

*** 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 ***

July 14, 2011

The Honorable John Boehner
Speaker of the House

The Honorable Nancy Pelosi
Minority Leader

United States House of Representatives
Washington, DC 20515

Dear Speaker Boehner and Minority Leader Pelosi:

Our organizations write to you in opposition to several provisions of the Fiscal Year 2012 Financial Services Appropriations Bill, which would significantly impact the Consumer Product Safety Commission's work to protect the public from unsafe products. These provisions will result in the waste of government resources and will take away important public health protections.

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

Among numerous important provisions, the law directed the CPSC to design a publicly accessible database. The database provides a way for consumers both to report harms (or risks of harms) associated with consumer products, and to research risks associated with particular products. The ability for consumers to learn about hazards with the products they own or are considering purchasing will prevent an untold number of injuries. The database will also help the CPSC and others to identify trends in product hazards much more quickly and efficiently.

We appreciate that the funding levels for the CPSC were not decreased dramatically, but we strongly object to cuts in funding that would eliminate the new public information database. This and other provisions in the appropriations bill will significantly undermine safety.

Section 622 of the Fiscal Year 2012 Financial Services Appropriations Bill undermines safety because it would halt the public safety information database, which has been up and running since March of this year. Without the CPSC database, consumers will remain in the dark about products that harmed other consumers. Further, without the CPSC database, the agency will lose a critical tool to identify emerging hazard trends. The database will help the agency to do its job more efficiently.

To shut this database down now, after resources have been already spent on design and implementation, and to take away this tool for the CPSC, would waste taxpayers' money. Further, the Continuing Resolution for FY 2011 already required the Government Accountability Office (GAO) to study the database. This GAO study is currently in progress, and GAO will report back to Congress on its findings later this year. Gutting funding for the database now would render those resources wasted as well.

Sections 624 and 627 undermine safety because they would require resource-consuming and unnecessary studies of every CPSIA and CPSC regulation. These studies require a cost-benefit analysis of the entire CPSIA and an extensive review of CPSC's existing regulations. The CPSIA was a bipartisan response to the recall of millions of children's products for lead and other hazards. Rather than giving the CPSC additional resources to implement the CPSIA in a way that addresses the concerns of very small manufacturers and others in a responsible, narrowly tailored way, this bill seeks to spend government resources, and valuable CPSC staff time, on unnecessary studies.

Section 630 undermines safety because it stops the CPSC from implementing lead limits with regard to off-road highway vehicles and bicycles. These issues deserve separate discussion and consideration, and should not be dealt with as part of an appropriations measure.

We urge you to protect children – the most vulnerable consumers – and to oppose these provisions.

Sincerely,

Rachel Weintraub
Director of Product Safety and Senior Counsel
Consumer Federation of America

Ami Gadhia
Policy Counsel
Consumers Union

Nancy Cowles
Executive Director
Kids In Danger

Diana Zuckerman, PhD
President
National Research Center for
Women & Families Cancer Prevention
and Treatment Fund

Christine Hines
Consumer and Civil Justice Counsel
Public Citizen

Celia Wexler
Washington Representative
Scientific Integrity Program
Union of Concern Scientists

Ed Mierzwinski
Consumer Program Director
U.S. Public Interest Research Group

Cc: Members of the U.S. House of Representatives