

HARMFUL INVASIVE WEED CONTROL ACT OF 2002

MAY 9, 2002.—Ordered to be printed

Mr. HANSEN, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1462]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1462) to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Harmful Invasive Weed Control Act of 2002”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) There exists no dedicated, coordinated Federal effort to address, control, or eradicate harmful, invasive terrestrial weeds.

(2) Public and private land in the United States faces unprecedented and severe stress from harmful, invasive weeds.

(3) The economic and resource value of the land is being destroyed as harmful invasive weeds overtake native vegetation, making the land unusable for forage and for diverse plant and animal communities.

(4) Damage caused by harmful invasive weeds has been estimated to run in the hundreds of millions of dollars annually.

(5) Successfully fighting this scourge will require coordinated action by all affected stakeholders, which may include Federal, State, and local governments, private landowners, and nongovernmental organizations.

(6) The fight must begin at the local level, since it is at the local level that persons feel the loss caused by harmful invasive weeds and will therefore have the greatest motivation to take effective action.

(7) To date, effective action has been hampered by inadequate funding at all levels of government and by inadequate coordination.

(b) PURPOSES.—The purposes of this Act are the following:

(1) To direct the Secretary to coordinate with the National Invasive Species Council to develop a dedicated program to combat harmful, invasive terrestrial weeds.

(2) To provide assistance to eligible weed management entities in carrying out projects to control or eradicate harmful, invasive weeds on public and private land.

(3) To coordinate projects with existing weed management entities, areas, districts, and ongoing partnerships.

(4) In locations in which no weed management entity, area, or district exists, to stimulate the formation of additional local or regional cooperative weed management entities, such as entities for weed management areas or districts, that organize locally affected stakeholders to control or eradicate weeds.

(5) To leverage additional funds from a variety of public and private sources to control or eradicate weeds through local stakeholders.

(6) To promote healthy, diverse, and desirable plant communities by abating through a variety of measures the threat posed by harmful, invasive weeds.

SEC. 3. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term “Council” means the National Invasive Species Council established by Executive Order 13112 of February 3, 1999.

(2) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(3) LOCAL STAKEHOLDER.—

(A) IN GENERAL.—The term “local stakeholder” means an interested party that participates in the establishment of a weed management entity in a State.

(B) INCLUSIONS.—The term “local stakeholder” includes a Federal, State, local, tribal, or private landowner.

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(5) STATE.—The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States.

(6) WEED.—The term “weed” means any parasitic or other kind of plant at any living stage (including seeds and reproductive parts of such a plant), that—

(A) is of foreign origin;

(B) is new or not widely prevalent in a region, State, or the United States; and

(C) can directly or indirectly impact other useful plants, livestock, wildlife resources, or the public health.

(7) WEED MANAGEMENT ENTITY.—The term “weed management entity” means an entity that—

(A) is recognized by the State in which it is established;

(B) is established by and includes local stakeholders;

(C) is established for the purpose of controlling or eradicating harmful, invasive weeds on public or private land and increasing public knowledge and education concerning the need to control or eradicate harmful, invasive weeds on public or private land; and

(D) is multijurisdictional and multidisciplinary in nature.

SEC. 4. ESTABLISHMENT OF PROGRAM.

The Secretary, in coordination with the Council, shall establish in the Office of the Secretary a program to provide financial assistance through States to eligible weed management entities to control or eradicate harmful, invasive weeds on public and private land.

SEC. 5. ALLOCATION OF FUNDS TO STATES AND INDIAN TRIBES.

(a) ALLOCATION.—

(1) IN GENERAL.—Subject to paragraph (2), in consultation with the Council, the Secretary shall allocate funds made available for each fiscal year under section 12 to States and Indian tribes to provide funding in accordance with sections 6 and 7 to weed management entities to carry out projects approved by States and Indian tribes to control or eradicate harmful, invasive weeds on public and private land.

(2) FEDERAL ALLOCATION TO INDIAN TRIBES.—Of the funds made available for allocation under section 12 for each fiscal year, 5 percent shall be—

(A) reserved for allocation to Indian tribes; and

(B) administered by the Council.

