

who shall be permitted while witness is testifying to advise him of his legal rights. Failure to obtain counsel will not excuse the witness from appearing and testifying.

(e) Subpoenas for the attendance of witnesses or the production of memoranda, documents, records, and other materials may be issued by the Chairman with the consent of the Ranking Minority Member or by the consent of a majority of the Members of the Committee. Such consent may be given informally, without a meeting, but must be in writing. The Chairman may subpoena attendance or production without the consent of the Ranking Minority Member when the Chairman has not received notification from the Ranking Minority Member of disapproval of the subpoena within 72 hours of being notified of the intended subpoena, excluding Saturdays, Sundays, and holidays. Subpoenas shall be issued by the Chairman or by the Member of the Committee designated by him or her. A subpoena for the attendance of a witness shall state briefly the purpose of the hearing or the deposition and the matter or matters to which the witness is expected to testify. A subpoena for the production of memoranda, documents, records, and other materials shall identify the papers or materials required to be produced with as much particularity as is practicable.

(f) The Chairman shall rule on any objections or assertions of privilege or by testimony or evidence in response to subpoenas or questions of Committee Members and staff in hearings and depositions.

5. CONFIDENTIAL INFORMATION

(a) No confidential testimony taken by, or confidential material presented to, the Committee in executive session, or any report of the proceedings of a closed hearing, or confidential testimony or material submitted pursuant to a subpoena, shall be made public, either in whole or in part or by way of summary, unless authorized by a majority of the Members. Other confidential material or testimony submitted to the Committee may be disclosed if authorized by the Chairman with the consent of the Ranking Member.

(b) Persons asserting confidentiality of documents or materials submitted to the Committee offices shall clearly designate them as such on their face. Designation of submissions as confidential does not prevent their use in furtherance of Committee business.

6. MEDIA AND BROADCASTING.

(a) At the discretion of the Chairman, public meetings of the Committee may be televised, broadcasted, or recorded in whole or in part by a member of the Senate Press Gallery or an employee of the Senate. Any such person wishing to televise, broadcast, or record a Committee meeting must request approval of the Chairman by submitting a written request to the Committee Office by 5:00 p.m. the day before the meeting. Notice of televised or broadcasted hearings shall be provided to the Ranking Minority Member as soon as practicable.

(b) During public meetings of the Committee, any person using a camera, microphone, or other electronic equipment may not position or use the equipment in a way that interferes with the seating, vision, or hearing of Committee members or staff on the dais, or with the orderly process of the meeting.

7. SUBCOMMITTEES

The Committee shall not have standing subcommittees.

8. AMENDMENT OF RULES

The foregoing rules may be added to, modified or amended; provided, however, that not

less than a majority of the entire Membership so determined at a regular meeting with due notice, or at a meeting specifically called for that purpose.

SMALL BUSINESS AND FARM ENERGY EMERGENCY RELIEF ACT

Ms. CANTWELL. Mr. President, as small businesses in the State of Washington continue to struggle with the extraordinarily high costs of electricity following the Western Energy Crisis of 2000–2001 and significant increases in the costs of other petroleum fuels, I wanted to make a statement in support of the Small Business and Farm Energy Emergency Relief Act of 2005, S. 269, introduced yesterday by the Senator from Massachusetts, Mr. KERRY. This legislation establishes a critically important safety net for small businesses and family farms that suffer direct economic injury due to exorbitant and immediate increases in energy costs, and I am pleased to be an original cosponsor.

During the 107th Congress, I was proud to cosponsor the Small Business and Farm Energy Emergency Relief Act of 2001, which contained many of the same provisions that are included in this legislation.

The Small Business and Farm Energy Emergency Relief Act of 2005 would provide small businesses and farms economic relief in the form of low-interest emergency loans to help mitigate the effects of significant spikes in the prices of heating oil, propane, natural gas, and kerosene. To be eligible, an applicant must be a small-business owner or agriculture producer, must have used all reasonably available funds it may have, and must be unable to obtain credit elsewhere. The U.S. Small Business Administration would provide loans to small-businesses and farms would apply for loans through the U.S. Department of Agriculture.

As my colleagues know, small businesses and farms typically operate on narrow margins. They depend on affordable and stable cost inputs—such as fuel—to maintain their productivity. However, the recent volatility of energy prices has levied a considerable strain on the operating budgets of many American small businesses and family farms and ultimately threatened their sustainability. Without this emergency assistance, the viability of some Washington State small businesses and farms would be compromised during times when energy prices spike. This emergency relief program is vital to protecting small businesses from the considerable economic impact of surging energy costs and we must do all that is possible to help them overcome these challenges.

