

114TH CONGRESS  
1ST SESSION

# S. 575

To continue operation of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps, a Cyber Crimes Center, a Child Exploitation Investigations Unit, a Computer Forensics Unit, and a Cyber Crimes Unit to support the mission of the Homeland Security Investigations directorate of United States Immigration and Customs Enforcement to combat the exploitation of children.

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 25, 2015

Mr. KIRK (for himself and Mr. BLUMENTHAL) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To continue operation of the Human Exploitation Rescue Operative (HERO) Child Rescue Corps, a Cyber Crimes Center, a Child Exploitation Investigations Unit, a Computer Forensics Unit, and a Cyber Crimes Unit to support the mission of the Homeland Security Investigations directorate of United States Immigration and Customs Enforcement to combat the exploitation of children.

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

1 **SECTION 1. SHORT TITLE.**

2 This title may be cited as the “Human Exploitation  
3 Rescue Operations Act of 2015” or the “HERO Act of  
4 2015”.

5 **SEC. 2. FINDINGS.**

6 Congress finds the following:

7 (1) The illegal market for the production and  
8 distribution of child abuse imagery is a growing  
9 threat to children in the United States. International  
10 demand for this material creates a powerful incen-  
11 tive for the rape, abuse, and torture of children  
12 within the United States.

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

19 (3) The United States Immigration and Cus-  
20 toms Enforcement of the Department of Homeland  
21 Security serves a critical national security role in  
22 protecting the United States from the growing inter-  
23 national threat of child exploitation and human traf-  
24 ficking.

25 (4) The Cyber Crimes Center of the United  
26 States Immigration and Customs Enforcement is a

1 vital national resource in the effort to combat inter-  
2 national child exploitation, providing advanced ex-  
3 pertise and assistance in investigations, computer  
4 forensics, and victim identification.

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

11 (6) Through the Human Exploitation Rescue  
12 Operative (HERO) Child Rescue Corps program, the  
13 returning military heroes of the United States are  
14 trained and hired to investigate crimes of child ex-  
15 ploitation in order to target predators and rescue  
16 children from sexual abuse and slavery.

17 **SEC. 3. CYBER CRIMES CENTER, CHILD EXPLOITATION IN-**  
18 **VESTIGATIONS UNIT, AND COMPUTER**  
19 **FORENSICS UNIT.**

20 (a) IN GENERAL.—Subtitle H of title VIII of the  
21 Homeland Security Act of 2002 (6 U.S.C. 451 et seq.)  
22 is amended by adding at the end the following:

1 **“SEC. 890A. CYBER CRIMES CENTER, CHILD EXPLOITATION**  
2 **INVESTIGATIONS UNIT, COMPUTER**  
3 **FORENSICS UNIT, AND CYBER CRIMES UNIT.**

4 “(a) CYBER CRIMES CENTER.—

5 “(1) IN GENERAL.—The Secretary shall oper-  
6 ate, within United States Immigration and Customs  
7 Enforcement, a Cyber Crimes Center (referred to in  
8 this section as the ‘Center’).

9 “(2) PURPOSE.—The purpose of the Center  
10 shall be to provide investigative assistance, training,  
11 and equipment to support United States Immigra-  
12 tion and Customs Enforcement’s domestic and inter-  
13 national investigations of cyber-related crimes.

14 “(b) CHILD EXPLOITATION INVESTIGATIONS  
15 UNIT.—

16 “(1) IN GENERAL.—The Secretary shall oper-  
17 ate, within the Center, a Child Exploitation Inves-  
18 tigation Unit (referred to in this subsection as the  
19 ‘CEIU’).

20 “(2) FUNCTIONS.—The CEIU—

21 “(A) shall coordinate all United States Im-  
22 migration and Customs Enforcement child ex-  
23 ploitation initiatives, including investigations  
24 into—

25 “(i) child exploitation;

26 “(ii) child pornography;

1 “(iii) child victim identification;

2 “(iv) traveling child sex offenders; and

3 “(v) forced child labor, including the  
4 sexual exploitation of minors;

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

6 “(i) child exploitation prevention;

7 “(ii) investigative capacity building;

8 “(iii) enforcement operations; and

9 “(iv) training for Federal, State, local,  
10 tribal, and foreign law enforcement agency  
11 personnel, upon request;

12 “(C) shall provide training, technical ex-  
13 pertise, support, or coordination of child exploi-  
14 tation investigations, as needed, to cooperating  
15 law enforcement agencies and personnel;

16 “(D) shall provide psychological support  
17 and counseling services for United States Immi-  
18 gration and Customs Enforcement personnel  
19 engaged in child exploitation prevention initia-  
20 tives, including making available other existing  
21 services to assist employees who are exposed to  
22 child exploitation material during investigations;

23 “(E) is authorized to collaborate with the  
24 Department of Defense and the National Asso-  
25 ciation to Protect Children for the purpose of

1 the recruiting, training, equipping and hiring of  
2 wounded, ill, and injured veterans and  
3 transitioning service members, through the  
4 Human Exploitation Rescue Operative (HERO)  
5 Child Rescue Corps program; and

6 “(F) shall collaborate with other govern-  
7 mental, nongovernmental, and nonprofit entities  
8 approved by the Secretary for the sponsorship  
9 of, and participation in, outreach and training  
10 activities.

