

“(b) APPLICATION.—Subsection (a) shall also apply to disallowances described in subsection (a) with respect to which an administrative or judicial appeal is pending on the date of enactment of this Act [Nov. 28, 1990], including any such disallowance that has been collected before such date.”

QUALITY CONTROL STUDIES AND PENALTY MORATORIUM

Pub. L. 99-198, title XV, §1538, Dec. 23, 1985, 99 Stat. 1587, as amended by Pub. L. 99-260, §12, Mar. 20, 1986, 100 Stat. 52, provided that:

“(a)(1)(A) The Secretary of Agriculture (hereinafter referred to in this section as the ‘Secretary’) shall conduct a study of the quality control system used for the food stamp program established under the Food Stamp Act of 1977 [now the Food and Nutrition Act of 2008] (7 U.S.C. 2011 et seq.).

“(B) The study shall—

“(i) examine how best to operate such system in order to obtain information that will allow the State agencies to improve the quality of administration; and

“(ii) provide reasonable data on the basis of which Federal funding may be withheld for State agencies with excessive levels of erroneous payments.

“(2)(A) The Secretary shall also contract with the National Academy of Sciences to conduct a concurrent independent study for the purpose described in paragraph (1).

“(B) For purposes of such study, the Secretary shall provide to the National Academy of Sciences any relevant data available to the Secretary at the onset of the study and on an ongoing basis.

“(3) Not later than 1 year after the date the Secretary and the National Academy of Sciences enter into the contract required under paragraph (2), the Secretary and the National Academy of Sciences shall report the results of their respective studies to the Congress.

“(b)(1) During the 6-month period beginning on the date of enactment of this Act [Dec. 23, 1985] (hereinafter in this section referred to as the ‘moratorium period’), the Secretary shall not impose any reductions in payments to State agencies pursuant to section 16 of the Food Stamp Act of 1977 (7 U.S.C. 2025).

“(2) During the moratorium period, the Secretary and the State agencies shall continue to—

“(A) operate the quality control systems in effect under the Food Stamp Act of 1977 [7 U.S.C. 2011 et seq.]; and

“(B) calculate error rates under section 16 of such Act [7 U.S.C. 2025].

“(c)(1) Not later than 6 months after the date on which the results of both studies required under subsection (a)(3) have been reported, the Secretary shall publish regulations that shall—

“(A) restructure the quality control system used under the Food Stamp Act of 1977 [7 U.S.C. 2011 et seq.] to the extent the Secretary determines to be appropriate, taking into account the studies conducted under subsection (a); and

“(B) establish, taking into account the studies conducted under subsection (a), criteria for adjusting the reductions that shall be made for quarters prior to the implementation of the restructured quality control system so as to eliminate reductions for those quarters that would not be required if the restructured quality control system had been in effect during those quarters.

“(2) Beginning 6 months after the date on which the results of both studies required under subsection (a)(3) have been reported, the Secretary shall—

“(A) implement the restructured quality control system; and

“(B) reduce payments to State agencies—

“(i) for quarters after implementation of such system in accordance with the restructured quality control system; and

“(ii) for quarters before implementation of such system, as provided under the regulations described in paragraph (1)(B).”

[References to the food stamp program established under the Food and Nutrition Act of 2008 considered to refer to the supplemental nutrition assistance program established under that Act, see section 4002(c) of Pub. L. 110-246, set out as a note under section 2012 of this title.]

§ 2026. Research, demonstration, and evaluations

(a) Contracts or grants; issuance of aggregate allotments

(1) The Secretary may enter into contracts with or make grants to public or private organizations or agencies under this section to undertake research that will help improve the administration and effectiveness of the supplemental nutrition assistance program in delivering nutrition-related benefits. The waiver authority of the Secretary under subsection (b) shall extend to all contracts and grants under this section.

(2) The Secretary may, on application, permit not more than two State agencies to establish procedures that allow households whose monthly supplemental nutrition assistance program benefits do not exceed \$20, at their option, to receive, in lieu of their supplemental nutrition assistance program benefits for the initial period under section 2017 of this title and their regular allotment in following months, and at intervals of up to 3 months thereafter, aggregate allotments not to exceed \$60 and covering not more than 3 months’ benefits. The allotments shall be provided in accordance with paragraphs (3) and (9) of section 2020(e) of this title (except that no household shall begin to receive combined allotments under this section until it has complied with all applicable verification requirements of section 2020(e)(3) of this title) and (with respect to the first aggregate allotment so issued) within 40 days of the last benefit issuance.

(b) Pilot projects

(1)(A) The Secretary may conduct on a trial basis, in one or more areas of the United States, pilot or experimental projects designed to test program changes that might increase the efficiency of the supplemental nutrition assistance program and improve the delivery of supplemental nutrition assistance program benefits to eligible households, and may waive any requirement of this chapter to the extent necessary for the project to be conducted.

(B) PROJECT REQUIREMENTS.—

(i) PROGRAM GOAL.—The Secretary may not conduct a project under subparagraph (A) unless—

(I) the project is consistent with the goal of the supplemental nutrition assistance program of providing food assistance to raise levels of nutrition among low-income individuals; and

(II) the project includes an evaluation to determine the effects of the project.

(ii) PERMISSIBLE PROJECTS.—The Secretary may conduct a project under subparagraph (A) to—

(I) improve program administration;

(II) increase the self-sufficiency of supplemental nutrition assistance program recipients;

(III) test innovative welfare reform strategies; or

(IV) allow greater conformity with the rules of other programs than would be allowed but for this paragraph.

(iii) RESTRICTIONS ON PERMISSIBLE PROJECTS.—If the Secretary finds that a project under subparagraph (A) would reduce benefits by more than 20 percent for more than 5 percent of households in the area subject to the project (not including any household whose benefits are reduced due to a failure to comply with work or other conduct requirements), the project—

(I) may not include more than 15 percent of the number of households in the State receiving supplemental nutrition assistance program benefits; and

(II) shall continue for not more than 5 years after the date of implementation, unless the Secretary approves an extension requested by the State agency at any time.

(iv) IMPERMISSIBLE PROJECTS.—The Secretary may not conduct a project under subparagraph (A) that—

(I) involves the payment of the value of an allotment in the form of cash or otherwise providing benefits in a form not restricted to the purchase of food, unless the project was approved prior to August 22, 1996;

(II) has the effect of substantially transferring funds made available under this chapter to services or benefits provided primarily through another public assistance program, or using the funds for any purpose other than the purchase of food, program administration, or an employment or training program;

(III) is inconsistent with—

(aa) paragraphs (4) and (5) of section 2012(m) of this title;

(bb) the last sentence of section 2014(a) of this title, insofar as a waiver denies assistance to an otherwise eligible household or individual if the household or individual has not failed to comply with any work, behavioral, or other conduct requirement under this or another program;

(cc) section 2014(c)(2) of this title;

(dd) paragraph (2)(B), (4)(F)(i), or (4)(K) of section 2015(d) of this title;

(ee) section 2017(b) of this title;

(ff) section 2020(e)(2)(B) of this title;

(gg) the time standard under section 2020(e)(3) of this title;

(hh) subsection (a), (c), (g), (h)(1)(F), (h)(2), or (h)(3) of section 2025 of this title;

(ii) this paragraph; or

(jj) subsection (a)(1) or (g)(1) of section 2029 of this title;

(IV) modifies the operation of section 2014 of this title so as to have the effect of—

(aa) increasing the shelter deduction to households with no out-of-pocket housing costs or housing costs that consume a low percentage of the household's income; or

(bb) absolving a State from acting with reasonable promptness on substantial reported changes in income or household size (except that this subclause shall not apply with regard to changes related to supplemental nutrition assistance program deductions);

(V) is not limited to a specific time period;

(VI) waives a provision of section 2035 of this title; or

(VII) waives a provision of section 2016(i) of this title.

(v) ADDITIONAL INCLUDED PROJECTS.—A pilot or experimental project may include projects involving the payment of the value of allotments or the average value of allotments by household size in the form of cash to eligible households all of whose members are age sixty-five or over or any of whose members are entitled to supplemental security income benefits under title XVI of the Social Security Act [42 U.S.C. 1381 et seq.] or are receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the use of identification mechanisms that do not invade a household's privacy, and the use of food checks or other voucher-type forms in place of EBT cards.

