

(3) provide a waiver of fees for persons required to file a report with the Federal Election Commission if such fee would be a substantial hardship to such person.

(a) APPROPRIATIONS.—Any fees collected pursuant to this section are hereby appropriated for use by the Federal Election Commission in carrying out its duties under the Federal Election Campaign Act of 1971 and shall remain available without fiscal year limitation.

(d) EFFECTIVE DATE.—This section shall apply to fiscal years beginning after the date that is 2 years after the date of enactment of this Act.

AMENDMENT NO. 1297

On page 52, between lines 12 and 13, insert the following:

SEC. 510. INDEPENDENT LITIGATION AUTHORITY.

Section 306(f) of the Federal Election Campaign Act of 1971 (2 U.S.C. 437c(f)) is amended by striking paragraph (4) and inserting the following:

"(4) INDEPENDENT LITIGATING AUTHORITY.—

"(A) IN GENERAL.—Notwithstanding paragraph (2) or any other provision of law, the Commission is authorized to appear on the Commission's behalf in any action related to the exercise of the Commission's statutory duties or powers in any court as either a party or as amicus curiae, either—

"(i) by attorneys employed in its office, or

"(ii) by counsel whom the Commission may appoint, on a temporary basis as may be necessary for such purpose, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and whose compensation it may fix without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title, and whose compensation shall be paid out of any funds otherwise available to pay the compensation of employees of the Commission.

"(B) SUPREME COURT.—The authority granted under subparagraph (A) includes the power to appeal from, and petition the Supreme Court for certiorari from, and petition the Supreme Court for certiorari to review, judgments or decrees entered with respect to actions in which the Commission appears under the authority provided in this section."

AMENDMENT NO. 1298

On page 52, between lines 12 and 13, insert the following:

SEC. 510. LIMIT ON TIME TO ACCEPT CONTRIBUTIONS.

(a) TIME TO ACCEPT CONTRIBUTIONS.—Section 315 of the Federal Election Campaign Act of 1971 (2 U.S.C. 441a) is amended by adding at the end the following:

"(i) TIME TO ACCEPT CONTRIBUTIONS.—

"(1) IN GENERAL.—A candidate for nomination, or election to, the Senate or House of Representatives shall not accept a contribution from any person during an election cycle in connection with the candidate's campaign except during a contribution period.

"(2) CONTRIBUTION PERIOD.—In this subsection, the term 'contribution period' means, with respect to a candidate, the period of time that—

"(A) begins on the date that is the earlier of—

"(i) January 1 of the year in which an election for the seat that the candidate is seeking occurs; or

"(ii) 90 days before the date on which the candidate will qualify under State law to be placed on the ballot for the primary election for the seat that the candidate is seeking; and

"(B) ends on the date that is 5 days after the date of the general election for the seat that the candidate is seeking.

"(3) EXCEPTIONS.—

"(A) DEBTS INCURRED DURING ELECTION CYCLE.—A candidate may accept a contribution after the end of a contribution period to make an expenditure in connection with a debt or obligation incurred in connection with the election during the election cycle.

"(B) ACCEPTANCE OF CONTRIBUTIONS IN RESPONSE TO OPPONENT'S CARRYOVER FUNDS.—

"(i) IN GENERAL.—A candidate may accept an aggregate amount of contributions before the contribution period begins in an amount equal to 125 percent of the amount of carryover funds of an opponent in the same election.

"(ii) CARRYOVER FUNDS OF OPPONENT.—In clause (i), the term 'carryover funds of an opponent' means the aggregate amount of contributions that an opposing candidate and the candidate's authorized committees transfers from a previous election cycle to the current election cycle."

(b) DEFINITION OF ELECTION CYCLE.—Section 301 of the Federal Election Campaign Act of 1971 (2 U.S.C. 431) (as amended by section 307(b)) is amended by adding at the end the following:

"(22) ELECTION CYCLE.—The term 'election cycle' means the period beginning on the day after the date of the most recent general election for the specific office or seat that a candidate is seeking and ending on the date of the next general election for that office or seat."

AMENDMENT NO. 1299

On page 52, between lines 12 and 13, insert the following:

SEC. 510. REQUIRED CONTRIBUTOR CERTIFICATION.

Section 301(13) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(13)) is amended—

(1) in subparagraph (A)—

(A) by striking "and" the first place it appears; and

(B) by inserting ", and, in the case of an individual who has made aggregate contributions in excess of \$500, an affirmation that the individual is an individual who is not prohibited by sections 319 and 320 from making the contribution" after "employer"; and

(2) in subparagraph (B) by inserting "and, in the case of a person who has made aggregate contributions in excess of \$500, an affirmation that the person is a person that is not prohibited by sections 319 and 320 from making a contribution" after "such person".

CLARIFICATION LEGISLATION

SMITH OF NEW HAMPSHIRE (AND GREGG) AMENDMENT NO. 1300

(Ordered referred to the Committee on Governmental Affairs.)

