

15.16 Access Device—Defined (18 U.S.C. § 1029)

An “access device” means any card, plate, code, account number, electronic serial number, mobile identification number, personal identification number, or other telecommunications service, equipment, or instrument identifier, or other means of account access, that can be used, alone or in conjunction with another access device, to obtain money, goods, services, or any other thing of value, or that can be used to initiate a transfer of funds (other than a transfer originated solely by paper instrument).

Comment

18 U.S.C. § 1029(e)(1) defines “access device.” *See also United States v. Gainza*, 982 F.3d 762, 764 (9th Cir. 2020) (“The term ‘access device’ includes the information needed to access funds from a debit or credit card, such as the account number and the PIN.”). *United States v. Barrogo*, 59 F.4th 440, 445 (9th Cir. 2023) (“an EBT card is an ‘access device’”). Use this instruction in conjunction with Instructions 15.10 through 15.16.

Revised March 2023