPORT

D. Trocchi reported that LLSDC currently has 673 paid members. Report was provided with breakout for types of members and various sections. So far renewals to Lights were low but expected to improve. List of new members attached to report. Another discussion of conversion issue and handling of Dates by the management company.

MOTION TO ADJOURN: Formal adjournment at 10:00 A.M. – motion by Susan Ryan; seconded by Steve Mellin.

NEXT MEETING: The next meeting is planned for October 9, 2002.

OCTOBER

PRESENT: Lisa Harrington, Steve Mellin, Frances Brillantine, Susan Ryan, Scott Pagel, Ellen Feldman, Scott Larson, Debbie Trocchi.

ABSENT: Barbara Folensbee-Moore, Judith Leon, Ann Green.

CALL TO ORDER: President called the October 10, 2002 meeting to order at 9:15 AM.

MINUTES: The minutes of the September 12, 2002 meeting were not available for approval. Those minutes and the minutes of the October 10, 2002 meeting will be reviewed and voted upon at the November 14, 2002 meeting. In the absence of Barbara Folensbee-Moore, Susan Ryan will take today's minutes.

AGENDA: The agenda for today's meeting was approved.

REPORTS

PRESIDENT: Lisa Harrington reported that 88 people attended the opening breakfast last week. Mindy Klasky read from her new short story. Lisa is looking for a location for the Town Meeting, which will be held in March. Lisa reported that AALL has decided to cancel its pro-se workshop originally scheduled to be held in DC. They do not plan to present this program in the foreseeable future.

VICE PRESIDENT Scott Larson had nothing to report.

BOARD MEETING SUMMARY

SEPTEMBER

Barbara Folensbee-Moore
Morgan Lewis & Bockius

OCTOBER

Susan M. Ryan
Georgetown University Law Library

TREASURER Steve Mellin presented the Board with a statement as of October 9, 2002.

ASSISTANT TREASURER Frances Brillantine reported that she has had lots of checks to deposit, mostly membership dues. She also received a check from Lexis for the opening breakfast.

CORRESPONDING SECRETARY Susan Ryan reported that she has sent several donations to charity in memory of LLSDC members or members' families.

REPORT FROM COMMITTEE/

GROUP LIAISONS:

DATES TO REMEMBER: Lisa distributed a copy of the October 2002 edition of "Dates to Remember" for the Board's review. Millie would like the Board to look over each edition of "Dates" to check for errors before she sends it out.

PLACEMENT: nothing to report.

NOMINATIONS: the committee is getting together a slate of candidates to run for office in the Spring.

PLL-SIS: the social event held at the Spy Museum on October 1, 2002 was very successful. Both the Social and Education Committees have an agenda of activities for the year. Last week, the Education Committee held a program on orientation; next month the program will focus on marketing. The Social Committee's next event will be a Scrabble tournament at The Big Hunt.

MEMBERSHIP: the new member breakfast is scheduled for next week.

ACADEMIC SIS: planning for the annual picnic is underway.

FOREIGN & INTERNATIONAL SIS: nothing to report.

VENDOR SUPPORT: nothing to report.

LEGISLATIVE SIS: they are holding a brown bag lunch meeting on October 30, 2002. The topic is unusual internet sources for legislative information.

EDUCATION: Tracey Bridgman has agreed to organize the Legal Research Institute for this year. Lisa will call her next week to discuss the possibility of her taking over as chair of the Education Committee.

SCHOLARSHIPS & GRANTS: nothing to report.

LIGHTS: the deadline for the Winter issue of *Lights* is November 1, 2002. [A report from Jennifer Korpacz which was received after the meeting said that the fall issue is being printed this week and should arrive at the management office next week for mailing. A new column

will begin in the Winter issue regarding government affairs. The column will be written by Tanya Brown at Spiegel & McDiarmid who is now on the AALL government affairs committee.]

WEBSITE: nothing to report.

BY-LAWS: nothing to report.

VOLUNTEERS: nothing to report.

NEW BUSINESS

AALL CHAPTER VISIT: Lisa reported that LLSDC is entitled to a visit from an AALL executive board member this year. She plans to invite the AALL representative to the town meeting, rather than to the closing banquet, in the hopes of encouraging more interaction between Society members and the executive board member.

AALL PROGRAM SPONSORSHIP: the Society will host a table in the marketing area of the exhibit hall, as usual, but will not host a formal social event at the 2003 meeting. The Board felt that Society members use AALL to see those people from other parts of the country, and that our geographic proximity to one another allows for ample social events throughout the year.

