

*** CONSUMER FEDERATION OF AMERICA * CONSUMERS UNION ***
*** KIDS IN DANGER ***
*** NATIONAL RESEARCH CENTER FOR WOMEN & FAMILIES ***
*** PUBLIC CITIZEN ***
*** UNION OF CONCERNED SCIENTISTS ***
*** U.S. PUBLIC INTEREST RESEARCH GROUP ***

June 19, 2012

The Honorable Harold Rogers
Chairman

The Honorable Norm Dicks
Ranking Member

Committee on Appropriations
United States House of Representatives
Washington, DC 20515

Dear Chairman Rogers and Ranking Member Dicks:

Our organizations write to you in opposition to two provisions of the Fiscal Year (FY) 2013 Financial Services and General Government Appropriations Bill, which would significantly impact the U.S. Consumer Product Safety Commission's (CPSC) work to protect the public from unsafe products. These provisions will result in waste of government resources and are not timely or necessary.

The bipartisan Consumer Product Safety Improvement Act (CPSIA), signed into law in 2008, strengthened the authority of the CPSC, the federal agency that oversees the safety of approximately 15,000 consumer products.

While we do appreciate that the budget of the CPSC was not reduced, we respectfully urge the House to accept the Senate FY 2013 appropriation of \$122,425,000 for the CPSC. The CPSC has many critical safety issues that it must address – including oversight and inspection of millions of consumer products imported into the U.S. every year. Every dollar enables the Commission to better fulfill its statutory mission to protect the public against unreasonable risks of injury associated with consumer products.

Section 628 requires the Comptroller General of the United States to conduct an analysis of the benefits and costs of the Consumer Product Safety Improvement Act of 2008 (Public Law 110–314). We oppose this provision because it is not timely and is ultimately wasteful of limited government resources. Congress' deliberative process created the CPSIA and identified numerous product safety issues in need of effective solutions including increased authority by CPSC. Requiring a study of this type at this time is too soon and would not be a prudent use of government resources given that the law has not yet been fully implemented and any conclusions reached would be illusory until CPSIA implementation were complete.

We also oppose section 630 as it applies to the CPSC because it requires the Commission to conduct an extensive, duplicative review that CPSC is already in the midst of conducting. On October 11, 2011,¹ the CPSC published a Federal Register notice announcing its own regulatory review and seeking public comment that was due on December 19, 2011.² Further, the CPSC has already released its Draft Plan for Retrospective Review of Existing Rules³ which includes the type of regulatory review this provision would require. The CPSC review is well on its way to completion. This provision would not only require duplication but would likely require CPSC to start its review efforts all over again, wasting precious limited resources. Accordingly, we also oppose this provision.

We would also oppose any amendments that would limit the CPSC's ability to protect the public from unsafe products and that would use the CPSC's limited resources to engage in unnecessary and burdensome analyses.

Rather than seeking to divert critical government resources and valuable CPSC and GAO staff time on unnecessary and duplicative studies as would be required by sections 628 and 630, Congress should give the CPSC additional resources to address significant product safety hazards.

We urge you to oppose these provisions.

Sincerely,

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U.S. Public Interest Research Group

Cc: Members of the U.S. House of Representatives Committee on Appropriations

¹ <http://www.cpsc.gov/businfo/frnotices/fr12/regreview.pdf>

² CPSC has released the public comments received in response to the Federal Register Notice.

<http://www.cpsc.gov/LIBRARY/FOIA/FOIA12/pubcom/regreviewcomm.pdf>

³ <http://www.cpsc.gov/LIBRARY/FOIA/FOIA12/brief/rulereviewplan.pdf>