

Fiscal Year 2022

Performance Budget Request to Congress



May 28, 2021

Our Mission: *Keeping Consumers Safe*



About the Consumer Product Safety Commission (CPSC)

The CPSC is an independent federal regulatory agency with a public health and safety mission to protect the public from unreasonable risks of injury and death from consumer products.

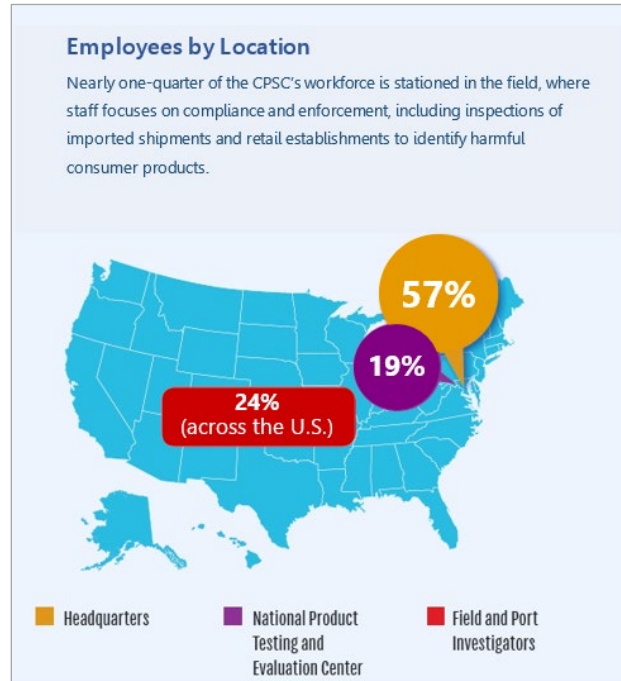
The Commission consists of five members appointed by the President with the advice and consent of the Senate. The Chairman is the head of the Commission and principal executive officer of the CPSC.

The Consumer Product Safety Act (CPSA) created the CPSC in 1972. In addition to the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA), and Pub. L. No. 112-28, the CPSC administers the Federal Hazardous Substances Act, the Flammable Fabrics Act, the Poison Prevention Packaging Act, the Refrigerator Safety Act, the Virginia Graeme Baker Pool and Spa Safety Act, the Children's Gasoline Burn Prevention Act, the Labeling of Hazardous Art Materials Act, the Drywall Safety Act of 2012, and the Child Nicotine Poisoning Prevention Act.

The CPSC has jurisdiction over thousands of types of consumer products used in and around the home, in recreation, and in schools, from children's toys to portable gas generators and toasters. Although our regulatory purview is quite broad, a number of product categories fall outside the CPSC's jurisdiction.¹

The CPSC accomplishes its mission to protect consumers against the unreasonable risk of injury and death associated with consumer products by using analysis, regulatory policy, compliance and enforcement, and education to identify and address product safety hazards. This important work includes:

- **Hazard Identification and Assessment**—collecting information and developing injury and death statistics regarding the use of products under the CPSC's jurisdiction;
- **Voluntary Standards² and Mandatory Regulations³**—participating in the development and strengthening of voluntary standards and developing mandatory regulations;
- **Import Surveillance**—using a Risk Assessment Methodology (RAM) to analyze import data to identify and interdict violative consumer products before they enter commerce in the United States;
- **Compliance and Enforcement**—enforcing compliance with mandatory regulations and removing defective products through compliance activities, such as recalls or other corrective actions, and litigating, when necessary;
- **Public Outreach**—educating consumers, families, industry, and state, local, and foreign governments about safety programs, alerts and recalls, emerging hazards, mandatory regulations, voluntary standards, and product safety requirements in the United States;
- **Intergovernmental Coordination**—coordinating work on product safety issues with other federal government stakeholders; and
- **Cooperation with Foreign Governments**—leveraging work with foreign government safety agencies, bilaterally and multilaterally, to improve safety for U.S. consumers.



¹ Different federal agencies regulate other product categories, such as automobiles; boats; alcohol, tobacco, and firearms; foods, drugs, cosmetics, and medical devices; and pesticides.

² A "voluntary standard" is a consensus product standard and/or safety standard. See: www.cpsc.gov/Regulations-Laws-Standards/Voluntary-Standards for a description of CPSC Voluntary standards activities.

³ A "mandatory regulation" is a mandatory standard and called a technical regulation.

Table of Contents

Budget Discussion

Summary of Changes

FY 2022 Budget Adjustments	1
Table 1 – Summary of Changes from the FY 2021 <i>Request</i>	1
Proposed Appropriations Language	6

Executive Summary

Budget Priorities	7
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Budget Discussion by Strategic Goal

Strategic Plan	9
Table 2 – FY 2022 <i>Request</i> by Strategic Goal and Program Component	9
Strategic Goal 1	10
Strategic Goal 2	12
Strategic Goal 3	16
Strategic Goal 4	18

Strategic Crosscutting Priorities	21
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Standards and Rulemakings

Voluntary Standards Summary	23
Mandatory Standards Summary	26

Annual Performance Plan

2018–2022 Strategic Plan Summary	29
Key Performance Measure Summary	30
Annual Performance Plan Details	32

Appendices

Appendix A – Unfunded Priorities	42
Appendix B – Technical Budget Tables	
Table 3 – Program and Financing Schedule	46
Table 4 – Object Classification Schedule and Personnel Summary	47
Table 5 – CPSC FTEs by Organization	48
Table 6 – Inspector General Budget Request	49
Appendix C – Acronyms	50
Appendix D – Organizational Structure	51

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Summary of Changes

FY 2022 Budget Adjustments

Maintain Current Levels

- **Pay (+\$3.3 million):** The CPSC requests an additional \$3.3 million for personnel salary and benefits for 539 full-time equivalents (FTEs), consistent with the staffing level supported in the FY 2021 annual appropriation.⁴ This *Request* will cover the 2.7% pay raise directed by the Office of Management and Budget (OMB) and other payroll costs, such as within-grade increases, earned promotions, and locality pay adjustments.
- **Non-Pay (+\$1.2 million):** The CPSC requests an additional \$1.2 million for non-pay inflation items to maintain current levels. The CPSC applied a standard inflation rate of 2% for existing recurring contracts and agreements, plus known escalation amounts for collecting hospital emergency department data, and increased lease costs.

Changes to Program

- **Support Robust Import Surveillance and Targeting (+\$8.3 million):** The CPSC requests an additional \$8.3 million and 38 FTEs for implementing requirements related to the CPSC import surveillance program set forth in the Consolidated Appropriations Act, 2021 (Pub. L. No. 116-260), Division FF, Title XX, and for enhancing targeting, surveillance, and screening of consumer products. The additional request funds efforts in the following areas:
 1. **Expand eCommerce Presence (+\$1.9 million):** CPSC is requesting funding for 10 FTEs in FY 2022 for the eCommerce Team. With the rapid growth of the digital marketplace, there has been a significant global shift from the traditional consumer product distribution chain (*e.g.*, retail stores) to online shopping, resulting in a large volume of low-value, potentially violative or hazardous shipments of foreign-manufactured products being shipped directly to consumers in the United States. Enforcement of the sale and distribution of goods on eCommerce platforms is one of the biggest challenges facing the agency. In FY 2021, the newly established eCommerce Team is slated to establish a physical presence at a location with a high volume of *de minimis*⁵ shipments, supported by the American Rescue Plan Act of 2021 (ARPA) to fund 4 FTEs for this effort. We are requesting funding for an additional 6 FTEs to support expansion of the eCommerce Team in FY 2022. Moreover, because ARPA funds are time-limited, we are requesting that the 4 FTEs funded in FY 2021 through ARPA be included in this FY 2022 budget request, for a total of 10 FTEs.

Table 1: Summary of Changes from the FY 2021 *Request*
(Dollars in millions)

	Dollars
FY 2021 Enacted	\$135.0
Maintain Current Levels:	
➤ Pay	\$3.3
➤ Non-Pay	\$1.2
Changes to Program:	
➤ Support Robust Import Surveillance and Targeting	\$8.3
➤ Expand Hazard Identification Capability	\$16.1
➤ Expand Vigorous Compliance Through Increased Internet Surveillance	\$1.5
➤ Enhance Communications	\$1.6
➤ Bolster Agency Operational Support	\$4.1
➤ Inspector General Support	\$0.2
➤ VGB Grants	-\$1.3
Proposed FY 2022 CPSC Budget	\$170.0

⁴ The staffing level of the FY 2021 enacted appropriations does not include the 28 FTEs and recurring costs that were funded in FY 2021 by the ARPA (Pub. L. No. 117-2) appropriation. These FTEs and recurring costs for FY 2022 are included as a part of this *Request* of the CPSC's annual salaries and expenses appropriation. Shifting those costs would establish a budgetary baseline for these costs to be sustained over time and also allow more of the ARPA funds to be available for the agency to invest in one-time technology and other contract costs related to eCommerce and other ARPA requirements.

⁵ *De minimis* shipments are low-value, direct-to-buyer shipments valued at \$800 or less. Because *de minimis* shipments may enter the United States with minimal data requirements, the risk associated with these shipments is largely unknown.

- 2. Expand Traditional Ports (+\$1.1 million):** The agency requests 6 FTEs for FY 2022 to support staffing at four additional ports of entry where CPSC previously had no presence, and where the level of import activity creates the highest-risk environment for potentially violative products. Funding for these 6 FTEs is currently supported through ARPA, but because those funds expire in FY 2026, CPSC seeks to fund the six positions through the annual appropriation request to increase the long-term viability of port staffing levels.
- 3. Lab and Compliance Support (+\$2.6 million):** The addition of port investigators at traditional ports and the establishment of an eCommerce team create the need for supplementary resources to support the increase in shipments sampled. Each sample requires technical staff to analyze and/or test the sample for compliance. For samples found to be violative, CPSC staff works with companies to implement appropriate corrective actions or pursues enforcement actions where cooperative resolution does not occur. To address the expected increase in sample testing and enforcement resulting from CPSC's expansion in port surveillance at traditional ports, as well as the establishment of a new eCommerce Team, CPSC is requesting 14 FTEs, of which 7 FTEs are for lab support and 7 FTEs are for compliance and enforcement efforts. The ARPA funded 6 FTEs in FY 2021 of the requested 14 FTEs for FY 2022. As with the request for port and eCommerce staff currently funded through ARPA, the agency seeks to include funding for those 6 FTEs in this budget request.
- 4. Enhance Targeting, Surveillance, and Screening Systems (+\$1.6 million):** Significant investment in technology is required to enhance CPSC's Risk Assessment Methodology (RAM) system, expand its capabilities related to eFiling and *de minimis* shipments, and explore possibilities for identification of defective products. The agency is in the early stages of the development of the Global Data Synchronization Network (GDSN) integration into the CPSC's RAM system. This is the first part of the full implementation of the Global Trade Item Number (GTIN) project that is foundational for establishing an eFiling program. This effort is designed to provide linkage to products via GTIN bar code at the time of importation, a process that will, in turn, support and enhance risk research. Using ARPA funds, the CPSC will fund a contract to define and execute the architecture for integrating GTIN data into the agency's database for usage in various applications, including those that support RAM and eFiling. However, to fully implement the proposed enhancements, the agency will require additional resources to create and fund an eFiling program, conduct an eFiling Beta Pilot, and initiate rulemaking. This budget request will support development of those efforts. In addition, to ensure sound management of the eFiling effort from its inception, CPSC requests 2 FTEs to oversee implementation of the eFiling project, which includes technology investments and rulemaking development. One of the 2 FTEs was funded with ARPA funds in FY 2021, and we seek to include funding for that FTE in this budget request.
- 5. Operational Support (+\$1.1 million):** The CPSC requests an additional 6 FTEs for operational support. The ARPA funded 4 FTEs in FY 2021 to support expanded port and eCommerce activity, and CPSC needs an additional 2 FTEs in FY 2022 to support planned continued expansion. These staffing resources are required to provide the necessary infrastructure support for the expansion of traditional port coverage, creation of a new eCommerce Team, and increase testing and enforcement. CPSC will be recruiting, onboarding, and training the expanded staff; providing financial management support, including cost analysis and accounting to manage the separate appropriations; supporting the increased technology demands from CPSC's increase in import targeting and enforcement; and providing increased legal support associated with the uptick in cases and coordinating with the Department of Justice (DOJ) on enforcement matters. Four of the 6 FTEs were funded with ARPA funds in FY 2021, and we seek to include funding for those 4 FTEs in this budget request.

