

(1) shall be responsible for the overall direction of the program and for the establishment and implementation of general policies respecting the management and operation of activities within the program;

(2) may secure for the program consultation services and advice of persons from the United States and abroad;

(3) may accept voluntary and uncompensated services; and

(4) may perform such other administrative functions as the Secretary determines are needed to effectively carry out this subchapter.

**(c) Duties**

The Director shall—

(1) advise participants on the program activities;

(2) coordinate, review and facilitate the systematic identification and evaluation of, relevant information generated under the program;

(3) promote the effective transfer of the information described in paragraph (2) to the agriculture and food production community and to entities that require such information; and

(4) monitor the effectiveness of the activities described in paragraph (3).

**(d) Biennial reports**

The Director shall prepare and transmit to the Secretary and to the Congress a biennial report containing—

(1) a description of the activities carried out by and through the program and the policies of the program, and such recommendations respecting such activities and policies as the Director considers to be appropriate;

(2) a description of the necessity for, and progress achieved toward providing, additional programs and activities designed to include the range of genetic resources described in section 5841(d)(5) of this title in the activities of the program; and

(3) an assessment of events and activities occurring internationally as they relate to the activities and policies of the program.

**(e) Initial reports**

Not later than one year after November 28, 1990, the Director shall transmit to the Secretary and to the Congress a report—

(1) describing the projected needs over a 10-year period in each of the areas of genetic resources described in section 5841(d)(5) of this title, including the identification of existing components of a comprehensive program, policies and activities needed to coordinate those components, and additional elements not in existence which are required for the development of a comprehensive genetic resources program as described in such section;

(2) assessing the international efforts and activities related to the program, and their effect upon and coordination with the program; and

(3) evaluating the potential effect of various national laws, including national quarantine requirements, as well as treaties, agreements, and the activities of international organizations on the development of a comprehensive

international system for the collection and maintenance of genetic resources of importance to agriculture.

**(f) Plan publication**

On completion of the development of the plan described in section 5841(d)(6) of this title, the Secretary shall make the plan available to the public.

(Pub. L. 101-624, title XVI, §1633, Nov. 28, 1990, 104 Stat. 3744; Pub. L. 102-237, title IV, §404(a)(2), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 115-334, title VII, §7205(b), Dec. 20, 2018, 132 Stat. 4803.)

**Editorial Notes**

AMENDMENTS

2018—Subsec. (f). Pub. L. 115-334 added subsec. (f).  
1991—Subsec. (a). Pub. L. 102-237 substituted “Resources Program” for “Resources program”.

**Statutory Notes and Related Subsidiaries**

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (d) of this section relating to biennial reports to Congress, 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 49 of House Document No. 103-7.

**§ 5843. Advisory council**

**(a) Establishment and membership**

**(1) In general**

The Secretary shall establish an advisory council for the program for the purpose of advising, assisting, consulting with, and making recommendations to, the Secretary and Director concerning matters related to the activities, policies and operations of the program.

**(2) Membership**

The advisory council shall consist of ex officio members and not more than 13 members appointed by the Secretary.

**(3) Recommendations**

**(A) In general**

In making recommendations under paragraph (1), the advisory council shall include recommendations on—

(i) the state of public cultivar development, including—

(I) an analysis of existing cultivar research investments;

(II) the research gaps relating to the development of cultivars across a diverse range of crops; and

(III) an assessment of the state of commercialization of federally funded cultivars;

(ii) the training and resources needed to meet future breeding challenges;

(iii) the appropriate levels of Federal funding for cultivar development for underserved crops and geographic areas; and

(iv) the development of the plan described in section 5841(d)(6) of this title.

**(b) Ex officio members**

The ex officio members of the advisory council shall consist of the following persons (or their designees):

- (1) The Director.
- (2) The Assistant Secretary of Agriculture for Science and Education.
- (3) The Director of the National Agricultural Library.
- (4) The Director of the National Institutes of Health.
- (5) The Director of the National Science Foundation.
- (6) The Secretary of Energy.
- (7) The Director of the Office of Science and Technology Policy.
- (8) Such additional officers and employees of the United States as the Secretary determines are necessary for the advisory council to effectively carry out its functions.

**(c) Appointment of other members**

The members of the advisory council who are not ex officio members shall be appointed by the Secretary as follows:

- (1) 6 of the members shall be appointed from among the leading representatives of the scientific disciplines relevant to the activities of the program, including agricultural sciences, economics and policy, environmental sciences, natural resource sciences, health sciences, and nutritional sciences.
- (2) 3 of the members shall be appointed from the general public and shall include leaders in fields of public policy, community development, trade, international development, law, or management.
- (3) 4 of the members shall be appointed from among individuals with expertise in public cultivar and animal breed development.
- (4) 4 of the members shall be appointed from among individuals representing—
  - (A) 1862 Institutions (as defined in section 7601 of this title);
  - (B) 1890 Institutions (as defined in section 7601 of this title);
  - (C) Hispanic-serving institutions (as defined in section 3103 of this title); or
  - (D) 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).

**(d) Compensation**

Members of the advisory council shall serve without compensation, if not otherwise officers or employees of the United States, except that they shall, while away from their homes or regular places of business in the performance of services for the advisory council, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under sections 5701 through 5707 of title 5.

**(e) Term of office of appointees; vacancies**

**(1) Term**

The term of office of a member appointed under subsection (c) is four years, except that any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of such member was appointed shall be appointed only for the remainder of such term.

**(2) Initial appointment**

The Secretary shall make appointments to the advisory council so as to ensure that the

terms of the members appointed under subsection (c) do not all expire in the same year. A member may serve after the expiration of the member's term until a successor takes office.

