

S 2145

SPY BLOCK Act

Congress: 108 (2003–2005, Ended)

Chamber: Senate

Policy Area: Science, Technology, Communications

Introduced: Feb 27, 2004

Current Status: By Senator McCain from Committee on Commerce, Science, and Transportation filed written report. Repo

Latest Action: By Senator McCain from Committee on Commerce, Science, and Transportation filed written report. Report No. 108-424. (Dec 7, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/senate-bill/2145>

Sponsor

Name: Sen. Burns, Conrad R. [R-MT]

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

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Feb 27, 2004
Sen. Wyden, Ron [D-OR]	D · OR		Feb 27, 2004
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Mar 1, 2004

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (subcommittee)	Mar 23, 2004

Subjects & Policy Tags

Policy Area:

Science, Technology, Communications

Related Bills

Bill	Relationship	Last Action
108 S 2131	Related bill	Feb 26, 2004: Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S1685-1688)

Software Principles Yielding Better Levels of Consumer Knowledge Act or SPY BLOCK Act - (Sec. 2) Makes it unlawful for a person who is not an authorized user of a protected computer (any computer used in interstate or foreign commerce or communication) (unauthorized person) to cause the installation on that computer of software designed to: (1) conceal from the authorized user (user) the fact that such software is being installed; or (2) prevent the user from granting or withholding consent to the installation. Provides exceptions. Makes it unlawful to provide to an authorized user materially false or misleading inducements to install such software. Prohibits the installation of software designed to prevent reasonable efforts to uninstall or disable such software after it has been installed, with an exception with respect to software designed for one authorized user, such as a parent or system administrator.

(Sec. 3) Makes it unlawful for an unauthorized person to install on a protected computer software that collects information about the user's Internet browsing or other computer use and then transmits such information to another person if: (1) the information collected is not related to or in support of a normal software capability or function; and (2) there has been no reasonable notification to the authorized user of the such installation.

(Sec. 4) Makes it unlawful for an unauthorized person to install on a protected computer software that causes advertisements to be displayed to the user: (1) at a time when the user is not accessing a website or online service operated by the publisher of that software; and (2) in a manner in which the user would not understand that the software is responsible for delivering the advertisements.

(Sec. 5) Makes it unlawful for an unauthorized person to: (1) utilize the computer to send unsolicited information to other computers; (2) divert a user's Internet browser away from its intended site to one or more other websites; (3) display an advertisement or other content in such a manner that the user cannot end such display without turning off the computer or terminating all Internet sessions; or (4) covertly modify settings relating to the use of the computer or the computer's access to the Internet.

(Sec. 6) Provides exceptions from liability under this Act with respect to providers of: (1) passive transmission, hosting, or linking; and (2) network security.

(Sec. 7) Provides for administration and enforcement through the Federal Communications Commission (FCC).

(Sec. 8) Authorizes civil enforcement actions by States, with authorized FCC intervention.

(Sec. 10) Amends the Federal criminal code to provide criminal penalties for accessing a protected computer to cause a computer program or code to be copied onto such computer, and then using such program or code to impair the security protection of such computer or in furtherance of another criminal offense. Provides exceptions.

Actions Timeline

- **Dec 7, 2004:** By Senator McCain from Committee on Commerce, Science, and Transportation filed written report. Report No. 108-424.
- **Dec 7, 2004:** By Senator McCain from Committee on Commerce, Science, and Transportation filed written report. Report No. 108-424.
- **Nov 19, 2004:** Committee on Commerce, Science, and Transportation. Reported by Senator McCain with an amendment in the nature of a substitute. Without written report.
- **Nov 19, 2004:** Committee on Commerce, Science, and Transportation. Reported by Senator McCain with an amendment in the nature of a substitute. Without written report.
- **Nov 19, 2004:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 811.
- **Sep 22, 2004:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Mar 23, 2004:** Committee on Commerce, Science, and Transportation Subcommittee on Communications. Hearings held. With printed Hearing: S.Hrg. 108-1002.
- **Feb 27, 2004:** Introduced in Senate
- **Feb 27, 2004:** Read twice and referred to the Committee on Commerce, Science, and Transportation. (text of measure as introduced: CR S1893-1895)