

H.R. 2193, Asunción Valdivia Heat Illness and Fatality Prevention Act of 2022
 As ordered reported by the House Committee on Education and Labor on July 27, 2022

By Fiscal Year, Millions of Dollars	2022	2022-2027	2022-2032
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	0	*	not estimated
Statutory pay-as-you-go procedures apply?	No	Mandate Effects	
Increases on-budget deficits in any of the four consecutive 10-year periods beginning in 2033?	No	Contains intergovernmental mandate?	Yes, Cannot Determine Costs
		Contains private-sector mandate?	Yes, Cannot Determine Costs
* = between zero and \$500,000.			

H.R. 2193 would require the Occupational Safety and Health Administration (OSHA) in the Department of Labor (DOL) to issue an occupational safety and health standard related to employees' exposure to heat stress. DOL also would be required to update the National Agricultural Workers Survey to identify heat-related illnesses and injuries and report to the Congress on its implementation.

Under current law, OSHA can issue occupational safety and health standards. In 2021, the agency initiated a rulemaking concerning job-related heat illness and injury. The new OSHA standards established under the bill would apply to federal personnel, but CBO expects that agencies would not have to change their practices significantly to comply with those standards. As a result, CBO estimates that implementing H.R. 2193 would have no significant cost.

H.R. 2193 would impose an intergovernmental and private-sector mandate as defined in the Unfunded Mandates Reform Act (UMRA) by requiring employers, including public employers, to comply with the new standard.

CBO cannot anticipate the details of the standard and thus cannot determine whether the costs would exceed the annual intergovernmental and private-sector thresholds established in UMRA (\$92 million and \$184 million, respectively, in 2022, adjusted annually for inflation). Because the standard could cover many employers and industries and could require



expensive mitigation including engineering controls and acclimatization plans, the costs could be large. However, any costs would be mitigated by voluntary compliance, existing state rules on heat protection, and savings to employers from reduced injury and employee absence.

The CBO staff contacts for this estimate are Meredith Decker (for federal costs) and Andrew Laughlin (for mandates). The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.