

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5921

To amend titles 17 and 18, United States Code, to strengthen the protection of intellectual property, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2006

Mr. SENSENBRENNER (for himself, Mr. COBLE, and Mr. SMITH of Texas) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend titles 17 and 18, United States Code, to strengthen the protection of intellectual property, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intellectual Property  
5 Enhanced Criminal Enforcement Act of 2006”.

6 **SEC. 2. REGISTRATION IN CIVIL INFRINGEMENT ACTIONS.**

7 (a) LIMITATION TO CIVIL ACTIONS; PROTECTION OF  
8 COPYRIGHT CLAIM WITH PENDING APPLICATION; HARM-

1 LESS ERROR.—Section 411 of title 17, United States  
2 Code, is amended—

3 (1) in the section heading, by inserting “**civil**”  
4 before “**infringement**”;

5 (2) in subsection (a)—

6 (A) in the first sentence, by striking “no  
7 action” and inserting “no civil action”;

8 (B) in the second sentence, by striking “an  
9 action” and inserting “a civil action”; and

10 (C) by inserting after the first sentence the  
11 following: “The receipt by the Copyright Office  
12 of a deposit, application, and fee required for  
13 registration in proper form shall suffice as reg-  
14 istration of the copyright claim under this sub-  
15 section.”;

16 (3) in subsection (b)—

17 (A) by redesignating that subsection as  
18 subsection (c); and

19 (B) by striking “506 and sections 509  
20 and” and inserting “505 and section”; and

21 (4) by inserting after subsection (a) the fol-  
22 lowing new subsection:

23 “(b)(1) A certificate of registration satisfies the re-  
24 quirements of this section and section 412, regardless of

1 whether the certificate contains any inaccurate informa-  
2 tion, unless—

3 “(A) the inaccurate information was included  
4 on the application for copyright registration with  
5 knowledge that it was inaccurate; and

6 “(B) the inaccurate information, if known,  
7 would have caused the Register of Copyrights to  
8 refuse registration.

9 “(2) In any case in which inaccurate information de-  
10 scribed under paragraph (1) is alleged, the court shall re-  
11 quest the Register of Copyrights to advise the court  
12 whether the inaccurate information, if known, would have  
13 caused the Register of Copyrights to refuse registra-  
14 tion.”;”.

15 (b) CONFORMING AMENDMENTS.—

16 (1) Section 412 of title 17, United States Code,  
17 is amended by striking “411(b)” and inserting  
18 “411(c)”.

19 (2) The item relating to section 411 in the table  
20 of sections for chapter 4 of title 17, United States  
21 Code, is amended to read as follows:

“411. Registration and civil infringement actions.”.

22 **SEC. 3. CIVIL REMEDIES FOR INFRINGEMENT.**

23 Section 503(a) of title 17, United States Code, is  
24 amended—

1           (1) by striking “and of all plates” and inserting  
2           “, of all plates”; and

3           (2) by striking the period and inserting “, and  
4           of records documenting the manufacture, sale, or re-  
5           ceipt of items involved in such violation. The court  
6           shall enter an appropriate protective order with re-  
7           spect to discovery of any records that have been  
8           seized. The protective order shall provide for appro-  
9           priate procedures to assure that confidential infor-  
10          mation contained in such records is not improperly  
11          disclosed to any party.”.

12 **SEC. 4. STATUTORY DAMAGES.**

13          Section 504(c)(1) of title 17, United States Code, is  
14          amended in the second sentence by inserting before the  
15          period “, except that the court in its discretion may deter-  
16          mine that such parts are separate works if the court con-  
17          cludes that they are distinct works having independent  
18          economic value”.

19 **SEC. 5. CRIMINAL INFRINGEMENT.**

20          (a) IN GENERAL.—Section 506(a) of title 17, United  
21          States Code, is amended—

22               (1) by redesignating paragraph (3) as para-  
23               graph (4); and

24               (2) by inserting after paragraph (2) the fol-  
25               lowing:

1           “(3) ATTEMPT AND CONSPIRACY.—

2                   “(A) ATTEMPT.—Any person who at-  
3           tempts to commit an offense under paragraph  
4           (1) shall be subject to the same penalties as  
5           those prescribed for the offense, the commission  
6           of which was the object of the attempt.

