

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. RES. 152

To amend the Standing Rules of the Senate to require a clause in each bill and resolution to specify the constitutional authority of the Congress for enactment, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

JULY 17 (legislative day, JULY 10), 1995

Mr. ABRAHAM (for himself, Mr. DOLE, Mr. BROWN, Mr. HATCH, Mr. DEWINE, Mr. KYL, and Mr. KEMPTHORNE) submitted the following resolution; which was referred to the Committee on Rules and Administration

---

## RESOLUTION

To amend the Standing Rules of the Senate to require a clause in each bill and resolution to specify the constitutional authority of the Congress for enactment, and for other purposes.

1       *Resolved,*

2       **SECTION 1. CONSTITUTIONAL AUTHORITY.**

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

1 **SEC. 2. CONSTITUTIONAL AUTHORITY CLAUSE IN LEGISLA-**  
 2 **TION.**

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

5 “RULE XLIV

6 “CONSTITUTIONAL AUTHORITY CLAUSE IN LEGISLATION

7 “1. (a) A constitutional authority clause shall follow  
 8 the enacting clause of any bill or the resolving clause of  
 9 any joint resolution. The constitutional authority clause  
 10 shall be in the following form (with appropriate modifica-  
 11 tions and appropriate matter inserted in the blanks):

12 ““This Act (or resolution) is enacted pursuant to the  
 13 power(s) granted to the Congress under Article(s)  
 14 \_\_\_\_\_ section(s) \_\_\_\_\_, clause(s) \_\_\_\_\_  
 15 of the United States Constitution.’”.

16 “(b) A similar clause shall precede the first title, sec-  
 17 tion, subsection, or paragraph and each following title,  
 18 section, subsection, or paragraph to the extent the later  
 19 title, section, subsection, or paragraph relies on a different  
 20 article, section, or clause of the Constitution from the one  
 21 pursuant to which the first title, section, subsection or  
 22 paragraph is enacted.

23 “2. It shall not be in order for the Senate to consider  
 24 any bill, joint resolution, amendment, motion, or con-

- 1 ference report that does not comply with the provisions
- 2 of paragraph (1), on the objection of any Senator.”.