- **Expand Hazard Identification Capability (+\$16.1 million):** CPSC requests an additional \$16.1 million and 8 FTEs for critical research and analysis of hazardous consumer products. The additional request funds efforts in the following areas:

1. **Augmenting Applied Research (+\$6.5 million):** The agency requests additional funding to close identified shortfalls in applied research within hazard identification. Applied research is a central element of the agency's approach to protecting consumers from unreasonable risks of harm, and it supports many of CPSC's voluntary and mandatory standards efforts and other safety initiatives. Specific priority research funded by this *Request* includes: investigation of hazards associated with additive manufacturing (*e.g.*, 3-D printing); analysis on the impact of smart technologies and Internet connectivity on product safety; research on home fire hazard mitigation, including flame suppression and flame jetting; and senior safety.

The \$6.5 million also includes funding to conduct research to identify safe sleep parameters for all infant sleep products. According to CPSC's [2020 Nursery Product Annual Report](#), the agency received reports of 357 deaths related to nursery products from 2015 through 2017, with infant sleep products being associated with the most deaths (nearly 70 percent or 249 of 357 deaths). Additionally, this research would provide baseline information pertaining to the infant sleep environment, enabling the evaluation of potential new sleep products and safety standards. With the current limited data on infant sleep hazards, sleep product standards are developed largely by benchmarking from existing safety standards. This approach limits product innovation and creates significant safety uncertainties. The research will evaluate traditional infant sleep environment, sleep product characteristics, and characteristics of other infant products in which infants sleep. Mortality data will be reviewed and analyzed to evaluate product involvement and propose recommendations for voluntary standards revisions or development.

2. **Focus on Chronic Hazards (+\$4.5 million):** The CPSC's request for an additional \$4.5 million will position the agency to have a more effective and meaningful role in addressing chronic hazards associated with exposures to classes of toxic chemicals in toys, art supplies, kitchenware, playgrounds, clothing, furniture, household cleaners, and other consumer products. Assessing chronic hazards in consumer products to protect the public is not an easy task and requires voluminous amounts of information and research to determine not only toxicity, but also risk and exposure. CPSC's work on organohalogen flame retardants (OFRs), playground crumb rubber, and indoor air quality are examples of issues that present chronic hazards that CPSC will address with these resources.
3. **Invest Significantly in Artificial Intelligence (AI) (+\$3.5 million):** The agency requests an additional \$3.5 million to enhance its enterprise analytic capabilities with a cloud-based, machine-learning capable software. Investments in this artificial intelligence capability will enable the agency to make significant strides in data analysis that cannot be achieved through the agency's current minimally funded, *ad hoc* approach. This request is in line with the agency's next-generation Enterprise Data Analytics Strategy for consumer product safety.
4. **Enhance Data Collection (+\$1.6M):** The agency requests an additional \$1.6 million and 8 FTEs to improve CPSC's data collection and analysis of product safety incidents, injuries, and deaths, including data that reflect potential safety disparities. The ARPA funded 3 of the 8 FTEs in FY 2021, and the agency requests an additional 5 FTEs for FY 2022. The additional staffing resources would support the agency's data collection and analysis capabilities, with a focus on consumer product safety risks resulting from the COVID-19 pandemic affecting socially disadvantaged individuals and other vulnerable populations. The new FTEs would also recruit, train, and collect data from the 20

to 30 hospitals to be added to CPSC's National Electronic Injury Surveillance System (NEISS).⁶ CPSC will leverage its enterprise analytics platform and the NEISS to support increased data analysis that is essential to protecting American consumers. Three of the 8 FTEs were funded with ARPA funds in FY 2021, and we seek to include funding for those 3 FTEs in this budget request.

- **Expand Vigorous Compliance Through Increased Internet Surveillance (+\$1.5 million):** eCommerce has evolved from an emerging issue to one that has become central to the way American consumers and sellers interact. This growing eCommerce footprint requires a corresponding increase in Internet surveillance to identify and remove violative products being offered for sale online, including counterfeit products that present a safety issue. Because it is critical that the agency increase its Internet surveillance efforts to address the burgeoning online marketplace, we are seeking to add 8 FTEs. These staffing resources include 5 FTEs (compliance officers and product safety investigators for the Internet Surveillance Unit) and 3 FTEs (lab and compliance support). This effort will complement work at the traditional ports and will also serve as a strong signal of how seriously the agency is taking eCommerce issues. Two of the 8 FTEs were funded with ARPA funds in FY 2021, and we seek to include funding for those 2 FTEs in this budget request.
- **Enhance Communications (+\$1.6 million):** The agency requests an additional \$1.6 million to enhance communications efforts alerting consumers, especially those who are disadvantaged and underserved, to the dangers of portable fuel containers, carbon monoxide (CO) poisoning, portable generators, and other high-risk consumer products. Additionally, CPSC will continue developing significant communications efforts to address COVID-19 product-related risks and expand the development, dissemination, and effectiveness of other consumer product safety information, as directed in the ARPA. Communications efforts will include targeted campaigns on issues highlighted in CPSC staff's recent report, "Effect of Novel Coronavirus Pandemic on Preliminary NEISS Estimates (March–September, 2020)," beginning with campaigns on batteries, fireworks, and senior safety. An additional 4 FTEs will assist with creating, coordinating, and deploying content for community outreach, youth outreach, education campaigns, and social media campaigns. Contract dollars will fund new or supplemental contracts with outside communications firms that can provide campaign support (including content design, development of campaign messaging, and production of digital/print safety materials), as well as covering staff costs for projects. Two of the 4 FTEs were funded with ARPA funds in FY 2021, and we seek to include funding for those 2 FTEs in this budget request.
- **Bolster Agency Operational Support (+\$4.1 million)**
 1. **Technology (+\$2.1 million):** A substantial commitment to information technology (IT) development and modernization will allow the agency to keep pace with continuing advances in technology to improve the ability of the agency to work more efficiently and effectively. This increase to baseline funding will support a multiyear effort to incrementally modernize existing IT infrastructure and provide sufficient funds to bolster and support mission-facing IT systems.
 2. **Recruitment Initiatives (+\$1.5 million):** The agency requests an additional \$1.5 million in funding for initiatives to enhance and support recruitment efforts necessary to reduce skills gaps in new emerging technologies expertise and mission-support areas. These efforts also will entail proactive measures that seek to foster inclusion, equity, and diversity in the CPSC's workforce. To address the agency's staffing needs and to attract and maintain qualified staff, the CPSC must identify candidates with specialized expertise sought after by the agency and use permitted

⁶ The NEISS uses a stratified sample of hospitals nationwide to enable probabilistic national estimates of consumer product-related injuries. This enables the CPSC and others to identify patterns and trends in these injuries, informing a wide range of voluntary standards, mandatory standards, information and education campaigns, and other initiatives. The sample of NEISS was last selected in 1997. In FY 2020, in consultation with OMB, the CPSC contracted a review of the NEISS sample. To implement the anticipated findings of that review, the CPSC will require recruitment, training, and parallel data collection of 20 to 30 additional hospitals to the NEISS system to enable valid comparisons between data prior to the sample change and afterward.

competitive salaries, professional development, and other incentives to recruit and hire talented, diverse candidates. In addition to competitive incentives, CPSC's Office of Human Resources Management and hiring officials will need advanced training on this specialized recruitment initiative to ensure the agency is fulfilling its *Workforce* Strategic Goal.

- 3. Records Efficiency and Transparency Initiative (+\$0.5 million):** The agency requests an additional \$0.5 million for its Freedom of Information Act (FOIA) and records management programs. These additional resources will allow the agency to enhance its ability to comply in a timely and effective manner with all applicable laws and regulations.
- **Inspector General Support (+\$0.2 million):** The CPSC requests an additional \$0.2 million and 1 FTE for the Office of the Inspector General (OIG). These additional resources will aid the OIG in providing oversight commensurate with the CPSC's increased funding level for FY 2022.
 - **Virginia Graeme Baker Pool and Spa Safety Act (VGB Act) Grants (-\$1.3 million):** The CPSC will continue to award VGB Act grants using the available no-year appropriation balances provided in the FY 2021 and prior enacted appropriation and will communicate if additional funding is required in future budgets.

Proposed Appropriations Language

U.S. Consumer Product Safety Commission Salaries and Expenses

For necessary expenses of the U.S. Consumer Product Safety Commission, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-federal officials' contributions to Commission activities, and not to exceed \$4,000 for official reception and representation expenses, \$170,000,000.

Executive Summary



Acting Chairman Robert S. Adler

CPSC Budget Priorities

The U.S. Consumer Product Safety Commission requests \$170.0 million for FY 2022. The FY 2022 Performance Budget Request (*Request*) is \$35 million above the FY 2021 enacted level of \$135 million. The FY 2022 *Request* supports the CPSC's mission of "Keeping Consumers Safe."

The CPSC is committed not only to working within the resources provided by Congress, but also to accomplish the CPSC's mission, and to achieve the agency's Strategic Goals, the CPSC must adapt to the changing consumer product environment of the 21st century and secure agency resources commensurate with this mission. The CPSC must expand program areas across the agency, along with a corresponding investment in additional staff and technology. CPSC bases this *Request* and overall funding needs on the following priorities and needs:

- **Emphasize Robust Port Surveillance:** The CPSC has long recognized the critical importance of pursuing product safety as shipments enter the United States, if not before. In cooperation with U.S. Customs and Border Protection (CBP), CPSC has stretched its budget for import surveillance to be as effective as possible, but the rise in eCommerce requires a corresponding rise in our efforts at U.S. ports of entry. In addition, to execute the vision of robust compliance at traditional ports, CPSC needs to expand port staff stationed throughout the country. In conjunction with these efforts, CPSC will be developing an eFiling Program to enhance targeting capability at both traditional ports and in the emerging eCommerce arena. We also will be working to modify and update the Risk Assessment Methodology (RAM) system to expand capabilities related to eFiling, *de minimis* shipments, and the identification of defective products.
- **Pursue Vigorous Compliance:** The CPSC will vigorously enforce compliance with mandatory regulations and work actively to remove defective products through recalls or other corrective actions. When necessary, the CPSC will litigate to secure a mandatory recall. Compliance activities will focus on the timely investigation of reports of hazardous consumer products and entail marketplace surveillance, including a heightened emphasis on eCommerce activity to ensure that hazardous products do not enter or remain in the distribution chain. Indeed, given the increasing role of eCommerce in our lives, the enforcement of the sale and distribution of goods on eCommerce platforms will be a major focus of the agency's enforcement activities. eCommerce has evolved from an emerging issue to one that has become central to the way American consumers and sellers interact. CPSC is committed to addressing this new paradigm in a number of ways, including expanding its regulatory and legal staff devoted to the sale of consumer products on third party platforms and increasing its Internet surveillance capabilities.

CPSC also remains committed to pursuing civil penalties where warranted. The agency has correctly prioritized recall and enforcement efforts to protect consumers as a first principle by ensuring the removal of hazardous products. At the same time, we remain committed not only to protecting consumers but to penalizing bad actors, and will use all of our statutory authorities to do so.

- **Expand Hazard Identification:** The collection and analysis of data to identify hazards and hazard patterns, particularly emerging hazards, is central to CPSC's mission to protect consumers from unreasonable risks of injury or death associated with consumer products. To address these issues effectively, we must invest

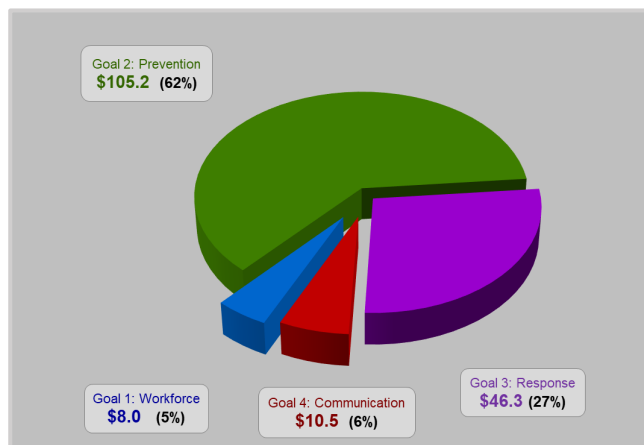
significantly in staff, research, testing capabilities, expanded laboratory facilities, and, most significantly, high-quality data that informs our decision making. In particular, the CPSC will continue to improve and upgrade the NEISS data system; focus on applied research in hazard identification; expand our chronic hazard analysis capability; and ensure that the agency keeps pace with technology, advances in machine learning, artificial intelligence, and evolving methods of data collection and analysis.

