H. R. 6123

To amend title 18, United States Code, with respect to cyberbullying.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2008

Ms. LINDA T. SÁNCHEZ of California (for herself and Mr. HULSHOF) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, with respect to cyberbullying.

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 “Megan Meier Cyberbullying Prevention Act”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) Four out of five of United States children aged 2 to 17 live in a home where either they or their parents access the Internet.
(2) Youth who create Internet content and use social networking sites are more likely to be targets of cyberbullying.

(3) Electronic communications provide anonymity to the perpetrator and the potential for widespread public distribution, potentially making them severely dangerous and cruel to youth.

(4) Online victimizations are associated with emotional distress and other psychological problems, including depression.

(5) Cyberbullying can cause psychological harm, including depression; negatively impact academic performance, safety, and the well-being of children in school; force children to change schools; and in some cases lead to extreme violent behavior, including murder and suicide.

(6) Sixty percent of mental health professionals who responded to the Survey of Internet Mental Health Issues report having treated at least one patient with a problematic Internet experience in the previous five years; 54 percent of these clients were 18 years of age or younger.
SEC. 3. CYBERBULLYING.

(a) IN GENERAL.—Chapter 41 of title 18, United States Code, is amended by adding at the end the following:

“§ 881. Cyberbullying

“(a) Whoever transmits in interstate or foreign commerce any communication, with the intent to coerce, intimidate, harass, or cause substantial emotional distress to a person, using electronic means to support severe, repeated, and hostile behavior, shall be fined under this title or imprisoned not more than two years, or both.

“(b) As used in this section—

“(1) the term ‘communication’ means the electronic transmission, between or among points specified by the user, of information of the user’s choosing, without change in the form or content of the information as sent and received; and

“(2) the term ‘electronic means’ means any equipment dependent on electrical power to access an information service, including email, instant messaging, blogs, websites, telephones, and text messages.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 41 of title 18, United States
Code, is amended by adding at the end the following new item:

“881. Cyberbullying.”.