

S.3467 - Klobuchar - Mod. ANS



AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide for a complete substitute.

IN THE SENATE OF THE UNITED STATES—119th Cong., 2d Sess.

S. 3467

To reauthorize the Virginia Graeme Baker Pool and Spa
Safety Act, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Ms. KLOBUCHAR

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Virginia Graeme Baker
5 Pool and Spa Safety Reauthorization Act”.

6 **SEC. 2. SWIMMING POOL SAFETY GRANT PROGRAM.**

7 Section 1405 of the Virginia Graeme Baker Pool and
8 Spa Safety Act (15 U.S.C. 8004) is amended to read as
9 follows:

10 **“SEC. 1405. SWIMMING POOL SAFETY GRANT PROGRAM.**

11 “(a) IN GENERAL.—Subject to the availability of ap-
12 propriations authorized by subsection (i), the Commission

1 shall carry out a grant program to provide assistance to
2 eligible covered entities.

3 “(b) ELIGIBILITY.—To be eligible for a grant under
4 the program, a covered entity shall—

5 “(1) demonstrate to the satisfaction of the
6 Commission that, as of the date on which the cov-
7 ered entity submits an application to the Commis-
8 sion for a grant under this section, the covered enti-
9 ty, has enacted and provides for the enforcement of
10 a statute that—

11 “(A) except as provided in section
12 1406(a)(1)(A)(i), applies to all swimming pools
13 constructed in the State or in the jurisdiction of
14 the Indian Tribe (as the case may be) on or
15 after such date; and

16 “(B) meets the minimum State law re-
17 quirements of section 1406; and

18 “(2) submit an application to the Commission
19 at such time, in such form, and containing such ad-
20 ditional information as the Commission may require.

21 “(c) SELECTION OF GRANT RECIPIENTS.—

22 “(1) PRIORITY.—In selecting covered entities to
23 receive grants under the program, the Commission
24 shall give priority (in such order as the Commission

1 considers appropriate) based on the following fac-
2 tors:

3 “(A) A covered entity not having pre-
4 viously been awarded a grant under the pro-
5 gram.

6 “(B) A covered entity proposing to use
7 grant funds to expand educational activities de-
8 scribed in paragraph (1)(B)(i) or (2)(A) of sub-
9 section (c) that the covered entity is carrying
10 out at the time when the covered entity submits
11 the application for the grant.

12 “(C) A covered entity proposing to use
13 grant funds to build on prior expertise and ac-
14 tivities aimed at preventing drownings.

15 “(D) A covered entity proposing to use
16 grant funds to carry out activities in a geo-
17 graphic area that has a greater number per
18 capita of drowning or entrapment incidents.

19 “(E) A covered entity proposing to use
20 grant funds in underserved or rural commu-
21 nities to provide services that address and tar-
22 get drowning disparities.

23 “(2) GEOGRAPHIC DIVERSITY.—

24 “(A) IN GENERAL.—In selecting covered
25 entities to receive grants under the program,

1 the Commission shall, to the maximum extent
2 practicable, consider geographic diversity in the
3 areas where activities will be carried out using
4 grant funds in order to provide the maximum
5 benefit from the program in terms of protecting
6 children from drowning or entrapment.

7 “(B) TECHNICAL ASSISTANCE.—If the
8 Commission awards grants to two or more cov-
9 ered entities that will carry out activities using
10 grant funds in the same geographic area, the
11 Commission shall provide technical assistance to
12 such entities regarding how such entities may
13 collaborate in carrying out such activities.

14 “(d) AMOUNT OF GRANT.—The Commission shall de-
15 termine the amount of a grant awarded under this section,
16 and shall consider—

17 “(1) the population of the covered entity;

18 “(2) the relative enforcement and implementa-
19 tion needs of the covered entity;

20 “(3) the education needs of the covered entity
21 proposing to use grant funds pursuant to subsection
22 (e)(1)(B)(i); and

23 “(4) allocation of grant funds in a manner de-
24 signed to provide the maximum benefit from the

1 program in terms of protecting children from drown-
2 ing or entrapment.

3 “(e) USE OF GRANT FUNDS.—A State or an Indian
4 Tribe receiving a grant under this section shall use—

5 “(1) at least 25 percent of amounts made avail-
6 able—

7 “(A) to hire and train personnel for—

8 “(i) implementation and enforcement
9 of standards under the swimming pool and
10 spa safety law of the State or Indian
11 Tribe; and

12 “(ii) inspecting and repairing or re-
13 placing swimming pool and spa drain cov-
14 ers to ensure compliance with applicable
15 Federal, State, and Tribal law; and

16 “(B) to defray administrative costs associ-
17 ated with the hiring and training programs
18 under subparagraph (A); and

19 “(2) the remainder—

20 “(A) to educate pool owners, pool opera-
21 tors, and other members of the public about the
22 standards under the swimming pool and spa
23 safety law of the State or Indian Tribe and
24 about the prevention of drowning or entrapment
25 of children using swimming pools and spas; and

1 “(B) to defray administrative costs associ-
2 ated with the education programs under sub-
3 paragraph (A).

