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Food Insecurity Among College Students: Background and Policy Options

June 9, 2021

Congressional Research Service

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R46817



Food Insecurity Among College Students: Background and Policy Options

Food insecurity—the condition of having inadequate food due to a lack of resources—affected roughly 1 in 10 Americans in 2019, and this number increased during the COVID-19 pandemic. Among college students nationwide, the prevalence of food insecurity is unknown; however, studies have shown that food insecurity is a problem for some college students, particularly those attending two-year schools and those from lower-income households.

In recent years, Congress has considered and enacted policies aimed at alleviating food insecurity among college students. The Consolidated Appropriations Act, 2021 (P.L. 116-260) enacted on December 27, 2020, temporarily expanded the eligibility of certain low-income students for the Supplemental Nutrition Assistance Program (SNAP) during the COVID-19 public health emergency. Additionally, the College Affordability Act (H.R. 4674) included a number of provisions related to college food insecurity such as emergency financial grants to students facing financial challenges (including food insecurity). H.R. 4674 was marked up and ordered to be reported by the House Committee on Education and Labor during the 116th Congress.

This report summarizes research on the extent and effects of food insecurity among college students and recent efforts by students, institutions, and governments to reduce food insecurity among this population. It also presents a selection of possible federal policy options to help inform proposals that seek to address food insecurity among college students should Congress continue to consider this topic. These options include ways to target food-insecure college students within existing federal student aid programs, SNAP, and programs that support food donations to campus pantries, as well as the creation of new programs to provide food aid to students.

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June 9, 2021

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Introduction

In recent years, the topic of food insecurity among college students has received increased attention.¹ This has largely been driven by studies and news articles claiming a high prevalence of food insecurity among college students, especially those attending two-year colleges. These reports have also suggested a negative correlation between food insecurity and academic performance. Additionally, recent student surveys and reports from institutions of higher education (IHEs) present evidence that the COVID-19 pandemic may be exacerbating issues of food insecurity as many students and their families are experiencing job loss and other financial challenges.²

In response to these concerns, students, higher education administrators, nonprofit organizations, and states have engaged in a number of efforts to reduce hunger on college campuses, such as launching college food pantries, swipe sharing programs (where students donate extra swipes from their meal plans), and connecting eligible students with benefits available under the Supplemental Nutrition Assistance Program (SNAP; formerly the Food Stamp program). A few states have provided funding for such initiatives.

The topic of food insecurity in the college student population has also been considered by federal lawmakers as part of education and nutrition proposals.³ For example, the Consolidated Appropriations Act, 2021 (P.L. 116-260), enacted on December 27, 2020, temporarily expanded SNAP eligibility for certain low-income college students. Additionally, a number of provisions related to college food insecurity were included in the College Affordability Act (CAA; H.R. 4674), which would have provided for the comprehensive reauthorization of most Higher Education Act (HEA) programs. The HEA authorizes numerous federal aid programs that provide support to both individuals pursuing a postsecondary education and IHEs. The CAA was marked up and ordered to be reported by the House Committee on Education and Labor during the 116th Congress.

If Congress continues to consider policies related to college students' food security, it may be useful to understand the extent of food insecurity among these students and existing efforts aimed at reducing food insecurity. This report begins with background on what is known about the prevalence of food insecurity among college students and existing efforts to reduce it, particularly for undergraduate students. The report then examines selected federal policy options to mitigate food insecurity, including options related to (1) federal student aid, (2) SNAP, (3) campus food pantries, and (4) college meal programs. Some of these options are based on adjusting provisions in current law, while others would involve the creation of new policies or programs. (This report does not examine every possible option, nor does it presume that Congress will take action in this area.)

¹ For example, see B. Loosemore, "How college kids use food pantries to help food insecurity," *AP*, February 16, 2019; K. Laterman, "Tuition or Dinner? Nearly Half of College Students Surveyed in a New Report Are Going Hungry," *The New York Times*, May 2, 2019, <https://www.nytimes.com/2019/05/02/nyregion/hunger-college-food-insecurity.html>; and J. Williams, "Fighting Food Insecurity on College Campuses," *U.S. News & World Report*, February 4, 2019, <https://www.usnews.com/news/healthiest-communities/articles/2019-02-04/a-fight-against-food-insecurity-hunger-on-college-campuses>.

² For example, see M. St. Amour, "Greater Need for Food at Community Colleges," *Inside Higher Ed*, January 7, 2021; and G. Anderson, "Food Insecurity among Students Continues during Pandemic," *Inside Higher Ed*, December 10, 2020.

³ Many of these proposals are footnoted as examples throughout this report.

Background

What Is Food Insecurity?

The U.S. Department of Agriculture (USDA) defines *food insecurity* as the inability to access adequate food consistently due to limited financial resources.⁴ USDA categorizes households with food insecurity into two groups: (1) households with *low* food security and (2) households with *very low* food security.⁵ Households with low food security are those that report difficulty acquiring enough food and a reduction in dietary intake *or* quality due to a lack of money. Households with very low food security are those that report low food security *and* reduced food intake due to a lack of money.

USDA's use of the term food insecurity resulted from a decades-long effort by federal agencies and private-sector researchers to improve the measurement of hunger in the United States.⁶ This effort, the U.S. Food Security Measurement Project, recognized the difficulty of collecting data on hunger—"an individual-level physiological condition"—and developed alternative measures of food security related to the ability of households to purchase enough food.⁷ Food security data are collected through the Food Security Supplement, a questionnaire that has been deployed as part of the Census Bureau's Current Population Survey (CPS) since 1995 and used in other federal surveys and academic studies.⁸ The Food Security Supplement measures household food security through a series of 10 to 18 questions (**Figure 1**).

⁴ A. Coleman-Jensen, M.P. Rabbitt, and C.A. Gregory, *Household Food Security in the United States in 2019*, USDA, Economic Research Service, September 2020, <https://www.ers.usda.gov/publications/pub-details/?pubid=99281>.

⁵ The Current Population Survey (CPS) defines households as "the people who occupy a housing unit." A household can be one or more persons, and include related and unrelated individuals. U.S. Census Bureau, "Current Population Survey: Subject Definitions," <https://www.census.gov/programs-surveys/cps/technical-documentation/subject-definitions.html#household>.

⁶ For further history, see National Research Council, *Food Insecurity and Hunger in the United States: An Assessment of the Measure* (Washington, DC: The National Academies Press, 2006), pp. 23-40, <https://www.nap.edu/catalog/11578/food-insecurity-and-hunger-in-the-united-states-an-assessment>.

⁷ *Ibid*; and USDA, Economic Research Service, "Food Security in the U.S.: Overview," <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/>.

⁸ USDA, Economic Research Service, "Food Security in the U.S.: History & Background," <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/history-background/>.

Figure I. Questions Used to Measure Food Security

Questions 1-10 of the Food Security Supplement to the Current Population Survey (CPS)

FOOD SECURE	FOOD INSECURE
▲ 0-2 affirmative responses	▼ Low food security: 3-6 affirmative responses ▼▼ Very low food security: 6-10 affirmative responses
<p>Note: Affirmative response defined as “often” or “sometimes” for questions 1-3, “yes” for questions 4 and 6-9, and “almost every month” or “some months but not every month” for questions 5 and 10.</p> <ol style="list-style-type: none"> 1. “We worried whether our food would run out before we got money to buy more.” Was that often, sometimes, or never true for you in the last 12 months? 2. “The food that we bought just didn’t last and we didn’t have money to get more.” Was that often, sometimes, or never true for you in the last 12 months? 3. “We couldn’t afford to eat balanced meals.” Was that often, sometimes, or never true for you in the last 12 months? 4. In the last 12 months, did you or other adults in the household ever cut the size of your meals or skip meals because there wasn’t enough money for food? (Yes/No) 5. (If yes to question 4) How often did this happen—almost every month, some months but not every month, or in only 1 or 2 months? 6. In the last 12 months, did you ever eat less than you felt you should because there wasn’t enough money for food? (Yes/No) 7. In the last 12 months, were you ever hungry, but didn’t eat, because there wasn’t enough money for food? (Yes/No) 8. In the last 12 months, did you lose weight because there wasn’t enough money for food? (Yes/No) 9. In the last 12 months did you or other adults in your household ever not eat for a whole day because there wasn’t enough money for food? (Yes/No) 10. (If yes to question 9) How often did this happen—almost every month, some months but not every month, or in only 1 or 2 months? 	

Source: A. Coleman-Jensen, M.P. Rabbitt, and C.A. Gregory, *Household Food Security in the United States in 2019*, USDA, Economic Research Service, September 2020, <https://www.ers.usda.gov/publications/pub-details/?pubid=99281>.

Notes: Figure displays questions asked to households *without* children. Questions 11 to 18 are not shown, but ask similar questions of households with children. Households with incomes above 185% of the federal poverty line are categorized as food secure and not given the food security questionnaire if they indicate no food access problems on two screening questions.

Estimates of Food Insecurity in the General Population

Each year, USDA publishes estimates of food security and insecurity among U.S. households based on the CPS Food Security Supplement data.⁹ In the most recent report (from 2019), USDA found that 10.5% of U.S. households experienced food insecurity at least once during the year, down from a recent high of nearly 15% from 2008 through 2011.¹⁰ When looking strictly at the 30 days preceding the survey, a smaller proportion of households (6.3%) reported experiencing food insecurity.

Since 2019, several analyses of public and private data sources have demonstrated an increase in food insecurity during the COVID-19 pandemic.¹¹ For example, the Urban Institute (a nonprofit research and advocacy organization) analyzed results from a survey using a version of the Food Security Supplement and found that 19.6% of households experienced food insecurity during a 30-day period in September 2020.¹²

Estimates of Food Insecurity among College Students

The federal government does not publish data on food insecurity among college students. In recent years, a number of academic and private-sector studies have used the Food Security Supplement or a version of it to estimate food insecurity rates among certain groups of college students.¹³ These studies have significant limitations, and none provide reliable estimates of food insecurity among college students nationwide.

In a report published in December 2018, the U.S. Government Accountability Office (GAO) reviewed 31 studies published between January 2007 and August 2018 that produced original estimates of food insecurity among various groups of college students.¹⁴ GAO found that the studies “produced a wide range of estimates of food insecurity ... from 9 percent to over 50 percent.”¹⁵ According to the report, “none of these studies are based on a sufficiently large or

⁹ USDA’s Economic Research Service has published the report *Household Food Security in the United States* each year since 1995. As of the cover date of this CRS report, the most recent version was A. Coleman-Jensen, M.P. Rabbitt, and C.A. Gregory, *Household Food Security in the United States in 2019*, USDA, Economic Research Service, September 2020, <https://www.ers.usda.gov/publications/pub-details/?pubid=99281>. Note that these figures may understate food insecurity in the United States because the CPS does not capture homeless households.

¹⁰ A. Coleman-Jensen, M.P. Rabbitt, and C.A. Gregory, *Household Food Security in the United States in 2019*, USDA, Economic Research Service, September 2020, <https://www.ers.usda.gov/publications/pub-details/?pubid=99281>. Households with incomes above 185% of the federal poverty line are categorized as food secure and not given the food security questionnaire if they indicate no food access problems on two screening questions.

