

[DISCUSSION DRAFT]

113TH CONGRESS
1ST SESSION

H. R. _____

To [_____]

IN THE HOUSE OF REPRESENTATIVES

Ms. LOFGREN introduced the following bill; which was referred to the
Committee on _____

A BILL

To [_____]

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 “Aarons’s Law Act”.

5 **SEC. 2. CLARIFYING THAT VIOLATIONS OF 18 U.S.C. 1030**

6 **ARE LIMITED TO CIRCUMVENTION OF TECH-**
7 **NOLOGICAL BARRIERS IN ORDER TO GAIN**
8 **UNAUTHORIZED ACCESS.**

9 (a) Section 1030(e)(6) of title 18, United States
10 Code, is amended by—

1 (1) striking “exceeds authorized access” and all
2 that follows; and

3 (2) inserting the following: “‘access without au-
4 thorization’—

5 “(A) means—

6 “(i) to obtain or alter information on
7 a protected computer;

8 “(ii) that the accesser lacks authoriza-
9 tion to obtain or alter; and

10 “(iii) by circumventing one or more
11 technological measures that exclude or pre-
12 vent unauthorized individuals from obtain-
13 ing or altering that information; and

14 “(B) does not include the following, either
15 in themselves or in combination—

16 “(i) a violation of an agreement, pol-
17 icy, duty, or contractual obligation regard-
18 ing Internet or computer use, such as an
19 acceptable use policy or terms of service
20 agreement with an online service provider,
21 Internet website, or employer; or

22 “(ii) efforts to prevent personal identi-
23 fication of a computer user, or identifica-
24 tion of a user’s hardware device or soft-
25 ware, through a user’s real name, person-

1 ally identifiable information, or software
2 program or hardware device identifier(s);”.

3 (b) Section 1030(a)(1) of title 18, United States
4 Code, is amended by—

5 (1) striking “or exceeding authorized access”;
6 and

7 (2) inserting “or information” between “a com-
8 puter” and “without authorization”.

9 (c) Section 1030(a)(2) of title 18, United States
10 Code, is amended by—

11 (1) striking “or exceeds authorized access”; and

12 (2) inserting “or information” between “a com-
13 puter” and “without authorization”.

14 (d) Section 1030(a)(4) of title 18, United States
15 Code, is amended by—

16 (1) striking “or exceeds authorized access”; and

17 (2) inserting “or information” between “a com-
18 puter” and “without authorization”.

19 (e) Section 1030(a)(7)(B) of title 18, United States
20 Code, is amended by—

21 (1) striking “or in excess of authorization”; and

22 (2) striking “authorization or by exceeding.”

23 (f) Section 1030(e)(10) of title 18, United States
24 Code, is amended by striking “unauthorized access or ex-

1 ceeding authorized access, to a” and inserting “access
2 without authorization to a protected”.

3 **SEC. 3. ELIMINATION OF CERTAIN VIOLATIONS OF AGREE-**
4 **MENTS OR CONTRACTUAL OBLIGATIONS RE-**
5 **LATING TO INTERNET SERVICE, AND CER-**
6 **TAIN ACTIONS UNDERTAKEN TO PREVENT**
7 **PERSONAL IDENTIFICATION, FROM THE PUR-**
8 **VIEW OF 18 U.S.C. 1343.**

9 Section 1343 of title 18, United States Code, is
10 amended by inserting after the first sentence the fol-
11 lowing: “The following do not in themselves or in combina-
12 tion violate this section:

13 “(1) A violation of an agreement, policy, duty,
14 or contractual obligation regarding Internet or com-
15 puter use, such as an acceptable use policy or terms
16 of service agreement with an online service provider,
17 Internet website, or employer; and

18 “(2) Efforts to prevent personal identification
19 of a computer user, or identification of a user’s
20 hardware device or software, through a user’s real
21 name, personally identifiable information, or soft-
22 ware program or hardware device identifier(s).”.