7                   “(B) CONSPIRACY.—If two or more per-  
8           sons conspire to commit an offense under para-  
9           graph (1) and one or more of such persons do  
10          any act to effectuate the object of the con-  
11          spiracy, each shall be subject to the same pen-  
12          alties as those prescribed for the offense, the  
13          commission of which was the object of the con-  
14          spiracy.”.

15          (b) FORFEITURE AND DESTRUCTION; RESTITU-  
16          TION.—Section 506(b) of title 17, United States Code, is  
17          amended to read as follows:

18                   “(b) FORFEITURE, DESTRUCTION, AND RESTITU-  
19          TION.—Forfeiture, destruction, and restitution relating to  
20          this section shall be subject to section 2323 of title 18,  
21          to the extent provided in that section, in addition to any  
22          other similar remedies provided by law.”.

23          (c) CONFORMING AMENDMENT.—Section 509 of title  
24          17, United States Code, and the item relating to that sec-

1 tion in the table of sections for chapter 5 of such title,  
2 are repealed.

3 **SEC. 6. IMPORTATION AND EXPORTATION.**

4 (a) IMPORTATION AND EXPORTATION OF INFRING-  
5 ING ITEMS.—Section 602(a) of title 17, United States  
6 Code, is amended—

7 (1) by redesignating paragraphs (1), (2), and  
8 (3) as subparagraphs (A), (B), and (C);

9 (2) in the first sentence, by striking “Importa-  
10 tion” and inserting “(1) Importation”;

11 (3) by striking “106, actionable” and inserting  
12 “106 and is actionable”;

13 (4) by striking “This subsection does not apply  
14 to—” and inserting the following:

15 “(2) Importation into the United States or expor-  
16 tation from the United States, without the authority of  
17 the owner of copyright under this title, of copies or  
18 phonorecords, the making of which either constituted an  
19 infringement of copyright or would have constituted an in-  
20 fringement of copyright if this title had been applicable,  
21 is an infringement of the exclusive right to distribute cop-  
22 ies or phonorecords under section 106 and is actionable  
23 under sections 501 and 506.

24 “(3) This subsection does not apply to—”;

1 (5) in subparagraph (A), as redesignated, by in-  
 2 serting “or exportation” after “importation”;

3 (6) in subparagraph (B), as redesignated—

4 (A) by striking “, for the private use of the  
 5 importer” and inserting “or exportation, for the  
 6 private use of the importer or exporter”; and

7 (B) by inserting “or departing from the  
 8 United States” after “outside the United  
 9 States”.

10 (b) CONFORMING AMENDMENTS.—(1) The section  
 11 heading for section 602 of title 17, United States Code,  
 12 is amended by inserting “**or exportation**” after “**im-**  
 13 **portation**”.

14 (2) The table of sections for chapter 6 of title 17,  
 15 United States Code, is amended by inserting “or expor-  
 16 tation” after “importation”.

17 (3) The heading for chapter 6 of title 17, United  
 18 States Code, is amended to read as follows:

19 **“CHAPTER 6—MANUFACTURING REQUIRE-**  
 20 **MENTS, IMPORTATION, AND EXPOR-**  
 21 **TATION”.**

22 (4) The item relating to chapter 6 in the table of  
 23 chapters for title 17, United States Code, is amended to  
 24 read as follows:

**“6. Manufacturing Requirements, Importation, and Ex-**  
**portation ..... 601”.**

1 **SEC. 7. CIRCUMVENTION OF COPYRIGHT PROTECTION SYS-**  
2 **TEMS.**

3 Section 1201 of title 17, United States Code, is  
4 amended—

5 (a) in subsection (a)—

6 (1) in paragraph (2), by striking “import,”; and

7 (2) in paragraph (3)—

8 (A) in subparagraph (A), by striking  
9 “and” after the semicolon;

10 (B) in subparagraph (B), by striking the  
11 period and inserting “; and”; and

12 (C) by adding at the end the following:

