

118TH CONGRESS
2D SESSION

S. 5091

To provide for the basic needs of students at institutions of higher education.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 18, 2024

Mr. PADILLA (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Ms. HIRONO, Mr. MARKEY, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the basic needs of students at institutions
of higher education.

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 “Basic Assistance for
5 Students In College Act” or the “BASIC Act”.

6 **SEC. 2. DATA SHARING.**

7 (a) AGREEMENTS.—The Secretary of Education, in
8 coordination with the Secretary of Agriculture, the Sec-
9 retary of Housing and Urban Development, the Secretary
10 of Health and Human Services, the Secretary of the

1 Treasury, and the head of any other applicable Federal
2 or State agency, shall maintain agreements—

3 (1) to securely share data among the respective
4 Federal agencies of such Secretaries in order to
5 identify students who have applied for Federal fi-
6 nancial aid and who are enrolled at institutions of
7 higher education (as defined in section 102 of the
8 Higher Education Act of 1965 (20 U.S.C. 1002))
9 who may be eligible for federally funded programs to
10 support basic needs through—

11 (A) the supplemental nutrition assistance
12 program established under the Food and Nutri-
13 tion Act of 2008 (7 U.S.C. 2011 et seq.), a nu-
14 trition assistance program carried out under
15 section 19 of such Act (7 U.S.C. 2028), or a
16 nutrition assistance program carried out by the
17 Secretary of Agriculture in the Northern Mar-
18 iana Islands;

19 (B) the supplemental security income pro-
20 gram under title XVI of the Social Security Act
21 (42 U.S.C. 1381 et seq.);

22 (C) the program of block grants to States
23 for temporary assistance for needy families
24 under part A of title IV of the Social Security
25 Act (42 U.S.C. 601 et seq.);

1 (D) the special supplemental nutrition pro-
2 gram for women, infants, and children estab-
3 lished by section 17 of the Child Nutrition Act
4 of 1966 (42 U.S.C. 1786);

5 (E) the Medicaid program under title XIX
6 of the Social Security Act (42 U.S.C. 1396 et
7 seq.);

8 (F) Federal housing assistance programs,
9 including tenant-based assistance under section
10 8(o) of the United States Housing Act of 1937
11 (42 U.S.C. 1437f(o)), and public housing, as
12 defined in section 3(b)(1) of such Act (42
13 U.S.C. 1437a(b)(1));

14 (G) Federal child care assistance pro-
15 grams, including assistance under the Child
16 Care and Development Block Grant Act of
17 1990 (42 U.S.C. 9858 et seq.) and the Child
18 Care Access Means Parents in School Program
19 under section 419N of the Higher Education
20 Act of 1965 (20 U.S.C. 1070e);

21 (H) the free and reduced price school
22 lunch program established under the Richard
23 B. Russell National School Lunch Act (42
24 U.S.C. 1751 et seq.);

1 (I) refundable credit for coverage under a
 2 qualified health plan under section 36B of the
 3 Internal Revenue Code of 1986;

4 (J) the Earned Income Tax Credit under
 5 section 32 of the Internal Revenue Code of
 6 1986;

7 (K) the Child Tax Credit under section 24
 8 of the Internal Revenue Code of 1986; or

9 (L) any other federally funded program de-
 10 termined by the Secretary to be appropriate;
 11 and

12 (2) to coordinate efforts to provide assistance to
 13 institutions of higher education to facilitate the en-
 14 rollment of eligible students in the programs de-
 15 scribed in paragraph (1).

16 (b) INFORMATION ON FEDERALLY FUNDED PRO-
 17 GRAMS TO SUPPORT BASIC NEEDS.—

18 (1) IN GENERAL.—Section 483 of the Higher
 19 Education Act of 1965 (20 U.S.C. 1090) is amended
 20 by adding at the end the following:

21 “(e) INFORMATION ON FEDERALLY FUNDED PRO-
 22 GRAMS TO SUPPORT BASIC NEEDS.—

23 “(1) DEFINITIONS.—In this subsection:

24 “(A) BENEFIT PROGRAM.—The term ‘ben-
 25 efit program’ means a program described in

1 any of subparagraphs (A) through (L) of sec-
2 tion 201(a)(1) of the Basic Assistance for Stu-
3 dents In College Act.

