

111TH CONGRESS
1ST SESSION

S. 1047

To promote Internet safety education and cybercrime prevention initiatives,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 14, 2009

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

A BILL

To promote Internet safety education and cybercrime
prevention initiatives, 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 “School And Family
5 Education about the Internet Act of 2009” or the “SAFE
6 Internet Act”.

7 **SEC. 2. FINDINGS AND PURPOSE.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) The Internet is an invaluable tool that is
10 critical to the ability of the Nation to compete in a

1 global economy. The Internet provides instant access
2 to research and boundless information, and estab-
3 lishes digital connections between individuals around
4 the world.

5 (2) About 93 percent of youth ages 12 through
6 17 years are online and nearly 45 percent of chil-
7 dren ages 3 to 11 years will use the Internet on a
8 monthly basis in 2009. Eighty-nine percent of youth
9 13 through 19 years of age have a profile on social-
10 networking sites. Eighty percent of teens 13 through
11 17 years of age use cell phones, most of which have
12 built-in cameras.

13 (3) Internet safety education, coupled with
14 technology tools, is the most effective way to resolve
15 and prevent the problems and dangers relating to
16 misuse of the Internet and other new media.

17 (4) According to an empirical study of 1,379
18 fourth grade students in Virginia, the first State to
19 mandate Internet safety education in its schools, the
20 students improved their responses to 8 of 10 ques-
21 tions after completing an Internet safety education
22 program, especially in 2 major areas, uncomfortable
23 content and cyberbullying.

24 (5) As a result of the enactment of the Chil-
25 dren's Internet Protection Act (Public Law 106-

1 554; 114 Stat. 2763A–336) in 2000, which man-
2 dated that schools implement Internet safety policies
3 and technology protection measures to receive E-
4 Rate funding, most schools have developed accept-
5 able use policies and implemented filtering and other
6 technology-based solutions to help protect children.

7 (6) Most elementary and secondary school edu-
8 cators have received little or no professional develop-
9 ment training on Internet safety. As a result, many
10 students receive little or no education on safe, re-
11 sponsible, and ethical use of Internet and other new
12 media.

13 (7) The widespread use of the Internet, cell
14 phones, interactive gaming, and other electronic
15 communication devices by children both inside and
16 outside of school suggest that acceptable use policies
17 and filtering alone cannot resolve Internet safety
18 concerns, and that a greater focus on education
19 would be beneficial.

20 (8) In a national poll on children’s health, par-
21 ents ranked Internet safety fifth among their top
22 health concerns for children. Educating parents
23 about Internet safety is key to empowering them to
24 understand actual risks and to take an active role in
25 protecting their children.

1 (9) The problem of online harassment or
2 cyberbullying of youth by other youths is wide-
3 spread, and results in a range of children’s experi-
4 ences from minor irritation to severe emotional
5 harm. The Bureau of Justice Statistics has found
6 that online harassment tends to begin in third and
7 fourth grade, peaks in seventh and eighth grade,
8 and continues in reduced amounts throughout high
9 school, college, and professional schools.

10 (10) Young people face greater risks in the
11 form of electronic aggression and sexual solicitation
12 from other young people known to them than from
13 strangers.

14 (11) Gang members increasingly are using the
15 Internet as a recruitment tool to entice would-be
16 members and as an intimidation tool to threaten
17 rival gangs. Gang members use the Internet in par-
18 ticular to promote their message.

19 (12) More research is needed in several areas of
20 youth online safety, including—

21 (A) minor-to-minor solicitation to use the
22 Internet in an inappropriate manner;

23 (B) the creation of problematic content by
24 youths;

1 (C) lesbian, gay, bisexual, and transgender
2 youth and youth with disabilities who may be
3 particularly vulnerable;

4 (D) the interplay between socioeconomic
5 class and risk factors;

6 (E) the role that pervasive digital image
7 and video capture devices play in harassment of
8 youth by other youth and youth production of
9 problematic content;

10 (F) the intersection of different mobile and
11 Internet-based technologies; and

12 (G) the online activities of registered sex
13 offenders.

14 (b) PURPOSES.—The purposes of this Act are to—

15 (1) facilitate research and identify best prac-
16 tices in Internet safety education; and

17 (2) establish a competitive grant program for
18 State educational agencies, local educational agen-
19 cies, and nonprofit organizations to promote Inter-
20 net safety education in the community.

21 **SEC. 3. DEFINITIONS.**

22 In this Act:

23 (1) APPLICABLE AGENCY HEADS.—The term
24 “applicable agency heads” means the Director, with

1 the concurrence of the Secretary of Education and
2 the Secretary of Health and Human Services.

