



July 23, 2024

TO: Members, Subcommittee on Innovation, Data, and Commerce
FROM: Committee Majority Staff
RE: Hearing Titled “The Fiscal Year 2025 Consumer Product Safety Commission Budget”

I. INTRODUCTION

The Subcommittee on Innovation, Data, and Commerce has scheduled a hearing on Tuesday, July 23, 2024, at 2:00 p.m. (ET) or 30 minutes following the conclusion of the Subcommittee on Energy, Climate, and Grid Security hearing in 2123 Rayburn House Office Building. The title of the hearing is “The Fiscal Year 2025 Consumer Product Safety Commission Budget.”

II. WITNESSES

- Hon. Alexander Hoehn-Saric, Chair, U.S. Consumer Product Safety Commission
- Hon. Peter A. Feldman, Commissioner, U.S. Consumer Product Safety Commission
- Hon. Richard L Trumka Jr., Commissioner, U.S. Consumer Product Safety Commission
- Hon. Mary T. Boyle, Commissioner, U.S. Consumer Product Safety Commission
- Hon. Douglas Dziak, Commissioner, U.S. Consumer Product Safety Commission

III. BACKGROUND

The Consumer Product Safety Commission (CPSC) is an independent agency responsible for protecting and keeping consumers safe from unreasonable risk of injury or death associated with consumer products.¹ The Commission carries out its mission through developing voluntary standards with industry, issuing and enforcing mandatory standards or bans on hazardous consumer products, recalling unsafe products or arranging for their repair, investigating potential product hazards, and informing and educating the public on dangers associated with consumer products.² The CPSC is empowered to protect consumers from dangerous products through three major statutes: (1) the Consumer Product Safety Act (CPSA); (2) the Federal Hazardous

¹ Consumer Product Safety Commission, About CPSC, www.cpsc.gov/en/About-CPSC/.

² Consumer Product Safety Commission, Who We Are – What We Do for You, <https://www.cpsc.gov/Safety-Education/Safety-Guides/General-Information/Who-We-Are---What-We-Do-for-You>.

Substances Act (FHSA); and (3) the Consumer Product Safety Improvement Act (CPSIA).³ The CPSC’s FY 2024 Continuing Resolution funding level was \$152.50 million, and the FY 2025 request is \$183.05 million.⁴

The following paragraph is an excerpt from the CPSC’s FY 2025 *Performance and Budget Request to Congress*:

The CPSC requests \$183.05 million for FY 2025. The FY 2025 Performance Budget Request (FY 2025 Request) is \$30.55 million above the FY 2024 Continuing Resolution (CR) level of \$152.50 million. The FY 2025 request also realigns \$7.05 million in annual recurring costs that have been funded under the American Rescue Plan Act of 2021 (ARPA) – including 17 full-time equivalent (FTE) positions focused on import surveillance – into its annual appropriation following the spend down of the ARPA funds. The FY 2025 request supports CPSC’s mission of protecting the public from hazardous consumer products.⁵

IV. RELEVANT COMMITTEE ACTIVITY AND LEGISLATION REPORTED FROM THE ENERGY AND COMMERCE COMMITTEE THIS CONGRESS

- H.R. 1615, Gas Stove Protection and Freedom Act (Rep. Armstrong)
- H.R. 1797, Setting Consumer Standards for Lithium-Ion Batteries Act (Reps. Torres, Garbarino, Clarke, Ryan, Bowman, D’Esposito, Espaillat, and Goldman)
- H.R. 4310, Youth Poisoning Protection Act (Reps. Trahan, Carey, Porter, and Stewart)
- H.R. 4814, Consumer Safety Technology Act (Reps. Sotom Burgess, Trahan, and Guthrie)
- H.R. 5202, Virginia Graeme Baker Pool and Spa Safety Reauthorization Act (Reps. Wasserman, Schultz, Burgess, Carter, Allred, Castor, Williams, Garcia, Flood, Ross, Bacon, and Gottheimer)
- H.R. 6132, Awning Safety Act of 2023 (Reps. Balderson and Castor)

On September 27, 2023, the Innovation, Data, and Commerce Subcommittee held a legislative hearing titled, “Proposals to Enhance Product Safety and Transparency for Americans.” On November 2, 2023, the Innovation, Data, and Commerce Subcommittee met in open markup session to vote on the legislation. The bills were favorably reported by the full Committee on December 6, 2023.⁶

V. QUESTIONS TO CONSIDER

³ Consumer Product Safety Commission, Statutes, <https://www.cpsc.gov/Regulations-Laws--Standards/Statutes>.

⁴ Consumer Product Safety Commission, *Fiscal Year 2025 Performance Budget Request to Congress* (Bethesda, MD: CPSC, 2024), <https://www.cpsc.gov/s3fs-public/FY-2025-Budget-Request-comp.pdf?VersionId=bsvQnDFjqFUe0pe6dy6k7PmbaJu2DPOw>.

⁵ Consumer Product Safety Commission, *Fiscal Year 2025 Performance Budget Request to Congress*.

⁶ [H.R. 6132](#) – Awning Safety Act of 2023, [H.R. 4310](#) – Youth Poison Prevention Act, [H.R. 4814](#) – Consumer Safety Technology Act.

- What progress has the CPSC made in the last five years on the unauthorized disclosure of information through the clearing house breach?
- Given the closure of port operations during the COVID-19 pandemic, are inspections back to or exceeding pre-pandemic levels?
- How does the industry consensus standard process work, and how does CPSC enforce these standards?
- What are the lessons learned from Reese’s Law and the STURDY Act implementation?
- What trends are present in recall effectiveness?

VI. STAFF CONTACTS

- Tim Kurth, Chief Counsel
- Teddy Tanzer, Senior Counsel
- Brannon Rains, Professional Staff Member
- Lacey Strahm, Professional Staff Member
- Alex Khlopin, Clerk