4 “(B) ELIGIBLE STUDENT.—The term ‘eli-
5 gible student’ means any student who, as a re-
6 sult of information submitted on the application
7 for Federal student financial aid, has been de-
8 termined by the Secretary (in consultation with
9 the heads of applicable Federal agencies) to be
10 potentially eligible for a benefit program.

11 “(2) PROVISION OF INFORMATION.—For each
12 year for which an eligible student submits an appli-
13 cation for Federal student financial aid, the Sec-
14 retary shall send, in written and electronic form, to
15 the eligible student information regarding potential
16 eligibility for assistance under, and application proc-
17 ess for, benefit programs.

18 “(3) INCLUSION.—The information provided
19 under paragraph (2) shall include a description of
20 the appropriate State or Federal resources to which
21 to apply for each benefit program.”.

22 (2) CONSULTATION.—The Secretary of Edu-
23 cation shall consult with the Secretary of Agri-
24 culture, the Secretary of Health and Human Serv-
25 ices, the Secretary of Housing and Urban Develop-

1 ment, the Secretary of the Treasury, and the head
2 of any other applicable Federal or State agency, in
3 designing the written and electronic communication
4 regarding potential eligibility for assistance under,
5 and application process for, the benefit programs (as
6 defined in subsection (e)(1) of section 483 of the
7 Higher Education Act of 1965 (20 U.S.C. 1090)).

8 (c) FURTHER INFORMATION ON FEDERALLY FUND-
9 ED PROGRAMS TO SUPPORT BASIC NEEDS.—Section 483
10 of the Higher Education Act of 1965 (20 U.S.C. 1090)
11 is amended—

12 (1) in subsection (a)(2)(E)—

13 (A) in clause (i), by striking “and” after
14 the semicolon;

15 (B) in clause (ii), by striking the period at
16 the end and inserting “; and”; and

17 (C) by adding at the end the following:

18 “(iii) an authorization under subpara-
19 graph (D) and disclosing the information
20 as described in clause (ii), the Secretary
21 shall provide the applicant with notification
22 of the appropriate Federal or State re-
23 sources necessary to apply for Federal and
24 State programs that support basic needs.”;
25 and

1 (2) in subsection (c)(3)—

2 (A) by striking “may enter” and inserting
3 “shall enter”; and

4 (B) by inserting “, and shall consult with
5 the heads of applicable Federal agencies in de-
6 signing the written and electronic communica-
7 tion regarding potential eligibility for assistance
8 under such programs” after “may be eligible”.

9 (d) REPORT.—The Secretary of Education, in coordi-
10 nation with the Secretary of Agriculture, the Secretary of
11 Housing and Urban Development, the Secretary of Health
12 and Human Services, the Secretary of the Treasury, and
13 the head of any other applicable Federal or State agency,
14 shall prepare and submit to Congress a report that pre-
15 sents summary statistics on students who have applied for
16 Federal financial aid and who are enrolled at institutions
17 of higher education (as defined in section 102 of the High-
18 er Education Act of 1965 (20 U.S.C. 1002)) and are expe-
19 riencing student food insecurity and housing insecurity,
20 disaggregated by race and ethnicity, income quintile, sta-
21 tus as a first generation college student, Federal Pell
22 Grant eligibility status, disability status, status as a stu-
23 dent parent, sex (including sexual orientation and gender
24 identity), and other subgroups, as determined by such
25 heads of agencies.

1 **SEC. 3. GRANTS TO SUPPORT THE BASIC NEEDS OF STU-**
 2 **DENTS.**

3 Title VIII of the Higher Education Act of 1965 (20
 4 U.S.C. 1161a et seq.) is amended by adding at the end
 5 the following:

6 **“PART BB—GRANTS TO SUPPORT THE BASIC**
 7 **NEEDS OF STUDENTS**

8 **“SEC. 899. GRANTS TO SUPPORT THE BASIC NEEDS OF STU-**
 9 **DENTS.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) BASIC NEEDS.—The term ‘basic needs’,
 12 with respect to a student, means the physiological
 13 and safety necessities that are central conditions for
 14 the student to learn, including—

15 “(A) nutritious and sufficient food;

16 “(B) safe, secure, and adequate housing
 17 (including to sleep, to study, to cook, and to
 18 shower);

19 “(C) health care to promote sustained
 20 mental and physical well-being;

21 “(D) high-quality and affordable childcare;

22 “(E) affordable technology and internet ac-
 23 cess;

24 “(F) accessible transportation;

25 “(G) personal hygiene and clothing; and

1 “(H) other costs described in paragraphs
2 (2) through (14) of section 472(a).