- **Enhance Communications Capabilities and Reach:** Effective public health and safety communications require specialized skill sets to reach the American public in the 21st century. CPSC's safety campaigns, recall work, and press engagements must expand, and the communications infrastructure must be equipped to handle known and emerging product safety hazards, and to develop novel approaches for effectuating behavior change. Effective safety messaging requires the agency to meet consumers where they are—that is, online. This means we must develop and maintain a robust Internet presence, including traditional social media, CPSC websites, and apps to track product safety developments. Many similar consumer protection agencies like CPSC have a field presence that can engage directly with targeted communities across the country. Unfortunately, the CPSC does not currently have the resources for a field presence, but such presence is essential to increase CPSC's engagement with vulnerable populations and ensure effectiveness of the agency's outreach.
- **Build Diversity and Seek Product Safety Equity:** The CPSC will enhance recruitment efforts, analysis of workforce data, and proactive programs that seek to foster inclusion, equity, and diversity. CPSC will serve vulnerable, diverse, and disenfranchised communities better through targeted communications and outreach. This will be accomplished by the enhanced ability to micro-target proven safety messaging that can help reduce existing safety disparities in the market. The agency will develop robust agency data collection and analysis of product safety incidents, injuries, and deaths reflecting potential safety disparities among diverse populations and allocate safety work to address these disparities.
- **Invest in Technology:** The CPSC has significant needs related to the overhaul of internal systems within the Office Compliance and Field Operations (including critical, statutorily required data collection from regulated entities), such as the Dynamic Case Management system (DCM), the Consumer Product Safety Risk Management System (CPSRMS), and Section 15 reports. A substantial commitment to IT development and modernization will allow the agency to keep pace with continuing advances in technology.

Budget Discussion by Strategic Goal

CPSC Strategic Plan

The CPSC’s mission of “Keeping Consumers Safe” is grounded in the statutes that authorize the work of the agency. The agency’s overarching vision is “A nation free from unreasonable risks of injury and death from consumer products.” The CPSC has four Strategic Goals designed to realize the agency’s vision and achieve its mission. The CPSC’s programs align with these Strategic Goals, and the agency implements them to achieve the goals outlined in the CPSC’s *2018–2022 Strategic Plan*. The Strategic Goals are:



Above: CPSC FY 2022 Request by Strategic Goal (in millions)

- **Workforce**—Cultivate the most effective consumer product safety workforce
- **Prevention**—Prevent hazardous products from reaching consumers
- **Response**—Respond quickly to address hazardous consumer products both in the marketplace and with consumers
- **Communication**—Communicate relevant information quickly and effectively to better inform decisions

The CPSC requests \$170.0 million for FY 2022.

Table 2: FY 2022 Request by Strategic Goal and Program Component

(Dollars in thousands)

Agency Total	FY 2022 Request	Goal 1 Workforce	Goal 2 Prevention	Goal 3 Response	Goal 4 Communication
	\$170,000	\$8,034	\$105,155	\$46,302	\$10,509
Commissioners	\$3,708	\$223	\$2,187	\$1,038	\$260
Hazard Identification	\$52,400	\$0	\$45,420	\$6,980	\$0
Compliance & Field	\$30,134	\$0	\$8,361	\$21,773	\$0
Import Surveillance	\$12,294	\$0	\$12,294	\$0	\$0
International Programs	\$1,918	\$0	\$1,918	\$0	\$0
Communications	\$6,122	\$0	\$0	\$0	\$6,122
Crosscutting	\$63,424	\$7,811	\$34,975	\$16,511	\$4,127



Strategic Goal 1: Workforce (\$8.0 million)

The FY 2022 *Request* allocates \$8.0 million for Strategic Goal 1—**Workforce**— focused on cultivating the most effective consumer product safety workforce. The CPSC’s approach to **Workforce** involves enhancing human capital planning and alignment, increasing opportunities for professional development, and improving recruitment strategies to attract talented, diverse, and committed staff. The strategy also emphasizes increasing employee engagement by promoting and rewarding staff innovation and creativity, strengthening leadership competencies, and increasing managers’ commitment to fostering employee engagement in the workplace.

Mission Delivery for <i>Workforce</i>				
The CPSC <i>cultivates the most effective consumer product safety workforce</i> through the following:				
		2020 Actual	2021 Estimate	2022 Estimate
Human Capital Planning & Alignment	Percentage of full-time equivalents (FTEs) utilized	95%	96%	96%
Recruiting a talented & diverse workforce	Percentage of hiring managers trained on recruitment	89.7%	80%	85%

FY 2022 Budget Initiatives and Activities

The CPSC is a workforce-driven agency that relies on professional and technical expertise to accomplish the breadth of the agency’s mission. The FY 2022 *Request* supports CPSC’s efforts to address many workforce challenges. To enhance effective strategic human capital planning and alignment, in FY 2022, the agency will complete implementation of its human capital strategic plan, which aligns with CPSC’s *2018 – 2022 Strategic Plan*. This will help align skills and competencies of the agency’s workforce with CPSC’s evolving mission-related needs, enabling performance at higher levels. The agency will continue to train managers and administrative personnel on human capital reporting.

To attract and recruit a talented and diverse workforce, the agency will work on improving targeted recruitment and providing hiring managers with a diverse pool of highly qualified applicants. The agency will train 85 percent of managers responsible for hiring on recruitment techniques. The agency will also continue using the Pathways Recent Graduates program to establish and grow technical professional staff.

To foster a culture of continuous development, the CPSC will continue supporting Individual Development Plans (IDPs) for employees and will



The CPSC recruits college students for summer internships to build a future generation of safety professionals.

continue the agency’s coaching program, which it launched in FY 2020. For FY 2022, the CPSC will work to achieve a 70 percent score for employee satisfaction with professional development opportunities. The CPSC will solicit input for future trainings of its employees by requesting training participants to complete course surveys after each training session and will continue to ensure that every employee has at least one developmental activity identified.

The agency will work toward its objective of increasing employee engagement through enhanced recognition programs and improved work-life balance flexibilities. For example, in FY 2020, the agency implemented a plan for informational opportunities for work-life issues. Additionally, the agency developed and implemented an annual plan for wellness activities, as well as developed an annual plan from the

Employee Engagement Initiative. For FY 2022, the CPSC will work to achieve a 70 percent score for the Employee Engagement Index (EEI), as reported by the FEVS. To increase employee engagement in FY 2022, the CPSC will expand its telework policy, provide specialized training for technical positions, utilize recruitment and retention incentives, reward the agency's highest performers, and develop new initiatives for CPSC's Health and Wellness Program.

The CPSC will continue to attract and recruit a talented and diverse workforce, while providing the necessary equipment and training for new employees. For FY 2022, the agency is requesting an increase of 59 FTEs⁷, or 11 percent, to accomplish the CPSC's mission in the changing consumer product environment of the 21st century, and to support the recurring requirements outlined in the ARPA. The additional allocation of FTEs to the agency provides an opportunity for resources in mission-critical work; however, with a highly technical and specialized workforce, hiring top talent can be challenging and resource intensive.

The agency has many positions that are recognized as hard-to-recruit and hard-to-fill, such as mathematical statisticians, economists, health scientists, engineers, as well as positions in the support areas (IT, Human Resources, and Financial Services). In addition to targeted outreach, innovative advertising, and other efforts to expand CPSC's applicant pools, the agency utilizes the human capital tools available, including the full range of available hiring authorities, recruitment incentives, and employment flexibilities. Hiring at the entry-level has enabled the agency to onboard new talent, but also requires a significant investment in specialized formal training and staff resources for mentoring and transfer of knowledge. As a small agency, competing with other federal agencies and the private sector for top talent often requires the use of incentives, such as pay-setting flexibility, recruitment/relocation bonuses, and annual leave service credit. The CPSC is also requesting an additional \$1.5 million to invest in these recruitment and retention efforts.

⁷ The FY 2022 *Request* includes a total increase of 59 FTEs from the FY 2021 enacted appropriation; 28 FTEs funded in FY 2021 by ARPA and an additional 31 new FTEs in FY 2022.



Strategic Goal 2: Prevention (\$105.2 million)

The FY 2022 *Request* allocates \$105.2 million to Strategic Goal 2 — **Prevention**— focused on stopping hazardous products from reaching consumers. The agency educates manufacturers on safety requirements and works with foreign counterparts to help build safety into consumer products. The CPSC collaborates with standards development organizations (SDOs) to create and strengthen voluntary standards for consumer products. This involves building consensus through engagement among relevant stakeholders outside the agency. The CPSC develops new mandatory regulations, when necessary, and consistent with statutory authority, in response to identified product hazards.

Another major component of CPSC’s prevention approach is identifying and intercepting violative and hazardous consumer products through import surveillance and inspection programs. The agency conducts establishment inspections of manufacturers, importers, and retailers; monitors Internet and resale markets; responds to industry-generated reports about potentially unsafe products; and tests products for compliance with specific voluntary and mandatory standards.

Mission Delivery for Prevention		The CPSC <i>prevents hazardous products from reaching consumers</i> through the following activities:		
		2020 Actual	2021 Estimate	2022 Estimate
Data Analysis & Statistics	Incident data cases received from Hospitals	327,000	330,000	400,000
Laboratory	Potentially hazardous products tested	13,969	15,000	25,000
Voluntary Standards Activities	Number of voluntary standards in which CPSC actively participates, in collaboration with SDOs	78	78	80
Import Surveillance	Number of ports with a co-located CPSC presence	18	23	25

Safety Standards: Voluntary & Mandatory

In many cases, the CPSC’s statutory authority requires the agency to rely on voluntary standards, rather than promulgate mandatory regulations, if compliance with a voluntary standard is likely to eliminate or adequately reduce the risk of injury identified, and it is likely that there will be substantial compliance with the voluntary standard.

The CPSC devotes significant resources under the *Prevention* Strategic Goal to work on voluntary standards.

This effort helps to minimize consumer product hazards by integrating safety into the product design and manufacturing stages.

The agency collaborates with SDOs to develop voluntary consensus standards among relevant external stakeholders. The CPSC develops new mandatory regulations only when necessary and when consistent with statutory authority.

Import Surveillance

Two key elements of the CPSC’s Import Surveillance program are:

- **CPSC port investigators** are co-located with U.S. Customs and Border Protection (CBP) at U.S. ports of entry. Port investigators identify and interdict violative consumer products from entering the United States.
- **Risk Assessment Methodology (RAM)**, required by Section 222 of the CPSIA, enables the CPSC to identify products imported into the United States that are most likely to violate consumer product mandatory regulations.



Imports represent slightly more than half of available consumer products in the United States, and three-quarters of those consumer products are identified as violative.

FY 2022 Budget Initiatives and Activities

The FY 2022 budget initiatives and activities that contribute to effective *Prevention* funded by this *Request* include:

Data Collection and Analysis

The CPSC is a data-driven agency. The CPSC collects and analyzes a wide range of data from multiple sources and uses that information to provide a factual basis for identifying emerging hazards, characterizing the number and types of hazards presented by a consumer product or product class, developing voluntary and mandatory standards, and testing products to evaluate safety and compliance with established standards. To meet current and future needs, the CPSC will focus on developing and deploying capabilities to address mission success, including expanded data sources, automated data intake and coding, enhanced anomaly and trend detection, and improved data analytics. In FY 2022, the agency will expand its analysis of data for evidence of areas where diversity and equity safety issues can be addressed, including imputation of demographic equity factors in incident and injury data and analyzing impacts. The CPSC will also focus on consumer product safety risks resulting from the COVID-19 pandemic to socially disadvantaged individuals and other vulnerable populations. For FY 2022, the agency is requesting \$1.6 million and 8 FTEs to improve CPSC's data collection and analysis of product safety incidents, injuries, and deaths, including data that reflects potential safety disparities. The ARPA funded 3 of the 8 FTEs in FY 2021, and the agency requests an additional 5 FTEs for FY 2022. The additional staffing resources would support the agency's data collection and analysis capabilities, with a focus on consumer product safety risks resulting from the COVID-19 pandemic affecting socially disadvantaged individuals and other vulnerable populations.

