

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

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

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

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

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

DEFINITION OF “SECRETARY”

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

§ 7518. Micro-grants for food security

(a) Purpose

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

(b) Definitions

In this section:

(1) Eligible entity

The term “eligible entity” means an entity that—

(A) is—

- (i) an individual;
- (ii) an Indian tribe or tribal organization, as defined in section 5304 of title 25;
- (iii) a nonprofit organization engaged in increasing food security, as determined by the Secretary, including—

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

(iv) a federally funded educational facility, including—

- (I) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);
- (II) a public elementary school or public secondary school;
- (III) a public institution of higher education (as defined in section 1001 of title 20);
- (IV) a Tribal College or University (as defined in section 1059c(b) of title 20); or
- (V) a job training program; or

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

(B) is located in an eligible State.

(2) Eligible State

The term “eligible State” means—

- (A) the State of Alaska;
- (B) the State of Hawaii;
- (C) American Samoa;

(D) the Commonwealth of the Northern Mariana Islands;

(E) the Commonwealth of Puerto Rico;

(F) the Federated States of Micronesia;

(G) Guam;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(c) Establishment

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

(d) Distribution of funds

(1) In general

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

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

(2) Carryover of funds

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

(3) Administrative funds

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

- (A) to administer the competition for providing subgrants to eligible entities in that eligible State;
- (B) to provide oversight of the subgrant recipients in that eligible State; and
- (C) to collect data and submit a report to the Secretary under subsection (f)(2).

(e) Subgrants to eligible entities

(1) Amount of subgrants

(A) In general

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

- (i) in the case of an eligible entity that is an individual, not greater than \$5,000 per year; and
- (ii) in the case of an eligible entity described in any of clauses (ii) through (v) of subsection (b)(1)(A), not greater than \$10,000 per year.

(B) Matching requirement

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

(C) Project period

Funds received by an eligible entity that is awarded a subgrant under this section

shall remain available for expenditure not later than 3 years after the date the funds are received.

(2) Priority

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

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

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

(3) Projects

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

(4) Use of subgrant funds by eligible entities

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

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

(B) purchasing or building composting units;

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

(D) expanding an area under cultivation or engaging in other activities necessary to be eligible to receive funding under the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) for a high tunnel;

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

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

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

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

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

(i) a State cooperative extension service;

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

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

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

(v) a Federal or State agency;

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

(K) creating or expanding avenues for—

(i) the sale of food commodities, specialty crops, and meats that are grown by

the eligible entity for sale in the local community; or

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

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

(5) Eligibility for other financial assistance

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

(f) Reporting requirement

(1) Subgrant recipients

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

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

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

(2) Report to the Secretary

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

(g) Funding

(1) Authorization of appropriations

There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

(2) Appropriations in advance

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

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

Editorial Notes

REFERENCES IN TEXT

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

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

CODIFICATION

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

Statutory Notes and Related Subsidiaries

DEFINITION OF “SECRETARY”

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

CHAPTER 103—AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM

Sec.

7601. Definitions.

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

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

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7614a. Roadmap.

7614b. Review of plan of work requirements.

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

7621 to 7623. Repealed.

7624. Biobased products.

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

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

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

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

7629. Repealed.

7630. Grants for youth organizations.

7631. Agricultural biotechnology research and development for developing countries.

7632. Specialty crop research initiative.

7633. Food and agriculture service learning program.

SUBCHAPTER III—MISCELLANEOUS PROVISIONS

PART A—MISCELLANEOUS

7641. Patent Culture Collection fees.

7642. Food Animal Residue Avoidance Database program.

7643. Distribution of farmers' bulletins.

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.

7655b. Forestry products advanced utilization research.

7655c. Clarification of research and development program for wood building construction.

7655d. Wood innovation grant program.

Sec.

7656. Designation of Crisis Management Team within Department.

7657. Senior Scientific Research Service.

PART C—STUDIES

7671, 7672. Repealed.

§ 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.)

Editorial Notes

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.