

PUBLIC LAW 115-76—NOV. 2, 2017

**STRENGTHENING STATE AND LOCAL CYBER
CRIME FIGHTING ACT OF 2017**

Public Law 115–76
115th Congress

An Act

Nov. 2, 2017
[H.R. 1616]

To amend the Homeland Security Act of 2002 to authorize the National Computer Forensics Institute, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Strengthening
State and Local
Cyber Crime
Fighting Act of
2017.
34 USC 10101
note.

SECTION 1. SHORT TITLE.

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

SEC. 2. AUTHORIZATION OF THE NATIONAL COMPUTER FORENSICS INSTITUTE OF THE DEPARTMENT OF HOMELAND SECURITY.

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

Establishment.
6 USC 383.

“SEC. 822. NATIONAL COMPUTER FORENSICS INSTITUTE.

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

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

“(1) Educating State, local, tribal, and territorial law enforcement officers, prosecutors, and judges on current—

“(A) cyber and electronic crimes and related threats;

“(B) methods for investigating cyber and electronic crime and related threats and conducting computer and mobile device forensic examinations; and

“(C) prosecutorial and judicial challenges related to cyber and electronic crime and related threats, and computer and mobile device forensic examinations.

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

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

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

“(C) respond to network intrusion incidents.

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

“(c) **PRINCIPLES.**—In carrying out the functions specified in subsection (b), the Institute shall ensure, to the extent practicable, that timely, actionable, and relevant expertise and information related to cyber and electronic crime and related threats is shared with State, local, tribal, and territorial law enforcement officers and prosecutors.

Information sharing.

“(d) **EQUIPMENT.**—The Institute may provide State, local, tribal, and territorial law enforcement officers with computer equipment, hardware, software, manuals, and tools necessary to conduct cyber and electronic crime and related threat investigations and computer and mobile device forensic examinations.

“(e) **ELECTRONIC CRIME TASK FORCES.**—The Institute shall facilitate the expansion of the network of Electronic Crime Task Forces of the United States Secret Service through the addition of State, local, tribal, and territorial law enforcement officers educated and trained at the Institute.

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

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

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

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

SEC. 3. PREVENTION, INVESTIGATION, AND PROSECUTION OF ECONOMIC, HIGH TECHNOLOGY, INTERNET, AND OTHER WHITE COLLAR CRIME.

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

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

“SEC. 3030. SHORT TITLE.

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

“SEC. 3031. ESTABLISHMENT OF GRANT PROGRAM.

“(a) **AUTHORIZATION.**—The Director of the Bureau of Justice Assistance is authorized to enter into a cooperative agreement with or make a grant to an eligible entity for the purpose of improving the identification, investigation, and prosecution of white collar crime (including each category of such crimes set forth in paragraphs (1) through (3) of subsection (b)) by providing comprehensive, direct, and practical training and technical assistance to law enforcement officers, investigators, auditors and prosecutors in States and units of local government.

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

National White Collar Crime Control Act of 2017.
34 USC 10101 note.

34 USC 10721 note.
Contracts.

“(1) high-tech crime, including cyber and electronic crime and related threats;

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

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

34 USC 10722
note.

“SEC. 3032. PURPOSES.

“The purposes of this part include the following:

“(1) To ensure that training is available for State, local, tribal and territorial law enforcement agencies and officers nationwide to support local efforts to identify, prevent, investigate, and prosecute cyber and financial crimes, including those crimes facilitated via computer networks and other electronic means, and crimes involving financial and economic impacts such as intellectual property crimes.

“(2) To deliver training to State, local, tribal, and territorial law enforcement officers, and other criminal justice professionals concerning the use of proven methodologies to prevent, detect, and respond to such crimes, recognize emerging issues, manage electronic and financial crime evidence and to improve local criminal justice agency responses to such threats.

“(3) To provide operational and technical assistance and training concerning tools, products, resources, guidelines, and procedures to aid and enhance criminal intelligence analysis, conduct cyber crime and financial crime investigations, and related justice information sharing at the local and State levels.

“(4) To provide appropriate training on protections for privacy, civil rights, and civil liberties in the conduct of criminal intelligence analysis and cyber and electronic crime and financial crime investigations, including in the development of policies, guidelines, and procedures by State, local, tribal, and territorial law enforcement agencies to protect and enhance privacy, civil rights, and civil liberties protections and identify weaknesses and gaps in the protection of privacy, civil rights, and civil liberties.

34 USC 10723
note.

“SEC. 3033. AUTHORIZED PROGRAMS.

“A grant or cooperative agreement awarded under this part may be made only for the following programs, with respect to the prevention, investigation, and prosecution of certain criminal activities:

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

“(2) Programs to assist State and local criminal justice agencies to develop, establish, and maintain intelligence-focused policing strategies and related information sharing.

“(3) Programs to provide training and investigative support services to State and local criminal justice agencies to provide such agencies with skills and resources needed to investigate and prosecute such criminal activities and related criminal activities.

“(4) Programs to provide research support, to establish partnerships, and to provide other resources to aid State and local criminal justice agencies to prevent, investigate, and prosecute such criminal activities and related problems.

“(5) Programs to provide information and research to the general public to facilitate the prevention of such criminal activities.

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

“(7) Programs to provide training and oversight to State and local criminal justice agencies to develop and comply with applicable privacy, civil rights, and civil liberties related policies, procedures, rules, laws, and guidelines.

“(8) Any other programs specified by the Attorney General as furthering the purposes of this part.

“SEC. 3034. APPLICATION.

34 USC 10724
note.

“To be eligible for an award of a grant or cooperative agreement under this part, an entity shall submit to the Director of the Bureau of Justice Assistance an application in such form and manner, and containing such information, as required by the Director of the Bureau of Justice Assistance.

“SEC. 3035. ELIGIBILITY.

34 USC 10725
note.

“States, units of local government, not-for-profit entities, and institutions of higher-education with demonstrated capacity and experience in delivering training, technical assistance and other resources including direct, practical laboratory training to law enforcement officers, investigators, auditors and prosecutors in States and units of local government and over the Internet shall be eligible to receive an award under this part.

“SEC. 3036. RULES AND REGULATIONS.

34 USC 10726
note.

“The Director of the Bureau of Justice Assistance shall promulgate such rules and regulations as are necessary to carry out this part, including rules and regulations for submitting and reviewing applications under section 3035.”

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

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

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

Approved November 2, 2017.

LEGISLATIVE HISTORY—H.R. 1616:

CONGRESSIONAL RECORD, Vol. 163 (2017):

May 16, considered and passed House.

Oct. 2, considered and passed Senate, amended.

Oct. 12, House concurred in Senate amendment.