13 “(C) the term ‘traffice in’ means to transport,  
14 transfer, or otherwise dispose of, to another, or to  
15 make, import, export, obtain control of, or possess,  
16 with intent to so transport, transfer, or otherwise  
17 dispose of.”; and

18 (3) in subsection (b)—

19 (A) in paragraph (1), by striking “im-  
20 port,”; and

21 (B) in paragraph (2)—

22 (i) in subparagraph (A), by striking  
23 “and” after the semicolon;

24 (ii) in subparagraph (B), by striking  
25 the period and inserting “; and”; and



1 (iii) by adding at the end the fol-  
2 lowing:

3 “(C) the term ‘traffic in’ means to transport,  
4 transfer, or otherwise dispose of, to another, or to  
5 make, import, export, obtain control of, or possess,  
6 with intent to so transport, transfer, or otherwise  
7 dispose of.”.

8 **SEC. 8. FRAUD IN AUTHENTICATION PROCEDURES.**

9 Section 1028(d)(12) of title 18, United States Code,  
10 is amended to read as follows:

11 “(12)(A) the term ‘traffic in’ means to trans-  
12 port, transfer, or otherwise dispose of, to another,  
13 for purposes of commercial advantage or private fi-  
14 nancial gain, or to make, import, export, obtain con-  
15 trol of, or possess, with intent to so transport, trans-  
16 fer, or otherwise dispose of; and

17 “(B) the term ‘financial gain’ includes the re-  
18 ceipt, or expected receipt, of anything of value.”.

19 **SEC. 9. FRAUD IN CONNECTION WITH ACCESS DEVICES.**

20 Section 1029(e)(5) of title 18, United States Code,  
21 is amended to read as follows:

22 “(5) the term ‘traffic in’ means to transport,  
23 transfer, or otherwise dispose of, to another, or to  
24 make, import, export, obtain control of, or possess,

1 with intent to so transport, transfer, or otherwise  
2 dispose of;”.

3 **SEC. 10. FORFEITURE UNDER ECONOMIC ESPIONAGE ACT.**

4 Section 1834 of title 18, United States Code, is  
5 amended to read as follows:

6 **“§ 1834. Criminal forfeiture**

7 “Forfeiture, destruction and restitution relating to  
8 this chapter shall be subject to section 2323 of title 18,  
9 to the extent provided in that section, in addition to any  
10 other similar remedies provided by law.”.

11 **SEC. 11. TRAFFICKING IN COUNTERFEIT LABELS, ILLICIT**  
12 **LABELS, OR COUNTERFEIT DOCUMENTATION**  
13 **OR PACKAGING FOR WORKS THAT CAN BE**  
14 **COPYRIGHTED.**

15 Section 2318 of title 18, United States Code, is  
16 amended as follows:

17 (1) Subsection (a) is amended——

18 (A) by redesignating subparagraphs (A)  
19 through (G) as clauses (i) through (vii), respec-  
20 tively;

21 (B) by redesignating paragraphs (1) and  
22 (2) as subparagraphs (A) and (B), respectively;

23 (C) by striking “Whoever” and inserting  
24 “(1) Whoever”;

1 (D) by striking “5 years” and inserting  
2 “10 years”; and

3 (E) by adding at the end the following:

4 “(2) Whoever is convicted of an offense under para-  
5 graph (1), having previously been convicted of a felony of-  
6 fense under this section, under section 1204(a) of title 17,  
7 or under section 2319, 2319A, or 2319B of this title, shall  
8 be imprisoned not more than 20 years, fined under this  
9 title, or both.”.

10 (2) Section 2318(d) is amended to read as fol-  
11 lows:

12 “(d) FORFEITURE AND DESTRUCTION OF PROPERTY;  
13 RESTITUTION.—Forfeiture, destruction, and restitution  
14 relating to this section shall be subject to section 2323,  
15 to the extent provided in that section, in addition to any  
16 other similar remedies provided by law.”.

17 (3) Section 2318 is further amended by striking  
18 subsection (e) and redesignating subsection (f) as  
19 subsection (e).

