

Secrets of the Super Searchers III: Law

Jennifer Morgan

Indiana University Maurer School of Law

FDLP Academy - September 12, 2023



Agenda

- Tales of a Super Searcher
 - Court Documents
 - Legislative History
 - Agency Chronologies
- Helpful Resources
- Your Questions

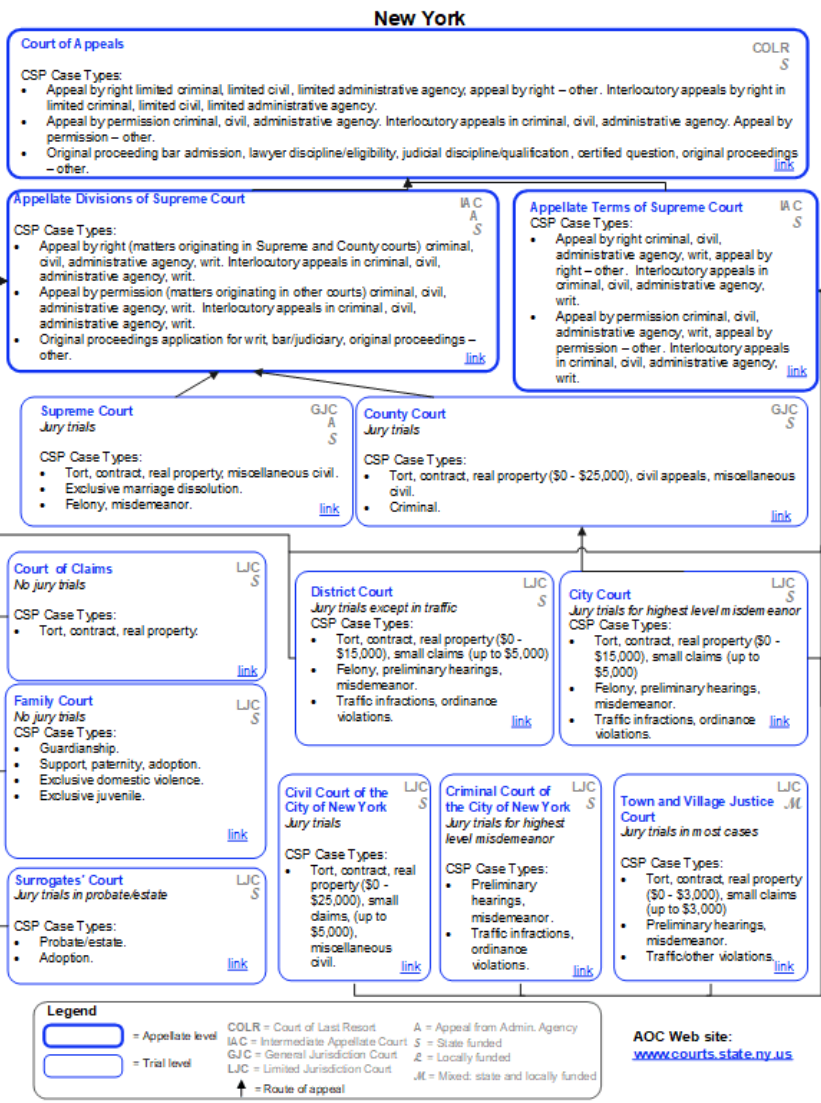


Researching Court Documents



Challenges

- A lot of the Judiciary's publications are not distributed through the FDLP
- Court documents are difficult to find using government sources.
- Everything isn't online (or in print). Some court documents aren't made publicly available.
- Court structures can be confusing.
- Legal concepts and terms of art are unfamiliar.



Inform Yourself

About Federal Courts

(www.uscourts.gov/about-federal-courts)

- Court Website Links
- Court Role and Structure
- Types of Cases

(Court structures = information sources)

The screenshot shows the top navigation bar of the United States Courts website. It includes the logo, a search bar, and several utility buttons: Email Updates, Federal Court Finder, Careers, News, Listen to this page, and a search bar with the text 'Search uscourts.gov'. Below the navigation bar is a red menu with links: Home, About Federal Courts (highlighted), Judges & Judgeships, Services & Forms, Court Records, Statistics & Reports, and Rules & Policies.

About Federal Courts

The U.S. Courts were created under Article III of the Constitution to administer justice fairly and impartially, within the jurisdiction established by the Constitution and Congress. This section will help you learn more about the Judicial Branch and its work.



Federal Courts & the Public

- Visit a Federal Court
- Court Website Links**
- Federal Court Scams



Court Role and Structure

- Comparing Federal & State Courts
- About the U.S. Courts of Appeals



Types of Cases

- Appeals
- Bankruptcy Cases
- Civil Cases
- Criminal Cases

judicial learning center


About Us | How to Visit | Our Programs | Transportation Grants | Student Center | Educator Center | Contact

Levels of the Federal Courts

The federal court system that we have today is not the same as the system created by the framers. It has grown and evolved over time. Article III of the Constitution stated that the judicial power of the United States would reside in "one supreme Court," making this court the first and only court established by the Constitution.

The framers also understood that as the nation grew, there might be a need for more courts. To account for this, the Constitution gave Congress the power to create courts "inferior" to the Supreme Court "from time to time." This means that Congress has the power to both create and eliminate other federal courts, and that the court system is continuously evolving as national needs change.

Today, there are three basic levels of the federal courts



U.S. Supreme Court
1 Court

U.S. Courts of Appeals
13 Circuits (12 Regional and 1 for the Federal Circuit)

U.S. District Courts
94 Districts, each with a Bankruptcy Court
Plus
U.S. Court of International Trade
U.S. Court of Federal Claims

District Courts

The United States district courts are the **trial courts** of the federal court system. This is where federal cases are tried, where witnesses testify, and federal juries serve. There are 94 federal district courts in the United States.


+ Click to read more about District Courts

Magistrate Judges | Bankruptcy Courts | International Trade | Federal Claims

Congress passed a law in 1968 establishing the position of **U.S. Magistrate Judge**. They are federal judges of the district courts who serve 8 year terms. They handle preliminary criminal matters such as setting bail and issuing search warrants, and they assist the district judges with all types of cases.

Courts of Appeals

There are 12 regional **circuit courts**, and one for the "Federal Circuit," that were established by Congress to relieve some of the caseload of the Supreme Court, and to hear cases that are appealed from the 94 district courts.




Organization of the Federal Courts

Article III of the Constitution established the federal judiciary as one of the three equal branches of the federal government. This page explains the differences between the federal courts and the state courts, and shows how the federal courts are organized. The page also gives an introduction to the importance of judicial independence.

- > State Courts vs. Federal Courts
- > Levels of the Federal Courts
- > The U.S. Supreme Court
- > About Federal Judges
- > Judicial Independence

Student Center Quick Nav



Inform Yourself

Judicial Learning Center (judiciallearningcenter.org/levels-of-the-federal-courts/)

Glossaries

- SCOTUSblog Glossary of Supreme Court Terms (www.scotusblog.com/glossary-of-legal-terms/)
- US Courts Glossary of Legal Terms (www.uscourts.gov/glossary)
- USDOJ Legal Terms Glossary (www.justice.gov/usao/justice-101/glossary)
- NCSC Legal Glossaries and Dictionaries (www.ncsc.org/education-and-careers/state-interpretter-certification/legal-glossaries-and-dictionaries)

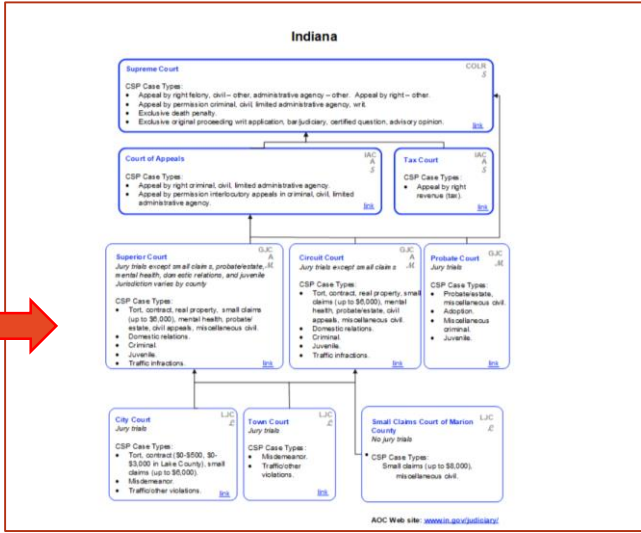
CSP COURT STATISTICS PROJECT

STATE COURT STRUCTURE CHARTS

Understanding the charts

View the entire Understanding: State Court Structure Charts document here (pdf).

each state's court organization. The format meets two objectives: (1) it is comprehensive, indicating all court systems in the state and their interrelationship, and (2) it describes the jurisdiction of the court systems, using a standard set of terminology and symbols. The court structure charts employ the common terminology developed by the National Center for State Courts' Court Statistics Project (CSP) for reporting court statistics.



State Court Structure

- Court Statistics Project
 - State Court Structure Charts (www.courtstatistics.org/state_court_structure_charts)
 - Understanding State Courts (www.courtstatistics.org/state-courts)

CSP COURT STATISTICS PROJECT

UNDERSTANDING STATE COURTS

Understanding State Courts

State Court Organization

This application allows users to customize detailed comparative data about how state trial and appellate courts are organized and administered.

State Court Structures

Learn about state court structures and case type jurisdiction through our interactive structure chart app.

Data Governance

Access the Data Governance Policy

maintain good data governance policies and practices.

State Court Structures

View States Using Filters Heat maps

Select States

Usage: You can select between 1 and 6 individual states by clicking on them in the map to the right.

The red and yellow icons to the left allow you to filter the states highlighted on the map.

Red icons denote court structure characteristics, while yellow icons denote state-level descriptive factors.

The menu attached to each red icon contains a link to the definition of the court structure characteristic it represents.

The yellow icons are designed to provide convenient "groupings" of states for comparison by a number of factors that may be of interest as you explore the data. However, we do not mean to suggest that these factors result in more meaningful comparisons than other factors not included here.

To clear filters, click on the blue bar of the filter you wish to clear under the "Selected Filter" list in this space.

Selected States: IL, IN, IA, MO, CO, OR

Case Type: All

Court Level: CSP App

Illinois

- Appellate Structure: Appellate Court
- Death Penalty? No
- Trial Criminal Process: Single Tiered
- Trial Court Structure: Single Tiered
- Case Load Size: 1.1 Million-3 Million

Indiana

- Appellate Structure: IAC by Subject Matter
- Death Penalty? Yes
- Trial Criminal Process: Single Tiered
- Trial Court Structure: Two Tiered
- Case Load Size: 1.1 Million-3 Million

Ohio

- Appellate Structure: COLR by Permission/IAC by Right
- Death Penalty? Yes
- Trial Criminal Process: Two Tiered
- Trial Court Structure: Two Tiered
- Case Load Size: 1.1 Million-4 Million

Can you find...?

- The [complaint](#) for *Allen v. State Board of Elections*, 268 F. Supp. 218 (E.D. Va. 1967).
- The [pleadings](#) for *Lassiter v. Northampton County Board of elections*, 360 U.S. 45 (1959).
- The [expert report](#) for this case, from Dr. Moore: *Bradley v. Work*, 154 F.3d 704 (7th Cir. 1998). It is a case out of Lake County, challenging its method of selecting judges.
- The [criminal indictment and any legal briefs/memorandum of law/oral argument transcripts](#) relating to *U.S. v. Chiarella* (No. 78 Cr. 2), 450 F. Supp. 95 (SDNY 1978) - at both the district and 2nd circuit level.
- The [criminal indictment, the SDNY order from Judge Charles Haight, and any legal briefs/memorandum of law/oral argument transcripts](#) relating to *United States v. Newman* 664 F.2d 12 (2d Cir. 1981) (at both the district court and 2nd circuit levels).

Court Documents

Pleadings and Motions

- Complaints, Memoranda of Points and Authorities, Answers, Replies, Motions
- Often include the facts of the case, the legal issues presented in the case, and the legal arguments (based on mandatory and persuasive authority) that support or refute those issues.

Briefs and Oral Argument

- Briefs
 - Written documents that contain legal arguments designed to persuade the court
- Oral Argument
 - Advocates' oral presentations and judges' questions

Types of Briefs

Certiorari-stage Brief

- Certiorari-stage briefs are the efforts by parties to tell the court why it should or should not take a case.

Merits Briefs

- Once the Supreme Court has granted certiorari in a case, each party can file merits briefs.
- Merits briefs tell the court why each party thinks it deserves to win.

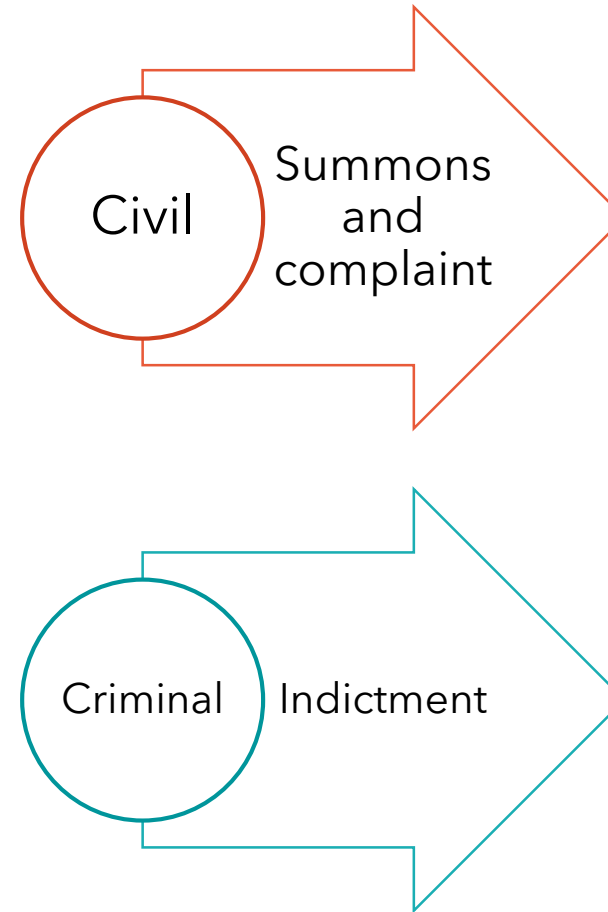
Amicus Curiae Brief

- “Friend of the court” brief; a brief filed by a person, group or entity that is not a party to the case but nonetheless wishes to provide the court with its perspective on the issue before it.

What is a court docket?

A record of documents filed in a court proceeding

- Pleadings
- Briefs
- Letters
- Hearings
- Schedules
- Transcripts
- Declarations
- Exhibits
- Orders
- Judgments
- Court Notations



Docket Sheet

A chronological list noting the date and description of each document filed in the action:

- Parties
- Attorneys
- Nature of suit code
- Filings
- Events

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:17-cv-00866-VC**

Swift v. Central Marin Police Authority et al
Assigned to: Judge Vince Chhabria
Referred to: Magistrate Judge Jacqueline Scott Corley (Settlement)
Cause: 42:1983 Civil Rights Act

Date Filed: 02/22/2017
Date Terminated: 07/23/2019
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Taylor Swift

represented by **John Houston Scott**
Scott Law Firm
1388 Sutter Street, Suite 715
San Francisco, CA 94109
(415) 561-9601
Fax: (415) 561-9609
Email: john@scottlawfirm.net
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Central Marin Police Authority
TERMINATED: 05/23/2017

represented by **Richard William Osman**
Bertrand, Fox, Elliot, Osman & Wenzel
2749 Hyde Street
San Francisco, CA 94109
415-353-0999x104
Fax: 415-353-0990
Email: rosman@bfesf.com
ATTORNEY TO BE NOTICED

Defendant

David Woo

represented by **Thomas F. Bertrand**
Bertrand, Fox, Elliot, Osman & Wenzel
The Waterfront Building
2749 Hyde Street
San Francisco, CA 94109
(415) 353-0999
Fax: (415) 353-0990
Email: tbertrand@bfesf.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

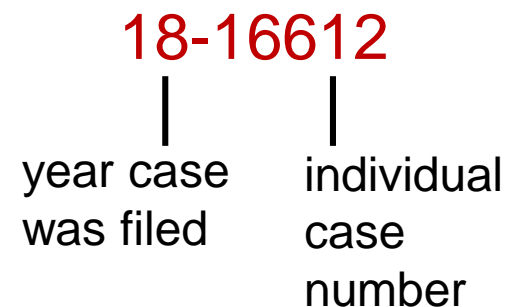
Docket Sheet

Includes details that list the date of an event, argument, or document submission, as well as some information about the event.

