

119TH CONGRESS
1ST SESSION

S. _____

To amend title 18, United States Code, to criminalize intentional threats to distribute child sexual abuse material, and to provide appropriate penalties for the use of child sexual abuse material to extort or coerce victims.

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 amend title 18, United States Code, to criminalize intentional threats to distribute child sexual abuse material, and to provide appropriate penalties for the use of child sexual abuse material to extort or coerce victims.

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 “Stop Sextortion Act”.

5 **SEC. 2. CRIMINALIZING THREATS TO DISTRIBUTE CHILD**
6 **SEXUAL ABUSE MATERIAL.**

7 Title 18, United States Code, is amended—

1 (1) in section 2252—

2 (A) in subsection (a)(2)—

3 (i) in the matter preceding subpara-
4 graph (A)—

5 (ii) by inserting “, or threatens to dis-
6 tribute any visual depiction with intent to
7 intimidate, coerce, extort, or cause sub-
8 stantial emotional distress to any person,”
9 after “distributes, any visual depiction”;

10 (iii) by striking “foreign commerce or
11 that” and inserting “foreign commerce, or
12 involving a visual depiction that”; and

13 (iv) by striking “, or which contains
14 materials which have been mailed or so
15 shipped or transported,”; and

16 (B) in subsection (b)—

17 (i) in paragraph (1), by striking
18 “Whoever” and inserting “Except as pro-
19 vided in paragraph (3), whoever”; and

20 (ii) by adding at the end the fol-
21 lowing:

22 “(3) Whoever violates, or attempts or conspires to
23 violate, subsection (a)(2) for threatening to distribute any
24 visual depiction, as described in that subsection, shall be

1 punished as provided in paragraph (2) of this subsection
2 if no such visual depiction existed.”; and

3 (2) in section 2252A—

4 (A) in subsection (a)(2)(A)—

5 (i) by inserting “, or threatens to dis-
6 tribute any child pornography with intent
7 to intimidate, coerce, extort, or cause sub-
8 stantial emotional distress to any person,”
9 after “any child pornography”; and

10 (ii) by striking “foreign commerce or
11 that” and inserting “foreign commerce, or
12 involving any child pornography that”; and

13 (B) in subsection (b)—

14 (i) in paragraph (1), by striking
15 “Whoever” and inserting “Except as pro-
16 vided in paragraph (4), whoever”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(4) Whoever violates, or attempts or conspires to
20 violate, subsection (a)(2)(A) for threatening to distribute
21 any child pornography, as described in that subsection,
22 shall be punished as provided in paragraph (2) of this sub-
23 section if no such child pornography existed.”; and

1 **SEC. 3. PENALTIES FOR THREATS TO DISTRIBUTE CHILD**
2 **SEXUAL ABUSE MATERIAL.**

3 (a) IN GENERAL.—Title 18, United States Code, is
4 amended—

5 (1) in section 1466A—

6 (A) in subsection (a), in the matter pre-
7 ceding subsection (b), by inserting “, but if the
8 offense involves the knowing use of a visual de-
9 pic tion of a minor engaged in sexually explicit
10 conduct, with the intent to intimidate, coerce,
11 extort, or cause substantial emotional distress
12 to any person, the maximum term of imprison-
13 ment provided in section 2252A(b)(1) shall be
14 increased by 10 years” before the period at the
15 end; and

16 (B) in subsection (b), in the matter pre-
17 ceding subsection (c), by inserting “, but if the
18 offense involves the knowing use of a visual de-
19 pic tion of a minor engaged in sexually explicit
20 conduct, with the intent to intimidate, coerce,
21 extort, or cause substantial emotional distress
22 to any person, the maximum term of imprison-
23 ment provided in section 2252A(b)(2) shall be
24 increased by 10 years” before the period at the
25 end; and

26 (2) in section 2260A—

1 (A) in the section heading, by striking
2 **“Penalties for registered sex offend-**
3 **ers”** and inserting **“Other offenses and**
4 **penalties”**;

5 (B) by striking “Whoever” and inserting
6 the following:

7 “(1) OFFENSES BY REGISTERED SEX OFFEND-
8 ERS.—Whoever”; and

9 (C) by adding at the end the following:

10 “(2) ADDITIONAL PENALTIES.—If any offense
11 under section 875(d), 2251, 2252, 2252A, or 2260
12 involves the knowing use of child pornography with
13 the intent to intimidate, coerce, extort, or cause sub-
14 stantial emotional distress to any person, the max-
15 imum term of imprisonment provided in section
16 875(d), 2251(e), 2252(b), 2252A(b), or 2260(c)
17 shall be increased by 10 years.”.

18 (b) CLERICAL AMENDMENT.—The table of sections
19 for chapter 110 of title 18, United States Code, is amend-
20 ed by striking the item relating to section 2260A and in-
21 serting the following:

“2260A. Other offenses and penalties.”.

22 **SEC. 4. SEVERABILITY.**

23 If any provision of this Act, an amendment made by
24 this Act, or the application of such provision or amend-
25 ment to any person or circumstance is held to be unconsti-

1 tutional, the remainder of this Act, the amendments made
2 by this Act, and the application of the provisions of such
3 to any person or circumstance shall not be affected there-
4 by.