## **C. STATUTES, RULES, REGULATIONS, AND OTHER LEGISLATIVE & ADMINISTRATIVE MATERIALS**

### **R16 Federal Statutes**

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Federal statutes, like most state statutes, use the § symbol to indicate the specific codified section. Traditionally, the section symbol is always followed by a space—for example, § 107 or §§ 106-107 for a span of sections.

Even though the Uniform System of Citation dictates a space between § and the section number, sometimes in practice that space is intentionally and systematically omitted. The United States Supreme Court itself does not use the space, and some SCOTUS briefs do while others do not (per an unscientific review of 2021 opinions and briefs). The decision may be strategic in briefs subject to a word-count rule such as the 13,000-word maximum imposed by Federal Rule of Appellate Procedure 32. *The Bluebook*, however, does not on its face permit this deviation.

*The Bluebook* has very recently, however, acknowledged the role of word counts in another context: whether to keep the space between F. and Supp. in F. Supp. or between S. and Ct. in S. Ct. This space is technically required by the Uniform System of Citation’s rule that adjacent capitals like S.E. may be closed up, but a capital may not close up with an abbreviation that is not a single capital, like Ct. in S. Ct. As of 2020, *The Bluebook*’sBluepages Rule B6 softened its stance, advising writers they may close up other traditionally expected spaces in S. Ct. and F. Supp. 2d so as to conserve space. In a potentially controversial (?) stance, we submit that closing up the space between the section symbol and section number may be an equivalent acceptable deviation from traditional citation mechanics, for writers facing word-count pressure. The Supreme Court and members of the Supreme Court Bar do it even when holding a client’s case in their hands. So maybe you can too.

#### R16.1 Basic Citation Forms for Federal Statutes

##### R16.1.1 United States Code

For citations to the current United States Code (the official code of the United States and thus the preferred citation), cite the title, the United States Code, the section symbol or symbols, and section number or numbers being cited. The name of the Act being cited may be included before the citation, if appropriate.

<title> U.S.C. § <section number>.

<Name of Act [optional]>, <title> U.S.C. § <section number>.

**Examples:**

17 U.S.C. § 107.

18 U.S.C. § 1030.

Federal Food, Drug, and Cosmetic Act, 21 U.S.C. §§ 301-399i.

##### R16.1.2 Year optional for current sections of the United States Code

The year in a United States Code citation is optional if the citation refers to the current codified statute. Omitting the year from a U.S.C. citation indicates the most current version of the federal statute being cited, whether that current version is published in the codified edition or a more recent supplement issued to amend the codified edition.

##### R16.1.3 Historical citations to the United States Code

The U.S.C. is codified once every six years, with various supplements issued in the interim six years between codification. For historical citations to previous versions of the United States Code, citations should be to the appropriate codifying year (*e.g.*, 2000, 2006, 2012). Cite the most recent edition that includes the version of the statute being cited. If you are citing to a historical version of a statute first published in a supplement published in the interim period between official codifications, be sure to consult the supplements, indicate the supplement’s title and year of publication in the citation.

**Example:**

Communications Act of 1934, 47 U.S.C. § 223 (2012 & Supp. I 2013).

##### R16.1.4 Unofficial annotated U.S. codes

If the U.S.C. cite is not available, then cite to an unofficial code such as U.S. Code Annotated or U.S. Code Service. The citation form is

 <title> U.S.C.A. § <section number> (West).

<title> U.S.C.S. § <section number> (LexisNexis).

##### R16.1.5 Year in unofficial U.S. code citations

As with the United States Code, the year is not required in citations to the current code.

**Examples:**

5 U.S.C.A. § 572 (West).

5 U.S.C.S. § 572 (LexisNexis).

For citations where the date is relevant or for historical code citations, indicate the date parenthetically. The date consist of the year through which the code section is current, or may include “current through” an exact date or legislative session, if relevant.

**Examples:**

5 U.S.C.A. § 572 (West 2021).

5 U.S.C.S. § 572 (LexisNexis current through July 22, 2021).

##### R16.1.6 Parallel citations to original section numbers

The original section numbering of enacted legislation does not inherently correspond to the section numbering in codified statutes. When naming and citing an Act in its original enacted form and in its codified form, include parallel citations to original section number in the Act, and the codified location.

