

In the Senate of the United States,

October 2, 2017.

Resolved, That the bill from the House of Representatives (H.R. 1616) entitled “An Act to amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.”, do pass with the following

AMENDMENT:

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Strengthening State
3 and Local Cyber Crime Fighting Act of 2017”.

4 **SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER**
5 **FORENSICS INSTITUTE OF THE DEPARTMENT**
6 **OF HOMELAND SECURITY.**

7 (a) IN GENERAL.—Subtitle C of title VIII of the
8 Homeland Security Act of 2002 (6 U.S.C. 381 et seq.)
9 is amended by adding at the end the following new section:

1 **“SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.**

2 “(a) IN GENERAL.—There is authorized for fiscal
3 years 2017 through 2022 within the United States Secret
4 Service a National Computer Forensics Institute (in this
5 section referred to as the ‘Institute’). The Institute shall
6 disseminate information related to the investigation and
7 prevention of cyber and electronic crime and related
8 threats, and educate, train, and equip State, local, tribal,
9 and territorial law enforcement officers, prosecutors, and
10 judges.

11 “(b) FUNCTIONS.—The functions of the Institute
12 shall include the following:

13 “(1) Educating State, local, tribal, and terri-
14 torial law enforcement officers, prosecutors, and
15 judges on current—

16 “(A) cyber and electronic crimes and re-
17 lated threats;

18 “(B) methods for investigating cyber and
19 electronic crime and related threats and con-
20 ducting computer and mobile device forensic ex-
21 aminations; and

22 “(C) prosecutorial and judicial challenges
23 related to cyber and electronic crime and re-
24 lated threats, and computer and mobile device
25 forensic examinations.

1 “(2) Training State, local, tribal, and territorial
2 law enforcement officers to—

3 “(A) conduct cyber and electronic crime
4 and related threat investigations;

5 “(B) conduct computer and mobile device
6 forensic examinations; and

7 “(C) respond to network intrusion inci-
8 dents.

9 “(3) Training State, local, tribal, and territorial
10 law enforcement officers, prosecutors, and judges on
11 methods to obtain, process, store, and admit digital
12 evidence in court.

13 “(c) PRINCIPLES.—In carrying out the functions
14 specified in subsection (b), the Institute shall ensure, to
15 the extent practicable, that timely, actionable, and rel-
16 evant expertise and information related to cyber and elec-
17 tronic crime and related threats is shared with State, local,
18 tribal, and territorial law enforcement officers and pros-
19 ecutors.

20 “(d) EQUIPMENT.—The Institute may provide State,
21 local, tribal, and territorial law enforcement officers with
22 computer equipment, hardware, software, manuals, and
23 tools necessary to conduct cyber and electronic crime and
24 related threat investigations and computer and mobile de-
25 vice forensic examinations.

1 “(e) **ELECTRONIC CRIME TASK FORCES.**—The Insti-
2 tute shall facilitate the expansion of the network of Elec-
3 tronic Crime Task Forces of the United States Secret
4 Service through the addition of State, local, tribal, and
5 territorial law enforcement officers educated and trained
6 at the Institute.

7 “(f) **SAVINGS PROVISION.**—All authorized activities
8 and functions carried out by the Institute at any location
9 as of the day before the date of the enactment of this sec-
10 tion are authorized to continue to be carried out at any
11 such location on and after such date.”.

12 (b) **FUNDING.**—For each of fiscal years 2018
13 through 2022, amounts appropriated for United States
14 Secret Service, Operations and Support, may be used to
15 carry out this Act and the amendments made by this Act.

16 (c) **CLERICAL AMENDMENT.**—The table of contents
17 in section 1(b) of the Homeland Security Act of 2002 (6
18 U.S.C. 101 et seq.) is amended by inserting after the item
19 relating to section 821 the following new item:

“Sec. 822. National Computer Forensics Institute.”.

20 **SEC. 3. PREVENTION, INVESTIGATION, AND PROSECUTION**
21 **OF ECONOMIC, HIGH TECHNOLOGY, INTER-**
22 **NET, AND OTHER WHITE COLLAR CRIME.**

23 (a) **IN GENERAL.**—Title I of the Omnibus Crime
24 Control and Safe Streets Act of 1968 (34 U.S.C. 10101
25 et seq.) is amended by adding at the end the following:

1 **“PART MM—PREVENTION, INVESTIGATION, AND**
2 **PROSECUTION OF WHITE COLLAR CRIME**

3 **“SEC. 3030. SHORT TITLE.**

4 “‘This part may be cited as the ‘National White Collar
5 Crime Control Act of 2017’.

6 **“SEC. 3031. ESTABLISHMENT OF GRANT PROGRAM.**

7 “(a) **AUTHORIZATION.**—The Director of the Bureau
8 of Justice Assistance is authorized to enter into a coopera-
9 tive agreement with or make a grant to an eligible entity
10 for the purpose of improving the identification, investiga-
11 tion, and prosecution of white collar crime (including each
12 category of such crimes set forth in paragraphs (1)
13 through (3) of subsection (b)) by providing comprehensive,
14 direct, and practical training and technical assistance to
15 law enforcement officers, investigators, auditors and pros-
16 ecutors in States and units of local government.