20 **SEC. 12. CRIMINAL INFRINGEMENT OF COPYRIGHT.**

21 Section 2319 of title 18, United States Code, is  
22 amended—

23 (1) in subsection (b)—

24 (A) in paragraph (1), by striking “5  
25 years” and inserting “10 years”; and

1 (B) in paragraph (2)—

2 (i) by striking “10 years” and insert-  
3 ing “20 years”; and

4 (ii) by striking “if the offense is a sec-  
5 ond or subsequent offense under paragraph  
6 (1)” and inserting “if the offense was com-  
7 mitted after a prior felony conviction under  
8 this section, under section 1204(a) of title  
9 17, or under section 2318, 2319A, or  
10 2319B of this title”; and

11 (2) in subsection (c)—

12 (A) in paragraph (1), by striking “3  
13 years” and inserting “6 years”; and

14 (B) in paragraph (2)—

15 (i) by striking “6 years” and inserting  
16 “12 years”; and

17 (ii) by striking “if the offense is a sec-  
18 ond or subsequent offense under paragraph  
19 (1)” and inserting “if the offense was com-  
20 mitted after a prior felony conviction under  
21 this section, under section 1204(a) of title  
22 17, or under section 2318, 2319A, or  
23 2319B of this title”.

1 **SEC. 13. UNAUTHORIZED FIXATION OF AND TRAFFICKING**  
2 **IN REPRODUCTIONS OF LIVE MUSICAL PER-**  
3 **FORMANCES.**

4 Section 2319A of title 18, United States Code, is  
5 amended as follows:

6 (1) Subsection (a) is amended—

7 (A) by redesignating paragraphs (1), (2),  
8 and (3) as subparagraphs (A), (B), and (C), re-  
9 spectively;

10 (B) in subparagraph (C), as redesignated,  
11 by striking “paragraph (1)” and inserting “sub-  
12 paragraph (A)”;

13 (C) by striking “Whoever” and inserting  
14 “(1) Whoever”;

15 (D) by striking “5 years” and inserting  
16 “10 years”;

17 (E) by striking “, or if the offense” and all  
18 that follows through “or both”; and

19 (F) by adding at the end the following:

20 “(2) Whoever is convicted of an offense under para-  
21 graph (1), having previously been convicted of a felony of-  
22 fense under paragraph (1), under section 1204(a) of title  
23 17, or under section 2318, 2319, or 2319B of this title,  
24 shall be imprisoned not more than 20 years, fined under  
25 this title, or both.”.

26 (2) Section 2319A is amended—

1 (A) by striking subsection (e) and redesignig-  
2 nating subsections (d), (e), and (f) as sub-  
3 sections (e), (d), and (e), respectively; and

4 (B) by amending subsection (b) to read as  
5 follows:

6 “(b) FORFEITURE AND DESTRUCTION OF PROPERTY;  
7 RESTITUTION.—Forfeiture, destruction, and restitution  
8 relating to this section shall be subject to section 2323,  
9 to the extent provided in that section, in addition to any  
10 other similar remedies provided by law.”.

11 **SEC. 14. UNAUTHORIZED RECORDING OF MOTION PIC-**  
12 **TURES.**

13 Section 2319B of title 18, United States Code, is  
14 amended as follows:

15 (1) Subsection (a) is amended—

16 (A) by striking “Any person” and inserting  
17 “(1) Any person”;

18 (B) by striking “shall—” and all that fol-  
19 lows through the end of paragraph (2) and in-  
20 serting “shall be imprisoned not more than 10  
21 years, or fined under this title, or both.”; and

22 (C) by striking “The possession” and in-  
23 serting the following:

24 “(2) Whoever is convicted of an offense under para-  
25 graph (1), having previously been convicted of a felony of-

1 fense under paragraph (1), under section 1204(a) of title  
2 17, or under section 2318, 2319, or 2319A of this title,  
3 shall be imprisoned not more than 20 years, fined under  
4 this title, or both.

5 “(3) The possession”.

6 (2) Section 2319B(b) is amended to read as fol-  
7 lows:

8 “(b) FORFEITURE AND DESTRUCTION OF PROPERTY;  
9 RESTITUTION.—Forfeiture, destruction, and restitution  
10 relating to this section shall be subject to section 2323,  
11 to the extent provided in that section, in addition to any  
12 other similar remedies provided by law.”.