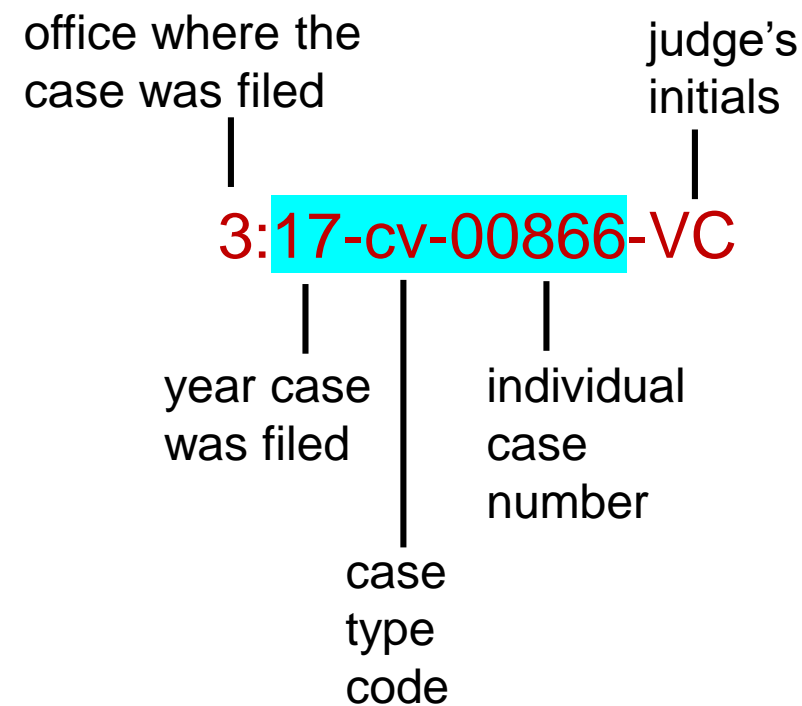
Individual documents are assigned a sequential docket item number, includes the filing date of the document.

Date Filed	#	Docket Text
02/22/2017	1	COMPLAINT <i>Complaint for Damages and Injunctive Relief</i> against All Defendants (Filing fee \$ 400, receipt number 0971-11174161.). Filed by Taylor Swift. (Attachments: # 1 Civil Cover Sheet)(Scott, John) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/22/2017	2	Proposed Summons. (Scott, John) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/22/2017	3	Case assigned to Hon. Vince Chhabria. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (as, COURT STAFF) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/23/2017	4	Initial Case Management Scheduling Order with ADR Deadlines: This case is assigned to a judge who participates in the Cameras in the Courtroom Pilot Project. See General Order 65 and http://cand.uscourts.gov/cameras Case Management Statement due by 5/16/2017. Case Management Conference set for 5/23/2017 01:30 PM in Courtroom 4, 17th Floor, San Francisco. (Attachments: # 1 Notice of Eligibility for Video Recording)(farS, COURT STAFF) (Filed on 2/23/2017) (Entered: 02/23/2017)
02/23/2017	5	Summons Issued as to Central Marin Police Authority, Vera Hicks, David Woo. (farS, COURT STAFF) (Filed on 2/23/2017) (Entered: 02/23/2017)
03/21/2017	6	CERTIFICATE OF SERVICE by Taylor Swift re 1 Complaint, 5 Summons Issued, 2 Proposed Summons <i>Proof of Service of Summons for Central marin Police Authority</i> (Attachments: # 1 Certificate/Proof of Service Summons for David Woo, # 2 Certificate/Proof of Service Summons for Vera Hicks)(Scott, John) (Filed on 3/21/2017) (Entered: 03/21/2017)
03/22/2017	7	MOTION to Dismiss <i>Plaintiff's Complaint</i> filed by Central Marin Police Authority, Vera Hicks, David Woo. Motion Hearing set for 5/18/2017 10:00 AM in Courtroom 4, 17th Floor, San Francisco before Hon. Vince Chhabria. Responses due by 4/5/2017. Replies due by 4/12/2017. (Attachments: # 1 Proposed Order) (Osman, Richard) (Filed on 3/22/2017) (Entered: 03/22/2017)
04/05/2017	8	OPPOSITION/RESPONSE (re 7 MOTION to Dismiss <i>Plaintiff's Complaint</i>) <i>Plaintiff's Opposition to Defendants' Motion to Dismiss Complaint</i> filed by Taylor Swift. (Scott, John) (Filed on 4/5/2017) (Entered: 04/05/2017)
04/10/2017	9	REPLY (re 7 MOTION to Dismiss <i>Plaintiff's Complaint</i>) filed by Central Marin Police Authority, Vera Hicks, David Woo. (Osman, Richard) (Filed on 4/10/2017) (Entered: 04/10/2017)

Docket Number (or case number)



Court of Appeals Docket #: 18-16612 Nature of Suit: 3440 Other Civil Rights Taylor Swift v. David Woo, et al Appeal From: U.S. District Court for Northern California, San Francisco Fee Status: Paid	
Case Type Information: 1) civil 2) private 3) null	
Originating Court Information: District: 0971-3 : 3:17-cv-00866-VC Court Reporter: Sarah L. Goekler Court Reporter: Debra Pas, Official Court Reporter Trial Judge: Vince Chhabria, District Judge Date Filed: 02/22/2017 Date Order/Judgment: 08/10/2018 Date Order/Judgment EOD: 08/10/2018	





Q: Can you find the complaint for Allen v. State Board of Elections?

Allen v. State Board of Elections, 393 U.S. 544 (1969) (Nos. 3, 25, 26, and 36.).

268 F. Supp. 218 (E.D. Va. 1967) (Civ. A. No. 5041).

Case history	
Prior	No. 36, <i>Whitley v. Williams</i> , S.D. Mis. <i>Whitley v. Johnson</i> , 260 F. Supp. 630, S.D. Mis. <i>Allen v. State Board of Elections</i> , 268 F. Supp. 218, E.D. Va.

- The case was on appeal from Virginia (E.D. Va.) and Mississippi (S.D. Mis.).

Rules of the Supreme Court

A petition for a writ of certiorari shall contain:

- A list of all proceedings in state and federal trial and appellate courts, including proceedings in this Court, that are directly related to the case in this Court.
- An **appendix** containing, in the order indicated:
 - The opinions, orders, findings of fact, and conclusions of law . . . entered in conjunction with the judgment sought to be reviewed;
 - Any other relevant opinions, orders, findings of fact, and conclusions of law entered in the case by courts or administrative agencies, and . . . those in companion cases

The joint appendix shall contain:

- The relevant docket entries in all the courts below;
- Any relevant pleadings, jury instructions, findings, conclusions, or opinions;
- The judgment, order, or decision under review; and
- Any other parts of the record that the parties particularly wish to bring to the Court's attention

TABLE OF CONTENTS	
	Page
PART I. THE COURT	
Rule 1. Clerk.....	1
Rule 2. Library.....	1
Rule 3. Term.....	1
Rule 4. Sessions and Quorum.....	2
PART II. ATTORNEYS AND COUNSELORS	
Rule 5. Admission to the Bar.....	2
Rule 6. Argument <i>Pro Hac Vice</i>	3
Rule 7. Prohibition Against Practice.....	4
Rule 8. Disbarment and Disciplinary Action.....	4
Rule 9. Appearance of Counsel.....	5
PART III. JURISDICTION ON WRIT OF CERTIORARI	
Rule 10. Considerations Governing Review on Certiorari.....	5
Rule 11. Certiorari to a United States Court of Appeals Before Judgment.....	6
Rule 12. Review on Certiorari: How Sought; Parties.....	6
Rule 13. Review on Certiorari: Time for Petitioning.....	9
Rule 14. Content of a Petition for a Writ of Certiorari.....	11
Rule 15. Briefs in Opposition; Reply Briefs; Supplemental Briefs.....	14
Rule 16. Disposition of a Petition for a Writ of Certiorari.....	17
PART IV. OTHER JURISDICTION	
Rule 17. Procedure in an Original Action.....	17
Rule 18. Appeal from a United States District Court.....	18
Rule 19. Procedure on a Certified Question.....	23
Rule 20. Procedure on a Petition for an Extraordinary Writ.....	24
PART V. MOTIONS AND APPLICATIONS	
Rule 21. Motions to the Court.....	26
Rule 22. Applications to Individual Justices.....	27
Rule 23. Stays.....	28
PART VI. BRIEFS ON THE MERITS AND ORAL ARGUMENT	
Rule 24. Briefs on the Merits: In General.....	29
Rule 25. Briefs on the Merits: Number of Copies and Time to File.....	31
Rule 26. Joint Appendix.....	32
Rule 27. Calendar.....	35
Rule 28. Oral Argument.....	36
1	

ProQuest Supreme Court Insight

Home Advanced Search Search By Number

Contents: SUMMARY Questions Presented Ruling Case Details Vote and Opinion Subjects DOCKET Docket PETITION STAGE Merit Stage

Back to Results

SUPREME COURT CASE HISTORY

Allen v. State Board of Elections (3 [1968 Term]): Supreme Court Case History

Filter... Showing 10 of 10 publications related to this Supreme Court Case History

SUMMARY

Questions Presented

Whether the requirement of Virginia Code section 24-252, that write-in votes be in the voters' own handwriting, is in conflict with the provisions of the Voting Rights Act of 1965 forbidding denial of the right to vote for failure to comply with "tests or devices" as defined in the Act?

Whether Virginia Code section 24-252 unconstitutionally discriminates against illiterates by failing to provide equal protection for the secrecy of their ballots in violation of the Fourteenth Amendment to the Constitution of the United States?

Ruling

1. Since the Virginia legislation was generally attacked as inconsistent with the Voting Rights Act, and there is no factual dispute, the Court way, in the interests of judicial economy, determine the applicability in No. 3 of 15 of the Act, even though that section was not argued below.
2. Private litigants may invoke the jurisdiction of the district courts to obtain relief under §5, to insure the Acts guarantee that no person shall be denied the right to vote for failure to comply with an unapproved new enactment subject to the section.
3. The restriction of §14 (b) of the Act, which provides that "[n]o court other than the District Court for the District of Columbia... shall have jurisdiction to issue any declaratory judgment pursuant to [§5] or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this subchapter" does not apply to suits brought by private litigants seeking a declaratory judgment that a new state enactment is subject to §5's approval requirements, and these sections may be brought in the local district courts.
4. In light of the extraordinary nature of the Act and its effect on federal state relationships, and the unique approval requirements of §5, which also provides that "[a]ny action under this section shall be heard and determined by a court of three judges," disputes involving the coverage of §5 should be determined by three-judge courts.
5. The state statutes involved in these case are subject to the approval requirements of §5.
6. The Act requires that the State must in some unambiguous and recordable manner submit any legislation or regulation to the Attorney General with a request for his consideration pursuant to the Act, and there is no "submission" when the Attorney General merely becomes aware of the legislation or when briefs are served on him.
7. In view of the complexity of these issues of first impression, the lack of deliberate defiance of the Act resulting from the States failure to submit the enactments for approval, and the fact that the discriminatory purpose or effect of these statutes, if any, has not been judicially determined, this decision has prospective effect only. The States remain subject to the continuing strictures of 15 until they obtain from the District Court for the District of Columbia a declaratory judgment that for at least five years they have not used the "tests or devices" proscribed by §4.

Case Details

Supreme Court case number 3 [1968 Term]

Previous case number(s) 1058 [1968 Term]; 661 [1967 Term]

Short case name Allen v. State Board of Elections

Full case name Richard Allen et al, appellants, v. State Board of Elections et al.

Petitioner Allen, Richard
Dunn, Lena W.
Moore, Washington
Dunn, McKinley
Tyler, Nora
Show all...

Respondent State Election Board
Grizzard, Mark
Lankford, Forest
Griffin, Benjamin
Garnett, Robert E.
Show all...

ProQuest Supreme Court Insight (1933 to present)

MERIT STAGE

Petition for Writ of Certiorari

Allen v. State Board of Elections: Appendix

Publication Details Full Text - PDF

Content type: Appendix to Petition for Writ of Certiorari

Supreme Court case no: 3 [1968 Term]

Date filed: July 11, 1968

APPENDIX

Supreme Court of the United States

OCTOBER TERM, 1968

No. 3

RICHARD ALLEN, ET AL.,
PETITIONERS,

—v.—

STATE BOARD OF ELECTIONS, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

JURISDICTIONAL STATEMENT FILED SEPTEMBER 28, 1967
JURISDICTION POSTPONED JUNE 10, 1968

Office-Supreme Court, U.S.
FILED
JUL 11 1968
JOHN F. DAVIS, C

TABLE OF CONTENTS

	PAGE
Docket Entries	1a
Complaint	4a
Affidavit of Richard Allen	11a

Docket Entries

DATE	PROCEEDINGS
11-28-66	Complaint filed and summons issued.
11-28-66	Notification and Request for Designation Three Judge Court filed.
11-30-66	Designation of Albert V. Bryan, U. S. Circuit Judge; Harrison L. Winter, U. S. Circuit Judge and John D. Butzner, Jr., U. S. District Judge ent. 11-30-66. Copies of pleadings mailed A. Bryan and delivered to Harrison L. Winter.
12-13-66	Marshal's return on summons as to all defendants executed and filed.
12-19-66	Pre-trial order ent. 12-19-66. Copies mailed as directed.
12-23-66	✓ Answer of State Board of Elections filed. Copies mailed Judges.
12-27-66	Answer of Robert E. Garnett and J. F. Lipscomb filed (copies to Judges).
12-28-66	Answer of Thomas Brown and Paul Bell filed (copies mailed to Judges).
1-9-67	Answer filed by defts. Mark Grizzard, Benjamin Griffin & Forest Lankford.
2-20-67	Plaintiffs' request for admissions, filed.
2-22-67	Response of State Board of Elections to plaintiffs' request for admissions, filed.
2-24-67	Response to pltf's. request for admissions filed by Robert E. Garnett & J. F. Lipscomb.
2-27-67	Response to pltf's. request for admissions filed.

4a

Complaint

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

CIVIL ACTION No.

RICHARD ALLEN, *et al.*,

Plaintiffs,

vs.

STATE BOARD OF ELECTIONS, *et al.*,

Defendants.

COMPLAINT

1(a) Jurisdiction of this Court is invoked under Title 28, United States Code, Section 1331. This action arises under the Fourteenth Amendment to the Constitution of the United States and under Public Law 89-110, 79 Stat. 437, known as the Voting Rights Act of 1965 (42 U.S.C. §1973, et seq.). The matter in controversy, exclusive of interest and costs, exceeds the value of ten thousand dollars.

1(b) Jurisdiction is further invoked under Title 28, United States Code, Section 1343 (3) and (4). This is an action to redress and to secure equitable relief against the deprivation, under color of State statute, regulation, custom and usage, of the right to vote as secured by the Constitution and statutes of the United States.

High Court Upholds Voter Literacy Test

WASHINGTON, June 8 (AP)—The Supreme Court declared valid today a North Carolina requirement that prospective voters must be able to read and write any section of the state's Constitution.

The validity of the requirement was attacked by Mrs. Louise Lassiter, a Negro, who refused to read sections of the North Carolina Constitution when she asked to be registered as a voter in Seaboard Precinct, Northampton County.

Justice William O. Douglas delivered the unanimous decision.

Mrs. Lassiter contended the requirement violated guarantees of the United States Constitution. She appealed to the high tribunal after the North Carolina Supreme Court had rejected her contentions and said the requirement of a literacy test was applied to all persons without discrimination as to race, creed or color.

I. Beverly Lake, counsel for the Northampton County election board said Mrs. Lassiter was unable to read or write.

Q: Can you find the pleadings for *Lassiter v. Northampton County Board of Elections*?

Lassiter v. Northampton County Board of Elections, 360 U.S. 45 (1959).

- "I want to know how the plaintiffs presented their claim. This is a race/literacy test case. But the Court doesn't talk about that. I wonder if the plaintiffs so pled, as race, and the Court ignored it. Or not."

