

(3) to provide for research and education on agricultural weather and climate information, aimed at improving the quality and quantity of weather and climate information available to agricultural producers, including research on short-term forecasts of thunderstorms and on extended weather forecasting techniques and models;

(4) to encourage, where feasible, greater private sector participation in providing agricultural weather and climate information, to encourage private sector participation in educating and training farmers and others in the proper utilization of agricultural weather and climate information, and to strengthen their ability to provide site-specific weather forecasting for farmers and the agricultural sector in general; and

(5) to ensure that the weather and climate data bases needed by the agricultural sector are of the highest scientific accuracy and thoroughly documented, and that such data bases are easily accessible for remote computer access.

(Pub. L. 101-624, title XVI, §1637, Nov. 28, 1990, 104 Stat. 3747.)

### § 5852. Agricultural Weather Office

#### (a) Establishment of Office and administration of system

##### (1) Establishment required

The Secretary of Agriculture shall establish in the Department of Agriculture an Agricultural Weather Office to plan and administer the National Agricultural Weather Information System. The system shall be comprised of the office established under this section and the activities of the State agricultural weather information systems described in section 5854 of this title.

##### (2) Director

The Secretary shall appoint a Director to manage the activities of the Agricultural Weather Office and to advise the Secretary on scientific and programmatic coordination for climate, weather, and remote sensing.

#### (b) Authority

The Secretary, acting through the Office, may undertake the following activities to carry out this subchapter:

(1) Enter into cooperative projects with the National Weather Service to—

(A) support operational weather forecasting and observation useful in agriculture;

(B) sponsor joint workshops to train agriculturalists about the optimum utilization of agricultural weather and climate data;

(C) jointly develop improved computer models and computing capacity; and

(D) enhance the quality and availability of weather and climate information needed by agriculturalists.

(2) Obtain standardized weather observation data collected in near real time through State agricultural weather information systems.

(3) Make, through the National Institute of Food and Agriculture, competitive grants under subsection (c) for research in atmospheric sciences and climatology.

(4) Make grants to eligible States under section 5854 of this title to plan and administer State agricultural weather information systems.

(5) Coordinate the activities of the Office with the weather and climate research activities of the National Institute of Food and Agriculture, the National Academy of Sciences, the National Science Foundation Atmospheric Services Program, and the National Climate Program.

(6) Encourage private sector participation in the National Agricultural Weather Information System through mutually beneficial cooperation with the private sector, particularly in generating weather and climatic data useful for site-specific agricultural weather forecasting.

#### (c) Competitive grants program

##### (1) Grants authorized

With funds allocated to carry out this subsection, the Secretary of Agriculture may make grants to State agricultural experiment stations, all colleges and universities, other research institutions and organizations, Federal agencies, private organizations and corporations, and individuals to carry out research in all aspects of atmospheric sciences and climatology that can be shown to be important in both a basic and developmental way to understanding, forecasting, and delivering agricultural weather information.

##### (2) Competitive basis

Grants made under this subsection shall be made on a competitive basis.

#### (d) Priority

In selecting among applications for grants under subsection (c), the Secretary shall give priority to proposals which emphasize—

(1) techniques and processes that relate to weather-induced agricultural losses, and to improving the advisory information on weather extremes such as drought, floods, freezes, and storms well in advance of their actual occurrence;

(2) the improvement of site-specific weather data collection and forecasting; or

(3) the impact of weather on economic and environmental costs in agricultural production.

(Pub. L. 101-624, title XVI, §1638, Nov. 28, 1990, 104 Stat. 3748; Pub. L. 102-237, title IV, §407(6), Dec. 13, 1991, 105 Stat. 1865; Pub. L. 110-234, title VII, §7511(c)(18), May 22, 2008, 122 Stat. 1269; Pub. L. 110-246, §4(a), title VII, §7511(c)(18), June 18, 2008, 122 Stat. 1664, 2030.)

#### CODIFICATION

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

#### AMENDMENTS

2008—Subsec. (b)(3), (5). Pub. L. 110-246, §7511(c)(18), substituted “National Institute of Food and Agriculture” for “Cooperative State Research Service”.

