



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

September 4, 2015

S. 1298 **Port Performance Act**

*As ordered reported by the Senate Committee on Commerce, Science, and Transportation
on June 25, 2015*

S. 1298 would direct the Bureau of Transportation Statistics (BTS) within the Department of Transportation (DOT) to establish a program to collect statistical information on the largest 25 ports in the United States. Under the bill, BTS would collect performance measures monthly and report annually to the Congress on the capacity and throughput at those ports. S. 1298 would establish a working group to develop recommendations for specifications of port performance measures and determine what additional information would be needed. The legislation also would require monthly performance reports for ports where a maritime labor agreement is near expiration.

Based on information provided by DOT, CBO estimates that implementing the bill would cost \$9 million over the 2016-2020 period, subject to appropriation of the necessary amounts. Enacting S. 1298 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

The bill would impose an intergovernmental and private-sector mandate, as defined in the Unfunded Mandates Reform Act (UMRA), on publicly and privately owned ports to the extent that those ports are required to provide information on port capacity and throughput to BTS. Based on information from the Department of Transportation and industry experts, some of the information is already collected by ports, and CBO expects that the cost of supplying that information to BTS would be small. Ports may incur additional costs to collect new information, but CBO estimates that the cost of collecting the additional information would not be substantial. Consequently, CBO estimates that the cost of the mandate would fall below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$77 million and \$154 million in 2015, respectively, adjusted annually for inflation).

The CBO staff contacts for this estimate are Martin von Gnechten (for federal costs), Melissa Merrell (for intergovernmental mandates), and Amy Petz (for private-sector mandates). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.