(vi) CASH PAYMENT PILOT PROJECTS.—Subject to the availability of appropriations under section 2027(a) of this title, any pilot or experimental project implemented under this paragraph and operating as of October 1, 1981, involving the payment of the value of allotments in the form of cash to eligible households all of whose members are either age sixty-five or over or entitled to supplemental security income benefits under title XVI of the Social Security Act shall be continued if the State so requests.

(C)(i) No waiver or demonstration program shall be approved under this chapter after November 28, 1990, unless—

(I) any household whose food assistance is issued in a form other than EBT cards has its allotment increased to the extent necessary to compensate for any State or local sales tax that may be collected in all or part of the area covered by the demonstration project, the tax on purchases of food by any such household is waived, or the Secretary determines on the basis of information provided by the State agency that the increase is unnecessary on the basis of the limited nature of the items subject to the State or local sales tax; and

(II) the State agency conducting the demonstration project pays the cost of any increased allotments.

(ii) Clause (i) shall not apply if a waiver or demonstration project already provides a household with assistance that exceeds that which the household would otherwise be eligible to receive by more than the estimated amount of any sales tax on the purchases of food that would be collected from the household in the project area in which the household resides.

(D) RESPONSE TO WAIVERS.—

(i) RESPONSE.—Not later than 60 days after the date of receiving a request for a waiver under subparagraph (A), the Secretary shall provide a response that—

(I) approves the waiver request;

(II) denies the waiver request and describes any modification needed for approval of the waiver request;

(III) denies the waiver request and describes the grounds for the denial; or

(IV) requests clarification of the waiver request.

(ii) FAILURE TO RESPOND.—If the Secretary does not provide a response in accordance with clause (i), the waiver shall be considered approved, unless the approval is specifically prohibited by this chapter.

(iii) NOTICE OF DENIAL.—On denial of a waiver request under clause (i)(III), the Secretary shall provide a copy of the waiver request and a description of the reasons for the denial to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(2)(A) The Secretary may conduct demonstration projects to test improved consistency or coordination between the supplemental nutrition assistance program employment and training program and the Job Opportunities and Basic Skills program under title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(B) Notwithstanding paragraph (1), the Secretary may, as part of a project authorized under this paragraph, waive requirements under section 2015(d) of this title to permit a State to operate an employment and training program for supplemental nutrition assistance program recipients on the same terms and conditions under which the State operates its Job Opportunities and Basic Skills program for recipients of aid to families with dependent children under part F¹ of title IV of the Social Security Act (42 U.S.C. 681 et seq.). Any work experience program conducted as part of the project shall be conducted in conformity with section 482(f)¹ of such Act (42 U.S.C. 682(f)).

(C) A State seeking such a waiver shall provide assurances that the resulting employment and training program shall meet the requirements of subsections (a)(19) and (g) of section 402¹ of such Act (42 U.S.C. 602) (but not including the provision of transitional benefits under clauses (ii) through (vii) of section 402(g)(1)(A)¹ and sections 481 through 487¹ of such Act (42 U.S.C. 681 through 687). Each reference to “aid to families with dependent children” in such sections shall be deemed to be a reference to supplemental nutrition assistance program benefits for purposes of the demonstration project.

(D) Notwithstanding the other provisions of this paragraph, participation in an employment and training activity in which supplemental nutrition assistance program benefits are converted to cash shall occur only with the consent of the participant.

(E) For the purposes of any project conducted under this paragraph, the provisions of this chapter affecting the rights of recipients may be waived to the extent necessary to conform to the provisions of section 402, and sections 481 through 487,¹ of the Social Security Act.

(F) At least 60 days prior to granting final approval of a project under this paragraph, the Secretary shall publish the terms and conditions for any demonstration project conducted under the paragraph for public comment in the Federal Register and shall notify the Committee on Agriculture of the House of Representatives and

the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(G) Waivers may be granted under this paragraph to conduct projects at any one time in a total of up to 60 project areas (or parts of project areas), as such areas are defined in regulations in effect on January 1, 1990.

(H) A waiver for a change in program rules may be granted under this paragraph only for a demonstration project that has been approved by the Secretary, that will be evaluated according to criteria prescribed by the Secretary, and that will be in operation for no more than 4 years.

(I) The Secretary may not grant a waiver under this paragraph on or after August 22, 1996. Any reference in this paragraph to a provision of title IV of the Social Security Act [42 U.S.C. 601 et seq.] shall be deemed to be a reference to such provision as in effect on the day before August 22, 1996.

(c) Evaluation measures; pilot programs for nutritional monitoring

The Secretary shall develop and implement measures for evaluating, on an annual or more frequent basis, the effectiveness of the supplemental nutrition assistance program in achieving its stated objectives, including, but not limited to, the program’s impact upon the nutritional and economic status of participating households, the program’s impact upon all sectors of the agricultural economy, including farmers and ranchers, as well as retail food stores, and the program’s relative fairness to households of different income levels, different age composition, different size, and different regions of residence. Further, the Secretary shall, by way of making contracts with or grants to public or private organizations or agencies, implement pilot programs to test various means of measuring on a continuing basis the nutritional status of low income people, with special emphasis on people who are eligible for supplemental nutrition assistance, in order to develop minimum common criteria and methods for systematic nutrition monitoring that could be applied on a nationwide basis. The locations of the pilot programs shall be selected to provide a representative geographic and demographic cross-section of political subdivisions that reflect natural usage patterns of health and nutritional services and that contain high proportions of low income people. The Secretary shall report on the progress of these pilot programs on an annual basis commencing on July 1, 1982, to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, together with such recommendations as the Secretary deems appropriate.

(d) Employment initiatives program

(1) Election to participate

(A) In general

Subject to the other provisions of this subsection, a State may elect to carry out an employment initiatives program under this subsection.

(B) Requirement

A State shall be eligible to carry out an employment initiatives program under this

¹ See References in Text note below.

subsection only if not less than 50 percent of the households in the State that received supplemental nutrition assistance program benefits during the summer of 1993 also received benefits under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) during the summer of 1993.

(2) Procedure

(A) In general

A State that has elected to carry out an employment initiatives program under paragraph (1) may use amounts equal to the allotments that would otherwise be issued to a household under the supplemental nutrition assistance program, but for the operation of this subsection, to provide cash benefits in lieu of the allotments to the household if the household is eligible under paragraph (3).

(B) Payment

The Secretary shall pay to each State that has elected to carry out an employment initiatives program under paragraph (1) an amount equal to the value of the allotment that each household participating in the program in the State would be eligible to receive under this chapter but for the operation of this subsection.

(C) Other provisions

For purposes of the supplemental nutrition assistance program (other than this subsection)—

- (i) cash assistance under this subsection shall be considered to be an allotment; and
- (ii) each household receiving cash benefits under this subsection shall not receive any other supplemental nutrition assistance program benefits during the period for which the cash assistance is provided.

(D) Additional payments

Each State that has elected to carry out an employment initiatives program under paragraph (1) shall—

- (i) increase the cash benefits provided to each household participating in the program in the State under this subsection to compensate for any State or local sales tax that may be collected on purchases of food by the household, unless the Secretary determines on the basis of information provided by the State that the increase is unnecessary on the basis of the limited nature of the items subject to the State or local sales tax; and
- (ii) pay the cost of any increase in cash benefits required by clause (i).

(3) Eligibility

A household shall be eligible to receive cash benefits under paragraph (2) if an adult member of the household—

- (A) has worked in unsubsidized employment for not less than the preceding 90 days;
- (B) has earned not less than \$350 per month from the employment referred to in subparagraph (A) for not less than the preceding 90 days;
- (C)(i) is receiving benefits under a State program funded under part A of title IV of

the Social Security Act (42 U.S.C. 601 et seq.); or

(ii) was receiving benefits under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.) at the time the member first received cash benefits under this subsection and is no longer eligible for the State program because of earned income;

(D) is continuing to earn not less than \$350 per month from the employment referred to in subparagraph (A); and

(E) elects to receive cash benefits in lieu of supplemental nutrition assistance program benefits under this subsection.

(4) Evaluation

A State that operates a program under this subsection for 2 years shall provide to the Secretary a written evaluation of the impact of cash assistance under this subsection. The State agency, with the concurrence of the Secretary, shall determine the content of the evaluation.