4 “(f) RECIPIENT REPORTING.—Not later than 90
5 days after the end of the pool and spa grant program
6 project period covered by the grants awarded under this
7 section, each covered entity that received such a grant
8 shall submit to the Commission a report that includes the
9 following:

10 “(1) The amount of grant funds received by the
11 covered entity.

12 “(2) The purpose or purposes for which the
13 covered entity proposed to use grant funds in the
14 grant application of the covered entity.

15 “(3) The purpose or purposes for which the
16 covered entity used grant funds.

17 “(4) Whether the purposes identified under
18 paragraphs (2) and (3) were achieved.

19 “(5) Any barriers encountered in carrying out
20 activities using grant funds.

21 “(6) Any best practices or recommendations for
22 future recipients of grant funds.

23 “(7) Any partner organizations the covered en-
24 tity worked with to fulfill the grant's purpose, in-
25 cluding nonprofit organizations.

1 “(g) GRANT AWARENESS CAMPAIGN.—The Commis-
2 sion shall carry out a campaign to conduct outreach to
3 covered entities to ensure covered entities are aware of the
4 availability and importance of the grants under this sec-
5 tion.

6 “(h) EMPLOYEES.—The Commission shall ensure
7 that not less than 1 full-time equivalent is assigned re-
8 sponsibility for carrying out swimming pool and spa safety
9 and drowning prevention activities at the Commission, in-
10 cluding the grant program under this section.

11 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
12 are authorized to be appropriated to the Commission for
13 each of the fiscal years 2026 through 2030 \$2,500,000
14 to carry out this section.”.

15 **SEC. 3. REAUTHORIZATION OF CPSC EDUCATION AND**
16 **AWARENESS PROGRAM.**

17 Section 1407 of the Virginia Graeme Baker Pool and
18 Spa Safety Act (15 U.S.C. 8006) is amended to read as
19 follows:

20 **“SEC. 1407. EDUCATION AND AWARENESS PROGRAM.**

21 “(a) IN GENERAL.—The Commission shall establish
22 and carry out an education and awareness program to in-
23 form the public of methods to prevent drowning and en-
24 trapment in swimming pools and spas. In carrying out the
25 program, the Commission shall develop—

1 “(1) educational materials designed for swim-
2 ming pool and spa manufacturers, service compa-
3 nies, and supply retail outlets, including guidance on
4 barrier and drain cover inspection, maintenance, and
5 replacement;

6 “(2) educational materials designed for swim-
7 ming pool and spa owners and operators, consumers,
8 States, and Indian Tribes;

9 “(3) educational materials designed to reach
10 communities that have higher rates of drowning
11 than the nationwide average, including historically
12 disadvantaged communities; and

13 “(4) a national media campaign to promote
14 awareness of swimming pool and spa safety.

15 “(b) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Commission for
17 each of the fiscal years 2026 through 2030 \$2,500,000
18 to carry out the education and awareness program author-
19 ized by subsection (a).”.

20 **SEC. 4. CPSC REPORT.**

21 Section 1408 of the Virginia Graeme Baker Pool and
22 Spa Safety Act (15 U.S.C. 8007) is amended to read as
23 follows:

1 **"SEC. 1408. CPSC REPORT.**

2 “(a) IN GENERAL.—Not later than 1 year after the
3 last day of each fiscal year for which grants are made
4 under section 1405, the Commission shall submit to Con-
5 gress a report evaluating the implementation of the grant
6 program authorized by that section.

7 “(b) MATTERS TO BE INCLUDED.—Each report re-
8 quired by subsection (a) shall include, with respect to the
9 fiscal year covered by the report, the following:

10 “(1) How many applicants applied for grants
11 under the program.

12 “(2) For each such applicant—

13 “(A) name;

14 “(B) location; and

15 “(C) prior experience in swimming pool or
16 spa safety.

17 “(3) How many applicants received grants
18 under the program and the amount of the grant re-
19 ceived by each such applicant.

20 “(4) How recipients of grants under the pro-
21 gram were selected and the purposes for which each
22 such recipient proposed to use grant funds in the
23 grant application of the recipient.

24 “(5) Any purposes, other than making grants
25 under section 1405, for which the Commission used

1 amounts appropriated under subsection (i) of such
2 section.

3 “(6) An evaluation of the effectiveness of the
4 program, including any barriers or gaps, and rec-
5 ommendations for legislative changes, if required to
6 increase the effectiveness of the program.”.