

federally recognized Indian tribes, governmental entities, and interested persons to provide for the restoration, preservation, development, interpretation, and use of the historic site.

[(c) VISITOR INTERPRETIVE CENTER.—For purposes of interpreting the historical themes and cultural resources of the historic site, the Secretary may establish and administer a visitor center in the development of the center's operation and interpretive programs.]

[(d) GENERAL MANAGEMENT PLAN.—Not later than three years after funds are made available for this purpose, the Secretary shall develop and submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives a general management plan for the historic site. The general management plan shall describe the appropriate protection and preservation of natural, cultural, and scenic resources, visitor use, and facility development within the historic area consistent with the purposes of this Act, while ensuring continued access to private landowners to their property.]

[SEC. 5. REPEAL OF PREVIOUS ACQUISITION AUTHORITY.]

[The Act of August 3, 1950 (Chapter 532; 16 U.S.C. 424a-4) is repealed.]

SECTION 1. SHORT TITLE.

This Act may be cited as the "Moccasin Bend National Archeological District Act".

SEC. 2. DEFINITIONS.

As used in this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) ARCHEOLOGICAL DISTRICT.—The term "archeological district" means the Moccasin Bend National Archeological District.

(3) STATE.—The term "State" means the State of Tennessee.

(4) MAP.—The term "Map" means the map entitled "Boundary Map, Moccasin Bend National Archeological District", numbered 301/80098, and dated September 2002.

SEC. 3. ESTABLISHMENT.

(a) IN GENERAL.—In order to preserve, protect, and interpret for the benefit of the public the nationally significant archeological and historic resources located on the peninsula known as Moccasin Bend, Tennessee, there is established as a unit of Chickamauga and Chattanooga National Military Park, the Moccasin Bend National Archeological District.

(b) BOUNDARIES.—The archeological district shall consist of approximately 780 acres generally depicted on the Map. The Map shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

(c) ACQUISITION OF LAND AND INTERESTS IN LAND.—

(1) IN GENERAL.—The Secretary may acquire by donation, purchase from willing sellers using donated or appropriated funds, or exchange, lands and interests in lands within the exterior boundary of the archeological district. The Secretary may acquire the State, county and city-owned land and interests in land for inclusion in the archeological district only by donation.

(2) EASEMENT OUTSIDE BOUNDARY.—To allow access between areas of the archeological district that on the date of enactment of this Act are noncontiguous, the Secretary may acquire by donation or purchase from willing owners using donated or appropriated funds, or exchange, easements connecting the areas generally depicted on the Map.

SEC. 4. ADMINISTRATION.

(a) IN GENERAL.—The archeological district shall be administered by the Secretary in accordance with this Act, with laws applicable to Chickamauga and Chattanooga National Military Park, and with the laws generally applicable to units of the National Park System.

(b) COOPERATIVE AGREEMENT.—The Secretary may consult and enter into cooperative agreements with culturally affiliated federally recognized Indian tribes, governmental entities, and interested persons to provide for the restoration, preservation, development, interpretation, and use of the archeological district.

(c) VISITOR INTERPRETIVE CENTER.—For purposes of interpreting the historical themes and cultural resources of the archeological district, the Secretary may establish and administer a visitor center in the archeological district.

(d) GENERAL MANAGEMENT PLAN.—Not later than three years after funds are made available for this purpose, the Secretary shall develop a general management plan for the archeological district. The general management plan shall describe the appropriate protection and preservation of natural, cultural, and scenic resources, visitor use, and facility development within the archeological district consistent with the purposes of this Act, while ensuring continued access to private landowners to their property.

SEC. 5. REPEAL OF PREVIOUS ACQUISITION AUTHORITY.

The Act of August 3, 1950 (Chapter 532; 16 U.S.C. 424a-4), is repealed.

Amend the title so as to read: "An Act To establish the Moccasin Bend National Archeological District in the State of Tennessee as a unit of Chickamauga and Chattanooga National Military Park."

