

“(B) \$15,000,000 for each of fiscal years 2007 through 2010.

“(2) ADMINISTRATIVE COSTS.—Not more than 15 percent of amounts made available under paragraph (1) shall be used to pay the administrative costs of carrying out the program established under subsection (a).

“(I) TERMINATION OF AUTHORITY.—This Act and the authority provided by this Act terminate on the date that is 5 years after the date of the enactment of this Act [Oct. 11, 2006].”

§ 7782. Establishment of program

(a) In general

The Secretary shall establish a program to provide financial and technical assistance to control or eradicate noxious weeds.

(b) Grants

Subject to the availability of appropriations under section 7786(a) of this title, the Secretary shall make grants under section 7783 of this title to weed management entities for the control or eradication of noxious weeds.

(c) Agreements

Subject to the availability of appropriations under section 7786(b) of this title, the Secretary shall enter into agreements under section 7784 of this title with weed management entities to provide financial and technical assistance for the control or eradication of noxious weeds.

(Pub. L. 106-224, title IV, §453, as added Pub. L. 108-412, §1, Oct. 30, 2004, 118 Stat. 2321.)

§ 7783. Grants to weed management entities

(a) Consultation and consent

In carrying out a grant under this subchapter, the weed management entity and the Secretary shall—

(1) if the activities funded under the grant will take place on Federal land, consult with the heads of the Federal agencies having jurisdiction over the land; or

(2) obtain the written consent of the non-Federal landowner.

(b) Grant considerations

In determining the amount of a grant to a weed management entity, the Secretary shall consider—

(1) the severity or potential severity of the noxious weed problem;

(2) the extent to which the Federal funds will be used to leverage non-Federal funds to address the noxious weed problem;

(3) the extent to which the weed management entity has made progress in addressing the noxious weeds problem; and

(4) other factors that the Secretary determines to be relevant.

(c) Use of grant funds; cost shares

(1) Use of grants

A weed management entity that receives a grant under subsection (a) shall use the grant funds to carry out a project authorized by subsection (d) for the control or eradication of a noxious weed.

(2) Cost shares

(A) Federal cost share

The Federal share of the cost of carrying out an authorized project under this section

exclusively on non-Federal land shall not exceed 50 percent.

(B) Form of non-Federal cost share

The non-Federal share of the cost of carrying out an authorized project under this section may be provided in cash or in kind.

(d) Authorized projects

Projects funded by grants under this section include the following:

(1) Education, inventories and mapping, management, monitoring, methods development, and other capacity building activities, including the payment of the cost of personnel and equipment that promote control or eradication of noxious weeds.

(2) Other activities to control or eradicate noxious weeds or promote control or eradication of noxious weeds.

(e) Application

To be eligible to receive assistance under this section, a weed management entity shall prepare and submit to the Secretary an application containing such information as the Secretary shall by regulation require.

(f) Selection of projects

Projects funded under this section shall be selected by the Secretary on a competitive basis, taking into consideration the following:

(1) The severity of the noxious weed problem or potential problem addressed by the project.

(2) The likelihood that the project will prevent or resolve the problem, or increase knowledge about resolving similar problems.

(3) The extent to which the Federal funds will leverage non-Federal funds to address the noxious weed problem addressed by the project.

(4) The extent to which the program will improve the overall capacity of the United States to address noxious weed control and management.

(5) The extent to which the weed management entity has made progress in addressing noxious weed problems.

(6) The extent to which the project will provide a comprehensive approach to the control or eradication of noxious weeds.

(7) The extent to which the project will reduce the total population of noxious weeds.

(8) The extent to which the project promotes cooperation and participation between States that have common interests in controlling and eradicating noxious weeds.

(9) Other factors that the Secretary determines to be relevant.

(g) Regional, State, and local involvement

In determining which projects receive funding under this section, the Secretary shall, to the maximum extent practicable—

(1) rely on technical and merit reviews provided by regional, State, or local weed management experts; and

(2) give priority to projects that maximize the involvement of State, local and, where applicable, Indian Tribe governments.

(h) Special consideration

The Secretary shall give special consideration to States with approved weed management enti-