Use the following form: <Name of Statute> <original section number>, <title> <Abbreviation for Name of Statutory Code> § <section number> <(<Name of Publisher, but only if citing unofficial code> <year published>)>.

**Examples:**

Drug Price Competition and Patent Term Restoration Act § 202, 17 U.S.C. § 271(e).

Digital Millennium Copyright Act of 1998 § 103, 17 U.S.C.A. § 1201 (West).

R16.1.7 Official session laws

If neither a United States Code or unofficial annotated code citation is available, then cite to the Public Law Number and parallel official session laws (*i.e.*, the Statutes at Large). Omit the year of passage if it is part of the Act’s name. For a citation without a pincite, use the following format: <Name of Statute,> Pub. L. No. <\_\_\_\_>, <volume> Stat. <page number> <(year passed)>.

The citation may include pincite to the specific section in the original Act and the page in the session laws. For a citation with a pincite, use the following format: <Name of Statute,> Pub. L. No. <\_\_\_\_>, <original section number>, <volume> Stat. <page number>, <page pinpoint> <(year passed)>.

**Examples:**

Patient Protection and Affordable Care Act, Pub. L. No. 111-148, § 1101, 124 Stat. 119, 141-43 (2010).

Family Sponsor Immigration Act of 2002, Pub. L. No. 107-150, 116 Stat. 74.

#### R16.2 Short Citations

After a full citation to the United States Code or alternative (or session laws), a short form may be used. These short citations may take various forms but must clearly identify the reference including the pincite.

**Examples:**

§ 107.

*Id.*

*Id.* § 106.

First Step Act of 2018 § 401.

§ 401, 132 Stat. at 5220.

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“Session laws” are a bound collection of all statutes enacted by a given legislature, each volume collecting statutes chronologically in the year they were passed. The Statutes at Large (“Stat.”) is the official compilation for federal session laws. Generally, only cite to session laws if the official or unofficial code is unavailable or insufficient, or if you need to refer to the historical fact of the statute’s enactment.

### **R17 State Statutes**

#### R17.1 Official State Codes

You should cite state statutes to official codes if at all possible. State code compilations are ranked by order of preference shown in Table T3. State code citations may require the publisher’s name, as shown in Table T3.

#### R17.2 Forms of Citation to State Codes

##### R17.2.1 Basic citations to state codes

A citation to a state code must include the code’s name (abbreviated) and identifying information such as the code volume and section number being cited. State-code formats vary by state. See Table T3. The citation must also include a parenthetical providing the publisher’s name if necessary for an unofficial citation, as shown in Table T3; and the current year of that code. State code citations are never underlined (even if they appear underlined in online hyperlinked sources.)

**Examples:**

Fla. Stat. § 90.506 (2020).

O.C.G.A. § 51-3-22 (2020).

18 Pa. Cons. Stat. § 30.3 (2020).

##### R17.2.2 State codes by subject matter

Some state codes use subject-matter abbreviations in their citation formats. Follow Table T3 and the abbreviations shown there to cite such codes.

**Examples:**

Tex. Est. Code Ann. § 251.107 (West 2019).

N.Y. Arts & Cult. Aff. Law § 60.03 (McKinney 2020).

#### R17.3 Year of State Code

Provide the year of the state code’s edition or publication date in a parenthetical. Do not include the year the statutory provision was passed.

**Example:**

Del. Code tit. 8, § 145 (2021).

Ohio Rev. Code Ann. § 2927.27 (2021).

Tex. Civ. Prac. & Rem. Code Ann. § 27.001 (West 2021).

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The Uniform System of Citation requires full citations of state statutes to include the code’s publication date, unlike citations to the United States Code. But in many state jurisdictions, common practice suggests—or local court rules require—omitting the publication year of the state code. Consult Table T3 and state-specific rules and resources.

