

118TH CONGRESS
1ST SESSION

H. R. 6423

To amend the Food and Nutrition Act of 2008 to provide certain alternative eligibility requirements applicable to foster care youth, and homeless youth, who are enrolled at least half-time in an institution of higher education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 15, 2023

Mr. DAVIS of Illinois (for himself, Ms. NORTON, Ms. JACKSON LEE, Mr. CLEAVER, Mr. MULLIN, Mr. GARCÍA of Illinois, and Ms. BROWN) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food and Nutrition Act of 2008 to provide certain alternative eligibility requirements applicable to foster care youth, and homeless youth, who are enrolled at least half-time in an institution of higher education, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foster and Homeless
5 Youth Food Security Act of 2023”.

1 **SEC. 2. AMENDMENTS.**

2 (a) DEFINITIONS.—Section 3 of the Food and Nutri-
3 tion Act of 2008 (7 U.S.C. 2012) is amended—

4 (1) by inserting after subsection (j) the fol-
5 lowing:

6 “(j-1) ‘foster care individual’—

7 “(1) means an individual whose care and place-
8 ment are the responsibility of the State or Tribal
9 agency that administers a State or Tribal plan
10 under part B or E of title IV of the Social Security
11 Act (42 U.S.C. 621 et seq.), without regard to
12 whether foster care maintenance payments are made
13 under section 472 of such Act (42 U.S.C. 672) on
14 behalf of such individual; and

15 “(2) includes an individual who was age 13 or
16 older when the individual’s care and placement were
17 the responsibility of a State or Tribal agency that
18 administered a State or Tribal plan under part B or
19 E of title IV of the Social Security Act (42 U.S.C.
20 621 et seq.) and who is no longer under the care
21 and responsibility of such a State or tribal agency,
22 without regard to any such individual’s subsequent
23 adoption, guardianship arrangement, or other form
24 of permanency outcome.”, and

25 (2) in subsection (l)—

1 (A) in paragraph (2) by striking “or” at
2 the end;

3 (B) by redesignating paragraph (2) as
4 paragraph (3); and

5 (C) by inserting after paragraph (1) the
6 following:

7 “(2) a homeless child or youth as defined in
8 section 725 of the McKinney-Vento Homeless Assist-
9 ance Act; or”.

10 (b) AVAILABILITY OF PREPARED MEALS.—Section
11 3(k) of the Food and Nutrition Act of 2008 (7 U.S.C.
12 2012(k)) is amended—

13 (1) by striking “and (9)” the 1st place it ap-
14 pears and inserting “(9), and (10)”;

15 (2) by striking “and (9)” the last place it ap-
16 pears and inserting “(9)”; and

17 (3) by inserting before the period at the end the
18 following:

19 “and, (10) meals prepared and served by an institution
20 of higher education (as defined in the Higher Education
21 Act of 1965) that has has in effect a program participa-
22 tion agreement with the Secretary of Education in accord-
23 ance with section 487(a) of the Higher Education Act of
24 1965, for consumption by a foster care individual, or a
25 homeless individual, over 17 and not over 26 years of age

1 enrolled at least half-time in such institution (as deter-
2 mined by such institution) that provides such individual
3 with housing that lacks an individualized cooking facility”.

4 (c) TREATMENT AS SEPARATE HOUSEHOLD.—Sec-
5 tion 3(m)(5) of the Food and Nutrition Act of 2008 (7
6 U.S.C. 2012(m)(5)) is amended by adding at the end the
7 following:

8 “(F) Foster care individuals, or homeless indi-
9 viduals, over 17 and not over 26 years of age en-
10 rolled at least half-time in an institution of higher
11 education (as determined by such institution) that
12 provides such individuals with housing that lacks in-
13 dividualized cooking facilities.”.

14 (d) RETAIL FOOD STORE.—Section 3(o)(2) of the
15 Food and Nutrition Act of 2008 (7 U.S.C. 2012(o)(2))
16 is amended—

17 (1) by inserting “institution” after “program”;

18 and

19 (2) by striking “and (9)” and inserting “(9),
20 and (10)”.

21 (e) LIMITATION ON ELIGIBILITY EXCLUSION.—Sec-
22 tion 6(e) of the Food and Nutrition Act of 2008 (7 U.S.C.
23 2015(e)) is amended—

24 (1) in paragraph (7) by striking “or” at the
25 end;

1 (2) by redesignating paragraph (8) as para-
2 graph (9); and

3 (3) by inserting after paragraph (7) the fol-
4 lowing:

5 “(8) is a foster care individual, or a homeless
6 individual, over 17 and not over 26 years of age who
7 is so enrolled as determined by such institution; or”.

8 **SEC. 3. TECHNICAL ASSISTANCE OR GUIDANCE.**

9 The Secretary of Agriculture shall provide technical
10 assistance or guidance to State agencies for the purpose
11 of implementing the amendments made by this Act.

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