



**CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE**

October 10, 2007

**H.R. 1721**

**Virginia Graeme Baker Pool and Spa Safety Act**

*As ordered reported by the House Committee on Energy and Commerce  
on September 27, 2007*

**SUMMARY**

H.R. 1721 would require the Consumer Product Safety Commission (CPSC) to undertake several initiatives intended to improve the safe use—especially among children—of swimming pools, spas, and similar products. It would require the agency to issue regulations designed to reduce the risk of entrapment in all pools and spas manufactured or distributed within the United States. It would establish a new grant program within the CPSC to assist states in enforcing pool and spa safety standards that meet certain federal guidelines. The bill also would authorize funding of a public education program about pool safety.

Assuming appropriation of the specified amounts, CBO estimates that implementing the bill would cost \$4 million in 2008 and \$40 million over the 2008-2012 period. Enacting H.R. 1721 would not affect direct spending or receipts.

H.R. 1721 contains private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would prohibit the manufacture, distribution, or sale of swimming pool or spa drain covers that do not meet the standards for entrapment protection established in a rule set by the CPSC. It also would require the American National Standards Institute to notify the CPSC of plans to revise the industry standard for entrapment protection. Based on information from the CPSC and industry sources, CBO estimates that the aggregate direct cost of those mandates would fall below the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation).

H.R. 1721 contains no intergovernmental mandates as defined in UMRA.

## ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of H.R. 1721 is shown in the following table. The costs of this legislation fall within budget function 550 (health).

---

	By Fiscal Year, in Millions of Dollars				
	2008	2009	2010	2011	2012
<b>CHANGES IN SPENDING SUBJECT TO APPROPRIATION</b>					
Authorization Level	5	10	10	10	10
Estimated Outlays	4	7	9	10	10

---

## BASIS OF ESTIMATE

H.R. 1721 would authorize the appropriation of \$5 million a year for fiscal years 2009 through 2013 for a new grant program to be administered by the CPSC. States that have laws governing pool and spa safety that meet certain requirements specified in the bill would be eligible for grants to enforce those laws and to educate pool builders, owners, and the public about pool safety. States would be required to use at least half of their grant funds to enforce their pool safety laws.

The bill also would authorize the appropriation of \$5 million annually over the 2008-2012 period for the CPSC to establish a program designed to educate the public about pool and spa safety.

Assuming appropriation of the specified amounts, CBO estimates that implementing these programs would cost \$4 million in 2008 and \$40 million over the 2008-2012 period.

## ESTIMATED IMPACT ON STATE, LOCAL, AND TRIBAL GOVERNMENTS

H.R. 1721 contains no intergovernmental mandates as defined in UMRA. The bill would authorize funding for grants to states for implementing and enforcing state laws that govern pool and spa safety. In order to receive the grants, states would have to have laws that comply with federal guidelines.

## **ESTIMATED IMPACT ON THE PRIVATE SECTOR**

H.R. 1721 would impose private-sector mandates as defined in UMRA. The bill would impose a mandate on manufacturers, distributors, and sellers of pool and spa drain covers by requiring that any swimming pool or spa drain cover manufactured, distributed, or entered into commerce in the United States meet certain entrapment protection standards developed by the American Society of Mechanical Engineers and the American National Standards Institute (ASME/ANSI). Based on information from the CPSC and industry sources, CBO estimates that the incremental cost to the pool and spa industry to comply with the mandate would not exceed the annual threshold established by UMRA for private-sector mandates (\$131 million in 2007, adjusted annually for inflation). In addition, the bill would require ANSI to notify the CPSC of any proposal to revise the industry standard to allow the CPSC to consider incorporating the revision into the federal rule. The cost to ANSI to notify the CPSC would be minimal. Consequently, CBO estimates that the aggregate direct cost of the mandates in the bill would not exceed the annual threshold.

## **PREVIOUS CBO ESTIMATE**

On September 12, 2007, CBO transmitted a cost estimate for S. 1771, a similar bill ordered reported by the Senate Committee on Commerce, Science, and Transportation on July 19, 2007. S. 1771 authorized \$2 million for the state enforcement grant program in 2009 and 2010, as opposed to the authorization of \$5 million annually over the 2008-2012 period in H.R. 1721. Reflecting the difference in authorized amounts, CBO estimated S. 1771 would increase spending by \$28 million over the 2008-2012 period. CBO determined that S. 1771 contained intergovernmental mandates, as well as private-sector mandates, but could not determine whether the cost of the private-sector mandates exceeded the annual threshold established by UMRA.

## **ESTIMATE PREPARED BY:**

Federal Spending: Geoffrey Gerhardt

Impact on State, Local, and Tribal Governments: Lisa Ramirez-Branum

Impact on the Private Sector: Amy Petz

## **ESTIMATE APPROVED BY:**

Keith J. Fontenot

Deputy Assistant Director for Health and Human Resources,  
Budget Analysis Division