#### R17.4 Statutes Not in Force

To cite a statute no longer in force, refer to its most recent available citation. The citation must also include a parenthetical indicating the statute’s subsequent negative history.

**Example:**

Ala. Code § 13A-12-5(a)(1) (repealed 2015).

#### R17.5 Short Citations

State codes may be cited in a short form after the first full citation, using a short form that clearly identifies what is being cited. The short form may include most of the full citation except the publisher and year. Or the short form may take an even more truncated format if clear.

**Examples:**

§ 27.001.

*Id.*

*Id.* § 209.

### **R18 Rules of Procedure and Evidence, Restatements, and Uniform Acts**

#### R18.1 Rules of Evidence and Procedure

##### R18.1.1 Federal and state rules

Cite current federal or state rules by indicating the abbreviation of the source, followed by the rule number. Do not use a section symbol (§) when citing rules of evidence or procedure, unless using a jurisdiction-specific citation form that requires it. Do not include a date for current rules of evidence or procedure. Include the date of repeal if citing a historical rule no longer in force, and other appropriate information in a parenthetical.

**Examples:**

Fed. R. Civ. P. 12(b)(1).

Fed. R. App. P. 1.

Mo. R. Civ. P. 67.01.

N.J. R. Evid. 406.

##### R18.1.2 Uniform rules

Cite uniform rules in the same manner as for state or federal rules. Follow how the rules indicate they should be cited as well as how they are in fact cited.

##### R18.1.3 Abbreviations

In citation sentences and clauses, follow customary abbreviations for the rules being cited. As with all state citations, local customs and rules may differ.

**Examples:**

|  |  |
| --- | --- |
| **Rules by Name** | **Abbreviation (national and local)** |
| Federal Rules of Civil Procedure | Fed. R. Civ. P. |
| Federal Rules of Evidence | Fed. R. Evid. |
| New Jersey Rules of Evidence | N.J. R. Evid. (national)  N.J.R.E. (local) |
| Missouri Rules of Civil Procedure | Mo. R. Civ. P. (national)  Rule (local) |
| Uniform Rules of Evidence | Unif. R. Evid. |

#### R18.2 Restatements, Model Rules, and Uniform Acts

Cite Restatements by indicating the title of the particular Restatement cited, including the ordinal edition such as Restatement (Third) spelled out.

Follow the title and edition with the number of the section being cited and, parenthetically, the publisher and the year that edition was published. Use the following form: Restatement (<spelled ordinal>) of <Subject Matter> <: Subject-Matter Subtitle (if applicable)> § <section number> (<publisher> <year published>).

A comment may be indicated by its letter designation after the Restatement section. Comments are abbreviated “cmt.”

**Examples:**

Restatement (Second) of Trusts § 46 (Am. L. Inst. 1959).

Restatement (Third) of the Law Governing Lawyers § 2 cmt. e (Am. L. Inst. 2000).

Restatement (Third) of Prop.: Servitudes § 7.1 (Am. L. Inst. 2000).

Do not abbreviate or use numerical form for the ordinal portion of the Restatement title such as “(Second)”. You may optionally abbreviate words in the Restatement title as noted in Table T11, such as “Property” as “Prop.” Try to avoid awkward and non-traditional abbreviations such as “Restatement (Third) of Conflict of Ls.” and “Restatement (Second) of Conts.” Use the option to abbreviate words of eight letters or more such as “Enrichment” as “Enrich.” if desired, avoiding ambiguity with established abbreviations.

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The recent history of Restatement citations is a good case study in how citation formats evolve and are influenced by user feedback and advocacy. As of the 19th edition of *The Bluebook*, published in 2010, Restatement citations followed a fairly slim format:

Restatement (Second) of Trusts § 46 (1959).

The 20th edition of *The Bluebook*, published in 2015, added the requirement of parenthetically indicating the institutional author along with the year in citations to Restatements, Uniform Acts, and Model Rules:

Restatement (Second) of Trusts § 46 (Am. Law Inst. 1959).

