

chased for each such fiscal year shall be delivered at reasonable intervals to States based on the allotments calculated under subsection (f) of this section, or re-allocated under subsection (g) of this section, or calculated under subsection (j) of this section if applicable, before the end of such fiscal year. Each State shall be entitled to receive that value of additional commodities that results from the application of the formula set forth in this section to the total value of additional commodities.”

Pub. L. 104-193, §871(d)(1), (2), redesignated subsec. (h) as (c) and struck out former subsec. (c) which authorized Secretary to purchase additional commodities to supplement commodities otherwise provided under program authorized by this chapter.

Subsec. (d). Pub. L. 104-193, §871(d)(5), struck out “or reduce the amount of funds available for other nutrition programs in the State in each fiscal year” after “such organizations”.

Pub. L. 104-193, §871(d)(1), (2), redesignated subsec. (i) as (d) and struck out former subsec. (d) which provided for types and varieties of commodities which could be purchased under this section.

Subsec. (e). Pub. L. 104-193, §871(d)(1), struck out subsec. (e) which appropriated amounts through fiscal year 2002 for purchase of additional commodities under this section.

Pub. L. 104-127, §403(c)(2), substituted “2002” for “1995” in two places.

Subsecs. (f) to (i). Pub. L. 104-193, §871(d)(2), redesignated subsecs. (f) to (i) as (a) to (d), respectively.

Subsec. (j). Pub. L. 104-193, §871(d)(1), struck out subsec. (j) which authorized Secretary to promulgate new formula for allocation of additional commodities to States.

1990—Subsec. (a). Pub. L. 101-624, §1772(g)(1), substituted “fiscal years 1991 through 1995” for “fiscal years 1989 and 1990”.

Subsec. (e). Pub. L. 101-624, §1772(g)(2), added subsec. (e) and struck out heading and text of former subsec. (e). Text read as follows: “During each of the fiscal years 1989 and 1990, the Secretary shall spend \$120,000,000 to purchase, process, and distribute additional commodities under this section.”

Subsec. (k). Pub. L. 101-624, §1772(h)(1), struck out heading and text of subsec. (k). Text read as follows: “There are authorized to be appropriated such sums as may be necessary to carry out this section.”

#### EFFECTIVE DATE OF 1996 AMENDMENT

Section 871(h) of Pub. L. 104-193 provided that: “The amendments made by subsection (d) [amending this section] shall become effective on October 1, 1996.”

#### EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by section 1772(g) of Pub. L. 101-624 effective Oct. 1, 1990, and amendment by section 1772(h)(1) of Pub. L. 101-624 effective Nov. 28, 1990, see section 1781(b)(1), (2) of Pub. L. 101-624, set out as a note under section 2012 of this title.

#### EFFECTIVE DATE

Section to be effective and implemented on Oct. 1, 1988, see section 701(a) of Pub. L. 100-435, set out as an Effective Date of 1988 Amendment note under section 2012 of this title.

### § 7516. Settlement and adjustment of claims

#### (a) In general

The Secretary or a designee of the Secretary shall have the authority to—

- (1) determine the amount of, settle, and adjust any claim arising under this chapter; and
- (2) waive such a claim if the Secretary determines that to do so will serve the purposes of this chapter.

#### (b) Litigation

Nothing contained in this section shall be construed to diminish the authority of the Attorney

General of the United States under section 516 of title 28 to conduct litigation on behalf of the United States.

(Pub. L. 98-8, title II, §215, as added Pub. L. 102-237, title IX, §922(b), Dec. 13, 1991, 105 Stat. 1888.)

#### EFFECTIVE DATE

Section effective and to be implemented no later than Feb. 1, 1992, see section 1101(d)(1) of Pub. L. 102-237, set out as an Effective Date of 1991 Amendment note under section 1421 of this title.

### § 7517. Hunger-free communities

#### (a) Definitions

In this section:

##### (1) Eligible entity

The term “eligible entity” means a public food program service provider or nonprofit organization, including an emergency feeding organization, that has collaborated, or will collaborate, with 1 or more local partner organizations to achieve at least 1 hunger-free communities goal.