17 “(b) **WHITE COLLAR CRIME DEFINED.**—For pur-
18 poses of this part, the term ‘white collar crime’ includes—

19 “(1) high-tech crime, including cyber and elec-
20 tronic crime and related threats;

21 “(2) economic crime, including financial fraud
22 and mortgage fraud; and

23 “(3) Internet-based crime against children and
24 child pornography.

25 **“SEC. 3032. PURPOSES.**

26 “‘The purposes of this part include the following:

1 “(1) To ensure that training is available for
2 State, local, tribal and territorial law enforcement
3 agencies and officers nationwide to support local ef-
4 forts to identify, prevent, investigate, and prosecute
5 cyber and financial crimes, including those crimes
6 facilitated via computer networks and other elec-
7 tronic means, and crimes involving financial and eco-
8 nomic impacts such as intellectual property crimes.

9 “(2) To deliver training to State, local, tribal,
10 and territorial law enforcement officers, and other
11 criminal justice professionals concerning the use of
12 proven methodologies to prevent, detect, and respond
13 to such crimes, recognize emerging issues, manage
14 electronic and financial crime evidence and to im-
15 prove local criminal justice agency responses to such
16 threats.

17 “(3) To provide operational and technical as-
18 sistance and training concerning tools, products, re-
19 sources, guidelines, and procedures to aid and en-
20 hance criminal intelligence analysis, conduct cyber
21 crime and financial crime investigations, and related
22 justice information sharing at the local and State
23 levels.

24 “(4) To provide appropriate training on protec-
25 tions for privacy, civil rights, and civil liberties in

1 the conduct of criminal intelligence analysis and
2 cyber and electronic crime and financial crime inves-
3 tigation, including in the development of policies,
4 guidelines, and procedures by State, local, tribal,
5 and territorial law enforcement agencies to protect
6 and enhance privacy, civil rights, and civil liberties
7 protections and identify weaknesses and gaps in the
8 protection of privacy, civil rights, and civil liberties.

9 **“SEC. 3033. AUTHORIZED PROGRAMS.**

10 “A grant or cooperative agreement awarded under
11 this part may be made only for the following programs,
12 with respect to the prevention, investigation, and prosecu-
13 tion of certain criminal activities:

14 “(1) Programs to provide a nationwide support
15 system for State and local criminal justice agencies.

16 “(2) Programs to assist State and local crimi-
17 nal justice agencies to develop, establish, and main-
18 tain intelligence-focused policing strategies and re-
19 lated information sharing.

20 “(3) Programs to provide training and inves-
21 tigative support services to State and local criminal
22 justice agencies to provide such agencies with skills
23 and resources needed to investigate and prosecute
24 such criminal activities and related criminal activi-
25 ties.

1 “(4) Programs to provide research support, to
2 establish partnerships, and to provide other re-
3 sources to aid State and local criminal justice agen-
4 cies to prevent, investigate, and prosecute such
5 criminal activities and related problems.

6 “(5) Programs to provide information and re-
7 search to the general public to facilitate the preven-
8 tion of such criminal activities.

9 “(6) Programs to establish or support national
10 training and research centers regionally to provide
11 training and research services for State and local
12 criminal justice agencies.

13 “(7) Programs to provide training and over-
14 sight to State and local criminal justice agencies to
15 develop and comply with applicable privacy, civil
16 rights, and civil liberties related policies, procedures,
17 rules, laws, and guidelines.

18 “(8) Any other programs specified by the Attor-
19 ney General as furthering the purposes of this part.

20 **“SEC. 3034. APPLICATION.**

21 “To be eligible for an award of a grant or cooperative
22 agreement under this part, an entity shall submit to the
23 Director of the Bureau of Justice Assistance an applica-
24 tion in such form and manner, and containing such infor-

1 mation, as required by the Director of the Bureau of Jus-
2 tice Assistance.

3 **“SEC. 3035. ELIGIBILITY.**

4 “States, units of local government, not-for-profit enti-
5 ties, and institutions of higher-education with dem-
6 onstrated capacity and experience in delivering training,
7 technical assistance and other resources including direct,
8 practical laboratory training to law enforcement officers,
9 investigators, auditors and prosecutors in States and units
10 of local government and over the Internet shall be eligible
11 to receive an award under this part.

12 **“SEC. 3036. RULES AND REGULATIONS.**

13 “The Director of the Bureau of Justice Assistance
14 shall promulgate such rules and regulations as are nec-
15 essary to carry out this part, including rules and regula-
16 tions for submitting and reviewing applications under sec-
17 tion 3035.”.

18 (b) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated \$13,000,000 for each
20 of fiscal years 2018 through 2022 to carry out —

21 (1) part MM of title I of the Omnibus Crime
22 Control and Safe Streets Act of 1968, as added by
23 subsection (a); and

1 (2) section 401(b) of the Prioritizing Resources
2 and Organization for Intellectual Property Act of
3 2008 (34 U.S.C. 30103(b)).

Attest:

Secretary.

115TH CONGRESS
1ST SESSION

H.R. 1616

AMENDMENT