

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.)

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 L. 110-234 were repealed by section 4(a) of Pub.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

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”.

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, 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.

(c) Authorization of appropriations

There are authorized to be appropriated to carry out this subchapter \$5,000,000 for each of the fiscal years 2008 through 2012 and \$1,000,000 for each of fiscal years 2014 through 2023.

(Pub. L. 101-624, title XVI, §1641, Nov. 28, 1990, 104 Stat. 3750; Pub. L. 104-127, title VIII, §833, Apr. 4, 1996, 110 Stat. 1168; Pub. L. 110-234, title VII, §§7202, 7511(c)(20), May 22, 2008, 122 Stat. 1233, 1269; Pub. L. 110-246, §4(a), title VII, §§7202, 7511(c)(20), June 18, 2008, 122 Stat. 1664, 1994, 2030; Pub. L. 113-79, title VII, §7206, Feb. 7, 2014, 128 Stat. 881; Pub. L. 115-334, title VII, §7207, Dec. 20, 2018, 132 Stat. 4805.)

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

2014—Subsec. (c). Pub. L. 113-79 substituted “to carry out this subchapter \$5,000,000” for “\$5,000,000 to carry out this subchapter” and inserted “and \$1,000,000 for each of fiscal years 2014 through 2018” before period at end.

2008—Subsec. (a)(2). Pub. L. 110-246, § 7511(c)(20)(A), substituted “National Institute of Food and Agriculture” for “Cooperative State Research Service”.

Subsec. (a)(4). Pub. L. 110-246, § 7511(c)(20)(B), substituted “National Institute of Food and Agriculture” for “Extension Service”.

Subsec. (c). Pub. L. 110-246, § 7202, substituted “2008 through 2012” for “1991 through 1997”.

1996—Subsec. (c). 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, 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)(20) 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.

§ 5856. Improvements to United States Drought Monitor**(a) In general**

The Secretary shall coordinate with the Director of the National Drought Mitigation Center and the Administrator of the National Oceanic and Atmospheric Administration to enhance the collection of data to improve the accuracy of the United States Drought Monitor.

(b) Utilization

To the maximum extent practicable, the Secretary shall utilize a consistent source or sources of data for programs that are based on drought or precipitation indices, such as the livestock forage disaster program established under section 9081(c) of this title or policies or plans of insurance established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(c) Review

Not later than 1 year after December 20, 2018, the Secretary shall conduct a review of—

- (1) the types of data currently utilized by the United States Drought Monitor;
- (2) the geographic coverage and density of existing data collection sites; and
- (3) other meteorological or climatological data that is being collected by other Federal agencies, State and local governments, and non-Federal entities that could be utilized by the United States Drought Monitor.

(d) Improvements**(1) In general**

Upon the completion of the review prescribed in subsection (c), the Secretary shall—

(A) seek to expand the collection of relevant data in States or geographic areas where coverage is currently lacking as compared to other States or geographic areas; and

(B) to the maximum extent practicable, develop standards to allow the integration of meteorological or climatological data into the United States Drought Monitor derived from—

- (i) in-situ soil moisture profile measuring devices;
- (ii) citizen science (as defined in the Crowdsourcing and Citizen Science Act (15 U.S.C. 3724)), including data from the Cooperative Observer Program of the National Weather Service; and
- (iii) other Federal agencies, State and local governments, and non-Federal entities.

(2) Authorization of appropriations

There is to be authorized to be appropriated to the Secretary to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023.

(Pub. L. 115-334, title XII, § 12512, Dec. 20, 2018, 132 Stat. 4995.)

Editorial Notes

REFERENCES IN TEXT

The Federal Crop Insurance Act, referred to in subsec. (b), is subtitle A of title V of act Feb. 16, 1938, ch. 30, 52 Stat. 72, which is classified generally to subchapter I (§1501 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see section 1501 of this title and Tables.

CODIFICATION

Section was enacted as part of the Agriculture Improvement Act of 2018, and not as part of subtitle C of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990 which comprises this subchapter.

Statutory Notes and Related Subsidiaries

DEFINITION OF “SECRETARY”

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

SUBCHAPTER IV—RESEARCH REGARDING PRODUCTION, PREPARATION, PROCESSING, HANDLING, AND STORAGE OF AGRICULTURAL PRODUCTS**§§ 5871 to 5874. Repealed. Pub. L. 104-127, title VIII, § 861, Apr. 4, 1996, 110 Stat. 1174**

Section 5871, Pub. L. 101-624, title XVI, § 1644, Nov. 28, 1990, 104 Stat. 3751, provided for establishment of research and grant program.

Section 5872, Pub. L. 101-624, title XVI, § 1645, Nov. 28, 1990, 104 Stat. 3752, related to advisory committee and grant process.

Section 5873, Pub. L. 101-624, title XVI, § 1646, Nov. 28, 1990, 104 Stat. 3753, provided for reports to Congress.

Section 5874, Pub. L. 101-624, title XVI, § 1647, Nov. 28, 1990, 104 Stat. 3754, provided for appropriations for research and grant program.