(e) Study and report to Congressional committees of effect of reduction of benefits

The Secretary shall conduct a study of the effects of reductions made in benefits provided under this chapter pursuant to part 1 of subtitle A of title I of the Omnibus Budget Reconciliation Act of 1981, the Food Stamp and Commodity Distribution Amendments of 1981, the Food Stamp Act Amendments of 1982, and any other laws enacted by the Ninety-seventh Congress which affect the supplemental nutrition assistance program. The study shall include a study of the effect of retrospective accounting and periodic reporting procedures established under such Acts, including the impact on benefit and administrative costs and on error rates and the degree to which eligible households are denied supplemental nutrition assistance program benefits for failure to file complete periodic reports. The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an interim report on the results of such study no later than February 1, 1984, and a final report on the results of such study no later than March 1, 1985.

(f) Demonstration projects for development and use of intelligent benefit cards to pay benefits

In order to encourage States to plan, design, develop, and implement a system for making supplemental nutrition assistance program benefits available through the use of intelligent benefit cards or other automated or electronic benefit delivery systems, the Secretary may conduct one or more pilot or experimental projects, subject to the restrictions imposed by subsection (b)(1) and section 2016(f)(2) of this title, designed to test whether the use of such cards or systems can enhance the efficiency and effectiveness of program operations while ensuring that individuals receive correct benefit amounts on a timely basis. Intelligent benefit cards developed under such a demonstration project shall contain information, encoded on a computer chip embedded in a credit card me-

dium, including the eligibility of the individual and the amount of benefits to which such individual is entitled. Any other automated or electronic benefit delivery system developed under such a demonstration project shall be able to use a plastic card to access such information from a data file.

(g) Study of effectiveness of employment and training programs

In order to assess the effectiveness of the employment and training programs established under section 2015(d) of this title in placing individuals into the work force and withdrawing such individuals from the supplemental nutrition assistance program, the Secretary is authorized to carry out studies comparing the pre- and post-program labor force participation, wage rates, family income, level of receipt of supplemental nutrition assistance program and other transfer payments, and other relevant information, for samples of participants in such employment and training programs as compared to the appropriate control or comparison groups that did not participate in such programs. Such studies shall, to the maximum extent possible—

- (1) collect such data for up to 3 years after the individual has completed the employment and training program; and
- (2) yield results that can be generalized to the national program as a whole.

The results of such studies and reports shall be considered in developing or updating the performance standards required under section 2015 of this title.

(h) Demonstration projects for vehicle exclusion limits

The Secretary shall conduct a sufficient number of demonstration projects to evaluate the effects, in both rural and urban areas, of including in financial resources under section 2014(g) of this title the fair market value of licensed vehicles to the extent the value of each vehicle exceeds \$4,500, but excluding the value of—

- (1) any licensed vehicle that is used to produce earned income, necessary for transportation of an elderly or physically disabled household member, or used as the household's home; and
- (2) one licensed vehicle used to obtain, continue, or seek employment (including travel to and from work), used to pursue employment-related education or training, or used to secure food or the benefits of the supplemental nutrition assistance program.

(i) Testing resource accumulation

The Secretary shall conduct, under such terms and conditions as the Secretary shall prescribe, for a period not to exceed 4 years, projects to test allowing not more than 11,000 eligible households, in the aggregate, to accumulate resources up to \$10,000 each (which shall be excluded from consideration as a resource) for later expenditure for a purpose directly related to improving the education, training, or employability (including self-employment) of household members, for the purchase of a home for the household, for a change of the household's residence, or for making major repairs to the household's home.

(j) Demonstration projects directed at benefit trafficking

The Secretary shall use up to \$4,000,000 of the funds provided in advance in appropriations Acts for projects authorized by this section to conduct demonstration projects in which State or local supplemental nutrition assistance program agencies test innovative ideas for working with State or local law enforcement agencies to investigate and prosecute benefit trafficking.

(k) Pilot projects to evaluate health and nutrition promotion in the supplemental nutrition assistance program

(1) In general

The Secretary shall carry out, under such terms and conditions as the Secretary considers to be appropriate, pilot projects to develop and test methods—

- (A) of using the supplemental nutrition assistance program to improve the dietary and health status of households eligible for or participating in the supplemental nutrition assistance program; and
- (B) to reduce overweight, obesity (including childhood obesity), and associated comorbidities in the United States.

(2) Grants

(A) In general

In carrying out this subsection, the Secretary may enter into competitively awarded contracts or cooperative agreements with, or provide grants to, public or private organizations or agencies (as defined by the Secretary), for use in accordance with projects that meet the strategy goals of this subsection.

(B) Application

To be eligible to receive a contract, cooperative agreement, or grant under this paragraph, an organization shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

(C) Selection criteria

Pilot projects shall be evaluated against publicly disseminated criteria that may include—

- (i) identification of a low-income target audience that corresponds to individuals living in households with incomes at or below 185 percent of the poverty level;
- (ii) incorporation of a scientifically based strategy that is designed to improve diet quality through more healthful food purchases, preparation, or consumption;
- (iii) a commitment to a pilot project that allows for a rigorous outcome evaluation, including data collection;
- (iv) strategies to improve the nutritional value of food served during school hours and during after-school hours;
- (v) innovative ways to provide significant improvement to the health and wellness of children;
- (vi) other criteria, as determined by the Secretary.

(D) Use of funds

Funds provided under this paragraph shall not be used for any project that limits the use of benefits under this chapter.

(3) Projects

Pilot projects carried out under paragraph (1) may include projects to determine whether healthier food purchases by and healthier diets among households participating in the supplemental nutrition assistance program result from projects that—

(A) increase the supplemental nutrition assistance purchasing power of the participating households by providing increased supplemental nutrition assistance program benefit allotments to the participating households;

(B) increase access to farmers² markets by participating households through the electronic redemption of supplemental nutrition assistance program benefits at farmers' markets;

(C) provide incentives to authorized supplemental nutrition assistance program retailers to increase the availability of healthy foods to participating households;

(D) subject authorized supplemental nutrition assistance program retailers to stricter retailer requirements with respect to carrying and stocking healthful foods;

(E) provide incentives at the point of purchase to encourage households participating in the supplemental nutrition assistance program to purchase fruits, vegetables, or other healthful foods; or

(F) provide to participating households integrated communication and education programs, including the provision of funding for a portion of a school-based nutrition coordinator to implement a broad nutrition action plan and parent nutrition education programs in elementary schools, separately or in combination with pilot projects carried out under subparagraphs (A) through (E).

(4) Evaluation and reporting**(A) Evaluation****(i) Independent evaluation****(I) In general**

The Secretary shall provide for an independent evaluation of projects selected under this subsection that measures the impact of the pilot program on health and nutrition as described in paragraph (1).

(II) Requirement

The independent evaluation under subclause (I) shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding which activities are effective.

(ii) Costs

The Secretary may use funds provided to carry out this section to pay costs associated with monitoring and evaluating each pilot project.

(B) Reporting

Not later than 90 days after the last day of fiscal year 2009 and each fiscal year thereafter until the completion of the last evaluation under subparagraph (A), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of—

(i) the status of each pilot project;

(ii) the results of the evaluation completed during the previous fiscal year; and

(iii) to the maximum extent practicable—

(I) the impact of the pilot project on appropriate health, nutrition, and associated behavioral outcomes among households participating in the pilot project;

(II) baseline information relevant to the stated goals and desired outcomes of the pilot project; and

(III) equivalent information about similar or identical measures among control or comparison groups that did not participate in the pilot project.

(C) Public dissemination

In addition to the reporting requirements under subparagraph (B), evaluation results shall be shared broadly to inform policy makers, service providers, other partners, and the public in order to promote wide use of successful strategies.

(5) Funding**(A) 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.

(B) Mandatory funding

Out of any funds made available under section 2027 of this title, on October 1, 2008, the Secretary shall make available \$20,000,000 to carry out a project described in paragraph (3)(E), to remain available until expended.