(b) AMOUNT.—The Secretary shall determine the amount of Federal funds allocated to a State or Indian tribe for a fiscal year under this section to be used to address a harmful, invasive terrestrial weed problem in the State or portion of the State, or on land or in water under the jurisdiction of the Indian tribe, on the basis of—

- (1) the severity or potential severity of the harmful, invasive weed problem;
- (2) the extent to which the Federal funds will be used to leverage non-Federal funds to address the harmful, invasive weed problem;
- (3) the extent to which the State or Indian tribe has made progress in addressing harmful, invasive weed problems; and
- (4) other factors recommended by the Council and approved by the Secretary.

SEC. 6. USE OF FUNDS ALLOCATED TO STATES.

(a) IN GENERAL.—A State that receives an allocation of funds under section 5 for a fiscal year shall use—

- (1) not more than 25 percent of the allocation to make an incentive payment to each weed management entity established in the State, in accordance with subsection (b); and
- (2) not less than 75 percent of the allocation to make financial awards to weed management entities established in the State, in accordance with subsection (c).

(b) INCENTIVE PAYMENTS.—

(1) USE BY WEED MANAGEMENT ENTITIES.—

(A) IN GENERAL.—Incentive payments under subsection (a)(1) shall be used by weed management entities—

- (i) to encourage the formation of new weed management entities; or
- (ii) to carry out 1 or more projects described in subsection (d) to improve the effectiveness of existing weed management entities or programs.

(B) DURATION OF PAYMENTS.—A weed management entity is eligible to receive an incentive payment under subparagraph (A) for not more than 3 years in the aggregate.

(C) FEDERAL SHARE.—

(i) IN GENERAL.—Except as provided in clause (ii), for purposes of subparagraph (A), the Federal share of the cost of carrying out a project described in subsection (d) shall not exceed 50 percent.

(ii) ADJUSTMENT.—After consultation with the Secretary, the Governor of a State that makes either an incentive payment or financial award under subsection (a) may increase, to a maximum of 100 percent, such Federal share of a project that the Governor determines is necessary to meet the needs of an underserved area.

(iii) FORM OF MATCHING FUNDS.—Under subparagraph (A), the non-Federal share of the cost of carrying out a project described in subsection (d) may be provided—

- (I) in cash or in kind; or
- (II) in the form of Federal funds made available under a Federal law other than this Act.

(2) ELIGIBILITY OF WEED MANAGEMENT ENTITIES.—To be eligible to obtain an incentive payment under paragraph (1) for a fiscal year, a weed management entity in a State shall—

(A)(i) for the first fiscal year for which the entity receives an incentive payment under this subsection, provide to the State in which it is established a description of—

- (I) the purposes for which the entity was established; and
- (II) any projects to be carried out to accomplish those purposes; and

(ii) for any subsequent fiscal year for which the entity receives an incentive payment, provide to the State—

(I) a description of the activities carried out by the entity in the previous fiscal year—

- (aa) to control or eradicate harmful, invasive weeds on public or private land; or
- (bb) to increase public knowledge and education concerning the need to control or eradicate harmful, invasive weeds on public or private land; and

(II) the results of each such activity; and

(B) meet such additional eligibility requirements, and conform to such process for determining eligibility, as the State may establish.

(c) FINANCIAL AWARDS.—

(1) USE BY WEED MANAGEMENT ENTITIES.—

(A) IN GENERAL.—Financial awards under subsection (a)(2) shall be used by weed management entities to pay the Federal share of the cost of carrying out projects described in subsection (d) that are selected by the State in accordance with subsection (d).

(B) FEDERAL SHARE.—

(i) IN GENERAL.—Except as provided in clause (ii), for purposes of subparagraph (A), the Federal share of the cost of carrying out a project described in subsection (d) shall not exceed 50 percent.

(ii) ADJUSTMENT.—After consultation with the Secretary, the Governor of a State that makes either an incentive payment or financial award under subsection (a) may increase, to a maximum of 100 percent, such Federal share of a project that the Governor determines is necessary to meet the needs of an underserved area.

