



**Testimony of Ann Marie Buerkle
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Hearing on the 2016 Performance Budget Request of the CPSC

Before the

**U.S. House of Representatives
Committee on Appropriations**

**Subcommittee on Financial Services
and General Government**

March 19, 2015

Chairman Crenshaw and Ranking Member Serrano, thank you for holding today's hearing on the U.S. Consumer Product Safety Commission's Fiscal Year 2016 Budget and for giving me the opportunity to provide testimony to the Subcommittee. I had the honor of serving alongside the subcommittee's distinguished Members in the 112th Congress, and it is good to be back on Capitol Hill in my capacity as a Commissioner of the CPSC. I hope that today's hearing renews our relationship of working together to keep American consumers safe from unreasonable risk of injury or harm.

I want to take a moment to acknowledge CPSC Chairman Elliot Kaye. While we may differ significantly on policy issues, the tone that he has set at the agency during his brief tenure is one of collegiality and mutual respect. Such an environment allows for a real debate and discussion of the issues rather than partisan arguments.

I have been a Commissioner at the agency since July 2013, and what continues to impress me is the dedication of CPSC's staff. They take our mission of safety very seriously. Equally, I have been impressed by the cooperation and efforts made by the regulated community to advance safety and comply with our regulations.

As a federal agency we are stewards of the American taxpayers' dollars and we must ensure the regulations we promulgate are reasonable, balanced, and truly address a safety issue. CPSC accounts for only a relatively small amount of our nation's spending, but we have a large regulatory impact and contribute to our nation's alarming spending problem. Our national debt exceeds \$18 trillion yet the President is proposing a \$4 trillion spending plan for 2016. On top of our debt, the federal regulatory state in the United States costs our economy an estimated \$1.86 trillion annually, which is more than the GDP of Canada.

Regulation is a necessary function of government, but I believe that CPSIA has forced too much regulation without regard to risk--let alone cost benefit. As a result we are unnecessarily burdening businesses, especially small businesses. We must ask ourselves: what is the problem we are trying to fix, and most importantly, is our proposed solution the least burdensome way to solve the problem?

I did not support the Commission's overall 2016 budget request of \$129 million, in part because it calls for a \$6 million increase over current funding levels and an \$11 million increase over what this subcommittee appropriated for FY15.

The intended use of the funds requested is of concern to me. In 2011, Congress directed CPSC to explore ways to reduce costs associated with third-party testing. To date, however, the Commission has done little to approve actual burden-reduction ideas. I am grateful to this committee and the House for including \$1 million for burden reduction in our FY 2015 appropriation. I am hopeful that the agency will spend that money wisely. I am disappointed that the President's Budget Request did not follow your lead in funding burden reduction. We should be looking at burden reduction as a regular part of our program.

One of the most challenging things for anyone to do is to prioritize scarce resources; whether it is a hard working family sitting around a kitchen table or the leadership of a regulatory agency sitting in a conference room. However, in this climate of slow economic recovery, we all must make very tough choices to be fiscally responsible while remaining mission driven.

With that in mind, I am concerned that CPSC may be spreading itself too thin. The agency has clearly identified import safety as a major priority. We got a significant boost for that program in our FY2015 appropriation. I would like to see our agency focus on that issue before we expand our efforts elsewhere.

CPSC should become more collaborative not only with consumers and consumer groups but also with manufacturers and the regulated community. The agency should spend more of its resources on education and outreach - educating consumers about potential hazards as well as informing industry on how to comply with the law. I urge greater collaboration with the regulated community through greater emphasis on voluntary standards rather than mandatory ones. We should seek out areas where we can build public-private partnerships to achieve a common goal. Rule review should be a greater priority for CPSC so we can better understand what regulations are

effective and which are not. Doing this will allow us to ensure that rules we have promulgated are meaningful and actually improve safety. Rules that are not working or are no longer necessary should be amended or repealed.

The common goal among us all – Congress, CPSC, industry, and consumers – is safety; we are all people who have families for whom we want safe products. I have six children and sixteen grandchildren. I do not want dangerous products hurting them or any American. But the U.S. government cannot and should not try to create a zero-risk society. We must find a balance that keeps people safe from unreasonable risks with solutions that actually address a problem so the regulated community is not unnecessarily burdened. We must do so in a way that spends the American peoples' tax dollars efficiently and effectively.