

(1) in subsection (d)(10), by striking “unauthorized access, or exceeding authorized access, to a” and inserting “access without authorization of a protected”; and

(2) by striking “exceeds authorized access” each place it appears.

SEC. 3. ELIMINATING REDUNDANCY.

(a) REPEAL.—Section 1030(a) of title 18, United States Code, is amended—

(1) by striking paragraph (4); and
 (2) by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

(b) CONFORMING AMENDMENTS.—Section 1030 of title 18, United States Code, is amended—

(1) in subsection (c)—
 (A) in paragraph (2), by striking “(a)(6)” each place it appears and inserting “(a)(5)”; and

(B) in paragraph (3)—
 (i) in subparagraph (A), by striking “subsection (a)(4) or (a)(7)” and inserting “subsection (a)(6)”; and

(ii) in subparagraph (B), by striking “subsection (a)(4), or (a)(7)” and inserting “subsection (a)(6)”; and

(C) in paragraph (4)—
 (i) in subparagraph (A)(i), in the matter preceding clause (i), by striking “subsection (a)(5)(B)” and inserting “subsection (a)(4)(B)”;
 (ii) in subparagraph (B)(i), by striking “subsection (a)(5)(A)” and inserting “subsection (a)(4)(A)”;
 (iii) in subparagraph (C)(i), by striking “subsection (a)(5)” and inserting “subsection (a)(4)”;
 (iv) in subparagraph (D)(i), by striking “subsection (a)(5)(C)” and inserting “subsection (a)(4)(C)”;
 (v) in subparagraph (E), by striking “subsection (a)(5)(A)” and inserting “subsection (a)(4)(A)”;
 (vi) in subparagraph (F), by striking “subsection (a)(5)(A)” and inserting “subsection (a)(4)(A)”; and
 (vii) in subparagraph (G)(i), by striking “subsection (a)(5)” and inserting “subsection (a)(4)”; and

(2) in subsection (h), by striking “subsection (a)(5)” and inserting “subsection (a)(4)”.

SEC. 4. MAKING PENALTIES PROPORTIONAL TO CRIMES.

(a) Section 1030(c)(2) of title 18, United States Code, is amended—
 (1) in subparagraph (A)—
 (A) by striking “conviction for another” and inserting “subsequent”; and
 (B) by inserting “such” after “attempt to commit”;

(2) in subparagraph (B)(i), by inserting after “financial gain” the following: “and the fair market value of the information obtained exceeds \$5,000”;

(3) in subparagraph (B)(ii), by striking “the offense was committed” and all that follows through the semicolon, and inserting the following: “the offense was committed in furtherance of any criminal act in violation of the Constitution or laws of the United States or of any State punishable by a term of imprisonment greater than one year, unless such criminal acts are prohibited by this section or such State violation would be based solely on accessing information without authorization”;

(4) in subparagraph (B)(iii), by inserting “fair market” before “value”; and
 (5) in subparagraph (C)—
 (A) by striking “conviction for another” and inserting “subsequent”; and
 (B) by inserting “such” after “attempt to commit”.

By Mr. GRASSLEY (for himself, Mr. LEE, Mr. VITTER, Mr. ENZI,

Mrs. FISCHER, Mr. CORKER, Mr. COTTON, Mr. INHOFE, Mr. WICKER, Mrs. CAPITO, Mr. BOOZMAN, Mr. SESSIONS, and Mr. PERDUE):

S. 1032. A bill to expand the use of E-Verify, to hold employers accountable, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, in 1986, Congress made it unlawful for employers to knowingly hire or employ individuals who are not eligible to work in the United States. Identity theft and counterfeit documents have made a mockery of this law.

Under current law, if the documents provided by an employee reasonably appear on their face to be genuine, the employer has met its obligation to review the worker’s documents. This is why Congress created a pilot program, known as the Basic Pilot program, to help employers verify the work eligibility of its new hires.

This program has allowed employers to check records maintained by the Department of Homeland Security and the Social Security Administration. It was successful, and in 2003, Congress made the program available in all 50 States.

Now known as E-Verify, this nationwide program is free for employers and accessible via the internet. This program has been a valuable tool for those who want to hire a legal workforce. Employers like it. In fact, according to Westat, a private statistical survey research corporation that conducted a survey last year, 97 percent of employers found E-Verify user-friendly, and 92 percent said the program was effective. Employers also reported that “E-Verify takes the guess work out of determining the validity of documents, provides immediate results, offers reassurance that the company is not hiring unauthorized workers, and helps them to show a good faith effort to comply with the law.”

So, today, along with several colleagues, I am introducing legislation to permanently authorize and expand the E-Verify program. My bill, the Accountability Through Electronic Verification Act, will ensure that employers can rely on this program while holding them accountable for their hiring practices.

