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A BILL TO IMPROVE THE SAFETY AND ADDRESS THE DEFERRED MAINTENANCE NEEDS OF INDIAN DAMS TO PREVENT FLOODING ON INDIAN RESERVATIONS, AND FOR OTHER PURPOSES

NOVEMBER 17, 2016.—Ordered to be printed

Mr. BARRASSO, from the Committee on Indian Affairs,  
submitted the following

### R E P O R T

[To accompany S. 2717]

The Committee on Indian Affairs, to which was referred the bill (S. 2717) to improve the safety and address the deferred maintenance needs of Indian dams to prevent flooding on Indian reservations, and for other purposes, having considered the same, reports favorably thereon with an amendment (in the nature of a substitute) and recommends that the bill, as amended, do pass.

#### PURPOSE

The purpose of S. 2717 is to address the flood prevention and dam safety needs in Indian Country by addressing the deferred maintenance needs of Bureau of Indian Affairs (BIA) dams, as well as reform tribal programs administered by the U.S. Army Corps of Engineers.

#### NEED FOR LEGISLATION

The bill is intended to address the flood prevention and dam safety needs in Indian communities. It would address the deferred maintenance needs of Bureau of Indian Affairs (BIA) dams, as well as reform tribal programs administered by the U.S. Army Corps of Engineers.

These dams are significant components of the water resources infrastructure serving reservations and contribute to the trust assets of many Indian tribes. A significant backlog of inspection and maintenance needs of these dams exists that poses a threat to public safety in and around these communities. The United States has a trust obligation to maintain and operate these dams and prevent potential future dam failures.

The legislation requires the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army, to address the maintenance backlog of BIA dams by establishing a High-Hazard Indian Dam Safety Deferred Maintenance Fund and a Low-Hazard Indian Dam Safety Deferred Maintenance Fund. The DRIFT Act establishes conditions for how the uses for the funds are to be prioritized, based on criteria such as threats to public safety, natural or cultural resources, and economic concerns. The legislation also seeks to make other important flood prevention and dam safety policy reforms for both the BIA and the U.S. Army Corps of Engineers.

#### BACKGROUND

##### BIA Safety of Dams Program

The *Indian Dam Safety Act of 1994* provides the BIA with the responsibilities for rehabilitating and maintaining dams on Indian lands.<sup>1</sup> The mission of the Safety of Dams Program established by the *Indian Dam Safety Act of 1994* and administered by the BIA is to “reduce the potential loss of human life and property damage caused by dam failure.”<sup>2</sup> According to the BIA, the current deferred maintenance and repair needs for BIA dams are more than \$556 million.<sup>3</sup> The maintenance backlog has increased “approximately 6 percent per year” since 2010.<sup>4</sup>

The BIA has “137 high- or significant-hazard potential hazard dams”<sup>5</sup> spread out over 41 reservations in eight BIA regions. The BIA is also responsible for 700 low-hazard dams across the United States.<sup>6</sup> According to the BIA officials, the dams overseen by the Safety of Dams Program are on average 70 to 80 years old. The Director of the BIA, Michael Black, testified before the Committee that “[r]educing the deferred maintenance allows for realization of the benefits provided by these facilities without unacceptable risk of loss of life.”<sup>7</sup>

##### *High Hazard Dams*

Consistent with Federal Emergency Management Agency dam hazard classifications, the BIA classifies dams as high-hazard if dam failure or misoperation is likely to cause loss of human life and extensive property damage. The Director of the BIA, Michael Black, further testified that “[u]nder current policy only high- and significant-hazard dams are inspected, evaluated and maintained by the BIA Safety of Dams Program.”<sup>8</sup> This means that the vast majority of the funding for the BIA Safety of Dams Program is used only to address the 137 high- or significant hazard dams. Ac-

<sup>1</sup> *Legislative Hearing on S.2205, S.2421, S.2564, S.2643, and S.2717, Before the S.Comm. on Indian Affairs*, 114th Cong. (2016). (Statement of Michael Black, Director, Bureau of Indian Affairs, Department of the Interior, Washington, D.C.).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* This information is similar to that received by the Committee in the legislative hearing for the *Indian Dams Safety Act of 1992*. During that hearing the Committee Chairman indicated “that the BIA has not given the Dam Safety Program the high priority it needed . . .” *Indian Dams Safety Act of 1992, Hearing Before the Select Comm. on Indian Affairs*, 102nd Cong. 1 (1992) (statement of Sen. Daniel K. Inouye, Chairman, S.Comm. on Indian Affairs).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

ording to the BIA, activities covered under this funding for high-hazard dams includes:<sup>9</sup>

- (1) Dam evaluation, design, construction, operations, and maintenance;
- (2) Dam security;
- (3) Early warning systems;
- (4) Emergency management; and
- (5) Floodplain management downstream of BIA dams.

