

117TH CONGRESS
1ST SESSION

H. R. 5595

To amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2021

Mr. LAWSON of Florida (for himself, Ms. MOORE of Wisconsin, Mr. BLUMENAUER, Ms. TLAIB, Ms. LEE of California, Mr. KHANNA, Mr. GRIJALVA, Mr. RASKIN, Mr. JOHNSON of Georgia, Mr. MCGOVERN, Ms. NORTON, Ms. WILSON of Florida, Mrs. DEMINGS, Ms. BASS, Mr. GREEN of Texas, Ms. JACOBS of California, Mrs. HAYES, and Ms. MENG) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Food and Nutrition Act of 2008 to expand the eligibility of students to participate in the supplemental nutrition assistance program, 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 “College Student Hun-
3 ger Act of 2021”.

4 **SEC. 2. ELIGIBILITY OF STUDENTS TO PARTICIPATE IN THE**
5 **SUPPLEMENTAL NUTRITION ASSISTANCE**
6 **PROGRAM.**

7 (a) DEFINITION OF HOUSEHOLD.—Section 3(m) of
8 the Food and Nutrition Act of 2008 (7 U.S.C. 2012(m))
9 is amended—

10 (1) in paragraph (4), by inserting “, except
11 with respect to the individuals described in para-
12 graph (5)(F),” before “constitute”; and

13 (2) in paragraph (5), by adding at the end the
14 following:

15 “(F) Students that are enrolled in and are
16 residents of an institution of higher education
17 (as defined in section 102 of the Higher Edu-
18 cation Act of 1965 (20 U.S.C. 1002)) and are
19 eligible to participate in the supplemental nutri-
20 tion assistance program under paragraphs (1)
21 through (11) of section 6(e).”.

22 (b) ELIGIBILITY OF STUDENTS.—Section 6(e) of the
23 Food and Nutrition Act of 2008 (7 U.S.C. 2015(e)) is
24 amended—

25 (1) in paragraph (4), by striking “20” and in-
26 serting “10”;

1 (2) in paragraph (7), by striking “or” at the
2 end;

3 (3) in paragraph (8), by striking the period at
4 the end and inserting a semicolon; and

5 (4) by adding at the end the following:

6 “(9) is eligible for a Federal Pell Grant under
7 section 401 of the Higher Education Act of 1965
8 (20 U.S.C. 1070a);

9 “(10) has an expected family contribution equal
10 to zero, as determined by the procedures established
11 in part F of title IV of the Higher Education Act
12 of 1965 (20 U.S.C. 1087kk et seq.); or

13 “(11) is independent (as the term is defined
14 under subparagraph (B), (C), (D), (G), or (H) of
15 section 480(d)(1) of the Higher Education Act (20
16 U.S.C. 1087vv(d)(1))).”.

17 **SEC. 3. ELIGIBILITY NOTIFICATION FOR STUDENTS.**

18 Not later than 1 year after the effective date under
19 section 7, the Secretary of Education, in consultation with
20 the Secretary of Agriculture, shall—

21 (1) notify each student who completes the Free
22 Application for Federal Student Aid and is eligible
23 for a Federal Pell Grant under section 401 of the
24 Higher Education Act of 1965 (20 U.S.C. 1070a) or
25 has an expected family contribution equal to zero, as

determined by the procedures established in part F of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087kk et seq.), that the student may be eligible for the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and

(2) direct each student notified under paragraph (1) to the appropriate State resource to apply for benefits under that program.

**SEC. 4. COMMUNICATION OF INFORMATION ON STUDENT
ELIGIBILITY FOR THE SUPPLEMENTAL NU-
TRITION ASSISTANCE PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) COLLEGE STUDENT.—The term “college student” means a student enrolled in an institution of higher education.

(2) INSPECTOR GENERAL.—The term “Inspector General” means the Inspector General of the Department of Agriculture.

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(4) PROGRAM.—The term “program” means the supplemental nutrition assistance program es-

1 tablished under the Food and Nutrition Act of 2008
2 (7 U.S.C. 2011 et seq.).

