

“(1) PREEMPTION.—A State or local government may not prohibit a person or other entity from verifying the employment authorization of new hires or current employees through E-Verify.”

“(2) LIABILITY.—A person or other entity that participates in E-Verify may not be held liable under any Federal, State, or local law for any employment-related action taken with respect to the wrongful termination of an individual in good faith reliance on information provided through E-Verify.”

(f) EXPANDED USE OF E-VERIFY.—Section 403(a)(3)(A) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

“(A) IN GENERAL.—

“(i) BEFORE HIRING.—The person or other entity may verify the employment eligibility of an individual through E-Verify before the individual is hired, recruited, or referred if the individual consents to such verification. If an employer receives a tentative nonconfirmation for an individual, the employer shall comply with procedures prescribed by the Secretary, including—

“(I) providing the individual employees with private, written notification of the finding and written referral instructions;

“(II) allowing the individual to contest the finding; and

“(III) not taking adverse action against the individual if the individual chooses to contest the finding.

“(ii) AFTER EMPLOYMENT OFFER.—The person or other entity shall verify the employment eligibility of an individual through E-Verify not later than 3 days after the date of the hiring, recruitment, or referral, as the case may be.

“(iii) EXISTING EMPLOYEES.—Not later than 3 years after the date of the enactment of the Accountability Through Electronic Verification Act, the Secretary shall require all employers to use E-Verify to verify the identity and employment eligibility of any individual who has not been previously verified by the employer through E-Verify.”

(g) REVERIFICATION.—Section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by adding at the end the following:

“(5) REVERIFICATION.—Each person or other entity participating in E-Verify shall use the E-Verify confirmation system to reverify the work authorization of any individual not later than 3 days after the date on which such individual’s employment authorization is scheduled to expire (as indicated by the Secretary or the documents provided to the employer pursuant to section 274A(b) of the Immigration and Nationality Act (8 U.S.C. 1324a(b))), in accordance with the procedures set forth in this subsection and section 402.”

(h) HOLDING EMPLOYERS ACCOUNTABLE.—

(1) CONSEQUENCES OF NONCONFIRMATION.—Section 403(a)(4)(C) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

“(C) CONSEQUENCES OF NONCONFIRMATION.—

“(i) TERMINATION AND NOTIFICATION.—If the person or other entity receives a final nonconfirmation regarding an individual, the employer shall immediately—

“(I) terminate the employment, recruitment, or referral of the individual; and

“(II) submit to the Secretary any information relating to the individual that the Secretary determines would assist the Secretary in enforcing or administering United States immigration laws.

“(ii) CONSEQUENCE OF CONTINUED EMPLOYMENT.—If the person or other entity continues to employ, recruit, or refer the individual after receiving final nonconfirmation,

a rebuttable presumption is created that the employer has violated section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a).”

(2) INTERAGENCY NONCONFIRMATION REPORT.—Section 405 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by adding at the end the following:

“(C) INTERAGENCY NONCONFIRMATION REPORT.—

“(1) IN GENERAL.—The Director of U.S. Citizenship and Immigration Services shall submit a weekly report to the Assistant Secretary of Immigration and Customs Enforcement that includes, for each individual who receives final nonconfirmation through E-Verify—

“(A) the name of such individual;

“(B) his or her Social Security number or alien file number;

“(C) the name and contact information for his or her current employer; and

“(D) any other critical information that the Assistant Secretary determines to be appropriate.

“(2) USE OF WEEKLY REPORT.—The Secretary of Homeland Security shall use information provided under paragraph (1) to enforce compliance of the United States immigration laws.”

(i) INFORMATION SHARING.—The Commissioner of Social Security, the Secretary of Homeland Security, and the Secretary of the Treasury shall jointly establish a program to share information among such agencies that may or could lead to the identification of unauthorized aliens (as defined in section 274A(h)(3) of the Immigration and Nationality Act), including any no-match letter and any information in the earnings suspense file.