3 “(2) COMMUNITY COLLEGE.—

4 “(A) IN GENERAL.—The term ‘community
5 college’ means—

6 “(i) a public institution of higher edu-
7 cation at which—

8 “(I) the highest degree awarded
9 is an associate degree; or

10 “(II) an associate degree is the
11 most frequently awarded degree, in-
12 cluding a 2-year Tribal College or
13 University (as defined in section 316);

14 “(ii) a public postsecondary vocational
15 institution (as defined in section 102(c));
16 or

17 “(iii) at the designation of the Sec-
18 retary, in the case of a State in which
19 there is no community college operated or
20 controlled by the State that meets a defini-
21 tion under clause (i) or (ii), a college or
22 similarly defined and structured academic
23 entity—

24 “(I) that was in existence on
25 July 1, 2023;

1 “(II) within a public 4-year insti-
2 tution of higher education; and

3 “(III) at which—

4 “(aa) the highest degree
5 awarded is an associate degree;

6 or

7 “(bb) an associate degree is
8 the most frequently awarded de-
9 gree.

10 “(3) ELIGIBLE INSTITUTION.—The term ‘eligi-
11 ble institution’ means an institution of higher edu-
12 cation (as defined in section 101 or 102(a)(1)(B)).

13 “(b) PLANNING GRANTS.—

14 “(1) IN GENERAL.—The Secretary shall award
15 planning grants, on a competitive basis, to eligible
16 institutions to enable the eligible institutions to con-
17 duct research and planning in accordance with para-
18 graph (2)—

19 “(A) to reduce incidences of—

20 “(i) student food insecurity;

21 “(ii) student housing insecurity; and

22 “(iii) students experiencing homeless-
23 ness; and

24 “(B) to meet other basic needs of students.

1 “(2) ACTIVITIES.—An eligible institution receiv-
2 ing a grant under this subsection shall use grant
3 funds to carry out the following activities:

4 “(A) Establish a basic needs steering com-
5 mittee that will be—

6 “(i) responsible for developing and ap-
7 proving the basic needs strategy described
8 in subparagraph (C); and

9 “(ii) comprised of relevant campus
10 stakeholders, such as—

11 “(I) students who have experi-
12 enced challenges in meeting basic
13 needs;

14 “(II) student government rep-
15 resentatives;

16 “(III) staff of the eligible institu-
17 tion representing the areas of student
18 financial aid, housing, dining, student
19 affairs, academic advising, equity sup-
20 port services, accessibility services,
21 campus security, legal services, and
22 health and well-being services (includ-
23 ing counseling or psychological serv-
24 ices);

25 “(IV) faculty;

1 “(V) relevant administrators, in-
2 cluding local human services adminis-
3 trators;

4 “(VI) community-based and
5 other nonprofit organizations; and

6 “(VII) representatives from local
7 governmental agencies.

8 “(B) Conduct research regarding—

9 “(i) the level of unmet basic needs at
10 the eligible institution, disaggregated by
11 race and ethnicity, income quintile, status
12 as a first generation college student (as de-
13 fined in section 402A(h)), Federal Pell
14 Grant eligibility status, disability status,
15 status as a student parent, sex (including
16 sexual orientation and gender identity), or
17 other subgroup as determined by the eligi-
18 ble institution;

19 “(ii) the presence of institutional bar-
20 riers (such as award displacement) and
21 current institutional interventions to ad-
22 dress basic needs insecurity;

23 “(iii) the presence of administrative
24 barriers for students in applying, certifying
25 eligibility, and renewing applications for

1 means-tested benefits, and interventions to
2 address such barriers;

3 “(iv)(I) the resources and activities
4 available to address basic needs of stu-
5 dents, both on campus and off campus, as
6 of the date of the research; and

7 “(II) the impact of such resources and
8 activities; and

9 “(v) opportunities for coordination
10 and collaboration between the eligible insti-
11 tution and government or community-
12 based organizations, such as—

13 “(I) the local office that admin-
14 isters benefits under the supplemental
15 nutrition assistance program estab-
16 lished under the Food and Nutrition
17 Act of 2008 (7 U.S.C. 2011 et seq.)
18 and carries out employment and train-
19 ing programs under that Act, or the
20 temporary assistance for needy fami-
21 lies program and subsidized programs
22 that meet the work requirements
23 under part A of title IV of the Social
24 Security Act (42 U.S.C. 601 et seq.);