(iii) FORM OF MATCHING FUNDS.—Under subparagraph (A), the non-Federal share of the cost of carrying out a project described in subsection (d) may be provided—

(I) in cash or in kind; or

(II) in the form of Federal funds made available under a Federal law other than this Act.

(2) ELIGIBILITY OF WEED MANAGEMENT ENTITIES.—To be eligible to obtain a financial award under paragraph (1) for a fiscal year, a weed management entity in a State shall—

(A) meet the requirements for eligibility for an incentive payment under subsection (b)(2); and

(B) submit to the State a description of the project for which the financial award is sought.

(d) PROJECTS.—

(1) IN GENERAL.—A weed management entity may use a financial award received under this section to carry out a project to control or eradicate harmful, invasive weeds on public or private land, including—

(A) education, inventories and mapping, management, monitoring, and similar activities, including the payment of the cost of personnel and equipment that promote such control or eradication; and

(B) other activities to promote such control or eradication, if the results of the activities are disseminated to the public.

(2) SELECTION OF PROJECTS.—A State shall select projects for funding under this section on a competitive basis, taking into consideration—

(A) the seriousness of the harmful, invasive weed problem or potential problem addressed by the project;

(B) the likelihood that the project will prevent or resolve the problem, or increase knowledge about resolving similar problems in the future;

(C) the extent to which the payment will leverage non-Federal funds to address the harmful, invasive weed problem addressed by the project;

(D) the extent to which the recipient weed management entity has made progress in addressing harmful, invasive weed problems;

(E) the extent to which the project will provide a comprehensive approach to the control or eradication of harmful, invasive weeds;

(F) the extent to which the project will reduce the total population of a harmful, invasive weed within the State;

(G) the extent to which the project uses the principles of integrated vegetation management and sound science; and

(H) other factors that the State determines to be relevant.

(3) SCOPE OF PROJECTS.—

(A) IN GENERAL.—A weed management entity shall determine the geographic scope of the harmful, invasive weed problem to be addressed through a project using an incentive payment or financial award received under this section.

(B) MULTIPLE STATES.—A weed management entity may use an incentive payment or financial award under this section to carry out a project to address the harmful, invasive weed problem of more than 1 State only if the entity meets the requirements of all applicable State laws.

(4) LAND.—A weed management entity may use an incentive payment or financial award received under this section to carry out a project to control or eradicate weeds on any public land, or on any private land with the approval of the owner or operator of the land.

(5) PROHIBITION ON USE OF FUNDS.—An incentive payment or financial award under this Act may not be used to carry out a project—

(A) to control or eradicate animal pests or submerged or floating harmful, invasive aquatic weeds; or

(B) to protect an agricultural commodity (as defined in section 102 of the Agricultural Trade Act of 1978 (7 U.S.C. 5602)) other than—

- (i) livestock (as defined in section 602 of the Agricultural Trade Act of 1949 (7 U.S.C. 1471); or
- (ii) an animal- or insect-based product.

(e) **ADMINISTRATIVE COSTS.**—Not more than 5 percent of the funds made available under section 12 for a fiscal year may be used by the Federal Government to pay the administrative costs of the program established by this Act, including the costs of complying with Federal environmental laws.

(f) **REPORT.**—As a condition of the receipt of an incentive payment or financial award under this Act, a weed management entity in a State that received such a payment or award shall submit to the Council a report that describes the purposes and results of each project for which the payment or award was used, by not later than 6 months after completion of the projects.

SEC. 7. USE OF FUNDS ALLOCATED TO INDIAN TRIBES.

(a) **IN GENERAL.**—The requirements for the use of funds allocated to States described in section 6 shall apply to the use of funds allocated to Indian tribes under section 5(a)(2).

(b) **INSUFFICIENT OR EXCESS FUNDS.**—

(1) **INSUFFICIENT FUNDS.**—If, in any fiscal year, the funds allocated to Indian tribes under section 5(a)(2) are not sufficient to provide incentive payments or financial awards to each weed management entity of an Indian tribe, an Indian tribe may seek additional funds by participating as a local stakeholder in the establishment of a weed management entity that receives assistance under section 6.