The purpose of these activities is to prevent dam failures on tribal lands that can cause the loss of life downstream.

#### *Low Hazard Dams*

The Director of the BIA, Michael Black, further testified before the Committee that “[d]ams, if they are low hazard, can provide significant value to the communities they serve, including irrigation, livestock watering, flood mitigation, wildlife habitat and recreation.”<sup>10</sup> Dams that are low hazard, if not maintained, can become high-hazard dams. The 700 or more low-hazard dams in Indian Country have received minimal federal support and attention in recent years, and currently constitute a major unknown in the program’s asset pool. Thus, it is important to inspect and maintain these dams with a funding stream separate from the high-hazard dams.

In addition to the issue of low hazard dams deteriorating and becoming high hazard dams, the BIA admitted that it was not aware of all the low hazard dams that are under its jurisdiction.<sup>11</sup> The agency noted that, “[M]any known dams have not had a hazard potential classification assigned, and it is likely that there are more dams on tribal land that have not been identified.”<sup>12</sup> This increases the likelihood that there are more low-hazard dams in Indian Country that are in need of assistance, but without reporting requirements there is no way to be certain.

#### U.S. Army Corps Tribal Partnership Program

Section 203 of the Water Resources Development Act of 2000 (P.L. 106–541) authorizes a Tribal Partnership Program (TPP) to be administered by the U.S. Army Corps of Engineers (Corps). Under the TPP, the Corps works collaboratively with federally recognized American Indian and Alaska Native tribal governments to study the feasibility of water resources projects that substantially benefit tribes, including those for flood damage reduction, environmental restoration and protection, and preservation of cultural and natural resources, and other projects as deemed appropriate by the Corps.

The TPP authorizes the Corps to use appropriations to conduct preliminary studies of potential projects. After the Corps approval of preliminary studies, a feasibility study may be initiated, whereby costs may be shared with a tribal cost share sponsor, subject to the ability of that sponsor to pay. Subsequent funding to implement these projects still requires project-specific authorization and

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<sup>9</sup>*Id.*

<sup>10</sup>*Id.*

<sup>11</sup>*Id.*

<sup>12</sup>*Id.*

appropriations for construction or pursuit through programmatic authorities such as the continuing authorities program.

#### THE NEED FOR THE DRIFT ACT

To address the significant deferred maintenance backlog, the DRIFT Act establishes a high-hazard fund that would receive \$22,750,000 each year from Fiscal Years 2017 through 2037. The Act also establishes a low-hazard fund would receive \$10,000,000 for Fiscal Years 2017 through 2037 as well. In addition, to address the lack of an accurate accounting of BIA dams, and their condition status, the DRIFT Act also mandates that tribes regularly report their dam inventory to BIA and requires the BIA to report annually on the safety status of their dams to Congress.

The legislation would also amend the *Water Resources Development Act of 2000* (P.L. 106-541) authority for the U.S. Army Corps of Engineers' Tribal Partnership Program so as to facilitate implementation of smaller water resources projects with tribal partners. It would allow the U.S. Army Corps of Engineers to implement the design and construction of any projects that it studies under the Tribal Partnership Program without additional Congressional authorization, up to a maximum federal cost of \$10 million. It would also allow for the crediting of in-kind tribal expenses toward the non-federal cost share of these projects.

The legislation also seeks to make other important flood prevention and dam safety policy reforms for both the BIA and the U.S. Army Corps of Engineers to achieve their mission of protecting downstream communities from the threat of flooding. Specifically, the DRIFT Act:

- (1) Establishes a four year pilot program for a BIA flood mitigation program for tribes;
- (2) Establishes a Tribal Safety of Dams Committee within the Department of the Interior to make recommendations to Congress for modernizing the *Indian Dam Safety Act* of 1994;
- (3) Allows Indian tribes to waive up to \$200,000 in local cost sharing requirements for water resources studies and projects. This waiver is similar to the type of cost-sharing waivers that the U.S. Army Corps of Engineers provides to U.S. territories.