1991—Subsec. (b)(5). Pub. L. 102-237 substituted “National Science Foundation” for “National Sciences Foundation”.

## 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 section 7511(c)(18) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

**§ 5853. Repealed. Pub. L. 107-171, title VII, § 7304(a), May 13, 2002, 116 Stat. 455**

Section, Pub. L. 101-624, title XVI, §1639, Nov. 28, 1990, 104 Stat. 3749; Pub. L. 102-237, title IV, §407(7), Dec. 13, 1991, 105 Stat. 1865, related to establishment of National Advisory Board on Agricultural Weather.

**§ 5854. State agricultural weather information systems**

**(a) Advisory program grants**

**(1) Grants required**

With funds allocated to carry out this section, the Secretary of Agriculture shall make grants to not fewer than 10 eligible States to plan and administer, in cooperation with persons described in paragraph (2), advisory programs for State agricultural weather information systems.

**(2) Persons described**

The persons referred to in paragraph (1) are the Director of the Agricultural Weather Office, the Director of the National Institute of Food and Agriculture, and other persons as appropriate (such as the directors of the appropriate State agricultural experiment stations and State extension programs).

**(b) Consultation**

For purposes of selecting among applications submitted by States for grants under this section, the Secretary shall consult with the Director.

**(c) Eligibility requirements**

To be eligible to receive a grant under this section, the chief executive officer of a State shall submit to the Secretary an application that contains—

(1) assurances that the State will expend such grant to plan and administer a State agricultural weather system that will—

(A) collect observational weather data throughout the State and provide such data to the National Weather Service and the Agricultural Weather Office;

(B) develop methods for packaging information received from the national system for use by agricultural producers (with State Cooperative Extension Services and the private sector to serve as the primary conduit of agricultural weather forecasts and climatic information to producers); and

(C) develop programs to educate agricultural producers on how to best use weather and climate information to improve management decisions; and

(2) such other assurances and information as the Secretary may require by rule.

(Pub. L. 101-624, title XVI, §1640, Nov. 28, 1990, 104 Stat. 3749; Pub. L. 107-171, title VII, §7304(b),

May 13, 2002, 116 Stat. 455; Pub. L. 110-234, title VII, §7511(c)(19), May 22, 2008, 122 Stat. 1269; Pub. L. 110-246, §4(a), title VII, §7511(c)(19), June 18, 2008, 122 Stat. 1664, 2030.)

## CODIFICATION

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

## AMENDMENTS

2008—Subsec. (a)(2). Pub. L. 110-246, §7511(c)(19), substituted “the Director of the National Institute of Food and Agriculture” for “the Administrator of the Extension Service, the Administrator of the Cooperative State Research Service”.

2002—Subsec. (b). Pub. L. 107-171 struck out “take into consideration the recommendation of the Advisory Board on Agricultural Weather and” before “consult with the Director”.

## 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 section 7511(c)(19) of Pub. L. 110-246 effective Oct. 1, 2009, see section 7511(c) of Pub. L. 110-246, set out as a note under section 1522 of this title.

**§ 5855. Funding**

**(a) Allocation of funds**

**(1) Cooperative work**

Not less than 15 percent and not more than 25 percent of the funds appropriated for a fiscal year to carry out this subchapter shall be used for cooperative work with the National Weather Service entered into under section 5852(b)(1) of this title.

**(2) Competitive grants program**

Not less than 15 percent and not more than 25 percent of such funds shall be used by the National Institute of Food and Agriculture for a competitive grants program under section 5852(c) of this title.

**(3) Weather information systems**

Not less than 25 percent and not more than 35 percent of such funds shall be divided equally between the participating States selected for that fiscal year under section 5854 of this title.

**(4) Other purposes**

The remaining funds shall be allocated for use by the Agricultural Weather Office and the National Institute of Food and Agriculture in carrying out generally the provisions of this subchapter.

**(b) Limitations on use of funds**

Funds provided under the authority of this subchapter shall not be used for the construction of facilities. Each State or agency receiving funds shall not use more than 30 percent of such funds for equipment purchases. Any use of the funds in facilitating the distribution of agricultural and climate information to producers shall be done with consideration for the role that the private meteorological sector can play in such information delivery.