Supreme Court Records and Briefs (resources available in 2020)

- Jerome Hall Law Library, depository for printed Supreme Court Briefs (1925 to date)
- Microforms collections
 - 1832-1915 (microfilm), 1916-1924 (microfiche), 1938-1949 (microfilm), 1950-1963 (microcards), 1976-2009 (microfiche).
- Making of Modern Law (MOML): U.S. Supreme Court Records and Briefs (1832 - 1978)
- ProQuest Supreme Court Insight (1975/1976 term - 2017/2018 term) (as of 2020)
- U.S. Supreme Court website
 - Electronic versions of most filings submitted after November 13, 2017 are available through the docket for the particular case.

The screenshot shows the Gale Primary Sources website interface for U.S. Supreme Court Records and Briefs. The page title is "GALE PRIMARY SOURCES U.S. Supreme Court Records and Briefs". The search options are "Advanced Search" and "Topic Finder". The "Advanced Search" section is active and shows a search form with three rows of criteria:

- Row 1: Search for "lassiter" in "Case Name"
- Row 2: And "northampton county" in "Case Name"
- Row 3: And [empty] in "Basic Search"

There is a checkbox for "Allow variations" and a button for "Add a Row". A "Search" button is located at the bottom right of the search form. Below the search form, there is a "MORE OPTIONS" section with a search input field and icons for "Cases", "Authors", "Search History", and "Get Link".

Transcript of Record

- The printed record of the proceedings and pleadings of a case, required by the appellate court for a review of the history of the case.

Supreme Court of the United States

OCTOBER TERM, 1958

No. 584

LOUISE LASSITER, APPELLANT,

vs.

NORTHAMPTON COUNTY BOARD OF ELECTIONS

APPEAL FROM THE SUPREME COURT OF THE STATE
OF NORTH CAROLINA

INDEX

	Original	Print
Record from the Superior Court of Northampton County, State of North Carolina		
Organization of court.....	1	1
Notice of appeal to County Board of Elections from denial of registration by Precinct Registrar Helen H. Taylor.....	2	2
Order of Board of Elections.....	3	3
Notice of appeal to the Superior Court.....	4	4
Notice of appeal to County Board of Elections from denial of registration by Precinct Registrar Helen H. Taylor.....	5	5
Certification to transcript of record.....	6	6
Stipulations of counsel.....	7	6
Motion of Louise Lassiter for directed verdict and finding and denial thereof.....	11	10
Special request for findings of fact and conclusions of law and denial thereof.....	12	11
Judgment	13	12
Appeal entries and notice of appeal to Supreme Court of North Carolina.....	14	13
Exceptions to judgment.....	14	13
Assignments of error.....	16	15
Statement of case on appeal.....	18	17
Stipulation as to record.....	20	19

ii

INDEX

	Original	Print
Proceedings in the Supreme Court of North Carolina	21	19
Opinion, Winborne, C.J.....	21	19
Judgment	35	34
Clerk's certificate	36	34
Notice of appeal to Supreme Court of the United States	38	35
Order granting motion for leave to proceed in forma pauperis	42	39
Order noting probable jurisdiction.....	44	39

Docket Sheet

National Archives (NARA)

- “The Engrossed Dockets from 1791 to 1995 have been scanned by the National Archives from its microfilm collection and are available in its [Catalog](#).”

TERM NO.	FILING DATE	FILE NO.
584	September 2, 1958	61381
<i>Title</i>	Louise Lassiter, Appellant, v. Northampton County Board of Elections.	
<i>Court</i>	Supreme Court of North Carolina	
	Vide No. 229 Misc.	
DATE	PROCEEDINGS AND ORDERS	
Sep. 2, 1958	Counsel for appellant: Herman L. Taylor, Samuel S. Mitchell, James Robert Walker, J.	
Sep. 24, 1958	Counsel for appellee: Malcolm B. Seawell, Ralph Moody, I. Beverly Lake	
Oct. 16, 1958	Statement as to jurisdiction and record and affidavit in forma pauperis filed.	
Dec. 15, 1958	Motion to dismiss filed by Seawell and Moody.	
	Statement of jurisdiction distributed.	
	Motion for leave to proceed in forma pauperis granted. Probable jurisdiction noted and case placed on summary calendar. Frankfurter, J., took no part.	
Jan. 3, 1959	Designation as to printing record filed.	
Mar. 12, 1959	Brief of appellant filed by Taylor.	
Apr. 2, 1959	Brief of Attorney General of North Carolina as amicus curiae filed.	
Apr. 6, 1959	Brief of appellee filed by Lake.	
Apr. 22, 1959	Appellant's reply brief filed by Taylor.	
May 18-19, 1959	Argued. Memorandum to come.	
May 22, 1959	Memorandum of appellee filed. (NP)	
June 8, 1959	Adjudged to be affirmed.	
July 7, 1959	Judgment and mandate issued.	

Motion to Dismiss

Contains a review of the history of the litigation, helpful background documents including the District Court opinion, and the North Carolina Supreme Court opinion, and some constitutional and statutory history.

In The
Supreme Court of the United States

OCTOBER TERM, 1958

No. 229, Misc.
LOUISE LASSITER
Appellant,
vs.
NORTHAMPTON COUNTY BOARD
OF ELECTIONS
Appellee.

APPEAL FROM THE SUPREME COURT
OF NORTH CAROLINA

MOTION TO DISMISS

STATEMENT OF THE CASE

For the benefit of the Court we think the history of this litigation should be briefly reviewed. The plaintiff, a colored woman, first brought an action for a declaratory judgment and injunctive relief in the District Court of the United

INDEX

Opinion of Federal District Court 16
Opinion of Supreme Court of North Carolina 20
Statement of the Case 1

I. The District Court of the United States retained jurisdiction and now has jurisdiction over this case 3

II. The Supreme Court of North Carolina did not decide the Federal Constitutional Issues 7

III. Assuming the Supreme Court of North Carolina decided both State and Federal questions, then the decision of the State Court rests upon a non-Federal ground which independently and adequately supports the State Court judgment 8

IV. The Federal question raised by appellant in the State Court is not a substantial Federal question..... 11

Motion to Dismiss 14

Appendix 16

A. Opinion of the Federal District Court 16
B. Opinion Below—Supreme Court of North Carolina 20
C. History of Article VI, Sec. 4, of the Constitution of North Carolina 35
D. Article VI of the Constitution of North Carolina 40
E. Chapter 287 of the Session Laws of 1957 43
F. Record in the Supreme Court of North Carolina 46

Q: Can you find an expert report...?

“Might you be able to find the expert report for this case, from Dr. Moore: Bradley v. Work, 154 F.3d 704 (7th Cir. 1998)? It is a case out of Lake County, [Indiana], challenging its method of selecting judges.”

9/22, 5:52 PM CM/ECF LIVE

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

CLOSE

U.S. District Court
Southern District of Indiana (Indianapolis)
CIVIL DOCKET FOR CASE #: 1:91-cv-00898-LJM-VSS

BRADLEY, HILBERT L. v. INDIANA STATE ELECTION BOARD*
Assigned to: Judge Larry J. McKinney
Referred to: Magistrate Judge V. Sue shields
Demand: \$0
Cause: No cause code entered

Date Filed: 08/09/1991
Date Terminated: 02/13/1996
Jury Demand: None
Nature of Suit: 441 Civil Rights: Voting
Jurisdiction: Federal Question

Plaintiff
HILBERT L. BRADLEY

represented by **HILBERT L BRADLEY**
ATTORNEY AT LAW
2148 W 11TH AVE
GARY, IN 46404
(219) 944-2755
ATTORNEY TO BE NOTICED

STEPHEN LAUDIG (01)
LAUDIG & GEORGE
156 EAST MARKET STREET, 6TH FLOOR
INDIANAPOLIS, IN 46204
(317) 637-6071
ATTORNEY TO BE NOTICED

GENERAL DOCKET FOR
Seventh Circuit Court of Appeals

Court of Appeals Docket #: 96-2241 Filed: 5/20/96

Nsuit: 3441 Civil Rights Voting-Fed Ques.
Bradley, Hilbert L., et al v. Work, Frederick T., et al
Appeal from: United States District Court


Lower court information:

District: 0756-1 : 91 C 898
Court Reporter: Glen L. Cunningham, Court Reporter
Ordering Judge: Larry J. McKinney, Chief Judge
Date Filed: 8/9/91
Date order/judgment: 4/16/96
Date NOA filed: 5/16/96

Fee status: paid


Prior cases:
None
Current cases:






If you use the PACER Court Locator (PACER's National Index), to search for this 7th Circuit case - **Bradley v. Work** (96-2241) (1998) - it doesn't appear in the results.

















PACER Case Locator

New Search ▾ Saved Items ▾ Court Information Settings ▾ Ashley Ahlbrand [jbm] ▾

[Home](#) > [Case Search](#) > [Advanced Search](#) > [Search Results](#)

Search Criteria: Case Search; Case Number (Full): [96-2241]; Jurisdiction Type: [Appellate] 

Result Count: 5      [Icon Legend](#)

Case Title	Case Number	Court	Date Filed	Date Closed
 Exxon, et al v. Esso Worker's	  0:1996civil02241	U.S. Court Of Appeals, First Circuit	11/20/1996	07/08/1997
 USA v. Corona	  0:1996cr02241	U.S. Court Of Appeals, Tenth Circuit	11/15/1996	10/14/1997
 MI Laborers' Health, et al v. Warranty Bldrs, et al	  0:1996cv02241	U.S. Court Of Appeals, Sixth Circuit	10/15/1996	02/27/1998
 Smeltzer v. US	  0:1996cv.us02241	U.S. Court Of Appeals, Fourth Circuit	09/12/1996	12/08/1997
 Hilton L. Brown v. U.S. Dept. of Army	  0:1996pr02241	U.S. Court Of Appeals, Eighth Circuit	05/10/1996	06/06/1996


PACER Service Center 09/12/2023 00:40:10

User jeromehalllawlibrary







Client Code jbm

Description Appellate Case Search
All Courts: Case Number 2241; Case Year 1996:
Case Number 96-2241; Jurisdiction AP; Page: 1

Billable Pages 1 (\$0.10) [Print Receipt](#)



Icon Legend

-  Save search to Saved Searches
-  Sort search results
-  Choose columns to display
-  Refine the current search
-  Download search results
-  Save case to Saved Cases

PACER: Search by Specific Court

PACER Public Access to Court Electronic Records

Register for an Account ▾ Find a Case ▾ File a Case ▾ My Account & Billing ▾ Pricing Help ▾

What can we help you accomplish?

- Search for a Case**
 - Search by Specific Court
 - Search by National Index
 - Court Opinions
 - Phone Access to Court Records
- Filing Electronically**

Find court specific information to help you file a case electronically and developer resources.
- Manage Your Account**

Create a PACER account or log in to manage your account and pay a bill.
- Sign up for an Account**

Register for an account, searching for federal court records online.

Please choose a court.

Client Code

Court

U.S. COURT OF APPEALS

Welcome to the U.S. Court of Appeals

[CM/ECF Document Filing System](#)

[CM/ECF PACER Login](#)

U.S. COURT OF APPEALS LIVE CM/ECF DATABASE

Access the court's legacy system from the specific court's CM/ECF Database

CM/ECF Case Search [Calendar](#) [Opinions](#) [Orders/Judgments](#) [Briefs](#) [Logout](#) [Help](#)

Case Search

Case Number / Range: (yy-nnnn or yy-nnnnn)
 Party / Attorney: (Last, First)
 Party Attorney Exact Matches Only

[Advanced Search](#)

[Search 7th Circuit cases filed before January 1, 2008](#)

[Court Information](#) [Court Home](#) [PACER Service Center](#) [Change Client](#) [Billing History](#) [Contact Us](#)



CM/ECF Case Search [Calendar](#) [Opinions](#) [Orders/Judgments](#) [Briefs](#)

Search 7th Circuit Cases Filed Before January 1, 2008

Case Number / Range: (yy-nnnn or yy-nnnnn)
 Party / Attorney: (Last, First)
 Party Attorney Exact Matches Only

[Court Information](#) [Court Home](#) [PACER Service Center](#) [Change Client](#) [Billing History](#)

CM/ECF Case Search [Calendar](#) [Opinions](#) [Orders/Judgments](#) [Briefs](#) [Logout](#) [Help](#)

Cases Filed Before January 1, 2008 - Search Results

If a docket report is available, the case number/title is a link.

Case Number / Title	Date Filed in COA	Originating Case
96-2241 Bradley, Hilbert L. v Work, Frederick T.	05/20/1996	0756-1 : 91 C 898

PACER Service Center

Transaction Receipt

7th Circuit Court of Appeals - 09/12/2023 00:46:34

PACER Login:	jeromehallawlibrary	Client Code:	jbm
Description:	Legacy Case Search	Search Criteria:	Case: 96-2241
Billable Pages:	1	Cost:	0.10



Download Confirmation

Document: PDF Document (Docket Report for legacy case 96-2241)

Click on the "Accept Charges and Retrieve" button ONCE at the bottom of this page to download the document image.
 If you download this document, your PACER account will be billed according to the table below:

PACER Service Center

Transaction Receipt

7th Circuit Court of Appeals - 09/12/2023 00:46:53

PACER Login:	jeromehallawlibrary	Client Code:	jbm
Description:	PDF Document	Search Criteria:	Docket Report for legacy case 96-2241
Billable Pages:	17	Cost:	1.70

Proceedings include all events.

96-2241 Bradley, Hilbert L., et al v. Work, Frederick T., et al

5/20/96 Private civil case docketed. [96-2241] [838422-1]
Appearance form due on 6/19/96 for William R. Groth, for Gary P. Price, for J. Michael Katz, for Edward H. Feldman, for J. Justin Murphy, for Ronald E. Elberger, for Hilbert Bradley, for Stephen Laudig. Transcript information sheet due 5/30/96. Appellant's brief due 7/1/96 for Hilbert L. Bradley, for Thomas Z. Lewis, for Barbara J. Cox, for Imogene Harris, for James T. Harris. Docketing Statement due 5/23/96. (jemp)

5/20/96 THIS CAUSE CONSISTS OF MORE THAN 5 PARTIES AS EITHER PLAINTIFFS/PETITIONERS or DEFENDANTS/RESPONDENTS. The following are those parties to this cause as reflected on the District Court docket, yet are not reflected on the Appellate docket/caption for administrative purposes:
PLAINTIFFS/APPELLANTS: John Henry Hall, Katie Hall, Henry E. Bennett, Edward D. Hegwood and Karen Pulliam Willis.
INTERVENORS/APPELLEES: Randall Shepard, Morton B. Kantz, James Danikolas, Gerald Svetanoff, James J. Richards, Jeffrey Dywan, Nicholas J. Schiralli, Paul D. Stanko, Bernard A. Carter, Richard W. Marco, James E. Letsinger, Richard J. Conroy, James L. Clement and Darlene Wanda Mears. [96-2241] [838422-1] (jemp)

5/29/96 Filed motion by attorney Gary P. Price for non-involvement as to Notice-Only. [840791-1] [840791-1] [96-2241] (patb)

5/30/96 ORDER: Appellant is directed to file the overdue Docketing Statement within 14 days from the date of this Rule to Show Cause. [840791-1] AK [96-2241] Docketing Statement response due 6/13/96 for James T. Harris, for Imogene Harris, for Barbara J. Cox, for Thomas Z. Lewis, for Hilbert L. Bradley. (patb)

5/30/96 Filed motion by attorney William R. Groth for non-involvement as to Notice-Only. [841063-1] [841063-1] [96-2241] (patb)

5/30/96 ORDER re: Motion for non-involvement. [840791-1] IT IS ORDERED that attorneys Gary P. Price and Brian A. Statz are not involved in this matter. [96-2241] (carl)

5/30/96 Added attorney J. Michael Katz per appearance form. Appearance form filed for Appellee Anna N. Anton by attorneys Edward H. Feldman and J. Michael Katz. [96-2241] [838422-1] (jimm)

5/30/96 Added attorney George T. Patton, Jr. per appearance form. Appearance form filed for Appellees Angelo Buoscio, Harold Abrahamson, Ruby S. Catlow, Dean V. White, Donald P. Levinson, et al., by attorneys George T. Patton, Ronald E. Elberger. [96-2241] [838422-1] (heat)

Docket as of October 28, 2004 0:16 am

Page 6

Look through the docket sheet for the expert report

154 F.3d 704

United States Court of Appeals, Seventh Circuit.

Hilbert L. BRADLEY, et al., Plaintiffs–Appellants,
v.
Frederick T. WORK, et al., Defendants–Appellees,
Randall T. Shepard, et al., Intervening Defendants–Appellees.

No. 96–2241

Argued Sept. 19, 1997.

