



## Legislation Text

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### Res. No. 456

Resolution calling on the United States Congress to pass, and the President to sign, H.R.9319, known as the SNAP Theft Protection Act of 2022.

By Council Members Avilés, Cabán, Louis, Hanif, Restler, Fariás, Richardson Jordan and Menin

Whereas, According to the Legal Aid Society, as of August, at least 2,208 low-income New Yorkers receiving Temporary Assistance and Supplemental Nutrition Assistance Program (“TA/SNAP”) benefits had their benefits stolen in electronic benefit transfer (“EBT”) card skimming scams, totaling approximately \$737,522.94 in 2022; and

Whereas, According to the New York State Office of Temporary and Disability Assistance (“OTDA”) scammers copy card and personal identification number (“PIN”) information from EBT users at legitimate retailers by using authorized EBT point of sale (“POS”) devices; and

Whereas, Card skimming scams involve the use of a physical overlay devices with Bluetooth technology to temporarily commandeer a retailer’s POS device; and

Whereas, Once thieves gain access to the POS device they steal (skim) and remotely transmit card/PIN information to an offsite location and use the stolen data to create a duplicate card that enables remote access of the compromised account; and

Whereas, Since card skimming transmits information while allowing legitimate EBT transactions to proceed unimpeded, targeted retailers and victims are typically unaware the accounts have been compromised until the next attempted purchase or account balance review; and

Whereas, According to OTDA policy, skimming victims are denied compensation for the value of benefits stolen through skimming; and

Whereas, The United States Department of Agriculture, Food, and Nutrition Service, which oversees SNAP, prohibits replacing stolen TA/SNAP benefits even if skimming is confirmed; and

Whereas, While Districts are able to issue emergency food allowance, this is meant to be a last resort after households have explored all community resources, such as local food pantries; and

Whereas, The loss of TA/SNAP benefits have a devastating impact on affected households, leaving families without resources to pay for food and basic needs; and

Whereas, H.R.9319, sponsored by Rep. Ruppersberger, seeks to amend the Food and Nutrition Act of 2008 by providing for the reissuance of stolen benefits and would help states track SNAP skimming data to determine the spread of the crime and develop mechanisms to enhance security technology; and

Whereas, Victims of skimming need to have their stolen benefits restored so they and their families will not go hungry or suffer from food insecurity; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign, H.R.9319, known as the SNAP Theft Protection Act of 2022.

CMB  
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12/22/22