

The comparative analysis of the legislation of the Russian Federation and the United States in the computer crime fighting.

FSB and FBI's directions of the joint fight against international crime:

- ✓ in the field of organized crime;
- ✓ in the field of computer crime;
- ✓ in the field against terrorism.

Fight subjects against computer crime.

	The United States	The Russian Federation
Federal level	FBI	FSB
	Secret service	The Department of the Interior
Regional level	State police	Units of the FSB and the Department of the Interior in regions

Russia

Chapter 28 of the Criminal Code of the Russian Federation “Crimes in the field of computer information”

Article 272 “Illegal access to computer information”

Article 273 “Creation, use and distribution of harmful programs for computer”

Article 274 “Violation of the operational rules of computers, computer system or network”

18 USC

(Crimes and Criminal Procedure law)

Chapter 47 “Fraud and false statements”

- 1) Article 1001 “Statements or entries generally”
- 2) Article 1029 “Fraud in relation to the means of access”
- 3) Article 1030 “Fraud in relation to computers”

Crimes under Article 1030 and jurisdiction over them (I)

Article	Type of information	Jurisdiction		
		FBR	Secret service of US	Joint jurisdiction
1030 (a)(1)	<u><i>National security:</i></u>			
	National defense	X		
	International relations	X		
	Secret information in the field of atomic energy	X		

Crimes under Article 1030 and jurisdiction over them (II)

Article	Type of information	Jurisdiction		
		FBR	Secret service of US	Joint jurisdiction
1030 (a)(2)	<u>Financial or consumer:</u>			
	The financial notes of banks or other financial institutions;	X		
	Financial notes card issuers;		X	
	Information for consumers in the management of accounting files consumers;		X	
	Other financial institutions, not banks.			X

Crimes under Article 1030 and jurisdiction over them (III)

Article	Type of information	Jurisdiction		
		FBR	Secret service of US	Joint jurisdiction
1030 (a)(3)	<u><i>Government computers:</i></u>			
	National defense;	X		
	International relations;	X		
	Secret information;	X		
	The White House;			X
	The other government computers.		X	

Crimes under Article 1030 and jurisdiction over them (IV)

Article	Type of information	Jurisdiction		
		FBR	Secret service of US	Joint jurisdiction
1030 (a)(4)	<u><i>Federal computers:</i></u>			
	The intention of deception.			X
1030 (a)(5)(A)	<u><i>Transfer of programs and commands:</i></u>			
	Invention to harm or cause a denial of service.			X
1030 (a)(5)(B)	<u><i>Transfer of programs and commands:</i></u>			
	Ignoring risk.			X

Crimes under Article 1030 and jurisdiction over them (V)

Article	Type of information	Jurisdiction		
		FBR	Secret service of US	Joint jurisdiction
1030 (6)	<u><i>Password trading:</i></u>			
	Interstate commerce and international trade;			X
	Computers used by government or for its purpose.			X