



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

December 20, 2018

S. 2788

A bill to repeal the Act entitled “An Act to confer jurisdiction on the State of North Dakota over offenses committed by or against Indians on the Devils Lake Indian Reservation”

As ordered reported by the Senate Committee on Indian Affairs on November 28, 2018

S. 2788 would repeal a law enacted in 1946 that gave the state of North Dakota jurisdiction over crimes committed by or against Indians on the Devils Lake Indian Reservation. Under current law, the Bureau of Indian Affairs (BIA) provides assistance to the tribe for law enforcement and detention services. Because enacting S. 2788 would not affect the amount of assistance the tribe is receiving from BIA, CBO estimates that implementing S. 2788 would have no cost to the federal government.

Enacting S. 2788 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 2788 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

S. 2788 contains no private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

S. 2788 would prohibit the state of North Dakota from exercising jurisdiction over crimes committed by or against Indians on the Devil’s Lake Indian Reservation. That prohibition would be a mandate as defined in UMRA. CBO estimates that the cost of the mandate, in the form of forgone monetary penalties, would be minimal and would not exceed the threshold established in UMRA (\$80 million in 2018, adjusted annually for inflation).

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