*See* Richard L. Revesz, The American Law Institute and the Bluebook, The ALI Reporter (Fall 2015), at 3, <https://www.ali.org/news/articles/ali-reporter-fall-2015/> (noting that this new citation format was added to *The Bluebook* at the request of the American Law Institute to protect the American Law Institute’s brand and the influence of its work). The 21st edition of *The Bluebook*, published in 2020, stated a slightly modifed citation:

Restatement (Second) of Trusts § 46 (Am. L. Inst. 1959).

As of 2020, this relatively recent citation development may be appropriate in scholarly legal writing and is used by law reviews closely implementing the latest version of *The Bluebook* specifically. This suggested citation format has been picked up by some courts but does not appear to have been systematically adopted as of 2022. *See, e.g.*, *Gallardo by & through Vassallo v. Marstiller*, 142 S. Ct. 1571, 1761 (2022) (citing Restatement (Second) of Contracts § 321(1) (1981)).

#### R18.3 Uniform Commercial Code

Citations to the Uniform Commercial Code take the following form: U.C.C. § <section number> (<publisher> <year published>). In academic legal documents and other contexts where the publisher is important to note, add the publisher in the first full citation.

**Examples:**

U.C.C. § 9-105.

U.C.C. § 9-105 (Am. L. Inst. & Unif. L. Comm’n 1977).

#### R18.4 Other Uniform Laws and Similar Sources

Use a similar format for other uniform laws, following the general abbreviations in Table T11.

**Examples:**

Unif. Trade Secrets Act § 1(4) (Unif. L. Comm’n 1985) (as amended).

U.S. Sentencing Guidelines Manual § 6A1.5 (U.S. Sentencing Comm’n 2018).

### **R19 Administrative Rules and Regulations**

#### R19.1 Federal Rules

##### R19.1.1 General format for administrative rules

Citations to federal administrative rules and regulations take the following form for citing a section. Provide as specific and precise a citation as the source allows.

<title number of C.F.R. provision> C.F.R. § <section number> <(year published)>.

**Examples:**

36 C.F.R. § 272.1 (2020).

21 C.F.R. § 133.113 (2020).

##### R19.1.2 C.F.R. parts

Citations to a part (that is a particular, defined “Part”) of the C.F.R. take the following form.:

<title number of C.F.R. provision> C.F.R. pt. <part number> <(year published)>.

##### R19.1.3 Optional name

If the regulation is generally referred to by name or listing the name and/or the name of the agency issuing the regulation would otherwise improve clarity, include it at the beginning of the citation. Citations to administrative rules and regulations that include the regulation name take the following form:

<Name of the Regulation and/or Name of the Agency Promulgating the Regulation>, <title no. of C.F.R. provision> C.F.R. § <section number> <(year published)>.

**Examples:**

DOE Employee Standards of Conduct with Regard to Privacy, 10 C.F.R. § 1008.3 (2020).

FDA Standards of Identity for Food, 21 C.F.R. Parts 130 to 169 (2020).

#### R19.2 State Regulations

Cite state regulations following the federal format when permitted by the structure and form of the state’s source material. State regulations vary widely from state to state in their structure and form; thus, the appropriate citation to a state regulation—particularly for use within that state—may require consulting a state-specific citation manual such as those listed in Table T3.

**Examples:**

|  |  |  |
| --- | --- | --- |
| **State Regulation** | **Uniform System of Citation Format** | **State-Specific Format** |
| Missouri Code of State Regulations Title 15, Section 30-200.030, updated as of 2020 | Mo. Code Regs. Ann. tit. 15, § 30-200.030 (2020). | 15 CSR 30-200.030. |
| New Jersey Administrative Code Section 2:16-1.1, updated as of 2020 | N.J. Admin. Code § 2:16-1.1 (2020). | N.J.A.C. 2:16-1.1. |

#### R19.3 Agency Adjudications, Arbitrations, Orders, and Other Actions

##### R19.3.1 Adjudications

Agency adjudications are similar to case citations but more streamlined. Use only the first-listed private party. Omit all procedural words such as “In re” and similar. See Table T2 of *The Indigo Book* for specific guidance on citing agency adjudications and arbitration citations.