(2) **EXCESS FUNDS.**—Any excess funds remaining after the provision of incentive payments or financial awards to weed management entities of Indian tribes shall be reserved by the Council for use in carrying out this Act in the following fiscal year.

(c) **REPORT.**—As a condition of the receipt of an incentive payment or financial award under this Act, not later than October 30 of each year, a weed management entity of an Indian tribe that received such a payment or award in the preceding fiscal year shall submit to the Council a report that describes, for that preceding fiscal year, the purposes for which the payment or award was used.

SEC. 8. FUNDING RECOMMENDATIONS.

The Secretary of Agriculture and the Council shall make recommendations to the Secretary regarding—

- (1) the annual allocation of funds to States and Indian tribes under section 5; and
- (2) other issues related to funding under this Act.

SEC. 9. LAND-RELATED CONDITIONS.

(a) **CONSENT OF LANDOWNER.**—Any activity involving real property may be carried out under this Act only with the consent of the landowner.

(b) **NO EFFECT ON PILT PAYMENTS.**—The provision of funds to any entity under this Act shall have no effect on the amount of any payment received by a county from the Federal Government under chapter 69 of title 31, United States Code (commonly known as “payments in lieu of taxes”).

SEC. 10. APPLICABILITY OF OTHER LAWS.

Any activity carried out under this Act shall comply with all other Federal laws (including regulations), including the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

SEC. 11. RELATIONSHIP TO OTHER PROGRAMS.

Assistance authorized under this Act is intended to supplement, and not replace, assistance available to weed management entities, areas, and districts for control or eradication of harmful, invasive weeds on public lands and private lands, including funding available under the Pulling Together Initiative of the National Fish and Wildlife Foundation.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

To carry out this Act there is authorized to be appropriated to the Secretary \$100,000,000 for each of fiscal years 2002 through 2006.

PURPOSE OF THE BILL

The purpose of H.R. 1462 is to require the Secretary of the Interior to establish a program to provide assistance through States to

eligible weed management entities to control or eradicate harmful, nonnative weeds on public and private land.

BACKGROUND AND NEED FOR LEGISLATION

Invasive nonnative species are considered one of the greatest threats to our public and private lands. Nonnative species are also referred to as “non-indigenous,” “exotic,” or “alien.” Introduction of exotic plant species on the American continent started almost immediately with the first European colonization. Many of these non-native introductions were purposeful, and have proven to be beneficial, such as most row crops, domesticated animals, some game species, and ornamental plants.

Others, however, have turned out to be extremely harmful, especially several plant species, such as Buffalobur, Bighead Knapweed, Velvetleaf, Leafy Spurge, Scotch Thistle, Yellow Star Thistle, Kudzu, and Purple Loosestrife. Many of these plants were controlled in their native lands by natural forces such as insects, animals, or viruses. However, in America, without such natural factors controlling their growth, these noxious plants have and continue to expand their range unchecked. The largest ecological threat posed by invasive plant species is the disruption of entire ecosystems where invasive species replace native plants. Plant invaders completely alter the fire regime, nutrient cycle, and hydrology in a native ecosystem, and greatly diminish the abundance or survival of native species. For example, Cheat Grass in the western United States has increased the frequency and intensity of fires so that native species cannot recover. Another example would be the effects of Leafy Spurge on rangelands. An invasive plant from Eurasia, it crowds out desirable and nutritious forage, reduces land values, and degrades wildlife habitat. Annual damages from this weed are estimated to exceed \$100 million in the Great Plains States. In short, these harmful, invasive weeds outperform the natural vegetation indigenous to an area and leave in their wake a vast monoculture of weeds. It is thought that up to 46% of the plants and animals on the federal endangered species list have been negatively impacted by invasive species.

Today, the United States faces unprecedented harm from invasive weeds—unprecedented because the spread of weeds in many cases is exponential. In one year, certain species of invasive weeds can go from three or four plants one year to 100 or so the next year, a couple thousand the next year, and so on. It has been estimated that in the United States—on public land alone—about 5,000 acres of native habitat is being lost per day to noxious weeds. For example, today approximately 2.6 million acres of national parklands are infested by invasive plants. Consequently, it is much easier to eradicate three or four plants today than eradicate millions of plants five years in the future.

