

S. 1051

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

SEC. 1. SHORT TITLE.

This Act may be cited as the 'Salt Cedar Control Demonstration Act'.

SEC. 2. DEMONSTRATION PROGRAM.

(a) **ASSESSMENT.**—Not later than 1 year after the date when funds are made available to carry out this section, the Secretary of the Interior ("Secretary") shall complete an assessment of the extent of Salt Cedar and Russian Olive invasion in the Western United States, past and on-going research on tested and innovative methods to control these phreatophytes, the feasibility of reducing water consumption, methods and challenges in land restoration, estimated costs for all aspects of destruction, biomass removal, land restoration and maintenance, and shall identify long-term management and funding strategies that could be implemented by federal, state and private land managers.

(b) **DEMONSTRATION.**—The Secretary will initiate a program of not fewer than 3 projects to demonstrate and evaluate the most effective control methods including at least one project primarily using air-born application of herbicides, at least one project using mechanical removal and at least one project using biocontrol such as goats or insects or any combination thereof. Each demonstration project shall be designed and carried out over time frames and spatial scales large enough to—

(1) monitor and fully document the water saved due to control of Salt Cedar and Russian Olive infestation and what portions of the saved water returns to surface water supplies and at what rates;

(2) assess the optimum application approach and tools for an array of control methods,

(3) assess all costs and benefits associated with the control methods, land restoration and maintenance,

(4) determine what conditions indicate the need to remove biomass and the optimal methods for disposal or use of biomass;

(5) define appropriate final vegetative states, optimal re-vegetation methods, and methods to prevent regrowth and reintroduction of the invasive species.

(c) **COSTS.**—The total cost of each project may not exceed 7,000,000 dollars including costs of planning, design, implementation, maintenance and monitoring. The Federal share of the costs of any activity funded under this program shall be no more than 65 percent of the total cost. The Secretary may apply the value of in-kind contributions including State Agency provided services to the non-Federal share of the costs.

(d) **COOPERATION.**—The Secretary shall use the expertise of institutions of higher education, state agencies, and soil and water conservation districts that are actively conducting research on or implementing Salt Cedar and Russian Olive control activities and shall cooperate with other federal agencies including the Department of Agriculture, Corp of Engineers, affected states, local units of government, and Indian Tribes.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the provisions of this Act \$50,000,000 for fiscal year 2004, and such sums as are necessary for each fiscal year thereafter.

By Mr. NELSON of Florida:

S. 1052. A bill to ensure that recipients of unsolicited bulk commercial electronic mail can identify the sender

of such electronic mail, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, unwanted e-mail has become a problem of such gargantuan proportions that today's consumers find it difficult to engage in the normal commerce of e-mail because their e-mail screen is so cluttered with so many unwanted messages.

Commercially, clearly there is a desirable reason to have commercial messages, but a consumer ought to be able to opt out if that consumer does not want to continue to get those commercial messages. A consumer, particularly, should not have to endure the affront of messages that are clearly inappropriate, including pornographic messages.

It is unbelievable. Yesterday, I was in my Tampa office, and in just one day, in the Tampa office, a U.S. Senate office, we had an e-mail sheet filled with unwanted messages, including pornographic messages. You can imagine if it is happening to a U.S. Senator's e-mail account what is happening across the land.

So today I am introducing legislation that will give the consumer the opportunity to opt out, that will create penalties, both in jail time and fines, for deceptive and untruthful messages, as well as messages that do not have a return address where somebody is masking their identity.

And, Mr. President, we are going to put some teeth in this legislation because we are going to make the infraction of this particular onerous activity of unwanted e-mail an element of the Racketeer Influenced and Corrupt Organizations Act, the RICO Act, which will give prosecutors the tools to go after the criminal enterprise and take the assets of that criminal enterprise that has become such a plague upon the consumers of this Nation who want and desire and, in fact, use a new kind of communication, e-mail.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1052

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Ban on Deceptive Unsolicited Bulk Electronic Mail Act of 2003".

SEC. 2. DECEPTIVE UNSOLICITED ELECTRONIC MAIL.

(a) **VIOLATIONS.**—It shall be unlawful for any person to knowingly and intentionally use a computer or computer network to—

(1) falsify or forge electronic mail transmission information or other source, destination, routing, or subject heading information in any manner in connection with the transmission of unsolicited bulk commercial electronic mail through, or into, the computer network of an electronic mail service provider or its subscribers;

(2) transmit an electronic mail message to a recipient who requests not to receive unsolicited bulk commercial electronic mail; or

(3) collect electronic mail addresses from public and private spaces for the purpose of transmitting unsolicited bulk commercial electronic mail.

(b) **PENALTY.**—Any violation of subsection (a) shall be—

(1) considered a predicate offense for the purposes of applying the Racketeering Influenced and Corrupt Organization Act (RICO) (18 U.S.C. 1961 et seq.);

(2) constitute an unfair or deceptive act or practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)); and

(3) punishable by—

(A) a civil penalty; and

(B) a fine in accordance with title 18, United States Code, or imprisonment for not more than 5 years, or both.

(c) **OPPORTUNITY TO OPTION OUT OF RECEIVING UNSOLICITED MAIL.**—Any person sending unsolicited bulk commercial electronic mail shall provide recipients of such electronic mail a clear and conspicuous opportunity to request not to receive future unsolicited electronic mail.

(d) **DEFINITIONS.**—In this section:

(1) **ELECTRONIC MAIL MESSAGE.**—The term "electronic mail message" means a message sent to an electronic mail address.

(2) **ELECTRONIC MAIL ADDRESS.**—The term "electronic mail address" means a destination, commonly expressed as a string of characters, consisting of a unique user name or mailbox (commonly referred to as the "local part") and a reference to an Internet domain (commonly referred to as the "domain part") to which an electronic mail message can be sent or delivered.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 142—RELATIVE TO THE DEATH OF RUSSELL B. LONG, FORMER UNITED STATES SENATOR FOR THE STATE OF LOUISIANA

Mr. FRIST (for himself, Mr. BREAU, Ms. LANDRIEU, and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 142

Whereas Russell B. Long served in the United States Navy from 1942 to 1945;

Whereas Russell B. Long succeeded both his parents as members of the United States Senate;

Whereas Russell B. Long served the people of Louisiana with distinction for 38 years in the United States Senate;

Whereas Russell B. Long served as Chairman of the Committee on Finance of the United States Senate from 1965 to 1981; and

Whereas Russell B. Long was a tireless and effective champion for the poor, the disabled, and the elderly; Now, therefore be it

Resolved, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Russell B. Long, former member of the United States Senate.

Resolved, That the Secretary of the Senate communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That when the Senate adjourns today, it stand adjourned as a further mark of respect to the memory of the Honorable Russell B. Long.