#### LEGISLATIVE HISTORY

On March 17, 2016, Senator Barrasso introduced S. 2717, a *bill to improve the safety and address the deferred maintenance needs of Indian dams to prevent flooding on Indian reservation, and for other purposes (DRIFT Act)*. Senator McCain is an original cosponsor of S. 2717. The Committee held a hearing on April 13, 2016. On April 27, 2016, the Committee held a duly called business meeting to consider the bill, among other bills. The Committee then ordered the bill to be reported favorably, as amended, to the Senate by voice vote.

#### Amendments

On April 27, 2016 at the Committee business meeting, Senator Barrasso offered a substitute amendment to S. 2717. In accordance with the Committee rule 5(c), the 48-hour filing requirement for this amendment was waived by Chairman with the concurrence of

the Vice Chairman. This amendment incorporated recommendations from the Administration and made clarifying and technical changes to the bill.

More specifically, the substitute amendment made three technical changes to the underlying bill. It further clarified that the Secretary of the Treasury, not the Secretary of Interior, is the Secretary that invests funds not required to meet current withdrawals in sections 104 and 114. The amendment also clarified that the transfer of funds established in this bill comes from the Bureau of Reclamation Fund, not the general fund of the Treasury in sections 105 and 115. The amendment also required in section 211 that the Tribal Safety of Dams Committee have tribal representatives based on relevant BIA regions.

#### SECTION-BY-SECTION ANALYSIS OF BILL AS ORDERED REPORTED

##### *Sec. 1. Short title*

The Act is called the “*Dam Repairs and Improvements for Tribes Act of 2016*”.

##### *Sec. 2. Definitions*

This section defines “Dam” as the meaning given the term in section 2 of the *National Dam Safety Program Act* (33 U.S.C. 467) and the term includes any structure, facility, equipment, or vehicle used in connection with the operation of a dam.

The term “Fund” means the High-Hazard and Low-Hazard Dam Safety Deferred Maintenance Funds created by the bill.

High-Hazard is defined as “a dam assigned to the significant or high-hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety; Hazard Potential Classification System for Dams.”

Low-Hazard is defined as “a dam assigned to the low-hazard potential classification under the guidelines published by the Federal Emergency Management Agency entitled “Federal Guidelines for Dam Safety; Hazard Potential Classification System for Dams.”

The term “Indian Tribe” is defined by section 4 of the *Indian Self-Determination and Education Assistance Act* (25 U.S.C. 450b).

The term “Secretary” is defined as the “Secretary of the Interior, acting through the Assistant Secretary for Indian Affairs, in consultation with the Secretary of the Army.”

## TITLE I—INDIAN DAM SAFETY DEFERRED

### Subtitle A—High-Hazard Fund

#### *Sect. 101. Establishment*

This section establishes within the U.S. Department of the Treasury of the United States, the High-Hazard Indian Dam Safety Deferred Maintenance Fund. The Fund consists of the amounts deposited in the fund under section 102 of this Act.

The Fund also consists of any interest earned on investment of amounts in the Fund under section 104 of this Act.

*Sec. 102. Deposits to fund*

This section deposits \$22,750,000 out of the Bureau of Reclamation Fund into the High-Hazard Indian Dam Safety Deferred Maintenance Fund each year from Fiscal Year 2017 through Fiscal Year 2037.

*Sec. 103. Expenditures from fund*

For Fiscal Year 2017 through Fiscal Year 2037, the Secretary may expend from the Fund no more than \$22,750,000 and the amount of accrued interest in the Fund. Additional spending is authorized if extra funding is available due to the inability of the Secretary to expend all amounts from previous fiscal years.

*Sec. 104. Investments of amounts*

The Secretary of the Treasury can invest a portion of the Fund that is not required to meet current withdrawals. Any interest accrued goes into Fund.

*Sec. 105. Transfer of amounts*

The amounts required to be transferred to the Fund are transferred at least monthly from the Bureau of Reclamation Fund based on estimates made by the Secretary of the Treasury.