Decided Aug. 31, 1998.

Look at the opinion. How does the appellate court refer to Moore's expert report ("affidavit")?

As we noted earlier, we must first dispose of some procedural issues before turning to the merits. First, we must decide whether the Voters' notice of appeal was adequate to bring the case before this court. Second, the Voters challenge Judge McKinney's decision to exclude several affidavits from evidence when he ruled on the parties' summary judgment motions, in particular an affidavit from Dr. Leonard Moore, an historian who offered to provide background about racial discrimination in Lake County and the history of the appointment and retention system there. Third, the Voters argue that the district judge abused his discretion when he refused

For example, the Voters insist that the judge should have considered Dr. Moore's affidavit, but for what purpose? Dr. Moore is an historian, and his affidavit set forth extensive information about the history of official discrimination against African-Americans in Lake County. He also recounted the history of racial discrimination within political parties in the area, in Indiana's state government, and in the schools. He provided an historical backdrop to the County's change from direct popular election of Superior Court judges to the appointment and retention system, noting that the latter system was adopted immediately after Gary, Indiana, Mayor Richard Hatcher (an African-American) had been re-elected to office. Last, he provided demographic information suggesting that the appointment and retention system was being used only in the five counties which together accounted for more than 80% of the state's African-American population.

Date Filed	#	Docket Text
		JAMS IMPORT - This case originated in the court's Judicial Automated Management System (JAMS). The case was imported into the electronic case management system (CM/ECF). For information or copies of JAMS case documents, please contact the Clerk's office. (Entered: 03/25/2020)
08/09/1991	1	COMPLAINT (Entered: 08/13/1991)
08/09/1991	2	CIVIL COVER SHEET (Entered: 08/13/1991)
08/09/1991	3	SUMMONS (Entered: 08/13/1991)
08/09/1991	4	MAGISTRATE NOTICE (Entered: 08/13/1991)
08/09/1991	5	*** RECEIPT *** # 05821 (Entered: 08/13/1991)
09/03/1991	6	APPEARANCE of Roberts Spear for Applicants for intervention cs (Entered: 09/04/1991)
09/03/1991	7	MOTION for leave to intervene as a deft as a matter of right or in the alternative by permission of the Court by Inter- (Entered: 09/04/1991)
09/03/1991	7	venors cs (Entered: 09/04/1991)
09/10/1991	8	STATEMENT in opp to motion to intervene by PLTFS cs (Entered: 09/11/1991)
09/19/1991	9	REPLY to pltfs statement in opposition to motion for leave to intervene by applicant INTERVENORS cs (Entered: 09/20/1991)
09/24/1991	10	MOTION for oral argument by PLTFS cs (Entered: 09/24/1991)
09/24/1991	11	AMENDED complt by PLTFS cs (Entered: 09/24/1991)
09/27/1991	12	APPEARANCE of Alan Mills for DEFTS Indiana State Election Bd, Alan Mills, Robert Cox & Robert H. Wright cs (Entered: 09/30/1991)
10/03/1991	13	TENDER of motion to dismiss by applicants for intervention by APPLICANTS cs (Entered: 10/04/1991)
10/08/1991	14	MOTION for leave to intervene as a deft as a matter of right or in the alt by permission of 9/22, 5:52 PM CM/ECF LIVE the Court by ATTY GEN cs (Entered: 10/09/1991)
10/08/1991	15	APPEARANCE filed by ROBERT S. SPEAR of ATTY GEN OFFICE on behalf of INTERVENORS cs (Entered: 10/09/1991)
10/16/1991	16	ANSWER to pltfs amended complt by DEFTS cs (Entered: 10/17/1991)
11/07/1991	17	TENDER of Brief in support of mot to dismiss by APPLICANTS FOR INTERVENTION cs (Entered: 11/08/1991)
11/08/1991	18	ORDER granting BOTH mots for leave to intervene; further ORDERS the Clerk to file this date the MOT TO DISM tendered (Entered: 11/12/1991)
11/08/1991	18	by the Commission intervenors; Judicial Intervenors are allowed to intervene in Mot to Dism & shall be given 15 days (Entered: 11/12/1991)
11/08/1991	19	from the date of this order to file any supporting brief cm eod 11/12/91 LJM (Entered: 11/12/1991)
11/08/1991	20	MOTION to Dismiss by INTERVENING DEFTS cs (Entered: 11/12/1991)
11/08/1991	21	BRIEF in support of mot to dismiss by INTERVENING DEFTS cs (Entered: 11/12/1991)

Bradley v. Work, 916 F. Supp. 1446 (S.D. Ind. 1996)

AKA

Bradley, Hilbert L. v. Indiana State Election Board
CASE #: 1:91-cv-00898-LJM-VSS

916 F.Supp. 1446

United States District Court, S.D. Indiana, Indianapolis Division.

Hilbert L. BRADLEY, Thomas Z. Lewis, Barbara J. Cox, John Henry Hall, Imogene Harris, James T. Harris, Katie Hall, Henry E. Bennett, Edward D. Hegwood, and Karen Pulliam Willis, Plaintiffs,

v.

Frederick T. WORK, Anna N. Anton, and Jerome Reppa, in their official capacities as members of the Lake County Election Board, and Anton in her official capacity as Clerk of the Lake County Circuit and Superior Courts, Defendants,

Randall T. Shepard, Harold Abrahamsom, Angelo Buoscio, Donald P. Levinson, Ruby S. Catlow, and Dean V. White, in their official capacities as members of the Judicial Nominating Commission for the Lake County Superior Court, Intervening Defendants,

Morton B. Kanz, James Danikolas, Gerald Svetanoff, James J. Richards, Jeffrey Dywan, Nicholas J. Schiralli, Paul D. Stanko, Bernard A. Carter, Richard W. Marco, James E. Letsinger, Richard J. Conroy, James L. Clement, and Darlene Wanda Mears, in their official capacities as Judges of the Lake County Superior Court, Intervening Defendants.

No. IP 91-898 C

Feb. 13, 1996.

Docket for the District Court Case

- The District Court case docket lists some witness affidavits being entered:

02/11/1994	189	AFFIDAVIT of Randall T. Shepherd (Entered: 02/14/1994)
------------	-----	--

- The docket doesn't show Dr. Moore's affidavit being entered. But it does reference it in a motion and brief:

06/28/1994	246	MOTION TO STRIKE affs of Charlie Brown, John L Howard, Henry Bennett & Dr Leonard J Moore cs INTERVENING DEFTS (Entered: 06/29/1994)
06/28/1994	247	BRIEF in supp of intervening defts' mot to strike affs of Charlie Brown, John L Howard, Henry Bennett, and Dr Leonard J Moore cs INTERVENING DEFTS (Entered: 06/29/1994)

7th Circuit Briefs in Microfiche

- “The same problems we have noted with Dr. Moore's affidavit occur with respect to the affidavits of State Representatives Charlie Brown, John L. Howard, and Henry Bennett, all of whom wished to bear witness to the long history of discrimination in the County.” 154 F.3d 704, 708 (7th Cir. 1998).
- Check the briefs for the appellate case
 - Bradley v. Work, 154 F.3d 704 (7th Cir. 1998)
- Hoped to find an appendix with a case history and filings appended from the District court
- Fiche was missing! 😞

“I could really use that report. Are these things saved somewhere? Can I go and get it?”

Phone Calls

- Clerk of the Court, United States District Court, Southern District of Indiana
- Chicago Federal Records Center (Chicago.archives@nara.gov)
 - Federal Records Centers ([about](#))

Official Request to FRC

U.S. District Court, Southern District of Indiana (Indianapolis)

BRADLEY, HILBERT L. v. INDIANA STATE ELECTION BOARD

Date Filed: 08/09/1991

Date Terminated: 02/13/1996

Accession # 021-04-0013

Location # 847944

Box 14, 15 & 16

"So, it's . . .
gone?"

”

I have looked through the boxes relating to the case for any undocketed entries, and also reviewed entries 246-247 and they refer to Moore's affidavit as "exhibit 3."

Exhibits are usually considered non-record material, so this is likely why it isn't included in the case. *If I may be of any more assistance, please let me know.*

Archives Technician
National Archives at Chicago
7358 S. Pulaski Road
Chicago, IL 60629
Phone: (773) 948-9001

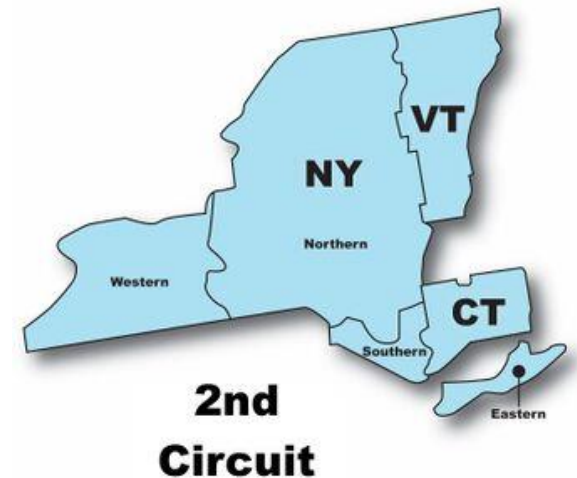
”

I'm afraid I don't have a copy of the affidavit, and I'll also need a refresher on the details of the case. I remember working on a case involving judgeships in Lake County back in the 90s (?), but I'm a bit hazy on the details at this point. I've worked on other more recent voting rights cases in Lake County. That might be useful to you and I'll be happy to tell you what I can about them.

~Len Moore

Q: Can you find filings for two cases at the district court and 2nd circuit levels?

- The [criminal indictment](#) and any [legal briefs/memorandum of law/oral argument transcripts](#) relating to **U.S. v. Chiarella** (No. 78 Cr. 2), 450 F. Supp. 95 (SDNY 1978), aff'd 588 F.2d 1358 (2d Cir. 1978).
 - I'm interested in those materials at both the district and 2nd circuit level. I already have the petitioner, government, and amici's briefs as well as the oral argument transcript for the Supreme Court's decision in Chiarella v. United States, 445 U.S. 222 (1980).
- The [criminal indictment](#), the [SDNY order](#) from Judge Charles Haight, and any [legal briefs/memorandum of law/oral argument transcripts](#) relating to **United States v. Newman** 664 F.2d 12 (2d Cir. 1981) (at both the district court and 2nd circuit levels).



Keep a Detailed Research Log

S.D.N.Y.	2nd Circuit Court of Appeals
U.S. v. Chiarella, 450 F. Supp. 95 (S.D.N.Y. 1978) (No. 78 Cr. 2).	U.S. v. Chiarella, 588 F.2d 1358 (2d Cir. 1978) (No. 137, Docket 78-1201).
PACER (Criminal 1982-): No	PACER (2000-): No
Bloomberg Law (1989-): No	Bloomberg Law (1982-): No
Westlaw Dockets (1990-): No	Westlaw Dockets (1997-): No
Westlaw, "Filings" tab of the case: No	Westlaw, "Filings" tab of the case: 4 briefs, 1 motion
Lexis Dockets (?): No	Lexis Dockets (?): No
Lexis Briefs, Pleadings & Motions (?): No	Lexis Briefs, Pleadings & Motions (?): No
	JHLL CA2 Microfilm (1984-2001): No

✓	
NO. 78-1202-CFY	TITLE Vincent F. CHIARELLA, Petitioner v. UNITED STATES
DOCKETED February 2, 1979	COURT U. S. Court of Appeals for the Second Circuit
DATE	PROCEEDINGS AND ORDERS
	Counsel for petitioner: Stanley S. Arkin Counsel for respondent: Solicitor General
February 2, 1979	Petition for writ of certiorari filed. (Record filed).
March 29, 1979	DISTRIBUTED 4-13.
March 29, 1979	Brief for the U. S. in opposition filed. (D).
May 7, 1979	REDISTRIBUTED. 5-10.
May 14, 1979	Petition GRANTED.
May 21, 1979	Motion to dispense with printing appendix filed. (NP).
May 23, 1979	DISTRIBUTED. 6-7. (Above motion).
June 11, 1979	The motion of the petitioner to dispense with printing the appendix is GRANTED.
June 29, 1979	Brief for the petitioner filed.
June 29, 1979	Motion of Securities Industry Association for leave to file a brief, as amicus curiae, filed.
July 25, 1979	Order extending time to file the respondent's brief on the merits until August 10, 1979.
Aug. 10, 1979	Brief for the U. S. filed.
Aug. 14, 1979	CIRCULATED.
Oct. 9, 1979	The motion of Securities Industry Association for leave to file a brief, as amicus curiae, is GRANTED.
Oct. 31, 1979	Petitioner's reply brief filed. (D).
Nov. 5, 1979	ARGUED.
Mar. 18, 1980	Adjudged to be REVERSED. Concurring opinion by Stevens, J. Opinion by Brennan, J., concurring in the judgment. Dissenting opinion by the Chief Justice. Dissenting opinion by Blackmun, J., with whom Marshall, J., joins.
Apr. 16, 1980	Judgment issued.

Look at the Supreme Court case history

Chiarella v. United States, 445 U.S. 222 (1980) (No. 78-1202).

- Includes docket sheet, oral argument, and the Government's brief in opposition to cert
- The docket sheet shows that the motion to dispense with printing the appendix was granted 😊

It's Not What You Know – It's *Who* You Know.

- **Loan from Cornell University Law Library (2nd Cir. Briefs, microfiche).**
 - **Chiarella (CA2 1978)**
 - “Brief for Defendant-Appellant Chiarella” (appellant’s brief)
 - “Brief for the United States of America” (appellee’s brief)
 - “Reply Brief for Defendant-Appellant Chiarella” (appellant’s reply brief)
 - “Petition for Rehearing and Suggestion for Rehearing In Banc” (Petition for rehearing en banc)
 - Joint Appendix
 - **Newman (CA2 1981)**
 - Joint Appendix (no briefs in the fiche, not listed on Newman’s docket)
- I digitized the briefs and *a lot* of the filings
 - Memoranda, Indictments, Opening Statements, Closing & Rebuttal Arguments, Oral Argument Transcripts, Conferences, Charges

Case History for Newman v. United States, 464 U.S. 863 (1983) (Denying Certiorari) (No. 82-1653).

Petition for Writ of Certiorari

OPINIONS BELOW

The United States Court of Appeals for the Second Circuit affirmed petitioner's conviction of mail fraud, 18 U.S.C. § 1341, securities fraud, 15 U.S.C. § 78j(b) and 17 C.F.R. § 240.10b-5, and conspiracy to commit mail fraud and securities fraud, 18 U.S.C. § 371. The court of appeals' order, which is unreported, is set forth in the Appendix ("App.") at 1a-3a. A previous opinion of the court of appeals arose on the United States' appeal of the dismissal of the indictment. The district court's opinion dismissing the indictment is set forth at App. 4a-39a. The court of appeals' opinion reinstating the indictment is reported at 664 F.2d 12 (2d Cir. 1981) and is set forth at App. 40a-54a.

Appendices To Petition For A Writ Of Certiorari

I N D E X

	Page
Order of the United States Court of Appeals for the Second Circuit in <i>United States v. Newman</i> , No. 82-1273 (February 8, 1983)	1a
Memorandum Opinion of District Judge Charles S. Haight, Jr., in <i>United States v. Courtois, et al.</i> , No. 81 Cr. 53 (CSH) (June 5, 1981)	4a
Opinion of the United States Court of Appeals for the Second Circuit in <i>United States v. Newman</i> , No. 81-1225 (October 30, 1981)	40a
Indictment in <i>United States v. Courtois, et al.</i> , No. 82 Cr. 166 (CSH) (March 1, 1982)	55a
Charge to Jury of District Judge Charles S. Haight, Jr. in <i>United States v. Newman</i> , No. 82 Cr. 166 (CSH) (May 20, 1982)	79a

SEC's Chiarella Complaint

- SEC's Chiarella Complaint (S.E.C. v. VINCENT F. CHIARELLA, Civil Action No. 77-2534)
 - Emailed the SEC Librarian to inquire if the SEC keeps records of its own complaints
 - If the complaint is in the SEC "case files," then it is in the building.
 - If the complaint is in the SEC "permanent files," then it is at NARA.
 - In either situation, we have to file a FOIA request in order to retrieve it.
 - SEC's average FOIA processing time was 12 working days for simple requests and 515 working days for complex requests.
 - FOIA Request, www.sec.gov/forms/request_public_docs

Drafting a FOIA Request

Written Request Should Contain

- Your contact information
- A description of the records requested (including subject matter)
- An offer to pay reasonable charges for actual search time and for photocopies
- A statement setting an upper limit on the amount of money you are willing to pay
- A request for response within 20 working days
- See the [FOIA Wiki: Making a FOIA Request](#) and [FOIA.gov](#).

