

available for such fiscal year for the produce prescription program described in subsection (c);

(B) for each fiscal year not more than 8 percent of such funds available for such fiscal year shall be used by the National Institute of Food and Agriculture and the Food and Nutrition Service for administration; and

(C) the Secretary shall use for the Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information Centers established under subsection (e) not more than—

(i) \$17,000,000 in the aggregate for fiscal years 2019 and 2020; and

(ii) \$7,000,000 for each of the fiscal years 2021 through 2023.

(Pub. L. 110-234, title IV, § 4405, May 22, 2008, 122 Stat. 1138; Pub. L. 110-246, § 4(a), title IV, § 4405, June 18, 2008, 122 Stat. 1664, 1899; Pub. L. 113-79, title IV, § 4208, Feb. 7, 2014, 128 Stat. 826; Pub. L. 115-334, title IV, § 4205(a), Dec. 20, 2018, 132 Stat. 4656.)

### Editorial Notes

#### REFERENCES IN TEXT

The Food and Nutrition Act of 2008, referred to in subsecs. (a)(3)(A), (5)(A)(i), (b)(2)(A)(ii)(IV), and (d)(3), is Pub. L. 88-525, Aug. 31, 1964, 78 Stat. 703, which is classified generally to chapter 51 (§ 2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

The Social Security Act, referred to in subsec. (a)(5)(A)(ii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Title XIX of the Act is classified generally to subchapter XIX (§ 1396 et seq.) of chapter 7 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

#### CODIFICATION

The authorities provided by each provision of, and each amendment made by, Pub. L. 110-246, as in effect on Sept. 30, 2012, to continue, and the Secretary of Agriculture to carry out the authorities, until the later of Sept. 30, 2013, or the date specified in the provision of, or amendment made by, Pub. L. 110-246, see section 701(a) of Pub. L. 112-240, set out in a 1-Year Extension of Agricultural Programs note under section 8701 of this title.

Pub. L. 110-234 and Pub. L. 110-246 enacted identical sections. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

Section was enacted as part of the Food, Conservation, and Energy Act of 2008, and not as part of the Emergency Food Assistance Act of 1983 which comprises this chapter.

#### AMENDMENTS

2018—Pub. L. 115-334, § 4205(a)(1), substituted “The Gus Schumacher nutrition incentive program” for “Food insecurity nutrition incentive” in section catchline.

Subsec. (a)(1). Pub. L. 115-334, § 4205(a)(2)(A), amended par. (1) generally. Prior to amendment, par. (1) defined “eligible entity”.

Subsec. (a)(3). Pub. L. 115-334, § 4205(a)(2)(B), substituted “means—” and subpars. (A) and (B) for “means the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.)”.

Subsec. (a)(4), (5). Pub. L. 115-334, § 4205(a)(2)(C), added pars. (4) and (5).

Subsec. (b)(1)(B) to (D). Pub. L. 115-334, § 4205(a)(3)(A), added subpar. (B), redesignated former subpars. (B) and (C) as (C) and (D), respectively, substituted “Except as provided in subparagraph (D)(iii), the” for “The” in subpar. (C) as so redesignated, and added cl. (iii) of subpar. (D) as so redesignated.

Subsec. (b)(2)(A). Pub. L. 115-334, § 4205(a)(3)(B)(i), amended subpar. (A) generally. Prior to amendment, subpar. (A) related to criteria for an eligible entity.

Subsec. (b)(2)(B)(v) to (x). Pub. L. 115-334, § 4205(a)(3)(B)(ii), added cls. (v) to (ix), redesignated former cl. (vi) as (x), and struck out former cl. (v) which read as follows: “are located in underserved communities; or”.

Subsec. (b)(3), (4). Pub. L. 115-334, § 4205(a)(3)(C), struck out pars. (3) and (4) which related to treatment of benefits as supplemental nutrition benefits under section 8(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(b)) and evaluation of projects, respectively.

Subsec. (c). Pub. L. 115-334, § 4205(a)(6), added subsec. (c). Former subsec. (c) redesignated (f).

Subsec. (c)(1). Pub. L. 115-334, § 4205(a)(4)(A), substituted “to carry out this section \$5,000,000 for each of fiscal years 2014 through 2023” for “to carry out subsection (b) \$5,000,000 for each of fiscal years 2014 through 2018”.

Subsec. (c)(2). Pub. L. 115-334, § 4205(a)(4)(B), substituted “this section” for “subsection (b)” in introductory provisions and added subpar. (C) relating to fiscal year 2019 and subpars. (D) to (G).