3 (5) SECRETARY.—The term “Secretary” means
4 the Secretary of Agriculture.

5 (b) AUDIT.—

6 (1) IN GENERAL.—Not later than 90 days after
7 the effective date under section 7, the Inspector
8 General shall conduct an audit of the operations of
9 the Food and Nutrition Service to examine the pro-
10 cedures and outreach practices used by the Food
11 and Nutrition Service to provide to State agencies
12 information about the eligibility of students at insti-
13 tutions of higher education for participation in the
14 program.

15 (2) REPORT TO CONGRESS.—Not later than 90
16 days after completing the audit under paragraph
17 (1), the Inspector General shall submit to Congress
18 a report describing the results of the audit.

19 (c) STRATEGIES REPORT.—Not later than 90 days
20 after the Inspector General submits to Congress a report
21 under subsection (b)(2), the Secretary shall submit to
22 Congress a report that describes the strategy to be used
23 by the Food and Nutrition Service—

24 (1) to increase the awareness of State agencies
25 and institutions of higher education about—

1 (A) college student hunger;

2 (B) the eligibility of college students for
3 the program; and

4 (C) the procedures and resources available
5 to college students who are participating in the
6 program to access benefits under the program;

7 (2) to identify existing or potential barriers and
8 mitigation strategies with respect to those barriers;
9 and

10 (3) to update the strategic communications plan
11 under subsection (d).

12 (d) UPDATED STATE OUTREACH PLAN GUIDANCE.—

13 Not later than 90 days after the Inspector General sub-
14 mits to Congress a report under subsection (b)(2), the
15 Secretary shall publish an updated State Outreach Plan
16 Guidance that—

17 (1) describes existing data on college student
18 hunger;

19 (2) describes the manner in which college stu-
20 dents can access the supplemental nutrition assist-
21 ance program;

22 (3) recommends outreach activities to address
23 college student hunger and encourages States to
24 conduct those and other outreach activities;

1 (4) provides a template for a State to submit
 2 information to the Secretary describing the outreach
 3 activities being carried out by the State to address
 4 college student hunger; and

5 (5) contains updated guidance based on the re-
 6 sults of the audit conducted under subsection (b)(1)
 7 and the contents of the report submitted under sub-
 8 section (c).

9 **SEC. 5. DEMONSTRATION PILOT PROGRAM.**

10 The Food and Nutrition Act of 2008 (7 U.S.C. 2011
 11 et seq.) is amended by adding at the end the following:

12 **“SEC. 31. COLLEGE STUDENT HUNGER PILOT PROGRAM.**

13 “(a) DEFINITIONS.—In this section:

14 “(1) COLLEGE STUDENT.—The term ‘college
 15 student’ means a student enrolled in an institution
 16 of higher education.

17 “(2) INSTITUTION OF HIGHER EDUCATION.—
 18 The term ‘institution of higher education’ has the
 19 meaning given the term in section 102 of the Higher
 20 Education Act of 1965 (20 U.S.C. 1002).

21 “(3) PILOT PROGRAM.—The term ‘pilot pro-
 22 gram’ means the pilot program established under
 23 subsection (b).

24 “(b) PILOT PROGRAM.—The Secretary, in collabora-
 25 tion with the Secretary of Education, shall establish a pilot

1 program under which the Secretary shall carry out dem-
2 onstration projects in accordance with subsection (c)—

3 “(1) to decrease student hunger at institutions
4 of higher education; and

5 “(2) to reduce barriers to college students fully
6 utilizing supplemental nutrition assistance program
7 benefits at institutions of higher education.

8 “(c) DEMONSTRATION PROJECTS.—To carry out the
9 pilot program, the Secretary shall carry out demonstration
10 projects that test the following new supplemental nutrition
11 assistance program delivery methods:

12 “(1) Allowing a college student receiving sup-
13 plemental nutrition assistance program benefits to
14 use those benefits or the cash value of those bene-
15 fits—

16 “(A) to purchase prepared foods from a
17 campus dining hall, on-campus store, or other
18 on-campus merchant or provider that typically
19 sells prepared meals and is affiliated with the
20 institution of higher education at which the stu-
21 dent is enrolled; and

22 “(B) to pay the institution of higher edu-
23 cation the cost of an on-campus college meal
24 plan, in whole or in part.