##### (2) Emergency feeding organization

The term “emergency feeding organization” has the meaning given the term in section 7501 of this title.

##### (3) Hunger-free communities goal

The term “hunger-free communities goal” means any of the 14 goals described in the H. Con. Res. 302 (102nd Congress).

#### (b) Hunger-free communities collaborative grants

##### (1) Program

###### (A) In general

The Secretary shall use not more than 50 percent of any funds made available under subsection (e) to make grants to eligible entities to pay the Federal share of the costs of an activity described in paragraph (2).

###### (B) Federal share

The Federal share of the cost of carrying out an activity under this subsection shall not exceed 80 percent.

###### (C) Non-Federal share

###### (i) Calculation

The non-Federal share of the cost of an activity under this subsection may be provided in cash or fairly evaluated in-kind contributions, including facilities, equipment, or services.

###### (ii) Sources

Any entity may provide the non-Federal share of the cost of an activity under this subsection through a State government, a local government, or a private source.

##### (2) Use of funds

An eligible entity in a community shall use a grant received under this subsection for any fiscal year for hunger relief activities, including—

- (A) meeting the immediate needs of people who experience hunger in the community served by the eligible entity by—

(i) distributing food;  
 (ii) providing community outreach to assist in participation in federally assisted nutrition programs, including—

(I) the school breakfast program established by section 1773 of title 42;

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

(III) the summer food service program for children established under section 13 of that Act [42 U.S.C. 1761]; and

(IV) other Federal programs that provide food for children in child care facilities and homeless and older individuals; or

(iii) improving access to food as part of a comprehensive service; and

(B) developing new resources and strategies to help reduce hunger in the community and prevent hunger in the future by—

(i) developing creative food resources, such as community gardens, buying clubs, food cooperatives, community-owned and operated grocery stores, and farmers' markets;

(ii) coordinating food services with park and recreation programs and other community-based outlets to reduce barriers to access; or

(iii) creating nutrition education programs for at-risk populations to enhance food-purchasing and food-preparation skills and to heighten awareness of the connection between diet and health.

**(c) Hunger-free communities infrastructure grants**

**(1) Program authorized**

**(A) In general**

The Secretary shall use not more than 50 percent of any funds made available for a fiscal year under subsection (e) to make grants to eligible entities to pay the Federal share of the costs of an activity described in paragraph (2).

**(B) Federal share**

The Federal share of the cost of carrying out an activity under this subsection shall not exceed 80 percent.

**(2) Application**

**(A) In general**

To receive a grant under this subsection, an eligible entity shall submit an application at such time, in such form, and containing such information as the Secretary may prescribe.

**(B) Contents**

Each application submitted under subparagraph (A) shall—

(i) identify any activity described in paragraph (3) that the grant will be used to fund; and

(ii) describe the means by which an activity identified under clause (i) will reduce hunger in the community of the eligible entity.

**(C) Priority**

In making grants under this subsection, the Secretary shall give priority to eligible entities that demonstrate 2 or more of the following:

(i) The eligible entity serves a community in which the rates of food insecurity, hunger, poverty, or unemployment are demonstrably higher than national average rates.

(ii) The eligible entity serves a community that has successfully carried out long-term efforts to reduce hunger in the community.

(iii) The eligible entity serves a community that provides public support for the efforts of the eligible entity.

(iv) The eligible entity is committed to achieving more than 1 hunger-free communities goal.

**(3) Use of funds**

An eligible entity shall use a grant received under this subsection to construct, expand, or repair a facility or equipment to support hunger relief efforts in the community.

**(d) Report**

If funds are made available under subsection (e) to carry out this section, not later than September 30, 2012, the Secretary shall submit to Congress a report that describes—

(1) each grant made under this section, including—

(A) a description of any activity funded; and

(B) the degree of success of each activity funded in achieving hunger free-communities goals; and

(2) the degree of success of all activities funded under this section in achieving domestic hunger goals.