My bill would make E-Verify a staple in every workplace. It would pave the way to modify and simplify the I-9 process required today. It would increase penalties on employers who hire people unauthorized to work in the country. Employers would be required to check the status of current employees within three years, and would allow employers to run a check prior to offering a job, saving that employer valuable time and resources. Employers will also be required to re-check those workers whose authorization is about to expire, such as those who come to the United States on temporary visas.

As Congress considers the reauthorization of E-Verify this year, I hope my

bill will be a starting point for discussion. We need to enhance and expand the program so that our immigration laws are being upheld. I hope my colleagues will consider joining me in making E-Verify a permanent part of our immigration laws.

By Mr. MCCONNELL (for himself and Mr. BURR):

S. 1035. A bill to extend authority relating to roving surveillance, access to business records, and individual terrorists as agents of foreign powers under the Foreign Intelligence Surveillance Act of 1978 and for other purposes; read the first time.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSIONS OF AUTHORITY UNDER THE FOREIGN INTELLIGENCE SURVEILLANCE ACT OF 1978.

(a) ROVING SURVEILLANCE AND ACCESS TO BUSINESS RECORDS.—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (50 U.S.C. 1805 note) is amended by striking “June 1, 2015” and inserting “December 31, 2020”.

(b) INDIVIDUAL TERRORISTS AS AGENTS OF FOREIGN POWERS.—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 1801 note) is amended by striking “June 1, 2015” and inserting “December 31, 2020”.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 142—HONORING THE LIFE OF RACHEL CARSON

Mr. CARDIN (for himself, Mr. CASEY, and Ms. MIKULSKI) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 142

Whereas May 27, 2007, marked the centennial of the birth of Rachel Carson, a longtime Maryland resident, a noted author, and an environmental visionary;

Whereas Rachel Carson was born on May 27, 1907, in Springdale, of western Pennsylvania, where she learned to love nature while exploring the Allegheny River with her family and friends;

Whereas Rachel Carson graduated magna cum laude from Pennsylvania College for Women (now known as “Chatham University”) in Pittsburgh, Pennsylvania, in 1928, and went on to earn her master’s degree in zoology from The Johns Hopkins University in Baltimore, Maryland, in 1932;

Whereas Rachel Carson abandoned her pursuit of a doctorate degree in 1935 when her father died so that she could provide financial support for her aging mother by taking part-time teaching positions at The Johns Hopkins University and the University of Maryland as well as a position as a writer for the United States Bureau of Fisheries (now known as the “United States Fish and Wildlife Service”);

Whereas Rachel Carson continued her writing career with feature columns in the Baltimore Sun on the marine life of the Chesapeake Bay until she was employed full-time in the Federal Government where she rose to become the editor-in-chief for all Fish and Wildlife Service publications;

Whereas Rachel Carson's first book, "Under the Sea-Wind", published in 1941, gave readers across the country a chance to enjoy her poetic style and her careful use of scientific information for the first time;

Whereas Rachel Carson's second book, "The Sea Around Us", earned the 1952 National Book Award and allowed her to fully devote her time to her writing career;

Whereas Rachel Carson's guide to seashore life, "The Edge of the Sea", was published in 1955 and became another best seller;

Whereas in 1962, while a resident of Silver Spring, Maryland, Rachel Carson wrote "Silent Spring", a book that detailed how synthetic chemicals accumulate in water, soils, fish, and animals, including birds;

Whereas President John F. Kennedy convened an expert panel of scientists that confirmed Rachel Carson's scientific findings, leading to the domestic ban on the sale of the chemical dichlorodiphenyltrichloroethane (commonly known as "DDT") in 1972, an action that many individuals credit with saving the bald eagle from extinction;

Whereas in 2015, there are more bald eagles in the Chesapeake Bay Watershed than there were in the entire lower 48 States in 1972; and

Whereas Rachel Carson passed away on April 14, 1964, at her home in Silver Spring, Maryland, leaving behind a history of tireless advocacy on behalf of the natural world, a legacy of scientific rigor coupled with poetic sensibility, and a book that helped launch the modern environmental movement; Now, therefore, be it

Resolved, That the Senate honors the life of Rachel Carson, a scientist, writer, and pioneer of the environmental movement.