Enterprise Data Analytics: In FY 2020, the CPSC and the General Services Administration's (GSA) IT Modernization Centers of Excellence (CoE) formulated a next generation Enterprise Data Analytics Strategy for consumer product safety. The

strategy describes and informs future agency direction for data management and analytics in business and technical terms. In FY 2020 and FY 2021, as a part of the overall Enterprise Data Analytics efforts, the CPSC completed a pilot initiative to test and evaluate artificial intelligence and machine learning methods and technologies to streamline and improve the ability to identify products and injury severity. The CPSC will implement best practices gleaned from the pilot.

In FY 2022, the agency will continue implementing its Data Lake, applying data governance, and enhancing data reporting and visualization capabilities. These efforts will improve data management and deploy an enterprise data storage capability to increase availability and usefulness of agency data assets. In addition, in FY 2022, the agency will upgrade its enterprise analytic capabilities to a cloud-based, machine-learning capable software. These investments will, over the course of multiple years, enable enhanced data integration, including data quality control, hazard and pattern detection, automation of recurring reports, and other benefits. Additionally, these capabilities will be used to look for racial and socioeconomic disparities in safety, as well as impacts on vulnerable populations. These efforts will be the backbone of the overall enterprise strategy.

National Electronic Injury Surveillance System (NEISS): The CPSC collects information on product-related injuries treated in hospital emergency departments (EDs) through the NEISS. The system uses a stratified sample of hospitals nationwide that are under contract with the CPSC and enables probabilistic national estimates of product-related injuries used to identify safety issues that may require additional analysis or corrective action. Other government agencies, consumer advocate organizations, and medical journals also use NEISS data. In FY 2020, the CPSC collected and reviewed 676,000 NEISS cases, 6,140 death certificates, and 3,100 medical examiner and coroner reports. For FY 2022, 3 of the additional 8 FTEs will recruit, train, and collect data from 20 to 30 more hospitals to be added to the National Electronic Injury Surveillance System (NEISS). These resources will allow CPSC to

leverage NEISS to support increased data analysis that is essential to protecting American consumers.

Port Presence

The CPSC is requesting 6 FTEs in FY 2022 to continue the FY 2021 staffing coverage funded through the ARPA at the four additional ports of entry where CPSC previously had no presence, and where the level of import activity creates the highest risk-environment for potentially violative products. The agency also requests funding for 10 additional FTEs and associated equipment to increase its workforce to address evolving eCommerce needs at various port environments that receive *de minimis* or low-value (less than \$800), direct-to-buyer shipments of consumer products imported into the United States. These additional FTEs would be responsible for inspecting and taking appropriate action on potentially hazardous eCommerce imports, thereby protecting consumers in furtherance of the agency's mission. This project continues CPSC's multi-phased strategy to identify and interdict the significant volume of incoming eCommerce shipments. This *Request* also includes 14 FTEs for lab and compliance support as well as 6 FTEs for operational support.

Risk Assessment Methodology (RAM)/Import Surveillance

The agency will continue to emphasize import surveillance by operating the RAM targeting system to identify and stop violative imported products from entering the U.S. marketplace. In FY 2022, the CPSC will enhance the RAM system, expand its capabilities related to eFiling and *de minimis* shipments, and explore possibilities for identification of defective products. In FY 2022, the CPSC will continue the development of the Global Data Synchronization Network (GDSN) integration into the CPSC's RAM system. This process is the first part in fully implementing the Global Trade Item Number (GTIN) project that is foundational for establishing an eFiling program. This effort is designed to provide linkage to products via GTIN barcode at the time of importation, a process that will, in turn, support and enhance risk research. The CPSC will use ARPA funds to utilize contracts to define and execute the architecture for

integrating the data into the agency's database for usage in various applications, including those that support RAM and eFiling. However, additional resources are required for creating and funding an eFiling program, conducting an eFiling Beta Pilot, and initiating rulemaking. To ensure sound management of the eFiling effort from its inception, CPSC also requests 2 FTEs to oversee the implementation of the eFiling project, which includes technology investments and rulemaking development.

Informed Compliance Inspection (ICI) Education and Outreach

Providing outreach and education to the trade community continues to be an important part of CPSC's FY 2022 strategy in working toward preventing hazardous products from reaching consumers. As part of this work, the CPSC conducts ICIs with first-time violators to provide information and resources so that future importations comply with U.S. consumer product laws and regulations.

International Outreach and Education

The CPSC works to improve compliance with U.S. voluntary and mandatory standards through outreach and education aimed at foreign manufacturers and regulators. The agency provides education and exchange of best practices to help ensure that foreign suppliers or manufacturers meet U.S. safety requirements. This reduces the need for remedial action or recalls later, benefiting both the U.S. consumer and the foreign manufacturer or supplier.

Hazards Research Collaborations and Testing

The CPSC's National Product Testing and Evaluation Center (NPTEC) provides the agency with technical capability to test and analyze consumer product samples the agency collects to determine whether risks exist from defects or the presence of regulatory violations. FY 2022 starts a five to six-year period where a large number of capital equipment items totaling approximately \$400,000 each year are scheduled for life-cycle replacement. These items include several gas analyzers to measure carbon monoxide (CO) emissions from fuel-burning appliances and heat release from fires, and inertial measurement

equipment used during testing of off-highway vehicles (OHV).

The agency will continue to implement the research and assessment recommendations proposed by the National Academy of Sciences (NAS) in its 2019 report, "A Class Approach to Hazard Assessment of Organohalogen Flame Retardants." This project will continue FY 2021 work to complete surveys of toxicity and exposure data, and will begin to develop scope documents for each of the 14 identified subclasses of OFR chemicals based on that work. Work will proceed on toxicity assessments and assessment of consumer exposures from specified consumer products for two OFR subclasses. This ongoing work will be followed by a toxicity assessment and exposure evaluation of the remaining subclasses over multiple years. The estimated cost to complete toxicity assessments for the first 10 subclasses is \$13 million. An additional \$5.6 million is required for the final four subclasses; however, the NAS expects the data will likely be insufficient to support assessment of these four subclasses. Additional research of similar scope, beyond the toxicity assessment of the 14 subclasses, is needed to determine exposure and complete risk assessments for the subclasses and specified types of consumer products; the research for the exposure and risk assessment would require additional funding beyond the \$18.6 million for the toxicity assessment. The cost to complete all work depends on availability of data.

In addition, the agency is requesting \$4.5 million to close identified shortfalls in applied research in hazard identification. Specific priority research funded by this *Request* includes investigation of hazards associated with additive manufacturing (e.g., 3-D printing), analysis on the impact of smart technologies and Internet connectivity to improve product safety, research on home fire hazard mitigation, including flame suppression and flame jetting, and study on senior safety. Furthermore, the agency is also requesting funding to have a

more effective and meaningful role in addressing chronic hazards associated with exposures to classes of toxic chemicals in toys, art supplies, kitchenware, playgrounds, clothing, furniture, household cleaners, and other consumer products.

The agency also requests \$2 million to conduct research to identify safe sleep parameters for all infant sleep products. This would provide baseline information pertaining to infant sleep, enabling the evaluation of potential new sleep products and standards. The research will evaluate traditional infant sleep environment and sleep product characteristics and characteristics of other infant products in which infants sleep. Mortality data will be reviewed and analyzed to evaluate product involvement and propose recommendations for voluntary standards renewals or development.

Voluntary Standards

The CPSC participates in the voluntary standards process to reduce the risks associated with hazardous consumer products. In many cases, CPSC's statutory authority requires the agency to rely on voluntary standards, rather than promulgate mandatory standards, if compliance with a voluntary standard is likely to eliminate or adequately reduce the risk of injury identified, and it is likely that there will be substantial compliance with the voluntary standard. The agency details its proposed voluntary standards participation work on pages 23 – 25

Mandatory Standards

Absent the criteria described above requiring the agency to rely on voluntary standards, the agency has the authority to promulgate mandatory standards. The CPSC will continually evaluate the rulemaking agenda and focus the agency's resources on the products presenting the highest consumer product safety risks. The agency details its proposed mandatory standards work on pages 26 – 27.



Strategic Goal 3: Response (\$46.3 million)

The FY 2022 *Request* allocates \$46.3 million in support of Strategic Goal 3

—**Response**— focused on timely investigation of reports of hazardous consumer products and marketplace surveillance and ensuring that hazardous products do not enter or remain in the distribution chain.

The CPSC’s Office of Compliance and Field Operations (“Compliance & Field”) is CPSC’s Goal Leader for Strategic Goal 3—Response. The Compliance & Field office has Field Investigators located across the country and staff located at headquarters to assess compliance and conduct enforcement.

Essential elements under **Response** that are led by the Office of Compliance and Field Operations are: (1) identifying hazardous products that are in the marketplace and consumers’ hands by investigating reported incidents and conducting marketplace surveillance; (2) removing products determined to be hazardous or in violation of mandatory safety requirements by negotiating voluntary corrective actions and pursuing mandatory recalls when necessary; and (3) working with firms to improve consumer response to consumer product recalls.

Mission Delivery for Response

The CPSC *responds quickly to address hazardous consumer products* through the following:

	2020 Actual	2021 Estimate	2022 Estimate
Fast-Track Recalls	145	190	190
Regulatory Recalls	67	40	40
Defect Recalls	28	35	40
In-depth Investigations	3,206	3,800	3,800
Non-Internet Inspections	504	300	1,000
Internet Inspections	8,943	10,500	14,000

Identify Hazardous Products

CPSC Field Investigators identify hazardous consumer products through:

- **Investigating reported incidents and injuries:** To pursue possible defective product leads, CPSC field investigators analyze various incident and injury reports made by medical examiners, fire/police officials, consumers, and state and local governments.
- **Conducting inspections of establishments:** To identify potential regulatory violations of products under CPSC’s jurisdiction, as well as product defects that could be harmful, CPSC field investigators conduct inspections of various marketplace establishments, including those of manufacturers, importers, and retailers and distributors.

One-fourth of CPSC’s workforce is stationed in the field, where field staff focuses on *identifying hazardous consumer products*.

A *hazardous consumer product* is a consumer product that could harm the public and is defective or not compliant with CPSC’s regulations.

Remove Hazardous Products to Protect Consumers

When the agency determines that a product is hazardous, the CPSC seeks to protect consumers by working with the recalling firm in devising a corrective action plan (CAP) to remove the product from the marketplace and consumers’ hands. Typically, the CPSC negotiates a CAP with a firm before a recall notice is published.

CPSC’s Fast-Track Program: Allows an eligible firm to promptly implement a consumer-level voluntary recall after immediately stopping sale and distribution of the potentially hazardous product without CPSC assessing whether the product is hazardous.

Consumer Response to Recall: The CPSC’s Strategic Plan outlines performance goals and initiatives to focus on improving consumer response to recalls. Examples include:

- Requesting direct notice to consumers
- Requesting firms to use social media, as a way to enhance the recall notice

After determining that a product is hazardous, the CPSC works to protect consumers by collaborating with firms to remove the product from the marketplace and consumers’ hands through removing harmful products from the marketplace and removing harmful products from consumers’ hands.

- **Removing harmful products from the Marketplace:** Once the CPSC issues a recall, the recalling firm implements its CAP, which involves removing as many harmful products as possible from the distribution chain.
- **Removing harmful products from Consumers’ Hands:** In addition to removing products from the marketplace, and as part of a corrective action, the recalling firm also collaborates with CPSC to retrieve the harmful products from consumers’ possession by notifying consumers of the recall and providing information on specific remedies that consumers may pursue. The success of this remedial action is dependent on consumer response rates to recalls, and the CPSC strives to achieve its strategic objective of improving consumer response to consumer product recalls, including by maximizing direct notice to consumers.