**Example:**

*Tegna, Inc.*, 367 N.L.R.B. No. 71 (Jan. 17, 2019).

##### R19.3.2 Arbitrations

Agency arbitrations follow the format for case citations (Rule R11) if they have adversary parties and the citation for an agency adjudication (Rule R19.3.1) if they do not. Indicate the arbitrator’s name and abbreviated title Arb. at the end of the citation.

##### R19.3.3 Parallel citations

Provide a citation to an official or unofficial reporter if available. If an official publication is not available at all or not yet for the adjudication, cite to the agency’s website using a similar format to citing unpublished cases (Rule R11.3.4) and electronic sources (Rule R32). A citation to a proprietary database is permitted and may be helpful but is not required.

**Examples:**

*Landrys Inc.*, 199 L.R.R.M. (BL) ¶ 2103 (N.L.R.B. Div. of Judges June 26, 2014).

*Online Political Files of Trending Media, Inc.,* File No.: POL-070121-27365113 (FCC Feb. 12, 2021) (order and attached consent decree), <https://docs.fcc.gov/public/attachments/DA-21-156A1.pdf>.

*Ronnie v. Office Depot, Inc.*, Arb. Case No. 2019-0020, ALJ Case No. 2018-SOX-00006 (Dep’t of Labor Sept. 29, 2020), <https://www.dol.gov/sites/dolgov/files/OALJ/PUBLIC/ARB/DECISIONS/ARB_DECISIONS/SOX/19_020_SOXP.PDF>.

*Amazon, Inc. and Amazon Logistics, Inc.*, File No. 1923123, 2021 WL 489846 (FTC Feb. 2, 2021) (agreement containing consent order), <https://www.ftc.gov/system/files/documents/cases/amazon_flex_order_with_no_signatures.pdf>.

##### R19.3.4 Pincites

Pincite to specific pages in the document by using page numbers, paragraph numbers, star pagination to proprietary page numbers, or another appropriate pincite reference. See Rule R5.

#### R19.4 Proposed Rules

Include the proposed rule’s title, citation to the Federal Register, and date of proposal:

<Title of Proposed Rule> , <Volume> Fed. Reg. <Page> , <(proposed on <date rule was proposed>)> (to be codified at <intended C.F.R. citation>)>, <URL where Proposed Rule can be found>.

If the proposed rule is not yet included in the Federal Register, provide a citation to the agency’s website including docket number if available and URL.

#### R19.5 Comments Filed with Agencies

##### R19.5.1 Comments generally

Include the commenter’s name and the proposed rule that is the subject of comment, followed by the exact date and URL:

<Commenter’s name>, Comment on <Proposed Rule Being Commented Upon, including optional citation in the Federal Register (<date>) <(date of comment filed)>, <URL of Comment if available and helpful>.

Include the docket number or comment number in the citation, if applicable and helpful.

**Examples:**

Georgia Dep’t of Agric., Public Submission on the FDA’s Comprehensive, Multi-Year Nutrition Innovation Strategy (Aug. 23, 2018), <https://www.regulations.gov/comment/FDA-2018-N-2381-0690>.

Georgia Dep’t of Agric., Public Submission on the FDA’s Comprehensive, Multi-Year Nutrition Innovation Strategy (83 Fed. Reg. 30180 (June 27, 2018)) (comment submitted Aug. 23, 2018), <https://www.regulations.gov/comment/FDA-2018-N-2381-0690>.

##### R19.5.2 Comments with subsequent agency response

When citing a comment in which administrative procedure requires an agency response and when the agency has in fact issued its response, supplement or replace the URL of the comment standing alone to add citation information for the rule appendix or other source containing both the comment and the agency response.

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Citations to agency sources must build on the fundamentals of legal citation, while adapting the special conventions of administrative-law practice and the relevant agency or agencies. Fundamentally, all legal citations should provide the correct information including title, issuing agency, date, and indexing information such that the source can be found and the reader can assess the source in context. Special conventions of administrative-law practice vary by federal and state agency. Specialty conventions may include omitting information (such as a date where it is superfluous), citing to agency-specific sources rather than general federal sources, or citing general federal sources plus additional parallel citations, cross-references, and/or URLs. Those who work frequently with a particular agency will often rely more heavily on the agency’s website or other sources than on general publication in the Federal Register.

