

Calendar No. _____

119TH CONGRESS
2^D SESSION**S. 3798****[Report No. 119-_____]**

To amend title 18, United States Code, to establish criminal offenses with respect to violations involving ATMs, regardless of whether the ATM is located on the physical premises of a financial institution, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 2026

Mr. CRUZ (for himself and Mr. GALLEG0) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

_____ (legislative day, _____), _____

Reported by Mr. GRASSLEY, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend title 18, United States Code, to establish criminal offenses with respect to violations involving ATMs, regardless of whether the ATM is located on the physical premises of a financial institution, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Safe Access to Cash
3 Act of 2026”.

4 **SEC. 2. OFFENSES RELATED TO ATM ROBBERY AND INCI-**
5 **DENTAL CRIMES.**

6 (a) IN GENERAL.—Chapter 103 of title 18, United
7 States Code, is amended by inserting after section 2113
8 the following:

9 **“§ 2113A. ATM robbery and incidental crimes**

10 **“(a) OFFENSES AGAINST ATM USERS AND**
11 **SERVICERS.—**Whoever, by force or violence, or by intimi-
12 dation, takes, or attempts to take, or conspires to take,
13 any property or money or any other thing of value from
14 any person using or servicing, or attempting to use or
15 service, an ATM, or from any person having used or serv-
16 iced an ATM, where the offense is committed in connec-
17 tion with such use or service, or from any owner or oper-
18 ator of any network-connected ATM while such person is
19 engaged in transporting or delivering property that is to
20 be inserted into any such ATM, or from any person en-
21 gaged in such transport or delivery under contract with,
22 or employment by, any such owner or operator, or who
23 extorts or attempts or conspires to obtain by extortion,
24 any property or money or any other thing of value from
25 any such person described in this subsection, shall be fined

1 under this title or imprisoned not more than 20 years, or
2 both.

3 “(b) OFFENSES AGAINST PROPERTY.—

4 “(1) OFFENSES EXCEEDING \$1,000.—Whoever
5 breaks into, tampers with, damages, removes, steals,
6 or attempts to break into, tamper with, damage, re-
7 move, or steal any ATM without authorization of the
8 owner or operator of any such ATM, and removes or
9 attempts to remove any property or money from any
10 such ATM exceeding \$1,000, shall be fined under
11 this title or imprisoned not more than 10 years, or
12 both.

13 “(2) OFFENSES NOT EXCEEDING \$1,000.—Who-
14 ever breaks into, tampers with, damages, removes,
15 steals, or attempts to break into, tamper with, dam-
16 age, remove, or steal any ATM without authorization
17 of the owner or operator of any such ATM, and does
18 not remove or attempt to remove any property or
19 money from any such ATM exceeding \$1,000, shall
20 be fined under this title or imprisoned not more
21 than 1 year, or both.

22 “(c) RECEIPT, POSSESSION, CONCEALMENT, STOR-
23 AGE, BARTER, SALE, OR DISPOSAL OF PROPERTY AC-
24 QUIRED UNLAWFULLY UNDER THIS SECTION.—Whoever
25 receives, possesses, conceals, stores, barter, sells, or dis-

1 poses of, any property or money or other thing of value
2 that has been taken in violation of subsection (a) or (b),
3 or conspires to do so, knowing the same to be property
4 that has been unlawfully taken, shall be subject to the
5 punishment provided in subsection (a) or (b), as applica-
6 ble, for the taker.

7 “(d) ASSAULT IN CONNECTION WITH OFFENSES.—
8 Whoever, in committing, or in attempting to commit, any
9 offense defined in subsection (a) or (b), forcibly assaults
10 any person, or puts in jeopardy the life of any person by
11 the use of a dangerous weapon or device, shall be fined
12 under this title or imprisoned not more than 25 years, or
13 both.

14 “(e) KILLING OR FORCIBLE ACCOMPANIMENT IN
15 CONNECTION WITH OFFENSES.—Whoever, in committing
16 any offense defined in this section, or in avoiding or at-
17 tempting to avoid apprehension for the commission of such
18 offense, or in freeing himself or attempting to free himself
19 from arrest or confinement for such offense, kills any per-
20 son, or forces any person to accompany the offender with-
21 out the consent of such person, shall be imprisoned not
22 less than 10 years, or, if death results, shall be punished
23 by life imprisonment.

24 “(f) DEFINITIONS.—In this section:

25 “(1) ATM.—The term ‘ATM’—

1 “(A) means any network-connected auto-
2 mated teller machine terminal that is connected
3 to 1 or more of the global, national, or regional
4 electronic financial networks that allow a de-
5 positor of any bank, credit union, or savings
6 and loan association, by use at such automated
7 teller machine of a card or other access device,
8 as defined in section 1029(e)(1), issued or au-
9 thorized by such depository institution, to ac-
10 cess the account of the depositor for the pur-
11 pose of making withdrawals from or deposits to
12 such account, or making inquiry as to the bal-
13 ance in such account; and

14 “(B) includes any automated teller ma-
15 chine owned, operated, or sponsored by a bank,
16 credit union, or any savings and loan associa-
17 tion, regardless of whether—

18 “(i) the automated teller machine is
19 located on the physical premises of such an
20 institution; or

21 “(ii) the automated teller machine is
22 owned or operated by such an institution.

23 “(2) BANK; CREDIT UNION; SAVINGS AND LOAN
24 ASSOCIATION.—The terms ‘bank’, ‘credit union’, and

1 (1) in the first paragraph, by striking “force
2 and violence” and inserting “force or violence”; and
3 (2) by inserting “or conspires to take,” before
4 “from the person or presence of another.”