**(3) Reappointment**

A member who is appointed for a term of four years may not be reappointed to the advisory council before two years after the date of expiration of such term of office.

**(4) Vacancies**

If a vacancy occurs in the advisory council among the members appointed under subsection (c), the Secretary shall make an appointment to fill such vacancy within 90 days after the date such vacancy occurs.

**(f) Chair**

The Secretary shall select as the chair of the advisory council one of the members appointed under subsection (c). The term of office of the chair shall be two years.

**(g) Meetings**

The advisory council shall meet at the call of the chair or on the request of the Director, but at least two times each fiscal year. The location of the meetings of the advisory council shall be subject to the approval of the Director.

**(h) Staff**

The Director shall make available to the advisory council such staff, information, and other assistance as it may require to carry out its functions.

**(i) Orientation and training**

The Director shall provide such orientation and training for new members of the advisory council as may be appropriate for their effective participation in the functions of the advisory council.

**(j) Comments and recommendations**

The advisory council may prepare, for inclusion in a report submitted under section 5842 of this title—

- (1) comments respecting the activities of the advisory council during the period covered by the report;
- (2) comments on the progress of the program in meeting its objectives; and
- (3) recommendations respecting the future directions, program, and policy emphasis of the program.

**(k) Reports**

The advisory council may prepare such reports as the advisory council determines to be appropriate.

**(l) Application of Advisory Committee Act**

Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.) relating to the termination of an advisory committee shall not apply to the advisory council established under this section.

(Pub. L. 101-624, title XVI, §1634, Nov. 28, 1990, 104 Stat. 3745; Pub. L. 102-237, title IV, §407(5), Dec. 13, 1991, 105 Stat. 1864; Pub. L. 115-334, title VII, §7206(a), Dec. 20, 2018, 132 Stat. 4803.)

**Editorial Notes**

## REFERENCES IN TEXT

Section 14(a) of the Federal Advisory Committee Act, referred to in subsec. (l), is section 14(a) of Pub. L. 92-463, which is set out in the Appendix to Title 5, Government Organization and Employees.

## AMENDMENTS

2018—Subsec. (a)(1). Pub. L. 115-334, §7206(a)(1)(A), designated first sentence as par. (1) and inserted heading.

Subsec. (a)(2). Pub. L. 115-334, §7206(a)(1)(B), (C), designated second sentence as par. (2), inserted heading, and substituted “13” for “nine”.

Subsec. (a)(3). Pub. L. 115-334, §7206(a)(1)(D), added par. (3).

Subsec. (c)(1). Pub. L. 115-334, §7206(a)(2)(A), substituted “6” for “Two-thirds” and inserted “economics and policy,” after “agricultural sciences.”

Subsec. (c)(2). Pub. L. 115-334, §7206(a)(2)(B), substituted “3” for “One-third” and inserted “community development,” after “public policy.”

Subsec. (c)(3), (4). Pub. L. 115-334, §7206(a)(2)(C), added pars. (3) and (4).

1991—Subsec. (l). Pub. L. 102-237 substituted “council established” for “committee established”.

**§ 5844. Definitions and authorization of appropriations****(a) Definitions**

For purposes of this subchapter:

(1) The term “program” means the National Genetic Resources Program.

(2) The term “Secretary” means the Secretary of Agriculture.

(3) The term “Director” means the Director of the National Genetic Resources Program.

**(b) Authorization of appropriations**

There are authorized to be appropriated to carry out this subchapter—

(1) such sums as are necessary for each of fiscal years 1991 through 2013; and

(2) \$1,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101-624, title XVI, §1635, Nov. 28, 1990, 104 Stat. 3747; Pub. L. 104-127, title VIII, §832(b), Apr. 4, 1996, 110 Stat. 1168; Pub. L. 105-185, title III, §301(b)(1), June 23, 1998, 112 Stat. 562; Pub. L. 107-171, title VII, §7118, May 13, 2002, 116 Stat. 434; Pub. L. 110-234, title VII, §7201, May 22, 2008, 122 Stat. 1233; Pub. L. 110-246, §4(a), title VII, §7201, June 18, 2008, 122 Stat. 1664, 1994; Pub. L. 113-79, title VII, §7205, Feb. 7, 2014, 128 Stat. 881; Pub. L. 115-334, title VII, §7206(b), Dec. 20, 2018, 132 Stat. 4804.)

**Editorial Notes**

## 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)(2). Pub. L. 115-334 substituted “2023” for “2018”.

2014—Subsec. (b). Pub. L. 113-79 struck out “such funds as may be necessary” after “appropriated”, substituted “subchapter—” for “subchapter for each of the fiscal years 1991 through 2012.”, and added pars. (1) and (2).

2008—Subsec. (b). Pub. L. 110-246, §7201, substituted “2012” for “2007”.

2002—Subsec. (b). Pub. L. 107-171 substituted “2007” for “2002”.

1998—Subsec. (b). Pub. L. 105-185 substituted “2002” for “1997”.

1996—Subsec. (b). Pub. L. 104-127 substituted “1997” for “1995”.

**Statutory Notes and Related Subsidiaries**

## 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, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

**SUBCHAPTER III—NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM****§ 5851. Short title and purposes****(a) Short title**

This subchapter may be cited as the “National Agricultural Weather Information System Act of 1990”.

**(b) Purposes**

The purposes of this subchapter are—

(1) to provide a nationally coordinated agricultural weather information system, based on the participation of universities, State programs, Federal agencies, and the private weather consulting sector, and aimed at meeting the weather and climate information needs of agricultural producers;

(2) to facilitate the collection, organization, and dissemination of advisory weather and climate information relevant to agricultural producers, through the participation of the private sector and otherwise;

(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 Agricul-