1 “(II) organizations that partici-
2 pate in the Federal work-study pro-
3 gram under part C of title IV; or

4 “(III) low-income housing assist-
5 ance organizations, including such or-
6 ganizations assisting with tenant-
7 based assistance under section 8(o) of
8 the United States Housing Act of
9 1937 (42 U.S.C. 1437f(o)), and pub-
10 lic housing (as defined in section 3(b)
11 of that Act (42 U.S.C. 1437a(b))).

12 “(C) Develop a basic needs strategy that
13 describes the means by which the eligible insti-
14 tution will—

15 “(i) seek to address or meet the basic
16 needs of students through on-campus and
17 off-campus providers; and

18 “(ii) incorporate the research con-
19 ducted under subparagraph (B), including
20 with respect to the subgroups identified
21 under clause (i) of that subparagraph, into
22 the basic needs strategy.

23 “(D) Implement the strategy described in
24 subparagraph (C), including by—

1 “(i) conducting outreach to encourage
2 students to participate in programs that
3 provide basic needs or reduce basic needs
4 insecurity;

5 “(ii) educating students about Fed-
6 eral, State, local, and Tribal assistance
7 programs, supporting student applications
8 for those programs, and providing case
9 management and training for students to
10 maximize the assistance that students and
11 their families receive to reduce basic needs
12 insecurity;

13 “(iii) coordinating and collaborating
14 with Federal, State, local, and Tribal agen-
15 cies or community-based organizations;

16 “(iv) hiring and training personnel to
17 build infrastructure and implement pro-
18 gramming to reduce basic needs insecurity
19 at the eligible institution; and

20 “(v) carrying out other matters deter-
21 mined to be appropriate by the Secretary.

22 “(3) GRANT AMOUNTS; DURATION.—

23 “(A) AMOUNT.—The amount of a grant
24 under this subsection shall be not more than
25 \$75,000.

1 “(B) DURATION.—A grant under this sub-
2 section shall be for a period of not more than
3 2 years.

4 “(4) REPORT.—Not later than 60 days after
5 the end of the planning grant period under this sub-
6 section, each eligible institution that receives such a
7 grant shall submit to the Secretary a report that de-
8 scribes the outcomes of the planning grant, regard-
9 less of whether the eligible institution intends to
10 apply for an implementation grant.

11 “(c) IMPLEMENTATION GRANTS.—

12 “(1) AWARD.—

13 “(A) IN GENERAL.—The Secretary shall
14 award implementation grants, on a competitive
15 basis, to eligible institutions to enable the eligi-
16 ble institutions to develop infrastructure to
17 meet the basic needs of students by—

18 “(i) implementing—

19 “(I) a basic needs strategy devel-
20 oped under subsection (b)(2)(C); or

21 “(II) another existing basic needs
22 plan approved by the Secretary; and

23 “(ii) carrying out the activities de-
24 scribed in paragraph (2).

1 “(B) ONGOING EXTERNAL FUNDING.—To
2 be eligible to receive an implementation grant
3 under this paragraph, an eligible institution
4 shall identify, in the application for the grant,
5 an ongoing non-Federal funding mechanism to
6 support the activities carried out using grant
7 funds after the expiration of the grant period.

8 “(2) ACTIVITIES.—An eligible institution receiv-
9 ing a grant under this subsection shall use the grant
10 funds to carry out at least 2 of the following activi-
11 ties:

12 “(A) Providing to eligible students free or
13 subsidized food, secure sleeping arrangements,
14 temporary housing, priority access to existing
15 on-campus child care, and other basic needs.

16 “(B) Conducting outreach to students to
17 reduce stigma associated with, and educate and
18 encourage students to participate in, programs
19 and services (including programs and services
20 provided through grant funding) to meet basic
21 needs.

22 “(C) Educating students about public as-
23 sistance programs (including State and local
24 public assistance programs, the supplemental
25 nutrition assistance program under the Food

1 and Nutrition Act of 2008 (7 U.S.C. 2011 et
2 seq.), Federal housing assistance programs, and
3 other income-based Federal assistance pro-
4 grams), supporting student applications for
5 those programs, and providing case manage-
6 ment and training for students to maximize the
7 public assistance that students and their fami-
8 lies receive to meet basic needs.

