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## Honoring Rick McKinney and LLSDC'S Legislative Source Book

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# HONORING RICK MCKINNEY AND LLSDC'S *LEGISLATIVE SOURCE BOOK*

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ROGER SKALBECK, JOYCE MANNA  
JANTO, AND KAT KLEPFER  
CONTRIBUTIONS BY LAW LIBRARIANS AT  
THE UNIVERSITY OF RICHMOND SCHOOL OF LAW

## INTRODUCTION

LLSDC's *Legislative Source Book* contains a wealth of useful information to help us understand legislative sources, especially in finding, compiling, and using legislative histories. It also provides numerous narratives on federal administrative law, with frequently-updated tables, charts, and lists. It is free, functional, and very practical.

Back in the year 2000, the *Legislative Source Book* went online for the first time. I helped set it up on the LLSDC Website and created the collection's earliest online graphics. During my seventeen years as a law librarian in Washington, D.C., I helped migrate it to new websites, including moving it to its current home.

I regularly recommend this collection as a go-to source for its practical and detailed content. Like countless other librarians, I've benefited from this collection without contributing a single syllable to its content.

In this essay, through three vignettes inspired by the *Legislative Source Book*, we honor Rick McKinney for his role as the collection's guiding light and leading author. We also provide a list of permanent links suitable for scholarly citation, where major parts of the collection are now archived online.

For LLSDC's *Legislative Source Book*, Rick has been a tireless and detail-oriented shepherd, muse, architect, steward, and curator. These materials

are a collective effort of many members of the LLSDC Legislative Special Interest Section. We wish to recognize the efforts of all contributors. However, without Rick McKinney's guidance and dedication, it wouldn't have the depth and breadth it has today.

Thank you, Rick,

ROGER SKALBECK  
Associate Dean, University of Richmond Law Library

# LINK BAIT HEADLINES FOR YOUR FACEBOOK FRIENDS

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**ROGER V. SKALBECK**

ASSOCIATE DEAN, UNIVERSITY OF RICHMOND LAW LIBRARY

In some ways, the *Legislative Source Book* feels like an unsung hero in legislative and regulatory research resources. It is very buttoned-down and practical. Eschewing flair and ignoring commercial appeal, it provides concise descriptions and no-nonsense narratives. Updates are frequent, and no single source is featured more prominently than another.

In today's Facebook-focused world, the *Legislative Source Book* may lack a certain headline-grabbing appeal. To explore this theory, consider the following link bait headlines rewritten for the collection's Research Guides and Explanations entries. In the style of sites like Upworthy and BuzzFeed, this teaser text may be suitable for lots of "likes" on your favorite social network.

## A TRIADIC TOME OF TECHNICAL TUTELAGE, OR "IT'S GETTING DRAFTY IN HERE"

The collection begins with this 1989 work by Donald Hirsch, simply named "Drafting Federal Legislation," published by the now-renamed Government Printing Office. As stated in the work's introduction, "[t]he purpose of the book was, and continues to be, three-fold: to serve as a self-help manual to train drafters; to develop their capacity to analyze bills for technical sufficiency; and to strengthen their understanding of the links between legislative ideas and legislative language."

THE FEDERAL ADMINISTRATIVE STATE:  
ACTING OUT SINCE 1935

In “Federal Administrative Law: A Brief Overview,” Rick McKinney explains core elements of federal administrative law, describing the balance of federal agency activities, contrasting their quasi-legislative and quasi-judicial powers. There are descriptions and quick facts on major agencies, summaries of Supreme Court cases, and numerous links to outside authorities. There is also a summary of major administrative laws, including the Federal Register Act of 1935. (44 U.S.C. § 1501 et seq.).

TOP 10 LIST FOR THAT CLASS YOU MISSED:  
FEDERAL LEGISLATIVE HISTORY 101

In 2014, Rick McKinney presented the webinar “Federal Legislative History 101,” covering a broad selection of legislative history topics. The talk covers the application, access points, process, materials, hierarchy, availability and procedural considerations in legislative history.