(I) Cooperation with program research and evaluation

Subject to the requirements of this chapter, including protections under section 2020(e)(8) of this title, States, State agencies, local agencies, institutions, facilities such as data consortiums, and contractors participating in programs authorized under this chapter shall—

(1) cooperate with officials and contractors acting on behalf of the Secretary in the conduct of evaluations and studies under this chapter; and

(2) submit information at such time and in such manner as the Secretary may require.

(m) Evaluation of child support enforcement cooperation requirements**(1) In general**

The Secretary, in consultation with the Secretary of Health and Human Services, shall conduct an independent evaluation of a representative sample of States—

²So in original. Probably should be "farmers".

(A) to assess the implementation and impact of the eligibility requirements described in subsections (l) through (n) of section 2015 of this title in States that have formerly implemented or continue to implement those requirements, and the feasibility of implementing those requirements in other States;

(B) to assess the factors that contributed to the decision of States that formerly implemented the eligibility requirements described in each of subsections (l) through (n) of section 2015 of this title to cease such implementation;

(C) to review alternatives to the eligibility requirements described in each of subsections (l) through (n) of section 2015 of this title that are used by other States to assist participants in the supplemental nutrition assistance program to make or receive child support payments and the effectiveness of those alternatives; and

(D) to evaluate the costs and benefits to households and to State agencies, of requiring State agencies to implement each of the eligibility requirements described in subsections (l) through (n) of section 2015 of this title.

(2) Evaluation

The evaluation under paragraph (1) shall include, to the maximum extent practicable, an assessment of—

(A) the manner in which applicable State agencies implement and enforce the eligibility requirements described in subparagraph (A) of such paragraph, including—

(i) the procedures used by each State to determine cooperation, to sanction participants for failure to cooperate, and to determine good cause for noncooperation under each of subsections (l) through (n) of section 2015 of this title; and

(ii) the manner in which each State aligns the procedures for implementing those eligibility requirements with procedures for implementing other Federal programs that require cooperation with child support enforcement, including the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.);

(B) the Federal, State, and local costs associated with implementing those eligibility requirements, including costs incurred under this chapter and by child support enforcement agencies for personnel, technology upgrades, and other costs;

(C) the effect of those eligibility requirements on the establishment of new child support orders, the establishment of paternity, changes in child support payments to custodial households, and changes in arrears owed on child support orders;

(D) with respect to the eligibility requirements under each of subsections (l) through (n) of section 2015 of this title—

(i) the number of individuals subject to those requirements;

(ii) the number of individuals in each State who meet those requirements; and

(iii) the number of individuals in each State who fail to meet those requirements;

(E) the number of individuals in each State for whom good cause for noncooperation has been found under section 2015(l)(2) of this title;

(F) the impact of those eligibility requirements on the supplemental nutrition assistance program eligibility, benefit levels, food security, income, and economic stability of—

(i) individuals subject to those requirements;

(ii) the household members of those individuals, including children; and

(iii) households with nontraditional family structures, including a household in which a grandparent is the primary caretaker of a grandchild of the grandparent.

(3) State agency cooperation

Each State agency selected under paragraph (1) shall provide information to the Secretary necessary to conduct the evaluation under such paragraph.

(4) Report

Not later than 3 years after December 20, 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings from the evaluation conducted under paragraph (1).

(n) Longitudinal data for research

(1) In general

Subject to paragraphs (3) through (5), a State agency may, on approval by the Secretary, establish a longitudinal database that contains information about households and members of households that receive benefits under the supplemental nutrition assistance program in the State.

(2) Purpose

Each longitudinal database established under paragraph (1) shall be used solely to conduct research on participation in and the operation of the supplemental nutrition assistance program, including duration of participation in the program.

(3) Requirements for databases

Prior to the approval of State agencies to establish longitudinal databases under paragraph (1), the Secretary shall—

(A) identify features that shall be standard across States such as database format to facilitate use of longitudinal databases established under paragraph (1) for research purposes;

(B) identify features of longitudinal databases established under paragraph (1) that may vary across States;

(C) identify a procedure for States operating longitudinal databases under paragraph (1) to use a unique identifier to provide relevant information on household members who receive benefits under the supplemental nutrition assistance program for the purpose of comparing participation data in multiple participating States over time while protecting participant privacy;

(D) establish the manner in which data security and privacy protections, as required by Federal law and consistent with other appropriate practices, shall be implemented and maintained;

(E) provide direction to State agencies on the responsibilities of and funding arrangements for State agencies and any State contractors (including entities providing technical assistance) relating to the establishment and operation of a longitudinal database;

(F) provide a description of the documentation that States shall submit to the Secretary prior to allowing researchers access to a longitudinal database;

(G) consult with other Federal research agencies, including the Bureau of the Census;

(H) consult with States that have already established databases used for purposes similar to the purposes outlined in this subsection; and

(I) identify any other requirements determined appropriate by the Secretary.

(4) Included data

(A) In general

Subject to subparagraph (B), each longitudinal database established under paragraph (1)—

(i) shall include monthly information about households and members of households that receive benefits under the supplemental nutrition assistance program in the participating State taken from existing information collected by the State agency including, if available,—

(I) demographic characteristics;

(II) income and financial resources (as described in section 2014(g) of this title);

(III) employment status;

(IV) household circumstances, such as deductible expenses; and

(V) the amount of the monthly allotment received under the supplemental nutrition assistance program; and

(ii) may include information from other State data sources such as—

(I) earnings and employment data from the State department of labor;

(II) health insurance program data; or

(III) data from participation in other programs administered by the State.

(B) Data protection

Any State that establishes a longitudinal database under paragraph (1) shall, in accordance with all applicable Federal and State privacy standards and requirements—

(i) protect the privacy of information about each member of each household that

receives benefits under the supplemental nutrition assistance program in such State by ensuring that no personally identifiable information (including social security number, home address, or contact information) is included in the longitudinal database; and

(ii) make the data under this paragraph available to researchers and the Secretary.

(5) Approval

The Secretary shall approve the establishment of longitudinal databases under paragraph (1) in States that—

(A) meet the requirements for databases under paragraph (3) and (4)(B);

(B) reflect a range of participant numbers, demographics, operational structures, and geographic regions; and

(C) have the capacity to provide on a periodic and ongoing basis household and participant data derived from the eligibility system and other data sources of the State.

(6) Grants

(A) In general

In carrying out this subsection, the Secretary may provide grants to States that have been approved by the Secretary in accordance with paragraph (5) out of funds made available under paragraph (9).

(B) Method of awarding grants

Grants awarded under this paragraph shall be made in such amounts and under such terms and conditions as the Secretary determines necessary to carry out the purposes of this subsection.

(7) Report

(A) In general

Not later than 4 years after the effective date of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the feasibility of expanding implementation of longitudinal databases to every State.

(B) Contents

The report required under subparagraph (A) shall describe—

(i) the cost of expanding implementation of longitudinal databases with consistent data to every State;

(ii) the challenges and benefits of using State longitudinal databases with consistent data; and

(iii) alternatives to expanding implementation of longitudinal databases with consistent data to every State that may achieve similar research outcomes and the advantages and disadvantages of those alternatives.

(8) Effect

Nothing in this subsection shall be construed to prevent or limit the ability of State agencies to establish or continue operating databases used for purposes similar to the purposes outlined in this subsection.

(9) Funding

Of the funds made available under section 2027 of this title, the Secretary shall use to carry out this subsection—

(A) \$20,000,000 for fiscal year 2019 to remain available through fiscal year 2021; and

(B) \$5,000,000 for fiscal year 2022 and each fiscal year thereafter.

