

**Congress of the United States**  
Washington, DC 20510

March 1, 2022

The Honorable Thomas Vilsack  
Secretary of Agriculture  
United States Department of Agriculture  
1400 Independence Avenue, S.W.  
Washington D.C. 20250

Dear Secretary Vilsack:

We are writing urging you to issue guidance clarifying Supplemental Nutrition Assistance Program (SNAP) eligibility to address the growing food security crisis among college students. While we appreciate the Biden Administration’s recent actions to support college students during the coronavirus disease 2019 (COVID-19) pandemic<sup>1</sup> – particularly given the pandemic’s disproportionate impact on low-income college students, students of color, first-generation college students, and single parents<sup>2</sup> – there remains an urgent need to ensure that low-income students are both informed about and have access to critical federal benefits, including nutrition benefits.

COVID-19 has worsened food insecurity among college students and exacerbated racial disparities in hunger. A nationwide survey of students in fall 2020 by the Hope Center for College, Community, and Justice found that 70% of Black and 70% of American Indian or Alaska Native students experienced food insecurity, housing insecurity, or homelessness—rates substantially higher than their white peers.<sup>3</sup> Overall, 3 in 5 students do not have enough to eat or a stable place to live.<sup>4</sup> The setbacks will be even more significant for students who are low-income, the first in their families to attend college, and parenting students.

The Biden Administration has taken critical steps to support college students’ basic needs during the pandemic, including by providing nearly \$200 million in American Rescue Plan funds through the Higher Education Emergency Relief Funds.<sup>5</sup> We also applaud the use of financial aid

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<sup>1</sup> U.S. Department of Education, “Biden-Harris Administration Takes Actions to Support Students’ Basic Needs and Mitigate the Spread of COVID-19 at Colleges and Universities,” press release, January 20, 2022, <https://www.ed.gov/news/press-releases/biden-harris-administration-takes-actions-support-students%E2%80%99-basic-needs-and-mitigate-spread-covid-19-colleges-and-universities>.

<sup>2</sup> The Hope Center for College, Community and Justice, “#RealCollege 2021: Basic Needs Insecurity During the Ongoing Pandemic,” March 31, 2021, <https://hope4college.com/wp-content/uploads/2021/03/RCReport2021.pdf>.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> U.S. Department of Education, “Biden-Harris Administration Takes Actions to Support Students’ Basic Needs and Mitigate the Spread of COVID-19 at Colleges and Universities,” press release, January 20, 2022,

data to communicate with students about SNAP and federal benefits for which they may be eligible.<sup>6</sup> This builds on the important interagency work that the United State Department of Agriculture (USDA) and the Department of Education (ED) started to better coordinate implementation of the temporary student provisions authorized under the *Coronavirus Response and Relief Supplemental Appropriations Act, 2021* (CRRSAA) title of the *Consolidated Appropriations Act, 2021*.<sup>7</sup>

Yet even after the public health emergency ends, the economic repercussions of the pandemic will be felt for years. College students represent the future of America. Not only is it critical that we don't saddle students with debt, but the Administration should also use its executive authority to ensure low-income students have the information they need to access SNAP and other federal benefits to help them stay focused and successful in their studies.

In December 2018, the U.S. Government Accountability Office (GAO) issued a detailed report analyzing 31 studies that identified widespread food insecurity among students.<sup>8</sup> The GAO report concluded that college students experiencing hunger have a harder time succeeding in school and found that nearly two million students at risk of going hungry were potentially eligible for SNAP but did not report receiving benefits in 2016.<sup>9</sup> Given that the GAO report and related studies were conducted prior to the COVID-19 pandemic, we are deeply concerned that significantly more college students may struggle in accessing SNAP benefits after the temporary CRRSAA provisions sunset.<sup>10</sup>

Before the COVID-19 pandemic, the public messaging around SNAP for college students routinely suggested that college students must show they “work at least 20 hours a week”<sup>11</sup> to qualify for benefits and failed to highlight the additional statutory exemptions under 7 U.S.C. § 2015 (e) that expand eligibility for students who do not satisfy these work requirements. As the GAO report found, thousands of low-income students who should qualify for SNAP never accessed these benefits, in large part because of the very complex SNAP eligibility rules.<sup>12</sup> USDA has the authority to change that under 7 U.S.C. § 2015 (e).

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<https://www.ed.gov/news/press-releases/biden-harris-administration-takes-actions-support-students%E2%80%99-basic-needs-and-mitigate-spread-covid-19-colleges-and-universities>.

<sup>6</sup> Dear Colleague letter from James Kvaal, Under Secretary, Department of Education, January 20, 2022, <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2022-01-20/use-fafsa-data-administer-federal-programs>.