BY-LAWS PUBLICATION AND BALLOTS: Bill Grady sent an e-mail to Lisa asking how the by-laws should be printed in this year's directory. The directory will appear this fall, but the new by-laws do not take effect until June 1, 2003. Bill made several suggestions for publishing both the old and new by-laws; the Board agreed that the current by-laws should be published in the directory, with a note directing members to the LLSDC website for the text of the by-laws changes that will take effect in June 2003.

Bill also asked for instructions from the Board on how to handle the ballots from the by-laws vote. The Board passed a motion allowing Bill to destroy the ballots from the 2002 by-laws revision vote.

CALL LETTER: Lisa received and passed around a letter from the Colorado Association of Law Libraries expressing their support and continuing concern about the events of September 11, 2001.

VENDOR RELATIONS: Scott Larson brought up an idea for handling vendor requests for demo events. One demo event would be scheduled per month; each vendor could sponsor one event per year. This sponsorship would be in addition to any Society-wide event sponsorship (i.e. opening breakfast, closing reception,



etc.). Scott brought up some potential difficulties with the plan, including the ethical limitations on federal librarians' ability to take advantage of these demonstrations and the sense that some vendors would probably still feel that they were not getting enough time with Society members. Other Board members brought up the fact that vendors can purchase Society membership lists from the management company and sponsor events now; it seems the new plan would involve a lot of work for the management company and Society members with very little benefit. The sense of the Board was that this was not an avenue the Society should pursue.

Debbie mentioned that the management company is now keeping track of vendor sponsorship of Society events. They are not soliciting sponsorship; merely tracking how much vendors have given to what events. Lisa said she would send an e-mail to the SIS groups to remind them to check with Millie about vendor sponsorship when planning events. Scott Larson indicated that the Franklin Square group would maintain its own vendor sponsorship records.

DC PUBLIC LIBRARY: Some years ago, the LLSDC Public Outreach Committee made a donation to the DC Public Library. The donation took the form of making one payment to West for a set of books. The DC Public Library was then to make the remaining payments. Apparently, the subsequent payments were never made and since LLSDC's name was at one time associated with this account, Steve

Mellin has received some dunning notices from West. Steve reported that he would talk to the Society's legal counsel to ensure that LLSDC has no liability for this account and that our credit would not be jeopardized.

MANAGEMENT COMPANY REPORT

Debbie Trocchi presented her report dated October 10, 2002. As of October 8, 2002, the Society has 701 total members and 86 subscribers to *Lights*. Motion to approve four new members was passed.

Scott Larson asked about the management company's decision regarding maintenance of the database. Debbie reported that they have decided not to renew our contract with Look.net, but instead to use PSI, Inc.

It was agreed that the new schedule for *Dates to Remember* should be: submissions due by the 5th of each month and *Dates* to be sent out on the 15th of each month. Lisa will send out an e-mail reminding members to check dates with Millie before scheduling events. The October 2002 issue of *Dates* was reviewed by the Board; minor changes were made to some contact information.

THANK YOU TO LISA: Scott Larson was joined by the board in thanking Lisa for the very successful opening breakfast.

ADJOURNMENT: The meeting was adjourned at 10:00 A.M.

NEXT MEETING: The next meeting is planned for November 14th at 9:00 A.M. ■

LLSDC 2003 LEGAL RESEARCH INSTITUTE ON MARCH 10-11, 2003

■ ■ ■ The Legal Research Institutes are all-day programs aimed at those working in law libraries who want to sharpen their research skills and non-law library personnel and paralegals with limited experience using basic American legal sources. Topics will include: Case & Administrative Law, Statutes, Secondary Authorities, Legislative history and International Law. Check the LLSDC web site at <http://> for further details or contact Tracey Bridgman at the Edward Bennett Williams Law Library, 202/662-9145, trb@law.georgetown.edu.

A REMINDER FOR ALL PLANNERS OF SOCIETY EVENTS

■ ■ ■ All meetings, educational programs, and other LLSDC events must be coordinated on the Society's master calendar. Each person who is planning a meeting must check with Millie Gallahan at 703/619-5033 or management@llsdc.org to ensure that the date is available, and that the function does not conflict with any other gathering. A current list of scheduled LLSDC activities is available at <http://www.llsdc.org/calendar.htm>.