For example, a generic citation to agency work by the Federal Communications Commission might look like this, following the overall Uniform System of Citation:

Rates for Interstate Inmate Calling Services, 85 Fed. Reg. 67,450 (Oct. 23, 2020) (to be codified at 47 C.F.R. pt. 64); Rates for Interstate Inmate Calling Services, 85 Fed. Reg. 67,480 (proposed Oct. 23, 2020) (to be codified at 47 C.F.R. pt. 64).

But an attorney or policy advocate knowledgeable about FCC customs might cite the source more like the following, knowing that the Federal Register documents are only a summary of the FCC's full document, released more than two months after the FCC's initial release of the document, and missing the separate statements of FCC commissioners on the document:

*Rates for Interstate Inmate Calling Services, Report and Order on Remand and Fourth Further Notice of Proposed Rulemaking*, WC Docket No. 12-375, 35 FCC Rcd. 8485 (Aug. 7, 2020), https://www.fcc.gov/document/fcc-seeks-reduce-rates-and-charges-inmate-calling-services-0.

Table T1 provides more detailed information about federal-agency practice, and Table T3 provides information on state-specific administrative-law citations (acknowledging that comprehensive treatment of state practice is beyond the scope of *The Indigo Book*). For work focused on particular agencies, any overall source expressing the Uniform System of Citation should be supplemented by obtaining agency-specific citation guides, studying recent samples of work in that agency, and working with experienced practitioners. For these examples, we are grateful to Blake Reid, Clinical Professor and Director of the Samuelson-Glushko Technology Law & Policy Clinic at the University of Colorado School of Law.

### **R20 Federal Taxation Materials**

#### R20.1 Internal Revenue Code

Citations to the Internal Revenue Code take either of two forms—the United States Code or the Internal Revenue Code (which inherently refers to Title 26 of the United States Code). Either way, these citations do not include the year when the citation refers to the current year of the Code.

##### R20.1.1 I.R.C.

Citations to the code itself take the following form: I.R.C. § <section number> .

##### R20.1.2 Title 26 of the United States Code

Citations to Title 26 of the United States Code, which is where the Internal Revenue Code is codified, take the following form: 26 U.S.C. § <section number>.

**Examples:**

I.R.C. § 312.

26 U.S.C. § 312.

##### R20.1.3 Unofficial codes

Indicate the publisher if citing to an unofficial code. Do not indicate the year when citing the current unofficial code, but do include the year if citing a past edition or dated supplement.

#### R20.2 Treasury Regulations

The Department of the Treasury issues Treasury Regulations pursuant to § 7805 of the Internal Revenue Code. Treasury Regulations are codified in Title 26 of the Code of Federal Regulations (“C.F.R.”), but should be cited as “Treas. Reg.” according to the following form: Treas. Reg. § <section number> <(year published)>. If the regulation is temporary, then begin the citation with Temp. Treas. Reg. instead.

**Examples:**

Treas. Reg. § 1.414(r)-8 (1994).

Temp. Treas. Reg. § 1.274-5T(6) (1985).

#### R20.3 Treasury Determinations

Cite Revenue Rulings (“Rev. Rul.”), Revenue Procedures (“Rev. Proc.”), and Treasury Decisions (“T.D.”) to the following sources, in the following order of preference: (1) Cumulative Bulletin (“C.B.”); (2) Internal Revenue Bulletin (“I.R.B.”); then (3) Treasury Decisions Under Internal Revenue Laws (“Treas. Dec. Int. Rev.”).

**Examples:**

Rev. Rul. 81-225, 1981-2 C.B. 12.

Rev. Proc. 97-27, 1997-21 I.R.B. 11.

T.D. 2135, 17 Treas. Dec. Int. Rev. 39 (1915).

#### R20.4 Private Letter Rulings

Cite Private Letter Rulings using the following format: I.R.S. P.L. R. <ruling number> (<exact date>).

