

117TH CONGRESS  
1ST SESSION

# H. R. 4977

To establish cybercrime reporting mechanisms, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 2021

Ms. SPANBERGER (for herself, Ms. JACKSON LEE, Mr. MOORE of Utah, and Mr. GARBARINO) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To establish cybercrime reporting mechanisms, 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 “Better Cybercrime  
5 Metrics Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Public polling indicates that cybercrime  
9 could be the most common crime in the United  
10 States.

1           (2) The United States lacks comprehensive  
2           cybercrime data and monitoring, leaving the country  
3           less prepared to combat cybercrime that threatens  
4           national and economic security.

5           (3) In addition to existing cybercrime vulnera-  
6           bilities, the people of the United States and the  
7           United States have faced a heightened risk of  
8           cybercrime during the COVID–19 pandemic.

9           (4) Subsection (c) of the Uniform Federal  
10          Crime Reporting Act of 1988 (34 U.S.C. 41303(c))  
11          requires the Attorney General to “acquire, collect,  
12          classify, and preserve national data on Federal  
13          criminal offenses as part of the Uniform Crime Re-  
14          ports” and requires all Federal departments and  
15          agencies that investigate criminal activity to “report  
16          details about crime within their respective jurisdic-  
17          tion to the Attorney General in a uniform matter  
18          and on a form prescribed by the Attorney General”.

19 **SEC. 3. CYBERCRIME TAXONOMY.**

20          (a) IN GENERAL.—Not later than 90 days after the  
21          date of enactment of this Act, the Attorney General shall  
22          seek to enter into an agreement with the National Acad-  
23          emy of Sciences to develop a taxonomy for the purpose  
24          of categorizing different types of cybercrime and cyber-  
25          enabled crime faced by individuals and businesses.

1 (b) DEVELOPMENT.—In developing the taxonomy  
2 under subsection (a), the National Academy of Sciences  
3 shall—

4 (1) ensure the taxonomy is useful for the Fed-  
5 eral Bureau of Investigation to classify cybercrime in  
6 the National Incident-Based Reporting System, or  
7 any successor system;

8 (2) consult relevant stakeholders, including—

9 (A) the Cybersecurity and Infrastructure  
10 Security Agency of the Department of Home-  
11 land Security;

12 (B) Federal, State, and local law enforce-  
13 ment agencies;

14 (C) criminologists and academics;

15 (D) cybercrime experts; and

16 (E) business leaders; and

17 (3) take into consideration relevant taxonomies  
18 developed by non-governmental organizations, inter-  
19 national organizations, academies, or other entities.

20 (c) REPORT.—Not later than 1 year after the date  
21 on which the Attorney General enters into an agreement  
22 under subsection (a), the National Academy of Sciences  
23 shall submit to the appropriate committees of Congress  
24 a report detailing and summarizing—

1 (1) the taxonomy developed under subsection  
2 (a); and

3 (2) any findings from the process of developing  
4 the taxonomy under subsection (a).

5 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
6 are authorized to be appropriated to carry out this section  
7 \$1,000,000.

8 **SEC. 4. CYBERCRIME REPORTING.**

9 (a) IN GENERAL.—Not later than 2 years after the  
10 date of enactment of this Act, the Attorney General shall  
11 establish a category in the National Incident-Based Re-  
12 porting System, or any successor system, for the collection  
13 of cybercrime and cyber-enabled crime reports from Fed-  
14 eral, State, and local officials.

15 (b) RECOMMENDATIONS.—In establishing the cat-  
16 egory required under subsection (a), the Attorney General  
17 shall, as appropriate, incorporate recommendations from  
18 the taxonomy developed under section 3(a).

19 **SEC. 5. NATIONAL CRIME VICTIMIZATION SURVEY.**

20 (a) IN GENERAL.—Not later than 540 days after the  
21 date of enactment of this Act, the Director of the Bureau  
22 of Justice Statistics, in coordination with the Director of  
23 the Bureau of the Census, shall include questions relating  
24 to cybercrime victimization in the National Crime Victim-  
25 ization Survey.

1 (b) AUTHORIZATION OF APPROPRIATIONS.—There  
2 are authorized to be appropriated to carry out this section  
3 \$2,000,000.

4 **SEC. 6. GAO STUDY ON CYBERCRIME METRICS.**

5 Not later than 180 days after the date of enactment  
6 of this Act, the Comptroller General of the United States  
7 shall submit to Congress a report that assesses—

8 (1) the effectiveness of reporting mechanisms  
9 for cybercrime and cyber-enabled crime in the  
10 United States; and

11 (2) disparities in reporting data between—

12 (A) data relating to cybercrime and cyber-  
13 enabled crime; and

14 (B) other types of crime data.

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