Date

Freedom of Information Act Request

Agency Head or FOIA Officer

Name of agency or agency component

Address

Dear _____:

Under the Freedom of Information Act, 5 U.S.C. § 552, I am requesting copies of [identify the records as clearly and specifically as possible].

If there are any fees for searching or copying the records, please let me know before you fill my request. [Or, please supply the records without informing me of the cost if the fees do not exceed \$_____, which I agree to pay.]

If you deny all or any part of this request, please cite each specific exemption you think justifies your withholding of information. Notify me of appeal procedures available under the law. Optional: If you have any questions about handling this request, you may telephone me at _____ (home phone) or at _____ (office phone).

Sincerely,

Name
Address

Drafting a FOIA Request

Fee Waiver

- Individual Agencies' regulations determine appropriateness of waivers
- Educational use - free if disclosure serves a "scholarly research goal"
- "In the public interest" - reduction or free costs

Expedited Review


- Imminent threat to life or safety of an individual
- If requester is a reporter and there is an urgent need to inform the public about government activity

FOIA Requests to SEC for Court Records

- **FOIA requests to Securities and Exchange Commission (SEC)**
 - Complaint filed by SEC in SDNY in 1977. 😊
 - The Amicus Curiae brief filed by the SEC in the U.S. Court of Appeals for the Second Circuit. 😊
 - Memorandum from SEC Office of General Counsel to the Commission re: Chiarella and proposed rulemaking (not at SEC, transferred to NARA).
 - SEC, [Office of FOIA Services](#)
- **FOIA Requests to US Department of Justice, Office of the Solicitor General (DOJ-OSG)**
 - Correspondence between Solicitor General's Office and the SEC re: the Chiarella case (assigned to the "complex" processing track, time limit to respond extended by 10 days).
 - Response received *10 months later*, "no pertinent records found."
 - DOJ-OSG, [Freedom of Information Act](#)

FOIA Success!

Wonderful! Thanks so much. With this and the Chiarella complaint, you've helped me find two lost pieces of history!


**UNITED STATES
SECURITIES AND EXCHANGE COMMISSION**
STATION PLACE
100 F STREET, NE
WASHINGTON, DC 20549-2465

Office of FOIA Services

December 31, 2019

Ms. Jennifer Morgan
Indiana University - Maurer School of Law
211 S. Indiana Ave.
Bloomington, IN 47405

Re: Freedom of Information Act (FOIA), 5 U.S.C. § 552
Request No. **20-00396-FOIA**

Dear Ms. Morgan:

This letter is in response to your request, dated and received in this office on November 20, 2019, for access to the complaint filed in the Southern District of New York on May 23, 1977, that initiates an SEC enforcement action against the defendant Vincent Chiarella. Your request also referenced Civil Action No. 77-2534.

The search for responsive records has resulted in the retrieval of 9 pages of records that may be responsive to your request. Be advised, this is the best available copy of the records. They are being provided to you with this letter. We have determined to withhold SEC staff names and a telephone number along with a personal home address under 5 U.S.C. § 552(b) (6) and (7) (C), for the following reasons.

Under Exemption 6, the release of this information would constitute a clearly unwarranted invasion of personal privacy. Under Exemption 7(C), the release of the information could reasonably be expected to constitute an unwarranted invasion of personal privacy.

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, :
Plaintiff, : Civil Action No. 77-2534
v. : **COMPLAINT**
VINCENT F. CHIARELLA, : *J. Gantel*
Defendant. :

The Plaintiff Securities and Exchange Commission ("Commission") for its complaint alleges that:

1. The defendant Vincent F. Chiarella ("Chiarella") has engaged, is engaged, and is about to engage in acts and practices which constitute and will constitute violations of Sections 10(b) and 14(e) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. 78j(b) and 78n(e)] and Rule 10b-5 [17 CFR 240.10b-5] promulgated thereunder.
2. This court has jurisdiction pursuant to Section 27 of the Exchange Act [15 U.S.C. 78aa]. Certain acts, practices and courses of business constituting violations alleged herein have occurred within the Southern District of New York.
3. Plaintiff Commission brings this action pursuant to Sections 21(d) and (e) of the Exchange Act [15 U.S.C. 78u(d) and (e)] to restrain and enjoin said defendant from engaging in such acts

81-1225

IN THE UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,
Appellant,
v.
E. JACQUES COURTOIS, et al.,
Defendants,
JAMES MITCHELL NEWMAN, a/k/a "Barnett,"
Defendant-Appellee.

On Appeal from the United States District Court
for the Southern District of New York

**BRIEF FOR THE SECURITIES AND EXCHANGE COMMISSION,
AMICUS CURIAE**

PAUL GONSON
Solicitor

MICHAEL K. WOLENSKY
Associate General Counsel

PACER

Public Access to Court Electronic Records

- Case and docket information from federal appellate, district, and bankruptcy courts
- Fee-based
- www.pacer.gov

An official website of the United States government [Here's how you know](#) Log in to...

PACER

 Public Access to Court Electronic Records


Register for an Account Find a Case File a Case My Account & Billing Pricing Help Search

What can we help you accomplish?




Search for a Case

Learn options to find case information.




Filing Electronically

Find court specific information to help you file a case electronically and developer resources.




Manage Your Account

Create a PACER account or log in to manage your account and pay a bill.



Move to NextGen CM/ECF

Is your court migrating to NextGen CM/ECF? Follow these steps to prepare in advance.



Listen to This Page

Frequently Asked Questions

- What is PACER? +
- What if I cannot find the case I am looking for? +
- How much does it cost to access documents using PACER? +

[View all questions](#)

PACER

Fees are \$.10 per page, with a cap of \$3.00 (30 pages) for:

- Case documents (excluding transcripts)
- Docket sheets
- Case-specific reports

The fee cap does not apply to:

- Transcripts
- Non-case-specific reports

PACER Pricing: How fees work

Access federal court records electronically via the PACER service. Registered users may be charged a fee based on the amount and type of information accessed in a calendar quarter.

Cost for Accessing PACER

\$0.10 per page:

THE DIFFERENT TYPES OF PAGES



Document, such as a docket, motion, order, judgement or brief in a case. **You won't be charged more than \$3 per document.**



PACER Search Results – Anytime a search is performed you are charged a fee based on the number of pages generated in the search, even if the search displays “no matches found.” There is no maximum fee for these searches.



Reports that are not case-specific, such as the cases report. There is no maximum fee for these reports.



Transcript of court proceedings are added to PACER 90 days after they are produced. There is no maximum fee for transcripts in PACER. [Learn more.](#)

\$2.40 per audio file:



Audio Files are provided as .mp3 files for some hearings as part of the court record.



Billing: Users are billed on a quarterly basis if they accrue more than \$30 in the previous quarter. You will receive an invoice via mail or email.



TIPS FOR LIMITING FEES

Search by Case Number instead of Party Name	+
Use Docket Report Filters	+
Search by a Specific Court vs. Using the PACER Case Locator	+

Spend \$30 or less on court records in a quarter and fees are **WAIVED...**



When is PACER Free?

1. You are a party in a case and receive a Notice of Electronic or Notice of Docket Activity (one free copy) from a court.
2. You view case information at any federal courthouse.
3. You are an individual or group who was granted a fee exemption.
4. Court opinions are always free.

Fee Exemptions

Courts may exempt individuals or groups, such as indigents, pro bono attorneys, academic researchers, and non-profit organizations from paying a fee, upon request to the court. [Learn more about fee exemptions for academic researchers.](#) [Learn more about fee exemptions for other eligible parties.](#)

Register for an Account ▾

Find a Case ▲

File a Case ▾

My Account & Billing ▾

Pricing

Help ▾

Search ▾

What can we help you accomplish?



Search for a Case

Learn options to find case information.

Search by Specific Court

Search by National Index

Court Opinions

Phone Access to Court Records

Find a Case Overview

Electronically

Find court specific information to help you file a case electronically and developer resources.



Manage Your Account

Create a PACER account or log in to manage your account and pay a bill.



Sign up for an Account

Register for a PACER account to begin searching for or filing federal court records online.

PACER Case Locator

New Search ▾ Saved Items ▾ **Court Information** Settings ▾

Home>Welcome


Quick Searches

- [Find Cases](#)
- [Find Cases \(Advanced\)](#)
- [Find Parties](#)
- [Find Parties \(Advanced\)](#)
- [Find Bankruptcy by SSN/EIN](#)
- [Find Bankruptcy \(Advanced\)](#)

My Recently Run Saved Searches

- [Blaszczak for Nagy](#)
- [Newman CA2](#)

Quick Links

-  PACER
-  U.S. Courts
-  Court Links
-  PCL Help
-  PACER FAQ
-  Statistics

PACER Case Locator

New Search ▾ Saved Items ▾ Court Information Settings ▾

Home > Court Information

Filter: 

(1 of 6) << < 1 2 3 4 5 6 > >> 50 ▾

Court	Court Code	Court Type	Earliest Cases	Most Recent Cases	Coverage Date
Alabama Middle Bankruptcy Court	almbk	Bankruptcy	09/02/1985	09/07/2023	09/02/1985
Alabama Middle District Court	almdc	Criminal	09/08/1966	09/07/2023	07/11/1994
Alabama Middle District Court	almdc	Civil	09/08/1966	09/07/2023	04/02/1991
Alabama Northern Bankruptcy Court	alnbc	Bankruptcy	04/24/1909	09/07/2023	12/02/1962
Alabama Northern District Court	alnbc	Criminal	03/10/1963	09/07/2023	11/01/1987
Alabama Northern District Court	alnbc	Civil	03/10/1963	09/07/2023	01/05/1986
Alabama Southern Bankruptcy Court	alsbk	Bankruptcy	04/27/1978	09/07/2023	03/31/1988
Alabama Southern District Court	alsdc	Criminal	03/26/1963	09/07/2023	05/21/1992
Alabama Southern District Court	alsdc	Civil	03/26/1963	09/07/2023	02/03/1983
Alaska Bankruptcy Court	akbk	Bankruptcy	02/15/1980	09/06/2023	12/06/1990
Alaska District Court	akdc	Criminal	02/26/1960	09/07/2023	01/01/1996
Alaska District Court	akdc	Civil	02/26/1960	09/07/2023	01/31/1968
Arizona Bankruptcy Court	azbk	Bankruptcy	12/31/1954	09/07/2023	03/01/1980
Arizona District Court	azdc	Criminal	07/31/1958	09/07/2023	09/15/1987
Arizona District Court	azdc	Civil	07/31/1958	09/07/2023	11/02/1986

Alternative to PACER

RECAP & CourtListener

- RECAP Archive (CourtListener) is a database of tens of millions of federal court cases and hundreds of millions of docket entries
 - www.courtlistener.com/recap
- RECAP extensions capture PACER records from U.S. Federal District and Bankruptcy Courts
 - free.law/recap

The screenshot shows the CourtListener website interface. At the top, the logo 'COURTLISTENER' is displayed in red and blue. Below it, the text 'From Free Law Project, a 501(c)(3) non-profit.' is visible. The navigation menu includes 'Opinions', 'RECAP Archive' (circled in red with a red arrow pointing to the 'Advanced RECAP Search' section), 'Oral Arguments', 'Judges', and 'Financial Disclosures'. A 'Donate' button is also present. The 'Advanced RECAP Search' section features a yellow background with the text 'Search our database of millions of PACER documents and dockets.' and a 'Learn More' button. Below this is a search bar with a 'Search' button. The search filters section includes 'Jurisdictions' (0), 'Search Results Order' (Relevance), 'Docket Number', 'Document Description', 'Case Name', 'Filed After', 'Filed Before', 'Document #', 'Attachment #', 'Assigned To Judge', 'Referred To Judge', 'Nature of Suit', 'Party Name', and 'Attorney Name'. There is also a checkbox for 'Only show results with PDFs' and a 'Search' button. On the right side, there is a section for 'Operators' with a list of symbols and their meanings: AND - Intersection, OR - Union, - - Negation, " " - Phrase search, () - Grouped queries, : - Fielded search, *, ? - Wildcard, ~ - Fuzzy and proximity, [x TO y] - Ranges, ^ - Field boosting, and a link for 'More details...'

CourtListener: Case Law

<https://www.courtlistener.com/>

- U.S. Supreme Court Opinions - 1791 to present
- U.S. Federal Appellate Court Opinions - 1920s to present for most circuits
- U.S. Federal District Court and Bankruptcy Court Opinions - coverage dependent on district
- U.S. State Supreme and Appellate Court Opinions - coverage dependent on state

The screenshot shows the CourtListener website interface. At the top, the logo 'COURTLISTENER' is displayed in red and blue, with the tagline 'From Free Law Project, a 501(c)(3) non-profit.' to its left. Navigation links for 'About', 'FAQ', and 'Sign in / Register' are in the top right. A horizontal menu below the logo includes 'Opinions', 'RECAP Archive', 'Oral Arguments', 'Judges', and 'Financial Disclosures'. The 'Opinions' menu item is circled in red with a red arrow pointing to it. To the right of the menu is a 'Donate' button with a heart icon. Below the navigation is a large purple box containing the text 'Advanced Opinion Search' and 'Search millions of opinions across hundreds of jurisdictions. Updated constantly.' with a 'Learn More' button. A search bar with a 'Search' button is positioned below this. The main content area features several search filters: 'Jurisdictions' (set to 'All'), 'Case Name', 'Filed After', 'Citation', 'Search Results Order' (set to 'Relevance'), 'Judge', 'Filed Before', 'Neutral Citation', 'Precedential Status' (with 'Precedential' checked and 8,179,159 results), 'Non-Precedential' (768,113 results), 'Errata' (840 results), 'Min Cites', 'Max Cites', 'Docket Number', and 'Operators' (listing various search operators like AND, OR, -, " ", (), :, *, ?, ~, [x TO y], ^). A 'Search' button is located at the bottom right of the filter section.

U.S. Supreme Court Records and Briefs Online

Open Access

- [SCOTUSblog](#): Briefs in cases granted certiorari, 2007 to present.
- [U.S. Dept. of Justice, Office of the Solicitor General](#): Petitions for writ of certiorari and briefs filed by the Solicitor General, including briefs at the petition response stage, merits stage, and amicus briefs, 1985 to present.
- [U.S. Supreme Court](#): [Docket sheets](#), full text of [opinions](#), [oral argument](#) transcripts and audio files, briefs (electronic versions of most filings submitted after November 13, 2017, are available through the docket for the case).

Legal Research Databases

- **Bloomberg Law**: Dockets and pleadings, 2003 to current (not comprehensive).
- **Lexis**: All briefs, cases granted certiorari beginning after the 1993-1994 term.
- **Westlaw**: Briefs filed for cases in which cert was granted, comprehensive coverage from 1931 to present. Briefs in opposition and support of petitions, comprehensive coverage from 1985 to present. Appendices and other records, coverage from 1982 to present.

Subscription Databases

- **Gale's Making of Modern Law**: U.S. Supreme Court Briefs, 1832-1978.
- **Nexis Uni**: Amicus and merits briefs for cases granted certiorari and joint appendices, 1979 to present (selected earlier documents from 1936 to present).
- **ProQuest Supreme Court Insight**: Cases granted cert, 1933-2023 complete; 1897-1933 being digitized. Cert denied, 1975-2023 complete; 1954-1975 being digitized.