13 **SEC. 15. TRAFFICKING IN COUNTERFEIT GOODS OR SERV-**  
14 **ICES.**

15 Section 2320 of title 18, United States Code, is  
16 amended as follows:

17 (1) Subsection (a) is amended—

18 (A) by striking “(a) Whoever” and insert-  
19 ing

20 “(a) OFFENSES.—

21 “(1) IN GENERAL.—Whoever”;

22 (B) by striking “10 years” and inserting  
23 “20 years”;

24 (C) by striking “20 years” and inserting  
25 “30 years”; and

1 (D) by adding at the end the following:

2 “(2) SERIOUS BODILY HARM OR DEATH.—(A)

3 If the offender knowingly or recklessly causes or at-  
4 tempts to cause serious bodily injury from conduct  
5 in violation of paragraph (1), the penalty shall be a  
6 fine under this title or imprisonment for not more  
7 than 30 years, or both.

8 “(B) If the offender knowingly or recklessly  
9 causes or attempts to cause death from conduct in  
10 violation of paragraph (1), the penalty shall be a  
11 fine under this title or imprisonment for any term  
12 of years or for life, or both.”.

13 (2) Subsection (b) is amended to read as fol-  
14 lows:

15 “(b) FORFEITURE AND DESTRUCTION OF PROPERTY;  
16 RESTITUTION.—Forfeiture, destruction, and restitution  
17 relating to this section shall be subject to section 2323,  
18 to the extent provided in that section, in addition to any  
19 other similar remedies provided by law.”.

20 **SEC. 16. FORFEITURE, DESTRUCTION, AND RESTITUTION.**

21 (a) IN GENERAL.—Chapter 111 of title 18, United  
22 States Code, is amended by adding at the end the fol-  
23 lowing new section:

24 **“§ 2323. Forfeiture, destruction, and restitution**

25 “(a) CIVIL FORFEITURE.—



1           “(1) PROPERTY SUBJECT TO FORFEITURE.—

2           The following property is subject to forfeiture to the  
3           United States:

4                   “(A) Any infringing, counterfeit, illicit, or  
5                   misappropriated article involved in an offense  
6                   under section 506 or 1204 of title 17, or section  
7                   2318, 2319, 2319A, 2319B, or 2320, or chap-  
8                   ter 90, of this title, or any article the making  
9                   or trafficking of which is prohibited by any such  
10                  section or chapter.

11                   “(B) Any property used, or intended to be  
12                   used, in any manner or part to commit or facili-  
13                   tate the commission of an offense referred to in  
14                   subparagraph (A).

15                   “(C) Any property constituting or derived  
16                   from any proceeds obtained directly or indi-  
17                   rectly as a result of the commission of an of-  
18                   fense referred to in subparagraph (A).

19           “(2) PROCEDURES.—The provisions of chapter  
20           46 relating to civil forfeitures shall extend to any  
21           civil forfeiture under this section. At the conclusion  
22           of the forfeiture proceedings, the court shall order  
23           that any property forfeited under paragraph (1) be  
24           destroyed, or otherwise disposed of according to law.

25           “(b) CRIMINAL FORFEITURE.—

1           “(1) PROPERTY SUBJECT TO FORFEITURE.—

2           The court, in imposing sentence on a person con-  
3           victed of an offense under section 506 or 1204 of  
4           title 17, or section 2318, 2319, 2319A, 2319B, or  
5           2320, or chapter 90, of this title, shall order, in ad-  
6           dition to any other sentence imposed, that the per-  
7           son forfeit to the United States any property subject  
8           to forfeiture under subsection (a) for that offense.

9           “(2) PROCEDURES.—

10           “(A) IN GENERAL.—The forfeiture of  
11           property under paragraph (1), including any  
12           seizure and disposition of the property and any  
13           related judicial or administrative proceeding,  
14           shall be governed by the procedures set forth in  
15           section 413 of the Comprehensive Drug Abuse  
16           Prevention and Control Act of 1970 (21 U.S.C.  
17           853), other than subsection (d) of that section.

