



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

November 20, 2018

S. 2154

Kickapoo Tribe in Kansas Water Rights Settlement Agreement Act

As ordered reported by the Senate Committee on Indian Affairs on September 26, 2018

S. 2154 would authorize, ratify, and confirm the Kickapoo Tribe Water Rights Settlement Agreement reached between the Kickapoo Tribe and the state of Kansas. Using information from the Department of the Interior, CBO estimates that implementing S. 2154 would cost less than \$500,000 over the 2019-2023 period, subject to the availability of appropriated funds.

The bill also would direct the Department of Agriculture (USDA) to complete a study on a watershed plan for the Upper Delaware River and its tributaries and to submit recommendations to the Congress on how best to implement that plan in accordance with Kickapoo tribal water rights provided under S. 2154. Under current law, USDA has the authority to use whatever appropriated amounts are necessary to formulate such plans when given specific approval by the Senate Committee on Environment and Public Works and the House Committee on Transportation and Infrastructure. Approvals from those committees to commence the Upper Delaware River watershed plan were given in July 1996 and June 1998, respectively, and never revoked. Therefore, CBO does not estimate any additional costs to implement S. 2154, because that plan and any actions necessary to effectuate that plan are already authorized under current law.

Enacting S. 2154 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 2154 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

S. 2154 contains no private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

S. 2154 contains an intergovernmental mandate as defined in UMRA because the bill would place a statutory requirement the tribe to enact a tribal water code that is separate from the provisions of the settlement agreement. CBO estimates the cost of the mandate would be small and below the threshold established for intergovernmental mandates (\$80 million in 2018, adjusted annually for inflation).

The CBO staff contacts for this estimate are Robert Reese (for federal costs) and Rachael Austin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.