*Sec. 106. Termination*

Authorization for the Fund ends on September 30, 2037. Any remaining funds at that time are returned to the Bureau of Reclamation Fund.

#### Subtitle B—Low-Hazard Fund

*Sec. 111. Establishment*

This section establishes within the U.S. Department of the Treasury of the United States, the Low-Hazard Indian Dam Safety Deferred Maintenance Fund. The Fund consists of the amounts deposited in the fund under section 112 of this Act. The Fund also consists of any interest earned on investment of amounts in the Fund under section 114 of this Act.

*Sec. 112. Deposits to fund*

This section deposits \$10,000,000 out of the Bureau of Reclamation Fund into the Low-Hazard Indian Dam Safety Deferred Maintenance Fund each year from Fiscal Year 2017 through Fiscal Year 2037.

*Sec. 113. Expenditures from fund*

For Fiscal Year 2017 through Fiscal Year 2037, the Secretary may expend from the Fund no more than \$10,000,000 and the amount of accrued interest in the Fund. Additional spending may be authorized if extra funding is available due to the inability of the Secretary to expend all amounts from previous fiscal years.

*Sec. 114. Investments of amounts*

The Secretary of the Treasury can invest a portion of the Fund that is not required to meet current withdrawals. Any interest accrued goes into Fund.

*Sec. 115. Transfer of amounts*

The amounts required to be transferred to the Fund are transferred at least monthly from the Bureau of Reclamation Fund based on estimates made by the Secretary of the Treasury.

*Sec. 116. Termination*

Authorization for the Fund ends on September 30, 2037. Any remaining funds at that time are returned to the Bureau of Reclamation Fund.

TITLE II—REPAIR, REPLACEMENT, AND MAINTENANCE OF  
CERTAIN INDIAN DAMS

Subtitle A—Program Establishment

*Sec. 201. Repair, replacements and maintenance of certain indian dams*

This section directs the Secretary to establish a program to address the deferred maintenance need of Indian dams. Under this section funding is transferred, in accordance with sections 102 and 112, from the Bureau of Reclamation Fund to both the High-Hazard and Low-Hazard Funds to carry out maintenance, repair and replacement activities.

*Sec. 202. Eligible dams*

This section establishes the criteria as to what dams qualify for funding in either the High-Hazard Fund or the Low-Hazard Fund. In both cases, the eligible dams are owned by the Federal Government, listed in the Federal inventory, are managed by the BIA (including dams managed under contracts or compacts pursuant to the *Indian Self-Determination and Education Assistance Act*), and have deferred maintenance documented by the BIA.

*Sec. 203. Requirements and conditions*

No later than 120 days after the Act becomes law, the Secretary, in consultation with the Bureau of Reclamation and with affected Indian tribes, shall develop and submit to Congress programmatic goals. These goals would ensure the completion of repairing, improving or performing maintenance on these dams as expeditiously as possible. The goals will also ensure the BIA carries out its mission to operate Indian dams and ensure that the results of government-to-government consultation required under section 204 are addressed. The Secretary also develops funding prioritization criteria for distributing funds. Factors that are included in the prioritization include public or employee safety or health, impact to natural or cultural resources or the ability of the BIA to carry out the mission of the BIA in operating a dam.

The Secretary would also have to consider the potential economic benefits of expenditures on job creation and economic development, as well as the ability of an Indian dam to address tribal, regional, and watershed level flood mitigation needs. The Secretary would also have to consider the benefits of increased water storage capacity of an Indian dam to prevent flooding downstream to tribal and non-tribal communities.

*Sec. 204. Tribal consultation and user input*

Before expending funds and not later than 120 days after the date of enactment, the Secretary would have to consult with, and solicit input from, Indian tribes that have jurisdiction over the land where eligible dams are located. The Secretary would also have to consult with landowners served by the Indian dam.

*Sec. 205. Allocation among dams*

Under this section, every dam eligible for funding that has critical maintenance needs would receive some funding from the two Funds. Priority in allocation would be determined by dams that serve more than one Indian tribe within an Indian reservation or would be located in highly populated Indian communities, as determined by the Secretary. No single dam would receive more than \$10,000,000 in assistance in three consecutive years.