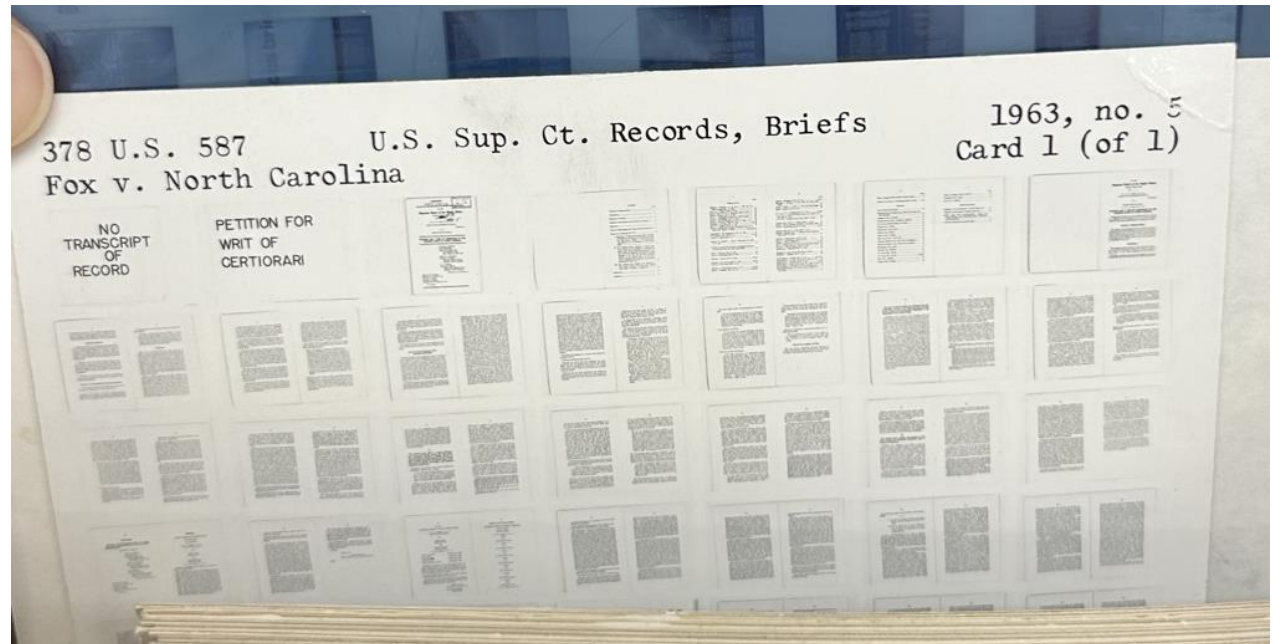
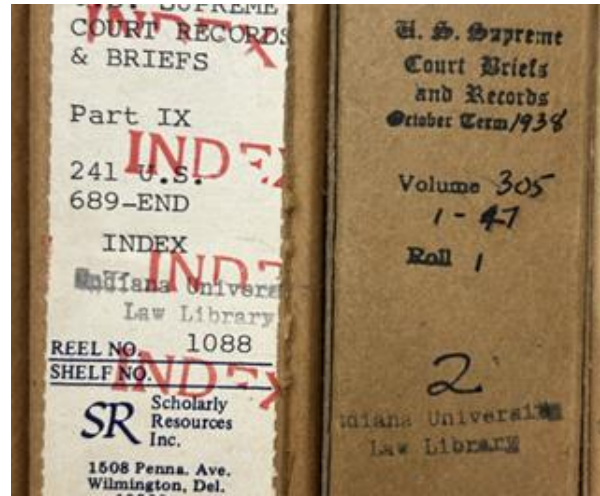
U.S. Supreme Court Briefs: Tangible Collections

Print Collections

- [Depositories of printed Supreme Court Briefs](#)
 - Jerome Hall Law Library, 1925 to current
 - OCLC 1768669

Microformat Collections

- Jerome Hall Law Library, 1832 to 2009
 - 1832-1915 (microfilm), 1916-1924 (microfiche), 1938-1949 (microfilm), 1950-1963 (microcards), 1976-2009 (microfiche).
 - OCLC 17266804



U.S. Courts of Appeals Records and Briefs

Online

- Gale, The Making of Modern Law: Landmark Records and Briefs of the U.S. Courts of Appeals
 - Part I: 1950-1980 and Part II: 1891-1950
 - Not comprehensive. includes most-cited circuit cases
- Westlaw (coverage begins with 1987).
- Lexis (coverage?)

Microformat

- Jerome Hall Law Library
 - U.S. Court of Appeals, 2nd Circuit (1984 to 2001) (OCLC 12253812)
 - U.S. Court of Appeals, 7th Circuit (1990 to 2009) (OCLC 33344586)
 - U.S. Court of Appeals, 9th Circuit (1985/86 term to 1995/96 term) (OCLC 13208451)
 - U.S. Court of Appeals, DC Circuit (1983/84 to 1992) (OCLC 06248617)

Print

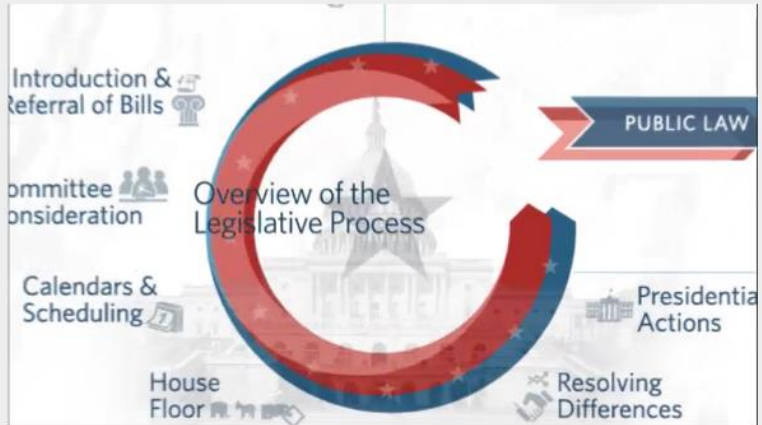
- Jerome Hall Law Library (Indiana University)
 - U.S. Court of Appeals, 7th Circuit (1982 to 2000)
 - OCLC 16088717
 - 7th Circuit Briefs needed before 1982 can be ordered from the [Chicago Federal Records Center](#)



Legislative History Research



The Legislative Process: Overview (Video)



Section	Length
1. Overview of the Legislative Process	5:09
2. Introduction and Referral of Bills	3:19
3. Committee Consideration	3:39
4. Calendars and Scheduling	2:35
5. House Floor	3:53
6. Senate Floor	4:17
7. Executive Business in the Senate	1:59
8. Resolving Differences	3:29

Inform Yourself

[The Legislative Process](#)

(Congress.gov)

[Learn about the Legislative Process](#)

(Library of Congress)

[The Legislative Process](#)

(U.S. House of Representatives)

Podcasts



AUGUST 6, 2019 · 25 MIN

Starter Kit: How A Bill (really) Becomes a Law

Civics 101

Play

See More ↗

Legislative History Research Resources

- Congress.gov
- GovInfo.gov
- HathiTrust
- HeinOnline
- ProQuest Congressional
- ProQuest Legislative Insight
- Printed Documents!

The screenshot shows the ProQuest Legislative Insight website. At the top, there is a teal header with the ProQuest logo and the text "Legislative Insight". Navigation links include "Advanced Search", "Search By Number", "Legislative Process", and "Congress in Context". A search bar is prominently displayed with the placeholder text "Search Legislative Histories...". Below the search bar, there are four main content boxes: "LEGISLATIVE PROCESS" (with a sub-header "Looking to track the development of a law?"), "SEARCH FOR A CITATION" (with a sub-header "Got a citation?"), "CONGRESS IN CONTEXT" (with a sub-header "Need some historical context?"), and "LEGISLATIVE HISTORIES" (with a sub-header "Need to trace the history of a law?"). Each box contains descriptive text and links to further resources.

The screenshot shows the Congress.gov website. The header includes the "CONGRESS.GOV" logo and navigation options like "Advanced Searches" and "Browse". A search bar is located below the header with a dropdown menu for "Current Congress" and a search icon. The main content area is divided into several sections: "Most-Viewed Bills | Top 10" (listing H.Res. 57, H.Res. 503, and H.Res. 521), "Bill Searches and Lists" (with links for "By Sponsor", "Introduced", "Public Laws", "U.S. Code", and "Appropriations"), "Current Legislative Activities" (for the 118th Congress), and "Recent" (with links for "Yesterday in Congress", "Bill Texts", and "Committee Schedule"). There are also buttons for "House of Representatives" and "Senate" with "Not in Session Video Archive" text, and a "Contact Your Member" section with a search field for member addresses.

Challenges

- Tracing reintroduced legislation across multiple Congresses
- Researching legislation over time
- When legislation is combined, how do you find committee reports and floor discussion?
- Omnibus legislation
- Finding the legislative history of a code section

Tracing Reintroduced Legislation Across Multiple Congresses

- Q: When viewing a Congress.gov bill record, is there a way to see if the bill has been reintroduced in later Congresses directly from that bill record?
- Q: What if the same substantive bill is reintroduced but the name is slightly or completely changed?

The screenshot shows the Congress.gov search results for the "Notice to Airmen Improvement Act". The search results are filtered to show 1-2 of 2 bills. The first bill is H.R. 1262 from the 117th Congress (2021-2022), and the second is H.R. 1775 from the 116th Congress (2019-2020). Both bills are sponsored by Stauber, Pete [Rep.-R-MN-8] and have passed the House. The page includes navigation options like "Sort", "View", "Limit Your Search", "Congress", "Chamber of Origin", "Bill Type", and "Status of Leg".

CONGRESS.GOV Sign In ▾

Advanced Searches | Browse Search Tools

Legislation ▾ "Notice to Airmen Improvement Act" Search Within 🔍

MORE OPTIONS ▾

■ Citation ■ Subscribe ■ Share/Save ■ Site Feedback

[Save this Search](#) | [Download Results](#)

Sort ▾ View ▾ Limit Your Search ▾ Congress ▾ Chamber of Origin ▾ Bill Type ▾ Status of Leg ▾

1-2 of 2

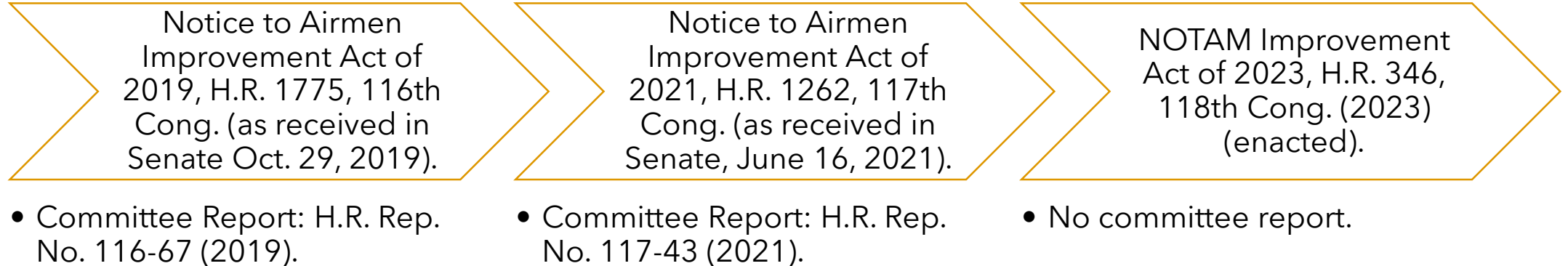
BILL

1. [H.R. 1262](#) — 117th Congress (2021-2022)
Notice to Airmen Improvement Act of 2021
Sponsor: [Stauber, Pete \[Rep.-R-MN-8\]](#) (Introduced 02/23/2021) **Cosponsors:** (1)
Committees: House - Transportation and Infrastructure | Senate - Commerce, Science, and Transportation
Committee Report: [H. Rept. 117-43](#)
Latest Action: Senate - 06/16/2021 Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))
Tracker: Introduced → **Passed House**

BILL

2. [H.R. 1775](#) — 116th Congress (2019-2020)
Notice to Airmen Improvement Act of 2019
Sponsor: [Stauber, Pete \[Rep.-R-MN-8\]](#) (Introduced 03/14/2019) **Cosponsors:** (2)
Committees: House - Transportation and Infrastructure | Senate - Commerce, Science, and Transportation
Committee Report: [H. Rept. 116-67](#)
Latest Action: Senate - 10/29/2019 Received in the Senate and Read twice and referred to the Committee on Commerce, Science, and Transportation. ([All Actions](#))
Tracker: Introduced → **Passed House**

Tracing Reintroduced Legislation Across Multiple Congresses



Tracing Reintroduced Legislation Across Multiple Congresses

- Use keywords, legislative subject headings, policy area designation, and sponsor names in your search and filters.
- Look at committee reports to see if previous bills are mentioned in the legislative history section.
- The committee report for H.R. 1262, 117th Cong. (2021) mentions that the Subcommittee held a hearing in the 116th Congress but doesn't reference the bill under consideration (H.R. 1775, 116th Cong. (2019)).

CONGRESS.GOV Advanced Searches Browse Search Tools Sign In

Legislation hr346

Home > Legislation > 118th Congress > H.R. 346

H.R.346 - NOTAM Improvement Act of 2023
118th Congress (2023-2024) | Get alerts

LAW Hide Overview

Sponsor: Rep. Stauber, Pete [R-MN-8] (Introduced 01/12/2023)

Committees: House - Transportation and Infrastructure | Senate - Commerce, Science, and Transportation

Latest Action: 06/03/2023 Became Public Law No: 118-4. (All Actions)

Roll Call Votes: There has been 1 roll call vote

Tracker: Introduced > Passed House > Passed Senate > Resolving Differences > To President > **Became Law**

More on This Bill
[Constitutional Authority and Single Subject Statements](#)
[CBO Cost Estimates \[0\]](#)

Subject — Policy Area:
 Transportation and Public Works
[View subjects >>](#)

Give Feedback on This Bill
[Contact Your Member](#)

Summary (4) Text (6) Actions (23) Titles (5) Amendments (1) Cosponsors (11) Committees (2) **Related Bills (1)**

Related Bills: H.R.346 — 118th Congress (2023-2024) [All Information](#) (Except Text)

Bill relationships are identified by the House, the Senate, or CRS, and refer only to same-congress measures. Read more [About Related Bills](#).

Bill	Latest Title	Relationships to H.R.346	Relationships Identified by	Latest Action
S.66	NOTAM Improvement Act of 2023	Related bill	CRS	03/22/2023 Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.

SUMMARY

Legislative History of: [PL118-4](#) [PL118-4 - Legislative History PDF](#)

Title: NOTAM Improvement Act of 2023

Date: June 3, 2023 Congress Session: 118-1

Enacted Bill: [118 H.R. 346](#) - NOTAM Improvement Act of 2023 (Enacted)

Statute at Large: 137 Stat. 7

Public Law: [PL118-4](#) [PL118-4 - Full Text PDF](#)

Summary: To establish a task force on improvements for notices to air missions, and for other purposes.

[SHOW MORE](#) ▾

Enter your search terms

In full text publications ▾



Only show publications matching search terms

[Clear search](#)

Showing 21 publications relating to [PL118-4](#)

[COLLAPSE ALL](#) ^

Sorted By

Content type ▾

Congress

All ▾

[Update](#)

Featured Reports ⓘ ^

★ Featured Reports

Content Type ^

Bills (11)

Congressional Record (6)

Reports (2)

Hearings (1)

Committee Prints (1)

[More options ...](#)

BILLS ^

Enacted Bill

[118 H.R. 346](#) NOTAM Improvement Act of 2023 (Enacted)

Bill Versions - Download PDF:

[118 H.R. 346](#) - Engrossed in House Jan. 25, 2023

[118 H.R. 346](#) - Engrossed Amendment Senate May 9, 2023

Related Bills

[116 H.R. 1775](#) Notice to Airmen Improvement Act of 2019

(Related)

Bill Versions - Download PDF:

[116 H.R. 1775](#) - Introduced in House Mar. 14, 2019

[116 H.R. 1775](#) - Reported in House May 16, 2019

[116 H.R. 1775](#) - Engrossed in House Oct. 28, 2019

[116 H.R. 1775](#) - Referred in Senate Oct. 29, 2019

[117 H.R. 1262](#) Notice to Airmen Improvement Act of 2021

(Related)

Bill Versions - Download PDF:

[117 H.R. 1262](#) - Introduced in House Feb. 23, 2021

[117 H.R. 1262](#) - Reported in House May 28, 2021

[117 H.R. 1262](#) - Engrossed in House June 15, 2021

[117 H.R. 1262](#) - Referred in Senate June 16, 2021

[118 S. 66](#) NOTAM Improvement Act of 2023 (Related)

Bill Versions - Download PDF:

[118 S. 66](#) - Introduced in Senate Jan. 25, 2023

ProQuest Legislative Insight

Compiled Legislative History

- Enacted bill and related bills from 116th, 117th, and 118th Congresses
- Floor discussion (Congressional Record) from 116th, 117th, and 118th
- Committee Reports from 116th and 117th
- Hearing from 116th
- Committee Print from 118th

Q: When legislation is combined, how do you find committee reports and floor discussion?

