



www.legalaiddc.org
1331 H Street, NW
Suite 350
Washington, DC 20005
(202) 628-1161

**Testimony of Nicole Dooley and Hailey Markt
Public Benefits Unit
Legal Aid DC**

**Before the Committee on Human Services
Council of the District of Columbia**

B26-0367, the “Public Benefits Security Amendment Act of 2025”

October 30, 2025

Legal Aid DC¹ submits the following testimony in support of B26-0367, the “Public Benefits Security Amendment Act of 2025.” Thousands of DC residents rely on public assistance – namely SNAP and cash assistance benefits – to meet their needs. These vital programs allow DC residents to access nutritious food, cover housing costs, and support their families. This Act introduces straightforward, common sense steps to prevent public assistance theft and ensure the District’s most vulnerable residents continue to receive benefits after they are stolen.

Each year, millions of dollars of public assistance benefits are stolen from DC residents’ cards through card skimming, cloning, and similar methods, with devastating consequences.² For many, their SNAP and cash assistance – either Temporary Assistance for Needy Families (TANF) or Interim Disability Assistance (IDA) – benefits are their only reliable source of income, and any loss in benefits creates extreme challenges. For some, lost benefits will look like falling behind on bills, potentially leading to evictions or utility terminations. For others, it will look like caretakers choosing to skip

¹ Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit www.LegalAidDC.org.

² <https://www.fns.usda.gov/data-research/data-visualization/snap-replacement-stolen-benefits-dashboard>.

meals to ensure that their children's needs are met. No matter the effects, the loss in benefits will be detrimental to beneficiaries' economic security and is contrary to the public assistance programs' intent.

This proposed Act would bring DC's program in line with modern methods of theft prevention by requiring chip, or EMV, technology in EBT cards. Chip cards are now standard across commercial credit and debit cards, leaving outdated EBT cards especially vulnerable to thieves and fraudsters. This proposed legislation takes an important step to protect public assistance benefits. By shifting to EMV technology, the Council importantly brings DC into the 21st century with an efficient and effective solution. It would also bring DC in line with recommendations from the USDA's Food and Nutrition Service, which confirmed in a letter to the states strongly urging the adoption of EMV technology that it has "proven an effective method to safeguard card usage from theft and fraud."³

Although the adoption of EMV technology should greatly reduce instances of theft, it likely will not eliminate it entirely. Therefore, this Act necessarily further recognizes the importance of restoring stolen benefits for DC residents by ensuring they have ample time to discover and report lost benefits.

The Department of Human Services' (DHS) current policy allows beneficiaries to seek replacement of their stolen benefits within thirty (30) days of the date the theft was discovered. However, DHS recently proposed a change in policy that would require beneficiaries to request reimbursement sixty (60) days from the date of the first alleged fraudulent transaction, irrespective of when the beneficiary discovers the theft. Alternatively, this bill would allow beneficiaries to recover stolen benefits within two (2) years of the theft.

This bill recognizes the challenges beneficiaries face in discovering and reporting public benefit theft. For example, beneficiaries who are experiencing homelessness or otherwise unstable housing often do not have a safe and secure place to store their EBT card or may lose their card more frequently. Many beneficiaries do not have reliable phone service or internet access to check their EBT benefits balance. This requires them to rely only on the balances printed on store receipts – a much more burdensome expectation. For families with multiple people who shop using the household's benefits, each person may erroneously attribute fraudulent payments to another household member. Finally, some beneficiaries have disabilities or language access needs that may

³ <https://www.fns.usda.gov/snap/ebt/modernization/letter-chip-cards>.

make monitoring their EBT benefits even more challenging. Each of these barriers makes it more difficult for beneficiaries to discover and report lost benefits within a restricted timeframe; however, this bill will better allow beneficiaries to recover their benefits despite their limiting circumstances.

We thank Councilmember Frumin and all sponsors of this bill for proposing this legislation and taking this important step in securing public assistance benefits within the District and for DC residents. We look forward to working with him and the Council to ensure funding is secured in the upcoming budget to implement these changes.