

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

(Pub. L. 113-76, div. F, title V, § 569, Jan. 17, 2014, 128 Stat. 286.)

Editorial Notes

CODIFICATION

Section was enacted as part of the appropriation act cited in the credit of this section, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 472. Annual weaponry report

(a) The Secretary of Homeland Security shall submit to the Congress, not later than 180 days after March 4, 2015, and annually thereafter, beginning at the time the President's budget proposal for fiscal year 2017 is submitted pursuant to section 1105(a) of title 31, a comprehensive report on the purchase and usage of weapons, subdivided by weapon type. The report shall include—

(1) the quantity of weapons in inventory at the end of the preceding calendar year, and the amount of weapons, subdivided by weapon type, included in the budget request for each relevant component or agency in the Department of Homeland Security;

(2) a description of how such quantity and purchase aligns to each component or agency's mission requirements for certification, qualification, training, and operations; and

(3) details on all contracting practices applied by the Department of Homeland Security, including comparative details regarding other contracting options with respect to cost and availability.

(b) The reports required by subsection (a) shall be submitted in an appropriate format in order to ensure the safety of law enforcement personnel.

(Pub. L. 114-4, title V, § 562, Mar. 4, 2015, 129 Stat. 72.)

Editorial Notes

CODIFICATION

Section was enacted as part of the appropriation act cited in the credit of this section, and not as part of the Homeland Security Act of 2002 which comprises this chapter.

§ 473. Cyber Crimes Center, Child Exploitation Investigations Unit, Computer Forensics Unit, and Cyber Crimes Unit

(a) Cyber Crimes Center

(1) In general

The Secretary shall operate, within United States Immigration and Customs Enforcement, Homeland Security Investigations, a Cyber Crimes Center (referred to in this section as the "Center").

(2) Purpose

The Center shall provide investigative assistance, training, and equipment to support domestic and international investigations of cyber-related crimes by the Department.

(b) Child Exploitation Investigations Unit

(1) In general

The Secretary shall operate, within the Center, a Child Exploitation Investigations Unit (referred to in this subsection as the "CEIU").

(2) Functions

The CEIU—

(A) shall coordinate all United States Immigration and Customs Enforcement child exploitation initiatives, including investigations into—

- (i) child exploitation;
- (ii) child pornography;
- (iii) child victim identification;
- (iv) traveling child sex offenders; and
- (v) forced child labor, including the sexual exploitation of minors;

(B) shall, among other things, focus on—

- (i) child exploitation prevention;
- (ii) investigative capacity building;
- (iii) enforcement operations; and
- (iv) training for Federal, State, local, tribal, and foreign law enforcement agency personnel, upon request;

(C) shall provide training, technical expertise, support, or coordination of child exploitation investigations, as needed, to cooperating law enforcement agencies and personnel, which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces;

(D) shall provide psychological support and counseling services for United States Immigration and Customs Enforcement personnel engaged in child exploitation prevention initiatives, including making available other existing services to assist employees who are exposed to child exploitation material during investigations;

(E) is authorized to collaborate with the Department of Defense and the National Association to Protect Children for the purpose of the recruiting, training, equipping and hiring of wounded, ill, and injured veterans and transitioning service members, through the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program¹; and

(F) shall collaborate with other governmental, nongovernmental, and nonprofit entities approved by the Secretary for the sponsorship of, and participation in, outreach and training activities.

(3) Data collection

The CEIU shall collect and maintain data concerning—

(A) the total number of suspects identified by United States Immigration and Customs Enforcement;

(B) the number of arrests by United States Immigration and Customs Enforcement in child exploitation investigations, disaggregated by type, including—

- (i) the number of child victims identified through investigations carried out by United States Immigration and Customs Enforcement; and

¹ So in original. Probably should be "Program".

(ii) the number of suspects arrested who were in positions of trust or authority over children;

(C) the number of child exploitation cases opened for investigation by United States Immigration and Customs Enforcement; and

(D) the number of child exploitation cases resulting in a Federal, State, foreign, or military prosecution.

(4) Availability of data to Congress

In addition to submitting the reports required under paragraph (7), the CEIU shall make the data collected and maintained under paragraph (3) available to the committees of Congress described in paragraph (7).

(5) Cooperative agreements

The CEIU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraphs (2) and (3).

(6) Acceptance of gifts

(A) In general

The Secretary is authorized to accept monies and in-kind donations from the Virtual Global Taskforce, national laboratories, Federal agencies, not-for-profit organizations, and educational institutions to create and expand public awareness campaigns in support of the functions of the CEIU.

(B) Exemption from Federal Acquisition Regulation

Gifts authorized under subparagraph (A) shall not be subject to the Federal Acquisition Regulation for competition when the services provided by the entities referred to in such subparagraph are donated or of minimal cost to the Department.