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “Safe Access to Cash Act*
7 *of 2026”.*

8 **SEC. 2. OFFENSES RELATED TO ATM ROBBERY AND INCI-**
9 **DENTAL CRIMES.**

10 (a) *IN GENERAL.*—Chapter 103 of title 18, United
11 *States Code, is amended by inserting after section 2113 the*
12 *following:*

13 **“§2113A. ATM robbery and incidental crimes**

14 “(a) *OFFENSES AGAINST ATM USERS AND*
15 *SERVICERS.*—Whoever, by force or violence, or by intimidat-
16 *ion, takes, or attempts to take, any property or money or*
17 *any other thing of value from any person using or servicing,*
18 *or attempting to use or service, an ATM, or who extorts*
19 *or attempts to obtain by extortion, any property or money*
20 *or any other thing of value from any such person, where*
21 *the offense is committed in direct and immediate connection*
22 *with such use or service, or from any owner or operator*
23 *of any ATM, while knowing that such person is engaged*
24 *in transporting or delivering property to be loaded into*
25 *such ATM, or from any person, knowing such person to be*

1 *engaged in the transport or delivery of property to be loaded*
2 *into such ATM, pursuant to a contract with, or employment*
3 *by, such owner or operator, shall be fined under this title*
4 *or imprisoned not more than 20 years, or both.*

5 “(b) *OFFENSES AGAINST PROPERTY.*—

6 “(1) *OFFENSES EXCEEDING \$1,000.*—Whoever
7 *breaks into, tampers with, damages, removes, or steals*
8 *any ATM without authorization of the owner or oper-*
9 *ator of any such ATM, and removes, with intent to*
10 *steal or purloin, any property or money from any*
11 *such ATM exceeding \$1,000, shall be fined under this*
12 *title or imprisoned not more than 10 years, or both.*

13 “(2) *OFFENSES NOT EXCEEDING \$1,000.*—Who-
14 *ever breaks into, tampers with, damages, removes, or*
15 *steals any ATM without authorization of the owner or*
16 *operator of any such ATM, and removes, with intent*
17 *to steal or purloin, any property or money from any*
18 *such ATM not exceeding \$1,000, shall be fined under*
19 *this title or imprisoned not more than 1 year, or both.*

20 “(c) *RECEIPT, POSSESSION, CONCEALMENT, STORAGE,*
21 *BARTER, SALE, OR DISPOSAL OF PROPERTY ACQUIRED UN-*
22 *LAWFULLY UNDER THIS SECTION.*—Whoever receives, pos-
23 *sesses, conceals, stores, barter, sells, or disposes of, any*
24 *property or money or other thing of value that has been*
25 *taken in violation of subsection (b), knowing the same to*

1 *be property that has been unlawfully taken, shall be subject*
2 *to the punishment provided in subsection (b), as applicable,*
3 *for the taker.*

4 “(d) *ASSAULT IN CONNECTION WITH OFFENSES.—*
5 *Whoever, in committing, or in attempting to commit, any*
6 *offense defined in subsection (a) or (b), forcibly assaults any*
7 *person, or puts in jeopardy the life of any person by the*
8 *use of a dangerous weapon or device, shall be fined under*
9 *this title or imprisoned not more than 25 years, or both.*

10 “(e) *KILLING OR FORCED ACCOMPANIMENT IN CON-*
11 *NECTION WITH OFFENSES.—Whoever, in committing any*
12 *offense defined in this section, or in avoiding or attempting*
13 *to avoid apprehension for the commission of such offense,*
14 *or in freeing himself or attempting to free himself from ar-*
15 *rest or confinement for such offense, kills any person, or*
16 *forces any person to accompany the offender without the*
17 *consent of such person, shall be imprisoned not more than*
18 *30 years, or, if death results, shall be imprisoned for any*
19 *term of years or life.*

20 “(f) *DEFINITIONS.—In this section:*

21 “(1) *ATM.—The term ‘ATM’—*

22 “(A) *means any network-connected auto-*
23 *mated teller machine terminal that is connected*
24 *to 1 or more of the global, national, or regional*
25 *electronic financial networks that allow a deposi-*

1 *tor of any bank, credit union, or savings and*
2 *loan association, by use at such automated teller*
3 *machine of a card or other access device, as de-*
4 *fined in section 1029(e)(1), issued or authorized*
5 *by such depository institution, to access the ac-*
6 *count of the depositor for the purpose of making*
7 *withdrawals from or deposits to such account, or*
8 *making inquiry as to the balance in such ac-*
9 *count; and*

10 *“(B) includes any automated teller machine*
11 *owned, operated, or sponsored by a bank, credit*
12 *union, or any savings and loan association, re-*
13 *gardless of whether—*

14 *“(i) the automated teller machine is lo-*
15 *cated on the physical premises of such an*
16 *institution; or*

17 *“(ii) the automated teller machine is*
18 *owned or operated by such an institution.*

19 *“(2) BANK; CREDIT UNION; SAVINGS AND LOAN*
20 *ASSOCIATION.—The terms ‘bank’, ‘credit union’, and*
21 *‘savings and loan association’ have the meanings*
22 *given those terms in section 2113.”.*

23 *(b) CLERICAL AMENDMENT.—The table of sections for*
24 *chapter 103 of title 18, United States Code, is amended by*

- 1 *inserting after the item relating to section 2113 the fol-*
- 2 *lowing:*

“2113A. ATM robbery and incidental crimes.”.