¹¹ For example, see L. Bauer, “About 14 million children in the US are not getting enough to eat,” July 9, 2020, <https://www.brookings.edu/blog/up-front/2020/07/09/about-14-million-children-in-the-us-are-not-getting-enough-to-eat>; and D. W. Schanzenbach, *Not Enough to Eat: COVID-19 Deepens America’s Hunger Crisis*, FRAC, September 2020, <https://frac.org/news/frac-covid-report>.

¹² E. Waxman, P. Gupta, and D. Gonzalez, *Food Insecurity Edged Back up after COVID-19 Relief Expired*, October 27, 2020, <https://www.urban.org/research/publication/food-insecurity-edged-back-after-covid-19-relief-expired>.

¹³ An early study was M. Chaparro et al., “Food Insecurity Prevalence among College Students at the University of Hawai’i at Mānoa,” *Public Health Nutrition*, vol. 12, no. 11 (August 2009), pp. 2097-2103.

¹⁴ Studies also had to meet GAO’s quality criteria for inclusion in the review. U.S. Government Accountability Office (GAO), *Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits*, GAO-19-95, December 2018, <https://www.gao.gov/products/GAO-19-95> (hereinafter, “GAO-19-95, <https://www.gao.gov/products/GAO-19-95>”).

¹⁵ Some variation may reflect actual variation among universities. For example, a 2019 Hope Center study found that food insecurity ranged “from 32% to 65% across two-year institutions and from 19% to 65% across four-year institutions” (see S. Goldrick-Rab et al., 2019, cited in footnote 17). However, some of the discrepancy may result

diverse random sample of college students to constitute a representative study.”¹⁶ Many of the studies surveyed a single college campus. Others surveyed multiple campuses but were not nationally representative of campuses nationwide. Many of the surveys also had low response rates. The few studies that examined nationally representative datasets (e.g., the Food Security Supplement of the CPS) measured food insecurity of *households* with college students, not the food security status of the students themselves.

Since the GAO report was published, a few additional studies of food insecurity rates among college students have been released, including studies showing an increase in food insecurity among college students during the pandemic.¹⁷ These studies have limitations similar to those discussed in the GAO report. In addition, a recent academic study found that the Food Security Supplement may not generate results that are comparable among the college student population and the general population.¹⁸

One analysis that used nationally representative data from the Food Security Supplement of the CPS shed light on the characteristics of food-insecure college students. That analysis, by the Urban Institute, found that 17% of two-year college students and 11% of four-year college students were part of a food-insecure household from 2011 to 2015, compared to 13% of adults nationwide.¹⁹ The same analysis found higher rates of food insecurity among students who were unemployed and looking for work, students with children, and students of color (including Black, Hispanic, and American Indian or Alaskan Native students), as compared to all college students.²⁰

from the studies’ methodologies. Most of these studies used a version of the same survey instrument—the Food Security Supplement—but some measured food insecurity over the past 30 days while others measured it over 12 months (food insecurity rates over the past month are typically lower than rates over an entire year). Some used 6-question versions of the supplement while others used 10-question versions (with or without screener questions), which has also been shown to influence results according to C. Nikolaus, B. Ellison, and S.M. Nickols-Richardson, “Are estimates of food insecurity among college students accurate? Comparison of assessment protocols,” *PLoS ONE*, vol. 14, no. 4, April 2019 and GAO-19-95, <https://www.gao.gov/products/GAO-19-95>.

¹⁶ GAO-19-95, <https://www.gao.gov/products/GAO-19-95>. Improved national data may be available in the future. According to p. 15 of the GAO report, education officials were planning to add a food insecurity measure to the National Postsecondary Student Aid Study (NPSAS) starting in 2020.

¹⁷ For example, see S. Goldrick-Rab et al., “#RealCollege During the Pandemic,” Hope Center for College, Community, and Justice, June 2020, p. 7, <https://hope4college.com/realcollege-during-the-pandemic/>; S. Goldrick-Rab et al., *College and University Basic Needs Insecurity: A National #RealCollege Survey Report*, Hope Center for College, Community, and Justice, Temple University, April 2019, https://hope4college.com/wp-content/uploads/2019/04/HOPE_realcollege_National_report_digital.pdf; A. El Zein et al., “Prevalence and correlates of food insecurity among US college students: a multi-institutional study,” *BMC Public Health*, vol. 19, no. 1, 2019; and J. Soldavini, A. Hazael, and M. Berner, “Characteristics Associated with Changes in Food Security Status Among College Students During the COVID-19 Pandemic.” *Translational Behavioral Medicine*, 2020.

¹⁸ The authors of the study theorized that college students may have a different interpretation of questions related to the ability to “afford” or have “enough money” for food compared to adults as a whole, because students have “a larger assortment of resources, both formal or informal, that [they] may have access to and utilize to ascertain food” (p. 11). The authors recommended further testing of the supplement among college students and possible improvements. C.J. Nikolaus, B. Ellison, and S.M. Nickols-Richardson, “Are estimates of food insecurity among college students accurate? Comparison of assessment protocols,” *PLoS ONE*, vol. 14, no. 4, April 2019.

¹⁹ K. Blagg et al., “Assessing Food Insecurity on Campus: A National Look at Food Insecurity among America’s College Students,” *Urban Institute*, August 2017, p. 6, https://www.urban.org/sites/default/files/publication/92331/assessing_food_insecurity_on_campus_4.pdf.

²⁰ Ibid.

Existing Nonfederal Efforts

In recent years, there has been an increase in initiatives aimed at addressing food insecurity among college students, either by distributing food or connecting students with benefits such as SNAP. These include campus food pantries, meal swipe and voucher programs, and student assistance centers that connect students with food aid. In addition, a few states have established policies aimed at reducing food insecurity among college students.

Campus Food Pantries

In 1993, students at Michigan State University started the MSU Student Food Bank—thought to be the first campus-based food pantry in the nation.²¹ Since then, an increasing number of college food pantries have been established on both two- and four-year college campuses. While there is no national dataset of all campus pantries, the College & University Food Bank Alliance (CUFBA), a membership organization for campus-based anti-hunger programs, reports data on its members, the majority of which actively operate food pantries.²² CUFBA had more than 700 members as of 2019, up from 88 campuses in 2012.²³ (In 2019, there were approximately 6,200 IHEs in the United States.²⁴)

According to a 2017 survey of 262 CUFBA members by the Hope Center for College, Community, and Justice (an advocacy and research center at Temple University), most CUFBA-associated pantries were student-run and relied on volunteer labor.²⁵ The vast majority of the pantries were open to all students and did not require proof of need (and some were open to the general community). Similar to traditional food pantries, they allowed students to pick from a selection of foods up to a certain limit. A smaller number of CUFBA-associated pantries provided pre-bagged or pre-packaged goods.²⁶ Some of the pantries provided additional services to students, including assistance applying for SNAP and referrals to off-campus resources.²⁷ CUFBA-associated pantries relied on both private donations and donated or purchased food from regional food banks.²⁸

In addition, there is evidence that food banks—warehouses that distribute food to smaller feeding organizations—are providing foods and support to campus-based food pantries. In 2019, Feeding America (a membership and advocacy organization) surveyed its network of food banks across

²¹ M. Esch, “Free food for thought: Campus food pantries proliferate,” *AP*, April 18, 2018.

²² CUFBA’s members are “campus-based programs focused on alleviating food insecurity, hunger, and poverty among college and university students.” CUFBA, “About Us,” <http://cufba.org/about-us/>. Roughly 83% of CUFBA’s members actively operated food pantries in 2017 according to S. Goldrick-Rab, C. Cady, and V. Coca, *Campus Food Pantries: Insights from a National Survey*, Hope Center for College, Community, and Justice, Temple University, September 2018, <https://hope4college.com/wp-content/uploads/2018/09/2018-CUFBA-Report-web-2.pdf>.

²³ *Ibid.*; and Kaya Laterman, “Tuition or Dinner? Nearly Half of College Students Surveyed in a New Report Are Going Hungry,” *The New York Times*, May 2, 2019, <https://www.nytimes.com/2019/05/02/nyregion/hunger-college-food-insecurity.html>.

²⁴ Number of institutions participating in the HEA Title IV Aid Programs. Data were retrieved by CRS from the Integrated Postsecondary Education Data System.

²⁵ S. Goldrick-Rab, C. Cady, and V. Coca, *Campus Food Pantries: Insights from a National Survey*, Hope Center for College, Community, and Justice, Temple University, September 2018, <https://hope4college.com/wp-content/uploads/2018/09/2018-CUFBA-Report-web-2.pdf>.

²⁶ *Ibid.*, p. 9.

²⁷ *Ibid.*, p. 11.

²⁸ Campus food pantries may also receive state support and/or federal support (discussed later in this report). The survey did not ask about receipt of state or federal funding.

the United States. Based on responses from 150 of its members, Feeding America found that 86% of food banks that responded were serving college students in some capacity, including 73% that were doing direct food distribution (e.g., to campus pantries or mobile/pop-up distributions).²⁹ Some food banks also provided other services to college students, such as referrals to resources (43%), assistance filling out SNAP applications (32%), and nutrition education (15%). A minority of food banks reported that they have a specific strategy or approach for the college student population. The most common campus partners to food banks (in order) were student affairs departments, faculty, student organizations, health and wellness departments, student governments, and counseling services. Of the 14% of food banks that did not report servicing a college campus, the most common reasons provided were lack of personnel and funding and difficulty partnering with colleges/universities because of their 501(c)(3) status (discussed further in the later “Campus Food Pantries” section).

There are other reports of campus food pantries receiving donations from campus gardens and dining halls, distributing fresh produce to students, and offering students information on cooking and budgeting.³⁰ Some pantries also distribute food outside of a physical pantry, such as through farmers markets, student gardens, and food boxes.³¹

Meal Swipe and Voucher Programs

Swipe sharing programs are another recent trend on college campuses. These programs enable students to share leftover meal swipes from purchased meal plans with students in need.³² Swipe Out Hunger (a membership and advocacy organization) reported 129 member campuses as of fall 2020—roughly half of which were actively operating swipe sharing programs during the pandemic.³³ Different colleges have different rules around whether or not swipes can be shared and how often. For example, some colleges limit the number of swipes that can be donated or limit swipe sharing to a certain time period (e.g., the final week of the semester).³⁴ Most colleges require students to fill out an application to receive donated swipes, which is approved by a school official. Some colleges allow a proportion of donated swipes to be converted into funding for campus food pantries.³⁵

²⁹ Feeding America, *Addressing Food Insecurity Among College Students: The Landscape of the Feeding America Network*, October 2019, <https://www.feedingamerica.org/research/college-hunger-research>.

