

119TH CONGRESS  
1ST SESSION

# H. R. 3700

To amend the Richard B. Russell National School Lunch Act to require certain State agencies and covered Indian Tribal organizations to replace summer EBT benefits that are determined to have been stolen, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 4, 2025

Ms. BONAMICI (for herself and Mr. GOLDMAN of New York) introduced the following bill; which was referred to the Committee on Education and Workforce

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## A BILL

To amend the Richard B. Russell National School Lunch Act to require certain State agencies and covered Indian Tribal organizations to replace summer EBT benefits that are determined to have been stolen, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mitigating Electronic  
5 Access Losses for Students Act of 2025” or the “MEALS  
6 Act of 2025”.

1 **SEC. 2. SUMMER EBT FRAUD PREVENTION.**

2 Section 13A of the Richard B. Russell National  
3 School Lunch Act (42 U.S.C. 1762) is amended—

4 (1) by redesignating subsection (h) as sub-  
5 section (i); and

6 (2) by inserting after subsection (g) the fol-  
7 lowing:

8 “(h) SUMMER EBT FRAUD PREVENTION.—

9 “(1) GUIDANCE; RULEMAKING.—The Secretary  
10 shall—

11 “(A) issue guidance to State agencies and  
12 covered Indian Tribal organizations, on an on-  
13 going basis, as informed by the process outlined  
14 in subparagraph (D), that describes security  
15 measures that—

16 “(i) are effective, as determined by  
17 the Secretary, in detecting and preventing  
18 theft of summer EBT benefits, including  
19 through card skimming, card cloning, and  
20 other similar fraudulent methods;

21 “(ii) are consistent with industry  
22 standards for detecting, identifying, and  
23 preventing debit and credit card skimming,  
24 card cloning, and other similar fraudulent  
25 methods; and

1 “(iii) consider the feasibility of cost,  
2 availability, and implementation for State  
3 agencies and covered Indian Tribal organi-  
4 zations;

5 “(B) promulgate regulations through no-  
6 tice-and-comment rulemaking to require State  
7 agencies and covered Indian Tribal organiza-  
8 tions that elect to participate in the program  
9 under this section to take the appropriate secu-  
10 rity measures, as determined by the Secretary,  
11 described in the guidance issued under subpara-  
12 graph (A);

13 “(C) not later than 1 year after the date  
14 of enactment of this subsection, promulgate  
15 regulations (including an interim final rule) to  
16 require State agencies and covered Indian Trib-  
17 al organizations that elect to participate in the  
18 program under this section to implement proce-  
19 dures for the replacement of summer EBT ben-  
20 efits consistent with paragraph (2);

21 “(D) coordinate with the Director of the  
22 Office of Family Assistance of the Administra-  
23 tion for Children and Families of the Depart-  
24 ment of Health and Human Services, the Attor-  
25 ney General of the United States, State agen-

1           cies, covered Indian Tribal organizations, retail-  
2           ers (including retail food stores described in  
3           subparagraph (A) of subsection (b)(1) and ven-  
4           dors described in subparagraph (B) of such  
5           subsection), and EBT contractors—

6                   “(i) to determine—

7                           “(I) how summer EBT benefits  
8                           are being stolen through card skim-  
9                           ming, card cloning, and other similar  
10                          fraudulent methods;

11                          “(II) how those stolen benefits  
12                          are used; and

13                          “(III) the locations where card  
14                          skimming, card cloning, and other  
15                          similar fraudulent methods are taking  
16                          place;

17                   “(ii) to establish measures, including  
18                   equipment enhancements for retail food  
19                   stores described in subparagraph (A) of  
20                   subsection (b)(1) and vendors described in  
21                   subparagraph (B) of such subsection, to  
22                   prevent summer EBT benefits from being  
23                   stolen through card skimming, card  
24                   cloning, and other similar fraudulent meth-  
25                   ods; and

1 “(iii) to establish standard reporting  
2 methods for State agencies and covered In-  
3 dian Tribal organizations that elect to par-  
4 ticipate in the program under this section  
5 to collect and share data with the Sec-  
6 retary on the scope of summer EBT bene-  
7 fits being stolen through card skimming,  
8 card cloning, and other similar fraudulent  
9 methods; and

10 “(E) not later than 2 years after the date  
11 of enactment of this subsection, submit to the  
12 Committee on Agriculture, Nutrition, and For-  
13 estry of the Senate and the Committee on Edu-  
14 cation and Workforce of the House of Rep-  
15 resentatives a report that includes—

16 “(i) information on the frequency of  
17 theft of summer EBT benefits and the lo-  
18 cation of those thefts, including benefits  
19 stolen through card skimming, card  
20 cloning, and other similar fraudulent meth-  
21 ods;

22 “(ii) a description of the determina-  
23 tions made under subparagraph (D)(i), the  
24 measures established under subparagraph

(D)(ii), and methods established in subparagraph (D)(iii);

“(iii) a description of the industry standards described in subparagraph (A)(ii);

“(iv) a comparison of State agency and covered Indian Tribal organization plans related to reimbursement, prevention, and other relevant procedures approved in accordance with paragraph (2)(A)(i); and

“(v) a description of actions taken by the Secretary, and actions the Secretary plans to take, to detect and prevent theft of summer EBT benefits, including benefits stolen through card skimming, card cloning, and other similar fraudulent methods.