FY 2022 Budget Initiatives and Activities

The FY 2022 budget initiatives and activities that contribute to effective *Response* funded by this *Request* include:

Investigations

The Office of Compliance and Field Operations investigates product hazards to determine compliance with mandatory safety standards and identify substantial product hazards. CPSC investigations include nationwide marketplace and port surveillance; inspections, analysis of information provided by manufacturers, importers, wholesalers, and retailers; Internet surveillance; and detailed technical analysis of potential hazards. A critical function of CPSC's Field Investigation team involves performing comprehensive reviews of incidents, including evaluating human and environmental incident factors and reporting on specific details required for evaluating product risks.

The burgeoning eCommerce marketplace has created a need for the CPSC to have an increased role in the surveillance of the sale and distribution of goods on the Internet. This rapid growth of eCommerce requires a corresponding increase in Internet surveillance to identify and remove violative products being offered for sale online, including counterfeit products that present a safety issue. For FY 2022, the CPSC is requesting 7 FTEs to hire compliance officers, product safety investigators, and lab and compliance support employees. These resources will contribute to a safer eCommerce marketplace and serve as a strong signal of how seriously the agency is taking eCommerce issues.

Enforcement

The CPSC seeks corrective action when product safety investigations determine that a product violates mandatory safety standards or create a substantial product hazard. When appropriate corrective action cannot be achieved as part of a

voluntary corrective action plan, CPSC pursues mandatory corrective action through litigation. CPSC also offers firms the opportunity to recall products without an investigation or determination of a violation through its Fast-Track Recall program, which aims to expedite corrective action in the marketplace. Firms that conduct recalls submit Monthly Progress Reports to provide CPSC updates on recall participation and any additional incidents or injuries identified after the firm issued the recall.

Industry Guidance

Communicating safety responsibilities and educating industry on its safety obligations are cost-effective methods of achieving compliance and reducing injuries and deaths. The State and Local Program managed out of the Division of Compliance Field Investigations works with state and local governments nationwide and conducts compliance, outreach, and education activities to increase dissemination of consumer product safety information and improve consumer response to product recalls. This program also helps states build capacity in adopting safety initiatives and monitoring recall notifications to keep consumers safe from dangerous or defective products.

VGB Act Grant Program

Through the VGB Act grant program, the CPSC provides eligible state and local governments that meet certain requirements with assistance to help implement education and training programs, as well as enforcement of certain pool safety requirements (*e.g.*, having proper suction outlet covers and back-up anti-entrapment systems and proper fencing/barrier for public and residential pools and spas). The CPSC's *Request* level for FY 2022 does not include new funds for VGB Act grants and associated administrative costs. However, the CPSC will continue to award VGB Act grants using the existing unobligated no-year appropriations provided in the FY 2021 and prior appropriations and will communicate if additional funding is required in future budgets.



Strategic Goal 4: Communication (\$10.5 million)

The FY 2022 *Request* allocates \$10.5 million in support of Strategic Goal 4—**Communication**—focused on communicating useful information quickly and effectively to inform better decision making. The CPSC uses a wide array of communication channels and strategies to provide timely, targeted information about consumer product safety to the public, industry, and other stakeholders.

Mission Delivery for Communication				
The CPSC <i>communicates with consumers quickly and effectively</i> through the following:				
		2020 Actual	2021 Estimate	2022 Estimate
Campaigns	Focused public information campaigns	2	2	4
Social Media	Engagements with the public on social media	12,095,000	3,000,000	7,000,000
Small Business Ombudsman	Inquiries from industry stakeholders	2,300	2,700	2,700

Serving as the go-to source of life-saving consumer product safety information for the public and businesses

The CPSC strives to be the primary source of consumer product safety information for consumers, businesses, and fellow regulators.

Parents concerned about the safety of a product, small business owners looking for guidance on safety regulations, and large-scale manufacturers navigating the complexities of international trade all benefit from the CPSC’s outreach and education resources.

The agency strives to improve the usefulness and availability of safety messages through critical assessment of the CPSC’s outreach efforts and investment in new and innovative tools.

For instance, the agency is continuously evaluating its website infrastructure to identify areas for improvement and optimizing its digital content in an attempt to reach a broader audience with accurate and actionable information.

The CPSC measures the usefulness of its messaging through evaluative tools. Examples include tracking visits to CPSC websites and downloads of CPSC safety information, and monitoring social media engagement and reach of CPSC messages through media monitoring services.

Disseminating information through targeted approaches

The CPSC works to increase dissemination of consumer product information through targeted approaches, including:

- **Leveraging technology to enhance and expedite the agency’s communication of safety information.** Example: Keeping CPSC’s website infrastructure updated to reflect best practices.
- **Conducting outreach campaigns on priority hazards.** Example: Conducting the *Pool Safely* campaign to reduce childhood drownings and the *Anchor It!* campaign for furniture tip-overs.
- **Strategically expanding communications.** Example: Micro-targeting vulnerable and at-risk communities (such as minority groups, low-income families, children, and the elderly) and communities in areas affected by natural disasters (*e.g.*, hurricanes, flooding, and tornados).

The agency has diverse audiences that have different information needs and respond to different methods of communication. The CPSC enhances dissemination of safety information by tailoring its messaging to specific audiences. The agency uses a wide range of methods to disseminate safety information, including:

- Website content for product safety information and business education, available in multiple languages
- Print and electronic safety education materials, some of which are available in Spanish
- Tweets in English and Spanish languages
- Videos on safety tips
- Webinar videos for small businesses

FY 2022 Budget Initiatives and Activities

The FY 2022 budget initiatives and activities that contribute to effective *Communication* funded by this *Request* include:

Public Information and Education Campaigns

Consumers, safety advocates, industry, and state and local government agencies need high-quality information about consumer product safety. Consumers need safety information to make informed decisions for themselves and their families. Safety advocates rely on accurate data to shape their policy recommendations. Industry needs information to stay in compliance with safety requirements. State and local government agencies need high-quality information to establish new safety requirements that advance consumer safety. In FY 2022, the CPSC will strive to provide its stakeholders with high-quality information and accurate data. The CPSC will conduct information



"Anchor It!" is the CPSC's national public education campaign aimed at preventing furniture and TV tip-overs from killing and seriously injuring children.

and education (I&E) campaigns with the aim of preventing injuries and deaths. The campaigns will address various hazards, including child drownings (*Pool Safely* campaign); furniture and TV tip-overs (*Anchor It!* campaign); carbon monoxide (CO) poisoning associated with power outages from blizzards, severe storms, and hurricanes; and portable fuel container hazards. In addition, the

CPSC will initiate a new campaign outreach to high school age teens and college age young adults from vulnerable populations. The CPSC will continue email outreach efforts, tapping into an existing database of 200 million email subscribers, to target consumers with CPSC safety messages. In addition to the senior writer/editor and the Communications coordinator positions established for CPSC's Office of Communications in FY 2021, the CPSC will be adding a social media expert and an audiovisual expert in FY 2022 to meet the growing demands of social media and visual media communications. Additionally, the CPSC is requesting 4 FTEs to make further strides in significant communications efforts to address COVID-19 product-related risks and expand the development, dissemination, and effectiveness of other consumer product safety information as directed in Pub. L. No. 117-2. Communications efforts will include targeted campaigns on issues highlighted in CPSC staff's recent report, "Effect of Novel Coronavirus Pandemic on Preliminary NEISS Estimates (March–September, 2020)," beginning with campaigns on batteries, fireworks, and senior safety.

Small Business Ombudsman (SBO)

In FY 2022, the CPSC will continue its outreach to small businesses to help guide them through federal consumer product safety laws and rules. These outreach efforts are an important component of the agency's education and compliance strategy. The CPSC's SBO is the dedicated contact for small businesses and provides information and guidance tailored to small businesses. The SBO continues to develop "plain English" regulatory guidance, Webinar series, and other presentations, using technology enhancements and other easy-to-understand formats for manufacturers and retailers.

Burden Reduction

In FY 2020, the CPSC provided industry a number of burden reduction measures in recognition of the challenging environment created by the COVID-19 pandemic. The CPSC expects to evaluate other possible burden reduction scenarios in FY 2021 and FY 2022 as circumstances warrant.

Consumer Ombudsman

To further support the agency's longstanding goal to address the needs of individual consumers, advance consumer understanding of CPSC's mission, and promote positive, effective dialogue among stakeholders, the Commission created a full-time Consumer Ombudsman as a new position in FY 2020. This new role does not replace existing consumer education pathways, but adds another resource dedicated to helping consumers understand agency activities and procedures so that they can meaningfully contribute to the agency's mission to the fullest extent allowed by law and policy. In FY 2022, the Consumer Ombudsman will expand educational resources available to consumers who are interested in participating in consensus standards.

Internet and Social Media

The CPSC uses a variety of platforms to reach the public, including websites (*e.g.*, cpsc.gov, SaferProducts.gov, PoolSafely.gov, and AnchorIt.gov); social media; email alerts; and videos. The CPSC posts recalls (to its recalls app) and press releases, both in Really Simple Syndication (RSS) news feed format; this enables users to access updates to online content in a standardized, computer-readable format. This enables the media and others to obtain information from CPSC websites and, in seconds, have the information posted on their websites from the RSS feed. In FY 2022, the CPSC will continue to have a strong social media and Web presence as a key component of achieving its safety mission.

Media

In FY 2022, the CPSC will continue working to engage the media to generate coverage for major recalls and safety campaigns, including furniture

and TV tip-over prevention, drowning prevention, fireworks injury prevention, holiday toy and decoration safety, and residential fires, among others.

Consumer Hotline

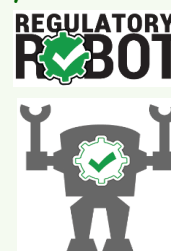
The CPSC's Consumer Hotline and General Information (1-800-638-2772) provides a much relied-upon service to the public, businesses, and consumers.

In FY 2020, the CPSC's Hotline services received 25,786 calls. The Hotline processed approximately 3,200 emails; 1,005 consumer product incident reports were collected in phone calls and emails.

The CPSC will continue to operate the Consumer Hotline and General Information number in FY 2022. The CPSC encourages consumers to contact the Hotline for information and assistance on product safety issues and to file incident reports.

About the "Regulatory Robot"

The CPSC designed the Regulatory Robot as an online, interactive, free resource for small business that manufacture or import consumer products into the United States. The Web-based Robot asks the user a series of questions to determine requirements that may apply to the user's inquiry on a product.



In FY 2020, the CPSC improved the Robot, so it is now available in Spanish for all consumer products. Previously, the Robot was only available in Spanish for a limited number of product types.

The Robot is also available in five other foreign languages on certain categories of products – Chinese (simplified), Chinese (traditional), Vietnamese, Bahasa Indonesian, and Korean. For FY 2020, the number of Robot users was around 21,000, matching the usership levels seen during FY 2019, before the COVID-19 pandemic impacted small businesses.

Strategic Crosscutting Priorities

Crosscutting Priorities

The CPSC's 2018–2022 Strategic Plan identified four crosscutting strategic priorities that are integral to enabling the mission: Operational Excellence, Data Collection and Analysis, Information Technology (IT), and Internal and External Collaboration. These priorities are fundamental to the agency's achievement of the Strategic Plan goals.