Mr. President, the Small Business and Farm Energy Emergency Relief Act provides critical assistance for our small businesses and farms through

trying economic conditions. Therefore, I urge my colleagues to give it their full support.

527 REFORM ACT OF 2005

Mr. FEINGOLD: Mr. President, I am pleased once again to be working with my partner in reform, the Senator from Arizona, Mr. MCCAIN, on the 527 Reform Act. And it is an honor to again have Senator LIEBERMAN and Senator SCHUMER as original cosponsors of our bill. This year, there is a very significant new addition to our effort, the Chairman of the Rules Committee, Senator LOTT. Senators SNOWE and COLLINS from the great State of Maine, who were both exceptional partners in the fight for campaign finance reform a few years ago, are original cosponsors as well. It is also gratifying to have a new Member of the Senate, the junior Senator from Colorado, Mr. SALAZAR, on board. This is a very strong bipartisan group and I look forward to working with all of them.

Our purpose is simple—to pass legislation that will do what the FEC could and should do under current law, but, once again, has failed to do. It sometimes seems like our mission in life is to clean up the mess that the FEC has mad. We had to that with BCRA, the Bipartisan Campaign Reform Act, which passed in 2002, closing the soft money loophole that the FEC created in the late '70s and expanded in the '90s. We are doing it again with the regulations that the FEC put in place after BCRA passed.

I am pleased to announce the introduction of legislation that will make absolutely clear that the Federal election laws apply to 527 organizations. Let me emphasize one thing—current Federal election law requires these groups to register as political committees and stop raising and spending soft money. But the FEC has failed to enforce the law, so we must act in the Congress.

This bill will require all 527s to register as political committees unless they fall into a number of narrow exceptions. The exceptions are basically for groups that Congress exempted from disclosure requirements because they are so small or for groups that are involved exclusively in state election activity.

Once a group registers as a political committee, certain activities such as ads that mention only Federal candidates will have to be paid for solely with hard money. But the FEC permits Federal political committees to maintain a non-federal account to pay a portion of the expenses of activities that affect both Federal and non-federal elections. Our bill sets new allocation rules that will make sure that these allocable activities are paid for with at least 50 percent hard money.

Finally, the bill makes an important change with respect to the non-federal

portion of the allocable activities. We put a limit of \$25,000 per year on the contributions that can be accepted for that non-federal account. So no more million dollar soft money contributions to pay for get-out-the-vote efforts in the presidential campaign.

Nothing in this bill will affect legitimate 501(c) advocacy groups. The bill only applies to groups that claim a tax exemption under section 527.

In closing, I want to make one final point. The soft money loophole was opened by FEC rulings in the late '70s. By the time we started work on BCRA, the problem had mushroomed and led to the scandals we saw in the 1996 campaign. When we passed BCRA, I said we would have to be vigilant to make sure that the FEC enforced the law and that similar loopholes did not develop. That is what we have been doing for the past three years, and what are again doing today.

I have no doubt that if we don't act on this 527 problem now, we will see the problem explode into scandals over the next few election cycles. In the 2004 cycle, Federal-oriented 527s spend \$423 million. Ten donors gave at least \$ million each to 527s involved in the 2004 Federal elections and two donors each contributed over \$20 million. This time we cannot afford to wait for a problem to grow into a disaster that undermines the scheme of the Federal election laws.

Mr. President, I ask unanimous consent that a summary of the bill's provisions be printed in the RECORD.

THE 527 REFORM ACT

Under the Internal Revenue Code, a 527 group is defined as an organization "organized and operated primarily" to influence elections (or the appointment of individuals to non-elective office). The Federal Election Commission ("FEC"), however, has failed to apply existing Federal campaign finance laws to require that 527 groups spending money to influence federal elections register as federal political committees and comply with federal campaign finance laws, including the limits on the contribution they may receive.

As a result, both Democratic-leaning and Republican-leaning 527 groups spent tens of millions of dollars in soft money to influence the 2004 federal elections. A number of 527 groups did not register as federal political committees and spent soft money on ads attacking and promoting federal candidates. Other 527 groups did register as federal political committees but claimed that under FEC rules they could spend as much as 98 percent soft money on partisan voter drive activities for the purpose of influencing the 2004 federal elections.

The 527 Reform Act is designed to clarify and reaffirm that such 527 groups are required to comply with federal campaign finance laws. The bill would:

Require 527s groups to register as political committees with the FEC and comply with federal campaign finance laws, unless they raise and spend money exclusively in connection with non-federal candidate elections, or state or local ballot initiatives, or the nomination or confirmation of individuals to non-elected offices, such as judicial positions.