PRIVATE LAW LIBRARIES SIS NEWS

Peter Vay
Shaw Pittman

Howdy, All. Here is what the Private Law Libraries (PLL) SIS has been up to since the last installment of this column...

MAKE MINE A MOJITO... Pronounced Moe hee toe or Moe ee toe. It is a blend of sugar, mint leaves, lime, rum, ice, and soda water. Say it with me, Mojito. We were introduced to this nectar of the Gods during the Social Committee's September Happy Hour at Cafe Citron. Not being much of a critic, I know better than to try to describe this restaurant and bar. (And after the first mojito, this probably won't be a concern of yours, either.) For those of you who enjoy potent potables, you've gotta' try one. The gathering provided a festive start to this year's PLL social calendar.

SPIES LIKE US... Some might wonder why a bunch of law librarians would be interested in visiting the Spy Museum, as we did in early October. I think most of those who went secretly feel that spies and law librarians have much in common. Both sort and weigh numerous facts in search of relevant information for our bosses. Both will only rely on trusted sources. Each is fond of employing the advanced technology used in their field. And both frequently have to decipher codes. While I do not remember seeing any exhibits on librarian spies at the Museum, it would not surprise me if one were added.

A LITTLE SONG AND DANCE... What do you do in your library orientation of new attorneys and staff in your organization? Members of the LLSDC gathered to discuss this question at this year's first PLL Education Committee program in October. The value of effective and creative orientation ideas was not lost on those who attended. Thanks to the many folks who brought copies of their handouts, guides, and newsletters as examples of how they advertise their library's services. And, thank you to the kind folks at Piper Rudnick for hosting the program.

As this column is being written, the PLL Education and Social Committees are hard at work planning upcoming events. The next PLL column in *Lights* will include the details of our November and December events, including the Holiday Party. (Do not let this stop you from having a really good time at the Party!) Tentative plans for educational programs after the holidays include programs on finding and using Census data and information from the Department of State's Treaty & Country Desks. Also, be on the lookout for a skating outing, additional happy hours, and other social events after the holidays. Find the details about these and other events in *Dates to Remember* and on the Listserv.

Hope to see you at one of the upcoming events. ■

FOREIGN AND INTERNATIONAL LAW SIS NEWS

Herb Somers
The George Washington
University Law Library

ON NOVEMBER 15TH, THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL HOSTED THE 5TH IN A CONTINUING SERIES OF LECTURES ON FOREIGN LAW entitled "Fundamentals of Foreign Legal Research." Sayuri Umeda, a Japanese attorney and legal specialist at the Library of Congress delivered a well-attended lecture on the Japanese legal system and its primary legal documentation. A 6th installment in the series is planned for the spring. Also, tentative plans have been made to co-sponsor a program at the Library of Congress as a prequel to the American Society of International Law's 97th Annual Meeting in April of 2003. Last year's

sold-out program was entitled "Creating Commercial Connections - Trade Laws of Latin America (Argentina, Brazil, Costa Rica and Mexico)". Confirmed dates for these programs will be posted on the LLSDC's listserv, as well as its website at .

The Foreign and International Law Special Interest Section will soon be recruiting candidates to fill the positions of President and Secretary/Treasurer in the coming year. As always, volunteers are also needed to plan future events for the Foreign and International Law SIS. If you are interested in either, please contact Herb Somers at hsomers@law.gwu.edu or 202/994-5177. ■

LEGISLATIVE RESEARCH SIS NEWS

Lorelle Anderson
Crowell & Moring, LLP

THE LEGISLATIVE SIS BEGAN ITS YEAR WITH A KICKOFF PIZZA CELEBRATION AT CROWELL & MORING ON SEPTEMBER 25. We discussed possibilities for upcoming programs. Prospective ideas include a tour of the Senate library and a lecture on Congressional procedure. Please stay tuned to *Dates to Remember* to catch future programs!

The next meeting was held on October 30 and was entitled "You Found What Where?". Presenters Julia Taylor of Dickstein Shapiro and

I whirled through a list of nearly 30 Web sites for interesting and unusual sources of legislative and related information. The handout Julia prepared will be available shortly on the SIS Web page. Many thanks to Connie Dickson of Gibson, Dunn & Crutcher for hosting this program.