(j) FORM I-9 PROCESS.—Not later than 9 months after date of the enactment of this Act, the Secretary of Homeland Security shall submit a report to Congress that contains recommendations for—

(1) modifying and simplifying the process by which employers are required to complete and retain a Form I-9 for each employee pursuant to section 274A of the Immigration and Nationality Act (8 U.S.C. 1324a); and

(2) eliminating the process described in paragraph (1).

(k) ALGORITHM.—Section 404(d) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended to read as follows:

“(d) DESIGN AND OPERATION OF SYSTEM.—E-Verify shall be designed and operated—

“(1) to maximize its reliability and ease of use by employers;

“(2) to insulate and protect the privacy and security of the underlying information;

“(3) to maintain appropriate administrative, technical, and physical safeguards to prevent unauthorized disclosure of personal information;

“(4) to respond accurately to all inquiries made by employers on whether individuals are authorized to be employed;

“(5) to register any times when E-Verify is unable to receive inquiries;

“(6) to allow for auditing use of the system to detect fraud and identify theft;

“(7) to preserve the security of the information in all of the system by—

“(A) developing and using algorithms to detect potential identity theft, such as multiple uses of the same identifying information or documents;

“(B) developing and using algorithms to detect misuse of the system by employers and employees;

“(C) developing capabilities to detect anomalies in the use of the system that may indicate potential fraud or misuse of the system; and

“(D) auditing documents and information submitted by potential employees to employers, including authority to conduct interviews with employers and employees;

“(8) to confirm identity and work authorization through verification of records maintained by the Secretary, other Federal departments, States, the Commonwealth of the Northern Mariana Islands, or an outlying possession of the United States, as determined necessary by the Secretary, including—

“(A) records maintained by the Social Security Administration;

“(B) birth and death records maintained by vital statistics agencies of any State or other jurisdiction in the United States;

“(C) passport and visa records (including photographs) maintained by the Department of State; and

“(D) State driver’s license or identity card information (including photographs) maintained by State department of motor vehicles;

“(9) to electronically confirm the issuance of the employment authorization or identity document; and

“(10) to display the digital photograph that the issuer placed on the document so that the employer can compare the photograph displayed to the photograph on the document presented by the employee or, in exceptional cases, if a photograph is not available from the issuer, to provide for a temporary alternative procedure, specified by the Secretary, for confirming the authenticity of the document.”

(l) IDENTITY THEFT.—Section 1028 of title 18, United States Code, is amended—

(1) in subsection (a)(7), by striking “of another person” and inserting “that is not his or her own”; and

(2) in subsection (b)(3)—

(A) in subparagraph (B), by striking “or” at the end;

(B) in subparagraph (C), by adding “or” at the end; and

(C) by adding at the end the following:

“(D) to facilitate or assist in harboring or hiring unauthorized workers in violation of section 274, 274A, or 274C of the Immigration and Nationality Act (8 U.S.C. 1324, 1324a, and 1324c).”

(m) SMALL BUSINESS DEMONSTRATION PROGRAM.—Section 403 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) SMALL BUSINESS DEMONSTRATION PROGRAM.—Not later than 9 months after the date of the enactment of the Accountability Through Electronic Verification Act, the Director of U.S. Citizenship and Immigration Services shall establish a demonstration program that assists small businesses in rural areas or areas without internet capabilities to verify the employment eligibility of newly hired employees solely through the use of publicly accessible internet terminals.”

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on January 8, 2014, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on January 8, 2014, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FINANCIAL INSTITUTIONS
AND CONSUMER PROTECTION

Mr. MARKEY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs Subcommittee on Financial Institutions and Consumer Protection be authorized to meet during the session of the Senate on January 8, 2014, at 10 a.m., to conduct a hearing entitled "Examining the GAO Report on Government Support For Bank Holding Companies."

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Julia Sferlazzo for the pendency of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Gregory Shanahan and Lemi Tilahun of my staff be granted floor privileges for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I ask unanimous consent that the following staff of the Finance Committee be granted the privilege of the floor for the remainder of this session: Harrison Covall, Caroline Frauman, and Maureen Downes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS
MAILINGS

The filing date for the 2013 fourth quarter Mass Mailing report is Monday, January 27, 2014. If your office did no mass mailings during this period, please submit a form that states "none."

