



February 27, 2007

The Honorable José Serrano  
Chairman  
House Appropriations Subcommittee on Financial Affairs & General Government  
Room 1040A, Longworth House Office Building  
Washington, DC 20515

Dear Chairman Serrano:

On behalf of Safe Kids Worldwide, I am writing to express our strong support for the U.S. Consumer Product Safety Commission (CPSC). As you consider spending priorities for Fiscal Year 2008, **I respectfully urge you to provide additional funding, above the amount requested in President Bush's Fiscal Year 2008 budget, to this important agency so that it may continue and expand its efforts to protect our nation's children and families.**

## **I. Background: Accidental Childhood Injury**

Accidental injuries are a leading cause of death for all Americans, regardless of age, race, gender, or economic status. Annually, an average of 27,100 deaths and over 33.1 million injuries are related to consumer products. Unfortunately, children make up a large portion of these tragic numbers. Each year, more children die from unintentional injuries than from all childhood diseases combined. Many of these injuries are preventable and some of these preventable injuries are associated with hazardous or dangerous products.

The CPSC has a critical role in keeping children and families safe from injury or death related to consumer products. It is the only federal agency that identifies and acts on a wide range of consumer product safety hazards, overseeing everything from toys to bikes to household products. Its multi-faceted programs and initiatives are vital components of a national effort to prevent childhood injuries – the number one killer of children ages 14 and under.

## **II. CPSC Budget Overview**

The CPSC monitors the safety of over 15,000 product categories – including kitchen appliances, sporting equipment, safety devices, home furnishings and art materials – just to name a few. The CPSC must regulate these products, recall them when necessary, educate the public about safe

use and behavior, and stay current on new injury product trends. The Administration's budget request for this agency does not allow it to fully implement its critical mission.

President Bush's Fiscal Year 2008 budget includes an appropriation of \$63,250,000 for the CPSC, an increase of \$880,000 from Fiscal Year 2007. Although Safe Kids recognizes that this is an apparent increase over last year, in effect, and given this agency's recent inadequate budgets, we believe additional funds are needed given the CPSC's broad jurisdiction over so many consumer products. Additional funding would help the agency better fulfill its broad mission (i.e., better marketplace policing, more effective consumer education, improved testing of products). In particular, the CPSC is not currently in the position to proactively respond to emerging product safety issues. Safe Kids believes that the CPSC must be active guardians of consumer safety and needs the budget support to do so.

In addition, the President's budget includes a request for 401 full-time employees. This staffing level would be the lowest ever for the Commission. Salaries represent the largest portion of the CPSC's budget. However, the CPSC has gradually had their staffing levels reduced over the years due to budget constraints. This has resulted in fewer and fewer CPSC staff members to carry out the agency's increasing responsibilities to keep children and families safe from defective and hazardous products. Additionally and significantly, the President's request for the CPSC is much less than the proposed \$66.858 million request that the agency itself voted for in the fall of 2006. At that time, the CPSC voted unanimously to approve the CPSC Executive Director's recommendation to request a \$4.468 million increase over the President's Fiscal Year 2007 request. The Executive Director's recommendation also included 420 full-time staff positions which she felt was needed to at least continue the Commission's core functions. Safe Kids believes that the Commission itself knows best its budgetary needs and the President should have (and Congress should) give great deference to the CPSC's own assessment and budget needs. Congress now has the opportunity to do just that. Safe Kids hopes that the Subcommittee considers increasing the President's budget request so that the Commission not only keeps pace with their current duties, but is able to expand their activities as needed.

### **III. Important Programs & Initiatives**

As product-related and product-caused deaths and injuries still exist and can be prevented, the CPSC is needed now more than ever to protect consumers, families and children. It does so much with so little and over the years has established and implemented programs and initiatives that work, and with an infusion of additional resources, could be much more effective. For example:

#### ***A. Data Collection***

*1. NEISS* – The CPSC maintains the only federal data system specifically designed to collect information on consumer product-related injuries. The National Electronic Injury Surveillance System (NEISS) allows the CPSC to identify hazards and serves as the basis for preventative measures and education programs. Safe Kids recommends that a portion of any increase in funding be used to improve this unique data collection tool. Specifically, the

CPSC should add more hospitals, especially children's hospitals, to the approximately 100 institutions currently in the database. This would result in more reliable data and would improve national estimates of injury incidence. The necessary expansion of this data collection technique would, of course, need additional funding. Congress should provide it.

2. *Safety Hotline* – The CPSC “Safety Hotline” provides a vital link between government and America’s consumers. This toll-free hotline permits individuals to: 1) report an unsafe product; 2) report a product-related injury; 3) find out whether a product has been recalled; 4) learn how to return a recalled product or arrange for its repair; 5) receive information on what to look for when buying a consumer product; and 6) obtain information on how to safely use a consumer product. Safe Kids’ network of over 300 state and local coalitions, as well as other community-based organizations, utilize the hotline on a regular basis to both report potentially dangerous products and to collect information on unsafe products. Clearly, the hotline is an invaluable resource to groups like Safe Kids that are in the business of communicating critical safety messages to the general public, but we are sure that the hotline itself is ready for technological updates that will help keep it on the cutting edge.

