



CONGRESSIONAL BUDGET OFFICE
COST ESTIMATE

January 4, 2010

S. 1421
Asian Carp Prevention and Control Act

*As ordered reported by the Senate Committee on Environment and Public Works
on December 10, 2009*

S. 1421 would make it a federal crime to import or ship bighead carp (a type of Asian carp), unless the importer has obtained permission from the U.S. Fish and Wildlife Service (USFWS) to import the fish for scientific, medical, educational, or zoological reasons. CBO estimates that implementing S. 1421 would have no significant cost to the federal government. Enacting the bill could affect direct spending and revenues, but CBO estimates that any such effects would not be significant.

Because the bill would establish a new offense, the federal government would be able to pursue cases that it otherwise would not be able to prosecute. CBO expects that S. 1421 would apply to a relatively small number of offenders, however, so any increase in costs for law enforcement, court proceedings, or prison operations would not be significant and would be subject to the availability of appropriated funds.

Because those prosecuted and convicted under S. 1421 could be subject to criminal fines, the federal government might collect additional revenues if the legislation is enacted. (Criminal fines are recorded as revenues, deposited in the Crime Victims Fund, and later spent.) CBO expects that any additional revenues and direct spending would not be significant because of the small number of cases likely to be affected.

By prohibiting the importation and interstate transport of bighead carp without a permit, the bill would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The cost to public and private entities, such as zoos or research centers, would be the expense of obtaining permits. USFWS regulations prohibit the agency from charging permit fees to state, local, or tribal entities, so the cost to intergovernmental entities would be solely administrative. The fee for a private entity would be \$25 or \$100, depending on the activity being authorized. The cost of the mandate to those ineligible for a permit, including private importers, fish farmers, retailers, shippers, and owners of those fish, would be the forgone net income from no longer being able to sell or transport the fish across state lines.

Based on information from USFWS and industry experts about permits and the value of shipments, sales, and imports of such fish, CBO estimates that the costs of the mandates would fall well below the annual thresholds established in UMRA for intergovernmental and private-sector mandates (\$70 million and \$141 million, respectively, in 2010, adjusted annually for inflation).

The CBO staff contacts for this estimate are Matthew Pickford (for federal costs), Melissa Merrell (for intergovernmental impacts), and Amy Petz (for private-sector impacts). The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.