

moral debt to make the catalyst of their success—NEA and NEH support—more widely available to other artists.

(e.) Traditional Major Donor Fund Raising.—In addition to the ideas listed above, the new private endowments would also be the beneficiaries of traditional philanthropic efforts that other major institutions receive. Certainly, a national organization charged with supporting the nation's arts and humanities would attract large corporate and individual donors who will want to be part of such prestigious organizations. Since private giving to the arts in this country already exceeds \$9 billion a year, an increase of just 1% in this base of support would establish a strong funding foundation for the private endowments.

#### IV. CONCLUSION

Through a five-year privatization of the NEA and NEH, the Abraham bill permits the growth of private giving to the arts (with government-supported fundraising during the transition). The Abraham approach also proposes tax incentives for charitable donations to create broad-based opportunity for private giving; reinstatement of tax deductions for non-itemizers may very well engender increased funding of the arts.

More importantly though, privatization has the distinct advantage of allowing the citizenry to direct those funds more efficiently and without controversy. Simply decreasing federal funding of the Endowments or providing for increased block grants to the states fails to resolve the fundamental problem associated with today's NEA and NEH. By contrast, privatization removes the government from the unwinnable task of balancing censorship and obscenity, once and for all.

Federal bureaucracies on every level are being scaled back or eliminated entirely. Government programs, particularly non-essential ones like the NEA and NEH, that can be replaced with privately-run entities, must be. The manifest support from an array of celebrities and arts patrons for the arts and humanities makes clear that a reconstituted NEA and NEH will thrive. In short, a privately-funded "American Endowment for the Arts" and an "American Endowment for the Humanities" can provide as much support for artists and writers without the attendant, ongoing disputes faced by a government-managed entity.

The people we have heard from in support of the NEA and NEH—art enthusiasts, philanthropists, actors, and singers—will want to contribute to private arts and humanities foundations. Assuming their belief in a national organization supporting the arts and humanities is an ardent as they claim when they lobby Congress, there will be a wellspring of support for private endowments.

#### ADDITIONAL COSPONSORS

S. 295

At the request of Mrs. KASSEBAUM, the name of the Senator from Colorado [Mr. BROWN] was added as a cosponsor of S. 295, a bill to permit labor management cooperative efforts that improve America's economic competitiveness to continue to thrive, and for other purposes.

S. 304

At the request of Mr. SANTORUM, the name of the Senator from Hawaii [Mr. INOUE] was added as a cosponsor of S. 304, a bill to amend the Internal Revenue Code of 1986 to repeal the trans-

portation fuels tax applicable to commercial aviation.

S. 457

At the request of Mr. DASCHLE, his name was added as a cosponsor of S. 457, a bill to amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

At the request of Mr. SIMON, the name of the Senator from Utah [Mr. BENNETT] was added as a cosponsor of S. 457, supra.

S. 789

At the request of Mr. CHAFEE, the name of the Senator from Utah [Mr. HATCH] was added as a cosponsor of S. 789, a bill to amend the Internal Revenue Code of 1986 to make permanent the section 170(e)(5) rules pertaining to gifts of publicly-traded stock to certain private foundations, and for other purposes.

S. 920

At the request of Mr. PRESSLER, the name of the Senator from Iowa [Mr. HARKIN] was added as a cosponsor of S. 920, a bill to assist the preservation of rail infrastructure, and for other purposes.

S. 959

At the request of Mr. HATCH, the name of the Senator from Minnesota [Mr. GRAMS] was added as a cosponsor of S. 959, a bill to amend the Internal Revenue Code of 1986 to encourage capital formation through reductions in taxes on capital gains, and for other purposes.

S. 968

At the request of Mr. MCCONNELL, the names of the Senator from New Hampshire [Mr. SMITH], the Senator from Arizona [Mr. MCCAIN], and the Senator from Vermont [Mr. JEFFORDS] were added as cosponsors of S. 968, a bill to require the Secretary of the Interior to prohibit the import, export, sale, purchase, and possession of bear viscera or products that contain or claim to contain bear viscera, and for other purposes.

S. 1009

At the request of Mr. D'AMATO, the name of the Senator from Iowa [Mr. GRASSLEY] was added as a cosponsor of S. 1009, a bill to prohibit the fraudulent production, sale, transportation, or possession of fictitious items purporting to be valid financial instruments of the United States, foreign governments, States, political subdivisions, or private organizations, to increase the penalties for counterfeiting violations, and for other purposes.

S. 1028

At the request of Mrs. KASSEBAUM, the names of the Senator from Maine [Mr. COHEN], the Senator from Wyoming [Mr. SIMPSON], the Senator from West Virginia [Mr. ROCKEFELLER], and the Senator from Nebraska [Mr. KERREY] were added as cosponsors of S. 1028, a bill to provide increased access to health care benefits, to provide in-

creased portability of health care benefits, to provide increased security of health care benefits, to increase the purchasing power of individuals and small employers, and for other purposes.

AMENDMENT NO. 1533

At the request of Mr. D'AMATO his name was added as a cosponsor of amendment No. 1533 proposed to S. 343, a bill to reform the regulatory process, and for other purposes.

#### SENATE RESOLUTION 152—STATEMENT OF CONSTITUTIONALITY REQUIREMENT

Mr. ABRAHAM submitted the following resolution; which was referred to the Committee on Rules and Administration:

S. RES. 152

*Resolved,*

#### SECTION. 1. CONSTITUTIONAL AUTHORITY.

This resolution is approved pursuant to the powers granted to the Senate under Article I, section 5, clause 2 of the United States Constitution.

#### SEC. 2. CONSTITUTIONAL AUTHORITY CLAUSE IN LEGISLATION.

The Standing Rules of the Senate are amended by adding at the end thereof the following:

"RULE XLIV

"CONSTITUTIONAL AUTHORITY CLAUSE IN LEGISLATION

"1. (a) A constitutional authority clause shall follow the enacting clause of any bill or the resolving clause of any joint resolution. The constitutional authority clause shall be in the following form (with appropriate modifications and appropriate matter inserted in the blanks):

" "This Act (or resolution) is enacted pursuant to the power(s) granted to the Congress under Article(s) section(s) , clause(s) of the United States Constitution."

"(b) A similar clause shall precede the first title, section, subsection, or paragraph and each following title, section, subsection, or paragraph relies on a different article, section, or clause of the Constitution from the one pursuant to which the first title, section, subsection or paragraph is enacted.

"2. It shall not be in order for the Senate to consider any bill, joint resolution, amendment, motion, or conference report that does not comply with the provisions of paragraph (1), on the objection of any Senator."

#### SENATE RESOLUTION 153—MAKING TECHNICAL CORRECTIONS TO SENATE RESOLUTION 120

Mr. DOLE (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 153

*Resolved,* That Senate Resolution 120, agreed to May 17, 1995 (104th Congress, 1st Session), is amended—

(1) in section 2(a)(1)(A) by inserting " , except that Senator Frank H. Murkowski shall substitute for Senator Phil Gramm" before the semicolon;

(2) in section 5(b)—

(A) in paragraph (11) by inserting "with the approval of the Committee on Rules and Administration" before the period; and