

110TH CONGRESS
1ST SESSION

H. R. 4120

To amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2007

Mrs. BOYDA of Kansas (for herself and Mrs. BIGGERT) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for more effective prosecution of cases involving child pornography, 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 “Effective Child Por-
5 nography Prosecution Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Child pornography is estimated to be a
9 multibillion dollar industry of global proportions, fa-
10 cilitated by the growth of the Internet.

1 (2) Recent data has shown that 83 percent of
2 child pornography possessors had images of children
3 younger than 12 years old, 39 percent had images
4 of children younger than 6 years old, and 19 percent
5 had images of children younger than 3 years old.

6 (3) Child pornography is a permanent record of
7 a child's abuse and the distribution of child pornog-
8 raphy images revictimizes the child each time the
9 image is viewed.

10 (4) Child pornography is readily available
11 through virtually every Internet technology, includ-
12 ing Web sites, email, instant messaging, Internet
13 Relay Chat, newsgroups, bulletin boards, and peer-
14 to-peer.

15 (5) The technological ease, lack of expense, and
16 anonymity in obtaining and distributing child por-
17 nography over the Internet has resulted in an explo-
18 sion in the multijurisdictional distribution of child
19 pornography.

20 (6) The Internet is well recognized as a method
21 of distributing goods and services across State lines.

22 (7) The transmission of child pornography
23 using the Internet constitutes transportation in
24 interstate commerce.

1 **SEC. 3. EFFECTIVE CHILD PORNOGRAPHY PROSECUTION.**

2 (a) SECTION 2252.—Section 2252 of title 18, United
3 States Code, is amended—

4 (1) in subsection (a)(1), by inserting “or affect-
5 ing” after “ships in”;

6 (2) in subsection (a)(2), by striking “know-
7 ingly” and all that follows through “mails” and in-
8 serting “knowingly receives, distributes, or repro-
9 duces for distribution, in or affecting interstate or
10 foreign commerce, any visual depiction”;

11 (3) in subsection (a)(3)(B), by inserting “or af-
12 fecting” before “interstate”; and

13 (4) in subsection (a)(4)(B)—

14 (A) by inserting “in or affecting interstate
15 or foreign commerce” after “possesses”; and

16 (B) by striking “that has been” and all
17 that follows through “by computer”.

18 (b) SECTION 2252A.—Section 2252A of title 18,
19 United States Code, is amended—

20 (1) in paragraphs (1) through (4) and (6) of
21 subsection (a), by inserting “or affecting” before
22 “interstate or foreign commerce” each place it ap-
23 pears; and

24 (2) in subsection (a)(5)(b)—

25 (A) by inserting “in or affecting interstate
26 or foreign commerce” after “possesses”; and

1 (B) by striking “that has been” and all
2 that follows through “by computer” the second
3 place it appears.

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