

## HR 1731

Identity Theft Penalty Enhancement Act

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Crime and Law Enforcement

**Introduced:** Apr 10, 2003

**Current Status:** Became Public Law No: 108-275.

**Latest Action:** Became Public Law No: 108-275. (Jul 15, 2004)

**Law:** 108-275 (Enacted Jul 15, 2004)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/1731>

### Sponsor

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**Name:** Rep. Carter, John R. [R-TX-31]

**Party:** Republican • **State:** TX • **Chamber:** House

Cosponsors (26 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Schiff, Adam B. [D-CA-29]	D · CA		Apr 10, 2003
Rep. Frank, Barney [D-MA-4]	D · MA		Jul 25, 2003
Rep. Goode, Virgil H., Jr. [R-VA-5]	R · VA		Jul 25, 2003
Rep. Case, Ed [D-HI-2]	D · HI		Sep 16, 2003
Rep. Frost, Martin [D-TX-24]	D · TX		Sep 16, 2003
Rep. Moran, James P. [D-VA-8]	D · VA		Sep 16, 2003
Rep. Royce, Edward R. [R-CA-40]	R · CA		Sep 16, 2003
Rep. Spratt, John M., Jr. [D-SC-5]	D · SC		Sep 16, 2003
Rep. Barton, Joe [R-TX-6]	R · TX		Sep 23, 2003
Rep. Ross, Mike [D-AR-4]	D · AR		Sep 25, 2003
Rep. Bachus, Spencer [R-AL-6]	R · AL		Oct 15, 2003
Rep. McCarthy, Carolyn [D-NY-4]	D · NY		Jan 27, 2004
Rep. Watson, Diane E. [D-CA-33]	D · CA		Jan 27, 2004
Rep. Green, Gene [D-TX-29]	D · TX		Feb 4, 2004
Rep. Neugebauer, Randy [R-TX-19]	R · TX		Feb 4, 2004
Rep. Nunes, Devin [R-CA-21]	R · CA		Feb 4, 2004
Rep. Owens, Major R. [D-NY-11]	D · NY		Feb 4, 2004
Rep. Sherman, Brad [D-CA-27]	D · CA		Feb 4, 2004
Rep. Baird, Brian [D-WA-3]	D · WA		Feb 24, 2004
Rep. Burgess, Michael C. [R-TX-26]	R · TX		Feb 24, 2004
Rep. Hensarling, Jeb [R-TX-5]	R · TX		Feb 24, 2004
Rep. Ney, Robert W. [R-OH-18]	R · OH		Feb 24, 2004
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Feb 24, 2004
Rep. Smith, Lamar [R-TX-21]	R · TX		Feb 24, 2004
Rep. Porter, Jon C. [R-NV-3]	R · NV		Mar 30, 2004
Rep. Gallegly, Elton [R-CA-24]	R · CA		May 4, 2004

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Reported by	Mar 30, 2004

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
108 S 153	Identical bill	<b>May 5, 2003:</b> Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
108 HR 858	Related bill	<b>Mar 6, 2003:</b> Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.

**(This measure has not been amended since it was reported to the House on June 8, 2004. The summary of that version is repeated here.)**

Identity Theft Penalty Enhancement Act - (Sec. 2) Amends the Federal criminal code to establish penalties for aggravated identity theft. Prescribes sentences, to be imposed in addition to the punishments provided for the related felonies, of: (1) two years' imprisonment for knowingly transferring, possessing, or using, without lawful authority, a means of identification of another person during and in relation to specified felony violations (including theft of public property, theft by a bank officer or employee, theft from employee benefit plans, various fraud and immigration offenses, and false statements regarding Social Security and Medicare benefits); and (2) five years' imprisonment for knowingly taking such action with respect to a means of identification or a false identification document during and in relation to specified felony violations pertaining to terrorist acts. Prohibits a court from: (1) placing any person convicted of such a violation on probation; (2) reducing any sentence for the related felony to take into account the sentence imposed for such a violation; or (3) providing for concurrent terms of imprisonment for a violation of this Act and a violation under any other Act.

(Sec. 3) Expands the existing identify theft prohibition to: (1) cover possession of a means of identification of another with intent to commit specified unlawful activity; (2) increase penalties for violations; and (3) include acts of domestic terrorism within the scope of a prohibition against facilitating an act of international terrorism.

(Sec. 4) Modifies provisions regarding embezzlement and theft of public money, property, or records to provide for combining amounts from all the counts for which the defendant is convicted in a single case for purposes of determining which penalties apply.

(Sec. 5) Directs the U.S. Sentencing Commission to review and amend its guidelines and policy statements to ensure that the guideline offense levels and enhancements appropriately punish identity theft offenses involving an abuse of position.

(Sec. 6) Authorizes appropriations to the Department of Justice for the investigation and prosecution of identity theft and related credit card and other fraud cases constituting felonies.

## Actions Timeline

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- **Jul 15, 2004:** Signed by President.
- **Jul 15, 2004:** Signed by President.
- **Jul 15, 2004:** Became Public Law No: 108-275.
- **Jul 15, 2004:** Became Public Law No: 108-275.
- **Jul 8, 2004:** Presented to President.
- **Jul 8, 2004:** Presented to President.
- **Jun 25, 2004:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S7527)
- **Jun 25, 2004:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S7527)
- **Jun 25, 2004:** Message on Senate action sent to the House.
- **Jun 24, 2004:** Received in the Senate, read twice.
- **Jun 23, 2004:** Mr. Sensenbrenner moved to suspend the rules and pass the bill, as amended.
- **Jun 23, 2004:** Considered under suspension of the rules. (consideration: CR H4808-4811)
- **Jun 23, 2004:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1731.
- **Jun 23, 2004:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H4808-4809)
- **Jun 23, 2004:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4808-4809)
- **Jun 23, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 8, 2004:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-528.
- **Jun 8, 2004:** Reported (Amended) by the Committee on Judiciary. H. Rept. 108-528.
- **Jun 8, 2004:** Placed on the Union Calendar, Calendar No. 306.
- **May 12, 2004:** Committee Consideration and Mark-up Session Held.
- **May 12, 2004:** Ordered to be Reported (Amended) by Voice Vote.
- **Mar 30, 2004:** Subcommittee Consideration and Mark-up Session Held.
- **Mar 30, 2004:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Mar 23, 2004:** Subcommittee Hearings Held.
- **May 5, 2003:** Referred to the Subcommittee on Crime, Terrorism, and Homeland Security.
- **Apr 10, 2003:** Introduced in House
- **Apr 10, 2003:** Introduced in House
- **Apr 10, 2003:** Referred to the House Committee on the Judiciary.