**Example:**

I.R.S. P.L.R. 202121010 (May 28, 2021).

### **R21 Legislative Materials**

#### R21.1 Federal Bills and Resolutions

If unenacted, cite as follows: <name of bill, if helpful>, <abbreviation from the list below> <bill number>, <number of the Congress> <section, if not citing the entire bill> <year of publication>, with additional information when needed to distinguish between different versions of the bill in a given Congress. Abbreviate the names of subcommittees and committees according to the form set out in Table T5, Table T11, and Table T12. As shown below, select an abbreviation based on the type of bill or resolution:

| **Type** | **Abbreviation** |
| --- | --- |
| Senate Bill | S. |
| House Bill | H.R. |
| Senate Resolution | S. Res. |
| House Resolution | H.R. Res. |
| Senate Joint Resolution | S.J. Res. |
| House Joint Resolution | H.R.J. Res. |
| Senate Concurrent Resolution | S. Con. Res. |
| House Concurrent Resolution | H.R. Con. Res. |
| Senate Executive Resolution | S. Exec. Res. |

**Examples:**

S. 812, 108th Cong. (2003).

Clinical Social Work Medicare Equality Act of 2001, S. 1083, 107th Cong. § 2(b) (2001).

ABLE Act of 2014, H.R. 647, 113th Cong. (as passed by House, Dec. 3, 2014).

H.R. 1746, 111th Cong. § 2(c)(4) (as reported by H. Comm. on Transp. and Infrastructure, Apr. 23, 2009).

H.R. Res. 431, 114th Cong. (2015).

S.J. Res. 12, 109th Cong. (2005).

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Every two years, a new Congress is constituted, based on the two-year term for Members of Congress set forth in Article 1, Section 2 of the United States Constitution. Each of these Congresses has its own number, and that number is crucial in legislative-history citations. The 2021-22 Congress (elected in 2020) is the 117th Congress. Public Laws enacted by this Congress and signed by the President will follow a citation format such as Pub. L. 117-1 (the first act to be enacted sequentially by the 117th Congress). The 2019-2020 Congress (elected in 2018) was the 116th Congress. Those Public Laws would follow a citation format such as Pub. L. 116-25 (the twenty-fifth act to be passed by the 116th Congress); and so on. Likewise other legislative documents use the number of that Congress as a core piece of the citation. Online resources for government-document research seem to be constantly in flux; consult Congress.gov or Govinfo.gov for more information.

#### R21.2 Enacted Federal Bills and Resolutions

Once enacted, bills and joint resolutions are statutes subject to codification and should be cited as such following Rule R16.1. For citations to the legislation’s history (rather than as a codified statute), cite them as unenacted bills or resolutions. Cite enacted simple resolutions and concurrent resolutions as if they were unenacted, but add an “(enacted)” parenthetical if it would be helpful.

#### R21.3 State Bills and Resolutions

Cite state bills and resolutions as follows: <number of bill or resolution>, <number, or year if unnumbered, of the legislative body>, <number or designation of the legislative session> (<name of state, abbreviated as in Table T12 and year of enactment or publication, if unenacted>).

Example:

L.D. 3, 127th Leg., Reg. Sess. (Me. 2015).

#### R21.4 Committee Hearings

##### R21.4.1 Congressional committee hearings

Cite committee hearings as follows: <full title of hearing>: *Hearing on*<bill number, if any> *Before the* <name of committee or subcommittee>, <number of the Congress> <optional pincite to page number> <year of publication> <name and title of speaker>. For the names of subcommittees and committees, abbreviate according to the form set out in Table T5, Table T11, and Table T12. For the names of individuals, use Table T10.

##### R21.4.2 State committee hearings

For state committee hearings, cite as follows: <full title of hearing>: *Hearing on*<bill number, if any> *Before the* <name of committee or subcommittee>, <number of the legislative session> <optional pincite to page number> <abbreviation for the state’s name from Table T12> <year of publication> <name and title of speaker>. Use the same abbreviation resources as for Congressional committee hearings.