Mr. REID. Mr. President, Senator BINGAMAN has a substitute amendment at the desk, and I ask unanimous consent that the amendment be considered and agreed to, the motion to reconsider be laid upon the table; that the committee-reported substitute, as amended, be agreed to; that the bill, as amended, be read three times, passed, and the motion to reconsider be laid upon the table, and that the title amendment be agreed to, with no intervening action or debate, and that any statements be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

AMENDMENT NO. 4973

(Purpose: To provide a complete substitute)

The amendment (No. 4973), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The bill (H.R. 980), as amended, was read the third time and passed.

The title amendment was agreed to.

AMENDING THE NATURAL TRAILS SYSTEM ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 576, H.R. 37.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 37) to amend the National Trails System Act to update the feasibility and suitability studies of 4 national historic trails and provide for possible additions to such trails.

There being no objection, the Senate proceeded to consider the bill which

had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Strike the part shown in black brackets and insert the part printed in italic.]

H.R. 37

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

[SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.]

[The National Trails System Act is amended by inserting after section 5 (16 U.S.C. 1244) the following new section:

["SEC. 5A. REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING TRAILS FOR POSSIBLE TRAIL EXPANSION.]

["(a) IN GENERAL.—

["(1) DEFINITIONS.—In this section:

["(A) ROUTE.—The term 'route' includes a trail segment commonly known as a cutoff.

["(B) SHARED ROUTE.—The term 'shared route' means a route that was a segment of more than one historic trail, including a route shared with an existing national historic trail.

["(2) STUDY REQUIREMENTS AND OBJECTIVES.—The study requirements and objectives specified in section 5(b) shall apply to a study required by this section. The study shall also assess the effect that designation of the studied route as a component of an existing national scenic trail or national historic trail may have on private property along the proposed route.

["(3) COMPLETION AND SUBMISSION OF STUDY.—A study listed in this section shall be completed and submitted to the Congress not later than three complete fiscal years from the date of the enactment of this section, or from the date of the enactment of the addition of the study to this section, whichever is later.

["(4) IMPLEMENTATION OF STUDY RESULTS.—Upon completion of a study required by this section, if the Secretary conducting the study determines that a studied route is a feasible and suitable addition to the existing national scenic trail or national historic trail that was the subject of the study, the Secretary shall designate the route as a component of that national scenic trail or national historic trail. The Secretary shall publish notice of the designation in the Federal Register.

["(b) OREGON NATIONAL HISTORIC TRAIL.—

["(1) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Oregon Trail listed in paragraph (2) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Oregon National Historic Trail.

["(2) COVERED ROUTES.—The routes to be studied under paragraph (1) are the following:

["(A) Whitman Mission route.

["(B) Upper Columbia River.

["(C) Cowlitz River route.

["(D) Meek cutoff.

["(E) Free Emigrant Road.

["(F) North Alternate Oregon Trail.

["(G) Goodale's cutoff.

["(H) North Side alternate route.

["(I) Cutoff to Barlow Road.

["(J) Naches Pass Trail.

["(c) PONY EXPRESS NATIONAL HISTORIC TRAIL.—The Secretary of the Interior shall

undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Pony Express National Historic Trail.

["(d) CALIFORNIA NATIONAL HISTORIC TRAIL.—

["(1) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in paragraph (2) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the California National Historic Trail.

["(2) COVERED ROUTES.—The routes to be studied under paragraph (1) are the following:

["(A) MISSOURI VALLEY ROUTES.—
["(i) Blue Mills-Independence Road.
["(ii) Westport Landing Road.
["(iii) Westport-Lawrence Road.
["(iv) Fort Leavenworth-Blue River route.
["(v) Road to Amazonia.
["(vi) Union Ferry Route.
["(vii) Old Wyoming-Nebraska City cutoff.
["(viii) Lower Plattsmouth Route.
["(ix) Lower Bellevue Route.
["(x) Woodbury cutoff.
["(xi) Blue Ridge cutoff.
["(xii) Westport Road.
["(xiii) Gum Springs-Fort Leavenworth route.

["(xiv) Atchison/Independence Creek routes.

["(xv) Fort Leavenworth-Kansas River route.