³⁰ GAO-19-95, <https://www.gao.gov/products/GAO-19-95>. Colleges providing fresh produce include Brooklyn College and Hunter College in New York, according to M. Touré, “CUNY campuses pursue unconventional approaches to tackling student food insecurity,” *POLITICO Pro New York*, April 30, 2019, <https://subscriber.politicopro.com/article/2019/04/politico-pro-new-york-cuny-campuses-pursue-unconventional-approaches-to-tackling-student-food-insecurity-1393634>.

³¹ K. Laterman, “Tuition or Dinner? Nearly Half of College Students Surveyed in a New Report Are Going Hungry,” *The New York Times*, May 2, 2019, <https://www.nytimes.com/2019/05/02/nyregion/hunger-college-food-insecurity.html>.

³² L. Pappano, “Leftover Meal Plan Swipes: No Waste Here,” *The New York Times*, August 5, 2016, <https://www.nytimes.com/2016/08/07/education/edlife/what-to-do-with-those-leftover-meal-plan-swipes.html>.

³³ Swipe Out Hunger, “About Us,” <https://www.swipehunger.org/aboutus>; and CRS correspondence with Swipe Out Hunger in January 2021.

³⁴ L. Pappano, “Leftover Meal Plan Swipes: No Waste Here,” *The New York Times*, August 5, 2016, <https://www.nytimes.com/2016/08/07/education/edlife/what-to-do-with-those-leftover-meal-plan-swipes.html>; and Swipe Out Hunger, “A Guide To Creating Your Campus Sustainable Meal Sharing and Recovery Program,” Global Food Initiative, Office of the President, University of California, <https://www.ucop.edu/global-food-initiative/best-practices/index.html>.

³⁵ Swipe Out Hunger, “Frequently Asked Questions,” <https://www.swipehunger.org/ourwork/faq/>.

Other colleges provide meal vouchers to low-income students.³⁶ These are typically provided to cover a limited number of meals for students who express need. Relatedly, some colleges offer emergency funds to students. For example, the 2018 GAO report found that 12 out of the 14 colleges they interviewed (“that were actively addressing food insecurity among their students”) provided emergency cash assistance to students “through small loans, grants, or grocery store or gas station gift cards.”³⁷

Connecting Students with SNAP

There have also been efforts to connect students with SNAP and other types of food assistance.³⁸ For example, the 2018 GAO report found that 8 out of the 14 colleges they interviewed were assisting students in applying for SNAP and other federal assistance programs. Many of the colleges had created a central hub where students could come to be connected with multiple services and resources and, in some cases, a caseworker.³⁹ According to news articles, a smaller number of universities, including Oregon State University and Humboldt State University in California, have gone through the process to get their on-campus grocery stores approved as retailers that accept SNAP benefits.⁴⁰ There are also efforts by nonprofit organizations to provide information on state-specific SNAP policies to college students.⁴¹

State Policies

At the state level, California and New Jersey provide examples of states that have enacted policies aimed at reducing food insecurity among college students. Other states have taken executive actions or introduced legislation to address food insecurity among college students.⁴²

California has enacted legislation in recent years to utilize state options under SNAP law to serve a greater number of college students and promote awareness of SNAP among them (SNAP student rules are discussed in the “College Student Eligibility Rules” section).⁴³ In addition,

³⁶ Colleges offering meal vouchers include Bunker Hill Community College in Massachusetts and John Jay College, LaGuardia Community College, and Lehman College in New York. S. Goldrick-Rab, K. Broton, and D. Hernandez, *Addressing Basic Needs Security in Higher Education: An Introduction to Three Evaluations of Supports for Food and Housing at Community Colleges*, Wisconsin HOPE Lab, 2017, <https://hope4college.com/wp-content/uploads/2018/09/Addressing-Basic-Needs-Security-in-Higher-Education.pdf>; and M. Touré, “CUNY campuses pursue unconventional approaches to tackling student food insecurity,” *POLITICO Pro New York*, April 30, 2019, <https://subscriber.politicopro.com/article/2019/04/politico-pro-new-york-cuny-campuses-pursue-unconventional-approaches-to-tackling-student-food-insecurity-1393634>.

³⁷ GAO-19-95, <https://www.gao.gov/products/GAO-19-95>, p. 25.

³⁸ *Ibid.*, p. 26. Some colleges help eligible students apply for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) as well.

³⁹ *Ibid.*, p. 25.

⁴⁰ J. New, “Joining U.S. Hunger Program Is Not a Snap,” *Inside Higher Ed*, January 29, 2016, <https://www.insidehighered.com/news/2016/01/29/oregon-state-among-few-institutions-accept-supplemental-nutrition-assistance-program>.

⁴¹ In October 2020, Swipe Out Hunger and the Congressional Hunger Center, national nonprofit advocacy organizations, launched “The College SNAP Project” (<https://www.collegesnapproject.org>), a website that aims to provide state-specific SNAP and anti-hunger organizations information to students in need.

⁴² Greta Anderson, “Hunger-Free Campus Bills Have New Urgency,” *Inside Higher Ed*, March 5, 2021, <https://www.insidehighered.com/news/2021/03/05/legislators-revisit-efforts-pass-hunger-free-campus-laws>; and Ashley Smith, “State Funding for Students’ Basic Needs,” *Inside Higher Ed*, July 1, 2019, <https://www.insidehighered.com/news/2019/07/01/several-states-fund-efforts-curb-campus-hunger-and-homelessness>.

⁴³ Western Center on Law and Poverty, “Responding to the College Hunger Crisis,” https://wclp.org/wp-content/uploads/2018/02/College_Student_Hunger_Whitepaper_WCLP_Feb2018.pdf; Assembly Bill No. 1930 (AB-1930)

California provided a total of \$10.5 million in recent budget acts for food insecurity reduction efforts at public colleges from 2015 through 2019.⁴⁴ Funds have been used to establish and expand campus food pantries, support swipe sharing and food recovery programs, and make SNAP more accessible to students, among other activities.⁴⁵

In New Jersey, the Hunger-Free Campus Act, passed in 2019, provided \$1 million for a Hunger-Free Campus Grant Program for public IHEs that have one or more campuses that meet the definition of a “hunger-free campus.”⁴⁶ According to the law, hunger-free campuses must have a food pantry or other form of food distribution, establish a Swipe Out Hunger or meal voucher program, establish a hunger task force, designate a staff member to help students enroll in SNAP, and enable students to use SNAP benefits on campus, among other criteria.

Federal Policy Options

Existing efforts aimed at reducing food insecurity among college students have largely been initiated by states, colleges, or students themselves. At the federal level, there are no existing programs with the specific goal of addressing food insecurity among these students. However, federal student aid may help to cover students’ food costs, and some college students may qualify for SNAP. At the same time, data show that for a variety of reasons federal financial aid does not necessarily cover the full cost of a postsecondary education,⁴⁷ which includes nutritional needs, and certain students are disqualified from participating in SNAP.

There have been a number of congressional proposals aimed at combating food insecurity among college students. Common themes among the proposed options are to help the students access existing federal benefits (e.g., SNAP benefits), expand federal benefits for college students (e.g., increasing or amending the student financial aid programs and expanding SNAP eligibility), and create new programs (e.g., a new meal program for college students).

(2013-2014), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1930; Assembly Bill No. 214 (AB-214) (2017-2018), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB214; Assembly Bill No. 1747 (AB-1747) (2015-2016), https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1747; and Assembly No. 1278 (AB-1278) (2019-2020), https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200AB1278.

⁴⁴ California’s 2019-2020 and 2020-2021 budgets did not include dedicated funding to address college hunger, but they did provide funding to address students’ basic needs, including housing and food insecurity. California’s 2015-2016 budget included \$2.5 million for initiatives at community colleges, its 2017-2018 budget included \$5 million for initiatives at California State University (CSU) and University of California (UC) campuses (\$2.5 million each), and its 2018-2019 budget included \$3 million for initiatives at CSU and UC campuses (\$1.5 million each). California State Legislature, Budget Act of 2017, AB-97, http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB97; and California State Legislature, Budget Act of 2018 (SB-840), http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB840.

⁴⁵ Western Center on Law and Poverty, “College Hunger Free Campus Initiative,” September 29, 2018, https://wclp.org/wp-content/uploads/2018/09/HungerFreeCampus_2018_Summary_Final.pdf.

⁴⁶ New Jersey Assembly No. 4702 (A4702) (218th Legislature), https://www.njleg.state.nj.us/2018/Bills/A5000/4702_I1.HTM.

⁴⁷ Postsecondary students may receive aid from other sources such as scholarships, institutional aid, and personal or family savings. As such, federal aid is not necessarily intended to cover all postsecondary costs. See College Board, *Trends in College Pricing and Student Aid 2020*, <https://research.collegeboard.org/pdf/trends-college-pricing-student-aid-2020.pdf> for discussion of average net price for students, which reflects the amounts that students pay after accounting for grant aid.

With these proposals in mind, this section explores policy options that Congress may consider if it seeks to address college students' food insecurity, organized into the following four categories:

1. Federal Student Aid
2. SNAP
3. Campus Food Pantries
4. New Federal College Food Aid Program

While the options are discussed separately, it is possible that some or all of them could be combined. For example, a federal grant program could support institutions taking a variety of approaches to reduce food insecurity among college students.⁴⁸ In addition, while not discussed in detail here, increased federal efforts to collect data on food insecurity rates among college students, as well as evaluation of existing efforts to combat food insecurity, could also be combined with any policy option or considered as their own policy options.⁴⁹

HEA Title IV Federal Student Aid

The Higher Education Act is the primary legislative vehicle for federal higher education policy and support. This section provides a brief overview of the HEA federal aid programs and considerations for using the aid programs as a mechanism for targeting students who experience food insecurity.

Establishing Student Need and Eligibility

Title IV of the HEA authorizes the federal government's major federal student aid programs (e.g., Pell Grant Program, Direct Loan Program, Federal Work-Study Program), which are the primary sources of direct federal support to students pursuing postsecondary education.⁵⁰ The Title IV programs are administered jointly by the U.S. Department of Education (ED) and financial aid administrators at IHEs. In FY2020, approximately \$125 billion in financial aid was awarded to students in the form of grants, work-study, and loans.⁵¹

Students who wish to be considered for HEA federal student aid must complete the Free Application for Federal Student Aid (FAFSA). The amount of federal aid that a student is eligible for is contingent on cost of attendance (COA), aid award rules, and in some cases expected family contribution (EFC).

- COA is an estimate of the cost to attend a school, as determined by the institution. In general, COA is the sum of (1) tuition and fees, and (2) an allowance for books, supplies, transportation, and miscellaneous personal expenses; and it may include, depending on the student's enrollment rate and

⁴⁸ For example, H.R. 1723 in the 116th Congress would have made IHEs eligible for Community Food Projects, a grant program that supports a variety of feeding initiatives geared toward low-income participants.

⁴⁹ For example, H.R. 4674, the College Affordability Act, would have required the Secretary of Education to include questions that measure rates of food insecurity in the National Postsecondary Student Aid Study; it would have created a new emergency financial aid grant program that could be used to support students experiencing food insecurity, among other things; and it would have required institutions participating in the federal student aid programs to disseminate information to students that describes student eligibility to participate in federal nutrition assistance programs.