1 “(2) Allowing a college student to use an EBT
2 card or a campus-specific card at any of the loca-
3 tions described in paragraph (1)(A).

4 “(d) PROJECT LIMIT.—

5 “(1) IN GENERAL.—The Secretary shall carry
6 out not more than 10 demonstration projects under
7 the pilot program simultaneously.

8 “(2) INSTITUTIONS.—The Secretary shall carry
9 out not more than 1 demonstration project under
10 the pilot program at any single institution of higher
11 education.

12 “(e) PROJECT ADMINISTRATION.—The Secretary
13 shall establish criteria and parameters for selecting, oper-
14 ating, monitoring, and terminating each demonstration
15 project under the pilot program.

16 “(f) PROJECT TERMINATION.—To the maximum ex-
17 tent practicable, the Secretary shall ensure that the termi-
18 nation of a demonstration project under the pilot program
19 shall not cause sudden adverse changes or the elimination
20 of benefits under the supplemental nutrition assistance
21 program for students participating in the demonstration
22 project.

23 “(g) PROGRAM TERMINATION.—The pilot program
24 shall terminate on the date that is 10 years after the date
25 on which the pilot program is established.

1 “(h) EVALUATION.—For the duration of the pilot
2 program, the Secretary shall, in collaboration with the
3 Under Secretary for Research, Education, and Economics
4 and the Director of the Institute of Education Sciences,
5 conduct an annual evaluation of each demonstration
6 project carried out under the pilot program during the
7 year covered by the evaluation, including an analysis of
8 the extent to which the project is meeting the desired out-
9 comes.

10 “(i) REPORT.—For the duration of the pilot program,
11 the Secretary shall submit to the Committees on Agri-
12 culture, Nutrition, and Forestry and Health, Education,
13 Labor, and Pensions of the Senate and the Committees
14 on Agriculture and Education and Labor of the House of
15 Representatives an annual report that includes—

16 “(1) a description of each demonstration project
17 carried out under the pilot program during the year
18 covered by the report;

19 “(2) the evaluation conducted under subsection
20 (h); and

21 “(3) recommendations for legislation to improve
22 the supplemental nutrition assistance program to
23 better serve college students.

24 “(j) WAIVER AND MODIFICATION AUTHORITY.—

1 “(1) IN GENERAL.—Subject to paragraph (2),
2 the Secretary may, as may be necessary solely to
3 carry out the pilot program—

4 “(A) waive any provision under this Act,
5 including—

6 “(i) the requirement relating to local
7 sales tax under section 4(a);

8 “(ii) requirements relating to the
9 issuance and use of supplemental nutrition
10 assistance program benefits under section
11 7; and

12 “(iii) requirements for approval of re-
13 tail food stores under section 9; and

14 “(B) modify the definitions under this Act
15 for the purposes of the pilot program, including
16 the definition of—

17 “(i) the term ‘food’ under section
18 3(k);

19 “(ii) the term ‘household’ under sec-
20 tion 3(m); and

21 “(iii) the term ‘retail food store’ under
22 section 3(o).

23 “(2) LIMITATION.—The Secretary may not
24 waive a provision or modify a definition under para-
25 graph (1) if the waiver or modification will—

1 “(A) cause increased difficulty for any
2 household to apply for or access supplemental
3 nutrition assistance program benefits; or

4 “(B) reduce the value of those benefits for
5 any household.

6 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
7 are authorized to be appropriated to the Secretary such
8 sums as are necessary to carry out this section.”.

9 **SEC. 6. EFFECTIVE DATE.**

10 This Act and the amendments made by this Act shall
11 take effect on the first day of the fiscal year that begins
12 after the date of enactment of this Act.

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