We will have one more meeting in December before the holidays; then we will return for our "Welcome Back Congress" party to be held at Crowell & Moring. I hope to see many of you there! ■



PRINT PUBLICATIONS

Criminology and Public Policy, 2002-

Published three times annually by the American Society of Criminology, 1314 Kinnear Road, Suite 212, Columbus, OH 43212; 614/292-9207; Fax: 614/292-6767; E-mail: asc41@infinet.com ; Web site: criminologyandpublicpolicy.com. Price: \$120.00 per year.

The mission of this journal is to improve the quality and depth of public discussion of policy questions in criminology and criminal justice. To that end, the journal will explore important and controversial policy questions in its papers and discussions. It is targeted to an audience of crime and justice policy makers, as well as policy scholars and concerned members of the general public.

Journal of International Commercial Law, 2002-

Published three times annually by Ashgate Publishing, 2252 Ridge Road, Brookfield, VT 05036-9704; 800/535-9544; Fax: 802/276-3837; E-mail: orders@ashgate.com; Web site: www.ashgate.com. Price: 77.50 British pounds per year.

This publication is a multidisciplinary journal containing critical analyses and constructive debate on the topic of international commercial law. It contains peer-reviewed articles offering up-

to-date information and analysis on this topic.

ONLINE SUBSCRIPTION

ISINOLAW, 2001-

Published by Isinolaw, Ltd, Suite 5807, The Centre, 99 Queens Rd Central, Hong Kong; 212/461-2188; Fax: 212/461-2189.

Price: call for pricing information, which varies based on type of access method.

Provides access to legislation and regulations, cases, arbitration awards, and legal news from the People's Republic of China. Information on China and the WTO is also available. Documents are available in English, Chinese, and Japanese.

TITLE CHANGE

FDCC Quarterly, 2001-

Published quarterly by the Federation of Defense and Corporate Counsel, 11812-A North 56th Street, Tampa, FL, 33617; 813/983-0022; Fax: 813/983-0066.

Price: \$60.00 per year.

Formerly FICC Quarterly, this new publication began with volume 52, issue 1 dated Fall 2001. The last issue of the previous title was volume 51, issue 4 dated Summer 2001. ■

EYE ON SERIALS

Susan Ryan

Georgetown University
Law Library

WEST AD



LAW LIBRARY INTERROGATORY

Lisa Harrington
Holland & Knight, LLP

"WHAT WAS THE LAST BOOK YOU'VE
READ FOR PLEASURE?"

*The Race for the Triple Crown: Horses, High
Stakes and Eternal Hope*, by Joe Drape.
— **David Reith**, Weil Gotshal & Manges

Mobbed Up: A Donnie Brasco Novel, by Joseph
D. Pistone.
— **Beverly Walker**, Office of the
Inspector General – Investigations

*The Island of Lost Maps: A True Story of
Cartographic Crime*, by Miles Harvey.
— **Rosada Bennett**, Federal Mine Safety
& Health Review Commission Library

Girl in Hyacinth Blue, by Susan Vreeland.
— **Susan Watters**, Steptoe & Johnson

Paris to the Moon, by Adam Gopnik.
— **Susan Quinn**, Seyfarth Shaw

The Black House, by Stephen King and Peter
Straub.
— **Amy Ratchford**, Chadbourne & Parke
LLP

The Evidence Against Her, by Robb Forman Dew.
— **Carol Tropea**, Morgan Lewis &
Bockius LLP

We Were the Mulvaney's, by Joyce Carol Oates.
— **Joan Sherer**, Department of State
Library

The Trick is to Keep Breathing, by Janice
Galloway.
— **Jeff Freilich**, Ivins, Phillips, Barker

*That Old Gang O'Mine: The Early and Essential
S.J. Perelman*, edited by Richard Marschall.
— **Mark Aickelin**, Davis, Wright
Tremaine LLP

How I Retired at 26, by Asha Tyson.
— **Kimberley Wilson**, Zuckerman Spaeder
LLP

An Instance of the Fingerpost, by Iain Pears.
— **Mindy Klasky**, Arent Fox

The Lovely Bones, by Alice Sebold.
— **Tanya Brown**, Spiegel & McDiarmid
& **Victoria Kahn**, Venable

The Amazing Adventures of Kavalier and Clay,
by Michael Chabon.
— **Marjorie Leary**, Baker & Hostetler

A Fine Balance, by R. Misty.
— **Judy Bernanke**, Alston & Bird LLP

The Mountain of Silence, by Kyracos C. Markides.
— **John C. Cowherd**, McKenna Long &
Aldridge LLP

The Black Prince, by Iris Murdoch.
— **Cecelia Weinheimer**, Piper Rudnick

The Corrections, by Jonahan Franzen.
— **Janet James**, Baker Botts LLP

NEXT QUESTION:

WHAT IS YOUR BIGGEST PET PEEVE
ABOUT YOUR JOB?

