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(Original Signature of Member)

109TH CONGRESS
2D SESSION

H. R. _____

To amend title 18, United States Code, to protect youth from exploitation
by adults using the Internet, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SENSENBRENNER (for himself and [see attached list of cosponsors]) intro-
duced the following bill; which was referred to the Committee on

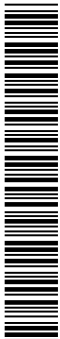
A BILL

To amend title 18, United States Code, to protect youth
from exploitation by adults using the Internet, and for
other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Internet SAFETY
5 (Stopping Adults Facilitating the Exploitation of Today’s
6 Youth) Act of 2006”.



1 **SEC. 2. FINANCIAL FACILITATION OF ACCESS TO CHILD**
2 **PORNOGRAPHY.**

3 (a) OFFENSE.—Chapter 95 of title 18, United States
4 Code, is amended by adding at the end the following:

5 **“§ 1960A. Financial facilitation of access to child por-**
6 **nography**

7 “Whoever, being a financial institution (as defined in
8 section 1956(c)) knowingly conducts, or attempts or con-
9 spires to conduct, a financial transaction (as defined in
10 section 1956(c)) in or affecting interstate or foreign com-
11 merce, knowing or having reason to believe that such
12 transaction will facilitate access to, or the possession of,
13 child pornography (as defined in section 2256) shall be
14 fined under this title or imprisoned not more than 10
15 years, or both.”.

16 (b) CLERICAL AMENDMENT.—The table of sections
17 at the beginning of chapter 95 of title 18, United States
18 Code, is amended by adding at the end the following new
19 item:

“1960A. Financial facilitation of access to child pornography.”.

20 **SEC. 3. CHILD PORNOGRAPHY ENTERPRISES.**

21 Section 2252A of title 18, United States Code, is
22 amended by adding at the end the following:

23 “(g) CHILD PORNOGRAPHY ENTERPRISES.—

24 “(1) Whoever engages in a child pornography
25 enterprise shall be fined under this title and impris-



1 oned for any term of years not less than 10 or for
2 life.

3 “(2) A person engages in a child pornography
4 enterprise for the purposes of this section if the per-
5 son violates any provision of chapter 71 or 110 as
6 a part of a series of felony violations constituting
7 two or more separate incidents and commits those
8 offenses in concert with three or more other per-
9 sons.”.

10 **SEC. 4. INCREASED PENALTIES FOR REGISTERED SEX OF-**
11 **FENDERS.**

12 (a) OFFENSE.—Chapter 110 of title 18, United
13 States Code, is amended by adding at the end the fol-
14 lowing:

15 **“§ 2260A. Increased penalties for registered sex of-**
16 **fenders**

17 “Whoever, being required by Federal or other law to
18 register as a sex offender, commits an felony offense in-
19 volving a child under another provision of this chapter or
20 a provision of chapter 71 shall be fined under this title
21 and imprisoned 10 years in addition to the imprisonment
22 imposed for the offense under that provision. The sentence
23 imposed under this section shall be consecutive to any sen-
24 tence imposed for the offense under that provision.”.



1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 110 of title 18, United States
3 Code, is amended by adding at the end the following new
4 item:

“2260A. Increased penalties for registered sex offenders.”.

5 **SEC. 5. INTERNET FACILITATION OF CHILD PORNOGRAPHY**
6 **AND EXPLOITATION OF CHILDREN.**

7 (a) OFFENSE.—Chapter 95 of title 18, United States
8 Code, is amended by adding at the end the following:

9 **“§ 1960B. Internet facilitation of child pornography**
10 **and exploitation of children**

11 “(a) OFFENSE.—Whoever, being an Internet content
12 hosting provider or email service provider, knowingly en-
13 gages in any conduct the provider knows or has reason
14 to believe facilitates access to, or the possession of, child
15 pornography (as defined in section 2256) shall be fined
16 under this title or imprisoned not more than 10 years, or
17 both.

18 “(b) DEFINITIONS.—As used in this section—

19 “(1) the term ‘Internet content hosting pro-
20 vider’ means a service that—

21 “(A) stores, through electromagnetic or
22 other means, electronic data, including the con-
23 tent of web pages, electronic mail, documents,
24 images, audio and video files, online discussion
25 boards, and weblogs; and



1 “(B)) makes such data available via the
2 Internet

3 “(2) the term ‘email service provider’ means a
4 person that—

5 “(A) provides a service, using the Internet,
6 for the transmission, receipt, storage, and re-
7 trieval, by registered users, of electronic mail
8 messages; and

9 “(B) receives the content of, and recipient
10 list for, electronic mail messages that it trans-
11 mits, receives, or stores for the person or entity
12 procuring such services. ”.

13 (b) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 95 of title 18, United States
15 Code, is amended by adding at the end the following new
16 item:

 “1960B. Internet facilitation of child pornography and exploitation of children”.

17 **SEC. 6. RICO PREDICATES.**

18 Section 1961(1) is amended—

19 (1) by inserting “1466A (relating to obscene
20 visual representation of the abuse of children),”
21 after “sections 1461–1465(relating to obscene mat-
22 ter),”; and

23 (2) by inserting “2252A (relating to child por-
24 nography),” before “sections 2312”.



1 **SEC. 7. MONEY LAUNDERING PREDICATE.**

2 Section 1956(c)(7)(D) of title 18, United States
3 Code, is amended by inserting “section 1037 (relating to
4 fraud and related activity in connection with electronic
5 mail),” before “section 1111”.