3 (2) DIRECTOR.—The term “Director” means
4 the Director of the Bureau of Justice Assistance.

5 (3) ELIGIBLE ENTITY.—The term “eligible enti-
6 ty” means—

7 (A) a partnership between a State edu-
8 cational agency and 1 or more local educational
9 agencies (as those terms are defined in section
10 9101 of the Elementary and Secondary Edu-
11 cation Act of 1965 (20 U.S.C. 7801)) of the
12 State;

13 (B) a local educational agency;

14 (C) a nonprofit organization; or

15 (D) a consortium of elementary schools or
16 secondary schools (as those terms are defined in
17 section 9101 of the Elementary and Secondary
18 Education Act of 1965 (20 U.S.C. 7801)) col-
19 laborating with an entity described in subpara-
20 graph (A), (B), or (C).

21 (4) GRANT GUIDANCE.—The term “grant guid-
22 ance” means the grant guidance issued under sec-
23 tion 4(e)(1).

24 (5) INTERNET SAFETY EDUCATION PROGRAM.—
25 The term “Internet safety education program”

1 means an age-appropriate, research-based program
2 that encourages safe, ethical, and responsible use of
3 the Internet, promotes an informed, critical under-
4 standing of the Internet, and educates children and
5 communities about how to prevent or respond to
6 problems or dangers related to the Internet or new
7 media.

8 (6) NEW MEDIA.—The term “new media”—

9 (A) means emerging digital, computerized,
10 or networked information and communication
11 technologies that often have interactive capabili-
12 ties; and

13 (B) includes e-mail, instant messaging,
14 text messaging, websites, blogs, interactive
15 gaming, social media, cell phones, and mobile
16 devices.

17 (7) NONPROFIT.—The term “nonprofit” means
18 that a person is an organization that is described in
19 section 501(c) of the Internal Revenue Code of
20 1986, and exempt from tax under section 501(a) of
21 that Code.

22 **SEC. 4. GRANT PROGRAM.**

23 (a) AUTHORITY TO MAKE GRANTS.—

24 (1) IN GENERAL.—Subject to subsection (e)(1),
25 the Director, after consultation with the Secretary of

1 Education and the Secretary of Health and Human
2 Services, may make grants to eligible entities to
3 carry out an Internet safety education program and
4 other activities relating to Internet safety.

5 (2) PERIOD.—A grant under this section shall
6 be for a 2-year period.

7 (b) APPLICATION.—An eligible entity desiring a grant
8 under this section shall submit an application to the Direc-
9 tor, which shall include—

10 (1) a description of the partnership arrange-
11 ments, if any, of the eligible entity relating to the
12 activities to be carried out with the grant;

13 (2) a description of the measurable goals of the
14 eligible entity relating to the activities to be carried
15 out with the grant;

16 (3) a description of how the Internet safety
17 education program of the eligible entity shall achieve
18 the measurable goals described in paragraph (2);

19 (4) a description of the plan of the eligible enti-
20 ty to continue to implement the Internet safety edu-
21 cation program after the grant under this section
22 ends;

23 (5) a description of how funds under the grant
24 may be used and coordinated with Internet safety
25 education programs being carried out on the date of

1 enactment of this Act or other Internet safety edu-
2 cation programs established with grants under this
3 section;

4 (6) a description of the demographics of the in-
5 dividuals that shall be targeted under the proposed
6 Internet safety education program; and

7 (7) any other information or assurances re-
8 quired by the Director.

9 (c) PRIORITIZATION.—In making grants under this
10 section, the Director shall give priority to an eligible entity
11 that—

12 (1) is comprised of a partnership between 1 or
13 more nonprofit groups and education agencies;

14 (2) identifies and targets at-risk children;

15 (3) works in partnership with the private sec-
16 tor, law enforcement, the philanthropic community,
17 the media, researchers, social services organizations,
18 or other community-based groups;

19 (4) provides Internet safety education programs
20 at no cost to students or schools;

21 (5) accommodates different languages and lan-
22 guage proficiencies;

23 (6) accommodates differing levels of techno-
24 logical sophistication; or

1 (7) has a viable plan to sustain the Internet
2 safety education program after the grant program
3 ends.