Entries will be anonymous if so requested. ■

SEE YOUR NAME IN "LIGHTS!"

Law Library Lights welcomes submissions of
feature and hot topic articles for publica-
tion. Authors whose articles are selected
for publication will receive a gift compli-
ments of the Lights committee. Editorial
inquiries or requests for additional infor-
mation should be addressed to Jennifer
Korpacz, editor, at lights@llsdc.org or
202/662-6153.

NEW PUBLICATION NOW AVAILABLE

NEW PUBLICATION: **Sup-
plement to the Union List of Legislative
Histories**. The supplement updates the
7th edition, including new contact infor-
mation, errata, and histories from the
106th & 107th Congresses. **Price:** \$25,
plus \$3.56 shipping/handling, and \$1.44
D.C. Sales tax (total cost: \$30.00). This
title is also available from Hein at 800-
828-7571 or <http://www.wshein.com>.
Hein allows payment with a credit card.

THE FALL NEW MEMBER BREAKFAST WAS A GREAT SUCCESS. Almost 30 new members met on October 17 at Old Ebbitt Grill to learn more about LLSDC and ways they can become more involved. We had people from all areas of the library world: academic, private firms, government, and a few vendors. It was great to meet all of you. Laura, Jeff and I are looking forward to the spring event. No firm plans have been decided, but we have some great ideas in mind. We should have some more information in the next newsletter.

Lots of people are on the move. **Kimberley Wilson** recently joined Zuckerman Spaeder LLP as the new library assistant. Previously she worked for Seyfarth Shaw.

The George Washington University Law School, Jacob Burns Law Library has had several new additions. **Tara Rainson** is the new reference librarian. Tara was previously a librarian at the Library of Congress's Congressional Research Service. **Karen Rasmussen** is the new cataloging librarian. Karen recently received her MLIS from the School of Information Sciences at the University of Pittsburgh.

On October 3, **J.O. Wallace** was hired to a new global library position with Latham & Watkins. J.O. will serve as Global Services Office Reference Librarian. J.O. had been Head Librarian of L&W's DC office since August 2000, and prior to that he was the Legislative Librarian at L&W.

Luis Acosta is the new Legal Reference Librarian at the Law Library of Congress. Prior to this, Luis was a Reference Librarian at the Howard University Law Library.

Dorsey & Whitney is moving on up. The firm stayed at 1001 Pennsylvania Ave, NW but moved up a floor to 400 North. Packages can be picked up and dropped off at the building messenger center. They also have new phone numbers. **Jennifer Eckel**, Librarian can be reached at 202/442-3602. **Robert Oszkiewski** and ILL can be reached by calling 202/442-3611.

Mary Alice Durphy from Baker & Hostetler was one of about ten editorial advisors to *The Gale Encyclopedia of Everyday Law*, which was published in October.

Kristy Yarnell has changed positions and is now the Law Librarian for the Department of Labor.

Moving from one solo position to another, **Keith Gabel** is the new Librarian at Stewart & Stewart. He was formerly Librarian at the DC

office of Thompson Coburn LLP.

The American University Washington College of Law Library added its half millionth volume on October 23. The book entitled *The Heart of Blackstone or Principals of Common Law* was written by Nanette B. Paul and published in 1915. Ms. Paul is described on the book's title page as being a "Lecturer in Law in Washington College, Washington, D.C." The title page also notes that the book was dedicated to Ellen Spencer Mussey, "founder of the Washington College of Law... by one of her former pupils." The book was donated by Leonard Goodman who, together with his wife Bobby, also donated the Law Library's Goodman Rare Book Room and most of the books currently shelved in that room.

Jim Walther, at Bryan Cave LLP, joined the adjunct faculty at San Jose State University, teaching LIBR 202, Information Retrieval, in the distance education program at both San Diego and San Jose. Walther will defend his dissertation, "A Factor Analysis: An Investigation of Faculty Involvement in Journal Cancellations as an Example of Decision-making in Academic Libraries" at The George

NEWS OF MEMBERS

Jennifer Preston
U.S. Sentencing
Commission
Library

INFOCURRENT AD



Washington University in Spring 2003.