6 **SEC. 8. MASHA’S LAW.**

7 Subsection (a) of section 2255 of title 18, United
8 States Code, is amended to read as follows:

9 “(a) Any person aggrieved by a violation of section
10 2241(c), 2242, 2251, 2251A, 2252, 2252A, 2260, 2421,
11 2422, or 2423 may in a civil action obtain appropriate
12 relief.”

13 **SEC. 9. INCREASED PENALTIES FOR CERTAIN OFFENSES.**

14 Sections 2252(b)(1) and 2252A(b)(1) of title 18,
15 United States Code, are each amended—

16 (1) by striking “5 years” and inserting “10
17 years”; and

18 (2) by striking “20 years” and inserting “30
19 years”.

20 **SEC. 10. RECORD RETENTION REQUIREMENTS FOR INTER-**
21 **NET SERVICE PROVIDERS.**

22 (a) REGULATIONS.—Not later than 90 days after the
23 date of the enactment of this section, the Attorney General
24 shall issue regulations governing the retention of records
25 by Internet Service Providers. Such regulations shall, at
26 a minimum, require retention of records, such as the name



1 and address of the subscriber or registered user to whom
2 an Internet Protocol address, user identification or tele-
3 phone number was assigned, in order to permit law en-
4 forcement to obtain information necessary to conduct
5 criminal investigations involving the Internet.

6 (b) FAILURE TO COMPLY.—Whoever knowingly fails
7 to retain any record required under this section shall be
8 fined under title 18, United States Code, and imprisoned
9 for not more than one year, or both

10 **SEC. 11. OFFICE ON SEXUAL VIOLENCE AND CRIMES**
11 **AGAINST CHILDREN.**

12 (a) ESTABLISHMENT.—There is established within
13 the Department of Justice, under the general authority
14 of the Attorney General, an Office on Sexual Violence and
15 Crimes against Children (hereinafter in this subtitle re-
16 ferred to as the “Office”).

17 (b) DIRECTOR.—The Attorney General shall a ap-
18 point a Director. The Director shall be the head of the
19 Office. The Director shall report directly to the Attorney
20 General.

21 (c) DUTIES OF OFFICE.—The Office shall—

22 (1) administer the sex offender registration and
23 notification program under this title.

24 (2) administer grant programs authorized by
25 this title.



1 (3) provide technical assistance, coordination,
2 and support to—

3 (A) other components of the Department
4 of Justice, in efforts to develop policy and to
5 enforce Federal laws relating to sexual assaults
6 against children, including the litigation of civil
7 and criminal actions relating to enforcing such
8 laws; and

9 (B) other public and private entities, in ef-
10 ferts to develop policy, provide technical assist-
11 ance, and improve coordination among entities
12 seeking to further the purposes of this title.

13 **SEC. 12. ADDITIONAL PROSECUTORS FOR OFFENSES RE-**
14 **LATING TO THE SEXUAL EXPLOITATION OF**
15 **CHILDREN.**

16 (a) **ADDITIONAL PROSECUTORS.**—In fiscal year
17 2007, the Attorney General shall, subject to the avail-
18 ability of appropriations for such purpose, increase by not
19 less than 2 the number of attorneys in each United States
20 Attorneys' Office to prosecute offenses relating to the sex-
21 ual exploitation of children.

22 (b) **DEFINITION.**—For purposes of this section, the
23 term “offenses relating to the sexual exploitation of chil-
24 dren” shall include any offense committed in violation
25 of—



1 (1) chapter 71 of title 18, United States Code,
2 involving an obscene visual depiction of a minor, or
3 transfer of obscene materials to a minor;

4 (2) chapter 109A of title 18, United States
5 Code, involving a sexual act or sexual contact with
6 a minor, or sexual abuse of a minor; and

7 (3) chapter 110 of title 18, United States Code.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—There
9 are authorized to be appropriated to the Department of
10 Justice for fiscal year 2007 such sums as may be nec-
11 essary to carry out this section.

12 **SEC. 13. ADDITIONAL ICAC TASK FORCES.**

13 (a) ADDITIONAL TASK FORCES.—In fiscal year 2007,
14 the Administrator of the Office of Juvenile Justice and
15 Delinquency Prevention shall, subject to the availability of
16 appropriations for such purpose, increase by not less than
17 20 the number of Internet Crimes Against Children Task
18 Forces that are part of the Internet Crimes Against Chil-
19 dren Task Force Program authorized and funded under
20 title IV of the Juvenile Justice and Delinquency Preven-
21 tion Act of 1974 (42 U.S.C. 5771 et seq.).

22 (b) AUTHORIZATION OF APPROPRIATIONS.—There
23 are authorized to be appropriated to the Administrator of
24 the Office of Juvenile Justice and Delinquency Prevention



1 for fiscal year 2007 such sums as may be necessary to
2 carry out this section.

3 **SEC. 14. GRANTS FOR CHILD SEXUAL ABUSE PREVENTION**
4 **PROGRAMS.**

5 (a) IN GENERAL.—The Attorney General shall, sub-
6 ject to the availability of appropriations, make grants to
7 States, units of local government, Indian tribes, and non-
8 profit organizations for purposes of establishing and main-
9 taining programs with respect to the prevention of sexual
10 offenses committed against minors.

11 (b) DEFINITION OF STATE.—For purposes of this
12 section, the term “State” means any State of the United
13 States, the District of Columbia, the Commonwealth of
14 Puerto Rico, the Virgin Islands, American Samoa, Guam,
15 and the Northern Mariana Islands.

16 (c) AUTHORIZATION OF APPROPRIATIONS.—There
17 are authorized to be appropriated to carry out this section
18 \$10,000,000 for each of the fiscal years 2007 through
19 2011.

