



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

February 18, 2016

### **S. 659**

### **Bipartisan Sportsmen's Act of 2016**

*As ordered reported by the Senate Committee on Environment and Public Works  
on January 20, 2016*

#### **SUMMARY**

S. 659 would amend and reauthorize various programs conducted by the U.S. Fish and Wildlife Service (USFWS) related to the conservation of wetlands, certain species, and fish habitats. The bill also would authorize funding for the National Fish and Wildlife Foundation, a nonprofit corporation established by federal law to provide grants for activities related to conserving and managing fish, wildlife, plants, and other natural resources.

Based on information provided by the USFWS, CBO estimates that implementing the legislation would cost \$505 million over the 2016-2021 period and \$95 million after 2021, assuming appropriation of the authorized amounts. Because enacting S. 659 would not affect direct spending or revenues, pay-as-you-go procedures do not apply. CBO also estimates that enacting S. 659 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 659 contains no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would benefit state, local, and tribal governments.

S. 659 would impose a private-sector mandate as defined in UMRA by eliminating the ability of plaintiffs to seek judicial review of rules to remove certain gray wolves from the endangered species list. CBO estimates that the cost of the mandate would fall well below the annual threshold established in UMRA for private-sector mandates (\$154 million in 2016, adjusted annually for inflation).

#### **ESTIMATED COST TO THE FEDERAL GOVERNMENT**

The estimated budgetary impact of S. 659 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						2016- 2021
	2016	2017	2018	2019	2020	2021	
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>							
Wetlands Conservation							
Authorization Level	15	50	50	50	50	50	265
Estimated Outlays	4	16	28	37	44	48	177
Species Conservation							
Authorization Level	22	37	37	37	37	0	168
Estimated Outlays	16	31	34	36	36	10	163
National Fish and Wildlife Foundation							
Authorization Level	18	25	25	25	25	0	118
Estimated Outlays	18	25	25	25	25	0	118
Fish Habitat Conservation							
Authorization Level	2	10	10	10	10	10	50
Estimated Outlays	1	8	9	9	9	10	46
Total Changes							
Authorization Level <sup>a</sup>	56	121	121	121	121	60	600
Estimated Outlays	39	79	96	107	115	67	505

Note: Amounts may not sum to totals because of rounding

a. The U.S. Fish and Wildlife Service received appropriations totaling \$65 million in fiscal year 2016 to carry out many of the activities that would be reauthorized under S. 659. The authorization level shown here for 2016 is the difference between the amounts already appropriated and the amounts that would be authorized by S. 659.

## **BASIS OF ESTIMATE**

For this estimate, CBO assumes that the legislation will be enacted in 2016 and the authorized amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for similar programs.

S. 659 would authorize appropriations through 2021 for the USFWS to carry out activities related to the conservation of wetlands, certain species, and fish habitats. In addition, a portion of those amounts would be used to fund the National Fish and Wildlife Foundation. CBO estimates that implementing the legislation would cost \$505 million over the 2016-2021 period and \$95 million after 2021, assuming appropriation of the authorized amounts.

## **Wetlands Conservation**

Section 7 would authorize the appropriation of \$50 million a year through 2021 to carry out the North American Wetlands Conservation Act (NAWCA). Under that act, the USFWS awards competitive grants for projects to conserve wetlands in the United States, Mexico, and Canada. In 2016, the agency received \$35 million to carry out activities related to NAWCA. CBO estimates that carrying out section 7 would cost \$177 million over the 2016-2021 period and \$88 million after 2021.

## **Species Conservation**

Sections 8 and 9 would authorize the appropriation of about \$37 million a year through 2020 to carry out programs aimed at preserving various species including elephants, rhinoceros, tigers, great apes, marine turtles, and neotropical migratory birds. In 2016, the USFWS received appropriations totaling \$15 million to carry out those programs. CBO estimates that carrying out sections 8 and 9 would cost \$163 million over the 2016-2021 period and \$5 million after 2021.

## **National Fish and Wildlife Foundation**

Section 11 would authorize the appropriation of \$25 million a year through 2020 to fund activities of the National Fish and Wildlife Foundation. The foundation is a nonprofit corporation established by federal law to provide grants for activities related to conserving and managing fish, wildlife, plants, and other natural resources. In 2016, the USFWS received appropriations totaling \$7 million to fund the foundation. CBO estimates that implementing section 11 would cost \$118 million over the 2016-2021 period.

## **Fish Habitat Conservation**

Section 17 would authorize the appropriation of about \$10 million a year through 2021 to carry out fish habitat conservation projects and provide technical assistance to nonfederal entities. The program would be aimed at facilitating partnerships between the federal government and local governments, nonprofits, and private individuals. In 2016, the USFWS received appropriations totaling about \$8 million to carry out similar activities. CBO estimates that implementing section 17 would cost \$46 million over the 2016-2021 period and \$4 million after 2021.

**PAY-AS-YOU-GO CONSIDERATIONS:** None.

## **INCREASE IN LONG TERM DIRECT SPENDING AND DEFICITS**

CBO estimates that enacting S. 659 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

## **ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS**

S. 659 contains no intergovernmental as defined in UMRA and would benefit public entities that operate recreational facilities at federal water projects by allowing them to collect user fees to defray operating costs. The bill also would benefit state agencies by lowering the matching requirement for federal grants that support public shooting ranges. Finally, the bill would benefit state, local, and tribal governments by authorizing federal grants for conservation partnerships that protect fish habitats. Any costs incurred by those entities, including matching contributions, would be incurred voluntarily.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

S. 659 would impose a private-sector mandate as defined in UMRA on plaintiffs by eliminating the ability to seek judicial review of rules to remove gray wolves in the western Great Lakes region or in the state of Wyoming from the endangered species list. The cost of a mandate that eliminates a right of action is the forgone income and value of awards in such cases. Because such losses would generally not occur for the types of cases involved, CBO expects that the mandate would probably impose no costs. Consequently, CBO estimates that the cost of the mandate would fall well below the annual threshold established in UMRA for private-sector mandates (\$154 million in 2016, adjusted annually for inflation).

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