According to the General Accounting Office, in Fiscal Year 2001, the U.S. Department of Agriculture spent about \$925 million on a wide range of invasive species-related activities—almost 90 percent of the total federal funding directed toward these activities. The Departments of Interior and Defense accounted for another \$37 million and \$10 million, respectively. Combined, this amount is less than one half of one percent of the estimated total annual economic losses of \$137 billion caused by all invasive exotic species.

H.R. 1462 attempts to address a fundamental obstacle to effective weed management: a lack of adequate and available funding at the local level and inadequate coordination and reliance on the federal government. H.R. 1462 will provide weed management funds to States for a variety of land managers who are working together on cooperative weed management projects. Under the bill, matching grants would be available to: (1) assist eligible weed management entities in carrying out projects to control or eradicate harmful, invasive weeds on public or private land; (2) coordinate the projects with existing weed management areas and districts; (3) stimulate the formation of additional local or regional cooperative weed management entities in locations in which none exist; (4) leverage additional funds from public and private sources to control or eradicate weeds through local stakeholders; and (5) promote healthy, diverse and desirable plant communities by abating the threat posed by harmful, nonnative weeds.

Eligible weed management entities are defined as entities recognized by a State and are established by local stakeholders to control or eradicate harmful nonnative weeds on public or private land. These entities are also charged with increasing public knowledge and education concerning the need to control or eradicate harmful nonnative weeds on public or private land. Funds allocated to States may be used for either incentive payments—to encourage the formation of new management entities or improve the effectiveness of weed management entities, or financial payments—funds to be used by weed management entities to pay the federal share of the cost of carrying out projects to control or eradicate of harmful, nonnative weeds on public or private land. Projects could include education, inventories and mapping, management, monitoring, and similar activities.

States shall select projects for funding on a competitive basis, taking into consideration, among other factors, the seriousness of the weed problem, the likelihood that the project will prevent or resolve the problem, the extent to which the payment will leverage non-federal funds to address the weed problem, and the extent the project will provide a comprehensive approach to the control or eradication of the weeds. Projects on private land will require approval of the owner of the land. Funds are also restricted from any project to control or eradicate submerged or floating aquatic noxious weeds or animal pests.

States may use no more than 25 percent of their allocation under H.R. 1462 to make an incentive payment to a weed management entity for weed eradication programs, and not less than 75 percent of the allocation to make financial awards to weed management entities.

The bill also requires the Secretary of the Interior to consult with the National Invasive Species Council regarding the annual allocation of funds to States and Indian tribes and other issues related to funding under the bill. Of the funds appropriated in any given year, five percent will be reserved for Indian tribes.

After receiving funds, each weed management entity is required to provide to the Council a description of its activities to control or eradicate harmful, nonnative weeds and the results of each activity, and how the entity has increased the public knowledge and

education concerning the need to control or eradicate harmful, non-native weeds on public or private land.

COMMITTEE ACTION

H.R. 1462 was introduced on April 4, 2001, by Congressman Joel Hefley (R-CO). The bill was referred to the Committee on Resources and additionally to the Committee on Agriculture. Within the Committee on Resources, the bill was referred to the Subcommittee on National Parks, Recreation, and Public Lands, and the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On June 19, 2001, the Subcommittee on National Parks, Recreation and Public Lands held a hearing on the bill. On March 7, 2002, the Subcommittee on National Parks, Recreation, and Public Lands met to mark up the bill. Congressman Hefley offered an amendment in the nature of a substitute that made the following changes to the original text: (1) eliminated the advisory council and directed the Secretary of the Interior to consult with the National Invasive Species Council in developing the weed program and in evaluating State grant requests; (2) redefined the term “weed”; (3) required the Governor of a State to consult with the Secretary prior to allocating 100 percent of the federal share for a project; (4) clarified that a weed management entity involved with more than one State may use the funds authorized by the bill as long as it meets the requirements of each State; and (5) clarified that funds authorized by the bill are not intended to replace assistance under existing programs. It was adopted by voice vote. The bill, as amended, was then ordered favorably reported to the Full Committee by voice vote. On April 24, 2002, the Full Resources Committee met to consider the bill. The Subcommittee on Fisheries Conservation, Wildlife and Oceans was discharged from further consideration of the bill. No further amendments were offered and the bill as amended was then ordered favorably reported to the House of Representatives by voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

Section 1 contains the short title of the bill, the “Harmful Invasive Weed Control Act of 2002.”