⁵⁰ See CRS Report R43351, *The Higher Education Act (HEA): A Primer* for an overview of HEA programs.

⁵¹ FY2020 Budget of the United States Government, Appendix for the Department of Education: FY2020 Department of Education Justifications of Appropriations Estimates to the Congress, pp. O-6.

circumstances, (3) an allowance for room and board (i.e., meals), and, (4) for a student with dependents, an allowance for costs expected to be incurred for dependent care.⁵²

- EFC is a measure of how much the student and the student's family can be expected to contribute towards the student's COA. EFC is calculated using a formula in statute and information provided by the student and applicable family members on the FAFSA.⁵³

Under current law, there is no mechanism to dedicate any portion of student aid to tuition, food, or any other component of COA. The sum of federal and nonfederal aid may not generally exceed COA. However, for a number of reasons, many students receive aid that is substantially lower than their COA or the difference between their COA and EFC.⁵⁴

Overview of HEA Title IV Programs

Several of the Title IV programs provide aid to postsecondary students that is contingent on student need. The largest of the need-based federal aid programs is the Pell Grant program,⁵⁵ which provided \$29 billion in grant aid to 6 million students in FY2020.⁵⁶ The campus-based programs are a group of need-based federal aid programs that are operated by individual institutions within federal parameters.⁵⁷ The Federal Work-Study (FWS) program is one of the campus-based programs, and it provides funds to support part-time employment of undergraduate, graduate, and professional students with financial need. Currently, about 50% of Title IV eligible IHEs participate in the FWS program. In FY2020, the program provided \$1.2 billion to approximately 731,000 students. Under permanent law, participation in FWS can affect a student's eligibility to participate in the SNAP program (See the "Supplemental Nutrition Assistance Program (SNAP)" section for more information on student eligibility for SNAP). The Coronavirus Aid, Relief, and Economic Security Act (CARES Act; P.L. 116-136) temporarily expanded SNAP student eligibility to include students *eligible* for FWS, rather than only those who are *participating*. Under the FWS program, any students who have need (i.e., their COA is greater than their EFC) and are enrolled at a FWS participating institution would be considered eligible for FWS.

Another major source of federal student aid is the Direct Loan program. Four types of loans are made available to eligible borrowers under the program.⁵⁸ One of those types, Direct Subsidized

⁵² There are exceptions and allowable additions depending on the program of study, the student's enrollment rate, whether the student has a disability, and the student's living situation. See HEA §472.

⁵³ For more information on need analysis methodology and calculation of EFC, see CRS Report R44503, *Federal Student Aid: Need Analysis Formulas and Expected Family Contribution*.

⁵⁴ For example, aid may be insufficient to fully cover COA for reasons such as students being subject to annual and cumulative loan limits, so federal aid received may not fully cover COA. Additionally, some institutions may not participate in all federal aid programs. It is also possible that institutionally determined COA estimates, which are applicable to a broad spectrum of students, exceed the actual costs incurred by some students for living expenses, academic supplies, and other personal expenses.

⁵⁵ For more information on the Pell Grant program, see CRS Report R45418, *Federal Pell Grant Program of the Higher Education Act: Primer*.

⁵⁶ FY2020 Budget of the United States Government, Appendix for the Department of Education: FY2020 Department of Education Justifications of Appropriations Estimates to the Congress, pp. O-6.

⁵⁷ For more information on campus-based programs, see CRS Report R45024, *The Campus-Based Financial Aid Programs: Background and Issues*.

⁵⁸ For more information on the Direct Loan program, see CRS Report R45931, *Federal Student Loans Made Through*

Loans, are only available to undergraduate students who demonstrate financial need. Unlike the other need-based programs, Direct Loans have to be repaid; however, borrowers with subsidized loans receive an interest subsidy during certain periods. Generally, Direct Loans are subject to annual loan limits.

Forthcoming Changes to Federal Student Aid

In December 2020, Congress enacted the FAFSA Simplification Act (Title VII of Division FF of P.L. 116-260). Most provisions of the new law will take effect in the 2023-2024 academic year. The FAFSA Simplification Act modifies Pell Grant eligibility for some students, reduces the number of factors that are considered when calculating the ability of some students' families to pay for higher education, and makes other changes to the student aid application process.

Supporters of the new law have expressed an expectation that the simplified FAFSA process will increase the number of students who apply for and receive federal student aid. In academic year 2015-2016 (the most recent year for which such data are available), approximately 24% of students in bachelor's degree programs and 32% of students in associate's degree programs did not apply for federal aid.⁵⁹

Considerations for Expanding Federal Student Aid to Address Food Insecurity

Some Members of Congress have suggested that expanding the Federal Student Aid program will help reduce food insecurity.⁶⁰ While there is some variation in the proposed methods and mechanisms (e.g., increasing Pell Grants, expanding FWS, increasing loan limits), the general logic chain is the same: more aid would increase students' immediate financial resources, and food-insecure students would use some of this funding to increase their access to food.⁶¹ Proponents may further argue that student aid is a preferable mechanism because it is integrated into higher education and would not require food-insecure students to interact with an additional system (e.g., SNAP).

One major limitation with expanding any existing forms of federal student aid to address food insecurity is that it is not specifically targeted at this issue. Students who demonstrate high levels of financial need are not necessarily food insecure, while students who demonstrate lower levels of need are not necessarily food secure.⁶²

Student aid can be used for any component of COA. Thus, students could choose to use new student aid funds for food, but they could also choose to use the funding for housing, for

the William D. Ford Federal Direct Loan Program: Terms and Conditions for Borrowers.

⁵⁹ Data generated using National Postsecondary Student Aid Study (NPSAS) data for AY2015-2016 and the NPSAS PowerStats tool at <https://nces.ed.gov/datalab/powerstats/>. Estimates used variables FEDAPP and UGDEG.

⁶⁰ For example, the House Education and Labor Committee report to accompany the College Affordability Act notes that increasing the value of the Pell Grant will provide students with more money to pay for food, housing, and other basic essentials.

⁶¹ See, for example, discussion of Pell Grant increases in the summary of the College Affordability Act (H.R. 4674, 116th Congress) at <https://edlabor.house.gov/imo/media/doc/The%20College%20Affordability%20Act%20-%20Fact%20Sheet.pdf>.

⁶² For example, students from higher-income backgrounds may have financial need, in part, because of opting to attend a high-price institution, but they still may have access to resources to prevent them from experiencing food insecurity. Conversely, low-income students may have low financial need on the basis of attending a low-price institution, but they still may experience food insecurity as a result of their general financial situation. Thus, financial need determined for student aid purposes may not provide a full picture of a student's food security.

transportation, or to reduce loan borrowing. If expanded aid is used primarily for non-food components of COA, it may have a limited effect on food insecurity.

Supplemental Nutrition Assistance Program (SNAP)

This section discusses the role that SNAP currently plays in addressing food insecurity among college students, and provides options for increasing that role. It provides background on SNAP, particularly its eligibility rules for students, and considers two policy options:

- increasing SNAP enrollment either by changing current law to make more students eligible or by increasing education and outreach under current law, and
- making changes to SNAP-authorized retailers and eligible foods policy, potentially making the program more accessible for students.

The section closes with discussion of some potential limitations for using SNAP to address college student food insecurity.

Background

SNAP is the nation’s largest domestic food assistance program, serving approximately 39.9 million individuals in an average month in FY2020, at a federal cost of nearly \$80 billion.⁶³ In FY2020, the average monthly benefit amount per person was over \$153.⁶⁴ SNAP benefits may be used to buy eligible food at over 250,000 authorized stores.⁶⁵ SNAP is jointly administered by state agencies, which handle household recipient functions, and the U.S. Department of Agriculture’s Food and Nutrition Service (USDA-FNS), which supports and oversees the states and handles retailer functions.⁶⁶

SNAP includes both financial and nonfinancial household eligibility rules. Financial eligibility rules require applicants to have income and in some cases resources (assets) below a certain threshold.⁶⁷ Applicants are also subject to certain nonfinancial rules, including work-related requirements, citizenship rules, crime-related restrictions, and, most pertinent for this report, rules for students attending IHEs at least half-time (discussed below).

A SNAP household for purposes of determining eligibility and calculating benefits is an individual or group of individuals who live together and customarily purchase food and prepare meals together. Therefore, in the case of a dependent college student who resides away from his or her parents, the SNAP household might be the student alone. Roommates may be considered a household if they customarily purchase food and prepare meals together. A student who lives with other family members but eats separately could be an individual household.

⁶³ USDA, Food and Nutrition Service data through September 30, 2020, available at <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>.

⁶⁴ USDA, Food and Nutrition Service data through September 30, 2020, available at <https://www.fns.usda.gov/pd/supplemental-nutrition-assistance-program-snap>. Participation and benefit amounts have increased due in part to the COVID-19 pandemic and federal response.

⁶⁵ USDA, Food and Nutrition Service, Retailer Management 2020 Year End Summary, available at <https://www.fns.usda.gov/sites/default/files/resource-files/2020-SNAP-Retailer-Management-Year-End-Summary.pdf>.

⁶⁶ SNAP operates in the 50 states, the District of Columbia, Guam, and the U.S. Virgin Islands. Puerto Rico, American Samoa, and the Commonwealth of the Northern Mariana Islands receive a block grant for nutrition assistance in lieu of SNAP.

⁶⁷ Income and asset limits currently vary among the states due to the state option of “broad-based categorical eligibility.” See CRS Report R42054, *The Supplemental Nutrition Assistance Program (SNAP): Categorical Eligibility*.

SNAP is authorized as open-ended mandatory spending and is funded through appropriations laws.

College Student Eligibility Rules

Students attending an IHE *half-time or greater* are not eligible for SNAP unless they meet one of the exceptions outlined in statute (listed below). However, even if these students meet an exception, they may be disqualified if they live on campus and have a meal plan. Students attending an institution *less than half-time* are not subject to the same student disqualifications as students attending more than half-time, but they are subject to the work-related rules for the larger population of nondisabled adults without dependents. The disqualifications and exceptions are discussed below, and **Figure 2** provides a flow chart of these rules.

Student Disqualification

As noted above, under current law a student enrolled at least half-time at an IHE is disqualified from receiving SNAP benefits unless he or she meets an exception.⁶⁸ (P.L. 116-260 waived this requirement for certain students during the pandemic; see discussion in the “COVID-19 Pandemic: Temporary SNAP Eligibility Rules for Students” text box below.) To meet an exception, a student enrolled at least half-time must be

- under age 18 or age 50 or older;
- disabled;
- enrolled in school because of participation in certain programs;⁶⁹
- employed at least 20 hours per week or participating in a federal or state-financed work-study program (e.g., the FWS program discussed earlier) during the school year;
- a parent (in some circumstances, depending on the age of the child, full-time status, and/or availability of child care);⁷⁰ or
- receiving Temporary Assistance for Needy Families (TANF) benefits.⁷¹

Even if a student meets one of the exceptions, he or she is still subject to SNAP’s financial eligibility requirements.