18           “(B) DESTRUCTION.—At the conclusion of  
19           the forfeiture proceedings, the court—

20           “(i) shall order the destruction of any  
21           forfeited article or component of an article  
22           bearing or consisting of a counterfeit  
23           mark; and

24           “(ii) shall order the destruction or  
25           other lawful disposition of any infringing

1 items or other property described in sub-  
 2 section (a)(1)(A) and forfeited under para-  
 3 graph (1) of this subsection.

4 “(c) RESTITUTION.—When a person is convicted of  
 5 an offense under section 506 or 1204 of title 17 or section  
 6 2318, 2319, 2319A, 2319B, or 2320, or chapter 90, of  
 7 this title, the court, pursuant to section 3556 of this title,  
 8 shall order the person to pay restitution to any victim of  
 9 the offense as an offense against property referred to in  
 10 section 3663A(c)(1)(A)(ii) of this title.”.

11 (b) CONFORMING AMENDMENT.—The table of sec-  
 12 tions for chapter 111 of title 18, United States Code, is  
 13 amended by adding at the end the following new items:  
 “2323. Forfeiture, destruction, and restitution.”.

14 **SEC. 17. IMPROVED INVESTIGATIVE AND FORENSIC RE-**  
 15 **SOURCES FOR ENFORCEMENT OF LAWS RE-**  
 16 **LATED TO INTELLECTUAL PROPERTY**  
 17 **CRIMES.**

18 (a) IN GENERAL.—The Attorney General, in con-  
 19 sultation with the Director of the Federal Bureau of In-  
 20 vestigation, shall, with respect to crimes related to the  
 21 theft of intellectual property—

22 (1) create an operational unit of the Federal  
 23 Bureau of Investigation—

24 (A) to work with the Computer Crime and  
 25 Intellectual Property section of the Department

1 of Justice on the investigation and coordination  
2 of intellectual property crimes that are complex,  
3 committed in more than one judicial district, or  
4 international;

5 (B) that consists of at least 10 agents of  
6 the Bureau; and

7 (C) that is located at the headquarters of  
8 the Bureau;

9 (2) ensure that any unit in the Department of  
10 Justice responsible for investigating computer hack-  
11 ing or intellectual property crimes is assigned at  
12 least 2 agents of the Federal Bureau of Investiga-  
13 tion (in addition to any agent assigned to such unit  
14 as of the date of the enactment of this Act) to sup-  
15 port such unit for the purpose of investigating or  
16 prosecuting intellectual property crimes; and

17 (3) implement a comprehensive program—

18 (A) the purpose of which is to train agents  
19 of the Federal Bureau of Investigation in the  
20 investigation and prosecution of such crimes  
21 and the enforcement of laws related to intellec-  
22 tual property crimes;

23 (B) that includes relevant forensic training  
24 related to investigating and prosecuting intellec-  
25 tual property crimes; and

1 (C) that requires such agents who inves-  
2 tigate or prosecute intellectual property crimes  
3 to attend the program annually.

4 (b) INTELLECTUAL PROPERTY LAW ENFORCEMENT  
5 COORDINATORS.—Not later than 120 days after the date  
6 of the enactment of this Act, the Attorney General shall  
7 assign one Federal prosecutor to the appropriate office of  
8 the Department of Justice located in Hong Kong and one  
9 Federal prosecutor to such an office located in Budapest,  
10 Hungary, to assist in the coordination of the enforcement  
11 of intellectual property laws between the United States  
12 and foreign nations.

13 (c) ORGANIZED CRIME TASK FORCE.—Not later  
14 than 120 days after the date of the enactment of this Act,  
15 the Attorney General, through the United States Attor-  
16 neys' Offices, the Computer Crime and Intellectual Prop-  
17 erty section, and the Organized Crime and Racketeering  
18 section of the Department of Justice, and in consultation  
19 with the Federal Bureau of Investigation and other Fed-  
20 eral law enforcement agencies, shall create a Task Force  
21 to develop and implement a comprehensive, long-range  
22 plan to investigate and prosecute international organized  
23 crime syndicates engaging in or supporting crimes relating  
24 to the theft of intellectual property.