(7) Reports

Not later than 1 year after May 29, 2015, and annually for the following 4 years, the CEIU shall—

(A) submit a report containing a summary of the data collected pursuant to paragraph (3) during the previous year to—

(i) the Committee on Homeland Security and Governmental Affairs of the Senate;

(ii) the Committee on the Judiciary of the Senate;

(iii) the Committee on Appropriations of the Senate;

(iv) the Committee on Homeland Security of the House of Representatives;

(v) the Committee on the Judiciary of the House of Representatives; and

(vi) the Committee on Appropriations of the House of Representatives; and

(B) make a copy of each report submitted under subparagraph (A) publicly available on the website of the Department.

(c) Computer Forensics Unit

(1) In general

The Secretary shall operate, within the Center, a Computer Forensics Unit (referred to in this subsection as the “CFU”).

(2) Functions

The CFU—

(A) shall provide training and technical support in digital forensics and administer the Digital Forensics and Document and Media Exploitation program to—

(i) United States Immigration and Customs Enforcement personnel; and

(ii) Federal, State, local, tribal, military, and foreign law enforcement agency personnel engaged in the investigation of crimes within their respective jurisdictions, upon request and subject to the availability of funds;

(B) shall provide computer hardware, software, and forensic licenses for all computer forensics personnel within United States Immigration and Customs Enforcement;

(C) shall participate in research and development in the area of digital forensics and emerging technologies, in coordination with appropriate components of the Department; and

(D) is authorized to collaborate with the Department of Defense, the National Association to Protect Children, and other governmental entities for the purpose of recruiting, training, equipping, and hiring wounded, ill, and injured veterans and transitioning service members, through the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program¹.

(3) Cooperative agreements

The CFU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraph (2).

(4) Acceptance of gifts

(A) In general

The Secretary is authorized to accept monies and in-kind donations from the Virtual Global Task Force, national laboratories, Federal agencies, not-for-profit organizations, and educational institutions to create and expand public awareness campaigns in support of the functions of the CFU.

(B) Exemption from Federal Acquisition Regulation

Gifts authorized under subparagraph (A) shall not be subject to the Federal Acquisition Regulation for competition when the services provided by the entities referred to in such subparagraph are donated or of minimal cost to the Department.

(d) Cyber Crimes Unit

(1) In general

The Secretary shall operate, within the Center, a Cyber Crimes Unit (referred to in this subsection as the “CCU”).

(2) Functions

The CCU—

(A) shall oversee the cyber security strategy and cyber-related operations and programs for United States Immigration and Customs Enforcement;

(B) shall enhance United States Immigration and Customs Enforcement's ability to combat criminal enterprises operating on or through the Internet, with specific focus in the areas of—

- (i) cyber economic crime;
- (ii) digital theft of intellectual property;
- (iii) illicit e-commerce (including hidden marketplaces);
- (iv) Internet-facilitated proliferation of arms and strategic technology; and
- (v) cyber-enabled smuggling and money laundering;

(C) shall provide training and technical support in cyber investigations to—

- (i) United States Immigration and Customs Enforcement personnel; and
- (ii) Federal, State, local, tribal, military, and foreign law enforcement agency personnel engaged in the investigation of crimes within their respective jurisdictions, upon request and subject to the availability of funds;

(D) shall participate in research and development in the area of cyber investigations, in coordination with appropriate components of the Department; and

(E) is authorized to recruit participants of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps program¹ for investigative and forensic positions in support of the functions of the CCU.

(3) Cooperative agreements

The CCU is authorized to enter into cooperative agreements to accomplish the functions set forth in paragraph (2).

(e) HERO Child-Rescue Corps²

(1) Establishment

(A) In general

There is established within the Center a Human Exploitation Rescue Operation³ Child-Rescue Corps Program (referred to in this section as the “HERO Child-Rescue Corps Program”), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

(B) Private sector collaboration

As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

(2) Purpose

The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces on active duty and wounded, ill, and injured veterans to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

(3) Functions

The HERO Child-Rescue Program shall—

- (A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intel-

ligence, and victim identification, as determined by the Center and the needs of the Department; and

(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

- (i) child exploitation;
- (ii) child pornography;
- (iii) unidentified child victims;
- (iv) human trafficking;
- (v) traveling child sex offenders; and
- (vi) forced child labor, including the sexual exploitation of minors.

(f) Paid internship and hiring program

(1) In general

The Secretary shall establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as “participants”) into paid internship positions, for the subsequent appointment of the participants to permanent positions, as described in the guidelines promulgated under paragraph (3).

(2) Internship positions

Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

(3) Placement

(A) In general

The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

(B) Preference

The Secretary shall give a preference to Homeland Security Investigations in assignments or details under the guidelines promulgated under subparagraph (A).

(4) Term of internship

An appointment to an internship position under this subsection shall be for a term not to exceed 12 months.

(5) Rate and term of pay

After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

- (A) not less than the minimum rate of basic pay payable for a position at level GS-5 of the General Schedule; and

- (B) not more than the maximum rate of basic pay payable for a position at level GS-7 of the General Schedule.

(6) Eligibility

In establishing the paid internship and hiring program required under paragraph (1), the

² So in original. “Program” probably should be inserted at end of heading.

³ So in original. Probably should be “Operative”.

Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

(7) Hero Corps hiring

The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to any positions in existence on December 21, 2019, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1).

(g) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Secretary such sums as are necessary to carry out this section.

(2) Allocation

Of the amount made available pursuant to paragraph (1) in each of fiscal years 2022 through 2027, not more than \$10,000,000 shall be used to carry out subsection (e) and not less than \$2,000,000 shall be used to carry out subsection (f).

(Pub. L. 107–296, title VIII, §890A, as added Pub. L. 114–22, title III, §302(b)(1), May 29, 2015, 129 Stat. 251; amended Pub. L. 115–392, §23(a), (b), Dec. 21, 2018, 132 Stat. 5261, 5262; Pub. L. 117–347, title I, §105(b), Jan. 5, 2023, 136 Stat. 6203.)

Editorial Notes

AMENDMENTS

2023—Subsec. (g)(2). Pub. L. 117–347 substituted “2022 through 2027” for “2019 through 2022”.

2018—Subsec. (a)(1). Pub. L. 115–392, §23(a)(1)(A), inserted “Homeland Security Investigations,” after “Customs Enforcement,”.

Subsec. (a)(2). Pub. L. 115–392, §23(a)(1)(B), added par. (2) and struck out former par. (2). Prior to amendment, text read as follows: “The purpose of the Center shall be to provide investigative assistance, training, and equipment to support United States Immigration and Customs Enforcement’s domestic and international investigations of cyber-related crimes.”

Subsec. (b)(2)(C). Pub. L. 115–392, §23(a)(2)(A), inserted “, which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces” after “agencies and personnel”.

Subsec. (b)(3)(B). Pub. L. 115–392, §23(a)(2)(B)(i)(I), inserted “in child exploitation investigations” after “Enforcement” in introductory provisions.

Subsec. (b)(3)(B)(i). Pub. L. 115–392, §23(a)(2)(B)(i)(II), inserted “child” before “victims”.

Subsec. (b)(3)(C), (D). Pub. L. 115–392, §23(a)(2)(B)(ii), (iii), inserted “child exploitation” after “number of”.

Subsec. (c)(2)(A). Pub. L. 115–392, §23(a)(3)(A), inserted “and administer the Digital Forensics and Document and Media Exploitation program” after “forensics” in introductory provisions.

Subsec. (c)(2)(C). Pub. L. 115–392, §23(a)(3)(B), inserted “and emerging technologies” after “forensics”.

Subsec. (c)(2)(D). Pub. L. 115–392, §23(a)(3)(C), substituted “, the National Association to Protect Children, and other governmental entities” for “and the National Association to Protect Children”.

Subsecs. (e), (f). Pub. L. 115–392, §23(b)(2), added subsecs. (e) and (f). Former subsec. (e) redesignated (g).

Subsec. (g). Pub. L. 115–392, §23(b)(1), (3), redesignated subsec. (e) as (g), inserted par. (1) designation and heading, and added par. (2).

Statutory Notes and Related Subsidiaries

FINDINGS

Pub. L. 114–22, title III, §302(a), May 29, 2015, 129 Stat. 251, provided that: “Congress finds the following:

“(1) The illegal market for the production and distribution of child abuse imagery is a growing threat to children in the United States. International demand for this material creates a powerful incentive for the rape, abuse, and torture of children within the United States.

“(2) The targeting of United States children by international criminal networks is a threat to the homeland security of the United States. This threat must be fought with trained personnel and highly specialized counter-child-exploitation strategies and technologies.

“(3) The United States Immigration and Customs Enforcement of the Department of Homeland Security serves a critical national security role in protecting the United States from the growing international threat of child exploitation and human trafficking.

“(4) The Cyber Crimes Center of the United States Immigration and Customs Enforcement is a vital national resource in the effort to combat international child exploitation, providing advanced expertise and assistance in investigations, computer forensics, and victim identification.

“(5) The returning military heroes of the United States possess unique and valuable skills that can assist law enforcement in combating global sexual and child exploitation, and the Department of Homeland Security should use this national resource to the maximum extent possible.

“(6) Through the Human Exploitation Rescue Operation (HERO) Child Rescue Corps program, the returning military heroes of the United States are trained and hired to investigate crimes of child exploitation in order to target predators and rescue children from sexual abuse and slavery.”

§ 474. Homeland security critical domain research and development

(a) In general

(1) Research and development

The Secretary is authorized to conduct research and development to—

(A) identify United States critical domains for economic security and homeland security; and

(B) evaluate the extent to which disruption, corruption, exploitation, or dysfunction of any of such domain poses a substantial threat to homeland security.

(2) Requirements

(A) Risk analysis of critical domains

The research under paragraph (1) shall include a risk analysis of each identified United States critical domain for economic security to determine the degree to which there exists a present or future threat to homeland security in the event of disruption, corruption, exploitation, or dysfunction to such domain. Such research shall consider, to the extent possible, the following:

(i) The vulnerability and resilience of relevant supply chains.

(ii) Foreign production, processing, and manufacturing methods.

(iii) Influence of malign economic actors.