SENATE RESOLUTION 143—SUPPORTING EFFORTS TO ENSURE THAT STUDENTS HAVE ACCESS TO DEBT-FREE HIGHER EDUCATION

Mr. SCHATZ (for himself, Mr. SCHUMER, Ms. WARREN, Mr. REED of Rhode Island, Mr. BOOKER, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 143

Whereas the economic competitiveness of the United States in the global economy requires a well-educated workforce;

Whereas current and future young people in the United States should have the same opportunity offered to those who went to college in previous generations, including the ability to attend State colleges and universities without taking on burdensome debt;

Whereas, in 2015, higher education is more important than ever because it is an essential step to entering and remaining in the middle class;

Whereas, because of the importance of higher education, the United States should expand the opportunity to pursue and attain higher education to more people than had that opportunity in the past;

Whereas public investment in higher education pays off, as evidenced by the fact that workers with college degrees earn more money, pay more taxes, and rely less on government services; and

Whereas student loan debt saddles the very students who most depend on a college degree to level the economic playing field with a burden that—

(1) constrains the career choices and hurts the credit rating of the students;

(2) prevents people from fully participating in the economy by purchasing goods and services; and

(3) threatens essential milestones of the American dream, including the purchase of a home or car, starting a family, and saving for retirement: Now, therefore, be it

Resolved, That the Senate supports efforts—

(1) to ensure that, through a combination of efforts, all students have access to debt-free higher education, defined to mean having no debt upon graduation from all public institutions of higher education;

(2) to provide support to States so States can make increased investments in higher education that will result in lower tuition and costs for students;

(3) to increase financial aid to students to help them afford the total cost of college attendance without taking on debt;

(4) to encourage innovation by States and institutions of higher education to cut costs for students and make college more affordable by increasing efficiency and enabling speedy and less-costly degree completion; and

(5) to reduce the burden of existing student loan debt.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1123. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 178, to provide justice for the victims of trafficking; which was ordered to lie on the table.

SA 1124. Mr. CORNYN (for himself, Mrs. MURRAY, and Ms. KLOBUCHAR) submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 1125. Mr. PAUL submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 1126. Mr. WICKER submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 1127. Mr. CORNYN submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

SA 1128. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 178, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1123. Mr. KIRK submitted an amendment intended to be proposed by him to the bill S. 178, to provide justice for the victims of trafficking; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . SUSPENSION AND REMOVAL FOR MAJOR MALFEASANCE, CRIMINAL CONDUCT, AND OTHER MISCONDUCT AT ODDS WITH THE MISSION OF AN AGENCY.

(a) IN GENERAL.—Chapter 75 of title 5, United States Code, is amended by adding at the end the following:

“Subchapter VI—Major Malfeasance, Criminal Conduct, and Other Misconduct at Odds With the Mission of an Agency

“§ 7551. Definitions

“In this subchapter—

“(1) the term ‘agency’ has the meaning given that term in section 551;

“(2) the term ‘employee’ means an individual employed by an agency; and

“(3) the term ‘suspension’ means the placing of an employee, for disciplinary reasons, in a temporary status without duties and pay.

“§ 7552. Suspension and removal

“(a) IN GENERAL.—Notwithstanding any other provision of this chapter, or any other provision of law, the head of an agency may suspend without pay an employee of the agency if the head of the agency determines—

“(1) the employee has engaged in major malfeasance, criminal conduct, or other misconduct at odds with the mission of the agency; or

“(2) the employee failed to report major malfeasance, criminal conduct, or other misconduct at odds with the mission of the agency the employee knows was engaged in by an employee of the agency who is supervised by the employee.

“(b) NOTICE AND OPPORTUNITY TO BE HEARD.—For an employee suspended under subsection (a)—

“(1) the head of an agency shall notify the employee of the reasons for the suspension; and

“(2) not later than 30 days after the date of the notification, the employee is entitled to submit to the officer designated by the head of the agency statements or affidavits to show why the employee should be restored to duty.

“(c) REMOVAL.—Subject to subsection (d), the head of an agency may remove an employee suspended under subsection (a) if, after such investigation and review as the head of the agency considers necessary, the head of the agency determines that removal is necessary or advisable, in light of the major malfeasance, criminal conduct, or other misconduct at issue. The determination of the head of the agency under this subsection is final.

“(d) PROCESS.—

“(1) IN GENERAL.—An employee described in paragraph (2) is entitled, after suspension and before removal, to—

“(A) not later than 30 days after the date of the notification of the suspension, a written statement of the charges against the employee, which—

“(i) not later than 30 days after providing the written statement, may be amended; and

“(ii) shall be stated as specifically as possible;

“(B) not later than 30 days after the later of the date on which the written statement is provided or the date on which the written statement is amended, an opportunity to answer the charges and submit affidavits;

“(C) a hearing, at the request of the employee, by an agency authority duly constituted for this purpose;

“(D) a review of the matter by the head of the agency or a designee, before a decision adverse to the employee is made final; and

“(E) a written statement of the decision of the head of the agency.

“(2) EMPLOYEES COVERED.—An employee described in this paragraph is an employee who—

“(A) is suspended under subsection (a) of this section;

“(B) has a permanent or indefinite appointment;

“(C) has completed his probationary or trial period; and