11 “(3) DATA COLLECTION.—The CEIU shall col-  
12 lect and maintain data concerning—

13 “(A) the total number of suspects identi-  
14 fied by United States Immigration and Customs  
15 Enforcement;

16 “(B) the number of arrests by United  
17 States Immigration and Customs Enforcement,  
18 disaggregated by type, including—

19 “(i) the number of victims identified  
20 through investigations carried out by  
21 United States Immigration and Customs  
22 Enforcement; and

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

1           “(C) the number of cases opened for inves-  
2           tigation by United States Immigration and Cus-  
3           toms Enforcement; and

4           “(D) the number of cases resulting in a  
5           Federal, State, foreign, or military prosecution.

6           “(4) AVAILABILITY OF DATA TO CONGRESS.—In  
7           addition to submitting the reports required under  
8           paragraph (7), the CEIU shall make the data col-  
9           lected and maintained under paragraph (3) available  
10          to the committees of Congress described in para-  
11          graph (7).

12          “(5) COOPERATIVE AGREEMENTS.—The CEIU  
13          is authorized to enter into cooperative agreements to  
14          accomplish the functions set forth in paragraphs (2)  
15          and (3).

16          “(6) ACCEPTANCE OF GIFTS.—

17                 “(A) IN GENERAL.—The Secretary is au-  
18                 thorized to accept monies and in-kind donations  
19                 from the Virtual Global Taskforce, national lab-  
20                 oratories, Federal agencies, not-for-profit orga-  
21                 nizations, and educational institutions to create  
22                 and expand public awareness campaigns in sup-  
23                 port of the functions of the CEIU.

24                 “(B) EXEMPTION FROM FEDERAL ACQUISI-  
25                 TION REGULATION.—Gifts authorized under

1           subparagraph (A) shall not be subject to the  
2           Federal Acquisition Regulation for competition  
3           when the services provided by the entities re-  
4           ferred to in such subparagraph are donated or  
5           of minimal cost to the Department.

6           “(7) REPORTS.—Not later than 1 year after the  
7           date of the enactment of the HERO Act of 2015,  
8           and annually for the following 4 years, the CEIU  
9           shall—

10                   “(A) submit a report containing a sum-  
11                   mary of the data collected pursuant to para-  
12                   graph (3) during the previous year to—

13                           “(i) the Committee on Homeland Se-  
14                           curity and Governmental Affairs of the  
15                           Senate;

16                           “(ii) the Committee on the Judiciary  
17                           of the Senate;

18                           “(iii) the Committee on Appropria-  
19                           tions of the Senate;

20                           “(iv) the Committee on Homeland Se-  
21                           curity of the House of Representatives;

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

24                           “(vi) the Committee on Appropria-  
25                           tions of the House of Representatives; and

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

4           “(c) COMPUTER FORENSICS UNIT.—

5           “(1) IN GENERAL.—The Secretary shall oper-  
6           ate, within the Center, a Computer Forensics Unit  
7           (referred to in this subsection as the ‘CFU’).

8           “(2) FUNCTIONS.—The CFU—

9           “(A) shall provide training and technical  
10          support in digital forensics to—

11           “(i) United States Immigration and  
12          Customs Enforcement personnel; and

13           “(ii) Federal, State, local, tribal, mili-  
14          tary, and foreign law enforcement agency  
15          personnel engaged in the investigation of  
16          crimes within their respective jurisdictions,  
17          upon request and subject to the availability  
18          of funds;

19           “(B) shall provide computer hardware,  
20          software, and forensic licenses for all computer  
21          forensics personnel within United States Immi-  
22          gration and Customs Enforcement;

23           “(C) shall participate in research and de-  
24          velopment in the area of digital forensics, in co-

1 ordination with appropriate components of the  
2 Department; and

3 “(D) is authorized to collaborate with the  
4 Department of Defense and the National Asso-  
5 ciation to Protect Children for the purpose of  
6 recruiting, training, equipping, and hiring  
7 wounded, ill, and injured veterans and  
8 transitioning service members, through the  
9 Human Exploitation Rescue Operative (HERO)  
10 Child Rescue Corps program.

