

119TH CONGRESS
1ST SESSION

S. _____

To make coercion of children to commit harm a criminal offense, and for
other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. GRASSLEY (for himself and Mr. DURBIN) introduced the following bill;
which was read twice and referred to the Committee on

A BILL

To make coercion of children to commit harm a criminal
offense, 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 “Ending Coercion of
5 Children and Harm Online” or the “ECCHO Act”.

6 **SEC. 2. COERCION OF CHILDREN TO COMMIT HARM.**

7 Chapter 110A of title 18, United States Code, is
8 amended by inserting after section 2261B the following:

9 **“§ 2261C. Coercion of children to commit harm**

10 “(a) **DEFINITIONS.**—For purposes of this section:

1 “(1) COERCE.—The term ‘coerce’ includes the
2 use of extortion, threats, fraud, deceit, duress, in-
3 timidation, harassment, humiliation, degradation, or
4 manipulation.

5 “(2) COVERED ACT.—The term ‘covered act’
6 means doxxing, swatting, or making a false report
7 about an active or imminent threat.

8 “(3) DOXXING.—The term ‘doxxing’ means the
9 act of publishing the personally identifiable informa-
10 tion of an individual for the purpose of harassing or
11 intimidating the individual.

12 “(4) MINOR.—The term ‘minor’ means any in-
13 dividual who has not attained the age of 18 years.

14 “(5) SUBSTANTIAL BODILY INJURY.—The term
15 ‘substantial bodily injury’ has the meaning given
16 that term in section 113.

17 “(6) SWATTING.—The term ‘swatting’ means
18 the act of making a false report to emergency serv-
19 ices about an individual for the purpose of causing
20 a special weapons and tactics team to respond to the
21 location of the individual.

22 “(b) OFFENSE.—It shall be unlawful for any person,
23 using the mail or any facility or means of interstate or
24 foreign commerce, or within the special maritime and ter-

1 ritorial jurisdiction of the United States, to intentionally
2 coerce a minor, directly or through an intermediary, to—

3 “(1)(A) die by suicide or attempt to die by sui-
4 cide; or

5 “(B) kill or attempt to kill any individual;

6 “(2) kill or attempt to kill any, pet, emotional
7 support animal, service animal, or horse;

8 “(3) strangle, suffocate, poison, burn, lacerate,
9 or inflict serious bodily injury or substantial bodily
10 injury on any individual (including the minor), pet,
11 emotional support animal, service animal, or horse;
12 or

13 “(4) commit, or attempt to commit—

14 “(A) arson; or

15 “(B) a covered act for which any person
16 can be charged with a criminal offense.

17 “(c) PENALTY.—Any person who violates, or at-
18 tempts or conspires to violate—

19 “(1) subparagraph (A) or (B) of subsection
20 (b)(1) shall be fined under this title, imprisoned for
21 any term of years or life, or both; or

22 “(2) paragraph (2), (3), or (4) of subsection (b)
23 shall be fined under this title, imprisoned not more
24 than 30 years, or both.”.

1 **SEC. 3. CLERICAL AND CONFORMING AMENDMENTS.**

2 (a) CLERICAL AMENDMENT.—The table of sections
3 for chapter 110A of title 18, United States Code, is
4 amended by inserting after the item relating to section
5 2261B the following:

“2261C. Coercion of children to commit harm”.

6 (b) CONFORMING AMENDMENTS.—

7 (1) TITLE 18.—

8 (A) CHAPTER 110.—Chapter 110 of title
9 18, United States Code, is amended—

10 (i) in section 2252A(g), by inserting
11 “section 2261C,” after “section 1591,”;
12 and

13 (ii) in section 2258A—

14 (I) in subsection (a)—

15 (aa) in paragraph (1)(A), by
16 striking “online child sexual ex-
17 ploitation and to prevent the on-
18 line sexual exploitation of chil-
19 dren” and inserting “, and to
20 prevent, online child sexual ex-
21 ploitation and online coercion of
22 children”; and

23 (bb) in paragraph (2)(A)—

24 (AA) by striking “or
25 2260 that involves child por-

1 nography,” and inserting
2 “2260, 2261C, or 2422(b),
3 or”; and

4 (BB) by striking “, or
5 of 2422(b)”;