4 (d) USE OF FUNDS.—An eligible entity may use a
5 grant under this section to—

6 (1) identify, develop, and implement Internet
7 safety education programs, including educational
8 technology, multimedia and interactive applications,
9 online resources, and lesson plans;

10 (2) provide professional training to elementary
11 and secondary teachers, administrators, and other
12 staff on Internet safety and new media literacy;

13 (3) develop online-risk prevention programs for
14 children;

15 (4) train and support peer-driven Internet safe-
16 ty education initiatives;

17 (5) coordinate and fund research initiatives that
18 investigate online risks to children and Internet safe-
19 ty education;

20 (6) develop and implement public education
21 campaigns to promote awareness of online risks to
22 children and Internet safety education;

23 (7) educate parents about teaching their chil-
24 dren how to use the Internet and new media safely,
25 responsibly, and ethically and help parents identify

1 and protect their children from risks relating to use
2 of the Internet and new media; or

3 (8) carry out any other activity approved by the
4 Director.

5 (e) GRANT GUIDANCE.—

6 (1) IN GENERAL.—Before making grants under
7 this section, and not later than 1 month after the
8 date on which the study under paragraph (3)(A) is
9 completed, the applicable agency heads, in consulta-
10 tion with education groups, Internet safety groups,
11 and other relevant experts in the field of new media,
12 shall issue detailed guidance for the grant program
13 under this section.

14 (2) CONTENTS OF GUIDANCE.—The grant guid-
15 ance shall be in accordance with best practices relat-
16 ing to Internet education and the research-based
17 recommendations derived from the study conducted
18 under paragraph (3)(A).

19 (3) INTERNET SAFETY RESEARCH.—

20 (A) INITIAL RESEARCH.—The applicable
21 agency heads shall enter into contracts with one
22 or more private companies, government agen-
23 cies, or nonprofit organizations to complete a
24 study, not later than 3 months after the date
25 of enactment of this Act, regarding—

1 (i) the nature and prevalence of Inter-
2 net safety education programs and any evi-
3 dence-based research conducted relating to
4 the programs;

5 (ii) findings regarding at-risk chil-
6 dren;

7 (iii) gaps in Internet safety education
8 and youth online risk research; and

9 (iv) any other area determined appro-
10 priate by the applicable agency heads.

11 (B) ADDITIONAL RESEARCH.—Subject to
12 the availability of appropriations, the applicable
13 agency heads shall enter into contracts with pri-
14 vate companies, government agencies, or non-
15 profit organizations to conduct additional re-
16 search regarding the issues described in sub-
17 paragraph (A). Any research conducted under
18 this subparagraph shall be included in the re-
19 ports under subsection (g)(3).

20 (f) TECHNICAL ASSISTANCE.—The applicable agency
21 heads shall provide technical assistance to eligible entities
22 that receive a grant under this section, which may include
23 maintaining a website to facilitate outreach and commu-
24 nication among the eligible entities that receive a grant
25 under this section.

1 (g) REPORTS.—

2 (1) BY ELIGIBLE ENTITIES.—An eligible entity
3 that receives a grant under this section shall issue
4 publically an annual report regarding the activities
5 carried out using funds made available under the
6 grant, which shall include—

7 (A) a description of how the eligible entity
8 implemented the Internet safety education pro-
9 gram carried out with the grant;

10 (B) the number and demographic charac-
11 teristics of the individuals reached;

12 (C) an analysis of whether and to what de-
13 gree the goals for the Internet safety education
14 program were met; and

15 (D) an analysis of the challenges, if any,
16 that interfered with achieving the goals de-
17 scribed in subparagraph (C).

18 (2) COMPILATION OF ANNUAL REPORTS FOR
19 REVISED GRANT GUIDANCE.—The applicable agency
20 heads shall—

21 (A) review the report under paragraph (1)
22 issued by each eligible entity that receives a
23 grant under this section during the first fiscal
24 year for which grants under this section are
25 made; and

1 (B) not later than 6 months after the date
2 on which all reports described in subparagraph
3 (A) are issued, modify the grant guidance based
4 on the reports.

5 (3) REPORTS TO CONGRESS.—Not later than
6 27 months after the date on which the Director
7 makes the first grant under this section, and annu-
8 ally thereafter, the applicable agency heads shall
9 submit to Congress a report regarding the grant
10 program under this section, which shall include—

11 (A) a compilation of the information and
12 findings of the annual reports issued under
13 paragraph (1);

14 (B) the findings and conclusions of the ap-
15 plicable agency heads, including findings and
16 conclusions relating to the effectiveness of
17 Internet safety education programs carried out
18 using a grant under this section; and

19 (C) best practices identified by the applica-
20 ble agency heads relating to Internet safety
21 education.

22 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to the Director to carry out
24 this section \$35,000,000 for each of fiscal years 2010
25 through 2014. Of amounts made available to carry out

- 1 this section, not more than 5 percent shall be available
- 2 to carry out subsections (e), (f), and (g)(2).

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