

107TH CONGRESS
1ST SESSION

S. 1723

To amend the Fair Credit Reporting Act with respect to the statute of limitations on actions.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2001

Mr. LEAHY (for himself and Mr. GRASSLEY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To amend the Fair Credit Reporting Act with respect to statute of limitations on actions.

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 “Protect Victims of
5 Identity Theft Act of 2001”.

6 **SEC. 2. AMENDMENT TO THE FAIR CREDIT REPORTING**
7 **ACT.**

8 Section 618 of the Fair Credit Reporting Act (15
9 U.S.C. 1681p) is amended to read as follows:

1 **“SEC. 618. JURISDICTION OF COURTS; LIMITATIONS OF AC-**
2 **TIONS.**

3 “(a) IN GENERAL.—An action to enforce any liability
4 created under this title may be brought in any appropriate
5 United States district court, without regard to the amount
6 in controversy, or in any other court of competent jurisdic-
7 tion, not later than 2 years after the date on which the
8 violation is discovered or should have been discovered by
9 the exercise of reasonable diligence.

10 “(b) WILLFUL MISREPRESENTATION.—The limita-
11 tions period prescribed in subsection (a) shall be tolled
12 during any period during which a defendant has materially
13 and willfully misrepresented any information required
14 under this title to be disclosed to an individual, and the
15 information so misrepresented is material to the establish-
16 ment of the liability of the defendant to that individual
17 under this title.”.

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