

117TH CONGRESS
1ST SESSION

S. 2004

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

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2021

Mr. PADILLA (for himself, Ms. WARREN, Mrs. FEINSTEIN, and Mr. MARKEY)
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) IN GENERAL.—Not later than 90 days after the
8 date of enactment of this Act, the Secretary of Education,
9 in coordination with the Secretary of Agriculture, the Sec-
10 retary of Housing and Urban Development, and the Sec-

1 retary of Health and Human Services, shall develop and
2 implement an agreement to—

3 (1) securely share data among the respective
4 Federal agencies of such Secretaries in order to, not-
5 withstanding section 483(a)(3)(E) of the Higher
6 Education Act of 1965 (20 U.S.C. 1090(a)(3)(E))
7 and section 444 of the General Education Provisions
8 Act (commonly known as the “Family Educational
9 Rights and Privacy Act of 1974”), identify students
10 described in subsection (b) who may be eligible for
11 Federally funded programs to support basic needs
12 through—

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

21 (B) the supplemental security income pro-
22 gram under title XVI of the Social Security Act
23 (42 U.S.C. 1381 et seq.);

24 (C) the program of block grants to States
25 for temporary assistance for needy families

1 under part A of title IV of the Social Security
2 Act (42 U.S.C. 601 et seq.);

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

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

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

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

23 (H) the free and reduced price school
24 lunch program established under the Richard

1 B. Russell National School Lunch Act (42
2 U.S.C. 1751 et seq.);

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

6 (J) the Earned Income Tax Credit under
7 section 32 of the Internal Revenue Code of
8 1986;

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

11 (L) any other Federally funded program
12 determined by the Secretary to be appropriate;
13 and

14 (2) coordinate efforts to provide assistance to
15 institutions of higher education to facilitate the en-
16 rollment of eligible students in the programs listed
17 in paragraph (1).

18 (b) COVERED STUDENTS.—Students described in
19 this subsection are students who—

20 (1) have applied for Federal financial aid;

21 (2) are enrolled at institutions of higher edu-
22 cation (as defined in section 102 of the Higher Edu-
23 cation Act of 1965 (20 U.S.C. 1002)), including full-
24 time and part-time students; and

1 (3) have not opted out of the information shar-
2 ing under this section through the process described
3 in subsection (c) or any other process established by
4 the Secretary of Education.

5 (c) INCLUSION ON FAFSA.—

6 (1) IN GENERAL.—Students and borrowers,
7 through the Free Application for Federal Student
8 Aid under section 483 of the Higher Education Act
9 of 1965 (20 U.S.C. 1090), may authorize the Sec-
10 retary of Education to disclose to the Federal agen-
11 cies described in subsection (a)(1) information pro-
12 vided by the applicant on the application described
13 by this subsection, as well as such applicant’s stu-
14 dent aid index and scheduled Federal Pell Grant
15 award, to assist in identification, outreach and appli-
16 cation efforts for the application, award, and admin-
17 istration of such means-tested Federal benefits pro-
18 grams, except such information shall not include
19 Federal tax information as specified in section
20 6103(l)(13)(C) of the Internal Revenue Code of
21 1986.

22 (2) OPT-OUT.—The Secretary shall provide an
23 opportunity for students and borrowers to opt out of
24 the authorization described in paragraph (1).

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) is amended by adding at the end the fol-
 5 lowing:

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 means the needs of students that support their suc-
 13 cess while enrolled at an eligible institution, includ-
 14 ing needs such as—

15 “(A) food;

16 “(B) housing;

17 “(C) transportation;

18 “(D) child care;

19 “(E) health care; and

20 “(F) technology.

21 “(2) COMMUNITY COLLEGE.—The term ‘com-
 22 munity college’ means a public institution of higher
 23 education at which the highest degree that is pre-
 24 dominantly awarded to students is an associate de-
 25 gree, including a 2-year Tribal Colleges or Univer-
 26 sity, as defined in section 316.

1 “(3) ELIGIBLE INSTITUTION.—The term ‘eligi-
 2 ble institution’ means an institution of higher edu-
 3 cation (as defined in section 102) that participates
 4 in programs under title IV.

5 “(b) PLANNING GRANTS.—

6 “(1) IN GENERAL.—The Secretary shall award
 7 planning grants, on a competitive basis, to eligible
 8 institutions to enable the eligible institutions to con-
 9 duct research and planning to reduce incidences of
 10 student food insecurity, housing insecurity, and
 11 homelessness and to meet other basic needs of stu-
 12 dents, by carrying out the activities described in
 13 paragraph (2).

