



**Testimony of Ann Marie Buerkle
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United States Consumer Product Safety Commission**

**Hearing on "Protecting Americans from Dangerous Products: Is the Consumer
Product Safety Commission Fulfilling Its Mission?"**

**U.S. House of Representatives
Committee on Energy & Commerce
Subcommittee on Consumer Protection & Commerce**

April 9, 2019

Good morning, Chairwoman Schakowsky, Ranking Member McMorris Rodgers, and distinguished members of the Committee: thank you for holding today's hearing on the Consumer Product Safety Commission (CPSC). I had the honor of serving alongside the Chairwoman, Ranking Member, and some of the subcommittee's members during my time in the House of Representatives, and I am glad to be back on Capitol Hill today to discuss the critically important work of CPSC. I also appreciate the productive meetings with the Chairwoman and Ranking Member earlier this year. I hope today's hearing is another step toward continuing a collaborative relationship with the committee.

I am pleased to be joined by all my Commission colleagues today. We are a different composition of Commissioners than the last time the agency sat before the subcommittee, but we have the same mission of keeping consumers safe. Additionally, I want to highlight CPSC's dedicated staff. CPSC consists of an elite group of professionals who work hard every day and are committed to keeping consumers safe. It is humbling to work alongside such devoted, talented people.

Having the opportunity to lead CPSC is the culmination of many aspects of my life. I joined the Commission in July of 2013 after being nominated by President Obama and confirmed, by voice vote, by the Senate. In February of 2017, I assumed the duties of Acting Chairman. Prior to joining the Commission and serving in Congress, I spent my career in healthcare, first as a registered nurse and later as a New York State Assistant Attorney General representing a teaching hospital. I have spent my life in advocacy and now, it is a true honor to lead the CPSC.

For our agency, 2019 got off to a challenging start with the government shutdown. During the shutdown, CPSC operated with a skeleton crew of "excepted" staff. These dedicated individuals reviewed more than 10,000 incident reports, analyzing information from a variety of sources, including National Electronic Injury Surveillance System (NEISS) hospitals, the CPSC Hotline, and SaferProducts.gov. Operating according to the procedures specified in our shutdown directive, staff sought to identify any incidents that rose to the level of an imminent threat to human safety.

Once the government reopened, all CPSC staff began working tirelessly to clear the backlog and return to normal operations. Specifically, they have: opened and completed all investigations into incidents warranting an in-depth investigation, processed and re-analyzed the over 10,000 other incidents, reviewed and assessed all Section 15(b) reports and are processing potential cases, evaluated all saferproducts.gov

reports received and published all that were eligible, and announced multiple recalls that occurred during the shutdown.

Certainty is critical to agency operations and knowing that we are funded through the remainder of Fiscal Year 2019 is a relief. However, additional funding in the coming fiscal year is essential to help us more effectively execute our mission. On March 28, 2019, CPSC submitted its budget request to Congress at the level of \$127 million for FY 2020, a mark set by OMB and the President. I am grateful for the level the President funded us as it is higher than it has been in years past, but our agency faces challenges in executing our mandate with such a limited, level budget. This morning, I am imploring each member of this subcommittee to advocate for a higher budget for the CPSC.

To provide the CPSC more flexibility to accumulate larger balances needed for major investments, especially in information technology, I continue to advocate support to move a part of the CPSC budget to a “no-year” appropriation that would be available until expended. This no cost change would give us needed flexibility to use money across fiscal years for larger investments, to deal with unexpected shortfalls and generally make higher return uses of year-end balances.

CPSC needs not only to maintain the capabilities that it currently has, but also to expand our effectiveness and efficiency. Each year that we do not keep pace with inflation, more and more mission funding is redirected to offset cumulative inflation costs. In addition, programmatically we need a more robust budget to ensure we are fully equipped to deal with a rapidly changing global marketplace where the types of products and how consumers buy and interact with those products is constantly evolving. All of this requires consistent, adequate, and additional funding.

The CPSC is an active voice in advancing safety discussions on emerging issues such as e-commerce, the Internet of Things (IoT), and smart technology. We continue to work diligently to find solutions to longstanding, complex hazards such as furniture tipovers, portable generators, and recall effectiveness. And we continue to work to improve our data capabilities, both internally by enhancing our quality of data and our ability to analyze it, and externally by seeking ways to improve outward facing platforms like saferproducts.gov.

CPSC’s mission is critical one. As a mother of six and grandmother of eighteen, I know that nothing is more important than the safety of our children and our families. The role of Chairman is a critical one and I do not take the responsibility lightly.

I am committed to continuing our positive working relationship with Congress so that together we can keep consumers safe.

Thank you again for the opportunity to speak to you today and for your service to our nation. I look forward to answering any questions you may have.