David Lang is now the librarian at Dechert's Washington office.

WELCOME TO

Jill Allyn – librarian at Garvey Schubert Baker

Jeannine Butler – library technician at Finnegan Henderson Farabow Garrett & Dunner

Robert A. Drescher – President of CAPCON Library Network

Sarah Gildea – library practitioner at George Mason University School of Law Library

Sanema N. Hardrick – research librarian at Finnegan Henderson Farabow Garrett & Dunner

Holly H. Hook – legislative assistant at Covington & Burling

Mary Grace Hune – director at the Verizon Law Library

Joanne Jardon – library specialist at George Mason University School of Law Library

Aaron Kleffman – library clerk at Akin Gump Strauss Hauer & Feld

Abby H. Krystal – computer services specialist at Venable Attorneys at Law

Elizabeth LeDoux – research and conflicts librarian at Covington & Burling

Heather Macdonald – serials assistant at Wiley, Rein & Fielding

Marianne Metz – acting librarian at Akin Gump Strauss Hauer & Feld

Olubunmi Ruth Owopetu – electronic services librarian at Howard University Law Library

Liz Ridgway – librarian at Dombroff & Gilmore

Heather Rories – student at Catholic University of America

Olivia Walling – reference librarian at University of Maryland, Government Documents & Maps

Natalie Walter – interlibrary loan researcher at Wilmer, Cutler & Pickering

Kimberly J. Wilson – library assistant (ILL) at Zuckerman Spaeder ■

SUPPLEMENT TO THE UNION LIST OF LEGISLATIVE HISTORIES, 7TH EDITION

NOW AVAILABLE!

The Law Librarians' Society of Washington, DC is pleased to announce the availability of its latest publication, the supplement to the 7th edition of *the Union List of Legislative Histories*. This 70+ page supplement includes new contact information for participating libraries, errata for histories listed in the main volume, and new histories for the 106th and 107th Congresses.

PRICE: \$25.00, plus \$3.56 shipping/handling/ and \$1.44 D.C. sales tax. **TOTAL COST:** \$30.00.

To order, send your request with prepayment check to:

Law Librarians' Society of Washington, DC

Attn: Publications Sales

8727A Cooper Road

Alexandria, VA 22309

Please call (703) 619-5033 for ordering questions.

This title is also available from Hein at (800) 828-7571 or <http://www.wshein.com>. Their list price is also \$25.00, plus applicable shipping, handling, and state sales taxes.

Hein allows payment with credit card.



IN MEMORIAM: SUE PERRINE

Susanne Thevenet, Library Consultant
Carolyn P. Ahearn, Wiley, Rein & Fielding

Sue Perrine, LLSDC President from 1983 - 1984, passed away on November 12, 2002 after a long and determined battle with cancer. She leaves behind her husband Phil, two children, a granddaughter and many, many friends

Sue graduated from Southern Illinois University and Wayne State Library School and came to Washington, D.C. where she began her law library career as a freelancer and ultimately became head librarian at the firm of Shea and Gardner.

Sue had a wonderful personality and a strong commitment to law librarianship. She was personally responsible for bringing several folks into our local community (Pam Mandel (Ballard Spahr) and Eric Rivenbark (King & Spalding)). She was helpful to many others of us along the way, freely giving of her professional resources and knowledge, and sharing her unique common sense. As President of LLSDC, Sue concentrated on making arrangements for the compilation and publication of some of the various union lists that served our group so well for so many years.

Although she enjoyed law librarianship, the nature of private firms did frustrate Sue at times. Realizing chances were slim to none she would be made managing partner with a mandate to solve the various problems and inequities she recognized, Sue began research into alternative paths for herself. The attraction of being in charge and making her own decisions was strong for Sue and she ultimately purchased an established home inspection franchise, turning in the card catalog for a toolbelt! Sue's business was a success as those of us who knew her knew it would be.

Sue maintained friendships with many of her librarian friends over the years, always interested to hear what we were doing and how things were changing in the profession. Those of us that personally knew Sue will miss her greatly. LLSDC members can honor Sue by recognizing her contributions to the Society as President and as a mentor.



NEW! LLSDC T-SHIRT

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Institution: _____

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SIZE: Please indicate size(s) and number of T-shirts below:

_____ Adult M _____ Adult L _____ Adult XL _____ Adult 2XL

WASHINGTON
EXPRESS AD

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