If a student is not eligible to receive SNAP but is part of a larger household, the household members (minus the student) may still be eligible for SNAP. For example, consider a household where a parent is a full-time college student and lives with his or her 13-year-old child. If the parent does not meet any of the exceptions, the household will not be eligible for a two-person

⁶⁸ Section 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C. §2015(e)).

⁶⁹ These include a program under Title I of the Workforce Investment and Opportunity Act, a SNAP Employment and Training program, a program under Section 236 of the Trade Act of 1974, a work incentive program under Title IV of the Social Security Act, or “another program for the purpose of employment and training operated by a state or local government, as determined to be appropriate by the Secretary.” Institution of higher education is not defined.

⁷⁰ An otherwise ineligible student enrolled at least half-time is eligible for SNAP if the student is (1) a single parent enrolled in school full-time caring for a dependent under the age of 12, (2) a parent caring for a dependent under age 6, or (3) a parent caring for a child between the ages of 5 and 12 for whom child care is not available to enable the parent to both attend class and work 20 or more hours per week.

⁷¹ States use the federal TANF block grant to fund cash assistance for low-income families with children as well as other low-income initiatives. See CRS In Focus IF10036, *The Temporary Assistance for Needy Families (TANF) Block Grant*.

household benefit amount, but the parent can still apply for and potentially receive SNAP benefits for the child, in a one-person household amount.

Again, these restrictions on SNAP participation only apply to students who are enrolled half-time or greater. Students attending less than half-time are not subject to the restrictions; however, they may be subject to other work-related requirements not applicable to those attending at least half-time (see the “Other Work-Related Requirements” section).

The current eligibility disqualifications for postsecondary students were added in the 1980 Amendments to the Food Stamp Act (P.L. 96-249) due to concerns that students from higher income households were qualifying for SNAP as separate households.⁷²

On-Campus, Meal Plan Disqualification

Separate from the disqualification discussed above, there is also a disqualification for students who live on-campus and get more than half of their meals from a school meal plan. Under regulation, such students are ineligible for SNAP benefits.⁷³ This regulation is an interpretation and outgrowth of another provision barring SNAP eligibility for individuals living in institutions.⁷⁴

In addition, under current law SNAP benefits cannot be used to purchase cafeteria meals (discussed further below).

Other Work-Related Requirements

Separate from the student requirements discussed above, current law includes (1) work registration requirements for nondisabled adults aged 18 to 59 and (2) a time limit for a subset of these adults—nondisabled adults without dependents aged 18 to 49 if they work less than 20 hours per week.⁷⁵ These are requirements for large portions of SNAP applicants and are not specific to students. Students enrolled in IHEs *less than half-time* may be subject to these requirements depending on household-specific circumstances. For example, if a student has dependent children, he or she would not be subject to the time limit. Students attending IHEs *half-time or greater* are not subject to these requirements, but they are subject to the student disqualification rules discussed earlier.⁷⁶

⁷² See, for example, H.Rept. 95-464, p. 119.

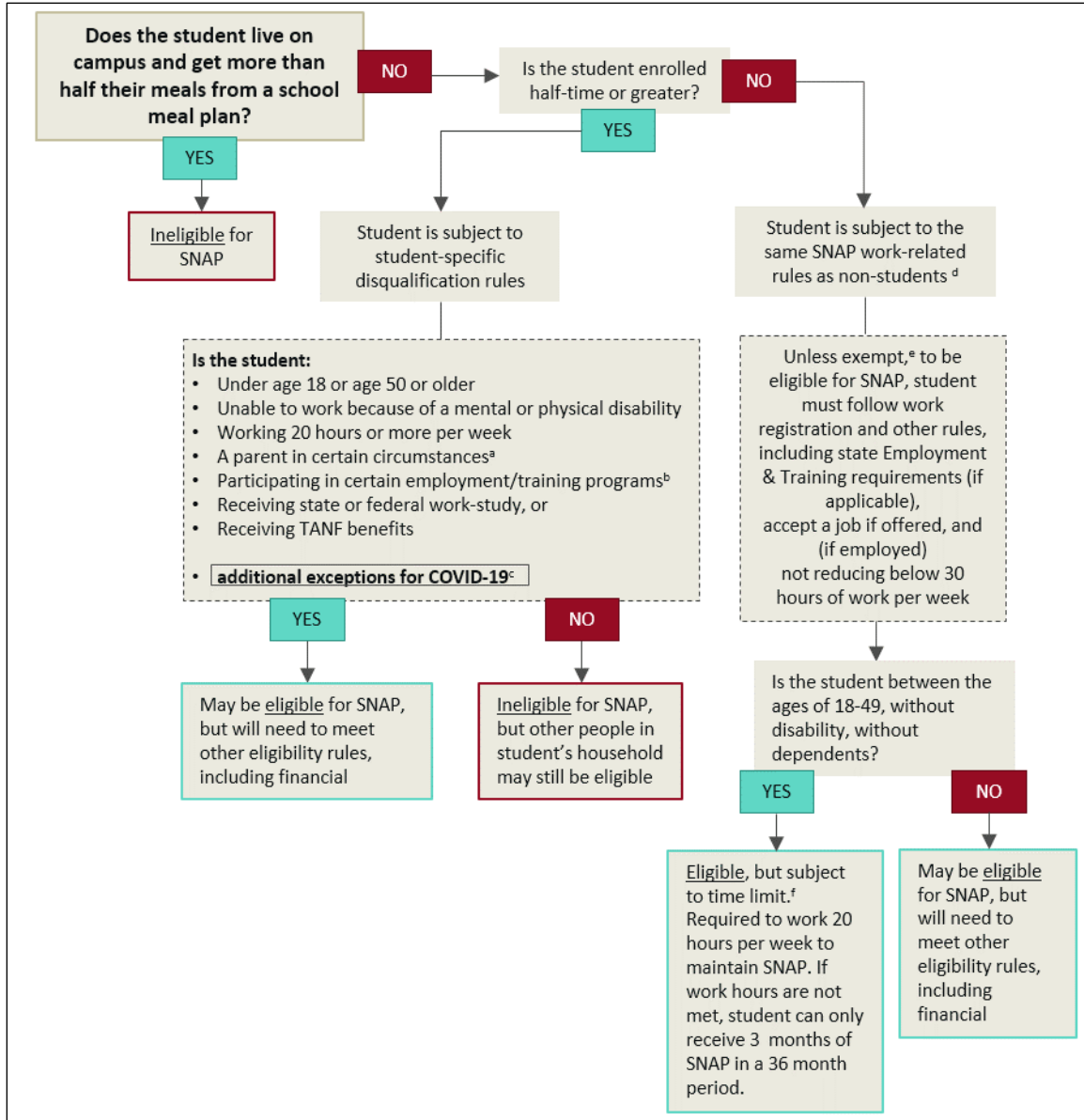
⁷³ 7 C.F.R. §273.1(a)(7)(vi). This regulation refers to “residents of an institution.” It does not mention students explicitly.

⁷⁴ Section 3(m)(4) of the Food and Nutrition Act (codified at 7 U.S.C. §2012(m)(4)).

⁷⁵ These requirements are in Sections 6(d) and 6(o), respectively, of the Food and Nutrition Act of 2008 (7 U.S.C. §2015(d), (o)). Work registration is signing up with the SNAP state agency or workforce agency as being interested in work. These work-related requirements are outlined in CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

⁷⁶ Section 6(d)(2) of the Food and Nutrition Act of 2008 (codified at 7 U.S.C. §2015(d)(2)).

Figure 2. SNAP Eligibility Rules for Students in Higher Education



Source: CRS, based on current law.

^a A single parent enrolled in school full-time caring for a dependent under age 12; a parent caring for a dependent under age 6; or a parent caring for a child between the ages of 5 and 12 for whom child care is not available to enable the parent to both attend class and work 20 or more hours per week.

^b A program under Title I of the Workforce Investment and Opportunity Act, a SNAP Employment and Training program, a program under Section 236 of the Trade Act of 1974, a work incentive program under Title IV of the Social Security Act, or “another program for the purpose of employment and training operated by a state or local government, as determined to be appropriate by the Secretary.”

^c P.L. 116-260 created exceptions for students eligible for state and federal work-study and for students with an EFC of \$0 (see the “COVID-19 Pandemic: Temporary SNAP Eligibility Rules for Students” text box below).

^d For a more detailed summary of these rules, see CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits*.

^e Individuals who are physically or mentally unfit for work; under age 16 or over age 59; between ages 16 and 18 if they are not a head of household or are attending school or a training program; working at least 30 hours a

week or earning the minimum wage equivalent; caring for dependents who are disabled or under age 6; already subject to and complying with another assistance program's work, training, or job search requirements (e.g., TANF or unemployment compensation); and residents of substance abuse treatment programs.

^f This time limit is suspended during the COVID-19 public health emergency (P.L. 116-127). Separately, based on labor market measures states may have authority to waive the time limit statewide or for parts of the state, so in some cases students will live in a geographic area that is not enforcing the time limit.

Policy Options for Increasing SNAP Enrollment

The above background on SNAP eligibility rules for college students attending at least half-time (who are the focus of this section) demonstrates that certain students would be eligible for SNAP under specified exceptions despite the existence of a student disqualification, but that some students regardless of need would not be eligible for SNAP without working 20 hours per week. The sections that follow describe possible policy options that would (1) amend current law concerning student disqualification to make more students eligible, or (2) employ strategies to increase SNAP participation among students eligible under current law.

Amending Federal Law to Expand Student Eligibility

Policymakers may be interested in amending federal SNAP law to make it easier for college students (particularly those half-time or greater students who are subject to the student disqualification) to become eligible for SNAP benefits. Legislation to do so was proposed in the 115th and 116th Congresses, and has been proposed in 117th Congress as well. As with current law, these proposals would not confer automatic eligibility; SNAP financial criteria would still apply to student applicants. Approaches discussed below would

- remove the student disqualification provision,
- expand the exceptions by adding additional special populations,
- expand the exceptions by adding those with demonstrated financial aid need, or
- amend the disqualification provision's requirement for 20 hours of work per week.

It is possible to remove the student disqualification provision.⁷⁷ A consideration for this approach, in the case of students who live in households or prepare meals separately from their parents while in school, is that eliminating the student disqualification may make some students newly eligible as one-person SNAP households even though they still receive informal financial support from family or others. In other words, students supported by families may become eligible for SNAP when their families would not be eligible. Congress could consider using the financial aid dependent student designation to help mitigate this concern, though this is not a concept used by SNAP state agencies, nor do they typically collect associated data.⁷⁸

Policymakers might instead modify or expand the list of exceptions to the student disqualification:

Adding populations: Recent proposals would add exceptions for other family caregivers (not only parents of young children) and former foster youth.⁷⁹ The proposal to exempt caregivers was

⁷⁷ For example, H.R. 1368 in the 116th Congress included a provision that would have eliminated the student disqualification provision.

⁷⁸ For example, S. 1569/H.R. 3100 in the 117th Congress would distinguish new eligibility pathways for dependent versus independent students.

