

Unlawful Online Conduct and Applicable Federal Laws As of 6/3/2010

The chart below details the type of unlawful online conduct, potentially applicable federal laws, and the section of the Department of Justice with subject-matter expertise. If the subject matter expert is not a section of the Department, but rather another agency, the entry will have an asterisk following its initials. In many cases, prosecutors may also consider whether the conduct at issue is a violation of [18 U.S.C. § 2](#) (aiding and abetting) or [18 U.S.C. § 371](#) (conspiracy).

Unlawful Conduct	Applicable Federal Law	DOJ Section
Denial of Service Attacks	18 U.S.C. § 1030(a)(5)(A) (transmission of program, information, code, or command, resulting in damage)	CCIPS
	18 U.S.C. § 1362 (interfering with government communication systems)	CCIPS
Use of Misleading Domain Name	18 U.S.C. § 2252B (using misleading domain name with intent to deceive a person into viewing obscene material or with intent to deceive a minor into viewing harmful material)	CEOS
Password Fraud	18 U.S.C. § 1030(a)(6) (trafficking in computer passwords)	CCIPS
	18 U.S.C. § 1029 (access device fraud)	Fraud/CCIPS
Obscenity	18 U.S.C. § 1343 (wire fraud)	Fraud
	47 U.S.C. § 223(a)(1)(A) (using telecommunications device to make, create, or solicit, and transmit any obscene comment, request, suggestion, proposal, image, or other communication)	CEOS
	18 U.S.C. § 1465 (using interactive computer service for purpose of sale or distribution of obscene material)	CEOS
Piracy and Intellectual Property Theft	17 U.S.C. §§ 1201-1205 (Digital Millennium Copyright Act)	CCIPS
	17 U.S.C. § 506 and 18 U.S.C. § 2319 (criminal copyright infringement)	CCIPS
	18 U.S.C. § 2319A (trafficking in recordings of live musical performances)	CCIPS
Electronic Threats	18 U.S.C. § 875 (transmitting communications containing threats of kidnap or bodily injury) (Hobbs Act)	CTS
	18 U.S.C. § 1951 (interfering with commerce by robbery, extortion, threats or violence) (Hobbs Act)	DSS
	47 U.S.C. § 223 (a)(1)(C) (anonymously using telecommunications device to threaten person who receives communication)	CCIPS
Electronic Harassment	47 U.S.C. § 223 (a)(1)(C) (anonymously using telecommunications device to harass person who receives communication)	CCIPS
	47 U.S.C. § 223(a)(1)(E) (repeatedly initiates communication with a telecommunication device solely to harass person who receives communication)	CCIPS
Interception of Electronic Communications	18 U.S.C. § 2511 (intercepting electronic communications)	CCIPS
	18 U.S.C. § 2701 (accessing stored communications)	CCIPS
Cyberstalking	18 U.S.C. § 1030(a)(2) (accessing a computer and obtaining information)	CCIPS
	18 U.S.C. § 2261A (using any facility of interstate or foreign commerce to engage in a course of conduct that places person in reasonable fear of death or serious bodily injury to person, person's spouse or immediate family) See also Electronic Harassment	DSS
Hate Crimes	Look to civil rights laws and penalty enhancements	Civil Rights

Unlawful Online Conduct and Applicable Federal Laws **As of 6/3/2010**

Libel/Slander	Look to civil laws	
Posting Personal Information on a Website (e.g., phone numbers, addresses)	This is not a violation of law. May also be protected speech under First Amendment.	
Invasion of Privacy	See Interception of Electronic Communications	
Disclosure of Private Information	18 U.S.C. § 2511(1)(c) (disclosing intercepted communications)	CCIPS
Spam	18 U.S.C. § 1037 (CAN-SPAM Act)	CCIPS
Spoofing Email Address	18 U.S.C. § 1037 (CAN-SPAM Act)	CCIPS