

To the office of U.S. Senator Rick Scott

Re: S 4716 (119th Congress), SNAP Fraud Reporting Act of 2026 • Latest action (2026-06-09): Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.

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SNAP Fraud Data Reporting and Oversight Act of 2025

The measure, as described from the official record: To require states to report data on fraud in the Supplemental Nutrition Assistance Program (SNAP) to improve oversight and reduce improper payments.

THE PROPOSAL

This Act amends the Food and Nutrition Act of 2008 to require each state agency administering the supplemental nutrition assistance program to submit an annual report to the Secretary of Agriculture containing data on fraud investigations, prosecutions, and recoveries. The report must include the number of cases referred for investigation, the number of cases resulting in administrative or criminal penalties, the total dollar amount of overpayments identified and recovered, and the methods used to detect fraud. The Secretary shall compile these reports into an annual public summary, disaggregated by state, and submit it to Congress. No state shall lose funding for failure to report; instead, the Secretary may withhold up to 1 percent of the state's SNAP administrative funds for noncompliance after a two-year grace period. This Act is funded by redirecting 0.5 percent of existing SNAP administrative funds from the federal reserve for program integrity. It shall sunset after 5 years unless reauthorized by Congress. Oversight is provided by the USDA Office of Inspector General, which shall audit a sample of state reports biennially. Enforcement is through the withholding mechanism described above, with a right to appeal to the USDA administrative law judge under the Fifth Amendment Due Process Clause.

OPERATIVE PROVISIONS (VFA PROPOSAL)

Funding Source	Redirect 0.5% of existing SNAP administrative funds from the federal reserve for program integrity.
Funding Amount	Not to exceed \$5 million per fiscal year, drawn from existing appropriations.
Sunset Years	5 years
Oversight Body	USDA Office of Inspector General
Enforcement Mechanism	Withholding up to 1% of state SNAP administrative funds for noncompliance after a two-year grace period, with appeal rights to USDA administrative law judge.
Effective Date	180 days after enactment

CONSTITUTIONAL BASIS

- Article I, Section 8, Clause 1 (Spending Power)
- Tenth Amendment (limits coercion of states)

- Fifth Amendment Due Process Clause (appeal rights)

Concerns with the measure as written:

- The bill may condition federal funding on state reporting requirements in a manner that could be seen as coercive under the Tenth Amendment, but generally falls within Congress's spending power under Article I, Section 8, Clause 1.

WHY BOTH SIDES CAN BACK IT (VFA'S ASSESSMENT)

Democratic priorities honored: protects SNAP funding from cuts, focuses on data-driven oversight rather than punitive measures, includes due process protections. Republican priorities honored: increases accountability and transparency, targets fraud without expanding federal bureaucracy, uses existing funding sources.

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