



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 6, 2002

H.R. 3880

A bill to provide a temporary waiver from certain transportation conformity requirements and metropolitan transportation planning requirements under the Clean Air Act and under other laws for certain areas in New York where the planning offices and resources have been destroyed by acts of terrorism, and for other purposes

*As ordered reported by the House Committee on Energy and Commerce
on September 5, 2002*

H.R. 3880 would waive certain Clean Air Act provisions that require transportation programs to conform with approved state air quality plans in order to receive federal funding until September 30, 2005, for certain areas in the state of New York. This legislation also would exempt certain areas of New York (until September 30, 2005) from several reporting requirements under the Transportation Equity Act for the 21st Century.

Based on information from the Environmental Protection Agency and the Department of Transportation, CBO estimates that enacting H.R. 3880 would not have a significant effect on the federal budget. Without the waiver from current law that is contained in this legislation, it is possible that New York City would become ineligible to receive certain federal transportation funds. In that event, such funds would be spent on transportation projects in other areas of the state. Because the bill would not affect direct spending or receipts, pay-as-you-go procedures would not apply.

H.R. 3880 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state or local governments. Overall, the bill would benefit both the state of New York and New York City by preserving the flow of federal highway funding. If the reporting requirements under current law were not met, the New York metropolitan region could lose as much as \$1 billion in funding for certain highway and transit projects during fiscal years 2003 and 2004.

The CBO staff contacts for this estimate are Susanne S. Mehlman (for federal costs) and Susan Tompkins (for the state and local impact). This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.