117TH CONGRESS
1ST SESSION  S._____

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

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IN THE SENATE OF THE UNITED STATES

Mr. Padilla (for himself, Ms. Warren, Mrs. Feinstein, ) introduced the following bill; which was read twice and referred to the Committee on

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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-
2

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

(1) securely share data among the respective
Federal agencies of such Secretaries in order to, not-
withstanding section 483(a)(3)(E) of the Higher
and section 444 of the General Education Provisions
Act (commonly known as the “Family Educational
Rights and Privacy Act of 1974”), identify students
described in subsection (b) who may be eligible for
Federally funded programs to support basic needs
through—

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

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

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

(D) the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786);

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

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

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

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

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

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

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

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

and

(2) coordinate efforts to provide assistance to institutions of higher education to facilitate the enrollment of eligible students in the programs listed in paragraph (1).

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

(1) have applied for Federal financial aid;

(2) are enrolled at institutions of higher education (as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002)), including full-time and part-time students; and
(3) have not opted out of the information sharing under this section through the process described in subsection (c) or any other process established by the Secretary of Education.

(c) INCLUSION ON FAFSA.—

(1) IN GENERAL.—Students and borrowers, through the Free Application for Federal Student Aid under section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090), may authorize the Secretary of Education to disclose to the Federal agencies described in subsection (a)(1) information provided by the applicant on the application described by this subsection, as well as such applicant’s student aid index and scheduled Federal Pell Grant award, to assist in identification, outreach and application efforts for the application, award, and administration of such means-tested Federal benefits programs, except such information shall not include Federal tax information as specified in section 6103(l)(13)(C) of the Internal Revenue Code of 1986.

(2) OPT-OUT.—The Secretary shall provide an opportunity for students and borrowers to opt out of the authorization described in paragraph (1).
SEC. 3. GRANTS TO SUPPORT THE BASIC NEEDS OF STUDENTS.

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

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

“SEC. 899. GRANTS TO SUPPORT THE BASIC NEEDS OF STUDENTS.

“(a) DEFINITIONS.—In this section:

“(1) BASIC NEEDS.—The term ‘basic needs’ means the needs of students that support their success while enrolled at an eligible institution, including needs such as—

“(A) food;

“(B) housing;

“(C) transportation;

“(D) child care;

“(E) health care; and

“(F) technology.

“(2) COMMUNITY COLLEGE.—The term ‘community college’ means a public institution of higher education at which the highest degree that is predominantly awarded to students is an associate degree, including a 2-year Tribal Colleges or University, as defined in section 316.
“(3) ELIGIBLE INSTITUTION.—The term ‘eligible institution’ means an institution of higher education (as defined in section 102) that participates in programs under title IV.

“(b) PLANNING GRANTS.—

“(1) IN GENERAL.—The Secretary shall award planning grants, on a competitive basis, to eligible institutions to enable the eligible institutions to conduct research and planning to reduce incidences of student food insecurity, housing insecurity, and homelessness and to meet other basic needs of students, by carrying out the activities described in paragraph (2).

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

“(A) Establish a basic needs steering committee that will be responsible for creating and approving the basic needs strategy described in subparagraph (C), and that will be comprised of relevant campus stakeholders, such as—

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

“(ii) student government representatives;
“(iii) institutional staff representing
the areas of student financial aid, housing,
dining, student affairs, academic advising,
equity support services, accessibility serv-
ices, 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 gov-
ernmental 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 eligi-
bility status, disability status, status as a
student parent, sex (including sexual ori-
entation and gender identity), or other
subgroup as determined by the institution;
“(ii) the presence of institutional bar-
riers (such as award displacement) and
current institutional interventions to address basic needs insecurity;

“(iii)(I) the resources and activities available to address basic needs of students, both on campus and off campus, as of the date of the research; and

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

“(iv) opportunities for coordination and collaboration between the institution and government or community-based organizations, such as—

“(I) the local office that administers benefits under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) and carries out employment and training programs under that Act or the temporary assistance for needy families program (TANF) and subsidized programs that meet the work requirements under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);
“(II) organizations that participate in the Federal work-study pro-
gram under part C of title IV; or

“(III) low-income housing assistance organizations, including those assisting with tenant-based assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)), and public housing, as defined in section 3(b)(1) of such Act (42 U.S.C. 1437a(b)(1)).

“(C) Create a basic needs strategy that describes how the institution will—

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

“(ii) incorporate the research conducted under subparagraph (B), including with respect to the subgroups identified under clause (i) of subparagraph (B), into the basic needs strategy.

“(3) GRANT AMOUNTS; DURATION.—

“(A) AMOUNT.—A grant under this sub-
section shall be in an amount not to exceed $50,000.
“(B) Duration.—A grant under this sub-
section shall be for a period of not more than
2 years.
“(4) Report.—Not later than 60 days after
the end of the planning grant period under this sub-
section, each eligible institution that receives such a
grant shall submit a report to the Secretary describ-
ing the outcomes of the planning grant, regardless
of whether the eligible institution intends to apply
for an implementation grant.
“(c) Implementation Grants.—
“(1) In general.—
“(A) Authorization of award.—The
Secretary shall award implementation grants,
on a competitive basis, to eligible institutions to
enable the eligible institutions to develop infra-
structure to meet the basic needs of students,
by implementing a basic needs strategy devel-
oped through a grant award under subsection
(b) or another existing basic needs plan ap-
proved by the Secretary, and carrying out the
activities described in paragraph (2).
“(B) Ongoing external funding.—In
order to be eligible to receive an implementation
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
management and training for students to maximize the public assistance that students receive to meet basic needs.

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

“(E) Purchasing materials, equipment, transportation, or facilities to reduce incidences of food and housing insecurity and address the basic needs of students at the eligible institution.

“(F) Hiring and training personnel to build basic needs infrastructure and implement programming to meet the basic needs of students at the eligible institution.

“(G) Other activities or services determined appropriate by the Secretary.

“(3) GRANT AMOUNTS; DURATION.—
"(A) AMOUNT.—A grant under this subsection shall be in an amount not to exceed $1,000,000 total for each 5-year period.

"(B) DURATION.—A grant under this subsection shall be for a period of 5 years.

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

"(A) the impact of the grant under this subsection on eligible students;

"(B) best practices for the provision of basic services to eligible students;

"(C) the obstacles faced by grant recipients; and

"(D) State or Federal policy barriers to meeting the basic needs of students at institutions of higher education.

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

"(d) RESERVATION; PRIORITY; EQUITABLE DISTRIBUTION.—

"(1) RESERVATION.—In awarding grants under subsections (b) and (c), the Secretary shall reserve an amount equal to not less than 25 percent of the
total amount available for grants under those subsections for grant awards to community colleges.

“(2) PRIORITY.—In awarding grants under subsections (b) and (c), the Secretary shall give priority to the following:

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

“(B) Eligible institutions that are described in section 371(a).

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

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

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

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

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section
$\text{1,000,000,000}$ for fiscal years 2022 through 2028, of which—

“(1) $\text{40,000,000}$ are authorized to be appropriated to carry out planning grants under subsection (b); and

“(2) $\text{960,000,000}$ are authorized to be appropriated to carry out implementation grants under subsection (c).”.