9 “(D) Coordination and collaboration be-
10 tween the eligible institution and government or
11 community-based organizations, such as the
12 local office that administers benefits through
13 the supplemental nutrition assistance program
14 under the Food and Nutrition Act of 2008 (7
15 U.S.C. 2011 et seq.) or a low-income housing
16 assistance organization.

17 “(E) Purchasing materials, equipment,
18 transportation, or facilities to reduce incidences
19 of food and housing insecurity and address the
20 basic needs of students at the eligible institu-
21 tion.

22 “(F) Hiring and training personnel to
23 build and improve basic needs infrastructure
24 and implement programming to provide assist-
25 ance in applying for, and accessing, direct sup-

1 port services, financial assistance, or means-
2 tested benefits programs to meet the basic
3 needs of students.

4 “(G) Other activities or services deter-
5 mined to be appropriate by the Secretary.

6 “(3) GRANT AMOUNTS; DURATION.—

7 “(A) AMOUNT.—The amount of a grant
8 under this subsection shall be not more than
9 \$1,000,000 for each 5-year period.

10 “(B) DURATION.—A grant under this sub-
11 section shall be for a period of 5 years.

12 “(4) REPORT.—The Secretary shall prepare
13 and submit to Congress a report that describes—

14 “(A) the impact on eligible students of
15 grants provided under this subsection;

16 “(B) the obstacles faced by recipients of
17 grants under this subsection;

18 “(C) successful outcomes of grants under
19 this subsection;

20 “(D) best practices for the provision of
21 basic services to eligible students; and

22 “(E) Federal and State policy barriers to
23 meeting the basic needs of students at institu-
24 tions of higher education.

1 “(5) BEST PRACTICES.—The Secretary shall
2 disseminate to eligible institutions information about
3 best practices, as described in paragraph (4)(D).

4 “(6) EVALUATION.—For the purpose of evalu-
5 ating the effectiveness of funds awarded under this
6 subsection, the Secretary shall conduct an evaluation
7 of each grant under this subsection to determine the
8 impact on students, including improvements in re-
9 tention, progression, transfer, attainment, and basic
10 needs security, as applicable.

11 “(d) RESERVATION; PRIORITY; EQUITABLE DIS-
12 TRIBUTION.—

13 “(1) RESERVATION.—In awarding grants under
14 subsections (b) and (c), the Secretary shall reserve—

15 “(A) an amount equal to not less than 25
16 percent of the total amount available for grants
17 under those subsections for grant awards to
18 community colleges; and

19 “(B) an amount equal to not less than 25
20 percent of the total amount available for grants
21 under those subsections for grant awards to
22 historically Black colleges and universities,
23 Tribal Colleges and Universities, and other mi-
24 nority-serving institutions.

1 “(2) PRIORITY.—In awarding grants under
2 subsections (b) and (c), the Secretary shall give pri-
3 ority to the following:

4 “(A) Eligible institutions with respect to
5 which not fewer than 25 percent of enrolled
6 students are students that are eligible to receive
7 a Federal Pell Grant under subpart 1 of part
8 A of title IV.

9 “(B) Eligible institutions described in sec-
10 tion 371(a).

11 “(3) EQUITABLE DISTRIBUTION.—In awarding
12 grants under subsections (b) and (c), the Secretary
13 shall ensure an equitable distribution of grant
14 awards to eligible institutions in States, based on
15 State population.

16 “(e) PERSONNEL EXPENSES LIMITATIONS.—

17 “(1) PLANNING GRANTS.—An eligible institu-
18 tion that receives a planning grant under subsection
19 (b) may use not more than 50 percent of grant
20 funds for personnel expenses.

21 “(2) IMPLEMENTATION GRANTS.—An eligible
22 institution that receives an implementation grant
23 under subsection (c) may use not more than 75 per-
24 cent of grant funds for personnel expenses.

1 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
2 is authorized to be appropriated to carry out this section
3 \$1,000,000,000 for each of fiscal years 2025 through
4 2031, of which—

5 “(1) \$40,000,000 is authorized to be appro-
6 priated to provide planning grants under subsection
7 (b); and

8 “(2) \$960,000,000 is authorized to be appro-
9 priated to provide implementation grants under sub-
10 section (c).”.

○