⁷⁹ See S. 1708 and H.R. 2236 in the 115th Congress.

included in the House-passed version of the 2018 farm bill (P.L. 115-334), but the policy was not included in the enacted conference report.⁸⁰

Tying SNAP eligibility to HEA Title IV federal student aid eligibility (see previous discussion in the “Establishing Student Need and Eligibility” section): Using measures of student financial need could provide more students with exceptions for the SNAP disqualification provision. Recalling that such students would still need to meet SNAP’s financial tests, their demonstrated need in the student aid system could at least get them directly to the SNAP financial tests. Companion bills introduced in the 116th Congress,⁸¹ for instance, would have exempted students from the disqualification provision who have an expected family contribution of zero, indicating the highest level of financial need per the HEA Title IV need analysis methodology. A similar approach was enacted for temporary eligibility during the COVID-19 public health emergency (see the text box below). In companion bills in the 117th Congress,⁸² several of these student financial aid-oriented concepts would be added to SNAP law, making students eligible for SNAP if they are eligible for work-study or have an EFC of \$0. The bills would also allow students who had not completed a FAFSA but would have been eligible for a full Pell Grant to be eligible for SNAP. Establishing information-sharing between student financial aid and SNAP agencies is a consideration for administering and verifying financial aid-based SNAP policies.

COVID-19 Pandemic: Temporary SNAP Eligibility Rules for Students

The Consolidated Appropriations Act, 2021 (P.L. 116-260, enacted December 27, 2020) suspended the student disqualification rule for certain students during the public health emergency.⁸³ The suspension of the rule applies to students enrolled at least half-time in an IHE who

- are eligible to participate in a state or federally financed work study program, or
- have an EFC of \$0.

These students are not subject to the student disqualification rule, but they still need to meet SNAP’s other eligibility rules. The provision also requires that the Secretary of Education, in consultation with the Secretary of Agriculture and IHEs, to carry out activities to inform students of these temporary student eligibility requirements.⁸⁴

Some students enrolled less than half-time may be subject to the time limit for nondisabled adults without dependents. This work-related requirement was suspended in an earlier law, the Families First Coronavirus Response Act (P.L. 116-127, enacted March 18, 2020).

Amending the student disqualification’s 20 hours per week of work: Some observers have criticized the current SNAP law requirement for students with a full course load who do not meet other exceptions to work 20 hours per week.⁸⁵ Bills have been proposed in the 117th Congress

⁸⁰ See H.R. 2, as passed by the House on June 21, 2018.

⁸¹ H.R. 3809/S. 2143.

⁸² H.R. 3100/S. 1569. Provisions in these bills delineating that eligibility can be based on a \$0 EFC (to be renamed student aid index) apply only to dependent students. Independent students, regardless of EFC calculations, could participate in SNAP as long as the household is otherwise eligible to participate in SNAP.

⁸³ The provision is in effect for initial applications until 30 days after the COVID-19 public health emergency is lifted. For household recertifications, the provision may end no earlier than 30 days after the COVID-19 public health emergency is lifted.

⁸⁴ See USDA and ED guidance: USDA-FNS, *SNAP Student Provisions in the Consolidated Appropriations Act, 2021—Questions and Answers—Section 702(e)*, February 2, 2021, <https://www.fns.usda.gov/snap/student-provisions-consolidated-appropriations-act-2021-qars>; ED, Federal Student Aid, *SNAP benefits for eligible students during the COVID-19 pandemic (EA ID: GENERAL-21-11) (Updated April 5, 2021)*, February 23, 2021.

⁸⁵ See, for example, S. Goldrick-Rab, “It’s Hard to Study if You’re Hungry,” *The New York Times*, January 14, 2018, <https://www.nytimes.com/2018/01/14/opinion/hunger-college-food-insecurity.html>.

(and were proposed in the 116th Congress) that would reduce the 20-hour-per-week work requirement to 10 hours per week.⁸⁶ An alternative approach would be to maintain the 20-hour-per-week requirement but to define work more broadly; for instance, bills introduced in the 116th Congress and 117th Congress⁸⁷ would allow students' time in class to count towards the 20 hours. This approach would appear to make more full-time students potentially eligible for SNAP without requiring them to work at a job 20 hours per week.

Increasing SNAP Participation Among Students Eligible Under Current Law

Available research indicates that, though federal rules limit student eligibility, many students who would be eligible for SNAP are not participating. Without changing federal law, policymakers, federal administrators, states, and schools could help eligible or potentially eligible students and the institutions they attend apply for and receive SNAP benefits.

GAO found in their estimates that only 43% of students likely to be eligible had received SNAP, leaving an estimated 57% who are likely eligible but not receiving assistance.⁸⁸ GAO made two recommendations for USDA-FNS to try to reach more students who may be eligible.⁸⁹

The Administrator of FNS should make information on their website regarding student SNAP eligibility requirements easier to understand and more accessible, as a resource for colleges and state SNAP agencies. (Recommendation 1)

The Administrator of FNS should coordinate with its regional offices to collect and review information about existing SNAP flexibilities and examples of approaches state SNAP agencies are taking to assist eligible college students to access SNAP benefits, and share such information with state SNAP agencies. (Recommendation 2)

As of the cover date of this CRS report, GAO lists these recommendations as still open, though USDA has responded with plans to review and improve the existing website and available information.⁹⁰ On March 25, 2021, USDA-FNS published a redesigned webpage on student eligibility for SNAP benefits, adding related questions and answers about the rules, including information about the temporary COVID-19 pandemic changes.⁹¹

States and schools can take actions to maximize federal SNAP law exceptions to the student disqualification. For example,⁹²

- states can expand state-financed work-study programs (participation in these programs is an exception to the student disqualification);

⁸⁶ See H.R. 3809/S. 2143 in the 116th Congress, and H.R. 3100/S. 1569 in the 117th Congress.

⁸⁷ H.R. 4297 in the 116th Congress, and H.R. 1919 in the 117th Congress.

⁸⁸ U.S. Government Accountability Office (GAO), *Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits*, GAO-19-95, December 2018, <https://www.gao.gov/products/GAO-19-95>, pp. 18-19, 51-53. GAO used 2016 National Postsecondary Student Aid Study (NPSAS) data.

⁸⁹ U.S. Government Accountability Office (GAO), *Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits*, GAO-19-95, December 2018, <https://www.gao.gov/products/GAO-19-95>, p. 40.

⁹⁰ U.S. Government Accountability Office (GAO), Recommendations Database, <https://www.gao.gov/reports-testimonies/recommendations-database?processed=1&topic=all&agency=Food%20and%20Nutrition%20Service#s-skipLinkTargetForMainSearchResults> (accessed April 19, 2021).

⁹¹ Date confirmed in USDA-FNS communication to CRS, April 21, 2021. See USDA-FNS, "SNAP: Student" website, <https://www.fns.usda.gov/snap/students> (accessed April 19, 2021).

⁹² Examples discussed here are drawn from N. Freudenberg, S. Goldrick-Rab, and J. Poppendieck, "College Students and SNAP: The New Face of Food," *American Journal of Public Health*, vol. 109, no. 12 (December 2019), p. 1656. A 2011 article targeted to legal aid attorneys also discusses the broad interpretations of the student disqualification

- some states have expanded SNAP eligibility for community college students by designating community college enrollment as meeting SNAP’s Employment and Training program requirements for SNAP (higher education enrollment as part of a SNAP Employment and Training program is an exception to the student disqualification);⁹³
- states can use their TANF funds to fund a benefit or service for students (receipt of a TANF-funded benefit is an exception to the student disqualification);⁹⁴ and
- states can require or schools can choose to offer SNAP application assistance on campus (discussed earlier in the “Existing Nonfederal Efforts” section).

These administrative choices and investments could be made without changes to federal policy. However, as mentioned earlier, federal funding could be provided to encourage or support state or IHE efforts, such as application assistance.⁹⁵

To reach more eligible students, some stakeholders have shown interest in connecting or streamlining federal financial aid and SNAP applications.⁹⁶ While using one application to apply for both types of assistance may be difficult in light of different program requirements, financial aid participation may be an option for targeted SNAP (and other public benefits) outreach (see the text box below).

FAFSA Data and SNAP Applications

Information on the FAFSA potentially presents a way to identify more SNAP-eligible students. However, FAFSA information is not sufficient to make a SNAP eligibility determination. For instance, the income data required by each program’s application vary significantly—FAFSA uses income information from the calendar year ending two years prior to the school year, while SNAP law generally counts income from the month of application.⁹⁷ The applications also define family/household differently. The FAFSA requires most unmarried students without dependents under age 24 to report the financial information of parent(s) regardless of their living situation, while SNAP law, with some exceptions, requires information from those who prepare and consume meals together.⁹⁸ The differences in income data and family definition will continue to exist with implementation of the FAFSA Simplification Act (see the section entitled “Forthcoming Changes to Federal Student Aid”). Further, SNAP eligibility and benefit calculation takes into account certain household-specific expenses that the FAFSA does not, such as the household’s housing and utility expenses.

However, under current law and policy, it may be possible to use FAFSA data to conduct SNAP outreach to college students whose FAFSA information suggests they may be eligible for SNAP. In these cases, students would still need to apply separately for SNAP. Some proposals introduced in the 116th Congress (e.g., S. 2225/H.R. 4968) would have required ED to let students know they may be eligible for SNAP based on certain FAFSA information. Such outreach may not reach all SNAP-eligible students and may reach some students who ultimately would not

provision that are possible, and lists nonfederal actions that may be taken; D. Super, “Low-Income College Students’ Eligibility for the Supplemental Nutrition Assistance Program,” *Clearinghouse Review Journal of Poverty Law and Policy*, vol. 44, no. 11-12 (March-April 2011), pp. 508-517.

⁹³ N. Freudenberg, S. Goldrick-Rab, and J. Poppendieck, “College Students and SNAP: The New Face of Food,” *American Journal of Public Health*, vol. 109, no. 12 (December 2019), p. 1656.

⁹⁴ Massachusetts uses TANF funding to fund their “MASSGrant” financial aid, so receiving a MASSGrant meets one of the exceptions to the student disqualification. See MassLegal Services, “More MA Low Income College Students Eligible for SNAP! Major Policy Changes Released TODAY!!” August 25, 2017, <https://www.masslegalservices.org/content/more-ma-low-income-college-students-eligible-snap-major-policy-changes-released-today>.

⁹⁵ For example, H.R. 3100/S. 1569 in the 117th Congress would require USDA to submit a report to Congress on the department’s plans for student food security and enrollment in SNAP and to update related guidance.

⁹⁶ See, for example, T. Allison, *Rethinking SNAP Benefits for College Students*, Young Invincibles, February 2018, pp. 5-6, <https://younginvincibles.org/rethinking-snap-benefits-college-students-food-insecurity/>.

⁹⁷ 7 U.S.C. §2014(d); 7 C.F.R. §273.10.