6 (II) in subsection (b), in the mat-
7 ter preceding paragraph (1), by strik-
8 ing “sexual” and inserting “online”;

9 (III) in subsection (c)—

10 (aa) in paragraph (1), by
11 striking “, kidnapping or entice-
12 ment crimes” and inserting “or
13 kidnapping, online coercion, or
14 enticement crimes involving chil-
15 dren”;

16 (bb) in paragraph (2), by in-
17 serting “or kidnapping, online co-
18 ercion, or enticement crimes in-
19 volving children” after “sexual
20 exploitation”; and

21 (cc) in paragraph (3), by
22 striking “, kidnapping or entice-
23 ment crimes” and inserting “or
24 kidnapping, online coercion, or

1 enticement crimes involving chil-
2 dren”;

3 (IV) in subsection
4 (d)(5)(A)(ii)(II), by striking “, kid-
5 napping, or enticement crimes” and
6 inserting “or kidnapping, online coer-
7 cion, or enticement crimes involving
8 children”;

9 (V) in subsection (g)(3)—

10 (aa) in subparagraph (A),
11 by striking “, kidnapping, or en-
12 ticement crimes” and inserting
13 “or kidnapping, online coercion,
14 or enticement crimes involving
15 children”;

16 (bb) in subparagraph (B),
17 by striking “, kidnapping, or en-
18 ticement crimes” and inserting
19 “or kidnapping, online coercion,
20 or enticement crimes involving
21 children”; and

22 (cc) in subparagraph (C), by
23 striking “, kidnapping, or entice-
24 ment crimes” and inserting “or
25 kidnapping, online coercion, or

1 enticement crimes involving chil-
2 dren”; and

3 (VI) in subsection (h)(5), by
4 striking “the proliferation of online
5 child sexual exploitation or preventing
6 the online sexual exploitation of chil-
7 dren” and inserting “or preventing
8 the proliferation of online child sexual
9 exploitation or online coercion of chil-
10 dren”.

11 (B) SECTION 3509.—Section 3509(a)(2)(A)
12 of title 18, United States Code, is amended by
13 striking “physical abuse, sexual abuse, or ex-
14 ploitation” and inserting “child abuse”.

15 (C) SECTION 5032.—Section 5032 of title
16 18, United States Code—

17 (i) in the first undesignated para-
18 graph—

19 (I) by striking “or section
20 1002(a)” and inserting “section
21 1002(a)”; and

22 (II) by striking “section 922(x)
23 or section 924(b), (g), or (h) of this
24 title” and inserting “or section

1 922(x), section 924(b), (g), or (h), or
2 section 2261C of this title”; and

3 (ii) in the fourth undesignated para-
4 graph, by striking “section 922(x) of this
5 title, or in section 924(b), (g), or (h) of
6 this title” and inserting “section 922(x),
7 section 924(b), (g), or (h), or section
8 2261C of this title”.

9 (2) PROTECT OUR CHILDREN ACT OF 2008.—
10 Section 2 of the PROTECT Our Children Act of
11 2008 (34 U.S.C. 21101) is amended by striking
12 paragraph (1) and inserting the following:

13 “(1) CHILD EXPLOITATION.—The term ‘child
14 exploitation’ means—

15 “(A) any conduct, attempted conduct, or
16 conspiracy to engage in conduct that—

17 “(i) violates chapter 110 or section
18 2261C, 2422(b), or 2423 of title 18; or

19 “(ii) involves a minor and violates sec-
20 tion 1591 or chapter 109A of title 18; or

21 “(B) any sexual activity involving a minor
22 for which any person can be charged with a
23 criminal offense.”.

1 **SEC. 4. SEVERABILITY.**

2 If any provision of this Act, an amendment made by
3 this Act, or the application of such a provision or amend-
4 ment to any person or circumstance, is held to be uncon-
5 stitutional, the remaining provisions of and amendments
6 made by this Act, and the application of the provision or
7 amendment held to be unconstitutional to any other per-
8 son or circumstance, shall not be affected thereby.