(Pub. L. 88–525, § 17, as added Pub. L. 93–86, § 3(n), Aug. 10, 1973, 87 Stat. 248; amended Pub. L. 95–113, title XIII, § 1301, Sept. 29, 1977, 91 Stat. 977; Pub. L. 95–400, Sept. 30, 1978, 92 Stat. 856; Pub. L. 96–249, title I, §§ 130–132(a), 133, May 26, 1980, 94 Stat. 367, 368; Pub. L. 97–98, title XIII, §§ 1328–1330, Dec. 22, 1981, 95 Stat. 1289, 1290; Pub. L. 97–253, title I, §§ 152(c), 181, 182, 190(d), Sept. 8, 1982, 96 Stat. 776, 784, 785, 787; Pub. L. 99–114, § 4, Oct. 1, 1985, 99 Stat. 488; Pub. L. 99–157, § 2, Nov. 15, 1985, 99 Stat. 818; Pub. L. 99–182, § 2, Dec. 13, 1985, 99 Stat. 1173; Pub. L. 99–198, title XV, § 1540, Dec. 23, 1985, 99 Stat. 1588; Pub. L. 100–435, title V, §§ 504, 505, Sept. 19, 1988, 102 Stat. 1673; Pub. L. 101–624, title XVII, §§ 1729(b), 1731, 1754–1759, Nov. 28, 1990, 104 Stat. 3790, 3798–3800, 3802; Pub. L. 102–237, title IX, § 941(8), Dec. 13, 1991, 105 Stat. 1893; Pub. L. 103–66, title XIII, § 13925, Aug. 10, 1993, 107 Stat. 675; Pub. L. 103–225, title II, § 204, Mar. 25, 1994, 108 Stat. 109; Pub. L. 104–127, title IV, § 401(c), (d), Apr. 4, 1996, 110 Stat. 1026; Pub. L. 104–193, title I, § 109(d), title VIII, §§ 815(b)(1), 850–852, 854(c)(2), Aug. 22, 1996, 110 Stat. 2169, 2317, 2336–2338, 2342; Pub. L. 105–18, title VII, [(b)], June 12, 1997, 111 Stat. 217; Pub. L. 105–277, div. A, § 101(f) [title VIII, § 405(d)(2)(C), (f)(2)(C)], Oct. 21, 1998, 112 Stat. 2681–337, 2681–418, 2681–429; Pub. L. 107–171, title IV, §§ 4112(b)(4), 4116(b), 4122(b), 4123(a), May 13, 2002, 116 Stat. 313, 316, 324; Pub. L. 110–234, title IV, §§ 4001(b), 4002(a)(9), 4115(b)(12), 4141, 4406(a)(5), May 22, 2008, 122 Stat. 1092, 1094, 1108, 1117, 1141; Pub. L. 110–246, § 4(a), title IV, §§ 4001(b), 4002(a)(9), 4115(b)(12), 4141, 4406(a)(5), June 18, 2008, 122 Stat. 1664, 1853, 1855, 1869, 1879, 1902; Pub. L. 113–79, title IV, §§ 4022(b)(3), 4023, Feb. 7, 2014, 128 Stat. 808, 809; Pub. L. 113–128, title V, § 512(l)(3), July 22, 2014, 128 Stat. 1709; Pub. L. 115–334, title IV, §§ 4005(e), 4014, 4015(a), 4022(7), Dec. 20, 2018, 132 Stat. 4634, 4643–4645, 4653.)

REFERENCES IN TEXT

The Social Security Act, referred to in subsecs. (b)(1)(B)(v), (vi), (2)(A), (B), (I), (d)(1)(B), (3)(C), and (m)(2)(A)(ii), is act Aug. 14, 1935, ch. 531, 49 Stat. 620. Title IV, part A of title IV, title XVI, and title XIX of the Act are classified generally to subchapter IV (§ 601 et seq.), part A (§ 601 et seq.) of subchapter IV, subchapter XVI (§ 1381 et seq.), and subchapter XIX (§ 1396 et seq.), respectively, of chapter 7 of Title 42, The Public Health and Welfare. Part F of title IV of the Act was classified generally to part F (§ 681 et seq.) of subchapter IV of chapter 7 of Title 42, prior to repeal by Pub. L. 104–193, title I, § 108(e), Aug. 22, 1996, 110 Stat. 2167. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

Sections 481 to 487 of the Social Security Act, referred to in subsec. (b)(2)(C), (E), were classified to section 681 to 687, respectively, of Title 42, The Public Health and Welfare, prior to repeal by Pub. L. 104–193, title I, § 108(e), Aug. 22, 1996, 110 Stat. 2167.

Section 402 of the Social Security Act, referred to in subsec. (b)(2)(C), which was classified to section 602 of Title 42, The Public Health and Welfare, was repealed and a new section 402 enacted by Pub. L. 104–193, title

I, § 103(a)(1), Aug. 22, 1996, 110 Stat. 2112, and, as so enacted, no longer contains subsecs. (a)(19) and (g).

The Omnibus Budget Reconciliation Act of 1981, referred to in subsec. (e), is Pub. L. 97–35, Aug. 13, 1981, 95 Stat. 357. Part 1 of subtitle A of title I of the Omnibus Budget Reconciliation Act amended this chapter generally. For complete classification of this Act to the Code, see Tables.

The Food Stamp and Commodity Distribution Amendments of 1981, referred to in subsec. (e), is title XIII of Pub. L. 97–98, Dec. 22, 1981, 95 Stat. 1282, which amended this chapter generally. For complete classification of this Act to the Code, see Short Title of 1981 Amendment note set out under section 2011 of this title and Tables.

The Food Stamp Act Amendments of 1982, referred to in subsec. (e), is subtitle E of title I of Pub. L. 97–253, Sept. 8, 1982, 96 Stat. 772, which amended this chapter generally. For complete classification of this Act to the Code, see Short Title of 1982 Amendment note set out under section 2011 of this title and Tables.

The Child Care and Development Block Grant Act of 1990, referred to in subsec. (m)(2)(A)(ii), is subchapter C (§ 658A et seq.) of chapter 8 of subtitle A of title VI of Pub. L. 97–35, as added by Pub. L. 101–508, title V, § 5082(2), Nov. 5, 1990, 104 Stat. 1388–236, which is classified generally to subchapter II–B (§ 9857 et seq.) of chapter 105 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see section 9857(a) of Title 42 and Tables.

The effective date of this subsection, referred to in subsec. (n)(7)(A), probably means the date of enactment of Pub. L. 115–334, which added subsec. (n) and which was approved Dec. 20, 2018.

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

2018—Subsec. (b)(1)(B)(iv)(III)(aa). Pub. L. 115–334, § 4022(7), substituted “2012(m)” for “2012(n)”.

Subsec. (b)(2), (3). Pub. L. 115–334, § 4005(e), redesignated par. (3) as (2) and struck out former par. (2) which related to two pilot projects involving the performance of work in return for supplemental nutrition assistance program benefits and joint issuance of initial and interim reports by the Secretary of Agriculture and the Secretary of Labor to appropriate committees of Congress and a final report describing the results of such projects based upon their operation from commencement through the fiscal year ending Sept. 30, 1981.

Subsec. (m). Pub. L. 115–334, § 4014, added subsec. (m).
Subsec. (n). Pub. L. 115–334, § 4015(a), added subsec. (n).

2014—Subsec. (b)(1)(B)(iv)(III)(hh). Pub. L. 113–79, § 4022(b)(3), inserted “(h)(1)(F),” after “(g),”.

Subsec. (b)(2). Pub. L. 113–128 substituted “a program carried out under title I of the Workforce Innovation and Opportunity Act” for “a program carried out under title I of the Workforce Investment Act of 1998”.

Subsec. (l). Pub. L. 113–79, § 4023, added subsec. (l).

2008—Subsec. (a)(1). Pub. L. 110–246, § 4001(b), substituted “supplemental nutrition assistance program” for “food stamp program”.

Subsec. (a)(2). Pub. L. 110–246, § 4115(b)(12)(A), substituted “benefit issuance” for “coupon issuance”.

Pub. L. 110–246, § 4002(a)(9)(A), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits” in two places.

Subsec. (b)(1)(A). Pub. L. 110–246, § 4002(a)(9)(B)(i)(I), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Pub. L. 110–246, § 4001(b), substituted “efficiency of the supplemental nutrition assistance program” for “efficiency of the food stamp program”.

Subsec. (b)(1)(B)(i)(I). Pub. L. 110–246, § 4001(b), substituted “supplemental nutrition assistance program” for “food stamp program”.

Subsec. (b)(1)(B)(ii)(II). Pub. L. 110-246, § 4002(a)(9)(B)(i)(II)(aa), substituted “supplemental nutrition assistance program recipients” for “food stamp recipients”.

Subsec. (b)(1)(B)(iii)(I). Pub. L. 110-246, § 4002(a)(9)(B)(i)(II)(bb), substituted “the number of households in the State receiving supplemental nutrition assistance program benefits” for “the State’s food stamp households”.