#### Subtitle B—Management

*Sec. 211. Tribal safety of dams committee*

This section establishes a 15-member committee, 11 of whom are appointed by the Secretary, to make recommendations to Congress through a report for reforming the *Indian Dams Safety Act of 1994*.

Of the 11 appointments, six must be a tribal member with relevant experience in dam safety and flood prevention from each one of the following BIA regions: the Northwest Region, the Pacific Region, the Western Region, the Navajo Region, the Southwest Region, the Rocky Mountains Region, the Great Plains Region, and the Midwest Region.

Two additional appointments must be representatives of the BIA with relevant knowledge and expertise. One additional representative from the Bureau of Reclamation is to be appointed by the Secretary of the Interior and one representative is to be appointed by the Secretary of the Army as well. Those two representatives are non-voting members of the committee.

The report shall be presented to Congress within one year after the first meeting of the committee.

The committee would be allowed to hire staff and an Executive Director. Funding of up to \$1 million, derived from the Funds, is provided for the committee to pay personnel and committee member compensation.

*Sec. 212. Indian dam surveys*

This section requires tribes to report not less frequently than once every 180 days on their inventory of dams to the BIA. The BIA is also required to report the condition of each dam under jurisdiction of the Secretary to Congress.

*Sec. 213. Establishment of Flood-Plain Management Pilot Program*

This section requires that the BIA establish a flood plain management pilot program. The program is funded at \$250,000 a year, each year from Fiscal Years 2017 to Fiscal Years 2020, from the Funds.

*Sec. 214. Tribal Partnership Program*

This section would modify the current Tribal Partnership Program (TPP). Specifically, the TPP would authorize the U.S. Army Corps of Engineers to provide assistance to an Indian tribe with any activity regarding the feasibility, planning, design, or construction of a water resources development project, without specific authorization from Congress, as long as the Federal share of the cost of the project is less than \$10,000,000. These projects are intended to substantially benefit an Indian tribe. An Indian tribe may request for a detailed project report that would include, in detail, the feasibility and planning of a water resources development project. The Secretary of the Army cannot use more than \$100,000 for any one report. The Secretary of the Army shall consult, consider, and coordinate with the Secretary of the Interior regarding any activity regarding the TPP.

*Sec. 215. Cost sharing for Indian tribes*

This section would include Indian tribes in section 1156 of the *Water Resources Development Act of 1965* (33 U.S.C. 2310). The Secretary of the Army shall waive up to \$200,000 in local cost-sharing requirements for Indian tribes for all studies and projects, similar to the waiver provided to U.S. territories.

COST AND BUDGETARY CONSIDERATIONS

The following cost estimate, as provided by the Congressional Budget Office, dated July 26, 2016, was prepared for S. 2717:

JULY 26, 2016.

Hon. JOHN BARRASSO,  
*Chairman, Committee on Indian Affairs,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2717, the Dam Repairs and Improvements for Tribes Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Robert Reese.

Sincerely,

KEITH HALL.

Enclosure.

*S. 2717—Dam Repairs and Improvements for Tribes Act of 2016*

Summary: S. 2717 would establish two new funds in the Treasury and transfer a total of \$33 million a year from the Reclamation Fund into the proposed funds through 2037. The bill would authorize the appropriation of the amounts transferred each year and any interest credited to the unspent balances in the proposed funds to, among other things, rehabilitate and maintain federally owned dams managed by the Bureau of Indian Affairs (BIA). The bill also would authorize the U.S. Army Corps of Engineers (Corps) to carry out studies and water projects when requested by tribes and to waive up to \$200,000 of a tribe's cost-sharing obligations for certain studies or projects.

Based on information from the BIA and the Corps, CBO estimates that implementing the legislation would cost \$136 million

over the 2017–2021 period, subject to appropriation of the authorized amounts. Enacting S. 2717 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply to this legislation.

CBO estimates that enacting the legislation would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2717 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary impact of S. 2717 is shown in the following table. The costs of this legislation fall within budget functions 300 (natural resources and environment) and 450 (community and regional development).