Data collected through these sources and others provides the Commission with the basic information that may eventually lead to product modification or recall, the development of voluntary or mandatory safety standards, or the establishment of important public education campaigns. The information is also used by outside organizations, like Safe Kids, when developing their injury prevention initiatives. The CPSC’s data collection ability makes it unique among all federal agencies. The Commission needs adequate funding so that it can continue and improve upon these important services through upgrades of its critical information technology systems.

## ***B. Market Oversight***

The CPSC has the mandate to ensure that companies which produce or sell consumer products comply with the laws, regulations and standards intended to protect consumers and children. The CPSC is the only federal entity with the ability to recall dangerous or defective non auto-related consumer products that could potentially injure or kill children. Significantly, since 1973, the Commission’s use of its recall authority has resulted in the initiation of thousands of recalls or other corrective actions involving millions of products. These recalls involved a variety of products, including baby rattles, pacifiers, cribs, flammable clothing and bike helmets. Over the years, however, and due to budget restraints, the CPSC may not be able to properly police the marketplace for dangerous products. By necessity, the CPSC is recalling more products than ever. It is receiving more Section 15 reports than at any other time in its history, especially from some of our nation’s largest retailers. This increased activity demands appropriate resources – resources that the agency right now does not have.

The agency’s field and compliance staff, in our view, are stretched to the limits. These CPSC departments, at their present staffing levels, will not be able to keep up with this increased activity and safety will suffer. For instance, more and more products are now

being sold on the Internet. It is the CPSC's sole responsibility to police this electronic marketplace for recalled, dangerous products being sold online after a recall has been announced. Presently, CPSC Investigators conduct surveillance only on weekends and in their spare time. This is not nearly enough given the huge expansion of this type of commerce. In addition, more and more products are entering the marketplace through imports, especially from China. This influx of products presents the CPSC with the challenge of increased custom product import oversight. Congress should provide the resources, where the President failed to do so, in order to allow the CPSC to better police the consumer product marketplace in all its forms.

### ***C. Public Education***

The CPSC uses a wide range of tools to spread many important safety messages that are critical to the prevention of product-related injuries. Each time the CPSC educates a parent, an adult or a child about the proper use of a product, it is helping to create a safer environment for America's children. Safe Kids applauds the CPSC for its widespread and effective Neighborhood Safety Network initiative, which provides timely and useful public education materials to our organization and the public at large. The Fiscal Year 2008 budget request should help the CPSC continue and expand upon this role of providing public education. Unfortunately the President's budget request for this agency does not allow the Commission to adequately engage in this important public education role. Congress should recognize the value of this activity and provide additional funds to the agency to allow it to reach consumers through media and education campaigns.

### ***D. CPSC Testing Laboratories***

Several years ago, Safe Kids staff toured the CPSC testing lab located in Gaithersburg, Maryland. The CPSC, among other things, uses this lab to test thousands of consumer products to ensure that they comply with existing voluntary or mandatory standards, or to determine whether or not they pose an unreasonable risk of injury to the American public. Safe Kids staff was impressed by the commitment and expertise of CPSC lab personnel, but was surprised by the quality of the lab's conditions. The CPSC to this day, while somehow fulfilling their mission, has done so with less than adequate technical facilities. We believe that the CPSC should have a lab that, at the very least, competes with those found in the private sector and that Congress should appropriate the funds necessary to upgrade the facility. If the CPSC staff can access a well-equipped lab, this most certainly will translate into better and safer consumer products and environments.

### ***E. Pool and Spa Safety***

The CPSC will have a significant implementation role if the *Pool & Spa Safety Act* is enacted into law. The soon-to-be introduced legislation by Representative Debbie Wasserman Schultz (D-FL), which was narrowly defeated in the 109<sup>th</sup> Congress, would provide incentive

grants for states that pass pool and spa safety laws that meet CPSC guidelines. In addition, the bill would provide for a CPSC-executed national pool and spa safety education program. If the *Pool & Spa Safety Act* is signed into law, the CPSC will need additional resources to ensure that they are able to meet these congressional obligations. The CPSC would need to: a) establish standards for eligible state laws; b) award grants to qualified states; c) conduct a national drowning prevention education program; and d) provide reports to Congress about the effectiveness of the grant program. A sufficient budget level would be necessary for the CPSC in order for the agency to fulfill any future congressional responsibilities contained in the *Pool & Spa Safety Act*.

#### **IV. Conclusion**

Children are especially vulnerable to the dangers posed by hazardous products. They often are unable to recognize and avoid dangerous situations. The CPSC's record of protecting children is both dramatic and measurable. Investment in the CPSC's data collection ability, market oversight authority and public education initiatives will yield long-lasting benefits. We respectfully urge you to provide additional funding for the CPSC above the requested level of \$63.2 million and certainly no less than the staff-recommended \$66.858 million.

Safe Kids Worldwide is available to answer any questions that you or the Subcommittee might have relating to our comments or other issues that may be raised in the future. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'Alan Korn', with a long horizontal line extending to the right.

Alan Korn, J.D.  
Director of Public Policy & General Counsel

*Safe Kids Worldwide is a global network of organizations whose mission is to prevent accidental childhood injury, a leading killer of children 14 and under. More than 450 coalitions in 16 countries bring together health and safety experts, educators, corporations, foundations, governments and volunteers to educate and protect families.*