

118TH CONGRESS  
1ST SESSION

# S. 1488

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.

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## IN THE SENATE OF THE UNITED STATES

MAY 9, 2023

Mrs. GILLIBRAND (for herself, Mr. BOOKER, Mr. WELCH, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. SANDERS, Mr. BLUMENTHAL, Mr. PADILLA, Mr. CASEY, Mr. WYDEN, Mr. FETTERMAN, Ms. HIRONO, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## 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.

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