⁹⁸ 7 U.S.C. §2012(m).

be eligible. IHEs might also conduct outreach. For instance, schools might make SNAP information available at the financial aid office; or, as a standard part of their communication with students, they could include SNAP outreach information when communicating about work-study programs. Related data-sharing and notification provisions have been introduced in the 117th Congress (H.R. 3100/S. 1569), including for need-based programs aside from SNAP.

SNAP-Eligible Foods and SNAP-Authorized Retailers

In addition to household eligibility rules, SNAP law limits (1) foods eligible for purchase with SNAP benefits, and (2) retailers that can accept SNAP benefits. These limitations are considerations for using SNAP as an approach to address food insecurity among college students. Changing some of SNAP's redemption-side restrictions may help SNAP better target and assist the student population, though not all students and not all campuses have the same needs.

SNAP-eligible retailers and foods for purchase, under current law, may not suit student lifestyles. Students living on campus may have limited cooking facilities and/or limited access to grocery stores or other SNAP-authorized retailers. To be an authorized SNAP retailer, stores must carry certain inventory. Campus stores, which may be easily accessible to students, may not have the right inventory to qualify as a SNAP retailer. Further, SNAP generally may not be used for hot, prepared foods, nor can it be used for student meal plans. Restaurants are generally not eligible for SNAP authorization, and the authorization process takes the share of any retailer's revenue from hot, prepared foods into account, potentially disqualifying some applicants.⁹⁹

An exception to the restaurant and prepared food options is the Restaurant Meals Program (RMP). RMP is a longstanding SNAP state option to allow elderly, disabled, or homeless members to use their SNAP benefits at restaurants that have contracted with the state. These are usually establishments that offer concessional prices, which are discounts compared to regular prices. States incur administrative costs by choosing to operate the program. Most states do not operate RMPs—as of December 17, 2020, they were only being offered in Arizona, California, and Rhode Island.¹⁰⁰

Policy Options for SNAP Eligible Foods and Retailers

Because restrictions on eligible foods and retailers might make SNAP less accessible for some students, policy options such as those discussed below could be used to address those issues.

Under current federal law, campus stores that meet SNAP law's inventory requirements may become authorized to accept SNAP benefits. USDA, states, and IHEs could encourage such stores to apply for authorization or provide technical assistance accordingly. For example, Oregon State University's campus store was authorized to accept SNAP in 2016, as part of the university's strategy to reduce food insecurity.¹⁰¹ This store was able to meet the requirements for SNAP authorization, but in other cases it may be that stores need assistance building the infrastructure to stock the variety or perishables required by SNAP law, or technical assistance in

⁹⁹ See CRS Report R42505, *Supplemental Nutrition Assistance Program (SNAP): A Primer on Eligibility and Benefits* for eligible foods and retailer authorization rules.

¹⁰⁰ Communication between CRS and USDA-FNS, December 17, 2020. Arizona operates a statewide RMP. California (17 of 58 counties) and Rhode Island (2 of 5 counties) operate RMPs in limited areas. Florida operated a RMP in the past, but terminated its program in October 2018.

¹⁰¹ A. Rimel, "OSU store begins accepting SNAP cards," *Corvallis Gazette-Times*, January 19, 2017, https://www.gazettetimes.com/news/local/osu-store-begins-accepting-snap-cards/article_56584d6c-bc10-5a9b-bc5b-6b16c72933e2.html.

navigating USDA's authorization process. Making federal funding available for campus store modifications may be an option that allows more campus stores to become authorized.

The Restaurant Meals Program option may be a way to improve food insecurity for some students. However, under current federal law RMPs only serve homeless, disabled, or elderly SNAP participants, so a state choosing to opt into the existing program might serve a limited amount of students. Policymakers could choose to expand RMP participant eligibility to serve more students. A state newly offering an RMP or a state currently offering one could contract with campus dining facilities to participate in the program. States and localities might also specifically contract with restaurants located near IHEs.

Still, broader approaches to SNAP's food and retailer limitations would require changes to federal law and related Electronic Benefits Transfer (EBT) system changes. For example, policymakers might change federal law to allow college students to use SNAP benefits for hot and/or prepared foods, or to authorize dining halls or grab-and-go stores as SNAP retailers. Proposals in the 117th Congress would pilot student redemption of SNAP benefits for hot foods and use of SNAP benefits to pay for meal plans.¹⁰² Bills to expand the RMP to serve students were not introduced in the 115th or 116th Congresses; however, a number of bills to change hot food limitations and expand the RMP were introduced as a response to the COVID-19 pandemic (i.e., they were not focused on students).¹⁰³ These approaches that address the campus food environment may have a limited effect on students who are not on campus most days or every day and students who attend campuses with limited or no food options. For students living off-campus with cooking facilities, SNAP benefits under the current food and retailer eligibility rules might be well suited.

Other Considerations

If Congress chooses to address food security among college students, SNAP, as the nation's largest nutrition program (both in funding and in people served), could be a compelling choice for better serving those students who are food insecure. The program's funding is open-ended and responsive to changes in participation. That SNAP benefits are funded entirely by the federal government may be a point that is attractive to state, local, and higher education stakeholders. However, there are some countervailing considerations for relying on SNAP for this purpose; this section discusses some of them. These may not be an argument for rejecting a SNAP approach, but rather an argument for advancing non-SNAP policies at the same time.

One consideration is that eligible students may not apply for SNAP benefits. Some research has shown that stigma deters students from seeking and using this help.¹⁰⁴ Even with expansion and outreach, it is not clear that all eligible students will take advantage of the program.

Another consideration is that SNAP would not necessarily eliminate food insecurity among college students. Studies have shown that SNAP participants still express difficulty obtaining adequate food, and it is common for a household's monthly SNAP benefit not to last the full month.¹⁰⁵

¹⁰² H.R. 3100/S. 1569 in the 117th Congress. See similar proposals in the 116th Congress, H.R. 3809/S. 2143.

¹⁰³ See 116th Congress pandemic response bills that amend hot foods limitations and/or the RMP: Section 60607 of H.R. 6800; Division N, Section 603 of H.R. 8406/S. 4800; H.R. 6688/S. 3697; and H.R. 8064 and S. 4061.

¹⁰⁴ L. Henry, "Understanding Food Insecurity Among College Students: Experience, motivation, and local solutions," *Annals of Anthropological Practice*, vol. 41, no. 1 (August 20, 2017). This ethnographic study of food insecurity among University of North Texas students found students unwilling to take assistance for themselves, believing that others were in greater need.

¹⁰⁵ See A. Coleman-Jensen, M. P. Rabbitt, and C.A. Gregory et al., *Household Food Security in the United States in*

While expanding student eligibility would help many students, SNAP household benefit calculation rules may mean that a policy more inclusive of students could negatively affect some households. If a student is part of a household that received SNAP, even though the student is disqualified, making the student newly eligible could have a negative impact for the household's SNAP. An ineligible student does not have his or her income counted in the household's eligibility and benefit calculation, but an eligible student does. There may be some instances where making the student eligible, and therefore including the student's income, would reduce the household's benefit amount.¹⁰⁶ Also, some households may lose eligibility entirely if the student and his or her income are included. This harm would not be experienced in all cases, and if a student lives alone or constitutes his or her own household, the student would only gain from becoming eligible.

Aside from income eligibility and student eligibility rules, SNAP also has other nonfinancial rules, including citizenship. Some noncitizens are eligible for SNAP, but many are not.¹⁰⁷ For example, noncitizen students granted Deferred Action for Childhood Arrivals (DACA), for instance, are not eligible for SNAP.¹⁰⁸ If there are no changes to the program's citizenship rules, SNAP will not reach all food-insecure college students.

A final consideration is that students receiving SNAP have reporting and recertification responsibilities to the state SNAP agency. SNAP participants must report to the SNAP agency changes in address, changes in living arrangements (e.g., roommates), and significant changes in income. Once an individual is receiving SNAP, a recertification application is required to continue with the program. In light of the program's administrative processes, policymakers might decide that a campus-specific program that requires less reporting is a more streamlined way to assist food-insecure students, or is at least an important alternative to SNAP.

Campus Food Pantries

Food pantries may benefit from federal programs, particularly The Emergency Food Assistance Program (TEFAP), and federal laws that incentivize and provide protections from liability for food donations. However, it is unclear how many campus-based food pantries are accessing such aid and making use of federal incentives and protections for food donations. This section discusses potential ways that federal policies can support campus food pantries.

Improving Campus Pantries' Access to TEFAP

TEFAP, a USDA-FNS program, provides aid to states to support feeding efforts by food banks, food pantries, and other eligible nonprofit organizations.¹⁰⁹ With a budget of more than \$2 billion

2019, USDA, Economic Research Service, ERR-275, September 2020, <https://www.ers.usda.gov/publications/pub-details/?pubid=99281>; and National Academies of Science, Engineering and Medicine, *Supplemental Nutrition Assistance Program: Examining the Evidence to Define Benefit Adequacy* (Washington, DC: The National Academies Press, 2013), <https://doi.org/10.17226/13485>.

¹⁰⁶ For example, consider a household comprised of two parents, a 7-year-old son, and a 19-year-old full-time community college student who live together. If parent 1 and the community college student each work 15 hours per week and parent 2 does not work, then depending on the amount of earnings, the SNAP benefit could be more if calculated for a household of three (parents + 7-year old) than a household of four.

¹⁰⁷ See CRS Report RL33809, *Noncitizen Eligibility for Federal Public Assistance: Policy Overview*.

¹⁰⁸ See CRS Report R46764, *Deferred Action for Childhood Arrivals (DACA): By the Numbers*, for DACA background and estimates of DACA recipients in school.

¹⁰⁹ The Emergency Food Assistance Act of 1983 (codified at 7 U.S.C. §7501 et seq.). For more information on TEFAP,

in FY2020, TEFAP is much smaller than SNAP.¹¹⁰ To qualify for TEFAP assistance, private-sector organizations must have obtained or be in the process of obtaining tax-exempt status.¹¹¹ Campus pantries operated by a public or private nonprofit college or outside organization, such as a food bank, may be eligible for TEFAP as a result of the institution's tax-exempt status. Pantries operated by for-profit colleges would not be eligible for TEFAP, and neither would student-led pantries that are not incorporated as a tax-exempt organization.

There are no national data on the number or type of organizations participating in TEFAP. Therefore, it is unclear how many campus food pantries participate in the program. Congress could require USDA or states to collect data on how many campus food pantries are currently participating in TEFAP, and/or require USDA or states to provide guidance to campus food pantries to facilitate their participation in the program.

There are several considerations associated with these approaches. Even if eligible for TEFAP, campus food pantries may not have the administrative capacity to meet TEFAP requirements. Campus food pantries are typically relatively new and small organizations, and they may not be engaged in the types of activities required of TEFAP-participating organizations, such as determining recipient eligibility, keeping records of foods distributed, and complying with local and state food safety regulations.¹¹² For example, a 2017 survey (discussed previously) found that 5% of CUFBA-associated pantries required proof of financial need.¹¹³ Complying with TEFAP's eligibility requirements (which differ by state) may pose an administrative challenge and/or conflict with campus pantries' goals.

