TO: Senator Michael J McCaffrey, Chair
Senate Committee on Judiciary

FROM: Kathleen S. Gorman, Ph.D.

RE: S 2382- An Act Relating to Human Services – Public Assistance Act,
Requirement for photo identification when using EBT

DATE: Tuesday, February 25, 2014

I am submitting this testimony regarding S 2382 which would require retailers to examine a
photo identification to verify that a buyer presenting an EBT card ("food stamps") is in fact the
person entitled to use the card. As the Director of the Feinstein Hunger Center at the University
of Rhode Island, we manage the contract for the SNAP Outreach Project with the RI Department
of Human Services. As such, our staff is intimately familiar with the day to day challenges of
people with low income and the difficulties they face in getting food assistance. The SNAP
Outreach Project has been a vital part of the state’s ability over the last several years to increase
SNAP participation by reaching out to potentially eligible individuals and families and providing
them with the assistance they need to access benefits. Today, roughly 180,000 Rhode Island
residents are receiving help from the Supplemental Nutrition Assistance Program (SNAP). And
as the numbers continue to grow, we can all take comfort in knowing that that our SNAP
participation reflects our commitment as a state to feed families struggling to make ends meet
during these severe economic times of high unemployment. It is only through a combination of
hard work by the Department of Human Services in managing SNAP with high integrity together
with the successful efforts of the SNAP Outreach Project that we have been able to continue to
meet the needs of low-income Rhode Islanders.

I am here today to testify against Senate Bill 2382.

SNAP is a federally regulated program and guidance about this legislation from the FNS/USDA
is attached. As noted, the EBT card utilizes a PIN number which is the sole identifier needed to
access benefits. Additionally, the Food & Nutrition Service of the USDA does not require any
type of photo identification aside from the EBT card at the time of transaction. It is important to
know that EBT cards are issued to a household, and multiple members of a household may be
legally authorized to use the card but the name on the card will only reference the head of
household and not each member of the household. Additionally, some households, most
frequently households with elderly and individuals with disabilities, have authorized
representatives who are also legally eligible to use the card. Therefore, even if an EBT
cardholder presents a photo ID, there can be no requirement, and no expectation, that the photo
ID would match the name on the card. Furthermore, the USDA does not allow for
discriminating against EBT users so that if retail establishments are required to request photo
identification of EBT users, it will be necessary for retailers to require that all individuals using debit cards present photo identification at the time of purchase.

With this information, I hope that it is clear that requiring individuals using an EBT card to present a photo ID would do nothing to prevent fraud and would impose a huge and unnecessary burden on retailers. I urge you to reject this bill.

Please let me know if you need any additional information. Thank you for your attention to this matter.
FEB 10 2010

SUBJECT: State ID Requirement for SNAP Customers at Checkout

TO: SNAP Director
    Supplemental Nutrition Assistance Program
    Western Regional Office

This memorandum provides the Food and Nutrition Service (FNS) position on State legislative proposals to require retailers or other authorized outlets that accept Supplemental Nutrition Assistance Program (SNAP) benefits to check the identification of all Electronic Benefit Transfer (EBT) card users to ensure that only authorized persons are transacting benefits. We do not have specific legislative language to review. Currently, identification of certified household members is established primarily through personal identification numbers (PINs) under 7 U.S.C. 2016 (h)(2). States may only impose additional identification requirements upon EBT card users as provided for by the Food and Nutrition Act of 2008 (Act), and implemented through program regulations.

Section 7(h)(9) of the Act (7 U.S.C. 2016(h)(9)) and 7 C.F.R. 274.12(h)(6), allow a State agency to require that an EBT card contain a photo of one or more members of a household. If the State agency elects to require such photo identification, it must also establish procedures to ensure that any other appropriate member of the household or any authorized representative of the household may utilize the card. No other forms of required identification are authorized by the Act or regulations.

FNS does not recommend that State legislatures pursue legislative proposals inconsistent with the requirements of the Act. If you have any questions, please contact Jeff Cohen, Director, Benefit Redemption Division at 703-305-2434.

Jessica Shahin
Associate Administrator
Supplemental Nutrition Assistance Program

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