Crosscutting Priorities Summary	
	FY 2022 (\$ in millions)
Information Technology	
Mission Applications	\$ 8.1
Network Management & Infrastructure	\$ 1.3
User Support	\$ 3.8
IT Security	\$ 1.7
Capital Replacement	\$ 2.5
Telecommunications (Voice & Data)	\$ 1.3
Website Management	\$ 1.0
Other Administrative Functions	
Financial Management & Related Shared Services	\$ 2.0
Rent, Security, & Utilities:	
CPSC Headquarters	\$ 5.2
NPTEC	\$ 4.5
Warehouse	\$ 0.6
Crosscutting Priorities⁸ Total	\$ 32.0

FY 2022 Budget Initiatives and Activities

Information Technology

The agency supports the operations, maintenance, and development of mission delivery IT systems. This includes the Consumer Product Safety Risk Management System (CPSRMS), the import surveillance RAM system, and the Dynamic Case Management system (DCM), among others. These mission applications are the backbone of CPSC's

data and analytical capabilities. The CPSC categorizes its IT functions as follows:

- **Mission Applications:** Providing programming support for the agency's IT applications and administering databases. These include, but are not limited to, the Integrated Field System (IFS), the NEISS applications, the CPSRMS, the RAM system, the DCM, SaferProducts.gov, and the Sample Tracking application. The agency will continue to maintain and support these applications in FY 2022, and will incrementally modernize these and legacy platform applications.
- **Network Management and Infrastructure:** Supporting management of the agency's IT infrastructure, which includes the operation and maintenance of networks, servers, and other IT equipment and systems. The agency will continue to migrate core technology services to the cloud, including email, file storage, desktop services and internal collaboration platforms. In FY 2022, the agency will fund part 1 of a 2-part project to upgrade the virtual desktop infrastructure (VDI) through cloud-based solutions. Transition of core technology services would significantly improve systems availability, resiliency, and efficiency.
- **User Support:** Supporting end users of the agency's equipment, software, systems, and services (e.g., Help Desk support, software licensing, and printer maintenance). In FY 2022, the agency will support users by providing hardware and software; maintaining laptops, printers, telephones, and other devices; and enhancing end-user Help Desk and office automation software.
- **IT Security:** Maintaining a secure information environment throughout the CPSC and ensuring information systems confidentiality, integrity, and availability. In FY 2022, the agency will continue to address internal

⁸ Crosscutting Priorities listed in this section include only Information Technology and administrative functions over \$1 million in non-payroll costs.

control deficiencies and upgrade security systems to better detect and mitigate cyber security threats. These efforts include the expansion of the agency's IT security assessment to improve capabilities in vulnerability scanning, monitoring, and alerting.

- **Capital Replacement:** Upgrading hardware and software assets and replacing aging systems, such as user laptops and computer monitors, server hardware, routers, switches, and Network Attached Storage systems. In FY 2022, the CPSC will replace the most critical equipment at or approaching end of life.
- **Voice/Data Telecommunications:** Providing voice (telephonic), cellular, wide area network (WAN), local dedicated data lines, domain, and Web streaming services; telecommunications equipment; and maintenance and repairs. In FY 2022, the CPSC will complete the transition to the U.S. General Services Administration's (GSA) new enterprise telecommunications and networking solution.
- **Website Management:** Operating and maintaining CPSC's websites to meet the needs of the agency, consumers, businesses, and other stakeholders who seek relevant information about CPSC activities.

Other Administrative Functions

- **Financial Management and Related Shared Services:** In FY 2022, the CPSC will continue to leverage administrative shared services through the Department of Treasury's Administrative Resource Center (ARC) within the Bureau of Fiscal Service and the Department of the Interior's (DOI) Interior Business Center (IBC). ARC will continue providing financial management reporting and systems, travel management, and overflow acquisition support services; IBC will continue providing payroll and related human resources system services.
- **Rent, Security, and Utilities:** In FY 2022, the CPSC will operate in three GSA-leased facilities: CPSC Headquarters (Bethesda, MD), the National Product Testing and Evaluation Center (NPTEC) (Rockville, MD), and the Sample Storage Warehouse facility (Gaithersburg, MD). The CPSC expects rent, security, and utility expenses at the three locations to be \$10.3 million in FY 2022. The lease for the NPTEC will expire in FY 2021; consequently, the new lease will increase NPTEC's rent costs by \$0.3 million or 6 percent. The CPSC does not contemplate any additional leases for FY 2022.

Voluntary Standards Summary

Definition

A voluntary standard is a set of requirements arrived at through a consensus process among a variety of stakeholders, including industry, consumer groups, and other interested parties.

CPSC's Statutory Requirement

In many cases, the CPSC's statutory authority requires the agency to rely on voluntary standards rather than promulgate mandatory regulations, if compliance with a voluntary standard is likely to eliminate or adequately reduce the risk of injury identified, and it is likely that there will be substantial compliance with the voluntary standard.

Voluntary Standards Process & CPSC Participation

CPSC staff works with organizations that coordinate the development of voluntary standards. Voluntary standards activity is an

ongoing process that may involve multiple revisions to a standard within 1 year or over multiple years; and staff participation may continue in subsequent years, depending on the activities of the voluntary standards committees and priorities of the Commission.

CPSC staff participates actively in voluntary standards activities for identified products. Active participation extends beyond attendance at meetings and may include, among other activities, providing injury data and hazard analyses; encouraging development or revision of voluntary standards; identifying specific risks of injury; performing research; developing health science data; performing laboratory technical assistance; and/or taking other actions that the Commission, in a particular situation, determines may be appropriate.

FY 2022 Activities

The table on the next page lists voluntary standards activities for FY 2022.

Voluntary Standards Table

Product		FY 2021 Op Plan	FY 2022 Request
Voluntary Standards Activities Related to Existing CPSC Regulations			
1	ATVs (All-Terrain Vehicles)	•	•
2	Bassinets/Cradles	•	•
3	Bedside Sleepers	•	•
4	Bicycles	•	•
5	Booster Seats	•	•
6	Carriages and Strollers	•	•
7	Changing Products	•	•
8	Chemical Test Methods		•
9	Child-Resistant Packages	•	•
10	Children’s Folding Chairs and Stools	•	•
11	Commercial Cribs	•	•
12	Fireworks	•	•
13	Frame Child Carriers	•	•
14	Full-Size Cribs	•	•
15	Gasoline Containers, Child Resistance	•	•
16	Gates and Expandable Enclosures	•	•
17	Handheld Infant Carriers	•	•
18	High Chairs	•	•
19	Infant Bath Seats	•	•
20	Infant Bath Tubs	•	•
21	Infant Bouncer Seats	•	•
22	Infant Swings	•	•
23	Infant Walkers	•	•
24	Non-Full-Size Cribs and Play Yards	•	•
25	Portable Bed Rails (Children’s)	•	•
26	Portable Hook-on Chairs	•	•
27	Sling Carriers (Infant and Toddler)	•	•
28	Soft Infant and Toddler Carriers	•	•
29	Stationary Activity Centers	•	•
30	Swimming Pools/Spas Drain Entrapment	•	•
31	Swimming Pools/Spas Safety Vacuum Relief System	•	•
32	Toddler Beds	•	•
33	Toys	•	•
Voluntary Standards Activities Related to Petitions			
34	Adult Portable Bed Rails	•	•
35	Candles and Candle Accessories	•	•
36	Flooring (Slips, Trips, and Falls)	•	•
37	Magnet Sets	•	•
38	Torch Fuel and Lamp Oil	•	•
Voluntary Standards Activities Related to Ongoing or Potential Rulemaking Activities			
39	Clothing Storage Units Tip-overs	•	•
40	Crib Bumpers (Infant Bedding)	•	•
41	Crib Mattresses (include Supplemental and Aftermarket Mattresses)	•	•
42	Fire Safety of Portable Fuel Containers and Gasoline Cans	•	•
43	Gas Appliances – CO Sensors	•	•
44	Infant Sleep Products	•	•
45	Portable Generators	•	•
46	Recreational Off-Highway Vehicles (ROVs)	•	•

Product		FY 2021 Op Plan	FY 2022 Request
47	Table Saws	•	•
48	Upholstered Furniture	•	•
49	Window Coverings	•	•
Other Planned Voluntary Standards Activities			
50	Additive Manufacturing/3D Printing	•	•
51	Amusement Rides, Trampoline Parks, and Adventure Attractions	•	•
52	Artificial Intelligence (AI)	•	•
53	Bath Tubs (Adult)	•	•
54	Batteries, Fire (High-Energy Density)	•	•
55	Batteries, Ingestion (Button)	•	•
56	Building Codes		•
57	Carbon Monoxide (CO) Alarms	•	•
58	Clothes Dryers	•	•
59	Electric Heaters	•	•
60	Flammable Refrigerants	•	•
61	Gas Ranges	•	•
62	Indoor Air Quality [includes former Spray Polyurethane Foam Insulation]		•
63	Internet of Things (IoT) / Connected Products	•	•
64	Liquid Laundry Packets	•	•
65	LP Gas Appliances	•	•
66	Mowers	•	•
67	Nanotechnology	•	•
68	National Electrical Code	•	•
69	Playground Equipment (Home)	•	•
70	Playground Equipment (Public)	•	•
71	Playground Surfacing	•	•
72	Pools, Portable Unprotected (Child Drowning)	•	•
73	Pressure Cookers	•	•
74	Safety Locks and Other Household Child-Inaccessibility Devices	•	
75	Self-balancing Scooters and Light Electric Vehicles / Micromobility Devices	•	•
76	Smoke Alarms	•	•
77	Sports/Recreational Head Gear/Helmets and Sensors	•	•
78	Spray Polyurethane Foam Insulation	•	
79	Tents	•	•
80	Treadmills		•
81	Washing Machines	•	•
82	Wearables	•	•
Grand Total		78	80

Key to Table

- Denotes active participation in related voluntary standards activities.

Mandatory Standards Summary

Definition

Mandatory regulations, established by statute or promulgated by the Commission, set forth requirements for consumer products. The requirements typically take the form of performance requirements that consumer products must meet or warnings they must display to import, distribute, or sell these products in the United States.

CPSC's Statutory Requirement

When CPSC can make the required statutory determinations, mandatory regulations may be adopted. The Commission may also ban a hazardous product when it determines that no feasible mandatory standard would adequately protect the public from an unreasonable risk of injury.

FY 2022 Activities

CPSC staff plans to work on the projects listed in the table on the next page. This work will involve continuation of rulemaking activities related to the CPSIA, as well as other laws, and it will include data analysis and technical activities supporting ongoing or potential future rulemaking activities.

Note: The terms ANPR, NPR, FR, and DFR indicate submission of a briefing package with a draft ANPR, draft NPR, draft FR, or draft DFR to the Commission. It does not indicate how the Commission voted on the briefing package.

Key to Table	
ANPR	Advance Notice of Proposed Rulemaking
NPR	Notice of Proposed Rulemaking
FR	Final Rule
DFR	Direct Final Rule
BP	Briefing Package
DA/TR	Data Analysis and/or Technical Review

*The CPSIA requires the Commission to promulgate mandatory regulations by adopting existing voluntary standards (in whole or in part) for some products, such as durable infant or toddler products, children's toys, and all-terrain vehicles (ATVs). For additional information, please refer to the CPSIA at: www.cpsc.gov/regulations-laws--standards/statutes/the-consumer-product-safety-improvement-act

Mandatory Standards Table

Items by Major Categories		FY 2021 Op Plan	FY 2022 Request
CPSIA, as amended by Pub. L. No. 112-28, and including Section 104 of the CPSIA			
	ATVs (All-Terrain Vehicles) – Other	DA/TR	DA/TR
	Crib Bumpers	FR	
	Crib Mattresses (include Supplemental and Aftermarket)	FR	
	Infant Sleep Products	FR	
Rule Review			
	Lead	DA/TR	DA/TR
	Mattress 16 CFR 1632, ANPR Follow-up Rule Review (Ticking Substitution, Recordkeeping)	DA/TR	DA/TR
	Mattress 16 CFR Part 1632 SRM Cigarette Reference Update	FR	
	Rule Review of 16 CFR Parts 1107 and 1109	BP	DA/TR
Burden Reduction			
	General Wearing Apparel 16 CFR Part 1610 Burden Reduction/Review	DA/TR	NPR
Other Ongoing or Potential Rulemaking-Related Activities			
	Adult Portable Bed Rails Petition	DA/TR	BP
	Clothing Storage Units Tip-Over	NPR	FR
	Furnaces (CO Hazards)	DA/TR	NPR
	Lab Accreditation IBR Update	DFR	
	Magnet Sets	NPR	FR
	Off-Highway Vehicle (OHV) Fire and Debris Penetration Hazards	ANPR	DA/TR
	Organohalogens Petition	DA/TR	DA/TR
	Portable Fuel Container Safety Act		BP
	Portable Generators	DA/TR	DA/TR
	PPPA Exemption Petition	BP	
	ROV Rulemaking Termination Package	DA/TR	
	Table Saws	FR	
	Upholstered Furniture	DA/TR	
	Window Coverings	NPR	FR
Number of candidates for rulemaking (ANPR, NPR, FR, and DFR)		10	5

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Annual Performance Plan

2018–2022 Strategic Plan Summary

The CPSC’s FY 2022 Performance Budget Request and the included FY 2022 Annual Performance Plan (APP) align with the *2018-2022 Strategic Plan*. The CPSC’s *2018–2022 Strategic Plan* sets the framework for all subsequent agency planning, communication, management, and reporting. The Strategic Plan provides direction for resource allocation, program design, and management decisions. The Strategic Plan defines the evidence and performance data used to monitor and assess program effectiveness.