Mr. SMITH of New Hampshire (for himself and Mr. GREGG) submitted an amendment intended to be proposed by them to the bill (H.R. 1953) to clarify State authority to tax compensation paid to certain employees; as follows:

On page 2, strike lines 1 through 20, and insert the following:

SECTION 1. LIMITATION ON STATE AUTHORITY TO TAX COMPENSATION PAID TO INDIVIDUALS PERFORMING SERVICES AT CERTAIN FEDERAL FACILITIES.

(a) IN GENERAL.—Chapter 4 of title 4, United States Code, as amended by is amended by adding at the end the following:

"§115. Limitation on State authority to tax compensation paid to individuals performing services at certain Federal facilities

"Pay and compensation paid to an individual for personal services at Fort Campbell,

Kentucky, or the Portsmouth, New Hampshire Naval Shipyard, shall be subject to taxation by the State or any political subdivision thereof of which such employee is a resident."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 4, United States Code, is amended by adding at the end the following:

"115. Limitation on State authority to tax compensation paid to individuals performing services at certain Federal facilities."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to pay and compensation paid after the date of the enactment of this Act.

Mr. SMITH of New Hampshire. Mr. President, on behalf of Senator GREGG and myself, I submit an amendment. Mr. President, this is a very simple and straightforward amendment which has been drafted to address a very unique situation concerning State tax liability for persons performing services at the Portsmouth, New Hampshire Naval Shipyard. This shipyard is a Federal facility located on a group of small islands in the inner Portsmouth Harbor and Piscataqua River, which forms the border between the States of New Hampshire and Maine.

The amendment we are offering will make pay and compensation of Portsmouth Naval Shipyard employees subject only to the State taxation laws of the State in which the employees reside.

On July 28, 1997, the House of Representatives passed H.R. 1953, a bill which likewise makes State taxing authority subject to an employee's State of residence with respect to three other Federal facilities located on State borders.

Again, Mr. President, these are very unique situations where we have a serious issue of tax fairness of Federal employees at these particular Federal facilities on the border between States. It is appropriate for the Congress, in these instances, to use its power to clarify taxing authority especially where the States involved have been unable to work out an equitable tax reciprocity agreement on their own. Moreover, I would note that in this instance, there is disagreement between New Hampshire and Maine on whether the border location of the shipyard puts it geographically in New Hampshire or Maine. This is all the more reason for Congress to seek to help these Federal employees caught in the middle of a border dispute.

As a Member of the Senate Committee on Governmental Affairs, I look forward to working with Chairman THOMPSON and my other colleagues on the committee in the next few weeks to schedule action on both the House bill and the amendment Senator GREGG and I are offering to it today.

Finally, Mr. President, I would note that when H.R. 1953 passed the House a few weeks back, some of my colleagues there noted that it took nearly 10 years to correct the tax inequity for the Federal employees at the three Federal facilities on State borders referenced in

that bill. Let me say that I first took up the unfair tax situation faced by my New Hampshire constituents at the Portsmouth Naval Shipyard nearly 10 years ago, and introduced legislation in the years that followed which, unfortunately, never came to pass. However, my colleagues have told me a congressional hearing might be the best way to make our case. That is why I look forward to Senate consideration of this amendment in committee. When the facts are carefully reviewed, I think my colleagues will realize that my constituents have waited too long already for resolution of the unfair tax burden they face by virtue of their employment at this particular Federal facility. My amendment with Senator GREGG to H.R. 1953 gives the Congress another opportunity to address this situation, so it is my hope we can now rectify this situation without further delay.

THE BIPARTISAN CAMPAIGN REFORM ACT OF 1997

BURNS AMENDMENTS NOS. 1301- 1303

(Ordered to lie on the table.)

Mr. BURNS submitted three amendments intended to be proposed by him to the bill, S. 25, supra; as follows:

AMENDMENT No. 1301

At the end of title I, add the following:

Title II of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq) (as amended by section 101) is amended by adding at the end the following:

"325. PARTICIPATION BY NATIONAL ORGANIZATIONS IN ELECTIONS FOR THE SENATE OR HOUSE OF REPRESENTATIVES.

"It shall be unlawful for the national chapter of any organization to conduct, or to use or make available funds of the national chapter to any person for the conduct of, campaign advertisements or any other form of participation in an election for the Senate or the House of Representatives in a State unless the State and local chapters of the organization consent to the participation."

AMENDMENT No. 1302

At the end of title I, add the following:

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq) as amended by section 101) is amended by adding at the end the following:

"325. PENALTIES FOR VIOLATION OF ELECTION LAW.

"(a) IN GENERAL.—In addition to penalties that may be imposed under any other provision of this Act, section 607 of title 18, United States Code, or any other law requiring or prohibiting any activity relating to a Federal election, and person that violates any such person shall be punished by—

"(1) lifetime disqualification from candidacy for Federal office;

"(2) imposition of a fine of not less than \$50,000;

"(3) in the case of an organization described in paragraph (3) or (4) of section 501(c) of the Internal Revenue Code that is exempt from taxation under section 501(a) of the Code, disentitlement to the exemption for a period of not more than 5 years.

