

118TH CONGRESS
1ST SESSION

S. 2435

To amend the Food and Nutrition Act of 2008 to repeal the particular work requirement that disqualifies able-bodied adults for eligibility to participate in the supplemental nutrition assistance program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. WELCH (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Ms. WARREN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. FETTERMAN, Mr. WYDEN, Mr. WHITEHOUSE, and Mr. SANDERS) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food and Nutrition Act of 2008 to repeal the particular work requirement that disqualifies able-bodied adults for eligibility 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Access to
5 Nutrition Act of 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) 35,000,000 people, including over
4 10,000,000 children, suffered from hunger even be-
5 fore the COVID–19 pandemic began;

6 (2) analyses show that 50,000,000 people, in-
7 cluding 17,000,000 children, could go hungry due to
8 the effects of the COVID–19 pandemic;

9 (3) as of December 2020, food insecurity
10 among White households with children was 24.2 per-
11 cent, while 38.6 percent of Latinx households and
12 40.6 percent of African-American households with
13 children suffered from food insecurity;

14 (4) Black and Hispanic children were twice as
15 likely as White children to live in households without
16 enough to eat, entering the COVID–19 pandemic at
17 a disproportionate risk of going hungry;

18 (5) adults who identify as American Indian,
19 Alaska Native, Native Hawaiian, Pacific Islander, or
20 multiracial were twice as likely as White adults to
21 report that their household did not get enough to
22 eat;

23 (6) while official national data for Native Amer-
24 ican households is lacking, previous research in the
25 State of Washington showed food insecurity among

1 Native households was 2.5 times higher than in
2 White households;

3 (7) the COVID–19 pandemic has deepened
4 longstanding racial disparities and food insecurity;

5 (8) the supplemental nutrition assistance pro-
6 gram established under the Food and Nutrition Act
7 of 2008 (7 U.S.C. 2011 et seq.) (referred to in this
8 section as the “supplemental nutrition assistance
9 program”) is the first line of defense against hunger
10 and especially vital for vulnerable populations;

11 (9) more than 85 percent of all benefits under
12 the supplemental nutrition assistance program go to
13 households with children, seniors, and persons with
14 disabilities;

15 (10) the supplemental nutrition assistance pro-
16 gram helps restore access to healthy food, improves
17 overall health, and reduces poverty;

18 (11) participation in the supplemental nutrition
19 assistance program is associated with educational
20 advancement of children in poverty and improve-
21 ments in math and reading scores;

22 (12) the supplemental nutrition assistance pro-
23 gram has a proven record of effectiveness in pro-
24 moting food security and health and in providing
25 economic stimulus;

1 (13) each dollar of supplemental nutrition as-
2 sistance program benefits during a downturn gen-
3 erates between \$1.50 and \$1.80 in economic activity;

4 (14) studies have demonstrated that work re-
5 quirements do not reduce poverty;

6 (15) about 6,100,000 individuals are subject to
7 work requirements under the supplemental nutrition
8 assistance program and are at risk of losing critical
9 food assistance if they cannot comply with those
10 work requirements;

11 (16) for individuals described in paragraph (15)
12 who live in households with school-aged children,
13 supplemental nutrition assistance program benefit
14 reductions or terminations could jeopardize the
15 health, development, and future success of those
16 children;

17 (17) children in poverty often depend on pooled
18 resources (including supplemental nutrition assist-
19 ance program benefits) from extended family mem-
20 bers who do not claim them as dependents;

21 (18) studies show that health impediments are
22 a primary cause of many recipients of supplemental
23 nutrition assistance program benefits being unable
24 to meet a work requirement;

1 (19) work requirements cause an increase in
2 the administrative bureaucracy of the supplemental
3 nutrition assistance program, which some studies
4 have shown cause a significant reduction in partici-
5 pation in the supplemental nutrition assistance pro-
6 gram;

7 (20) studies show that—

8 (A) Black people are particularly vulner-
9 able to barriers to accessing the supplemental
10 nutrition assistance program and most likely to
11 face recent unemployment; and

12 (B) work requirements would dispropor-
13 tionately prevent Black people from having ac-
14 cess to benefits under that program;

15 (21) families experiencing homelessness are
16 most likely to leave programs such as the supple-
17 mental nutrition assistance program when there is a
18 work requirement, thereby increasing their vulner-
19 ability; and

20 (22) the COVID–19 pandemic has made people
21 more vulnerable, and a work requirement under the
22 supplemental nutrition assistance program would
23 serve to only further burden people most at risk dur-
24 ing the COVID–19 pandemic.

1 **SEC. 3. ELIMINATION OF WORK REQUIREMENT UNDER**
 2 **SUPPLEMENTAL NUTRITION ASSISTANCE**
 3 **PROGRAM.**

4 (a) IN GENERAL.—Section 6 of the Food and Nutri-
 5 tion Act of 2008 (7 U.S.C. 2015) is amended—

6 (1) by striking subsection (o); and

7 (2) by redesignating subsections (p) through (s)
 8 as subsections (o) through (r), respectively.

9 (b) CONFORMING AMENDMENTS.—

10 (1) Section 5(a) of the Food and Nutrition Act
 11 of 2008 (7 U.S.C. 2014(a)) is amended, in the sec-
 12 ond sentence, by striking “(r)” and inserting “(q)”.

13 (2) Section 6(d)(4) of the Food and Nutrition
 14 Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—

15 (A) in subparagraph (B)(ii)(I)(bb)(DD),
 16 by striking “or subsection (o)”; and

17 (B) in subparagraph (N), by striking “or
 18 subsection (o)” each place it appears.

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) of this Act or”.

22 (4) Section 16(h) of the Food and Nutrition
 23 Act of 2008 (7 U.S.C. 2025(h)) is amended—

24 (A) in paragraph (1)—

25 (i) in subparagraph (B), in the matter
 26 preceding clause (i), by striking “that—”

and all that follows through the period at the end of clause (ii) and inserting “that is determined and adjusted by the Secretary.”;

(ii) by striking subparagraph (E);

(iii) by redesignating subparagraph (F) as subparagraph (E); and

(iv) in clause (ii)(III)(ee)(AA) of subparagraph (E) (as so redesignated), by striking “, individuals subject to the requirements under section 6(o),”; and

(B) in paragraph (5)(C)—

(i) in clause (ii), by adding “and” at the end;

(ii) in clause (iii), by striking “; and” and inserting a period; and

(iii) by striking clause (iv).

(5) Section 51(d)(8)(A)(ii) of the Internal Revenue Code of 1986 is amended—

(A) in subclause (I), by striking “, or” at the end and inserting a period;

(B) in the matter preceding subclause (I), by striking “family—” and all that follows through “receiving” in subclause (I) and inserting “family receiving”; and

1 (C) by striking subclause (II).

2 (6) Section 103(a)(2) of the Workforce Innova-
 3 tion and Opportunity Act (29 U.S.C. 3113) is
 4 amended—

5 (A) by striking subparagraph (D); and

6 (B) by redesignating subparagraphs (E)
 7 through (K) as subparagraphs (D) through (J),
 8 respectively.

9 (7) Section 121(b)(2)(B) of the Workforce In-
 10 novation and Opportunity Act (29 U.S.C. 3151) is
 11 amended—

12 (A) by striking clause (iv); and

13 (B) by redesignating clauses (v) through
 14 (vii) as clauses (iv) through (vi), respectively.

15 **SEC. 4. EFFECTIVE DATE.**

16 This Act and the amendments made by this Act shall
 17 take effect 180 days after the date of enactment of this
 18 Act.

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