Subsec. (b)(1)(B)(iv). Pub. L. 110-246, § 4115(b)(12)(B)(i)(I), in subcl. (I) inserted “or otherwise providing benefits in a form not restricted to the purchase of food” after “the form of cash”, in subcl. (III)(aa) substituted “section 2012(n)” for “section 2012(i)”, and in subcl. (VII) substituted “section 2016(i)” for “section 2016(j)”.

Subsec. (b)(1)(B)(iv)(IV)(bb). Pub. L. 110-246, § 4002(a)(9)(B)(i)(II)(cc), substituted “supplemental nutrition assistance program deductions” for “food stamp deductions”.

Subsec. (b)(1)(B)(v). Pub. L. 110-246, § 4115(b)(12)(B)(i)(II), struck out “countersigned food coupons or similar” before “identification mechanisms” and substituted “EBT cards” for “food coupons”.

Subsec. (b)(1)(B)(vi). Pub. L. 110-246, § 4406(a)(5), substituted “Subject to the availability of appropriations under section 2027(a) of this title, any pilot” for “Any pilot” and struck out “through October 1, 2007,” after “shall be continued”.

Subsec. (b)(1)(C)(i)(I). Pub. L. 110-246, § 4115(b)(12)(B)(ii), substituted “EBT cards” for “coupons”.

Subsec. (b)(2). Pub. L. 110-246, § 4002(a)(9)(B)(ii), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Pub. L. 110-246, § 4001(b), substituted “participate in the supplemental nutrition assistance program” for “participate in the food stamp program”.

Subsec. (b)(3)(A). Pub. L. 110-246, § 4002(a)(9)(B)(iii)(I), substituted “supplemental nutrition assistance program employment” for “food stamp employment”.

Subsec. (b)(3)(B). Pub. L. 110-246, § 4002(a)(9)(B)(iii)(II), substituted “supplemental nutrition assistance program recipients” for “food stamp recipients”.

Subsec. (b)(3)(C). Pub. L. 110-246, § 4002(a)(9)(B)(iii)(III), substituted “supplemental nutrition assistance program benefits” for “food stamps”.

Subsec. (b)(3)(D). Pub. L. 110-246, § 4002(a)(9)(B)(iii)(IV), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Subsec. (c). Pub. L. 110-246, § 4002(a)(9)(C), substituted “eligible for supplemental nutrition assistance” for “eligible for food stamps”.

Pub. L. 110-246, § 4001(b), substituted “effectiveness of the supplemental nutrition assistance program” for “effectiveness of the food stamp program”.

Subsec. (d)(1)(B). Pub. L. 110-246, § 4002(a)(9)(D)(i), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Subsec. (d)(2)(A). Pub. L. 110-246, § 4002(a)(9)(D)(ii)(I), substituted “allotments” for “food stamp allotments” in two places.

Pub. L. 110-246, § 4001(b), substituted “supplemental nutrition assistance program” for “food stamp program”.

Subsec. (d)(2)(C). Pub. L. 110-246, § 4001(b), substituted “supplemental nutrition assistance program” for “food stamp program” in introductory provisions.

Subsec. (d)(2)(C)(ii). Pub. L. 110-246, § 4002(a)(9)(D)(ii)(II), substituted “supplemental nutrition assistance program benefits” for “food stamp benefit”.

Subsec. (d)(3)(E). Pub. L. 110-246, § 4002(a)(9)(D)(iii), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Subsec. (e). Pub. L. 110-246, § 4002(a)(9)(E), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Pub. L. 110-246, § 4001(b), substituted “affect the supplemental nutrition assistance program” for “affect the food stamp program”.

Subsec. (f). Pub. L. 110-246, § 4115(b)(12)(C), substituted “section 2016(f)(2)” for “section 2016(g)(2)”.

Pub. L. 110-246, § 4002(a)(9)(E), substituted “supplemental nutrition assistance program benefits” for “food stamp benefits”.

Subsec. (g). Pub. L. 110-246, § 4002(a)(9)(F), substituted “receipt of supplemental nutrition assistance program and other transfer payments” for “receipt of food stamp and other transfer payments” in introductory provisions.

Pub. L. 110-246, § 4001(b), substituted “from the supplemental nutrition assistance program” for “from the food stamp program” in introductory provisions.

Subsec. (h)(2). Pub. L. 110-246, § 4001(b), substituted “supplemental nutrition assistance program” for “food stamp program”.

Subsec. (j). Pub. L. 110-246, § 4115(b)(12)(D), substituted “benefit trafficking” for “coupon trafficking”.

Pub. L. 110-246, § 4002(a)(9)(G), substituted “supplemental nutrition assistance program agencies” for “food stamp agencies”.

Subsec. (k). Pub. L. 110-246, § 4141, added subsec. (k). 2002—Subsec. (a)(1). Pub. L. 107-171, § 4123(a), substituted “enter into contracts with or make grants to public or private organizations or agencies under this section to” for “, by way of making contracts with or grants to public or private organizations or agencies,” and inserted at end “The waiver authority of the Secretary under subsection (b) shall extend to all contracts and grants under this section.”

Subsec. (b)(1)(B)(iv)(III)(aa). Pub. L. 107-171, § 4112(b)(4), substituted “paragraphs (4) and (5) of section 2012(i) of this title” for “the last 2 sentences of section 2012(i) of this title”.

Subsec. (b)(1)(B)(vi). Pub. L. 107-171, § 4122(b), substituted “2007” for “2002”.

Subsecs. (i) to (k). Pub. L. 107-171, § 4116(b), redesignated subsecs. (j) and (k) as (i) and (j), respectively, and struck out former subsec. (i) which related to grants to improve food stamp participation.

1998—Subsec. (b)(2). Pub. L. 105-277, § 101(f) [title VIII, § 405(f)(2)(C)], in second sentence, struck out “the Job Training Partnership Act or” before “title I of the Workforce”.

Pub. L. 105-277, § 101(f) [title VIII, § 405(d)(2)(C)], in second sentence, substituted “to accept an offer of employment from a political subdivision or provider pursuant to a program carried out under the Job Training Partnership Act or title I of the Workforce Investment Act of 1998,” for “to accept an offer of employment from a political subdivision or a prime sponsor pursuant to the Comprehensive Employment and Training Act of 1973, as amended (29 U.S.C. 812),” and substituted “, if all of the jobs supported under the program have been made available to participants in the program before the political subdivision or provider providing the jobs extends an offer of employment under this paragraph, and if the political subdivision or provider, in employing the person, complies with the requirements of Federal law that relate to the program.” for “: *Provided*, That all of the political subdivision’s or prime sponsor’s public service jobs supported under the Comprehensive Employment and Training Act of 1973, as amended (29 U.S.C. 812), are filled before such subdivision or sponsor can extend a job offer pursuant to this paragraph: *Provided further*, That the sponsor of each such project shall provide the assurances required of prime sponsors under section 205(c)(7), (8), (15), (19), and (24) of the Comprehensive Employment and Training Act of 1973, as amended (29 U.S.C. 845(c)), and the Secretary shall require such sponsors to comply with the conditions contained in sections 208(a)(1), (4), and (5) and (c) and 703(4) of the Comprehensive Employment and Training Act of 1973, as amended (29 U.S.C. 848(a) and (c) and 983).”

1997—Subsec. (b)(1)(B)(iv)(VII). Pub. L. 105-18 added subcl. (VII).

1996—Subsec. (b)(1). Pub. L. 104-193, §§ 850, 851, in first sentence, substituted “benefits to eligible households, and may waive any requirement of this chapter to the extent necessary for the project to be conducted.” along with subpar. (B) heading, cls. (i) to (iv), cl. (v) of subpar. (B) heading, and “A pilot or experimental project may include” for “benefits to eligible households, including”, in subpar. (B)(v), substituted “are receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)” for “to aid to families with dependent children under part A of title IV of the Social Security Act”, substituted “coupons.” along with cl. (vi) of subpar. (B) heading and “Any pilot” for “coupons. The Secretary may waive the requirements of this chapter to the degree necessary for such projects to be conducted, except that no project, other than a project involving the payment of the average value of allotments by household size in the form of cash to eligible households or a project conducted under paragraph (3), shall be implemented which would lower or further restrict the income or resource standards or benefit levels provided pursuant to sections 2014 and 2017 of this title. Any pilot”, redesignated former subpar. (B) as (C), and added subpar. (D).