The CPSC has formulated strategic objectives within each Strategic Goal, and these objectives reflect the key component outcomes necessary to achieve each of the Strategic Goals. Performance goals and strategic initiatives underpin the strategic objectives. The goals and initiatives define additional outcomes, outputs, and activities that the CPSC will implement and pursue within each strategic objective. The CPSC has identified the FY 2022 key performance measures for monitoring and reporting on progress toward achieving the strategic objectives. We list an overview of the key measures on pages 30 – 31. We describe APP details by Strategic Goal on pages 32 – 41. Included is a discussion of agency strategies and approaches for achieving strategic objectives; FY 2021 and FY 2022 annual targets for each key measure, where applicable; and actual data for FY 2017, FY 2018, FY 2019, and FY 2020 for each key measure, where applicable.

Mission: Keeping Consumers Safe

Vision: A nation free from unreasonable risks of injury and death from consumer products



Key Performance Measure Summary

Below is an overview of the CPSC's key performance measures for FY 2022.

Strategic Objective (SO)	Key Performance Measure (KM)	Lead Office	FY 2021 Target	FY 2022 Target
Goal 1: Workforce Cultivate the most effective consumer product safety workforce				
SO 1.1 Enhance effective strategic human capital planning and alignment	2022KM1.1.02 Percentage of full-time equivalents (FTEs) utilized	Human Resource	96%	96%
SO 1.2 Foster a culture of continuous development	2022KM1.2.01 Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)		70%	70%
SO 1.3 Attract and recruit a talented and diverse workforce	2022KM1.3.01 Percentage of hiring managers trained on recruitment		80%	85%
SO 1.4 Increase employee engagement	2022KM1.4.01 High-performing Federal Workforce - Employee Engagement Index Score		70%	70%
Goal 2: Prevention Prevent hazardous products from reaching consumers				
SO 2.1 Improve identification and assessment of hazards to consumers	2022KM2.1.02 Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	Hazard Identification	11	12
	2022KM2.1.03 Percentage of consumer product-related injury cases correctly captured at NEISS hospitals		90%	90%
SO 2.2 Lead efforts to improve the safety of consumer products before they reach the marketplace	2022KM2.2.01 Number of voluntary standards activities in which CPSC actively participates	Hazard Identification	78	80
	2022KM2.2.02 Number of candidates for rulemaking prepared for Commission consideration		10	5
	2022KM2.2.07 Percentage of firms that are engaged with a timely establishment inspection after being identified as a repeat offender	Import	75%	75%
	2022KM2.2.08 Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas	International	< 0.33	< 0.33
SO 2.3 Increase capability to identify and stop imported hazardous consumer products	2022KM2.3.01 Percentage of consumer product imports, identified as high-risk, examined at import	Import	80%	80%
	2022KM2.3.02 Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day		99%	99%
	2022KM2.3.04 Number of import examinations completed		32,000	36,000

Strategic Objective (SO)	Key Performance Measure (KM)	Lead Office	FY 2021 Target	FY 2022 Target
Goal 3: Response Respond quickly to address hazardous consumer products both in the marketplace and with consumers				
SO 3.1 Rapidly identify hazardous consumer products for enforcement action	2022KM3.1.01 Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)	Compliance	65%	65%
	2022KM3.1.02 Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)		85%	85%
	2022KM3.1.03 Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection		85%	85%
SO 3.2 Minimize further exposure to hazardous consumer products	2022KM3.2.02 Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)	Compliance	85%	85%
	2022KM3.2.03 Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening		90%	90%
	2022KM3.2.05 Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection		85%	85%
	2022KM3.2.06⁹ Percentage of cases for which a corrective action plan (CAP) is accepted or public notice of hazard is issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)		Baseline	TBD ¹⁰
SO 3.3 Improve consumer response to consumer product recalls	2022KM3.3.01 Recall effectiveness rate for all consumer product recalls	Compliance	25%	25%
Goal 4: Communication Communicate useful information quickly and effectively to better inform decisions				
SO 4.1 Improve usefulness and availability of consumer product safety information	2022KM4.1.02 Number of engagements with CPSC safety messaging on social media channels by stakeholders ¹¹ (in millions)	Communications	3.0	3.7
SO 4.2 Increase dissemination of useful consumer product safety information	2022KM4.2.04 Number of national media placements of CPSC stories	Communications	10	15
	2022KM4.2.06¹² Percentage of recall press releases cycled through the Office of Communications in 2 days or less once received from the Office of Compliance & Field Operations		80%	80%
SO 4.3¹³ Increase and enhance collaboration with stakeholders				

⁹ Starting with FY 2021, KM 3.2.06 replaces KM 3.2.04 – Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination

¹⁰ Baseline data for KM 3.2.06 are being collected during FY 2021 and will be used to establish performance targets for future fiscal years.

¹¹ “Engagements” refers to the number of interactions (likes, shares, comments) with CPSC social media content.

¹² Starting with FY 2021, KM4.2.06 replaces KM4.2.05 – Percentage of recall press releases issued in 22 business days or less from first draft.

¹³ In October 2019, the Commission voted to exclude Key Measure 4.3.01 (Number of collaboration activities initiated with stakeholder groups) from the FY 2020 Operating Plan. Because of the vote, the CPSC has discontinued Key Measure 4.3.01, and there are no key measures listed under SO 4.3 in this document.

Annual Performance Plan Details

Agency Strategy, Performance Measures, and Targets

Strategic Goal 1: Workforce

Cultivate the most effective consumer product safety workforce

Agency Strategy

A highly trained, diverse, and engaged workforce is critical to meeting the dynamic challenges of the consumer product safety landscape and to achieving CPSC’s life-saving mission. CPSC staff’s knowledge about product safety, its commitment to the agency’s mission, and a proactive attitude make achieving the mission possible. The FY 2022 APP will address the following key *Workforce* challenges:

- Recruiting and retaining a workforce with the knowledge, skills, and abilities to meet new, innovative, and emerging product safety challenges;
- Aligning personnel resources with agency priorities;
- Maintaining a global presence to address worldwide marketplace issues;
- Increasing employee engagement; and
- Strengthening knowledge transfer through succession planning.

STRATEGIC OBJECTIVE 1.1
Enhance effective strategic human capital planning and alignment

STRATEGIC OBJECTIVE 1.2
Foster a culture of continuous development

STRATEGIC OBJECTIVE 1.3
Attract and recruit a talented and diverse workforce

STRATEGIC OBJECTIVE 1.4
Increase employee engagement

Strategic Objective (SO)	Key Performance Measure (KM)	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2022 Target
Goal 1: Workforce Cultivate the most effective consumer product safety workforce							
SO 1.1 Enhance effective strategic human capital planning and alignment <i>Lead Office: Human Resource</i>	2022KM1.1.02 Percentage of full-time equivalents (FTEs) utilized		97%	98%	95%	96%	96%
SO 1.2 Foster a culture of continuous development <i>Lead Office: Human Resource</i>	2022KM1.2.01 Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)	72.5%	68.1%	65.8%	73.7%	70%	70%
SO 1.3 Attract and recruit a talented and diverse workforce <i>Lead Office: Human Resource</i>	2022KM1.3.01 Percentage of hiring managers trained on recruitment	56.1%	82.6%	85.5%	89.7%	80%	85%
SO 1.4 Increase employee engagement <i>Lead Office: Human Resource</i>	2022KM1.4.01 High-Performing Federal Workforce - Employee Engagement Index Score	73%	69%	66%	75%	70%	70%

CPSC’s Approach to *Workforce*

The CPSC’s approach to cultivating an effective workforce involves enhancing human capital planning and alignment, increasing opportunities for professional development, and improving recruitment strategies to attract talented, diverse, and committed staff. The strategy also emphasizes increasing employee engagement by promoting and rewarding staff innovation and creativity, increasing managers’ commitment to fostering employee engagement in the workplace, and promoting a healthy work-life balance.

Goal 1 Performance Goals (PG) and Strategic Initiatives (SI)

Strategic Objective 1.1

Enhance effective strategic human capital planning and alignment

PG1.1.1 Improve human capital infrastructure	SI1: Implement change management in human capital infrastructure
PG1.1.2 Enhance human capital resource allocation reporting	SI2: Train supervisors on making a business case for position management
	SI3: Improve human capital resource tracking and reporting

Strategic Objective 1.2

Foster a culture of continuous development

PG1.2.1 Encourage and support professional development	SI4: Implement individual development plans
	SI5: Implement coaching and mentoring programs
PG1.2.2 Deliver high-quality, targeted development opportunities	SI6: Conduct training needs assessment
	SI7: Develop and implement agency-wide training plan
	SI8: Develop and implement plan to strengthen leadership competencies through training on accountability, decision making, and maximizing workforce performance

Strategic Objective 1.3

Attract and recruit a talented and diverse workforce

PG1.3.1 Improve targeted assessments to recruit talent	SI9: Establish a manager training program on developing and utilizing assessment tools
PG1.3.2 Increase targeted outreach to increase diversity	SI10: Implement a new and enhanced marketing/outreach strategy
	SI11: Advance relationships with colleges and universities and other recruitment sources

Strategic Objective 1.4

Increase employee engagement

PG1.4.1 Promote and recognize performance excellence	SI12: Research, develop, and implement a performance management policy that encourages and recognizes excellence
	SI13: Train supervisors and Human Resources staff on managing employee performance and conduct
PG1.4.2 Build commitment to employee engagement	SI16: Implement agency employee engagement initiative
	SI17: Provide diversity and inclusion training to the workforce
PG1.4.3 Promote work-life balance	SI18: Develop and provide training and informational opportunities on work-life balance to the workforce
	SI19: Provide wellness and safety activities for the workforce

Strategic Goal 2: Prevention

Prevent hazardous products from reaching consumers

Agency Strategy

The CPSC's charge is to protect the public from unreasonable risks of injury and death from a vast array of consumer products increasingly supplied through expanding global markets. Efforts to ensure the manufacture of safe consumer products, combined with improved mechanisms to identify hazardous products before they enter the marketplace, are the most effective ways to prevent hazardous products from reaching consumers. The FY 2022 APP will address key challenges to *Prevention* of consumer product-related injuries, including:

- Providing surveillance of the myriad consumer products under CPSC's jurisdiction;
- Advancing data analysis and research capabilities to identify existing and potential emerging consumer product hazards that pose the greatest risks;
- Addressing changes in traditional manufacturing methods, such as additive manufacturing using 3-D printers;
- Keeping pace with evolving injury data collection, manufacturer-to-consumer supply chain, and technology associated with consumer products;
- Evaluating implications of eCommerce sales and evolving distribution methods;
- Working with affected stakeholders to address product hazards;
- Helping develop voluntary standards and adopting mandatory regulations; and
- Identifying, researching, and informing the public about chemical or chronic hazards in consumer products.



Strategic Objective (SO)	Key Performance Measure (KM)	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2022 Target
Goal 2: Prevention Prevent hazardous products from reaching consumers							
SO 2.1 Improve identification and assessment of hazards to consumers Lead Office: Hazard Identification	2022KM2.1.02 Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	11	10	11	11	11	12
	2022KM2.1.03 Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	92.4%	93%	89.5%	90.6%	90%	90%
SO 2.2 Lead efforts to improve the safety of consumer products before they reach the marketplace Lead Offices: Hazard Identification, Import Surveillance	2022KM2.2.01 Number of voluntary standards activities in which CPSC actively participates	76	77	74	78	78	80
	2022KM2.2.02 Number of candidates for rulemaking prepared for Commission consideration	18	19	14	14	10	5
	2022KM2.2.07 Percentage of firms that are engaged with a timely establishment inspection after being identified as a repeat offender		73%	90%	83%	75%	75%
	2022KM2.2.08 Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas				0.21	<0.33	<0.33
SO 2.3 Increase capability to identify and stop imported hazardous consumer products Lead Office: Import Surveillance	2022KM2.3.01 Percentage of consumer product imports, identified as high-risk, examined at import	88.5%	89%	86%	80%	80%	80%
	2022KM2.3.02 Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day	99.8%	99.8%	99.8%	99.9%	99%	99%
	2022KM2.3.04 Number of import examinations completed	38,726	41,117	39,010	18,561	32,000	36,000

CPSC’s Approach to *Prevention*

The CPSC uses several means to try to prevent injury or harm from consumer products. The overall approach is to prevent hazardous products from reaching consumers by: (1) working at the national and international level to appropriately address hazards by voluntary standards or mandatory regulations; (2) providing technical information to industry to support voluntary standards development; and (3) allocating inspection, surveillance, and enforcement resources effectively to identify and remove hazardous products from the marketplace.