Mass mailing registrations, or negative reports, should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records will be open from 9:00 a.m. to 6:00 p.m. on the filing date to accept these filings. For further information, please contact the Senate Office of Public Records at (202) 224-0322.

The PRESIDING OFFICER. The majority leader.

UNEMPLOYMENT INSURANCE

Mr. REID. Mr. President, there will be no rollcall votes tonight.

I think as most people know, though it bears reiterating, I oppose paying for a short-term extension of unemployment insurance benefits. The current level of long-term unemployment is an economic emergency, without any question, and this would be very unfair to the people who are desperately in need of help, to say we are happy to give you this money, but we are going to take something else out of the economy to do that. We are not going to do that. I think that would be wrong.

Having said that, there are a number of Senators who are having productive conversations about possible offsets, one of whom is on the floor today, my friend, the Senator from Ohio. He is someone who understands finances, as he was head of the Office of Management and Budget. So whenever we have him working on the numbers, we are always dealing with someone who knows what they are talking about. I don't always agree with his conclusions, but certainly he is a person whom we all look to for guidance in this area.

As I said here a few hours ago, the Republicans feel this should be paid for. Let's find out how they feel it should be paid for. Again, we on this side don't want to pay for a short-term extension. If it is going to be paid for, we should figure out in years how to pay for it. That would be much better than this nickel-and-diming. We have tried to do it for 3 months, paid for, but I would almost bet it will not get done. So we should, if we are going to have pay-fors, try to figure out how to do it for 1 year.

We should let the conversations go on overnight. I have spoken to a number of Republican Senators; and, of course, I want to assert every bit of influence, help, pressure, whatever you want to say, to try to get this done for a number of reasons, not the least of which is that among a number of co-sponsors of this is the junior Senator from Nevada. This is an example of bipartisanship and how it should work. We have one of the most liberal Members of the Senate and one of the most conservative Members of the Senate who have introduced this legislation, and that is what we are working on now.

So I repeat, I hope the conversations continue overnight and we will see where we are in the morning.

I do have a few other things here, and I will be as fast as possible.

TO REDESIGNATE THE DRYDEN
FLIGHT RESEARCH CENTER AS
THE NEIL A. ARMSTRONG
FLIGHT RESEARCH CENTER AND
THE WESTERN AERONAUTICAL
TEST RANGE AS THE HUGH L.
DRYDEN AERONAUTICAL TEST
RANGE

Mr. REID. Mr. President, I ask unanimous consent that the Commerce Committee be discharged from further work on H.R. 667, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER (Mr. BLUMENTHAL). Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 667) to redesignate the Dryden Flight Research Center as the Neil A. Armstrong Flight Research Center and the Western Aeronautical Test Range as the Hugh L. Dryden Aeronautical Test Range.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I further ask unanimous consent that the bill be read a third time and passed and the motion to reconsider be considered made and laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 667) was ordered to a third reading, was read the third time, and passed.

AMENDING THE CONTROLLED
SUBSTANCES ACT

Mr. REID. I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. 1171 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 1171) to amend the Controlled Substances Act to allow a veterinarian to transport and dispense controlled substances in the usual course of veterinary practice outside of the registered location.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. I ask unanimous consent that the bill be read a third time, passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 1171) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1171

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

**SECTION 1. TRANSPORTING AND DISPENSING
CONTROLLED SUBSTANCES IN THE
USUAL COURSE OF VETERINARY
PRACTICE.**

Section 302(e) of the Controlled Substances Act (21 U.S.C. 822(e)) is amended—

(1) by striking "(e)" and inserting "(e)(1)"; and

(2) by adding at the end the following:

"(2) Notwithstanding paragraph (1), a registrant who is a veterinarian shall not be required to have a separate registration in order to transport and dispense controlled substances in the usual course of veterinary practice at a site other than the registrant's registered principal place of business or professional practice, so long as the site of transporting and dispensing is located in a State where the veterinarian is licensed to practice veterinary medicine and is not a principal place of business or professional practice."