["(xvi) Nebraska City cutoff routes.
["(xvii) Minersville-Nebraska City Road.
["(xviii) Upper Plattsmouth route.
["(xix) Upper Bellevue route.
["(B) CENTRAL ROUTES.—
["(i) Cherokee Trail, including splits.
["(ii) Weber Canyon route of Hastings cutoff.

["(iii) Bishop Creek cutoff.
["(iv) McAuley cutoff.
["(v) Diamond Springs cutoff.
["(vi) Secret Pass.

["(vii) Greenhorn cutoff.
["(viii) Central Overland Trail.

["(C) WESTERN ROUTES.—

["(i) Bidwell-Bartleson route.
["(ii) Georgetown/Dagget Pass Trail.
["(iii) Big Trees Road.
["(iv) Grizzly Flat cutoff.
["(v) Nevada City Road.
["(vi) Yreka Trail.
["(vii) Henness Pass route.
["(viii) Johnson cutoff.
["(ix) Luther Pass Trail.
["(x) Volcano Road.
["(xi) Sacramento-Coloma Wagon Road.
["(xii) Burnett cutoff.
["(xiii) Placer County Road to Auburn.

["(e) MORMON PIONEER NATIONAL HISTORIC TRAIL.—

["(1) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in paragraph (2) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.

["(2) COVERED ROUTES.—The routes to be studied under paragraph (1) are the following:

["(A) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).

["(B) 1856-57 Handcart route (Iowa City to Council Bluffs)

["(C) Keokuk route (Iowa).

["(D) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.

["(E) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).

["(F) 1850 Golden Pass Road in Utah.

["(f) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—

["(1) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in paragraph (2) and generally depicted on the map entitled 'Western Emigrant Trails 1830/1870' and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as shared components of the California National Historic Trail and the Oregon National Historic Trail.

["(2) COVERED ROUTES.—The routes to be studied under paragraph (1) are the following:

["(A) St. Joe Road.
["(B) Council Bluffs Road.
["(C) Sublette cutoff.
["(D) Applegate route.
["(E) Old Fort Kearny Road (Oxbow Trail).
["(F) Childs cutoff.
["(G) Raft River to Applegate."]

SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY STUDIES OF EXISTING NATIONAL HISTORIC TRAILS.

Section 5 of the National Trails System Act (16 U.S.C. 1244) is amended by inserting the following new subsection(g):

“(g) The Secretary shall revise the feasibility and suitability studies for certain national trails for consideration of possible additions to the trails.

“(1) IN GENERAL.—

“(A) DEFINITIONS.—In this subsection:

“(i) ROUTE.—The term ‘route’ includes a trail segment common known as a cutoff.

“(ii) SHARED ROUTE.—The term ‘shared’ route means a route that was a segment of more than one historic trail, including a route shared with an existing national historic trail.

“(B) STUDY REQUIREMENTS AND OBJECTIVES.—The study requirements and objectives specified in subsection (b) shall apply to a study required by this subsection.

“(C) COMPLETION AND SUBMISSION OF STUDY.—A study listed in this subsection shall be completed and submitted to the Congress not later than three complete fiscal years from the date of the enactment of this subsection, or from the date of the enactment of the addition of the study to this subsection, whichever is later.

“(2) OREGON NATIONAL HISTORIC TRAIL.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other routes of the Oregon Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Oregon National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

“(i) Whitman Mission route.
“(ii) Upper Columbia River.
“(iii) Cowlitz River route.
“(iv) Meek cutoff.
“(v) Free Emigrant Road.
“(vi) North Alternate Oregon Trail.

“(vii) Goodale’s cutoff.

“(viii) North Side alternate route.

“(ix) Cutoff to Barlow Road.

“(x) Naches Pass Trail.

“(3) PONY EXPRESS NATIONAL HISTORIC TRAIL.—The Secretary of the Interior shall undertake a study of the approximately 20-mile southern alternative route of the Pony Express Trail from Wathena, Kansas, to Troy, Kansas, and such other routes of the Pony Express Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Pony Express National Historic Trail.

