

118TH CONGRESS
1ST SESSION

S. _____

To amend the Food and Nutrition Act of 2008 to remove certain eligibility disqualifications that restrict otherwise eligible students from participating in the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Food and Nutrition Act of 2008 to remove certain eligibility disqualifications that restrict otherwise eligible students from participating 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhance Access To
5 SNAP Act of 2023” or the “EATS Act of 2023”.

1 **SEC. 2. STUDENT ELIGIBILITY UNDER SUPPLEMENTAL NU-**
2 **TRITION ASSISTANCE PROGRAM.**

3 (a) DEFINITION OF HOUSEHOLD.—Section 3(m)(5)
4 of the Food and Nutrition Act of 2008 (7 U.S.C.
5 2012(m)(5)) is amended by adding at the end the fol-
6 lowing:

7 “(F) Individuals who are bona fide stu-
8 dents enrolled at least half time in any recog-
9 nized school, training program, or institution of
10 higher education.”.

11 (b) CONDITIONS OF PARTICIPATION.—Section 6 of
12 the Food and Nutrition Act of 2008 (7 U.S.C. 2015) is
13 amended—

14 (1) in subsection (d)(2)(C), by striking “(except
15 that any such person enrolled in an institution of
16 higher education shall be ineligible to participate in
17 the supplemental nutrition assistance program un-
18 less he or she meets the requirements of subsection
19 (e) of this section)”;

20 (2) by striking subsection (e); and

21 (3) by redesignating subsections (f) through (s)
22 as subsections (e) through (r), respectively.

23 (c) CONFORMING AMENDMENTS.—

24 (1) Section 5 of the Food and Nutrition Act of
25 2008 (7 U.S.C. 2014) is amended—

1 (A) in subsection (a), in the second sen-
2 tence, by striking “(g), and (r)” and inserting
3 “(f), and (q)”;

4 (B) in subsection (i)(1), in the first sen-
5 tence, by striking “section 6(f)(2)(B) of this
6 Act” and inserting “section 6(e)(2)(B)”.

7 (2) Section 6 of the Food and Nutrition Act of
8 2008 (7 U.S.C. 2015) is amended—

9 (A) in subsection (d)(4)—

10 (i) in subparagraph
11 (B)(ii)(I)(bb)(DD), by striking “subsection
12 (o)” and inserting “subsection (n)”;

13 (ii) in subparagraph (N), by striking
14 “subsection (o)” each place it appears and
15 inserting “subsection (n)”;

16 (B) in paragraph (1)(B) of subsection (q)
17 (as so redesignated), by striking “subsection
18 (k)” and inserting “subsection (j)”.

19 (3) Section 7(i)(1) of the Food and Nutrition
20 Act of 2008 (7 U.S.C. 2016(i)(1)) is amended by
21 striking “section 6(o)(2)” and inserting “section
22 6(n)(2)”.

23 (4) Section 11 of the Food and Nutrition Act
24 of 2008 (7 U.S.C. 2020) is amended—

25 (A) in subsection (e)—

1 (i) in paragraph (2)(B)(v)(II), by
2 striking “section 6(f)” and inserting “sec-
3 tion 6(e)”;

4 (ii) in paragraph (22), by striking
5 “section 6(i)” and inserting “section 6(h)”;
6 and

7 (B) in subsection (n), by striking “section
8 6(g)” and inserting “section 6(f)”.

9 (5) Section 16(h) of the Food and Nutrition
10 Act of 2008 (7 U.S.C. 2025(h)) is amended—

11 (A) in paragraph (1)—

12 (i) in subparagraph (B)(ii), by strik-
13 ing “section 6(o)” and inserting “section
14 6(n)”;

15 (ii) in subparagraph (E)—

16 (I) by striking “section 6(o)(3)”
17 each place it appears and inserting
18 “section 6(n)(3)”;

19 (II) by striking “section 6(o)(2)”
20 each place it appears and inserting
21 “section 6(n)(2)”;

22 (III) in clause (ii)—

23 (aa) in subclause (III), by
24 striking “section 6(o)(4)” and in-
25 serting “section 6(n)(4)”;

1 (bb) in subclause (IV), by
2 striking “section 6(o)(6)” and in-
3 serting “section 6(n)(6)”; and

4 (iii) in subparagraph
5 (F)(ii)(III)(ee)(AA), by striking “section
6 6(o)” and inserting “section 6(n)”; and

7 (B) in paragraph (5)(C)(iv)(I), by striking
8 “section 6(o)(2)” and inserting “section
9 6(n)(2)”.

10 (6) Section 17(m) of the Food and Nutrition
11 Act of 2008 (7 U.S.C. 2026(m)) is amended—

12 (A) by striking “(l) through (n)” each
13 place it appears and inserting “(k) through
14 (m)”; and

15 (B) in paragraph (2)(E), by striking “sec-
16 tion 6(l)(2)” and inserting “section 6(k)(2)”.

17 (7) Section 103(a)(2)(D) of the Workforce In-
18 novation and Opportunity Act (29 U.S.C.
19 3113(a)(2)(D)) is amended by striking “6(o) of the
20 Food and Nutrition Act of 2008 (7 U.S.C.
21 2015(o))” and inserting “6(n) of the Food and Nu-
22 trition Act of 2008 (7 U.S.C. 2015(n))”.

23 (8) Section 121(b)(2)(B)(iv) of the Workforce
24 Innovation and Opportunity Act (29 U.S.C.
25 3151(b)(2)(B)(iv)) is amended by striking “6(o) of

1 the Food and Nutrition Act of 2008 (7 U.S.C.
2 2015(o))” and inserting “6(n) of the Food and Nu-
3 trition Act of 2008 (7 U.S.C. 2015(n))”.

4 (9) Section 454 of the Social Security Act (42
5 U.S.C. 654) is amended—

6 (A) in paragraph (4)(A)(i)(IV), by striking
7 “6(l)(1) of the Food and Nutrition Act of 2008
8 (7 U.S.C. 2015(l)(1))” and inserting “6(k)(1)
9 of the Food and Nutrition Act of 2008 (7
10 U.S.C. 2015(k)(1))”;

11 (B) in paragraph (6)(B)(i), by striking
12 “subsection (l) or (m) of section 6 of the Food
13 and Nutrition Act of 2008” and inserting “sub-
14 section (k) or (l) of section 6 of the Food and
15 Nutrition Act of 2008 (7 U.S.C. 2015)”;

16 (C) in paragraph (29)(A)—

17 (i) by striking “section 3(h) of the
18 Food and Nutrition Act of 2008 (7 U.S.C.
19 2012(h))” each place it appears and in-
20 serting “section 3 of the Food and Nutri-
21 tion Act of 2008 (7 U.S.C. 2012)”;

22 (ii) in clause (ii), by striking “section
23 6(l)(2) of the Food and Nutrition Act of
24 2008 (7 U.S.C. 2015(l)(2))” and inserting

1 “section 6(k)(2) of that Act (7 U.S.C.
2 2015(k)(2))”.

3 **SEC. 3. EFFECTIVE DATE.**

4 This Act and the amendments made by this Act shall
5 take effect on January 2, 2024.