Establishing New Efforts to Support Campus Food Pantries

Congress could consider providing additional resources for campus food pantries within or outside of TEFAP. California's AB-1747 (2015-2016 session) provided an example of this strategy at the state level. The bill carved out funds for food banks supporting campus food pantries and college hunger relief efforts within the state's Emergency Food Assistance Program.¹¹⁴

Expanding Tax Incentives and Liability Protections for Food Donated to Campus Pantries

There are also provisions in federal law that provide incentives for food donations that may be relevant to campus food pantries.¹¹⁵ Current tax law provides businesses with enhanced deductions for food donations to 501(c)(3) organizations that provide care for the ill, the needy, or infants.¹¹⁶ However, food banks and other organizations donating to campus food pantries often

see CRS Report R45408, *The Emergency Food Assistance Program (TEFAP): Background and Funding*.

¹¹⁰ USDA-FNS, "Additional Information on FY 2020 Funding Sources for TEFAP," June 12, 2020, <https://www.fns.usda.gov/tefap/additional-information-fy-2020-funding-sources>.

¹¹¹ 7 C.F.R. §251.5.

¹¹² 7 C.F.R. §251 et seq.

¹¹³ S. Goldrick-Rab, C. Cady, and V. Coca, *Campus Food Pantries: Insights from a National Survey*, Hope Center for College, Community, and Justice, Temple University, September 2018, <https://hope4college.com/wp-content/uploads/2018/09/2018-CUFBA-Report-web-2.pdf>.

¹¹⁴ California Assembly Bill No. 1747 (AB-1747) (2015-2016), https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201520160AB1747.

¹¹⁵ For a summary of these provisions, see USDA, "Donating," <https://www.usda.gov/foodlossandwaste/donating>.

¹¹⁶ 26 U.S.C. §170; 26 C.F.R. §1.170A-4A. This deduction is normally limited to 15% of income but it was temporarily

cannot access this benefit because colleges, while generally having 501(c)(3) status, do not have the primary mission of caring for the ill, needy, or infants.¹¹⁷ Other student-led pantries may not be organized under 501(c)(3) and eligible to receive charitable contributions. Some food banks worked around this by partnering with a college foundation, but several food banks reported it as a barrier to serving college students.¹¹⁸ Policy options may include facilitating partnerships between food donors (including food banks, but also other types of donors such as for-profit businesses) and organizations on campuses that already have 501(c)(3) status (such as university foundations), helping more campus food pantries acquire 501(c)(3) status, or expanding the types of food donations that are eligible for enhanced deductions.

In addition, the Bill Emerson Good Samaritan Food Donation Act¹¹⁹ provides certain liability protections for individuals and organizations donating food at no cost to nonprofit organizations. These protections are intended to facilitate greater donation of foods that “may not be readily marketable due to appearance, age, freshness, grade, size, surplus, or other conditions,” but that meet quality and labeling standards.¹²⁰ In this case, *nonprofit organization* is defined more broadly than a 501(c)(3) organization. It is “an incorporated or unincorporated entity that—(A) is operating for religious, charitable, or educational purposes; and (B) does not provide net earnings to, or operate in any other manner that inures to the benefit of, any officer, employee, or shareholder of the entity.”¹²¹ It appears that campus food pantries with 501(c)(3) status or a financial sponsor with 501(c)(3) status would likely be covered under this definition.

Policy options may include increasing awareness of federal liability protections for these types of food donations and/or expanding protections. In terms of raising awareness, the 2018 farm bill (P.L. 115-334) included a provision requiring USDA to issue guidance to certain groups of donors—including IHEs—“to promote awareness” of the federal liability protections for such donations. USDA subsequently promulgated policy memos and materials describing the protections.¹²² In terms of expanding protections, increased shielding from liability could be provided for past-date foods and foods that meet safety standards, but not all labeling standards, that are donated to nonprofits.¹²³

increased to 25% for 2020 by the CARES Act, and the increase was extended to 2021 by P.L. 116-260; Internal Revenue Service, “Charitable Contribution Deductions,” September 23, 2020, <https://www.irs.gov/charities-non-profits/charitable-organizations/charitable-contribution-deductions>.

¹¹⁷ Feeding America, *Addressing Food Insecurity Among College Students: The Landscape of the Feeding America Network*, October 2019, p. 18, <https://www.feedingamerica.org/research/college-hunger-research>.

¹¹⁸ *Ibid.*

¹¹⁹ Section 22 of the Child Nutrition Act of 1966 (42 U.S.C. 1791). A separate law, the U.S. Federal Food Donation Act, provides similar protections for executive agencies donating food to 501(c)(3) nonprofit organizations.

¹²⁰ *Ibid.*

¹²¹ *Ibid.*

¹²² For example, see USDA-FNS, “The Emergency Food Assistance Program (TEFAP)—Information on the Bill Emerson Good Samaritan Food Donation Act,” June 18, 2019, <https://www.fns.usda.gov/tefap/information-bill-emerson-good-samaritan-food-act>; USDA, “Good Samaritan Act Provides Liability Protection For Food Donations,” August 23, 2020, <https://www.usda.gov/media/blog/2020/08/13/good-samaritan-act-provides-liability-protection-food-donations>; and USDA, “Federal Incentives for Businesses to Donate Food,” July 8, 2020, <https://www.usda.gov/media/blog/2020/07/08/federal-incentives-businesses-donate-food>.

¹²³ Harvard Food Law and Policy Clinic and Natural Resources Defense Council, “Recommendations to Strengthen the Bill Emerson Good Samaritan Act,” September 2016, <https://www.nrdc.org/resources/recommendations-strengthen-bill-emerson-good-samaritan-act>, and Food Law and Policy Clinic, “Don’t Waste, Donate: Enhancing Food Donations Through Federal Policy,” Harvard Law School, March 2017, <https://today.law.harvard.edu/dont-waste-donate-food-law-policy-clinic-encourages-government-action-new-report>.

Other Considerations

Providing support via campus pantries as opposed to a meal program or vouchers may affect the types of foods students receive. Food pantries tend to have more nonperishable items that require preparation. Some college students living on campus may not have access to a kitchen or place where they can store and prepare foods. Also, if nutritional quality is a concern, it may be hard to regulate what types of foods are provided in campus food pantries because they rely heavily on donated foods. TEFAP does not currently have nutritional requirements. One study published by USDA found that TEFAP foods were healthier compared to foods in the average American diet.¹²⁴

It is unclear how effective campus pantries are at reaching students. There is no national data source that shows the prevalence of food pantries on college campuses. Among colleges that do have pantries, stigma and logistical factors may prevent students from utilizing them. For example, some studies have found that less than half of food-insecure students use campus food pantries when they are available.¹²⁵ Some have argued that food pantries are not an adequate solution to college students' food insecurity for this reason.¹²⁶

New Federal College Food Aid Program

In contrast to the options discussed thus far, which largely work within the framework of existing programs and policies, Congress may consider creating a new program aimed at reducing food insecurity among college students. This could take a variety of forms, such as meal benefits for students (e.g., meal vouchers or EBT cards), a new financial aid program for students, or funding for colleges to implement a free meal program, expand swipe-sharing programs, or test a combination of approaches. Proposals have been made along these lines. For example, the College Affordability Act (H.R. 4674) in the 116th Congress would have created an emergency grant program for food-insecure and other at-risk students. Other bills have proposed providing aid to IHEs to test different meal program options.¹²⁷

A number of potential considerations exist for any of these approaches. First, it is unclear whether a new program would be administered by ED or USDA at the federal level, and by state agencies, IHEs, and/or other entities at the local level. Participating in a new program would likely create new administrative burdens for such entities and for students. Colleges would likely have new reporting requirements, and students might have to apply for benefits (although it is possible that

¹²⁴ USDA-FNS, *Nutrient and MyPyramid Analysis of USDA Foods in Five of Its Food and Nutrition Programs*, prepared by Westat for the Office of Research and Analysis, January 2012, p. 3-76 to 3-84, <https://fns-prod.azureedge.net/sites/default/files/ops/NutrientMyPyramid.pdf>.

¹²⁵ A. El Zein et al., "Prevalence and correlates of food insecurity among US college students: a multi-institutional study," *BMC Public Health*, vol. 19 no. 1 (2019), p. 660; A. El Zein et al., "Why are Hungry College Students Not Seeking Help? Predictors of and Barriers to using an on-Campus Food Pantry," *Nutrients*, vol. 10, issue 9, 2018.

¹²⁶ M. Andrews, "For Many College Students, Hunger 'Makes It Hard To Focus'," *NPR and Kaiser Health News*, July 31, 2018, <https://www.npr.org/sections/health-shots/2018/07/31/634052183/for-many-college-students-hunger-makes-it-hard-to-focus>.

¹²⁷ During the 116th Congress, H.R. 4065 proposed creating a pilot program to award competitive grants of no more than \$200,000 to community colleges to serve free meals to eligible students. While the program would have been authorized under the Richard B. Russell National School Lunch Act, it would have had separate requirements from the National School Lunch Program (NSLP). During the 114th Congress, an amendment to H.R. 5003 would have created a pilot program to provide competitive grants to 50 campuses or 10 state systems of higher education to develop programs to provide free or reduced-price meals to low-income college students. E. Ferguson and E. Wilkins, "House Panel Approves Bills on Labor 'Persuader' Rule," *CQ Roll Call*, May 18, 2016, <http://www.cq.com/doc/committees-2016051800345515?0&search=pDqdhQ2W>.

the application process could be combined with applications for financial aid).¹²⁸ It is also unclear who would set the eligibility rules for such a program. Given the current data limitations on food insecurity among college students, developing eligibility criteria might be challenging.

In addition, there might be questions about whether to implement federal nutritional requirements for the new program. The topic of the federal government's role in setting requirements for allowable foods is a longstanding source of debate in other federal nutrition assistance programs, including the National School Lunch Program (NSLP) and SNAP. Such requirements might also raise an implementation challenge, as there are currently no restrictions on which foods students can select in the typical campus dining hall or grab-and-go store.

It is unclear whether a new program, such as a free meal program, would result in less stigma compared to a SNAP or food pantry approach.¹²⁹ In addition, some community colleges and remote campuses may lack dining options altogether. There are also an increasing number of college students enrolled in online degree programs. These students may not benefit from a campus-based food assistance program.

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Acknowledgments

Alyse Minter, CRS Research Librarian, and Mariam Ghavalyan, former CRS Research Assistant, contributed to this report.

¹²⁸ For example, in 2016 the Wisconsin HOPE Lab (a research and advocacy organization) proposed a pilot program for students at community colleges or another targeted population in which subsidized meals would be provided to Pell Grant recipients; S. Goldrick-Rab, K. Broton, and E.B. Colo, *Expand the National School Lunch Program to Higher Education*, Wisconsin HOPE Lab Policy Proposal, 2016, https://hope4college.com/wp-content/uploads/2018/09/Wisconsin-HOPE-Expand-Lunch_Program.pdf.

¹²⁹ See the discussion of “Unpaid Meal Costs” in CRS Report R45486, *Child Nutrition Programs: Issues in the 115th Congress*.

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