Pub. L. 104-193, § 109(d)(1), which directed substitution of “or are receiving assistance under a State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.)” for “to aid to families with dependent children under part A of title IV of the Social Security Act” in first sentence of subsec. (b)(1)(A), effective July 1, 1997, could not be executed because of amendment by Pub. L. 104-193 which redesignated portions of subsec. (b)(1)(A) and struck out the language sought to be amended. See above.

Pub. L. 104-127, § 401(c), substituted “October 1, 2002” for “October 1, 1995” in last sentence of par. (1)(A).

Subsec. (b)(2). Pub. L. 104-193, § 815(b)(1), substituted “section 2015(d)(1)(A)(i)” for “section 2015(d)(1)(i)” in second sentence.

Subsec. (b)(3)(I). Pub. L. 104-193, § 109(d)(2), added subpar. (I).

Subsec. (d). Pub. L. 104-193, § 852, added subsec. (d) and struck out former subsec. (d) which authorized pilot projects for employment of applicants and recipients, defined “qualification period”, and provided for exceptions, waiver of requirements, and reestablishment of eligibility.

Subsec. (i). Pub. L. 104-193, § 854(c)(2), redesignated subsec. (j) as (i) and struck out former subsec. (i) which authorized four demonstration projects, in both urban and rural areas, under which households in which each member received benefits under State plan approved under part A of title IV of Social Security Act would be issued monthly allotments following rules and procedures of programs under part A of title IV of Social Security Act, and without regard to eligibility, benefit, and administrative rules established under this chapter.

Subsec. (j). Pub. L. 104-193, § 854(c)(2), redesignated subsec. (k) as (j). Former subsec. (j) redesignated (i).

Subsec. (j)(1)(A). Pub. L. 104-127, § 401(d), substituted “2002” for “1995”.

Subsecs. (k), (l). Pub. L. 104-193, § 854(c)(2)(B), redesignated subsec. (l) as (k). Former subsec. (k) redesignated (j).

1994—Subsec. (l). Pub. L. 103-225 added subsec. (l).

1993—Subsec. (k). Pub. L. 103-66 added subsec. (k).

1991—Subsec. (b)(3)(C). Pub. L. 102-237 inserted a closing parenthesis after “402(g)(1)(A)”.

1990—Subsec. (a). Pub. L. 101-624, § 1731, designated existing provisions as par. (1) and added par. (2).

Subsec. (b)(1). Pub. L. 101-624, § 1756(1), inserted “or a project conducted under paragraph (3)” after “eligible households” in second sentence of subpar. (A).

Pub. L. 101-624, § 1755, designated existing provisions as subpar. (A) and added subpar. (B).

Pub. L. 101-624, § 1754, substituted “1995” for “1990”.

Subsec. (b)(3). Pub. L. 101-624, § 1756(2), added par. (3).

Subsec. (f). Pub. L. 101-624, § 1729(b), struck out par. (1) designation preceding text.

Subsec. (h). Pub. L. 101-624, § 1757, added subsec. (h).

Subsec. (i). Pub. L. 101-624, § 1758, added subsec. (i).

Subsec. (j). Pub. L. 101-624, § 1759, added subsec. (j).

1988—Subsec. (f). Pub. L. 100-435, § 504, added subsec. (f).

Subsec. (g). Pub. L. 100-435, § 505, added subsec. (g).

1985—Subsec. (b)(1). Pub. L. 99-198, § 1540(a), substituted “October 1, 1990” for “December 31, 1985”.

Pub. L. 99-182 substituted “December 31, 1985” for “December 13, 1985”.

Pub. L. 99-157 substituted “December 13, 1985” for “November 15, 1985”.

Pub. L. 99-114 substituted “through November 15, 1985” for “until October 1, 1985”.

Subsecs. (d) to (f). Pub. L. 99-198, § 1540(b), (c), struck out subsec. (d) which had authorized the Secretary to conduct statewide pilot projects respecting the processing of applications for certain recipients, and redesignated subsecs. (e) and (f) as (d) and (e), respectively.

1982—Subsec. (d). Pub. L. 97-253, §§ 152(c), 190(d), redesignated subsec. (f) as (d), and struck out former subsec. (d), which provided that notwithstanding any other provision of law, the Secretary has required, in consultation with the Secretary of the Treasury, to conduct a study, through the use of Federal income tax data, of the feasibility, alternative methods of implementation, and the effects of a program to recover food stamp benefits from members of eligible households in which the adjusted gross income of members of such households for a calendar year (as defined by the Internal Revenue Code of 1954) exceeded twice the income poverty guidelines set forth in section 2014(c) of this title, and that such study had to be conducted in rural and urban areas only on a voluntary basis by food stamp recipients, and that the Secretary was required, no later than twelve months and eighteen months from September 29, 1977, to report the results of the study to the Committees on Agriculture and Ways and Means of the House of Representatives and to the Committees on Agriculture, Nutrition, and Forestry and Finance of the Senate, together with such recommendations as the Secretary deemed appropriate.

Subsec. (e). Pub. L. 97-253, §§ 152(c), 190(d), redesignated subsec. (g) as (e) and struck out former subsec. (e) which provided for a study of the Consumer Price Index and other alternative consumer price or cost-of-living indices.

Subsec. (f). Pub. L. 97-253, § 190(d), redesignated subsec. (h) as (f). Former subsec. (f) redesignated (d).

Subsecs. (g), (h). Pub. L. 97-253, §§ 181, 182, 190(d), added subsecs. (g) and (h) and redesignated them as (e) and (f), respectively.

1981—Subsec. (b)(1). Pub. L. 97-98, § 1328, substituted “may conduct” for “is authorized to conduct”, “age sixty-five or over and any of whose members are entitled to supplemental security income benefits under title XVI of the Social Security Act or to aid to families with dependent children under part A of title IV of the Social Security Act” for “either age sixty-five or over or entitled to supplemental security income benefits under title XVI of the Social Security Act”, and “October 1, 1985” for “October 1, 1981” and inserted “or the average value of allotments by household size” after “value of allotments”, “”, other than a project involving the payment of the average value of allotments by household size in the form of cash to eligible households,” after “no project”, “and operating as of October 1, 1981,” after “under this paragraph” and “all of whose members are either age sixty-five or over or entitled to supplemental security income benefits under title XVI of the Social Security Act” before “shall be continued”.

Subsec. (c). Pub. L. 97-98, § 1329, inserted provision authorizing the Secretary to implement pilot programs to test various means of measuring on a continual basis the nutritional status of low income people in order to develop minimum common criteria and methods for systematic nutrition monitoring that could be applied on a nationwide basis and directing the Secretary to report on the progress of these pilot programs on an an-

nual basis commencing on July 1, 1982, to designated Congressional committees.

Subsec. (f). Pub. L. 97-98, §1330, added subsec. (f).

1980—Subsec. (b)(1). Pub. L. 96-249, §130, inserted provisions requiring that any pilot or experimental project implemented under this paragraph involving the payment of the value of allotments in the form of cash to eligible households be continued until October 1, 1981, if the State so requests.

Subsec. (b)(2). Pub. L. 96-249, §§131, 132(a), inserted “(ten days in at least one pilot project area designated by the Secretary)” after “thirty days” and substituted “interim reports no later than October 1, 1979, October 1, 1980, and March 30, 1981, shall issue a final report describing the results of such pilot project based upon their operation from their commencement through the fiscal year ending September 30, 1981, and shall pay to the agencies or organizations operating such pilot projects 50 per centum of all administrative costs involved in such operation” for “an interim report no later than October 1, 1979, and shall issue a final report describing the results of such pilot projects no later than October 1, 1980”.

Subsec. (e). Pub. L. 96-249, §133, added subsec. (e).

1978—Subsec. (b)(2). Pub. L. 95-400 required issuance of an interim report no later than Oct. 1, 1979, and substituted requirement for issuance of a final report no later than Oct. 1, 1980, for prior requirement of a final report no later than eighteen months following Sept. 29, 1977.

1977—Pub. L. 95-113 substituted provisions relating to research, demonstrations, and evaluations for provisions relating to the purchase with coupons of hunting and fishing equipment for procuring food by members of eligible households living in Alaska.