1 (d) AUTHORIZATION.—There are authorized to be ap-  
2 propriated to carry out this section \$12,000,000 for each  
3 of fiscal years 2007 through 2011.

4 **SEC. 18. ADDITIONAL FUNDING FOR RESOURCES TO INVES-**  
5 **TIGATE AND PROSECUTE CRIMINAL ACTIV-**  
6 **ITY INVOLVING COMPUTERS.**

7 (a) ADDITIONAL FUNDING FOR RESOURCES.—

8 (1) AUTHORIZATION.—In addition to amounts  
9 otherwise authorized for resources to investigate and  
10 prosecute criminal activity involving computers,  
11 there are authorized to be appropriated for each of  
12 the fiscal years 2007 through 2011—

13 (A) \$10,000,000 to the Director of the  
14 Federal Bureau of Investigation; and

15 (B) \$10,000,000 to the Attorney General  
16 for the Criminal Division of the Department of  
17 Justice.

18 (2) AVAILABILITY.—Any amounts appropriated  
19 under paragraph (1) shall remain available until ex-  
20 pended.

21 (b) USE OF ADDITIONAL FUNDING.—Funds made  
22 available under subsection (a) shall be used by the Direc-  
23 tor of the Federal Bureau of Investigation and the Attor-  
24 ney General, for the Federal Bureau of Investigation and

1 the Criminal Division of the Department of Justice, re-  
2 spectively, to—

3 (1) hire and train law enforcement officers to—

4 (A) investigate crimes committed through  
5 the use of computers and other information  
6 technology, including through the use of the  
7 Internet; and

8 (B) assist in the prosecution of such  
9 crimes; and

10 (2) procure advanced tools of forensic science to  
11 investigate, prosecute, and study such crimes.

12 **SEC. 19. TECHNICAL AMENDMENTS.**

13 (a) AMENDMENTS TO TITLE 17, UNITED STATES  
14 CODE.—

15 (1) Section 109 (b)(4) of title 17, United States  
16 Code, is amended by striking “505, and 509” and  
17 inserting “and 505”.

18 (2) Section 111 of title 17, United States Code,  
19 is amended—

20 (A) in subsection (b), by striking “and  
21 509”;

22 (B) in subsection (c)—

23 (i) in paragraph (2), by striking “and  
24 509”;

1 (ii) in paragraph (3), by striking “sec-  
2 tions 509 and 510” and inserting “section  
3 510”; and

4 (iii) in paragraph (4), by striking  
5 “and section 509”; and  
6 (C) in subsection (e)—

7 (i) in paragraph (1), by striking “sec-  
8 tions 509 and 510” and inserting “section  
9 510”; and

10 (ii) in paragraph (2), by striking “and  
11 509”.

12 (3) Section 115(e) of title 17, United States  
13 Code, is amended—

14 (A) in paragraph (3)(G)(i), by striking  
15 “and 509”; and

16 (B) in paragraph (6), by striking “and  
17 509”.

18 (4) Section 119(a) of title 17, United States  
19 Code, is amended—

20 (A) in paragraph (6), by striking “sections  
21 509 and 510” and inserting “section 510”;

22 (B) in paragraph (7)(A), by striking “and  
23 509”;

24 (C) in paragraph (8), by striking “and  
25 509”; and



1 (D) in paragraph (13), by striking “and  
2 509”.

3 (5) Section 122 of title 17, United States Code,  
4 is amended—

5 (A) in subsection (d), by striking “and  
6 509”;

7 (B) in subsection (e), by striking “sections  
8 509 and 510” and inserting “section 510”; and

9 (C) in subsection (f)(1), by striking “and  
10 509”.

11 (6) Section 411(b) of title 17, United States  
12 Code, is amended by striking “sections 509 and  
13 510” and inserting “section 510”.

14 (b) OTHER AMENDMENTS.—Section 596(c)(2)(c) of  
15 the Tariff Act of 1950 (19 U.S.C. 1595a(c)(2)(c)) is  
16 amended by striking “or 509”.

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