

112TH CONGRESS
1ST SESSION

S. 1923

To prevent Internet stalking and domestic violence.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 29, 2011

Mr. BLUMENTHAL introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To prevent Internet stalking and domestic violence.

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 Abuse, Stalk-
5 ing, and Domestic Violence Prevention Act of 2011”.

6 **SEC. 2. ANONYMOUS ONLINE HARASSMENT.**

7 Section 223(a)(1) of the Telecommunications Act of
8 1934 (47 U.S.C. 223(a)(1)) is amended—

9 (1) in subparagraph (A), in the undesignated
10 matter following clause (ii), by striking “annoy,”;

11 (2) in subparagraph (C)—

12 (A) by striking “annoy,”; and

1 (B) by striking “harass any person at the
 2 called number or who receives the communica-
 3 tion” and inserting “harass any specific per-
 4 son”; and

5 (3) in subparagraph (E), by striking “harass
 6 any person at the called number or who receives the
 7 communication” and inserting “harass any specific
 8 person”.

9 **SEC. 3. FACILITATION OF STALKING AND DOMESTIC VIO-**
 10 **LENCE BY IMPERSONATION OR OTHER**
 11 **MEANS.**

12 (a) IN GENERAL.—Chapter 110A of title 18, United
 13 States Code, is amended by inserting after section 2265A
 14 the following:

15 **“§ 2265B. Electronic disclosure of personal informa-**
 16 **tion intended to facilitate interstate do-**
 17 **mestic violence or stalking**

18 “(a) DEFINITIONS.—In this section—

19 “(1) the term ‘domestic assault’ has the mean-
 20 ing given that term in section 117;

21 “(2) the term ‘interactive computer service’ has
 22 the meaning given that term in section 230(f) of the
 23 Telecommunications Act of 1934 (47 U.S.C. 230(f));
 24 and

1 “(3) the term ‘telecommunications device’ has
2 the meaning given that term in section 223(h) of the
3 Telecommunications Act of 1934 (47 U.S.C.
4 223(h)).

5 “(b) OFFENSE.—It shall be unlawful for any person
6 to use the mail, any interactive computer service, tele-
7 communications device, electronic communication service
8 or electronic communication system of interstate com-
9 merce, or any other facility of interstate or foreign com-
10 merce to knowingly and intentionally publish or otherwise
11 disclose information, including the name, address, tele-
12 phone number, picture or other personally identifiable in-
13 formation of another individual with the intent, by such
14 publication or disclosure, to facilitate—

15 “(1) a violation of section 2241, 2242, 2243,
16 2244, 2245, 2251, 2251A, 2252, 2252A, 2260,
17 2261, 2261A, or 2262; or

18 “(2) any conduct that would qualify as a do-
19 mestic assault if the conduct were directly com-
20 mitted by such person, if such person has a final
21 conviction on not less than 2 separate prior occa-
22 sions in Federal, State, or Indian tribal court pro-
23 ceedings for offenses that would be, if subject to
24 Federal jurisdiction—

1 “(A) an assault, sexual abuse, or a serious
2 violent felony against a spouse or intimate part-
3 ner; or

4 “(B) an offense under chapter 110A.

5 “(c) PENALTY.—Any person who commits a viola-
6 tion—

7 “(1) under subsection (b)(1) shall be impris-
8 oned for not more than the maximum term of im-
9 prisonment or fined not more than the maximum
10 fine prescribed for the punishment of the specific
11 crime facilitated; and

12 “(2) under subsection (b)(2) shall be fined not
13 more than the maximum fine prescribed for a viola-
14 tion of section 117, imprisoned not more than the
15 maximum term of imprisonment prescribed for sec-
16 tion 117, or both.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 The table of sections for chapter 110A of title 18, United
19 States Code, is amended by inserting after the item relat-
20 ing to section 2265 the following:

“2265A. Repeat offenders.

“2265B. Electronic disclosure of personal information intended to facilitate
interstate domestic violence or stalking.”.

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