

S. 46, Klamath Tribe Judgement Fund Repeal Act

As ordered reported by the Senate Committee on Indian Affairs on January 29, 2019

Millions of Dollars				Spending Subject to Appropriation
	Direct Spending	Revenues	Net Deficit Effect	
2019	0	0	0	0
2019-2024	0	0	0	0
2019-2029	0	0	0	0
Pay-as-you-go procedures apply?	No	Mandate Effects		
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2030?	No	Contains intergovernmental mandate?	No	
		Contains private-sector mandate?	No	

S. 46 would repeal the Klamath Tribe Judgment Fund Act, which authorizes the Department of the Interior (DOI) to establish and maintain a fund to make payments to Klamath Tribe members to satisfy any judgments obtained by the tribe. The bill also would require any amounts remaining in the fund upon its closure to be disbursed to the Klamath Tribe.

Payments to certain tribal trust funds that are held and managed in a fiduciary capacity by the federal government on behalf of Indian tribes are treated as payments to a nonfederal entity. Thus, the balances remaining in the Klamath Tribe Judgment Fund were previously recorded as federal budget authority and outlays at the time those funds were deposited into the fund. Accordingly, any subsequent disbursement of those funds would have no effect on the federal budget.

According to information provided by DOI, about \$600,000 remains in the fund. That money is slated to be paid to almost 200 members of the Klamath Tribe or to their next of kin, none of whom DOI has been able to locate. Assuming that S. 46 will be enacted early in calendar year 2019, CBO estimates that the \$600,000 in the fund would be disbursed directly to the government of the Klamath Tribe during fiscal year 2019.

The CBO staff contact for this estimate is Jon Sperl. The estimate was reviewed by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.