Subsec. (c)(3). Pub. L. 115-334, § 4205(a)(4)(B)(iv), added par. (3).

Subsecs. (d), (e). Pub. L. 115-334, § 4205(a)(6), added subsecs. (d) and (e).

Subsec. (f). Pub. L. 115-334, § 4205(a)(5), redesignated subsec. (c) as (f).

2014—Pub. L. 113-79 amended section generally. Prior to amendment, section related to hunger-free communities.

### Statutory Notes and Related Subsidiaries

#### EFFECTIVE DATE

Enactment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, except as otherwise provided, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

Section effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as an Effective Date of 2008 Amendment note under section 1161 of Title 2, The Congress.

#### DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 8701 of this title.

### § 7518. Micro-grants for food security

#### (a) Purpose

The purpose of this section is to increase the quantity and quality of locally grown food through small-scale gardening, herding, and livestock operations in food insecure communities in areas of the United States that have significant levels of food insecurity and import a significant quantity of food.

#### (b) Definitions

In this section:

##### (1) Eligible entity

The term “eligible entity” means an entity that—

- (A) is—
  - (i) an individual;
  - (ii) an Indian tribe or tribal organization, as defined in section 5304 of title 25;

(iii) a nonprofit organization engaged in increasing food security, as determined by the Secretary, including—

- (I) a religious organization;
- (II) a food bank; or
- (III) a food pantry;

(iv) a federally funded educational facility, including—

(I) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(II) a public elementary school or public secondary school;

(III) a public institution of higher education (as defined in section 1001 of title 20);

(IV) a Tribal College or University (as defined in section 1059c(b) of title 20); or

(V) a job training program; or

(v) a local or Tribal government that may not levy local taxes under State or Federal law; and

(B) is located in an eligible State.

## (2) Eligible State

The term “eligible State” means—

- (A) the State of Alaska;
- (B) the State of Hawaii;
- (C) American Samoa;
- (D) the Commonwealth of the Northern Mariana Islands;
- (E) the Commonwealth of Puerto Rico;
- (F) the Federated States of Micronesia;
- (G) Guam;
- (H) the Republic of the Marshall Islands;
- (I) the Republic of Palau; and
- (J) the United States Virgin Islands.

## (c) Establishment

The Secretary shall distribute funds to the agricultural department or agency of each eligible State for the competitive distribution of subgrants to eligible entities to increase the quantity and quality of locally grown food in food insecure communities, including through small-scale gardening, herding, and livestock operations.

## (d) Distribution of funds

### (1) In general

Of the amount made available under subsection (g), the Secretary shall distribute—

- (A) 40 percent to the State of Alaska;
- (B) 40 percent to the State of Hawaii; and
- (C) 2.5 percent to each eligible State described in any of subparagraphs (C) through (J) of subsection (b)(2).

### (2) Carryover of funds

Funds distributed under paragraph (1) shall remain available until expended.

### (3) Administrative funds

An eligible State that receives funds under paragraph (1) may use not more than 3 percent of those funds—

- (A) to administer the competition for providing subgrants to eligible entities in that eligible State;
- (B) to provide oversight of the subgrant recipients in that eligible State; and

(C) to collect data and submit a report to the Secretary under subsection (f)(2).

## (e) Subgrants to eligible entities

### (1) Amount of subgrants

#### (A) In general

The amount of a subgrant to an eligible entity under this section shall be—

(i) in the case of an eligible entity that is an individual, not greater than \$5,000 per year; and

(ii) in the case of an eligible entity described in any of clauses (ii) through (v) of subsection (b)(1)(A), not greater than \$10,000 per year.

#### (B) Matching requirement

As a condition of receiving a subgrant under this section, an eligible entity shall provide funds equal to 10 percent of the amount received by the eligible entity under the subgrant, to be derived from non-Federal sources. A State may waive the matching requirement for an individual who otherwise meets the requirements to receive a subgrant by the eligible State.

#### (C) Project period

Funds received by an eligible entity that is awarded a subgrant under this section shall remain available for expenditure not later than 3 years after the date the funds are received.

## (2) Priority

In carrying out the competitive distribution of subgrants under subsection (c), an eligible State may give priority to an eligible entity that—

(A) has not previously received a subgrant under this section; or

(B) is located in a community or region in that eligible State with the highest degree of food insecurity, as determined by the agricultural department or agency of the eligible State.

## (3) Projects

An eligible State may provide subgrants to 2 or more eligible entities to carry out the same project.

