

S. 195, Keweenaw Bay Indian Community Land Claim Settlement Act of 2023
 As ordered reported by the Senate Committee on Indian Affairs on July 19, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2028	2024-2033
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	34	34	34
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Statutory pay-as-you-go procedures apply?	No
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2034?	No	Mandate Effects	
		Contains intergovernmental mandate?	Yes, Under Threshold
		Contains private-sector mandate?	No

S. 195 would authorize the appropriation of \$34 million in fiscal year 2024 for the Keweenaw Bay Indian Community as compensation for the loss of the lands under the Swamp Land Act of 1850 and the Canal Land Act of 1852. The funds could be used by the tribe for any lawful purpose, including governmental services, economic development, natural resources protection, and land acquisition for purposes other than gaming. For this estimate, CBO assumes that the Congress will appropriate the specified amount in fiscal year 2024.

S. 195 contains intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA). The cost of the mandates would not exceed the annual threshold established in that act (\$99 million in 2023, adjusted annually for inflation).

The bill would extinguish claims of the Keweenaw Bay Indian Community against owners of the Reservation Swamp Lands and the Reservation Canal Lands. Eliminating an existing right of action is a mandate because the right to seek redress and recover damages beyond what is provided in the bill would be lost. Based on information from the tribe, CBO expects it is unlikely that the tribe would pursue such claims. Therefore, CBO estimates that the cost, if any, of the mandate would be small.



The bill would prohibit gambling on tribal land obtained by the Keweenaw Bay Indian Community with funds from the settlement awarded under the bill. Because gaming on such land is currently allowed under federal law, the proposed ban would be a mandate. However, because the tribe has no plan to use settlement funds to obtain land for gaming purposes, the cost of the mandate would be small.

The bill contains no private-sector mandates as defined in UMRA.

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

A handwritten signature in black ink that reads "Phillip L. Swagel". The signature is fluid and cursive, with a long, sweeping underline.

Phillip L. Swagel
Director, Congressional Budget Office