

Additional Questions for the Record

Subcommittee on Consumer Protection and Commerce

Hearing on

“Protecting Americans from Dangerous Products: Is the Consumer Product Safety Commission Fulfilling Its Mission?”

April 9, 2019

The Honorable Elliot F. Kaye, Commissioner **U.S. Consumer Product Safety Commission**

The Honorable Robin L. Kelly:

According to the National Center for Injury Prevention and Control, more than 31,000 men, women and children die annually from gunshot wounds in the United States. The burden of gun violence has taken an incredible toll on our nation. A recent study on gun violence found that the loss of quality of life, psychological and emotional trauma, decline in property values and other legal and societal consequences stemming from gun violence cost an estimated \$174 billion, with the government absorbing \$12 billion in costs.

The wide-ranging impact of gun violence is real, and the consequences are too great to ignore. It's critical that we act now to make our communities safer from guns. A bill that I introduced this Congress would amend the Consumer Product Safety Act and remove the exclusion of pistols, revolvers and other firearms from the Consumer Product Safety Commission's (CPSC) definition of "consumer product." This would allow the CPSC – which already oversees hazardous products that pose a threat to American consumers – to issue safety standards for guns and ammunition that will help reduce gun-related deaths.

The CPSC currently has jurisdiction over more than 15,000 kinds of consumer products used in and around the home, like teddy bears and bicycles. However, guns, which kill thousands of Americans every year, are virtually the only consumer product not regulated for health and safety. Regulation of the design of guns and ammunition can save lives and prevent serious injuries. If the CPSC can regulate relatively benign consumer products, it certainly should also be allowed to regulate guns, which pose a far greater threat to consumers. By allowing the CPSC to regulate guns, we'll be taking responsible steps in promoting common sense safety reforms that will reduce gun-related deaths. The sole task of the CPSC is to protect Americans from the dangers of certain consumer products, and by preventing them from regulating easily accessible firearms, we fail to adequately protect the everyday American from an epidemic of gun crime.

The mission of the CPSC is to protect consumers from an unreasonable risk of injury or death associated with use and foreseeable misuse of a consumer product. According to CPSC's data

gathered through the National Electronic Injury Surveillance System from approximately 100 Emergency Departments throughout the country, about 22 percent of firearms injuries are unintentional. It is clear that guns pose a risk to consumers.

In that spirit, I ask an open question to all of you:

1. Do you think, given the current state of our nation's gun violence epidemic, if the CPSC were empowered – under the law, and with adequate resources and funding – to regulate firearms it would have a demonstrable impact in reducing gun violence?

RESPONSE:

If Congress wants to expand the CPSC's jurisdiction, we would need a significant boost in annual funding in order to discharge any additional regulatory responsibilities.

2. What can we – as a committee and Congress – do additionally to further empower the CPSC to help keep us safe and tackle our nation's gun violence epidemic, including increasing the Commission's funding?

RESPONSE:

Over the years CPSC staff have worked on two voluntary standards addressing the hazards associated with children accessing firearms: the voluntary standard for Youth-Resistant Firearm Containers (ASTM F2456) and the voluntary standard for Nonintegral Firearm Locking Devices (ASTM F2369). In 2018, CPSC staff sent a report and letter to ASTM with recommendations to strengthen these voluntary standards. Going forward, CPSC staff should continue to monitor and participate in these voluntary standards efforts.