11 “(3) COOPERATIVE AGREEMENTS.—The CFU  
12 is authorized to enter into cooperative agreements to  
13 accomplish the functions set forth in paragraph (2).

14 “(4) ACCEPTANCE OF GIFTS.—

15 “(A) IN GENERAL.—The Secretary is au-  
16 thorized to accept monies and in-kind donations  
17 from the Virtual Global Task Force, national  
18 laboratories, Federal agencies, not-for-profit or-  
19 ganizations, and educational institutions to cre-  
20 ate and expand public awareness campaigns in  
21 support of the functions of the CFU.

22 “(B) EXEMPTION FROM FEDERAL ACQUISI-  
23 TION REGULATION.—Gifts authorized under  
24 subparagraph (A) shall not be subject to the  
25 Federal Acquisition Regulation for competition

1           when the services provided by the entities re-  
2           ferred to in such subparagraph are donated or  
3           of minimal cost to the Department.

4           “(d) CYBER CRIMES UNIT.—

5           “(1) IN GENERAL.—The Secretary shall oper-  
6           ate, within the Center, a Cyber Crimes Unit (re-  
7           ferred to in this subsection as the ‘CCU’).

8           “(2) FUNCTIONS.—The CCU—

9           “(A) shall oversee the cyber security strat-  
10          egy and cyber-related operations and programs  
11          for United States Immigration and Customs  
12          Enforcement;

13          “(B) shall enhance United States Immi-  
14          gration and Customs Enforcement’s ability to  
15          combat criminal enterprises operating on or  
16          through the Internet, with specific focus in the  
17          areas of—

18                  “(i) cyber economic crime;

19                  “(ii) digital theft of intellectual prop-  
20                  erty;

21                  “(iii) illicit e-commerce (including hid-  
22                  den marketplaces);

23                  “(iv) Internet-facilitated proliferation  
24                  of arms and strategic technology; and

1                   “(v) cyber-enabled smuggling and  
2                   money laundering;

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

5                   “(i) United States Immigration and  
6                   Customs Enforcement personnel; and

7                   “(ii) Federal, State, local, tribal, mili-  
8                   tary, and foreign law enforcement agency  
9                   personnel engaged in the investigation of  
10                  crimes within their respective jurisdictions,  
11                  upon request and subject to the availability  
12                  of funds;

13                  “(D) shall participate in research and de-  
14                  velopment in the area of cyber investigations, in  
15                  coordination with appropriate components of  
16                  the Department; and

17                  “(E) is authorized to recruit participants  
18                  of the Human Exploitation Rescue Operative  
19                  (HERO) Child Rescue Corps program for inves-  
20                  tigative and forensic positions in support of the  
21                  functions of the CCU.

22                  “(3) COOPERATIVE AGREEMENTS.—The CCU is  
23                  authorized to enter into cooperative agreements to  
24                  accomplish the functions set forth in paragraph (2).

1       “(e) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to the Secretary such  
3 sums as are necessary to carry out this section.”.

4       (b) TABLE OF CONTENTS AMENDMENT.—The table  
5 of contents in section 1(b) of the Homeland Security Act  
6 of 2002 (6 U.S.C. 101 note) is amended by adding after  
7 the item relating to section 890 the following:

“Sec. 890A. Cyber crimes center, child exploitation investigations unit, com-  
puter forensics unit, and cyber crimes unit.”.

8 **SEC. 4. HERO CORPS HIRING.**

9       It is the sense of Congress that Homeland Security  
10 Investigations of the United States Immigration and Cus-  
11 toms Enforcement should hire, recruit, train, and equip  
12 wounded, ill, or injured military veterans (as defined in  
13 section 101, title 38, United States Code) who are affli-  
14 ated with the HERO Child Rescue Corps program for in-  
15 vestigative, intelligence, analyst, and forensic positions.

16 **SEC. 5. INVESTIGATING CHILD EXPLOITATION.**

17       Section 307(b)(3) of the Homeland Security Act of  
18 2002 (6 U.S.C. 187(b)(3)) is amended—

19           (1) in subparagraph (B), by striking “and” at  
20 the end;

21           (2) in subparagraph (C), by striking the period  
22 at the end and inserting “; and”; and

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

1           “(D) conduct research and development for  
2           the purpose of advancing technology for the in-  
3           vestigation of child exploitation crimes, includ-  
4           ing child victim identification, trafficking in  
5           persons, and child pornography, and for ad-  
6           vanced forensics.”.

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