

119TH CONGRESS
1ST SESSION

H. R. 3810

To require the Attorney General to report to Congress on Federal, State, and local efforts to combat access device fraud, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2025

Mr. FONG (for himself, Mr. VALADAO, Mrs. KIM, and Mr. McDOWELL) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Attorney General to report to Congress on Federal, State, and local efforts to combat access device fraud, 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 “Stopping Klepto-card
5 and Identity Misuse Act” or the “SKIM Act”.

6 **SEC. 2. SENTENCING GUIDELINES.**

7 Not later than 30 days after the date of enactment
8 of this Act, the United States Sentencing Commission

1 shall revise of the United States Sentencing Commission
2 Guidelines Manual—

3 (1) in section 2B1.1(b)(11) to provide that—

4 (A) the baseline increase described in that
5 paragraph shall be an increase by 4 levels; and

6 (B) if the resulting offense level is less
7 than level 14, the offense shall be increased to
8 level 14; and

9 (2) in the notes related to the application of
10 subsection (b) of section 2B1.1, that in a case in-
11 volving 10 or more counterfeit access devices or un-
12 authorized access devices, loss includes any unau-
13 thorized charges made with any such counterfeit ac-
14 cess device or unauthorized access device in any
15 amount.

16 **SEC. 3. REPORT TO CONGRESS.**

17 (a) REPORT TO CONGRESS.—Not later than 90 days
18 after the date of the enactment of this Act, the Attorney
19 General, in coordination with the Secretary of Homeland
20 Security, shall submit to the appropriate congressional
21 committees a report on the coordinated efforts of the De-
22 partment of Homeland Security and Department of Jus-
23 tice, along with State and local law enforcement agencies
24 to prevent, investigate, prosecute, and sentence fraud of-
25 fenses involving the use of access devices.

1 (b) CONTENTS.—The report under this section shall
2 include the following:

3 (1) An assessment of cooperative operations of
4 Federal and State law enforcement agencies to iden-
5 tify and prosecute fraud involving the use of access
6 devices under subsections (a)(1), (2), (3), (4), and
7 (8), and (b)(2) of section 1029 of title 18, United
8 States Code.

9 (2) An assessment of technologies and tech-
10 niques used by perpetrators of fraud using counter-
11 feit access devices, which may facilitate such fraud
12 or prevent its detection by law enforcement per-
13 sonnel.

14 (3) For the one-year period preceding the re-
15 port, the number of requests for assistance that
16 State or local law enforcement agencies made to the
17 Department of Justice or the Department of Home-
18 land Security related to fraud involving the use of
19 counterfeit access devices, including the number of
20 such requests for which the Department of Justice
21 or the Department of Homeland Security provided
22 assistance, and the number of such request for
23 which neither agency provided assistance.

24 (4) States and counties in which fraud involving
25 the use of counterfeit access devices remains

1 unaddressed or of particular concern to the Sec-
2 retary and Attorney General.

3 (5) Legislative recommendations for cooperation
4 between Federal and State law enforcement agencies
5 to address such fraud.

6 (6) Recommendations on best practices for
7 State and local law enforcement agencies and busi-
8 ness owners to combat such fraud.

9 (c) DEFINITIONS.—In this section:

10 (1) The terms “access device” and “counterfeit
11 access device” have the meaning given such terms in
12 section 1029 of title 18, United States Code.

13 (2) The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on the Judiciary of the
16 House of Representatives;

17 (B) the Committee on the Judiciary of the
18 Senate;

19 (C) the Committee on Homeland Security
20 of the House of Representatives; and

21 (D) the Committee on Homeland Security
22 and Governmental Affairs of the Senate.

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