

by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD-364 Dirksen Senate Office Building, Washington, DC 20510-6150.

For further information, please contact Tom Lillie at (202) 224-5161 or Pete Lucero at (202) 224-6293.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on Thursday, October 23, 2003, at 10:30 a.m., in executive session to discuss pending military nominations.

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 23, 2003, at 10 a.m. to conduct a hearing on Proposals for Improving the Regulation of the Housing GSEs.

The Committee will also vote on the nominations of the Hon. Roger W. Ferguson, Jr., of Massachusetts, to be Vice Chairman of the Board of Governors of the Federal Reserve System; the Hon. Ben. S. Bernanke, of New Jersey, to be a member of the Board of Governors of the Federal Reserve System; and the Hon. Paul S. Atkins, of Virginia, to be a member of the Securities and Exchange Commission.

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

##### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Thursday, October 23, 2003, on pending Committee business off the floor in the President's room, immediately after the first vote of the day.

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

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on Thursday, October 23 at 9:30 a.m. to consider S. 994, the Chemical Security Act of 2003, and S. 1757, the John F. Kennedy Center Act.

The business meeting will be held in SD 406.

The PRESIDING OFFICER. Without objection it is so ordered.

##### COMMITTEE ON FINANCE

Mr. SHELBY. Mr. President, I ask unanimous consent that the Com-

mittee on Finance be authorized to meet during the session on Thursday, October 23, 2003, at 2 p.m., to hear testimony on Company Owned Life Insurance.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, October 23, 2003, at 9:30 a.m., to hold a hearing on Post 9/11 Visa Policy.

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

##### COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet for a hearing on Federal and State Role in Pharmacy Compounding and Reconstitution: Exploring the Right Mix to Protect Patients during the session of the Senate on Thursday, October 23, 2003, at 10 a.m. in SD-430.

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

##### COMMITTEE ON THE JUDICIARY

Mr. SHELBY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, October 23, 2003, at 9:30 a.m. in Dirksen Room 226.

#### Agenda:

I. Nominations: Henry W. Saad to be United States Circuit Judge for the Sixth Circuit; Dora L. Irazarry to be United States District Judge for the Eastern District of New York; Dale S. Fischer to be United States District Judge for the Central District of California; Gary L. Sharpe to be United States District Judge for the Northern District of New York; and William K. Sessions III to be a Member of the U.S. Sentencing Commission.

II. Bills: S. 1545, Development, Relief, and Education for Alien Minors Act of 2003 (the DREAM Act) [Hatch, Durbin, Craig, DeWine, Feingold, Feinstein, Grassley, Kennedy, Leahy, Schumer]; S. 1720, A bill to provide for Federal court proceedings in Plano, Texas [Cornyn]; S. 1743, Private Security Officer Employment Authorization Act of 2003 [Levin, Schumer]; S. 1194, Mentally Ill Offender Treatment and Crime Reduction Act of 2003 [DeWine, Durbin, Grassley, Hatch, Leahy]; S. Res. 239, Designating November 7, 2003, as "National Native American Veterans Day" to honor the service of Native Americans in the United States Armed Forces and the contribution of Native Americans to the defense of the United States [Campbell]; and S. Res. 240, A resolution designating November 2003 as "National American Indian Heritage Month" [Campbell, Hatch].

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. SHELBY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Thursday, October 23, 2003, at 2:30 p.m. to hold a closed hearing.

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

##### SUBCOMMITTEE ON SURFACE TRANSPORTATION AND MERCHANT MARINE

Mr. SHELBY. Mr. President, I ask unanimous consent that the Subcommittee on Surface Transportation and Merchant Marine be authorized to meet on Thursday, October 23, 2003, at 2:30 p.m. Railroad Shipper Issues and S. 919, Railroad Competition Act of 2003.

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

#### PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that privilege of the floor be granted to Peter Winokur, a fellow on my staff, during consideration of this Transportation appropriations bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

#### CAN-SPAM ACT OF 2003

On Wednesday, October 22, 2003, the Senate passed S. 877, as follows:

S. 877

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I—CONTROLLING THE ASSAULT OF NON-SOLICITED PORNOGRAPHY AND MARKETING ACT OF 2003

##### SEC. 101. SHORT TITLE.

This title may be cited as the "Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003", or the "CAN-SPAM Act of 2003".

##### SEC. 102. CONGRESSIONAL FINDINGS AND POLICY.

(a) FINDINGS.—The Congress finds the following:

(1) Electronic mail has become an extremely important and popular means of communication, relied on by millions of Americans on a daily basis for personal and commercial purposes. Its low cost and global reach make it extremely convenient and efficient, and offer unique opportunities for the development and growth of frictionless commerce.

(2) The convenience and efficiency of electronic mail are threatened by the extremely rapid growth in the volume of unsolicited commercial electronic mail. Unsolicited commercial electronic mail is currently estimated to account for over 45 percent of all electronic mail traffic, up from an estimated 7 percent in 2001, and the volume continues to rise. Most of these unsolicited commercial electronic mail messages are fraudulent or deceptive in one or more respects.

(3) The receipt of unsolicited commercial electronic mail may result in costs to recipients who cannot refuse to accept such mail and who incur costs for the storage of such mail, or for the time spent accessing, reviewing, and discarding such mail, or for both.

(4) The receipt of a large number of unsolicited messages also decreases the convenience of electronic mail and creates a risk