“(4) CALIFORNIA NATIONAL HISTORIC TRAIL.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the Missouri Valley, central, and western routes of the California Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other and shared Missouri Valley, central, and western routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the California National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

“(i) MISSOURI VALLEY ROUTES.—
“(I) Blue Mills-Independence Road.
“(II) Westport Landing Road.
“(III) Westport-Lawrence Road.
“(IV) Fort Leavenworth-Blue River route.
“(V) Road to Amazonia.
“(VI) Union Ferry Route.
“(VII) Old Wyoming-Nebraska City cutoff.
“(VIII) Lower Plattsmouth Route.
“(IX) Lower Bellevue Route.
“(X) Woodbury cutoff.
“(XI) Blue Ridge cutoff.
“(XII) Westport Road.
“(XIII) Gum Springs-Fort Leavenworth route.
“(XIV) Atchison/Independence Creek routes.
“(XV) Fort Leavenworth-Kansas River route.
“(XVI) Nebraska City cutoff routes.
“(XVII) Minersville-Nebraska City Road.
“(XVIII) Upper Plattsmouth route.
“(XIX) Upper Bellevue route.
“(ii) CENTRAL ROUTES.—
“(I) Cherokee Trail, including splits.
“(II) Weber Canyon route of Hastings cutoff.
“(III) Bishop Creek cutoff.
“(IV) McAuley cutoff.
“(V) Diamond Springs cutoff.
“(VI) Secret Pass.
“(VII) Greenhorn cutoff.
“(VIII) Central Overland Trail.
“(iii) WESTERN ROUTES.—
“(I) Bidwell-Bartleson route.
“(II) Georgetown/Dagget Pass Trail.
“(III) Big Trees Road.
“(IV) Grizzly Flat cutoff.
“(V) Nevada City Road.
“(VI) Yreka Trail.
“(VII) Henness Pass route.
“(VIII) Johnson cutoff.
“(IX) Luther Pass Trail.
“(X) Volcano Road.
“(XI) Sacramento-Coloma Wagon Road.
“(XII) Burnett cutoff.
“(XIII) Placer County Road to Auburn.

“(5) MORMON PIONEER NATIONAL HISTORIC TRAIL.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the routes of the Mormon Pioneer Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other routes of the Mormon Pioneer Trail that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as components of the Mormon Pioneer National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

“(i) 1846 Subsequent routes A and B (Lucas and Clarke Counties, Iowa).

“(ii) 1856–57 Handcart route (Iowa City to Council Bluffs)

“(iii) Keokuk route (Iowa).

“(iv) 1847 Alternative Elkhorn and Loup River Crossings in Nebraska.

“(v) Fort Leavenworth Road; Ox Bow route and alternates in Kansas and Missouri (Oregon and California Trail routes used by Mormon emigrants).

“(vi) 1850 Golden Pass Road in Utah.

“(6) SHARED CALIFORNIA AND OREGON TRAIL ROUTES.—

“(A) STUDY REQUIRED.—The Secretary of the Interior shall undertake a study of the shared routes of the California Trail and Oregon Trail listed in subparagraph (B) and generally depicted on the map entitled ‘Western Emigrant Trails 1830/1870’ and dated 1991/1993, and of such other shared routes that the Secretary considers appropriate, to determine the feasibility and suitability of designation of one or more of the routes as shared components of the California National Historic Trail and the Oregon National Historic Trail.

“(B) COVERED ROUTES.—The routes to be studied under subparagraph (A) shall include the following:

“(i) St. Joe Road.

“(ii) Council Bluffs Road.

“(iii) Sublette cutoff.

“(iv) Applegate route.

“(v) Old Fort Kearny Road (Oxbow Trail).

“(vi) Childs cutoff.

“(vii) Raft River to Applegate.”

Passed the House of Representatives June 6, 2001.

Mr. REID. Mr. President, Chairman BINGAMAN has a substitute amendment at the desk. I ask unanimous consent that the amendment be considered and agreed to, the motion to reconsider be laid on the table, the committee-reported substitute, as amended, be agreed to, the bill, as amended, be read three times and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment (No. 4974) in the nature of a substitute was agreed to.