The **Build America, Buy America Act** (BABAA) is section 70914 of **Pub. Law No. 117-58 (Infrastructure Investment and Jobs Act)**.

The bill # is **H.R. 3684**, the Statutes at Large citation is 135 Stat. 1294, and it is in the US Code as a Statutory Note to 41 USC 8301.

I found the House Report on Congress.gov (**H.R. Rep. No. 117-70**), *but it did not contain anything about section 70914/BABAA*.

I am not sure where to look next, if you have any advice. Basically, I am trying to figure out where this provision came from and any background information/discussions that informed the final provision.

TITLE IX—BUILD AMERICA, BUY AMERICA

Subtitle A—Build America, Buy America

Build America, Buy America Act.
41 USC 8301 note.

SEC. 70901. SHORT TITLE.
This subtitle may be cited as the “Build America, Buy America Act”.

PUBLIC LAW 117–58—NOV. 15, 2021 135 STAT. 1295

PART I—BUY AMERICA SOURCING REQUIREMENTS

SEC. 70911. FINDINGS.

Congress finds that—

- (1) the United States must make significant investments to install, upgrade, or replace the public works infrastructure of the United States;
- (2) with respect to investments in the infrastructure of the United States, taxpayers expect that their public works infrastructure will be produced in the United States by American workers;
- (3) United States taxpayer dollars invested in public infrastructure should not be used to reward companies that have moved their operations, investment dollars, and jobs to foreign countries or foreign factories, particularly those that do not share or openly flout the commitments of the United States to environmental, worker, and workplace safety protections;
- (4) in procuring materials for public works projects, entities using taxpayer-financed Federal assistance should give a commonsense procurement preference for the materials and products produced by companies and workers in the United States in accordance with the high ideals embodied in the environmental, worker, workplace safety, and other regulatory requirements of the United States;
- (5) common construction materials used in public works infrastructure projects, including steel, iron, manufactured products, non-ferrous metals, plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables), glass (including optic glass), lumber, and drywall are not adequately covered by a domestic content procurement preference, thus limiting the impact of taxpayer purchases to enhance supply chains in the United States;
- (6) the benefits of domestic content procurement pref-

H.R.3684 - Infrastructure Investment and Jobs Act

117th Congress (2021-2022)

LAW Hide Overview X

Sponsor: [Rep. DeFazio, Peter A. \[D-OR-4\]](#) (Introduced 06/04/2021)

Committees: House - Transportation and Infrastructure

Committee Meetings: [08/04/22 10:00AM](#) [03/15/22 2:30PM](#) [06/09/21 10:00AM](#) (All Meetings)

Committee Reports: [H.Rept. 117-70](#); [H.Rept. 117-70,Part 2](#)

Committee Prints: [H.Prt. 117-8](#), [H.Prt. 117-9](#)

Latest Action (modified): 11/15/2021 Became [Public Law No. 117-58](#). (All Actions)

Roll Call Votes: There have been [35 roll call votes](#)

Tracker: ●

Introduced > Passed House > Passed Senate > Resolving Differences > To President > **Became Law**

More on This Bill

[Constitutional Authority Statements](#)

[CBO Cost Estimates \[2\]](#)

Subject — Policy Area: Transportation and Public Works

[View subjects >>](#)

Summary (3)	Text (7)	Actions (183)	Titles (70)	Amendments (539)	Cosponsors (5)	Committees (2)	Related Bills (139)
-------------	----------	---------------	--------------------	------------------	----------------	----------------	---------------------

Titles: H.R.3684 — 117th Congress (2021-2022)

[All information](#) (Except Text)

Short Titles

Short Titles as Enacted

Infrastructure Investment and Jobs Act

Short Titles as Enacted for portions of this bill

- Build America, Buy America Act
- BuyAmerican.gov Act of 2021
- Cyber Response and Recovery Act
- Digital Equity Act of 2021
- Drinking Water and Wastewater Infrastructure Act of 2021
- Infrastructure Investments and Jobs Appropriations Act
- Make PPE in America Act
- Minority Business Development Act of 2021
- Passenger Rail Expansion and Rail Safety Act of 2021
- REPLANT Act
- Repairing Existing Public Land by Adding Necessary Trees Act
- State and Local Cybersecurity Improvement Act
- Surface Transportation Investment Act of 2021
- Surface Transportation Reauthorization Act of 2021
- Telecommunications Skilled Workforce Act
- Wildland Fire Mitigation and Management Commission Act of 2021

Short Titles - House of Representatives

Short Titles as Passed House

INVEST in America Act

Investing in a New Vision for the Environment and Surface Transportation in America Act

INVEST in America Act

Investing in a New Vision for the Environment and Surface Transportation in America Act

Short Titles - Senate

Short Titles as Passed Senate

Infrastructure Investment and Jobs Act

Short Titles as Passed Senate for portions of this bill

- Build America, Buy America Act
- BuyAmerican.gov Act of 2021
- Cyber Response and Recovery Act

H.R.3684 - Infrastructure Investment and Jobs Act

117th Congress (2021-2022)

LAW Hide Overview X

Sponsor: [Rep. DeFazio, Peter A. \[D-OR-4\]](#) (Introduced 06/04/2021)

Committees: House - Transportation and Infrastructure

Committee Meetings: [08/04/22 10:00AM](#) [03/15/22 2:30PM](#) [06/09/21 10:00AM](#) (All Meetings)

Committee Reports: [H.Rept. 117-70](#); [H.Rept. 117-70,Part 2](#)

Committee Prints: [H.Prt. 117-8](#), [H.Prt. 117-9](#)

Latest Action (modified): 11/15/2021 Became [Public Law No. 117-58](#). (All Actions)

Roll Call Votes: There have been [35 roll call votes](#)

Tracker: ●

Introduced > Passed House > Passed Senate > Resolving Differences > To President > **Became Law**

More on This Bill

[Constitutional Authority Statements](#)

[CBO Cost Estimates \[2\]](#)

Subject — Policy Area: Transportation and Public Works

[View subjects >>](#)

Summary (3)	Text (7)	Actions (183)	Titles (70)	Amendments (539)	Cosponsors (5)	Committees (2)	Related Bills (139)
-------------	----------	---------------	-------------	------------------	----------------	----------------	----------------------------

Related Bills: H.R.3684 — 117th Congress (2021-2022)

[All information](#) (Except Text)

Bill relationships are identified by the House, the Senate, or CRS, and refer only to same-congress measures. Read more [About Related Bills](#).

Bill	Latest Title	Relationships to H.R.3684	Relationships Identified by	Latest Action
H.Res.508	Providing for further consideration of the bill (H.R. 3684) to authorize funds for Federal-Aid Highways, Highway Safety Programs, and Transit Programs, and for other purposes; and for other purposes.	Related bill	House	06/30/2021 Motion to reconsider laid on the table Agreed to without objection.
		Procedurally related: H.Res.508 is a House rule related to H.R.3684	House	
		Procedurally-related Documents		
		H.Prt. 117-9		
		H.Prt. 117-8		
		H.Rept. 117-75		
H.R.158	Rail Audit Transparency Act	Related bill	CRS	02/04/2021 Referred to the Subcommittee on Railroads, Pipelines, and Hazardous Materials.
H.R.169	Driver and Officer Safety Education Act	Related bill	CRS	02/04/2021 Referred to the Subcommittee on Highways and Transit.
H.R.248	Farm-to-Market Road Repair Act of 2021	Related bill	CRS	02/04/2021 Referred to the Subcommittee on Highways and

CONGRESS.GOV Advanced Searches Browse Search Tools Sign In

Legislation "Build America, Buy America Act" Search Within

Save this Search Download Results Citation Subscribe Share/Save Site Feedback

Refined by: "Build America, Buy America Act" Legislation Bills (H.R. or S.) 116 (2019-2020) — 117 (2021-2022)

Hide Filters Hide Tracker 1-8 of 8 Relevancy Expand

Limit Your Search

Uncheck all

Legislation [8]

Congress

Check all

118 (2023-2024) [1]

117 (2021-2022) [7]

116 (2019-2020) [1]

Show less

Chamber of Origin

House [4]

Senate [4]

Bill Type

Check all

Amendments (H.Amdt. or S.Amdt.) [8]

Bills (H.R. or S.) [8]

Resolutions (H.Res. or S.Res.) [1]

Status of Legislation

Subject — Policy Area

Committee

Sponsor

Cosponsor

Party

Legislation Date Range

BILL

1. **S.1303** — 117th Congress (2021-2022)
Build America, Buy America Act
 Sponsor: [Brown, Sherrod \[Sen.-D-OH\]](#) (Introduced 04/22/2021) Cosponsors: (3)
 Committees: Senate - Homeland Security and Governmental Affairs
Committee Report: S.Rept. 117-268
 Latest Action: Senate - 12/19/2022 Placed on Senate Legislative Calendar under General Orders. Calendar No. 667. (All Actions)
 Tracker: **Introduced**

BILL

2. **H.R.2810** — 117th Congress (2021-2022)
Build America, Buy America Act
 Sponsor: [Ryan, Tim \[Rep.-D-OH-13\]](#) (Introduced 04/22/2021) Cosponsors: (11)
 Committees: House - Transportation and Infrastructure; Energy and Commerce
 Latest Action: House - 04/23/2021 Referred to the Subcommittee on Consumer Protection and Commerce. (All Actions)
 Tracker: **Introduced**

LAW

3. **H.R.3684** — 117th Congress (2021-2022)
Infrastructure Investment and Jobs Act
 Sponsor: [DeFazio, Peter A. \[Rep.-D-OR-4\]](#) (Introduced 06/04/2021) Cosponsors: (5)
 Committees: House - Transportation and Infrastructure
Committee Reports: H.Rept. 117-70, H.Rept. 117-70,Part 2, H.Rept. 117-74, H.Rept. 117-75
Committee Prints: H.Prt. 117-8, H.Prt. 117-9
 Latest Action (modified): 11/15/2021 Became **Public Law No. 117-58**. (PDF) (All Actions)
 Tracker: **Introduced** > **Passed House** > **Passed Senate** > **Resolving Differences** > **To President** > **Became Law**

BILL

4. **S.1260** — 117th Congress (2021-2022)
United States Innovation and Competition Act of 2021
 Sponsor: [Schumer, Charles E. \[Sen.-D-NY\]](#) (Introduced 04/20/2021) Cosponsors: (13)

Search in Legislation for "Build America, Buy America Act"

Two bills from the 117th Congress (S. 1303 and H.R. 2810). The Senate bill (**S. 1303**) was reported by the Homeland Security and Governmental Affairs - S. Rep. No. 117-268. There is a Senate bill from the 116th Congress (S. 2056).

Finding floor discussion

Senator PORTMAN and I worked to make sure this bill has the strongest “Buy America” requirements ever in an infrastructure bill with our Build America, Buy America Act.

Every one of these projects will come with the strongest ever “Buy America” rules. No more bridges—no more bay bridges in Northern California—made entirely with Chinese steel.

We introduced the “Build America, Buy America” bill on President Trump’s inauguration day. Unfortunately, nothing moved because everything got crowded out of President Trump’s agenda so they could give a huge tax cut to the richest people in the country.

We worked with other leaders now, 4 years later, with a new President, to get it right.

CONGRESS.GOV Advanced Searches Browse Search Tools Sign In

Congressional Record "Build America, Buy America Act" Search Within

Search by Congress
Current Congress
All Congresses

Search by Source
Legislation
Committee Materials
Congressional Record
Members
Nominations

Limit Your Search
Check all
 Legislation [19]
 Committee Reports [7]
 Committee Meetings [9]
 Committee Publications [2]
 Congressional Record [21]

Congress
Check all
 118 (2023-2024) [2]
 117 (2021-2022) [19]

Chamber
Senate [19]
House [2]

Congressional Record Year and Volume
Congressional Record Section
Member Remarks in the Congressional Record
Debates of Congress Edition

CONGRESSIONAL RECORD - DAILY EDITION
1. [Text of Senate Amendment 317; Congressional Record Vol. 169, No. 120](#)
Issue and Section: July 13, 2023 - Senate (Vol. 169, No. 120)
Page: [S2514 \(PDF 202KB\)](#)

CONGRESSIONAL RECORD - DAILY EDITION
2. [TEXT OF AMENDMENTS; Congressional Record Vol. 169, No. 120](#)
Issue and Section: July 13, 2023 - Senate (Vol. 169, No. 120)
Page: [S2476 \(PDF 3MB\)](#)

CONGRESSIONAL RECORD - DAILY EDITION
3. [Infrastructure \(Executive Session\); Congressional Record Vol. 168, No. 13](#)
Issue and Section: January 20, 2022 - Senate (Vol. 168, No. 13)
Page: [S374 \(PDF 243KB\)](#)

CONGRESSIONAL RECORD - DAILY EDITION
4. [Text of Senate Amendment 4291; Congressional Record Vol. 167, No. 194](#)
Issue and Section: November 04, 2021 - Senate (Vol. 167, No. 194)
Page: [S7823 \(PDF 401KB\)](#)

CONGRESSIONAL RECORD - DAILY EDITION
5. [ENDLESS FRONTIER ACT--Continued; Congressional Record Vol. 167, No. 92](#)
Issue and Section: May 26, 2021 - Senate (Vol. 167, No. 92)
Page: [S3477 \(PDF 340KB\)](#)

CONGRESSIONAL RECORD - DAILY EDITION

Tax Code Question

Q: Can you check whether there is legislative history of **IRC § 4501**?

- The Inflation Reduction Act of 2022, Pub. L. No. 117-169, § 10201 (Aug. 16, 2022).
- I was hoping for "reasons for change" or something like that, explaining what Congress saw as the policy reason for enacting the provision.

§4501. Repurchase of corporate stock

(a) General rule

There is hereby imposed on each covered corporation a tax equal to 1 percent of the fair market value of any stock of the corporation which is repurchased by such corporation during the taxable year.

(b) Covered corporation

For purposes of this section, the term "covered corporation" means any domestic corporation the stock of which is traded on an established securities market (within the meaning of section 7704(b)(1)).

(c) Repurchase

For purposes of this section-

(1) In general

The term "repurchase" means-

- (A) a redemption within the meaning of section 317(b) with regard to the stock of a covered corporation, and
- (B) any transaction determined by the Secretary to be economically similar to a transaction described in subparagraph (A).

(f) Regulations and guidance

The Secretary shall prescribe such regulations and other guidance as are necessary or appropriate to carry out, and to prevent the avoidance of, the purposes of this section, including regulations and other guidance-

- (1) to prevent the abuse of the exceptions provided by subsection (e),
- (2) to address special classes of stock and preferred stock, and
- (3) for the application of the rules under subsection (d).

(Added Pub. L. 117-169, title I, §10201(a), Aug. 16, 2022, 136 Stat. 1829 .)

EDITORIAL NOTES

PRIOR PROVISIONS

Prior sections 4501 to 4503 were repealed by Pub. L. 101-508, title XI, §11801(a)(48), Nov. 5, 1990, 104 Stat. 1388-522 . For provisions that nothing in repeal by Pub. L. 101-508 be construed to affect treatment of certain transactions occurring, property acquired, or items of income, loss, deduction, or credit taken into account prior to Nov. 5, 1990, for purposes of determining liability for tax for periods ending after Nov. 5, 1990, see section 11821(b) of Pub. L. 101-508, set out as a note under section 45K of this title.

Editorial and Statutory Notes

Prior Provisions

Effective Date

Use the Editorial Notes to determine how any amendments affected the statutory language.

EDITORIAL NOTES

PRIOR PROVISIONS

Prior sections 4501 to 4503 were repealed by Pub. L. 101–508, title XI, §11801(a)(48), Nov. 5, 1990, 104 Stat. 1388–522 . For provisions that nothing in repeal by Pub. L. 101–508 be construed to affect treatment of certain transactions occurring, property acquired, or items of income, loss, deduction, or credit taken into account prior to Nov. 5, 1990, for purposes of determining liability for tax for periods ending after Nov. 5, 1990, see section 11821(b) of Pub. L. 101–508, set out as a note under section 45K of this title.

Section 4501, acts Aug. 16, 1954, ch. 736, 68A Stat. 533 ; May 29, 1956, ch. 342, §19, 70 Stat. 221 ; Sept. 2, 1958, Pub. L. 85–859, title I, §162(b), 72 Stat. 1306 ; July 6, 1960, Pub. L. 86–592, §2, 74 Stat. 330 ; Mar. 31, 1961, Pub. L. 87–15, §2(a), 75 Stat. 40 ; May 24, 1962, Pub. L. 87–456, title III, §302(a), (b), 76 Stat. 77 ; July 13, 1962, Pub. L. 87–535, §18(a), 76 Stat. 166 ; Nov. 8, 1965, Pub. L. 89–331, §13, 79 Stat. 1280 ; Oct. 14, 1971, Pub. L. 92–138, §18(b), 85 Stat. 390 , related to imposition of tax upon sugar manufactured in United States.