<sup>7</sup> Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSAA) title of the Consolidated Appropriations Act, 2021, Public Law 116-260.

<sup>8</sup> U.S. Government Accountability Office, “Food Insecurity: Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits,” December 21, 2018, <https://www.gao.gov/products/gao-19-95>.

<sup>9</sup> *Id.*

<sup>10</sup> U.S. Department of Agriculture, Food and Nutrition Service, “Supplemental Nutrition Assistance Program (SNAP): Students,” March 25, 2021, <https://www.fns.usda.gov/snap/students>.

<sup>11</sup> U.S. Department of Agriculture, “Supplemental Nutrition Assistance Program (SNAP) Students,” <https://www.fns.usda.gov/snap/students>.

<sup>12</sup> U.S. Government Accountability Office, “Food Insecurity: Better Information Could Help Eligible College Students Access Federal Food Assistance Benefits,” December 21, 2018, <https://www.gao.gov/products/gao-19-95>.

While we acknowledge and appreciate the additional effort USDA and ED have taken to encourage states to reach potentially eligible students by using financial aid data while the temporary CRRSSA provisions are in place,<sup>13</sup> this does not resolve the importance of clarifying the long-standing student eligibility rules, given the well-documented barriers students face to accessing SNAP benefits. Specifically, we urge USDA to issue guidance to states that clarifies, in accordance with the exemptions listed under 7 U.S.C. § 2015 (e), that students under the following circumstances, at a minimum, are not required to satisfy any work requirements to access SNAP benefits:

- Low-income students approved for federal or state work study are eligible for SNAP benefits while they search for available work study positions or funding, whether or not their college is able to secure them a position. Cash-strapped colleges may not have the requisite matching funds for federal work study grants awarded to students, but students should not be denied SNAP benefits simply because their financial aid awards are not fulfilled.
- Low-income students are SNAP eligible when enrolled in community college and in four-year college programs that are career-focused and/or in paths resulting in high employability after graduation. All states should be afforded the discretion to exempt students at community colleges, and in such four-year college programs, from the work requirement and should be encouraged to use this discretion to broadly expand SNAP access. Students' academic success should not be delayed or derailed because they need to take on additional work responsibilities to access nutrition benefits.
- Low-income students with disabilities, including students with learning disabilities as well as serious medical conditions, are eligible for SNAP under the "physical or mental unfitness" exemption. Many students qualify for accommodations at their colleges based on their disabilities or health conditions, including tutoring, extra time on exams and projects, and mental health services as well as students enrolled through their state's *Rehabilitation Act* or veterans rehabilitation program.<sup>14</sup> Burdening these students with an additional 20 hours per week of work effectively undermines successful completion of their education.


While we work on securing legislation to both make permanent and expand the CRRSAA student provisions, we strongly urge USDA to use its authority to expeditiously issue guidance that clarifies the student SNAP eligibility rules, which would expand on the Biden Administration's actions to ensure students have access to federal nutrition resources to meet their basic needs.

Sincerely,

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<sup>13</sup> U.S. Department of Education, "Education Department Amplifies USDA Expansion of SNAP Benefits to Help Students Pursuing Postsecondary Education During Pandemic," press release, February 23, 2021, <https://www.ed.gov/news/press-releases/education-department-amplifies-usda-expansion-snap-benefits-help-students-pursuing-postsecondary-education-during-pandemic>.

<sup>14</sup> 29 U.S.C. § 701.



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Elizabeth Warren  
United States Senator



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Alex Padilla  
United States Senator



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Al Lawson  
Member of Congress



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Norma J. Torres  
Member of Congress

/s/ Chris Van Hollen  
United States Senator

/s/ Sherrod Brown  
United States Senator


/s/ Tina Smith  
United States Senator

/s/ Tim Kaine  
United States Senator

/s/ Robert P. Casey, Jr.  
United States Senator

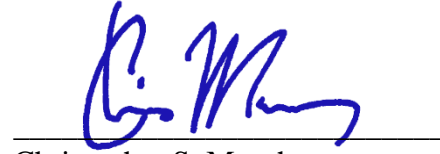
/s/ Tammy Baldwin  
United States Senator

/s/ Ron Wyden  
United States Senator



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Bernard Sanders  
United States Senator



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Christopher S. Murphy  
United States Senator



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Jahana Hayes  
Member of Congress

/s/ Patrick J. Leahy  
United States Senator

/s/ Edward J. Markey  
United States Senator

/s/ Richard Blumenthal  
United States Senator

/s/ Kirsten Gillibrand  
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/s/ Pramila Jayapal  
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/s/ Alma S. Adams, Ph.D.  
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/s/ David N. Cicilline  
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/s/ Mark Takano  
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