

Committee on Energy and Commerce
Opening Statement as prepared for delivery
of
Full Committee Ranking Member Frank Pallone, Jr.

***Innovation, Data, and Commerce Subcommittee Hearing on “The Fiscal Year 2025
Consumer Product Safety Commission Budget”***

July 23, 2024

I’d like to welcome Chairman Hoehn-Saric back to the Committee – it’s great to see you and the other Commissioners.

The Consumer Product Safety Commission (CPSC) has a long history of ensuring that everyday products are safe.

One product of particular concern to me is the grave danger posed to small children by water beads. Water beads are very small beads made of super absorbent material that can expand up to 100 times their original size when exposed to liquid. They are marketed as colorful, fun toys for kids, but when swallowed by a small child they can cause serious injury or even death. Water bead injuries resulted in about 7,000 emergency room visits between 2018 and 2022.

The CPSC has used the legal authorities at its disposal to warn parents and remove some water bead toys from the market. The Commission issued a recall for a water beads “activity kit” marketed for older children that tragically resulted in the death of 10-month-old Esther Bethard in Wisconsin. This product has also injured many others. The CPSC also published a general safety alert to warn parents of the ingestion risk to young children posed by any water bead product and to direct that water beads should be removed from any environment with young children.

These are important actions that will save children’s lives, and I do want to say that this agency has just done so many things like that for consumer protection. But in regard to water beads, Congress has to do more to empower the CPSC to protect babies and children from this danger. And so I introduced the Ban Water Beads Act that would ban water beads marketed for kids. This ban would remove the most dangerous water bead products from stores and online marketplaces and allow the CPSC to go after bad actors who put their own bottom lines ahead of children’s safety. Water beads are deadly. We must act quickly to ensure that no more children die from ingesting these dangerous water beads.

I thank Ashley Haugen, founder of the non-profit That Water Bead Lady, and her husband, for being here today. Their daughter Kipley faces ongoing medical challenges after swallowing water beads that were part of a toy belonging to her older sister. Ashley has turned this tragedy that she and her family endured into passionate advocacy to protect other children from dangerous water bead products.

I also want to thank Taylor Bethard, whose daughter Esther died after swallowing water beads, and Folichia Mitchell whose daughter Kennedy was hospitalized for four weeks after swallowing a single water bead. I want to commend them and all the parents fighting to ban water beads for their bravery, selfless advocacy, and commitment to banning these dangerous products once and for all.

CPSC can only do the work to protect kids from the dangers of water beads and many other products if Congress gives them the resources to do it.

Every American benefits from a strong, active, and well-funded CPSC. Unfortunately, their current budget is woefully inadequate and has forced it to reduce staff responsible for safety research, enforcement, and surveillance of thousands of consumer products. And House Republicans are now proposing a six percent cut to the CPSC's budget for fiscal year 2025 which will make it even harder for them to protect Americans from dangerous products.

And Republicans are also pushing Trump's Project 2025 – a dangerous blueprint for a potential second Trump Administration – that proposes eliminating the independence of federal agencies like the CPSC. Trump's Project 2025 is a plan to consolidate power in the White House and gut checks and balances. This would be a disastrous move that would seriously undermine the CPSC's ability to enforce critical safety standards, put families at risk, and remove accountability for huge corporations.

Clearly that's the wrong course to protecting Americans from dangerous products. Without more resources, the CPSC will not be able to stay ahead of emerging threats or provide strong enforcement to keep dangerous products off physical and virtual store shelves. Our economy has and will continue to become increasingly global and digital which requires the CPSC to develop innovative solutions to tackling threats in E-commerce.

Our children's physical safety depends on the work of the CPSC, and I am committed to fighting for the resources and the additional authority they need to protect Americans from unnecessary risks.

Let me just conclude, Mr. Chairman, by saying I've always felt that protecting consumers is one of the most important parts of this Committee, and I think that the CPSC has really worked with us on a number of these initiatives. I'm very proud of what you all do, but at the same time you need the resources because the list of consumer products that are dangerous just keeps growing.