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113-128 effective on the first day of the first full program year after July 22, 2014 (July 1, 2015), see section 506 of Pub. L. 113-128, set out as an Effective Date note under section 3101 of Title 29, Labor.

EFFECTIVE DATE OF 2008 AMENDMENT

Amendment 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 an Effective Date note under section 8701 of this title.

Amendment by sections 4001(b), 4002(a)(9), 4115(b)(12), 4141, and 4406(a)(5) of Pub. L. 110-246 effective Oct. 1, 2008, see section 4407 of Pub. L. 110-246, set out as a note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-171, title IV, §4123(b), May 13, 2002, 116 Stat. 324, provided that: “The amendments made by this section [amending this section] take effect on the date of enactment of this Act [May 13, 2002].”

Amendment by sections 4112(b)(4), 4116(b), and 4122(b) of Pub. L. 107-171 effective Oct. 1, 2002, except as otherwise provided, see section 4405 of Pub. L. 107-171, set out as an Effective Date note under section 1161 of Title 2, The Congress.

EFFECTIVE DATE OF 1998 AMENDMENT

Amendment by section 101(f) [title VIII, §405(d)(2)(C)] of Pub. L. 105-277 effective Oct. 21, 1998, and amendment by section 101(f) [title VIII, §405(f)(2)(C)] of Pub. L. 105-277 effective July 1, 2000, see section 101(f) [title VIII, §405(g)(1), (2)(B)] of Pub. L. 105-277, set out as a note under section 3502 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 109(d) of Pub. L. 104-193 effective July 1, 1997, with transition rules relating to State options to accelerate such date, rules relating to

claims, actions, and proceedings commenced before such date, rules relating to closing out of accounts for terminated or substantially modified programs and continuance in office of Assistant Secretary for Family Support, and provisions relating to termination of entitlement under AFDC program, see section 116 of Pub. L. 104-193, as amended, set out as an Effective Date note under section 601 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-66 effective, and to be implemented beginning on, Oct. 1, 1993, see section 1101(d)(1) of Pub. L. 103-66, set out as a note under section 2025 of this title.

EFFECTIVE DATE OF 1991 AMENDMENT

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

EFFECTIVE DATE OF 1990 AMENDMENT

Amendment by sections 1729(b), 1731, and 1755 to 1759 of Pub. L. 101-624 effective Nov. 28, 1990, and amendment by section 1754 of Pub. L. 101-624 effective Oct. 1, 1990, see section 1781(a), (b)(1) of Pub. L. 101-624, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-435 to be effective and implemented on Oct. 1, 1988, except that such amendment to become effective and implemented on Oct. 1, 1989, if final order is issued under section 902(b) of Title 2, The Congress, for fiscal year 1989 making reductions and sequestrations specified in the report required under section 901(a)(3)(A) of Title 2, see section 701(a), (c)(2) of Pub. L. 100-435, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-253 effective Sept. 8, 1982, see section 193(a) of Pub. L. 97-253, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective on earlier of Sept. 8, 1982, or date such amendment became effective pursuant to section 1338 of Pub. L. 97-98, set out as a note under section 2012 of this title, see section 192(b) of Pub. L. 97-253, set out as a note under section 2012 of this title.

Amendment by Pub. L. 97-98 effective upon such date as Secretary of Agriculture may prescribe, taking into account need for orderly implementation, see section 1338 of Pub. L. 97-98, set out as a note under section 2012 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Pub. L. 96-249, title I, §132(b), May 26, 1980, 94 Stat. 368, provided that: “The provisions of section 17(b)(2) of the Food Stamp Act of 1977 [now the Food and Nutrition Act of 2008, 7 U.S.C. 2026(b)(2)] for the sharing of administrative costs, as added by subsection (a) of this section, shall be effective on the date of enactment of this Act [May 26, 1980].”

EFFECTIVE DATE OF 1977 AMENDMENT

Pub. L. 95-113, title XIII, §1301, Sept. 29, 1977, 91 Stat. 958, provided that the amendment made by section 1301 is effective Oct. 1, 1977.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (c) of this section relating to annual reports on the progress of pilot programs, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 48 of House Document No. 103-7.

STUDY OF USE OF FOOD STAMPS TO PURCHASE
VITAMINS AND MINERALS

Pub. L. 104-193, title VIII, §855, Aug. 22, 1996, 110 Stat. 2342, directed the Secretary of Agriculture, in consultation with the National Academy of Sciences and the Center for Disease Control and Prevention, to conduct a study on the use of food stamps to purchase vitamins and minerals and to report the results of the study to Committees of Congress not later than Dec. 15, 1998.

DEMONSTRATION PROJECTS FOR VEHICLE EXCLUSION
LIMIT

Pub. L. 102-237, title IX, §912, Dec. 13, 1991, 105 Stat. 1887, as amended by Pub. L. 110-234, title IV, §4002(b)(1)(B), (2)(NN), May 22, 2008, 122 Stat. 1096, 1098; Pub. L. 110-246, §4(a), title IV, §4002(b)(1)(B), (2)(NN), June 18, 2008, 122 Stat. 1664, 1857, 1859, provided that: “The Secretary of Agriculture shall solicit requests to participate in the demonstration projects required by section 17(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(h)) by May 1, 1992. The projects shall commence operations no later than January 1, 1993.”

§ 2026a. Healthy fluid milk incentives projects

(a) Definition of fluid milk

In this section the term “fluid milk” means all varieties of pasteurized cow’s milk that—

- (1) is without flavoring or sweeteners,
- (2) is consistent with the most recent dietary recommendations,
- (3) is packaged in liquid form, and
- (4) contains vitamins A and D at levels consistent with the Food and Drug Administration, State, and local standards for fluid milk.

(b) Projects

The Secretary of Agriculture shall carry out, under such terms and conditions as the Secretary considers to be appropriate, healthy fluid milk incentive projects to develop and test methods to increase the purchase and consumption of fluid milk by members of households that receive supplemental nutrition assistance program benefits by providing an incentive for the purchase of fluid milk at the point of purchase to members of households purchasing food with supplemental nutrition assistance program benefits.

(c) Grants or cooperative agreements

(1) In general

To carry out this section, the Secretary, on a competitive basis, shall enter into cooperative agreements with, or provide grants to, governmental entities or nonprofit organizations for projects that meet the purpose and selection criteria specified in this subsection.

(2) Application

To be eligible to enter into a cooperative agreement or receive a grant under this subsection, a government entity or nonprofit organization shall submit to the Secretary an application containing such information as the Secretary may require.

(3) Selection criteria

Projects proposed in applications shall be evaluated against publicly disseminated criteria that shall incorporate a scientifically based strategy that is designed to improve diet quality and nutritional outcomes through the increased purchase of fluid milk by mem-

bers of households that participate in the supplemental nutrition assistance program.

(4) Use of funds

Funds made available to carry out this section shall not be used for any project that limits the use of benefits provided under the Food and Nutrition Act of 2008 [7 U.S.C. 2011 et seq.].

(d) Evaluation and reporting

(1) Evaluation

(A) Independent evaluation

(i) In general

The Secretary shall provide for an independent evaluation of projects selected under this section that measures, to the maximum extent practicable, the impact on health and nutrition.

(ii) Requirement

The independent evaluation under this subparagraph shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding which activities are effective.

(B) Costs

The Secretary may use funds not to exceed 7 percent of the funding provided to carry out this section to pay costs associated with evaluating the outcomes of the healthy fluid milk incentive projects.

(2) Reporting

Not later than December 31 of 2020, and biennially thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of—

- (A) the status of each healthy fluid milk incentives project, and
- (B) the results of any completed evaluation that—

- (i) include, to the maximum extent practicable, the impact of the healthy fluid milk incentive projects on health and nutrition outcomes among households participating in such projects, and
- (ii) have not been submitted in a previous report under this paragraph.

(3) Public dissemination

In addition to the reporting requirements under paragraph (2), evaluation results shall be shared publicly to promote wide use of successful strategies.

(e) Funding

(1) Authorization of appropriations

There is authorized to be appropriated \$20,000,000 to carry out and evaluate the outcomes of projects under this section, 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, §4208, Dec. 20, 2018, 132 Stat. 4667.)