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(Original Signature of Member)

113TH CONGRESS
1ST SESSION

H. R. ____

To amend title 18, United States Code, to provide for clarification as to
the meaning of access without authorization, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Ms. LOFGREN (for herself and Mr. SENSENBRENNER) introduced the following
   bill;   which   was   referred   to   the   Committee   on
_____

_____

A BILL

To amend title 18, United States Code, to provide for clari-
   fication as to the meaning of access without authoriza-
   tion, 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 "Aaron's Law Act of

5 2013".

1 **SEC. 2. CLARIFYING THAT "ACCESS WITHOUT AUTHORIZA-**

2 **TION" UNDER 18 U.S.C. 1030 MEANS CIR-**

3 **CUMVENTION OF TECHNOLOGICAL BAR-**

4 **RIERS IN ORDER TO GAIN UNAUTHORIZED**

5 **ACCESS.**

6 (a) IN GENERAL.—Section 1030(e)(6) of title 18,

7 United States Code, is amended by—

8 (1) striking "exceeds authorized access" and all

9 that follows; and

10 (2) inserting the following: " 'access without au-

11 thorization' means—

12 "(A) to obtain information on a protected

13 computer;

14 "(B) that the accesser lacks authorization

15 to obtain; and

16 "(C) by knowingly circumventing one or

17 more technological or physical measures that

18 are designed to exclude or prevent unauthorized

19 individuals from obtaining that information;".

20 (b) CONFORMING AMENDMENT.—Section 1030 of

21 title 18, United States Code, is amended—

22 (1) in subsection (d)(10) by striking "unauthor-

23 ized access, or exceeding authorized access, to a"

24 and inserting "access without authorization of a pro-

25 tected"; and

1   (2) by striking "exceeds authorized access"

2   each place it appears.

3 **SEC. 3. ELIMINATING REDUNDANCY.**

4   Section 1030(a)(4) of title 18, United States Code,

5 is repealed.

6 **SEC. 4. MAKING PENALTIES PROPORTIONAL TO CRIMES.**

7   Section 1030(c)(2) of title 18, United States Code is

8 amended—

9   (1) in subparagraph (A)—

10   (A) by striking "conviction for another"

11   and inserting "subsequent"; and

12   (B) by inserting "such" after "attempt to

13   commit";

14   (2) in subparagraph (B)(i), by inserting after

15   "financial gain" the following: "and the fair market

16   value of the information obtained exceeds $5,000";

17   (3) in subparagraph (B)(ii), by striking "the of-

18   fense was committed" and all that follows through

19   the semicolon, and inserting the following: "the of-

20   fense was committed in furtherance of any criminal

21   act in violation of the Constitution or laws of the

22   United States or of any State punishable by a term

23   of imprisonment greater than one year, unless such

24   criminal acts are prohibited by this section or such

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1   State violation would be based solely on accessing in-

2   formation without authorization;'';

3   (4) in subparagraph (B)(iii), by inserting ''fair

4   market'' before ''value''; and

5   (5) in subparagraph (C)—

6   (A) by striking ''conviction for another''

7   and inserting ''subsequent''; and

8   (B) inserting ''such'' after ''attempt to

9   commit''.