Under this requirement, 527 groups registered as political committees and subject to federal campaign finance laws can use only federal hard money contributions to finance ads that promote or attack federal candidates, regardless of whether the ads expressly advocate the election or defeat of the candidate.

Any 527 group with annual receipts of less than \$25,000 is exempt from the requirement to register as a political committee and comply with federal campaign finance laws.

Establish that when a 527 group registered as a federal political committee makes expenditures for voter mobilization activities or public communications that affect both federal and non-federal elections, at least 50 percent of the costs of such activities would have to be paid for with federal hard money contributions.

Provide that with regard to the non-federal funds that can be used to finance a portion of voter mobilization activities and public communications that affect both federal and non-federal elections, such funds must come from individuals only and must be in amounts of not more than \$25,000 per year per individual donor.

This is similar to the provision in the Bipartisan Campaign Reform Act of 2002 that places a limit on the size of a nonfederal contribution that can be spent by state parties on activities affecting both federal and non-federal elections. \$25,000 is the same amount that an individual can contribute to a national political party. An individual can give only \$5,000 per year to a federal political committee to influence federal elections.

The 527 Reform Act provides that it applies only to 527 groups and that nothing in the Act will have any effect on determining whether 501(c) groups are subject to federal campaign finance laws.

PRESERVING CALIFORNIA'S MISSION HERITAGE

Mrs. BOXER. Mr. President, last week I had the pleasure of joining members of the California Missions Foundation at Mission San Diego to celebrate the passage of the California Missions Preservation Act, which became law in 2004.

In opening the celebration, Missions Foundation Executive Director Knox Mellon expressed his gratitude to the Senate and House for passing the Missions Preservation Act, which will help my State preserve a priceless element of our historical and cultural heritage.

By way of expressing my own gratitude to you and our colleagues, I want to share some of Mr. Mellon's remarks with you:

There is a tendency for me to believe the primary beneficiary of the legislation Senator Boxer both carried and succeeded in getting signed by the President would be the California Missions Foundation because it acts as a conduit, a pass-through for directing monies to each of the twenty-one historic missions. But the real beneficiaries are the people not only of California but the nation. The missions are California's Pyramids. They are a part of our past. They help symbolize the nation's western beginnings.

Of all the institutions that define California's heritage, none has the historic significance and emotional impact of the chain of Spanish missions that stretch from San

Diego to Sonoma. The missions are an important part of the state's cultural fabric and must be preserved as priceless historic monuments.

I thank our colleagues in Congress, particularly Senator DIANNE FEINSTEIN and Representatives SAM FARR and DAVID DREIER, who worked diligently to see this bill signed into law. I also thank Governor Arnold Schwarzenegger for his support.

And finally, I thank Knox Mellon and the California Missions Foundation Board for their strong dedication to this cause. Through the collaboration of Federal, State, and private efforts, our missions have hope for the future.

KAREN SHAPIRA

Mr. SANTORUM. Mr. President, today I would like to reflect on the loss of a dear family friend, Karen Shapira. Karen recently passed away after a battle with breast cancer. The Shapira family has suffered a tremendous loss, and I offer them my condolences and deepest sympathy during this difficult time.

Karen always called herself a "professional volunteer" and that is what she was. She was an extremely caring and selfless individual. For more than 20 years, she served the Jewish community, both in Pittsburgh and abroad. Most notably, she chaired the United Jewish Federation of Pittsburgh, which is responsible for delivering grants for educational, cultural, and human service programs.

Her deep involvement in the Jewish community led her to Israel, where she met with Prime Ministers Ehud Barak and Ariel Sharon. Through her capacity as chair of Partnership 2000 at the United Jewish Federation, Karen worked on projects with several schools, camps, women's health centers, and job training facilities in Israel. She also chaired a revolving loan fund of the Israel Emergency Appeal, which supports Israeli small businesses.

Karen could also be found serving her local community in Pittsburgh. She had a major leadership role at the United Way of Allegheny County, cochairing the Early Childhood Initiative, and she served on the boards of the Pittsburgh Symphony, the Jewish Healthcare Foundation in Pittsburgh, the University of Pittsburgh Medical Center, and Shady Side Academy. Karen was also appointed by Governor Ridge to the Pennsylvania Commission for Women.

It is obvious from the several awards that Karen received that her dedication to the Jewish community did not go unnoticed. Specifically, Karen received the 2002 Emanuel Specter Award and the Sonia and Aaron Levinson Award for the pursuit of social justice, both from the United Jewish Federation.