

108TH CONGRESS
1ST SESSION

S. 800

To prevent the use of a misleading domain name with the intent to deceive a person into viewing obscenity on the Internet.

IN THE SENATE OF THE UNITED STATES

APRIL 7, 2003

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

A BILL

To prevent the use of a misleading domain name with the intent to deceive a person into viewing obscenity on the Internet.

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 The Act may be cited as the “Truth in Domain
5 Names Act of 2003”.

6 **SEC. 2. FALSE OR MISLEADING DOMAIN NAMES ON THE**
7 **INTERNET.**

8 (a) IN GENERAL.—Chapter 110 of title 18, United
9 States Code, is amended by inserting after section 2252A
10 the following:

1 **“§ 2252B. False or misleading domain names on the**
2 **Internet**

3 “(a) Whoever knowingly uses a misleading domain
4 name with the intent to deceive a person into viewing ob-
5 scenity on the Internet shall be fined under this title or
6 imprisoned not more than 2 years, or both.

7 “(b) Whoever knowingly uses a misleading domain
8 name with the intent to deceive a minor into viewing mate-
9 rial that is harmful to minors on the Internet shall be
10 fined under this title or imprisoned not more than 4 years,
11 or both.

12 “(c) For the purposes of this section, a domain name
13 that includes a word or words to indicate the sexual con-
14 tent of the site, such as ‘sex’ or ‘porn’, is not misleading.

15 “(d) For the purposes of this section, the term ‘mate-
16 rial that is harmful to minors’ means any communication
17 that—

18 “(1) taken as a whole and with respect to mi-
19 nors, appeals to a prurient interest in nudity, sex, or
20 excretion;

21 “(2) depicts, describes, or represents, in a pat-
22 ently offensive way with respect to what is suitable
23 for minors, an actual or simulated sexual act or sex-
24 ual contact, actual or simulated normal or perverted
25 sexual acts, or a lewd exhibition of the genitals; and

1 “(3) taken as a whole, lacks serious literary, ar-
2 tistic, political, or scientific value as to minors.”.

3 (b) CLERICAL AMENDMENT.—The table of sections
4 at the beginning of chapter 110 of title 18, United States
5 Code, is amended by inserting after the time relating to
6 section 2252A the following new item:

“2252B. False or misleading domain names on the Internet.”.

