§ 612c–6. Domestic food assistance programs

(a) Definition of section 32

In this section, the term “section 32” means section 32 of the Act of August 24, 1935 (7 U.S.C. 612c).

(b) Transfer to Food and Nutrition Service

(1) In general

Amounts made available for a fiscal year to carry out section 32 in excess of the maximum amount calculated under paragraph (2) shall be transferred to the Secretary, acting through the Administrator of the Food and Nutrition Service, to be used to carry out the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) except section 21 [42 U.S.C. 1769b–1], and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.), except sections 17 and 21 [42 U.S.C. 1786, 1790]”.

(2) Maximum amount

The maximum amount calculated under this paragraph for a fiscal year is the sum of—

(A) (i) in the case of fiscal year 2009, $1,173,000,000;
   (ii) in the case of fiscal year 2010, $1,199,000,000;
   (iii) in the case of fiscal year 2011, $1,215,000,000;
   (iv) in the case of fiscal year 2012, $1,231,000,000;
   (v) in the case of fiscal year 2013, $1,248,000,000;
   (vi) in the case of fiscal year 2014, $1,266,000,000;
   (vii) in the case of fiscal year 2015, $1,284,000,000;
   (viii) in the case of fiscal year 2016, $1,303,000,000;
   (ix) in the case of fiscal year 2017, $1,322,000,000; and
   (x) for fiscal year 2018 and each fiscal year thereafter, the amount made available for the preceding fiscal year, as adjusted to reflect changes for the 12-month period ending on the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor; and

(B) any transfers for the fiscal year from section 32 to the Department of Commerce under the Fish and Wildlife Act of 1956 (16 U.S.C. 742a et seq.).

(c) Fresh fruit and vegetable program

Of amounts made available to carry out section 32 under subsection (b)(2)(A), the Secretary shall transfer for use to carry out the fresh fruit and vegetable program under section 19 of the Richard B. Russell National School Lunch Act [42 U.S.C. 1769a] the amounts specified in subsection (i) of that section.

(d) Whole grain products

Of amounts made available to carry out section 32 under subsection (b)(2)(A), the Secretary shall use to carry out section 1755a of title 42 $4,000,000 for fiscal year 2009.

(e) Maintenance of funding

The funding provided under subsections (c) and (d) shall supplement (and not supplant) other Federal funding (including section 32 funding) for programs carried out under—

(1) the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), except for section 19 of that Act [42 U.S.C. 1769a];
(2) the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.); and
(3) section 2036 of this title.

Footnotes
1 So in original. Probably should be followed by a comma.
2 See References in Text note below.


References in Text
The Richard B. Russell National School Lunch Act, referred to in subsecs. (b)(1) and (e)(1), is act June 4, 1946, ch. 281, 60 Stat. 230, which is classified generally to chapter 13 (§ 1751 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1751 of Title 42 and Tables.


The Fish and Wildlife Act of 1956, referred to in subsec. (b)(2)(B), is act Aug. 8, 1956, ch. 1036, 70 Stat. 119, which is classified generally to sections 742a to 742d and 742e to 742j–2 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 742a of Title 16 and Tables.


Codification

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

Amendments

Effective Date

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