(The amendment is printed in today's RECORD under “Text of Amendments.”)

The committee amendment in the nature of a substitute, as amended, was agreed to.

The bill (H.R. 37), as amended, was read the third time and passed.

NOXIOUS WEED CONTROL ACT OF 2002

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 600, S. 198.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 198) to require the Secretary of the Interior to establish a program to pro-

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

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Energy and Natural Resources with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Striking the part shown in black brackets and insert the part shown in italic.]

S. 198

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

[This Act may be cited as the “Harmful Nonnative Weed Control Act of 2000”].

SEC. 2. FINDINGS AND PURPOSES.

[(a) FINDINGS.—Congress finds that—

[(1) public and private land in the United States faces unprecedented and severe stress from harmful, nonnative weeds;

[(2) the economic and resource value of the land is being destroyed as harmful nonnative weeds overtake native vegetation, making the land unusable for forage and for diverse plant and animal communities;

[(3) damage caused by harmful nonnative weeds has been estimated to run in the hundreds of millions of dollars annually;

[(4) successfully fighting this scourge will require coordinated action by all affected stakeholders, including Federal, State, and local governments, private landowners, and nongovernmental organizations;

[(5) the fight must begin at the local level, since it is at the local level that persons feel the loss caused by harmful nonnative weeds and will therefore have the greatest motivation to take effective action; and

[(6) 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—

[(1) to provide assistance to eligible weed management entities in carrying out projects to control or eradicate harmful, nonnative weeds on public and private land;

[(2) to coordinate the projects with existing weed management areas and districts;

[(3) 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;

[(4) to leverage additional funds from a variety of public and private sources to control or eradicate weeds through local stakeholders; and

[(5) to promote healthy, diverse, and desirable plant communities by abating through a variety of measures the threat posed by harmful, nonnative weeds.

SEC. 3. DEFINITIONS.

[In this Act:

[(1) ADVISORY COMMITTEE.—The term “Advisory Committee” means the advisory committee established under section 5.

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

[(3) 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.

SEC. 4. ESTABLISHMENT OF PROGRAM.

[The Secretary 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, nonnative weeds on public and private land.

SEC. 5. ADVISORY COMMITTEE.

[(a) IN GENERAL.—The Secretary shall establish in the Department of the Interior an advisory committee to make recommendations to the Secretary regarding the annual allocation of funds to States under section 6 and other issues related to funding under this Act.

[(b) COMPOSITION.—The Advisory Committee shall be composed of not more than 10 individuals appointed by the Secretary who—

[(1) have knowledge and experience in harmful, nonnative weed management; and

[(2) represent the range of economic, conservation, geographic, and social interests affected by harmful, nonnative weeds.

[(c) TERM.—The term of a member of the Advisory Committee shall be 4 years.

[(d) COMPENSATION.—

[(1) IN GENERAL.—A member of the Advisory Committee shall receive no compensation for the service of the member on the Advisory Committee.

[(2) TRAVEL EXPENSES.—A member of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Advisory Committee.

[(e) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

SEC. 6. ALLOCATION OF FUNDS TO STATES.

[(a) IN GENERAL.—In consultation with the Advisory Committee, the Secretary shall allocate funds made available for each fiscal year under section 8 to States to provide funding in accordance with section 7 to eligible weed management entities to carry out projects approved by States to control or eradicate harmful, nonnative weeds on public and private land.

[(b) AMOUNT.—The Secretary shall determine the amount of funds allocated to a State for a fiscal year under this section on the basis of—

[(1) the seriousness of the harmful, nonnative weed problem or potential problem in the State, or a portion of the State;

[(2) the extent to which the Federal funds will be used to leverage non-Federal funds to address the harmful, nonnative weed problems in the State;

[(3) the extent to which the State has made progress in addressing harmful, nonnative weed problems in the State;

[(4) the extent to which weed management entities in a State are eligible for base payments under section 7; and

[(5) other factors recommended by the Advisory Committee and approved by the Secretary.