



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

December 10, 2013

S. 269

International Fisheries Stewardship and Enforcement Act

*As ordered reported by the Senate Committee on Commerce, Science,
and Transportation on July 30, 2013*

SUMMARY

S. 269 would establish uniform enforcement policies and procedures among federal statutes that govern the regulation of commercial fishing. The bill also would expand the efforts of the National Oceanic and Atmospheric Administration (NOAA) to address illegal, unreported, and unregulated (IUU) fishing internationally. Finally, the bill would amend the Tuna Conventions Act of 1950 to implement the Antigua Convention, an international fishing agreement signed by the United States in 2003.

Assuming appropriation of the necessary amounts, CBO estimates that implementing S. 269 would cost \$31 million over the 2014-2018 period. Enacting the legislation could increase revenues (from civil and criminal penalties) and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that the net effects of those collections and subsequent spending on future budget deficits would be negligible for each year.

CBO has not reviewed title IV of the bill for intergovernmental or private-sector mandates. Section 4 of the Unfunded Mandates Reform Act (UMRA) excludes from the application of that act any legislative provisions that are necessary for the ratification or implementation of international treaty obligations. CBO has determined that title IV falls within that exclusion. The remaining provisions of S. 269 contain no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 269 is shown in the following table. The costs of this legislation fall within budget function 300 (environment and natural resources).

	By Fiscal Year, in Millions of Dollars					2014- 2018
	2014	2015	2016	2017	2018	
CHANGES IN SPENDING SUBJECT TO APPROPRIATION						
IUU Fishing Identification Program						
Estimated Authorization Level	2	3	3	3	3	14
Estimated Outlays	1	3	3	3	3	13
Technical Assistance						
Estimated Authorization Level	3	4	4	4	4	19
Estimated Outlays	2	4	4	4	4	18
Total Changes						
Estimated Authorization Level	5	7	7	7	7	33
Estimated Outlays	3	7	7	7	7	31

Note: IUU = illegal, unreported, and unregulated.

BASIS OF ESTIMATE

For this estimate, CBO assumes that the legislation will be enacted early in 2014 and that the necessary amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for similar programs.

Title I would expand the scope of a program to identify nations engaged in IUU fishing. The bill would require NOAA to maintain a list of nations that have engaged in certain IUU fishing practices within the preceding three years, including activities that violate international agreements to which the United States is not a party. Under current law, NOAA is required to identify and list nations that engaged in IUU activities during the previous year that violate international agreements to which the United States is a party. Based on information provided by NOAA, CBO estimates that hiring additional staff to help NOAA expand the scope of the IUU identification program would cost about \$3 million a year, assuming appropriation of the necessary amounts.

Title II would authorize NOAA to assist foreign governments in improving international enforcement of fisheries laws. Based on information provided by the agency and assuming appropriation of the necessary amounts, CBO estimates that providing technical assistance to foreign nations would cost about \$4 million a year over the 2014-2018 period.

Title IV would amend the Tuna Conventions Act of 1950 to implement the Antigua Convention and would establish guidelines for the selection, composition, and duties of

certain bodies that represent the United States on the Inter-American Tropical Tuna Commission. Because those bodies currently exist and members of those bodies are not compensated by the federal government, CBO estimates that implementing title IV would have no significant impact on the federal budget.

PAY-AS-YOU-GO CONSIDERATIONS

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. Enacting S. 269 could increase revenues (from civil and criminal penalties) and associated direct spending; therefore, pay-as-you-go procedures apply. However, CBO estimates that any increase in revenues from penalties would be less than \$500,000 a year and would be offset by similar increases in direct spending from the Crime Victims Fund (for criminal penalties) or by NOAA (for civil penalties).

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

CBO has not reviewed title IV of the bill for intergovernmental or private-sector mandates. Section 4 of UMRA excludes from the application of that act any legislative provisions that are necessary for the ratification or implementation of international treaty obligations. CBO has determined that the provisions of title IV fall within that exclusion because they would implement the Antigua Convention.

The remaining provisions of the bill contain no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

ESTIMATE PREPARED BY:

Federal Costs: Jeff LaFave

Impact on State, Local, and Tribal Governments: Melissa Merrell

Impact on the Private Sector: Amy Petz

ESTIMATE APPROVED BY:

Theresa Gullo

Deputy Assistant Director for Budget Analysis