S 1231

SPAM Act

Congress: 108 (2003–2005, Ended)
Chamber: Senate
Policy Area: Science, Technology, Communications
Introduced: Jun 11, 2003
Current Status: Read twice and referred to the Committee on Commerce, Science, and Transportation.
Latest Action: Read twice and referred to the Committee on Commerce, Science, and Transportation. (Jun 11, 2003)
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Sponsor

Name: Sen. Schumer, Charles E. [D-NY]
Party: Democratic • **State:** NY • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Graham, Lindsey [R-SC]	R · SC		Jun 12, 2003
Sen. Feingold, Russell D. [D-WI]	D · WI		Oct 3, 2003

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Referred To	Jun 11, 2003

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

No related bills are listed.

Summary (as of Jun 11, 2003)

Stop Pornography and Abusive Marketing Act or SPAM Act - Directs the Federal Trade Commission (FTC) to establish a registry in which persons not wishing to receive unsolicited commercial electronic (UCE) mail may register their (or their child's) electronic mail (email) address. Makes it unlawful for a person to initiate UCE mail to a registered email address. Provides for enforcement by the FTC, with civil penalties of $5,000 for each violation.

Makes it unlawful for any person to initiate the transmission of any UCE mail to a protected computer (a computer used by or for a financial institution or the U.S. Government) unless the message provides clear and conspicuous identification that it is an advertisement or solicitation by including "ADV" as the first characters in the subject line. Outlines procedures under which the FTC may approve a self-regulatory organization that requires program participants to adhere to such requirements.

Makes it unlawful for a person to: (1) initiate the transmission of commercial email or UCE mail in violation of Internet service provider policies with respect to email, account registration and use, or other terms of service; and (2) send to a protected computer a message that contains false, misleading, or deceptive information in the subject line, header, or router information or in the body of the message.

Requires all commercial email and UCE mail to contain: (1) a functioning return email address that a recipient may use to request not to receive any such mail in the future; and (2) clear and conspicuous notice of the opportunity to decline to receive further mail from the sender.

Prohibits the transmission of commercial email and UCE mail: (1) to addresses obtained through illegal harvesting or automated means; and (2) without identifying the valid physical address of the sender.

Provides for enforcement of this Act by: (1) the FTC; (2) certain other Federal agencies; (3) the attorney general of a State; (4) an Internet service provider; or (5) an individual consumer.

Actions Timeline

- **Jun 11, 2003:** Introduced in Senate
- **Jun 11, 2003:** Read twice and referred to the Committee on Commerce, Science, and Transportation.