



**CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE**

December 27, 2006

H.R. 5946
**Magnuson-Stevens Fishery Conservation
and Management Reauthorization Act of 2006**

As cleared by the Congress on December 9, 2006

SUMMARY

H.R. 5946 amends the Magnuson-Stevens Act (MSA) and other laws that govern the conservation and management of fisheries. In addition, section 702 of the legislation will establish the Puget Sound Regional Shellfish Settlement Trust Fund. CBO estimates that this provision will increase direct spending by \$22 million over the 2007-2016 period.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated impact of impact of H.R. 5946 on direct spending is shown in the following table. The costs of this legislation fall within budget function 450 (community and regional development).

	By Fiscal Year, in Millions of Dollars									
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
CHANGES IN DIRECT SPENDING										
Puget Sound Regional Shellfish Settlement Trust Fund										
Estimated Budget Authority	2	5	5	5	5	0	0	0	0	0
Estimated Outlays	2	5	5	5	5	0	0	0	0	0

BASIS OF ESTIMATE

H.R. 5946 ratifies the settlement agreement entered into by the United States, the state of Washington, commercial shellfish growers, and certain Indian tribes. As part of the agreement, section 702 authorizes the appropriation of \$22 million to the newly created Puget Sound Regional Shellfish Settlement Trust Fund. H.R. 5946 also settles certain legal claims regarding the tribes' right to take shellfish from public and private lands in Washington.

Section 702 creates a legal cause of action against the United States for the affected tribes to obtain the authorized funding if it is not appropriated as authorized by the act. If the authorized funds are not appropriated, the affected tribes could pursue claims against the federal government and obtain compensation from the permanent, indefinite Judgment Fund. As a result, CBO estimates that enacting H.R. 5946 will increase direct spending by \$22 million over the 2007-2016 period. (Any future appropriations to implement the act would essentially liquidate the legal obligation made by enacting H.R. 5946.)

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