**Examples:**

*Cell Tax Fairness Act of 2008: Hearing on H.R. 5793 Before the Subcomm. on Commercial and Administrative Law of the H. Comm. on the Judiciary*, 110th Cong. 12 (2008) (statement of Zoe Lofgren, Member, H. Comm. on the Judiciary).

*Welfare and Poverty in America: Hearing before the S. Comm. on Fin.*, 114th Cong. (2015) (statement of Dr. Pamela Loprest, Senior Fellow, Urban Institute).

*Testimony from invited guests addressing the use of eminent domain in the State: Hearing before the Assemb. Commerce and Econ. Dev. Com.*, 2006–2007 Sess. 5 (N.J. 2006) (statement of Guy R. Gregg, Assemblyman).

*Hearing on L.D. 319 Before the Health and Human Servs. Comm.*, 127th Leg., Reg. Sess. (Me. 2015) (statement of Susan Lamb, Executive Director, Maine Chapter of the National Association of Social Workers).

#### R21.5 Federal Congressional Reports

##### R21.5.1 Report citations

Cite numbered federal reports as follows: <name of house, in small caps> Rep. No. <number of the Congress, followed by a hyphen and the number of the report>, <at optional pincite> <year of publication> <parenthetical to indicate conference report, if applicable>.

**Examples:**

S. Rep. No. 106-261, at 441 (2000).

H.R. Rep. No. 110-803, at 105 (2008) (Conf. Rep.).

##### R21.5.2 Other legislative materials

Citations to federal and state non-statutory legislative materials, including legislative history and unenacted bills, aren’t expressed in a uniform manner, but generally include the following elements:

* title, if available,
* name of legislative body, abbreviated
* section number, page no. or number of report
* number of Congress and/or legislative session
* (publication year)
* (if the bill or resolution was enacted). Only include this additional parenthetical if the bill was enacted; if unenacted, you don’t need to add anything extra.

**Examples:**

Paycheck Fairness Act, H.R. 11, 111th Cong. § 203 (2009).

American Clean Energy and Security Act, H.R. 2454, 111th Cong. (2009).

S. 2318, 112th Cong. (2013) (enacted).

### **R22 Short Form Citation of Legislative and Administrative Materials**

#### R22.1 General short-citation forms

For subsequent citations in the same general discussion after a first full citation, short forms that clearly identify the source are permissible.

#### R22.2 *Id.*

*Id.* may be used to identify the immediately preceding source consistent with Rule R6. *Id.* can be used for different subsections of the same code title and section, or for different code sections within the same title. A subsequent citation to a different title of that code necessitates a more complete short-form citation than *Id.*

| **Full citation** | ***Id.* citation** **for same provision** | ***Id.* citation** **for different provision** **within same title** |
| --- | --- | --- |
| 7 U.S.C. § 7101. | *Id.* | *Id.* § 7102(26). |
| 9 C.F.R. § 54.1 (2014). | *Id.* | *Id.* § 151.9. |
|  |  |  |

### **R23 Sources and Authorities: Constitutions**

#### R23.1 United States Constitution

Citations to the federal Constitution follow a simple form, using abbreviations from Table T12 (state names) and Table T13 (document subdivisions).

For current Constitutional provisions, do not include a date. Parenthetical information may be added consistent with Rule R10, such as for repeal or amendment.

The format is as follows: <U.S. Const.> <cited section of constitution, abbreviated> <number of article or amendment in Roman numeral form> <§ and pinpoint, if applicable> <(additional information, if needed)>.

**Examples:**

U.S. Const. amend. XIII, § 1.

U.S. Const. amend. XVIII (repealed 1933).

U.S. Const. pmbl.

#### R23.3 State Constitutions

Citations to state constitutions are expressed the same format, substituting the abbreviated name of the state following Table T12 and document subdivisions in Table T13.

**Examples:**

Ariz. Const. art. XVI, § 2.

N.D. Const. art. III, § 1.

#### R23.4 Short Forms

Federal and state constitutions do not have a shorter alternative form for use after the first full citation. They should be cited in full each time used. It is permissible, however, to use *id.* for sequential citations to the same constitutional provision.