"(b) VIOLATION BY AN ORGANIZATION.—In the case of a violation under subsection (a)

by an organization, each of the officers of the organization that had power to prevent the organization from committing the violation shall be personally liable for the violation."

AMENDMENT No. 1303

At the end of title I, add the following:

Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq) (as amended by section 101) is amended by adding at the end the following:

"325. DECLARATIONS OF INTENT TO BECOME A CANDIDATE; DECLARATIONS OF INTENT TO PARTICIPATE IN FEDERAL ELECTIONS.

"(a) DECLARATIONS OF INTENT TO BECOME A CANDIDATE.—Not later than January 1 of any year in which a general election for Federal office is to be held in a State, each person that intends to become a candidate for Federal office in the election shall file with the Commission and with the chief election official of the State a declaration of intent to become a candidate for the office that the person intends to seek.

"(b) DECLARATIONS OF INTENT TO PARTICIPATE.—Not later than January 1 of any year in which a general election for Federal office is to be held in a State, each individual or organization that intends to participate in the election through an issue advocacy or voter education campaign shall file with the Commission and with the chief election official of the State a declaration stating that intent."

ADDITIONAL STATEMENTS

BALTIMORE'S 311 INITIATIVE

• Mr. SARBANES. Mr. President, I rise today to bring my colleagues' attention to a crime-fighting initiative implemented by the Baltimore City Police Department, in conjunction with the Federal Community Oriented Policing Services [COPS] Program created by the 1994 Crime Bill, and with American Telephone and Telegraph. This initiative—the 1-year anniversary of which was the first of this month—has contributed greatly to community policing efforts in Baltimore, and I believe holds great promise for the Nation at large.

Like other major cities in America, Baltimore—our 12th largest city—has experienced over the past several decades a rapid rise in crime. One of the effects of this rise has been the increasing burden placed on the 911 emergency telephone system—a system which citizens regularly used to phone in not only emergency calls, but also criminal complaints of a nonemergency nature. In 1995 alone, the Baltimore Police Department fielded 1.7 million 911 calls. Such a volume made it increasingly difficult for the city's police to address in an expeditious manner those complaints that were truly of an emergency nature, and required the redeployment to the phone banks of officers who should have been on the city streets.

In October 1996, the Baltimore City Police Department, aided by a \$350,000 award from the COPS office, established a new telephone line for non-emergency calls. This 311 line is staffed

by limited duty officers specifically trained to handle both emergency and nonemergency calls, and citizen understanding of the differences between the 311 and 911 lines has been heightened by an intensive public awareness campaign.

Mr. President, this experiment has proven to be an unmitigated success. As a result of the implementation of the new 311 number, emergency calls to 911 have decreased by 25 percent, leaving Baltimore's police with more time to address in an expeditious manner true emergencies. In fact, statistics show that 911 operators now answer the phone on an average of 2 seconds, as compared to 6.5 seconds before the 311 line was set up, and that 80 percent fewer callers to 911 receive a message asking them not to hang up. In short, because of the 311 number, Baltimore's police can now respond immediately to situations that demand prompt action.

Moreover, the reduction in 911 calls has allowed Baltimore's police to spend more time patrolling their beats, a consequence of which has been a declining crime rate in the city of 15 percent in fiscal year 1997, as opposed to an 11 percent decline in fiscal year 1996.

These and other statistics appear in an October 2 New York Times article entitled "Baltimore Cites Success with Alternative to 911," which I ask to be printed in the RECORD at the conclusion of my statement.

Mr. President, on this 1-year anniversary of the 311 program, I want to applaud the successes of the COPS Program, and the efforts of the Baltimore City Police Department and the Office of Governor Glendening, both of whom have demonstrated the kind of vision and initiative that are essential to a successful Federal-State-local law enforcement partnership. Numerous other localities are in the process of developing their own 311-type programs, and I fully expect that on the second anniversary of the Baltimore initiative, several of my colleagues will be on the Senate floor announcing similar success stories in their own States.

The article follows:

[From the New York Times, Oct. 2, 1997]
BALTIMORE CITES SUCCESS WITH ALTERNATIVE TO 911

(By Michael Janofsky)

BALTIMORE, OCT. 1.—Until a year ago, the owner of a cat stuck in a tree and the spouse of a shooting victim would be likely to call the same number for help: 911.

But under a pilot Federal program that could expand quickly around the country and beyond, Baltimore is using a different telephone number for non-emergencies, 311, a change that has reduced the number of 911 calls to local police by nearly 25 percent, enabling operators to handle life-threatening situations more efficiently and giving officers more time to patrol the streets.

In announcing the results of the program on its first anniversary, local, state and Federal officials said the 311 experiment has been so successful that more than 100 other jurisdictions, including Chicago and Philadelphia, are eager to try it.

"The results here have exceeded my expectations," said Joseph E. Brann, the director