

S 1293

Criminal Spam Act of 2003

**Congress:** 108 (2003–2005, Ended)

**Chamber:** Senate

**Policy Area:** Science, Technology, Communications

**Introduced:** Jun 19, 2003

**Current Status:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-170.

**Latest Action:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-170. (Oct 22, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/senate-bill/1293>

Sponsor

**Name:** Sen. Hatch, Orrin G. [R-UT]

**Party:** Republican • **State:** UT • **Chamber:** Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. DeWine, Mike [R-OH]	R · OH		Jun 19, 2003
Sen. Edwards, John [D-NC]	D · NC		Jun 19, 2003
Sen. Feinstein, Dianne [D-CA]	D · CA		Jun 19, 2003
Sen. Grassley, Chuck [R-IA]	R · IA		Jun 19, 2003
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jun 19, 2003
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 19, 2003
Sen. Burns, Conrad R. [R-MT]	R · MT		Jun 24, 2003
Sen. Pryor, Mark L. [D-AR]	D · AR		Jun 24, 2003
Sen. Wyden, Ron [D-OR]	D · OR		Jun 24, 2003
Sen. Miller, Zell [D-GA]	D · GA		Jun 25, 2003
Sen. Nelson, Bill [D-FL]	D · FL		Jun 26, 2003

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Reported By	Sep 25, 2003

Subjects & Policy Tags

**Policy Area:**

Science, Technology, Communications

Related Bills

No related bills are listed.

Criminal Spam Act of 2003 - (Sec. 2) Amends the Federal criminal code to prohibit knowingly, in or affecting interstate or foreign commerce: (1) accessing a protected computer without authorization and intentionally initiating the transmission of multiple commercial electronic mail (e-mail) messages (spam) from or through such computer; (2) using a protected computer to relay or retransmit spam with the intent to deceive or mislead recipients or any Internet access service as to the origin of such messages; (3) falsifying header information in and intentionally initiating the transmission of spam; (4) registering for five or more e-mail or online user accounts or two or more domain names using information that falsifies the identity of the actual registrant and intentionally initiating the transmission of spam from any combination of such accounts or domain names; or (5) falsely representing the right to use five or more Internet protocol addresses and intentionally initiating the transmission of spam from such addresses. Prohibits conspiring to do so.

Sets criminal and civil penalties for violations, including forfeiture to the United States of a violator's: (1) real or personal property constituting or traceable to gross profits or other proceeds obtained from such offense; and (2) equipment, software, or other technology used or intended to be used to commit or to facilitate the commission of the offense.

Directs the United States Sentencing Commission to review and amend the sentencing guidelines and policy statements and consider providing sentencing enhancements for violations of this Act for convicted persons who: (1) obtained e-mail addresses through improper means, including by harvesting e-mail addresses of the users of a website, proprietary service, or other online public forum operated by another person, without that person's authorization or by randomly generating e-mail addresses by computer; or (2) knew that the commercial e-mail messages involved in the offense contained or advertised an Internet domain for which the registrant of the domain had provided false registration information.

(Sec. 3) Requires the Departments of Justice and State to report on efforts to achieve international cooperation in investigating and prosecuting spammers who engage in conduct that violates this Act. Calls for such Departments to work through international fora for such cooperation.

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### **Actions Timeline**

- **Oct 22, 2003:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-170.
- **Oct 22, 2003:** By Senator Hatch from Committee on the Judiciary filed written report. Report No. 108-170.
- **Sep 25, 2003:** Committee on the Judiciary. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Sep 25, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. Without written report.
- **Sep 25, 2003:** Committee on the Judiciary. Reported by Senator Hatch with an amendment in the nature of a substitute. Without written report.
- **Sep 25, 2003:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 288.
- **Jun 19, 2003:** Introduced in Senate
- **Jun 19, 2003:** Sponsor introductory remarks on measure. (CR S8238-8239)
- **Jun 19, 2003:** Read twice and referred to the Committee on the Judiciary.