

Statement for the Record

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

**To the
U.S. House Committee on Energy and Commerce
Subcommittee on Consumer Protection and Commerce**

April 9, 2019

Good morning. I want to begin my remarks by thanking Chairwoman Schakowsky, Ranking Member McMorris Rogers, and the members of the Subcommittee on Consumer Protection and Commerce for providing me this opportunity to appear before you today.

It has been a great privilege to serve, under the leadership of Acting Chairman Buerkle, as a Commissioner of the United States Consumer Product Safety Commission (CPSC) since my confirmation last October. I am relatively new to the agency and previously served as senior counsel to Chairman John Thune on the Senate Committee on Commerce, Science, and Transportation. As a Senate staffer, I worked directly on CPSC oversight matters and therefore understand the important function that hearings like this serve. I also come to the agency with a deep understanding of the congressional intent behind the statutes governing the agency, its duties, and its limits under the law.

The title of this hearing asks an important question. Is the Consumer Product Safety Commission fulfilling its mission? My view is that the Commission is doing many things well, that there are areas in which we are making progress, and others in which we could be doing more to protect American consumers from dangerous products.

As a Commissioner, my priority is to advance the agency's safety mission through inclusiveness and compromise. In the short time I've been at the agency, I am most proud of the opportunities I have had to collaborate with my fellow commissioners on bipartisan solutions. These include bipartisan support to increase agency transparency in the form of an open meeting to approve the agency's budget request, the first such meeting in recent memory and a tradition I hope we will

continue. Along with Commissioner Baiocco, we have advanced a number of amendments with bipartisan support, including efforts to strengthen the agency's data science expertise, to prioritize enforcement of the Child Nicotine Poison Prevention Act, and to accelerate a mandatory standard to protect children from furniture tip overs. More work needs to be done, but I am encouraged by this forward progress.

During my confirmation hearing in June of last year, I laid out a number of priorities I felt would achieve the Commission's goals of protecting American consumers from unreasonable risk of danger. These include modernizing the Commission's data collection and processing capabilities to identify emerging hazards and to support its enforcement, standards, and regulatory work. I testified that the Commission must rethink its market surveillance capabilities, including with respect to e-commerce and new and emerging distribution models. And as a general matter, the CPSC must advance safety through engagement with safety groups and the regulated community with transparency and clarity about its expectations.

These remain critical priorities necessary to advance CPSC's mission, and our work remains ongoing. To further the goal of modernizing the Commission, I am excited that the agency is leading the creation of an interagency working group, along with the FCC, FTC, FDA, DOT and NIST, to tackle issues pertaining to the Internet of Things and connected devices. More can be done to close the agency skills gap with respect to new and emerging technologies in consumer products. While I am pleased that the agency voted to accept our proposal to hire a Chief Data Officer, more work remains to ensure the position is funded and implemented appropriately. I

also believe the Commission should explore the creation of a Chief Technologist to expand staff expertise, as many of our sister agencies have done.

To further the goal of agency transparency, I maintain an open door and encourage all stakeholders to share their concerns with me. This invitation applies to consumer groups, trade groups, legislators, companies, and individual consumers. I have also worked to stress the importance of the Commission's independent Inspector General and to highlight the numerous, important recommendations that remain outstanding. I have urged staff and the Commission to work to implement these expeditiously and will continue to do so.

In closing, I look forward to continuing our efforts to keep American consumers safe through a bipartisan, collaborative and forward-looking agency. Thank you again, Madam Chairwoman, for holding this important hearing and for your work to protect consumers. I look forward to this important discussion and responding to members' questions.