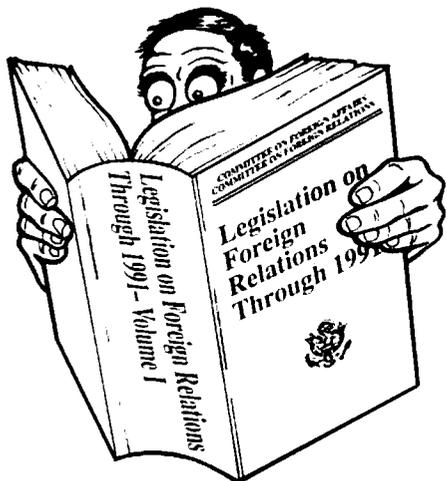

Having Trouble Understanding The Index?

By

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If you get confused trying to find the appropriate section, paragraph, title, etc., in security assistance legislation, do not feel alone. As it turns out, legal indexing even causes some of our scholarly “legal beagles” to do a double take from time to time. But much of the “code” can be broken by understanding the indexing system (or lack, thereof). Take a couple of minutes for this article. It is written in “plain text,” and has you, the Security Assistance Manager, in mind. I think you may find it helpful.

THREE BASIC INDEXES

In the publication, *Legislation on Foreign Relations Through 1991*, Volume I, July 1992, actually there are three basic indexes titled “CONTENTS.” But before we go to the index, let me warn you: page numbers are not always as clear as they might be either. For example, some are at the top or bottom of the pages, and some are located elsewhere. To add to this confusion, some are also encased in “bowlegs.” No need to panic; they appear to be in numerical sequence.

- The first index of interest is page (IX). (You will find it about three-fourths of the way down the page, and note the “bowlegs.”) This is a basic index arranged (divided) by capital letters. The most important part of this index to us is “A. FOREIGN ASSISTANCE.” Note that it is further sub-divided by numbers. I will mention this again later.
- Two pages further back is page (1) (bottom of the page, again in “bowlegs”). This is probably the most important index in the book for DoD security assistance managers. It is also the most confusing; thus, the purpose of this article—to help eliminate the confusion.
- There is at least one other index that you may find of use. On page (273) (bottom of the page; by now I am sure you have recognized the “bowlegs”) is the index to the Arms Export Control Act. It is fairly straight forward, divided by *Chapters* and sub-divided by *Sections*.

INDEXING HIERARCHY

Let us go back to page (1), the “CONTENTS” for “A. FOREIGN ASSISTANCE” (a continuation from the second bullet above). The indexing hierarchy is *numbers, small letters*, and then *something else*, and this is where the confusion begins. Let me explain. Legal indexing is not always based on a given procedure, but often is left to the journalistic style of the authoring

attorney. (Why would a lawyer want to be burdened with rules anyhow? No offense intended, but to us laymen, what else is one to think?)

- **Part I** is of little interest to Security Assistance managers, as it is more directed toward the State Department, dealing principally with economic issues and other State Department legislation such as International Narcotics Control Assistance. But it is where the confusion begins. Part I is sub-divided by *Chapters*, which are further sub-divided differently:

- **Chapter 1** is sub-divided by *Sections*.

- **Chapter 2** is sub-divided by *Titles* which does not connote a law (such as in the case with “Title” 10 of the U.S. Code)]. The *Titles* are then further sub-divided by *Sections*. Again, these sub-divisions simply reflect the style of the authoring attorneys, in this case, who do not work for DoD.

- **Part II** is sub-divided by *Chapters*, and then by *Sections*. It is of importance to us because it deals primarily with our “bread and butter”—military security assistance programs.

- **Part III** generally describes provisions applicable to implementing Parts I and II. It is sub-divided like Part II.

AND NOW . . .THE SMALL LETTERS

Following Part III, page 5 (note the absence of “bowlegs” around this page number, and note that it is printed at the top of the page) are “b,” “c,” “d,” “e,” “f,” “g,” and “h”—remember where we are now—at the first sub-division under “1.” However, under “h,” where you can find the 1985 foreign aid authorizing legislation, further sub-divisions are called *Titles*. Again, these are sub-divisions, not a connotation of law like “Title” 10, U.S. Code.

When (or if) you get to sub-division “m,” you will find the 1981 foreign aid authorizing legislation. Notice that the further sub-divisions are also called *Titles*. However, do not be thrown as you pass Title VII. Beginning on page 8 (again, top of the page), Title VII is further subdivided by *Sections*.

Following “z,” the sub-section changes to *double small letters*. The remainder of the indexing on pages 11 through 15 (top of the page) is fairly straight forward. Note that “2” and “3” on page 12, and “4” and “5” on page 14 are the same as references 2, 3, 4, and 5 under “A. FOREIGN ASSISTANCE” on page (IX). (Remember, I told you you would see this index again.)

THE REST IS DOWNHILL

Having a basic understanding of the indexing is important because the numbers, letters, sections, titles, etc., referenced in the text of legislation follow this same format. If you can “get a handle” on the index, you will be more than halfway home toward understanding the organization and reference in the text.

Here are a couple of “Quick References” for you:

- FAA is on page (17) (bottom of the page).
- AECA is on page (273) (bottom of the page in “bowlegs”) following page 272 (top of the page without “bowlegs”)

By the way, I got our Defense Security Assistance Agency General Counsel, Mr. Jerry Silber, to help "clear up" this confusion. He said it makes perfectly good sense to him. (He probably wrote a good deal of it, so I guess he is not expected to be confused.) But he never did offer an explanation as to why the page numbers are printed in various places on the different pages, never mind the "bowlegs." He did, however, point out for my (our) benefit that: (1) the "USE OF THE INDEX" explanation is on page (1603), and (2) the subject matter "*INDEX*" starts on page (1605).

I hope that you will find this information useful. It has not made a lawyer out of me, but understanding the "*confusion*" sure has been helpful. Best wishes from Training Division, where we try to keep things simple.

ABOUT THE AUTHOR

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