



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

August 19, 2003

S. 618

Western Shoshone Claims Distribution Act

As ordered reported by the Senate Committee on Indian Affairs on July 16, 2003

S. 618 would establish procedures for the distribution of about \$143 million in judgment awards held in trust funds on behalf of the members of the Western Shoshone tribes. Under current law, the funds cannot be spent or distributed by the tribes until the Congress approves a plan to allocate the funds.

The tribes were awarded over \$26 million in 1979 as compensation for the federal government's taking of tribal land in California and Nevada and the removal of minerals from that land. S. 618 would provide for payments to eligible members of the Western Shoshone tribes of the \$26 million plus interest earned on that amount—a total of about \$143 million.

S. 618 also would allow for the distribution of interest earnings on about \$1.4 million that was awarded by the Court of Federal Claims to the Western Shoshone for the federal government's improper accounting of tribal funds. Under the bill, the interest on that trust fund would be used to make educational grants or to provide other education assistance to Western Shoshone members and to pay for the administrative expenses of the disbursement committee.

Those trust funds are held and managed in a fiduciary capacity by the federal government on behalf of Indian tribes and are treated in the budget as nonfederal entities. As a result, outlays were recorded on the budget when the judgments were awarded to the tribes and paid into those funds, and there is no budgetary impact when the money is distributed to the individual members of the tribes. Therefore, CBO estimates that enacting S. 618 would have no effect on the federal budget.

S. 618 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Lanette J. Walker. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.