Section 2. Findings and purpose

Section 2 contains findings and purposes of the bill, which is to provide assistance to eligible weed management entities in carrying out projects to control or eradicate harmful, invasive weeds on public and private land.

Section 3. Definitions

Section 3 includes definitions for terms associated with the bill.

Section 4. Establishment of program

Section 4 establishes the program within the office of the Secretary of the Interior in coordination with the National Invasive Species Council, which will provide financial assistance through States to eligible weed management entities.

Section 5. Allocation of funds to States and Indian Tribes

Section 5 provides for the allocation of funds for the incentive payment and the financial award to States and Indian Tribes for weed management entities for purposes of controlling or eradicating invasive weeds.

Section 6. Use of funds allocated to States

Section 6 outlines the permitted uses for the allocations for the incentive payment and financial award, eligibility requirements for weed management entities, selection criteria for awards grants, and reporting requirements.

Section 7. Use of funds allocated to Indian Tribes

Section 7 contains requirements for the use of allocated funds to Indian Tribes.

Section 8. Funding recommendations

Section 8 describes funding recommendations for the Secretary of Agriculture and the National Invasive Species Council.

Section 9. Land-related conditions

Section 9 contains land-related conditions.

Section 10. Applicability of other laws

Section 10 describes the applicability of other laws to the bill.

Section 11. Relationship to other programs

Section 11 describes the relationship of the Act to existing programs.

Section 12. Authorization of appropriations

Section 12 contains the authorization of appropriations—\$100 million for each of Fiscal Years 2002 through 2006.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is to require the Secretary of the Interior to establish a program to provide assistance through States to eligible weed management entities to control or eradicate harmful, nonnative weeds on public or private land.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, May 7, 2002.

Hon. JAMES V. HANSEN,
Chairman, Committee on Resources, House of Representatives,
Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1462, the Harmful Invasive Weed Control Act of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Megan Carroll.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1462—Harmful Invasive Weed Control Act of 2002

Summary: H.R. 1462 would direct the Secretary of the Interior to establish a program to provide grants to states and Indian tribes to support projects to control or eradicate harmful, invasive weeds on public and private lands. CBO estimates that the proposed program would cost \$10 million in 2003 and \$245 million over the 2003–2007 period, assuming appropriation of the authorized amounts. The bill would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply.

H.R. 1462 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. The assistance authorized by this bill would benefit state, local, and tribal governments. Any costs incurred by these governments to comply with the conditions of this assistance would be voluntary.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1462 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2002	2003	2004	2005	2006	2007
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
Authorization level	100	100	100	100	100	0
Estimated outlays	0	10	30	45	75	85

Basis of estimate: H.R. 1462 would authorize the appropriation of \$100 million a year over the 2002–2006 period for the Secretary of the Interior to make grants to states and Indian tribes to fund projects to control or eradicate harmful, invasive weeds on public and private lands. Based on information from the Department of the Interior, CBO estimates that implementing this bill would cost \$10 million in 2003 and \$245 million over the 2003–2007 period, with additional spending occurring in later years. For this estimate, we assume H.R. 1462 will be enacted by July 1, 2002, and that authorized amounts would be provided as specified by the bill. Estimates of outlays are based on spending patterns for similar activities.

Pay-as-you-go considerations: None.

Intergovernmental and private-sector impact: H.R. 1462 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. The assistance authorized by this bill would benefit state, local, and tribal governments. Any costs incurred by these governments to comply with the conditions of this assistance would be voluntary.

Estimate prepared by: Federal costs: Megan Carroll; Impact on State, local, or tribal governments: Marjorie Miller; Impact on the private sector: Lauren Marks.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