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

17 “(A) Establish a basic needs steering com-
 18 mittee that will be responsible for creating and
 19 approving the basic needs strategy described in
 20 subparagraph (C), and that will be comprised of
 21 relevant campus stakeholders, such as—

22 “(i) students who have experienced
 23 challenges in meeting basic needs;

24 “(ii) student government representa-
 25 tives;

“(iii) institutional staff representing the areas of student financial aid, housing, dining, student affairs, academic advising, equity support services, accessibility services, and well-being services (including counseling or psychological services);

“(iv) faculty;

“(v) relevant administrators, including local human services administrators;

“(vi) community-based organizations; and

“(vii) representatives from local governmental agencies;

“(B) Conduct research regarding—

“(i) the level of unmet basic needs at the institution, disaggregated by race and ethnicity, income quintile, status as a first-generation college student (as defined in section 402A(h)), Federal Pell Grant eligibility status, disability status, status as a student parent, sex (including sexual orientation and gender identity), or other subgroup as determined by the institution;

“(ii) the presence of institutional barriers (such as award displacement) and

1 current institutional interventions to ad-
2 dress basic needs insecurity;

3 “(iii)(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 “(iv) opportunities for coordination
10 and collaboration between the institution
11 and government or community-based orga-
12 nizations, 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 (TANF) and subsidized
22 programs that meet the work require-
23 ments under part A of title IV of the
24 Social Security Act (42 U.S.C. 601 et
25 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 those as-
 6 sisting with tenant-based assistance
 7 under section 8(o) of the United
 8 States Housing Act of 1937 (42
 9 U.S.C. 1437f(o)), and public housing,
 10 as defined in section 3(b)(1) of such
 11 Act (42 U.S.C. 1437a(b)(1)).

12 “(C) Create a basic needs strategy that de-
 13 scribes how the institution will—

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

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

22 “(3) GRANT AMOUNTS; DURATION.—

23 “(A) AMOUNT.—A grant under this sub-
 24 section shall be in an amount not to exceed
 25 \$50,000.

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 a report to the Secretary describ-
8 ing the outcomes of the planning grant, regardless
9 of whether the eligible institution intends to apply
10 for an implementation grant.

11 “(c) IMPLEMENTATION GRANTS.—

12 “(1) IN GENERAL.—

13 “(A) AUTHORIZATION OF AWARD.—The
14 Secretary shall award implementation grants,
15 on a competitive basis, to eligible institutions to
16 enable the eligible institutions to develop infra-
17 structure to meet the basic needs of students,
18 by implementing a basic needs strategy devel-
19 oped through a grant award under subsection
20 (b) or another existing basic needs plan ap-
21 proved by the Secretary, and carrying out the
22 activities described in paragraph (2).

23 “(B) ONGOING EXTERNAL FUNDING.—In
24 order to be eligible to receive an implementation
25 grant under this subsection, an eligible institu-

tion shall identify, in the application for such grant, an ongoing non-Federal funding mechanism to support the activities carried out with grant funds after the grant period has expired.

“(2) ACTIVITIES.—An eligible institution receiving a grant under this subsection shall use the grant funds to carry out at least two of the following:

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

“(B) Conducting outreach to students to reduce stigma, educate, and encourage students to participate in programs and receive services (including programs and services provided through grant funding) to meet basic needs.

“(C) Educating students about public assistance programs (including State and local public assistance programs, and the supplemental nutrition assistance program under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), Federal housing assistance programs, and other income-based Federal assistance programs), supporting students’ applications for those programs, and providing case

1 management and training for students to maxi-
2 mize the public assistance that students receive
3 to meet basic needs.

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

12 “(E) Purchasing materials, equipment,
13 transportation, or facilities to reduce incidences
14 of food and housing insecurity and address the
15 basic needs of students at the eligible institu-
16 tion.

17 “(F) Hiring and training personnel to
18 build basic needs infrastructure and implement
19 programming to meet the basic needs of stu-
20 dents at the eligible institution.

21 “(G) Other activities or services deter-
22 mined appropriate by the Secretary.

23 “(3) GRANT AMOUNTS; DURATION.—

1 “(A) AMOUNT.—A grant under this sub-
 2 section shall be in an amount not to exceed
 3 \$1,000,000 total for each 5-year period.

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

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

8 “(A) the impact of the grant under this
 9 subsection on eligible students;

10 “(B) best practices for the provision of
 11 basic services to eligible students;

12 “(C) the obstacles faced by grant recipi-
 13 ents; and

14 “(D) State or Federal policy barriers to
 15 meeting the basic needs of students at institu-
 16 tions of higher education.

17 “(5) BEST PRACTICES.—The Secretary shall
 18 disseminate to eligible institutions information about
 19 best practices, as described in paragraph (4)(B).

20 “(d) RESERVATION; PRIORITY; EQUITABLE DIS-
 21 TRIBUTION.—

22 “(1) RESERVATION.—In awarding grants under
 23 subsections (b) and (c), the Secretary shall reserve
 24 an amount equal to not less than 25 percent of the

1 total amount available for grants under those sub-
2 sections for grant awards to community colleges.

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

6 “(A) Eligible institutions with respect to
7 which not less than 25 percent of enrolled stu-
8 dents are students that are eligible to receive a
9 Federal Pell Grant under subpart 1 of part A
10 of title IV.

11 “(B) Eligible institutions that are de-
12 scribed in section 371(a).

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

18 “(e) LIMITATION.—An eligible institution receiving a
19 grant under—

20 “(1) subsection (b) shall not use more than 50
21 percent of grant funds for personnel expenses; and

22 “(2) subsection (c) shall not use more than 75
23 percent of grant funds for personnel expenses.

24 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to carry out this section

1 \$1,000,000,000 for fiscal years 2022 through 2028, of
2 which—

3 “(1) \$40,000,000 are authorized to be appro-
4 priated to carry out planning grants under sub-
5 section (b); and

6 “(2) \$960,000,000 are authorized to be appro-
7 priated to carry out implementation grants under
8 subsection (c).”.

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