SILENCE IS GOLDEN: FINDING MEANING WHEN  
WORDS DON’T EXPRESS YOUR TRUE INTENT

From Ellen Sweet and Rick McKinney, “Federal Legislative History Research: A Practitioner’s Guide to Compiling the Documents and Sifting for Legislative Intent” is a comprehensive outline of all elements of the process of compiling and understanding legislative history.

CONVINCE YOUR AUDIENCE YOU’RE THE  
BEST DRAFTER SINCE SOLOMON

The “House Legislative Counsel’s Manual on Drafting Style” is written as a guidebook for people drafting federal legislation. One skill the resource recommends for an attorney drafting legislation is to “[c]onvince the client that the drafter is the best to come down the pike since Solomon.” The manual’s tone is refreshingly quirky in parts, with timeless tips on creating the controlling language our laws require.

#### A SIX PACK OF SUGGESTIONS FOR COMPILING YOUR OWN HISTORY. YOU WON'T BELIEVE NUMBER FOUR ON THE LIST

Developed for a lunch presentation for private law librarians, Sue Ann Orsini frames a basic process for compiling a legislative history in the “Legislative History Research for Beginning Practitioners.” She suggests six access points for starting a legislative history project: U.S. Code citation, law section, name of an Act, public law number, bill number, and the Statutes at Large citation. She also includes a helpful flowchart for the legislative history process based on these starting points.

#### EXPERTS AGREE: JOURNALING IS THE BEST WAY TO RECORD YOUR TRUE ACTIONS. IT'S IN THE CONSTITUTION

With “An Overview of the Congressional Record and Its Predecessor Publications,” Rick McKinney presents a history of publications that report Congressional proceedings, dating back to the House and Senate Journals, begun in 1789. Article I, Section 5 of the Constitution requires that “[e]ach House shall keep a Journal of its Proceedings, and from time to time publish the same.”

#### YOU'LL NEVER LOOK AT CONGRESSIONAL COMMITTEES THE SAME WAY AFTER YOU READ THIS!

“An Overview of the Development of U.S. Congressional Committees,” revised and updated by Jeff Bird (originally written by Michael Welsh, with assistance by Ellen Sweet and Rick McKinney), presents a historical view of Congressional committee evolution over more than two centuries. Here we find a well-footnoted summary of Congressional committee types and the evolving roles they play in the legislative process.

#### 73,348 DAYS BEFORE THE SERIAL PODCAST, CONGRESS STARTED TO SET ITS OWN SERIAL IN MOTION

In “An Overview of the U.S. Congressional Serial Set,” Rick McKinney presents the history and research application of this bound set of 14,000+

volumes, compiling the hundreds of thousands of reports and documents published since it was started in 1817.

A LINE OF QUESTIONING TO UNDERSTAND  
TWO CODED TEXTS. GUESS WHICH BRANCH OF  
GOVERNMENT IS LEFT OUT OF THE STORY?

In “Questions and Answers in Legislative and Regulatory Research,” members of the Legislative Research Special Interest Section answer thirty-seven detailed questions in areas of legislative and executive branch research. This is no watered-down “frequently asked questions” document. Instead, this twenty-one page guide covers complex and often confounding topics to help even expert researchers.

NPRM IS A FOUR LETTER WORD. MAYBE THAT’S  
WHY IT GENERATES COMMENTS LIKE THESE

With “A Research Guide to the Federal Register and the Code of Federal Regulations,” Rick McKinney tracks the history of executive branch agency regulations and the rulemaking process. This includes background such as the requirement from the Administrative Procedures Act of 1946 that notices of proposed rulemaking (NPRM’s) be published with certain accompanying details.

THE 54 BEST TITLES IN THE UNITED STATES CODE

A collection of several resources, “United States Statutes and the United States Code: Historical Outlines, Notes, Lists, Tables, and Sources” provides exactly what you expect it to contain: lists, tables, sources, and good explanatory documents. Several guides are written by Legislative Research SIS members, and there are references to sources that help us work with the fifty-four titles that now make up the entire United States Code set.