

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