	By fiscal year, in millions of dollars—					
	2017	2018	2019	2020	2021	2017–2021
INCREASES IN SPENDING SUBJECT TO APPROPRIATION						
Rehabilitation and Maintenance of Indian Dams:						
Estimated Authorization Level .....	35	35	35	35	35	175
Estimated Outlays .....	12	21	28	33	35	129
Studies and Projects:						
Estimated Authorization Level .....	1	1	1	1	1	7
Estimated Outlays .....	1	1	1	1	1	7
Total Increases:						
Estimated Authorization Level .....	36	36	36	36	36	182
Estimated Outlays .....	13	22	29	34	36	136

Note: Components may not sum to totals because of rounding.

Basis of estimate: For this estimate, CBO assumes that S. 2717 will be enacted near the start of 2017 and that the authorized and necessary amounts will be appropriated each fiscal year. Estimated outlays are based on information from BIA, the Corps, and historical spending patterns for similar projects.

#### *Rehabilitation and maintenance of Indian dams*

CBO estimates that implementing the provisions to rehabilitate and maintain Indian dams would cost \$129 million over the 2017–2021 period, assuming appropriation of the authorized and estimated amounts.

Title I would authorize the annual appropriation of \$33 million and any accrued interest on unspent balances through 2037 to repair, replace, and maintain Indian dams. Based on historical spending patterns for similar projects, CBO estimates that \$119 million of the authorized amounts would be spent over the 2017–2021 period. (CBO estimates that over the 2017–2021 period the amount of accrued interest would be less than \$1 million.)

S. 2717 also would direct the Department of the Interior to prepare an annual report for the Congress describing the condition of each Indian dam. In addition, BIA would be directed to consult with tribes and dam users and incorporate their recommendations before undertaking repairs or modifications. According to information from BIA there are 837 such dams and CBO estimates that preparing the reports and conducting consultations would cost \$2 million per year over the 2017–2021 period.

*Studies and projects*

CBO estimates that implementing provisions of the bill that would authorize the Corps to assist Indian tribes with carrying out studies and constructing water projects would cost \$7 million over the 2017–2021 period; such spending would be subject to the availability of appropriated funds.

S. 2717 would authorize the Corps, upon the request of a tribe, to study how water projects could reduce the risk of floods, restore the environment, and protect natural resources. The bill also would authorize the Corps to assist tribes with the design and construction of those projects the federal share of any project’s costs could not be more than \$10 million.

Based on information from the Corps about the types of projects that might be studied, CBO estimates that the Corps would carry out 4 additional studies each year at a cost of about \$100,000 per study or \$2 million over the 2017–2021 period. The Corps could begin construction on some projects after completing those studies and negotiating agreements with the tribes, but CBO does not expect that would happen until after 2021. Future construction costs would depend on the outcome of the studies undertaken by the Corps, which CBO cannot predict.

Finally, the bill would authorize the Corps to waive up to \$200,000 of a tribe’s cost-sharing obligations for studies and projects implemented under current law. Based on information from the Corps about anticipated future projects, CBO estimates the Corps would waive about \$1 million per year in cost sharing obligations, thus increasing federal costs by \$5 million over the 2017–2021 period.

Pay-As-You-Go considerations: None.

Intergovernmental and private-sector impact: S. 2717 contains no intergovernmental or private-sector mandates as defined in UMRA. Tribal governments would benefit from the funds established in the bill to address the maintenance needs of Indian dams. Tribes also would benefit from a program in the bill that would provide guidance for managing flood plains and a program that would offer assistance with projects relating to water resources development. Any costs to tribal governments would be incurred voluntarily as a condition of receiving federal assistance.

Estimate prepared by: Federal Costs: Robert Reese and Aurora Swanson; Impact on State, Local, and Tribal Governments: Rachel Austin; Impact on the Private Sector: Amy Petz.

Estimate approved by: H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

## REGULATORY IMPACT STATEMENT

Paragraph 11(b) of rule XXVI of the Standing Rules of the Senate requires each report accompanying a bill to evaluate regulatory and paperwork impact that would be incurred in carrying out the bill. The Committee believes that S. 2717 will have a minimal impact on regulatory or paperwork requirements.

## EXECUTIVE COMMUNICATIONS

The Committee has received no communications from the Executive Branch regarding S. 2717.

CHANGES IN EXISTING LAW

In accordance with subsection 12 of rule XXVI of the Standing Rules of the Senate, S. 2717 makes no changes to existing law.

