

Secretary for Indian Affairs, U.S. Department of the Interior; to be followed immediately by a business meeting to consider pending committee business.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. CORNYN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on Wednesday, October 22, 2003, at 10 a.m., on "Judicial Nominations," in the Hart Senate Office Building room 216.

Witness List:

Panel I: Senators.

Panel II: Janice R. Brown to be United States Circuit Judge for the District of Columbia Circuit.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. CORNYN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Wednesday, October 22, 2003 at 2:30 p.m. to hold a closed hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OCEANS, FISHERIES, AND COAST GUARD

Mr. CORNYN. Mr. President: I ask unanimous consent that the Subcommittee on Oceans, Fisheries, and Coast Guard be authorized to meet on Wednesday, October 22, 2003, at 9:30 a.m., on Fisheries Oversight to be held in SR-428A.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. HATCH. I ask unanimous consent that Sandra Wilkinson, a detailee to the Democratic staff and the Senate Judiciary Committee, be granted full floor privileges for the remainder of the debate on the CAN-SPAM Act of 2003.

UNANIMOUS CONSENT REQUEST—  
H.R. 7

Mr. FRIST. I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, the charitable choice bill. I further ask unanimous consent that all after the enacting clause be stricken, that the Snowe amendment and the Grassley-Baucus amendment, which are at the desk, be agreed to en bloc, that the substitute amendment, which is the text of S. 476, the Senate-passed version of the charitable choice bill as amended by the Snowe and Grassley-Baucus amendments be agreed to, that the bill, as amended, be read the third time and passed, that the motion to reconsider be laid upon the table; further, that the Senate insist upon its amendments and request a conference with the House, and last, that the Chair be authorized to appoint conferees with a ratio of 3 to

2, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. REID. Mr. President, for the reasons previously stated in regard to this legislation at least on two or three separate occasions, I would reiterate those and object.

The PRESIDING OFFICER. Objection is heard. The majority leader.

WORK OF THE SENATE

Mr. FRIST. Mr. President, I wish to take a moment to congratulate Chairman MCCAIN and Senator BURNS and others who have fought so hard for the anti-spam legislation that passed not too long ago tonight.

Although I am disappointed we have not been able to proceed to conference on the CARE Act, I am very hopeful that ultimately we will be able to do that and I am very hopeful we will at some point receive unanimous consent to do just that.

Today's vote, 97 to 0, on the anti-spam legislation, reflects a lot of the hard, bipartisan work—both sides of the aisle—that was put into the anti-spam bill. I do thank all of our colleagues who have worked so diligently on this legislation.

We started on this bill about 2 o'clock today and we had final passage 4½ hours later. I am very hopeful we can continue with this sort of efficient movement on the floor of the Senate for the remaining issues we have this year.

We do continue to work toward an agreement on a range of issues. They include Healthy Forests and the Internet tax moratorium, which is currently being worked on.

The CARE Act, as my colleagues can tell, continues to be a challenge, but I hold out the hope that we will be able to send that bill to conference. Senator RICK SANTORUM has done just a superb job in shepherding that bill through the Senate. The companion bill has passed the House of Representatives, and indeed it is time to address it in the conference.

We are also looking toward an agreement on fair credit reporting which does have strong bipartisan support in this body. There are very few objections. I hope we can take care of that in short order. We will continue to push very hard for that particular bill.

Also today, we addressed an issue on which we can't give up. We can't really accept as the final punctuation mark the outcome of the vote today where we had 59 Senators say it is time for us to solve the class action challenge before this body. We didn't have 60 Senators. We had 59—1 short. If we had just one other colleague come forward and say, yes, this is a problem for the American people, it is a problem for our economy, it is a problem for our families, we would have been able to proceed with class action reform.

I want to take a couple of minutes and comment, because I didn't have the

opportunity earlier today, on the importance of class action reform. I should preface that by saying that just yesterday I came to the floor to talk about my upbeat optimism for really the first time in the last several months with regard to our economy.

That is in part for having traveled around the country this past weekend and talked to a lot of people in various occupations and various jobs. You can just see and sense and you can feel that increased consumer optimism that is around the country.

Indeed, we had some very good economic numbers, some of which I mentioned yesterday. The Department of Commerce reported that consumption is strong in this third quarter. Consumption grew by an annualized rate of over 12 percent. Many economists say this third-quarter consumption may be the strongest in almost 4 years.

New housing starts are annualized to be about 1.9 million based on the results from last month. That is probably the highest in terms of housing starts in the last 17 years. Production from our factories increased 3.5 percent in this quarter. It had been negative the quarter before that. The Department of Labor also delivered the report that initial jobless claims are at their lowest levels since February and that in August the nonfarm sector employment rose by 57,000 jobs.

All of that I think is very encouraging news. As these economic indices continue to improve, with some lag time, that is translated into increased jobs. But that is not enough. We have a lot we can do and we should be doing on the floor of Senate. We need to have smart progrowth fiscal policies because we know that helps create jobs. It gives job security for those who are currently working.

I am optimistic that we are going to see this continued improvement in the economy, but equally importantly in job creation.

The sort of structural problems we need to address: Taking action on class action reform. Class action lawsuits are a problem. What makes it even more important for us to address now is it is a problem that is getting worse with time. A recent survey found that State court class action filings skyrocketed by 1,315 percent in just 10 years. The result of this glut of claims—many unnecessary, many frivolous claims—is that it clogs the State courts, it wastes taxpayer dollars, and it inhibits innovative in entrepreneurship that we all know is so crucial to job growth. All the purported victims ever get in this sordid process is a little coupon—a measly little coupon. I say that not just figuratively but literally.

A couple of examples:

In a suit against Blockbuster, plaintiffs' lawyers alleged that their clients were being fleeced by excessive late fees. They sued the video rental chain for restitution. The result was that each of their clients received a \$1 coupon offer for future rentals while the