**(e) Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this section for each of fiscal years 2008 through 2012.

(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.)

REFERENCES IN TEXT

H. Con. Res. 302 (102nd Congress), referred to in subsec. (a)(3), is H. Con. Res. 302, Oct. 5, 1992, 106 Stat. 5204, which is not classified to the Code.

The Richard B. Russell National School Lunch Act, referred to in subsec. (b)(2)(A)(ii)(II), is act June 4, 1946, ch. 281, 60 Stat. 230, which is classified generally to chapter 13 (§1751 et seq.) 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 1751 of Title 42 and Tables.

CODIFICATION

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.

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.

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

Sec.

7601. Definitions.

**SUBCHAPTER I—PRIORITIES, SCOPE, REVIEW,  
AND COORDINATION OF AGRICULTURAL RE-  
SEARCH, 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 RE-  
SEARCH, EXTENSION, AND EDUCATION INITIA-  
TIVES**

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.

7628. Support for research regarding diseases of wheat, triticale, and barley caused by *Fusarium graminearum* or by *Tilletia indica*.

7629. Bovine Johne’s disease control program.

7630. Grants for youth organizations.

7631. Agricultural biotechnology research and development for developing countries.

7632. Specialty crop research initiative.

**SUBCHAPTER III—MISCELLANEOUS PROVISIONS**

**PART A—MISCELLANEOUS**

7641. Patent Culture Collection fees.

7642. Food Animal Residue Avoidance Database program.

**PART B—GENERAL**

7651. Nutrient composition data.

7652. Role of Secretary regarding food and agricultural sciences research and extension.

7653. Office of Pest Management Policy.

7654. Food Safety Research Information Office.

7655. Safe food handling education.

7655a. Food safety education initiatives.

7656. Designation of Crisis Management Team within Department.

7657. Senior Scientific Research Service.

**PART C—STUDIES**

7671. Evaluation and assessment of agricultural research, extension, and education programs.

7672. Study of federally funded agricultural research, extension, and education.

**§ 7601. Definitions**

In this Act:

**(1) 1862 Institution**

The term “1862 Institution” means a college or university eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.).

**(2) 1890 Institution**

The term “1890 Institution” means a college or university eligible to receive funds under the Act of August 30, 1890 (26 Stat. 419, chapter 841; 7 U.S.C. 321 et seq.), including Tuskegee University.

**(3) 1994 Institution**

The term “1994 Institution” means 1 of the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103-382; 7 U.S.C. 301 note)) (as amended by section 251(a)).

**(4) Advisory Board**

The term “Advisory Board” means the National Agricultural Research, Extension, Education, and Economics Advisory Board established under section 3123 of this title.

**(5) Department**

The term “Department” means the Department of Agriculture.

**(6) Hispanic-serving agricultural colleges and universities**

The term “Hispanic-serving agricultural colleges and universities” has the meaning given the term in section 3103 of this title.

**(7) Secretary**

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 105-185, § 2, June 23, 1998, 112 Stat. 525; Pub. L. 110-234, title VII, § 7129(c)(1), May 22, 2008, 122 Stat. 1226; Pub. L. 110-246, § 4(a), title VII, § 7129(c)(1), June 18, 2008, 122 Stat. 1664, 1988.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 105-185, June 23, 1998, 112 Stat. 523, as amended, known as the Agricultural Research, Extension, and Education Reform Act of 1998. For complete classification of this Act to the Code, see Short Title note below and Tables.

Act of July 2, 1862, referred to in par. (1), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the “Morrill Act” and also as the “First Morrill Act”, which is classified generally to subchapter I (§ 301 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 301 of this title and Tables.

Act of August 30, 1890, referred to in par. (2), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§ 321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

Section 251(a), referred to in par. (3), is section 251(a) of Pub. L. 105-185.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

AMENDMENTS

2008—Pars. (6), (7). Pub. L. 110-246, § 7129(c)(1), added par. (6) and redesignated former par. (6) as (7).