Section 4502, acts Aug. 16, 1954, ch. 736, 68A Stat. 534 ; May 29, 1956, ch. 342, §20, 70 Stat. 221 ; June 25, 1959, Pub. L. 86–70, §22(c), 73 Stat. 146 ; July 12, 1960, Pub. L. 86–624, §18(f), 74 Stat. 416 , provided for applicable definitions.

Section 4503, act Aug. 16, 1954, ch. 736, 68A Stat. 534 , related to exemption for sugar manufactured for home consumption.

Prior sections 4504 and 4511 to 4514 were repealed by Pub. L. 87–456, title III, §302(d), May 24, 1962, 76 Stat. 77 , effective with respect to articles entered or withdrawn from warehouse, for consumption on or after Aug. 31, 1963, as provided by section 501(a) of Pub. L. 87–456.

Section 4504, acts Aug. 16, 1954, ch. 736, 68A Stat. 535 ; May 29, 1956, ch. 342, §21(a), 70 Stat. 221 , required the tax imposed by section 4501(b) to be levied, assessed, collected and paid in the same manner as a duty imposed by the Tariff Act of 1930.

Section 4511, act Aug. 16, 1954, ch. 736, 68A Stat. 536 , imposed a tax upon the processing of coconut oil, etc.

Section 4512, act Aug. 16, 1954, ch. 736, 68A Stat. 536 , defined "first domestic processing".

Section 4513, act Aug. 16, 1954, ch. 736, 68A Stat. 536 , related to exemptions from the tax imposed.

Section 4514, act Aug. 16, 1954, ch. 736, 68A Stat. 536 , set forth a cross-reference to subtitle F for administrative provisions.

STATUTORY NOTES AND RELATED SUBSIDIARIES

EFFECTIVE DATE

Pub. L. 117–169, title I, §10201(d), Aug. 16, 2022, 136 Stat. 1831 , provided that: "The amendments made by this section [enacting this chapter and amending section 275 of this title] shall apply to repurchases (within the meaning of section 4501(c) of the Internal Revenue Code of 1986, as added by this section) of stock after December 31, 2022."

Are we specifically looking at 4501(c) and the word "repurchase" or something else in subsection 4501(c)?

- Thanks, Jennifer! I was hoping for "reasons for change" or something like that, explaining what Congress saw as the policy reason for enacting the provision.

(c) Repurchase

For purposes of this section-

(1) In general

The term "repurchase" means-

- (A) a redemption within the meaning of section 317(b) with regard to the stock of a covered corporation, and
- (B) any transaction determined by the Secretary to be economically similar to a transaction described in subparagraph (A).

(2) Treatment of purchases by specified affiliates

(A) In general

The acquisition of stock of a covered corporation by a specified affiliate of such covered corporation, from a person who is not the covered corporation or a specified affiliate of such covered corporation, shall be treated as a repurchase of the stock of the covered corporation by such covered corporation.

(B) Specified affiliate

For purposes of this section, the term "specified affiliate" means, with respect to any corporation-

- (i) any corporation more than 50 percent of the stock of which is owned (by vote or by value), directly or indirectly, by such corporation, and
- (ii) any partnership more than 50 percent of the capital interests or profits interests of which is held, directly or indirectly, by such corporation.

(3) Adjustment

The amount taken into account under subsection (a) with respect to any stock repurchased by a covered corporation shall be reduced by the fair market value of any stock issued by the covered corporation during the taxable year, including the fair market value of any stock issued or provided to employees of such covered corporation or employees of a specified affiliate of such covered corporation during the taxable year, whether or not such stock is issued or provided in response to the exercise of an option to purchase such stock.

ProQuest Legislative Insight

LEGISLATIVE HISTORY
Inflation Reduction Act of 2022

Download | Cite / Export | Email | Save to Profile | Print | Add to Selected Items

SUMMARY

Legislative History of: PL117-169 [PL117-169 - Legislative History PDF](#)

Title: Inflation Reduction Act of 2022

Date: Aug. 16, 2022 Congress Session: 117-2

Enacted Bill: 117 H.R. 5376 - Inflation Reduction Act of 2022 (Enacted)

Statute at Large: 136 Stat. 1818

Public Law: PL117-169 [PL117-169 - Full Text PDF](#)

Summary: To provide for reconciliation pursuant to title II of S. Con. Res. 14.

[SHOW MORE](#)

Related

[Legislative Process for PL117-169](#)

Public Law: [PL117-169 - Full Text PDF](#)

"REPURCHASE OF CORPORATE STOCK" In full text publications Only show publications matching search terms [Clear search](#)

Showing 19 publications relating to PL117-169 (19 search hits highlighted on the page) [EXPAND ALL](#)

Sorted By: Content type

Congress: All [Update](#)

Content Type: Bills (10) | Congressional Record (3) | Committee Prints (6) | [More options ...](#)

BILLS

Enacted Bill

117 H.R. 5376 (Enacted)

Bill Versions - Download PDF:

[117 H.R. 5376 - Reported in House Sep. 27, 2021](#)

[117 H.R. 5376 - Engrossed in House Nov. 19, 2021](#)

[117 H.R. 5376 - Placed on Calendar Senate Aug. 3, 2022](#)

[117 H.R. 5376 - Engrossed Amendment Senate Aug. 7, 2022](#)

[117 H.R. 5376 - Engrossed Amendment Senate Aug. 7, 2022](#)

[117 H.R. 5376 - Enrolled Bill Aug. 13, 2022](#)

[117 H.R. 5376 - Enrolled Bill Aug. 16, 2022](#)

Related Bills

117 S. 2758 Stock Buyback Accountability Act of 2021 (Related)

Bill Versions - Download PDF:

[117 S. 2758 - Introduced in Senate Sep. 20, 2021](#)

117 S. 4459 Student Debt Relief and College Affordability Act (Related)

Bill Versions - Download PDF:

[117 S. 4459 - Introduced in Senate June 23, 2022](#)

[SHOW MORE](#)

CONGRESSIONAL RECORD

167 Congressional Record, 117th Congress, 1st Session (2021)

Nov. 18, 2021, Debated House
Congressional Record Daily Edition
Date: Nov. 18, 2021
Volume: 167
[Download PDF](#) [Details](#)

168 Congressional Record, 117th Congress, 2nd Session (2022)

Aug. 6, 2022, Debated Senate
Congressional Record Daily Edition
Date: Aug. 6, 2022
Volume: 168
[Download PDF](#) [Details](#)

Aug. 12, 2022, House concurred to Senate amendment
Congressional Record Daily Edition
Date: Aug. 12, 2022
Volume: 168
[Download PDF](#) [Details](#)

COMMITTEE PRINTS

117th Congress

Rules Committee Print 117-17: Text of H.R. 5376, Build Back Better Act
Committee Print
Date: Oct. 28, 2021
CRDC ID: CMP-2021-RUH-218189 Length: 1684 pp.
Committee on Rules: House
[Download PDF](#) [Details](#)

Rules Committee Print 117-18: Text of H.R. 5376, Build Back Better Act

ProQuest Legislative Insight

- Search the compiled legislative history of the act for a word or phrase to trace the statutory language.
 - Results containing your search word or phrase are highlighted in blue.
- CHAPTER 37—"REPURCHASE OF CORPORATE STOCK" was not in the introduced version of the enacted bill (H.R. 5376, 117th Cong.) and it was not in the reported House bill – so, it's not covered in the committee report: H.R. Rep. No. 117-130 (2021).
- Chapter 37 -- "REPURCHASE OF CORPORATE STOCK" comes from Sen. Sherrod Brown's Stock Buyback Accountability Act of 2021, S. 2758 (117th Cong.), www.congress.gov/bill/117th-congress/senate-bill/2758
 - S. 2758 was introduced in Senate (Sept. 20, 2021) and referred to the Committee on Finance.
 - This bill imposes a 2% excise tax on the value of any stock of certain publicly traded domestic and foreign corporations repurchased (i.e., redeemed) by such corporations....
- A modified version of this Senate bill was added to the engrossed version of the House bill on November 19, 2021.

Secondary Sources for Legislative History

- Senate Finance Committee press releases
- Sponsor (Sen. Sherrod Brown) press releases and sponsored legislation
- CRS reports
- Use USA.gov to search government websites

An Excise Tax on Stock Repurchases and Tax Advantages of Buybacks over Dividends

The Build Back Better Act (H.R. 5376), as reported by the Committee on the Budget, includes a provision to impose a 1% excise tax on stock repurchases by publicly traded corporations. Stock repurchases are another way to distribute income to shareholders and, compared to dividends, have favorable tax treatment. This provision is included in the version of the bill, now called the Inflation Reduction Act of 2022, that was passed by the Senate on August 7, 2022.

What Is a Stock Repurchase?

A stock repurchase or buy-back occurs when a firm buys its own shares. This repurchase can be made by a tender offer to shareholders, who can then indicate how many shares they wish to sell and at what price, or, more commonly, shares can be purchased on the open market.

Stock repurchases have been increasing compared to dividends. (See CRS Legal Sidebar LSB10266, *Stock Buybacks: Background and Reform Proposals*, by Jay B. Sykes.) Historically, dividends were the major form of distributing income and share repurchases were rare. Repurchases began to be more common in the mid-1990s, and by the early 2000s, dividends and repurchases were similar in magnitude. By 2004, annual share repurchases had typically begun to exceed dividends. Repurchases almost doubled in 2018 to more than \$1 trillion, following the corporate tax cuts in the Tax Cuts and Jobs Act (P.L. 115-94), and remained high in 2019, although they fell in 2020. News articles indicate that almost \$900 billion of repurchases have already occurred in 2021.

organizations) will be indifferent to the tax treatment. Taxpayers who have a low basis (e.g., because they have held the stock for a long time or because the stock has appreciated significantly) will have a small preference for a repurchase because most of the sale price will be taxable. Taxpayers who have a high basis (e.g., if they recently bought the stock) would prefer a share repurchase because little of the sales price would be taxable. In addition to this tax differential, the firm's purchase of corporation stock can allow stockholders a choice about how or whether to receive distributions.

Explanation of Excise Tax Provision in the Build Back Better Act

A provision in H.R. 5376 would impose a 1% excise tax on the repurchase of stock by a publicly traded corporation. The amount subject to tax would be reduced by any new issues to the public or stock issued to employees. The tax would not apply if repurchases were less than \$1 million or if contributed to an employee pension plan, an employee stock ownership plan, or other similar plans.

The tax would not apply if repurchases were treated as a dividend. It would not apply to repurchases by regulated investment companies (RICs) or real estate investment trusts (REITs). It also would not apply to purchases by a dealer in securities in the ordinary course of business.

The excise tax would apply to purchases of corporation stock by a subsidiary of the corporation (i.e., a corporation or partnership that is more than 50% owned by the parent corporation). The tax would also apply to purchases by a

SEPTEMBER 10, 2021

Brown, Wyden Unveil Major New Legislation to Tax Stock Buybacks | Senator Sherrod Brown

Stock Buyback Accountability Act Would Prioritize Real Inv.....Brown, Wyden Unveil Major New Legislation to Tax **Stock Buybacks** | Senator Sherrod Brown September...10, 2021 Brown, Wyden Unveil Major New Legislation to Tax **Stock Buybacks** ... [READ MORE](#)

JULY 15, 2021

Brown To Fed Chair Powell: Workers – Not Wall Street – Should Benefit from the Economic Growth They've Made Possible | Senator Sherrod Brown

for companies – and they spend it on **stock buybacks**, while complaining about workers demanding higher...that works for everyone. We can't allow the biggest banks to funnel their extra cash into **stock buybacks** ...will see a \$250 or \$300 monthly payment in their bank **accounts** for each child. Small businesses... [READ MORE](#)

Agency Chronology and History



Agency Chronology and History

Agency Records and Publications

When you need to find historical records and publications from an executive branch agency, it can be helpful to research the agency's history to determine the following possibilities:

- If the name of an agency was changed
- If new subdivisions were created within an agency
- If a new department, with new subordinate bodies and new functions, was created
- Or if an agency and its functions were transferred from one department to another.

Two resources that can help you do this research are known as **Andriot** and the **1909 Checklist**.

Finding Tools for Agency History and Documents

- Schummer, Paul, John L. Andriot, and Donna Andriot. **Guide to U.S. Government Publications**. Farmington Hills, MI: Gale Group.
 - Organized by agency and SuDoc class stem, provides a list of series titles and types of materials published under each SuDoc stem, inclusive dates, and agency genealogy - which agencies have ceased, which have changed names and which new ones have been established, with the exact chronology.
- Hartwell, Mary A. **Checklist of United States Public Documents 1789-1909**: Congressional: to Close of Sixtieth Congress; Departmental: to End of Calendar Year 1909. 3d ed., rev. and enl ... Washington: U.S. G.P.O., 1911.

Immigration and Naturalization Agency Chronology

Dates	Name of Agency	Department and SuDoc Stem
1891-1903	Immigration Bureau	Dept. of Treasury (T 21)
1903-1906	Immigration Bureau	Dept. of Commerce and Labor (C 7)
1906-1913	Immigration and Naturalization Bureau	Dept. of Commerce and Labor (C 7)
1913-1933	Immigration Bureau	Dept. of Labor (L 3)
1913-1933	Naturalization Bureau	Dept. of Labor (L 6)
1933-1940	Immigration and Naturalization Service (INS)	Dept. of Labor (L 15)
1940- 2003	Immigration and Naturalization Service (INS)	Dept. of Justice (J 21)
2003-	U.S. Citizenship and Immigration Services (USCIS)	Dept. of Homeland Security (HS 8)
2003-	Immigration and Customs Enforcement (ICE)	Dept. of Homeland Security (HS 4.200)
2003-	Customs and Border Protection (CBP)	Dept. of Homeland Security (HS 4.100)



Learn More About
Legal Research!

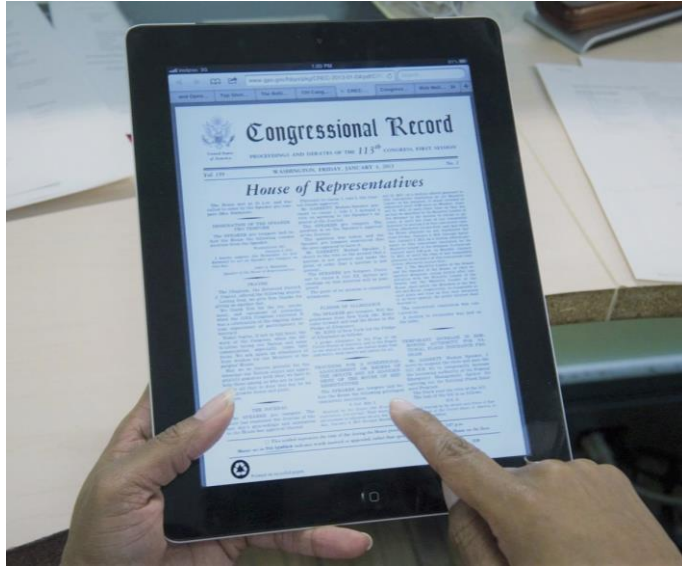


Subtitle

Library of Congress Orientation to Legal Research Webinar Series

- The [Orientation to Legal Research Series](#) is designed to give a basic introduction to legal sources and research techniques. These orientations, taught by legal reference librarians, are typically offered once a month on a rotating basis.
 - *U.S. Case Law*
 - *U.S. Federal Statutes*
 - *Federal Legislative History*
 - *Tracing Federal Regulations*
- Congress.gov
 - Announces product enhancements via social media. (Follow them on [X](#)).
 - Congress.gov [public forum](#), Sept. 13 (in-person and online).
 - Update on the [enhancements](#) that have been made to the site over the past year
 - Update on the [Constitution Annotated](#), and learn about how the [Law Library](#) and the [Congress.gov team](#) are working to transition the early congressional data from our legacy [Century of Lawmaking site](#) to Congress.gov and [Law.gov](#).

Questions?



Thank you!



Jennifer Morgan



jlbryan@indiana.edu



[Indiana University Maurer School of Law](#)