“(2) REPLACEMENT OF BENEFITS.—

“(A) IN GENERAL.—The Secretary shall use funds appropriated pursuant to this section to require State agencies and covered Indian Tribal organizations that elect to participate in the program under this section to replace summer EBT benefits that are determined by the

1 State agency or covered Indian Tribal organiza-  
2 tion to have been stolen through card skim-  
3 ming, card cloning, or similar fraudulent meth-  
4 ods, subject to the conditions that—

5 “(i) the State agency or covered In-  
6 dian Tribal organization shall include as  
7 part of each plan for operations and man-  
8 agement of the State agency or covered In-  
9 dian Tribal organization required under  
10 section 292.8 of title 7, Code of Federal  
11 Regulations (or a successor regulation),  
12 and submitted after the date of enactment  
13 of this Act a plan for the replacement of  
14 stolen summer EBT benefits that—

15 “(I) includes appropriate proce-  
16 dures, as determined by the Secretary,  
17 for the timely submission of claims to,  
18 timely validation of claims by, and re-  
19 placement issuance by the State agen-  
20 cy or covered Indian Tribal organiza-  
21 tion that includes—

22 “(aa) a signed statement by  
23 the affected eligible household on  
24 the benefit theft, consistent with  
25 the signature requirements and

1 options, including electronic sig-  
2 natures, provided by section  
3 11(e)(2)(C) of the Food and Nu-  
4 trition Act of 2008 (7 U.S.C.  
5 2020(e)(2)(C));

6 “(bb) criteria to determine if  
7 a submitted claim is valid;

8 “(cc) procedures for the doc-  
9 umentation of replacement  
10 issuances, including the sub-  
11 mitted claims and findings from  
12 the validation;

13 “(dd) the submission of data  
14 reports on benefit theft and re-  
15 placement activity to the Sec-  
16 retary;

17 “(ee) procedures to inform  
18 eligible households of their right  
19 to appeal an adverse decision re-  
20 garding a submitted claim; and

21 “(ff) the State agency’s or  
22 covered Indian Tribal organiza-  
23 tion’s use and planned use of  
24 benefit theft prevention meas-  
25 ures, including any additional

1 guidance that may be issued  
2 under subsection (h)(1);

3 “(II) includes appropriate proce-  
4 dures, as determined by the Secretary,  
5 for reporting the scope and frequency  
6 of card skimming affecting eligible  
7 households to the Secretary; and

8 “(III) includes appropriate proce-  
9 dures, as determined by the Secretary,  
10 in the case of theft involving a card or  
11 other account that stores summer  
12 EBT benefits and other benefits (in-  
13 cluding supplemental nutrition assist-  
14 ance program benefits), for deter-  
15 mining, to the extent possible, the  
16 total portion of stolen benefits that is  
17 attributable to summer EBT benefits;  
18 and

19 “(ii) the replacement of stolen sum-  
20 mer EBT benefits for an eligible household  
21 shall not exceed the lesser of—

22 “(I) the amount of summer EBT  
23 benefits stolen from the eligible house-  
24 hold—

1                   “(aa) during the calendar  
2                   year that the claim reporting  
3                   such theft was submitted; and

4                   “(bb) that have not been re-  
5                   placed or otherwise supplemented  
6                   by a prior approved claim; or

7                   “(II) the amount equal to the  
8                   summer EBT benefit allotment of the  
9                   eligible household issued to the eligible  
10                  household immediately prior to the  
11                  date on which the benefits were sto-  
12                  len.

13                  “(B) PLAN DEADLINE FOR CURRENT PAR-  
14                  TICIPANTS.—In the case of a State agency or  
15                  covered Indian Tribal organization participating  
16                  in the program under this section on the date  
17                  of enactment of this subsection, such State  
18                  Agency or covered Indian Tribal organization  
19                  shall be required to—

20                  “(i) submit an initial version of the  
21                  plan for the replacement of stolen summer  
22                  EBT benefits described in subparagraph  
23                  (A)(i) to the Secretary for approval not  
24                  later than 60 days after the date of enact-  
25                  ment of this subsection; and

1 “(ii) implement such initial plan upon  
2 approval by the Secretary.

3 “(3) COMPTROLLER GENERAL.—

4 “(A) IN GENERAL.—Not later than 2 years  
5 after the date of enactment of this subsection,  
6 the Comptroller General of the United States  
7 shall submit to the Committee on Education  
8 and Workforce of the House of Representatives  
9 and the Committee on Agriculture, Nutrition,  
10 and Forestry of the Senate a report that exam-  
11 ines risks related to summer EBT benefit pay-  
12 ment system security, including the risk of sto-  
13 len benefits through card skimming, card  
14 cloning, and other similar methods.

15 “(B) CONTENTS.—The report under sub-  
16 paragraph (A) shall include an assessment of—

17 “(i) the extent to which the Depart-  
18 ment of Agriculture manages summer  
19 EBT benefit payment system security, in-  
20 cluding risks related to stolen benefits,  
21 compared to leading industry practices;

22 “(ii) the manner in which State agen-  
23 cies, covered Indian Tribal organizations,  
24 retailers, and other relevant entities man-

1 age risks related to stolen summer EBT  
2 benefits;

3 “(iii) the oversight of and guidance  
4 provided by the Secretary to State agencies  
5 and covered Indian Tribal organizations  
6 regarding stolen summer EBT benefits;  
7 and

8 “(iv) recommendations and policy op-  
9 tions for—

10 “(I) improving how the Depart-  
11 ment of Agriculture and other rel-  
12 evant entities manage summer EBT  
13 benefit payment system security risks,  
14 including those related to stolen bene-  
15 fits; and

16 “(II) how the Department of Ag-  
17 riculture may best share those im-  
18 provements with State agencies, cov-  
19 ered Indian Tribal organizations, re-  
20 tailers, and other relevant entities.”.

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