



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 28, 2018

H.R. 1491 **Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017**

As ordered reported by the Senate Committee on Indian Affairs on June 13, 2018

H.R. 1491 would affirm the decision made by the Department of the Interior (DOI) to take into trust approximately 1,400 acres of land owned by the Santa Ynez Band of Chumash Mission Indians (Chumash Tribe) in Santa Barbara County, California. Under the act, DOI would hold the title to that land for the benefit of the tribe. The act would prohibit certain types of gaming on those lands and end any administrative appeals of DOI's decision about this property. CBO estimates that implementing the act would have no significant budgetary effects related to holding the land in trust.

Enacting H.R. 1491 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting H.R. 1491 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 1491 would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the cost of the mandates would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$80 million and \$160 million in 2018, respectively, adjusted annually for inflation).

The bill would impose an intergovernmental mandate by preempting the authority of state and local governments to tax land taken into trust for the Chumash Tribe. Information from Santa Barbara County about taxes and other receipts associated with the land indicates that such revenues total less than \$500,000 annually.

The bill also would impose an intergovernmental and private-sector mandate by eliminating the ability of public and private entities to appeal the federal government's decision to take land into trust for the benefit of the Chumash Tribe. By ratifying DOI's decision to take the land into trust, the bill would effectively extinguish any existing or future appeal of that decision. The costs of the mandates would be the value of forgone compensation and settlements associated with such appeals if they would have been successful under current law. However, because no monetary award is available for such

challenges to the administrative procedures and decisions of the federal government, CBO expects that the mandate would impose no costs.

On September 20, 2017, CBO transmitted a cost estimate for H.R. 1491, the Santa Ynez Band of Chumash Indians Land Affirmation Act of 2017, as ordered reported by the House Committee on Natural Resources on July 26, 2017. The two versions of the legislation are similar, and CBO's estimate of their budgetary effects are the same.

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