

Committee on Ways and Means

H.R. 2971

The Social Security Number Privacy and Identity Theft Prevention Act of 2003 Summary of Provisions

Increases Social Security Number (SSN) Protections in the Public and Private Sectors

- Prohibits Federal, State and local governments from:
 - selling SSNs (limited exceptions are made to facilitate law enforcement and national security, to ensure the accuracy of credit and insurance underwriting information, and to the extent authorized by the Social Security Act),
 - displaying SSNs to the general public (limited exceptions are made to facilitate law enforcement and national security and to ensure the accuracy of credit information),
 - displaying SSNs on checks issued for payment,
 - displaying SSNs on drivers' licenses, motor vehicle registrations or other identification documents issued by State Departments of Motor Vehicles, and
 - employing prisoners in jobs that provide them with access to SSNs.
- Prohibits the sale, purchase, or display to the general public of SSNs in the private sector. Limited exceptions for law enforcement (including child support enforcement), national security, public health, health or safety emergency situations, research, or with the individual's written consent.
- Permits the Attorney General to authorize sale, purchase, or display of SSNs in the public or private sectors in other circumstances when appropriate. The Attorney General would consider the costs and burdens to the public, government, and businesses and would provide for restrictions to prevent fraud, deception, crime, and risk of bodily, emotional, or financial harm.
- Prohibits a person from obtaining another person's SSN to locate or identify the individual with the intent to physically injure, harm, or use the individual's identity for an illegal purpose.
- Discourages businesses from denying services to individuals who refuse to provide their SSNs, unless required by law, by subjecting them to penalties under Federal law.
- Includes the SSN in the definition of "credit report" under the Fair Credit Reporting Act so that the SSN receives the same privacy protections as other consumer credit information.
- Prohibits displaying SSNs on identification cards provided to employees or their family members.

Tightens SSN Controls

- Requires verification of birth records.
- Strengthens process of issuing SSNs to newborns.
- Restricts issuance of replacement SSN cards.

Strengthens Enforcement

- Creates new criminal (up to 5 years imprisonment and fine up to \$250,000) and civil penalties (up to \$5,000 per incident) for violations of the law relating to display, sale, purchase, misuse of the SSN, offering to acquire an additional SSN for a fee, and for selling or transferring one's own SSN.
- Enhances prison sentences for SSN misuse associated with repeat offenders (up to 10 years), drug trafficking or crimes of violence (up to 20 years), or terrorism (up to 25 years).
- Creates new criminal (as much as 20 years in prison and fine up to \$250,000) and civil penalties (up to \$5,000 per incident) for Social Security Administration employees who fraudulently sell or transfer SSNs or SSN cards.