

118TH CONGRESS
2D SESSION

H. R. 9370

To require State agencies to inform recipients of supplemental nutrition assistance program benefits, participants in the WIC program, and recipients of assistance under the TANF program of card skimming, card cloning, and similar fraudulent methods of stealing such benefits or assistance; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 16, 2024

Mr. GOTTHEIMER (for himself and Mr. LAWLER) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require State agencies to inform recipients of supplemental nutrition assistance program benefits, participants in the WIC program, and recipients of assistance under the TANF program of card skimming, card cloning, and similar fraudulent methods of stealing such benefits or assistance; and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CARD SKIMMING AND CLONING INFORMATION**
2 **FOR SNAP RECIPIENTS.**

3 State agencies that administer the supplemental nu-
4 trition assistance program under the Food and Nutrition
5 Act of 2008 (7 U.S.C. 2012 et seq.) shall inform recipients
6 of supplemental nutrition assistance program benefits
7 of—

8 (1) the risks of card skimming, card cloning,
9 and similar fraudulent methods, used by criminals to
10 steal such benefits from a recipient's electronic bene-
11 fits transfer card;

12 (2) the precautions a recipient can take to avoid
13 falling victim to card skimming, card cloning, or
14 similar fraudulent methods;

15 (3) the claims process, as established by the rel-
16 evant State agency, through which a recipient can
17 have benefits stolen through card skimming, card
18 cloning, or similar fraudulent methods, replaced with
19 Federal or State funds; and

20 (4) the process by which a recipient can report
21 stolen benefits due to card skimming, card cloning,
22 or similar fraudulent methods to the State agency.

23 **SEC. 2. CARD SKIMMING AND CLONING INFORMATION FOR**
24 **WIC PARTICIPANTS.**

25 State agencies that administer the special supple-
26 mental nutrition assistance program for women, infants,

1 and children under section 17 of the Child Nutrition Act
 2 of 1966 (42 U.S.C. 1786) shall inform participants in the
 3 program of the information described in paragraphs (1)
 4 through (4) of section 1.

5 **SEC. 3. CARD SKIMMING AND CLONING INFORMATION FOR**
 6 **TANF RECIPIENTS.**

7 (a) IN GENERAL.—Section 403(a)(1) of the Social
 8 Security Act (42 U.S.C. 603(a)(1)) is amended by adding
 9 at the end the following:

10 “(D) REQUIREMENT TO INFORM RECIPI-
 11 ENTS ABOUT CARD SKIMMING AND CLONING.—
 12 State agencies administering the State program
 13 funded under this part for the fiscal year must
 14 provide each recipient of assistance under the
 15 program the information described in para-
 16 graphs (1) through (4) of section 1 of the Act,
 17 entitled ‘An Act to require State agencies to in-
 18 form recipients of supplemental nutrition assist-
 19 ance program benefits, participants in the WIC
 20 program, and recipients of assistance under the
 21 TANF program of card skimming, card cloning,
 22 and similar fraudulent methods of stealing such
 23 benefits or assistance; and for other pur-
 24 poses.’”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect on the date that is 1 year
3 after the date of the enactment of this Act.

4 **SEC. 4. ISSUANCE OF CYBERSECURITY AND DIGITAL SERV-**
5 **ICE RULES.**

6 Not later than 1 year after the date of the enactment
7 of this Act, the Secretary of Agriculture shall issue cyber-
8 security and digital service rules applicable to State agen-
9 cies that administer the supplemental nutrition assistance
10 program under of the Food and Nutrition Act of 2008
11 (7 U.S.C. 2011 et seq.) relating to EBT cards and mobile
12 payments under such program to ensure that these meas-
13 ures keep pace with security safeguards used by the pri-
14 vate sector and required by Federal agencies for credit,
15 debit, and other payment cards and mobile payments.
16 Such regulations shall include, at a minimum, a time line
17 of not more than 5 years under which States are required
18 to transition to chip-enabled EBT cards and away from
19 payment cards with magnetic strips.

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