

## [H.R. 3490, Strengthening State and Local Cyber Crime Fighting Act](#)

### FLOOR SITUATION

On Monday, November 30, 2015, the House will consider [H.R. 3490](#), the *Strengthening State and Local Cyber Crime Fighting Act*, under suspension of the rules. H.R. 3490 was introduced on September 11, 2015, by Rep. John Ratcliffe (R-TX) and was referred to the Committee on the Judiciary, and in addition, to the Committee on Homeland Security. The Judiciary Committee ordered the bill reported, as amended, by voice vote on September 30, 2015.

### SUMMARY

H.R. 3490 amends the Homeland Security Act of 2002 to establish within the Department of Homeland Security (DHS) a National Computer Forensics Institute (NCFI) to be operated by the U.S. Secret Service for the dissemination of homeland security information related to the investigation and prevention of cyber and electronic crime, including threats or acts of terrorism, to educate, train, and equip state, local, tribal, and territorial law enforcement officers, prosecutors, and judges.

### BACKGROUND

Today, criminals increasingly rely on the Internet and advanced technologies to further their criminal operations. These criminals can easily use the Internet to carry out traditional crimes such as distributing illicit drugs and sex trafficking. In addition, they exploit the digital world to facilitate crimes that are often technology driven, including identity theft, credit card fraud, and intellectual property theft. Cybercrimes have large economic, public health, and national security implications.<sup>1</sup>

The National Computer Forensic Institute (NCFI) was opened in 2008 with a mandate to provide state and local law enforcement, and legal and judicial professionals a free, comprehensive education on current cyber-crime trends, investigative methods, and prosecutorial and judicial challenges.

According to NCFI, “prior to 2008, training for state and local law enforcement in cyber-crimes was difficult to find. Local departments could find occasional training slots in courses taught to federal agents or could acquire the skills and equipment at great cost to their respective agencies.”<sup>2</sup>

<sup>1</sup> See CRS Report, [“Cybercrime: Conceptual Issues for Congress and U.S. Law Enforcement,”](#) January 15, 2015.

<sup>2</sup> See NCFI Website, [About us](#)

“In 2007, the State of Alabama approached the Secret Service and the Department of Homeland Security with a proposal. The State agreed to provide the property and funds to construct a state of the art facility if the federal government would fund the training and allow the Secret Service to operate it. [...] Since opening on May 19, 2008, the NCFI has trained state and local police officials, prosecutors and judges from all 50 states and three U.S. Territories. NCFI graduates represent over 500 agencies nationwide.”<sup>3</sup> H.R. 3490 provides statutory authorization for NCFI to carry out its mission of training law enforcement personnel to fight cyber-crime.

According to the bill sponsor, “The threats facing state and local law enforcement are ever changing. Cyber criminals use technology to commit crimes of almost any type. Our men and women in law enforcement are working in an extremely challenging environment, and it is imperative that we equip them to address these challenges in an effort to protect the most vulnerable from being exploited. H.R. 3490, the Strengthening State and Local Cyber Crime Fighting Act of 2015, is a much-needed bill that will help law enforcement fight back against increasingly sophisticated cybercrimes.”<sup>4</sup>

### **COST**

The Congressional Budget Office (CBO) [estimates](#) that implementing H.R. 3490 would not have a significant effect on spending by DHS. Because enacting the legislation would not affect direct spending or revenues, pay-as-you-go procedures do not apply.

### **STAFF CONTACT**

For questions or further information please contact [John Huston](#) with the House Republican Policy Committee by email or at 6-5539.

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<sup>3</sup> Id.

<sup>4</sup> See Press Release, ["Ratcliffe Hits Back on Cybercrime with New Bill,"](#) September 30, 2015