## (4) Use of subgrant funds by eligible entities

An eligible entity that receives a subgrant under this section shall use the funds to engage in activities that will increase the quantity and quality of locally grown food for food insecure individuals, families, neighborhoods, and communities, including by—

(A) purchasing gardening tools or equipment, soil, soil amendments, seeds, plants, animals, canning equipment, refrigeration, or other items necessary to grow and store food;

(B) purchasing or building composting units;

(C) purchasing or building towers designed to grow leafy green vegetables;

(D) expanding an area under cultivation or engaging in other activities necessary to be eligible to receive funding under the environmental quality incentives program estab-

lished under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) for a high tunnel;

(E) engaging in an activity that extends the growing season;

(F) starting or expanding hydroponic and aeroponic farming of any scale;

(G) building, buying, erecting, or repairing fencing for livestock, poultry, or reindeer;

(H) purchasing and equipping a slaughter and processing facility approved by the Secretary;

(I) traveling to participate in agricultural education provided by—

(i) a State cooperative extension service;

(ii) a land-grant college or university (as defined in section 3103 of this title);

(iii) a Tribal College or University (as defined in section 1059c(b) of title 20);

(iv) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as such terms are defined in section 1059d(b) of title 20); or

(v) a Federal or State agency;

(J) paying for shipping of purchased items relating to growing or raising food for local consumption or purchase;

(K) creating or expanding avenues for—

(i) the sale of food commodities, specialty crops, and meats that are grown by the eligible entity for sale in the local community; or

(ii) increasing the availability of fresh, locally grown, and nutritious food; and

(L) engaging in other activities relating to increasing food security (including subsistence), as determined by the Secretary.

**(5) Eligibility for other financial assistance**

An eligible entity shall not be ineligible to receive financial assistance under another program administered by the Secretary as a result of receiving a subgrant under this section.

**(f) Reporting requirement**

**(1) Subgrant recipients**

As a condition of receiving a subgrant under this section, an eligible entity shall agree to submit to the eligible State in which the eligible entity is located a report—

(A) not later than 60 days after the end of the project funded by the subgrant; and

(B) that describes the use of the subgrants by eligible entities, the quantity of food grown through small-scale gardening, herding, and livestock operations, and the number of food insecure individuals fed as a result of the subgrant.

**(2) Report to the Secretary**

Not later than 120 days after the date on which an eligible State receives a report from each eligible entity in that State under paragraph (1), the eligible State shall submit to the Secretary a report that describes, in the aggregate, the information and data contained in the reports received from those eligible entities.

**(g) Funding**

**(1) Authorization of appropriations**

There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000

for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

**(2) Appropriations in advance**

Only funds appropriated under paragraph (1) in advance specifically to carry out this section shall be available to carry out this section.

(Pub. L. 115-334, title IV, §4206, Dec. 20, 2018, 132 Stat. 4663.)

**Editorial Notes**

REFERENCES IN TEXT

The Head Start Act, referred to in subsec. (b)(1)(A)(iv)(I), is subchapter B (§635 et seq.) of chapter 8 of subtitle A of title VI of Pub. L. 97-35, Aug. 13, 1981, 95 Stat. 499, which is classified generally to subchapter II (§9831 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 9801 of Title 42 and Tables.

The Food Security Act of 1985, referred to in subsec. (e)(4)(D), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354. Chapter 4 of subtitle D of title XII of the Act is classified generally to part IV (§3839aa et seq.) of subchapter IV of chapter 58 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

CODIFICATION

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of the Emergency Food Assistance Act of 1983 which comprises this chapter.

**Statutory Notes and Related Subsidiaries**

DEFINITION OF “SECRETARY”

“Secretary” as meaning the Secretary of Agriculture, see section 2 of Pub. L. 115-334, set out as a note under section 9001 of this title.

**CHAPTER 103—AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM**

Sec.

7601. Definitions.

SUBCHAPTER I—PRIORITIES, SCOPE, REVIEW, AND COORDINATION OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION

7611. Standards for Federal funding of agricultural research, extension, and education.

7612. Priority setting process.

7613. Relevance and merit of agricultural research, extension, and education funded by the Department.

7614. Definitions.

7614a. Roadmap.

7614b. Review of plan of work requirements.

7614c. Budget submission and funding.

SUBCHAPTER II—NEW AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION INITIATIVES

7621 to 7623. Repealed.

7624. Biobased products.

7625. National Food Safety Training, Education, Extension, Outreach, and Technical Assistance Program.

7626. Integrated research, education, and extension competitive grants program.

7627. Coordinated program of research, extension, and education to improve viability of small and medium size dairy, livestock, and poultry operations.