The CPSC educates manufacturers on safety requirements and works with foreign regulatory counterparts to help build safety into consumer products. The agency also collaborates with standards development organizations to create and strengthen voluntary standards for consumer products, which involves building consensus among relevant stakeholders. The CPSC develops new mandatory regulations when necessary and consistent with statutory authority, in response to identified product hazards. Another major component of CPSC’s prevention approach is identification and interception of hazardous consumer products through import surveillance and inspection programs. The agency conducts establishment inspections of manufacturers, importers, and retailers; monitors Internet and resale markets; responds to industry-generated reports about potentially unsafe products; and tests products for compliance with specific standards and mandatory regulations.

Goal 2 Performance Goals (PG) and Strategic Initiatives (SI)

Strategic Objective 2.1

Improve identification and assessment of hazards to consumers

<p>PG2.1.1 Increase agency capacity to analyze hazard data</p>	<p>SI1: Enhance IT solutions and data-mining techniques to improve data collection and analysis</p>	
<p>PG2.1.2 Improve quality and specificity of hazard information</p>	<p>SI2: Identify alternative sources of data that will assist in hazard analysis and monitoring</p>	
<p>PG2.1.3 Improve agency capacity to identify and assess emerging hazards</p>	<p>SI3: Research and implement methods for improving completeness of data submitted to the CPSC</p>	
<p>PG2.1.4 Improve agency capacity to identify and assess chronic hazards</p>	<p>SI4: Research and implement methods to increase the number of incident samples available for analysis</p>	<p>SI5: Promote a universal product identifier to improve product traceability</p>
	<p>SI6: Develop a plan to enhance the identification and characterization of emerging hazards</p>	<p>SI7: Enhance coordination with relevant federal agencies, standards development organizations, and other stakeholders working on emerging hazards</p>

Strategic Objective 2.2

Lead efforts to improve the safety of consumer products before they reach the marketplace

<p>PG2.2.1 Increase manufacturers', importers', and retailers' use of consumer product safety best practices</p>	<p>SI8: Work to align CPSC's Trusted Trader Program with CBP's One U.S. Government Trusted Trader Program</p>
<p>PG2.2.2 Participate actively in the development of consumer product voluntary standards and develop mandatory regulations for products that pose an unreasonable risk of injury</p>	<p>SI9: Deliver training events and collaborate on consumer product safety best practices with foreign manufacturers and domestic manufacturers, importers, and retailers</p>
<p>PG2.2.3 Engage federal, state and foreign governments on product safety</p>	<p>SI10: Identify and target top consumer product hazards, based on risk and addressability</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI11: Develop a process to facilitate the frequent monitoring and assessment of the effectiveness of standards and mandatory regulations</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI12: Conduct research, as appropriate, to enable development and improvement of consumer product voluntary standards and mandatory regulations</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI13: Enhance training and internal operations to improve the voluntary consensus standards development process</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI14: Deliver targeted federal, state, and foreign government outreach, (e.g., summits, trainings, staff exchanges, and best practice exchanges)</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI15: Improve international information-sharing capability</p>
<p>PG2.2.4 Increase efforts to drive the discovery and innovation of safety solutions</p>	<p>SI16: Develop initiatives to drive the discovery and innovation of safety solutions for hazards, emerging technologies, and product trends with potential to affect consumer product safety</p>

Strategic Objective 2.3

Increase capability to identify and stop imported hazardous consumer products

<p>PG2.3.1 Fully implement the CPSC's risk assessment methodology</p>	<p>SI17: Incrementally develop the RAM surveillance system to align with the U.S. government's "Single Window" initiative</p>
<p>PG2.3.2 Decrease time required to process imported products subject to inspection</p>	<p>SI18: Incrementally develop and improve the RAM targeting system to identify noncompliant and defective products at ports of entry</p>
<p>PG2.3.2 Decrease time required to process imported products subject to inspection</p>	<p>SI19: Develop and uniformly implement enforcement guidelines for admissibility determinations for imported products</p>
<p>PG2.3.2 Decrease time required to process imported products subject to inspection</p>	<p>SI20: Streamline compliance notification to importers of noncompliant products</p>

Strategic Goal 3: Response

Respond quickly to address hazardous consumer products both in the marketplace and with consumers

Agency Strategy

The CPSC learns about potential consumer product hazards from many sources, including incident reports, consumer complaints, the agency's Hotline (1-800-638-2772), www.SaferProducts.gov, Internet reports, and firm reports. Additionally, field staff investigates reports of incidents and injuries; conducts inspections of manufacturers, importers, and retailers; and identifies potential regulatory violations and product hazards. When staff identifies potential product defects, the CPSC must act quickly to address the most hazardous consumer products that have entered the marketplace or gotten into the hands of consumers. The FY 2022 APP will address the following key *Response* challenges:

- Addressing trends in retailing and eCommerce, such as the prevalence of online sellers or other direct manufacturer-to-consumer marketing and sales, as well as sales through third party platform providers;
- Working within a global supply chain, which creates complex monitoring challenges;
- Collecting, integrating, and analyzing data to identify high-risk hazards for appropriate action; and
- Improving the monitoring and effectiveness of consumer product recalls

STRATEGIC OBJECTIVE 3.1
Rapidly identify hazardous consumer products for enforcement action

STRATEGIC OBJECTIVE 3.2
Minimize further exposure to hazardous consumer products

STRATEGIC OBJECTIVE 3.3
Improve consumer response to consumer product recalls

Strategic Objective (SO)	Key Performance Measure (KM)	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2022 Target
Goal 3: Response Respond quickly to address hazardous consumer products both in the marketplace and with consumers							
SO 3.1 Rapidly identify hazardous consumer products for enforcement action Lead Office: Compliance	2022KM3.1.01 Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)	74%	75%	12.5%	83.3%	65%	65%
	2022KM3.1.02 Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks) <i>*Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.1.03.</i>	87%	88.8%	85.1%	89.2%*	85%	85%
	2022KM3.1.03 Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection				42.9%	85%	85%
SO 3.2 Minimize further exposure to hazardous consumer products Lead Office: Compliance	2022KM3.2.02 Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks) <i>*Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.2.05.</i>	86%	87.2%	85.5%	85.6%*	85%	85%
	2022KM3.2.03 Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening	98%	95.9%	97.4%	96.5%	90%	90%
	2022KM3.2.05 Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection				42.9%	85%	85%
	2022KM3.2.06 ¹⁴ Percentage of cases for which a corrective action plan (CAP) is accepted or public notice of hazard is issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)					Base-line	TBD ¹⁵
SO 3.3 Improve consumer response to consumer product recalls Lead Office: Compliance	2022KM3.3.01 Recall effectiveness rate for all consumer product recalls	41%	17.4%	21.4%	32.6%	25%	25%

¹⁴ Starting with FY 2021, KM 3.2.06 replaces KM 3.2.04 – Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination.

¹⁵ Baseline data for KM 3.2.06 are being collected during FY 2021 and will be used to establish performance targets for future fiscal years.

CPSC's Approach to *Response*

To decrease the time required to identify and remove potentially hazardous products from the marketplace, the CPSC will redesign the procedures used to process and analyze incoming product hazard-related data. The CPSC strives to improve its ability to act upon information and quickly remove potentially hazardous products from the marketplace. The CPSC will improve its recall monitoring process and work with industry to increase consumer awareness of product recalls as they occur. Improving the consumer response to consumer product recalls is critical to success in achieving this Strategic Goal. The CPSC will work with consumers and other interested parties to increase the number of consumers receiving recall notices directly from the CPSC and recalling firms and retailers. CPSC will seek to improve the effectiveness of product recalls by including tools such as expanding CPSC's and firms' use of social media to broaden the notice of recalls and conducting consumer focus group research on why and when consumers respond to recalls.

Goal 3 Performance Goals (PG) and Strategic Initiatives (SI)

Strategic Objective 3.1

Rapidly identify hazardous consumer products for enforcement action

PG3.1.1 Improve collection, prioritization, and assessment of data on potential consumer product hazards

SI1: Review current processes and identify opportunities to refine sample analysis priorities and reduce processing time

SI2: Determine the feasibility of implementing an eFiling process for manufacturers, importers, retailers, distributors, and third party platform providers to submit incident data and/or Section 15(b) reports

Strategic Objective 3.2

Minimize further exposure to hazardous consumer products

PG3.2.1 Increase speed of corrective actions

SI3: Explore the feasibility of an expedited approach to CAPs for lower-level consumer product hazards

PG3.2.2 Improve effectiveness of corrective actions

SI4: Regularly publish electronic submissions of progress reports from recalling firms

SI5: Review the CPSC corrective action monitoring process to address priority recalls and achieve operational efficiencies

SI6: To the limits of the CPSC's authorities, inform foreign product safety regulators about interventions undertaken in the United States and encourage them to take appropriate steps

Strategic Objective 3.3

Improve consumer response to consumer product recalls

PG3.3.1 Increase consumer motivation

SI7: Request firms to use enhanced notices and an effectiveness evaluation as part of a CAP

PG3.3.2 Improve direct contact with consumers

SI8: Increase the number of consumers signed up for recall updates via email

PG3.3.3 Improve understanding of consumer response

SI9: Meet with industry, consumer groups, and other government agency stakeholders to discuss how to increase response rates

SI10: Enhance domestic interagency collaboration on best practices to increase consumer response

Strategic Goal 4: Communication

Communicate useful information quickly and effectively to better inform decisions

Agency Strategy

Consumers, safety advocates, industry, and government regulators need high-quality information about consumer product safety. Consumers need safety information to make informed decisions for themselves and their families. Safety advocates rely on accurate data to shape their policy recommendations. The regulated community needs information to stay in compliance with safety requirements. Foreign regulators and state and local government agencies also need high-quality information to establish new safety requirements that advance consumer safety. These diverse audiences have different information needs and respond to different methods of communication. The FY 2022 APP will address key challenges to the agency’s *Communication* strategy, which include:

- Strengthening CPSC’s collaboration with stakeholders to improve communication;
- Updating knowledge management strategies and adopting advanced communication tools and channels to improve consistency, reliability, accessibility, and timeliness of information provided to stakeholders and internally among CPSC staff; and
- Improving CPSC messaging and outreach to affected populations, including underserved, low-income, and minority communities and families.

STRATEGIC OBJECTIVE 4.1
Improve usefulness and availability of consumer product safety information

STRATEGIC OBJECTIVE 4.2
Increase dissemination of useful consumer product safety information

STRATEGIC OBJECTIVE 4.3
Increase and enhance collaboration with stakeholders

Strategic Objective (SO)	Key Performance Measure (KM)	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Actual	FY 2021 Target	FY 2022 Target
Goal 4: Communication Communicate useful information quickly and effectively to better inform decisions							
SO 4.1 Improve usefulness and availability of consumer product safety information Lead Office: Communications	2022KM4.1.02 Number of engagements with CPSC safety messaging on social media channels by stakeholders ¹⁶ (in millions)	0.285	0.831	1.468	12.095	3.0	7.0
SO 4.2 Increase dissemination of useful consumer product safety information Lead Office: Communications	2022KM4.2.04 Number of national media placements of CPSC stories				12	10	15
	2022KM4.2.06 Percentage of recall press releases cycled through the Office of Communications in 2 business days or less once received from the Office of Compliance & Field Operations ¹⁷					80%	85%
SO 4.3¹⁸ Increase and enhance collaboration with stakeholders Lead Office: Communications							

¹⁶ "Engagements" refer to the number of interactions (likes, shares, comments) with CPSC social media content.
¹⁷ Starting with FY 2021, KM 4.2.06 replaces KM 4.2.05 – Percentage of recall press releases issued in 22 business days or less from first draft
¹⁸ In October 2019, the Commission voted to exclude Key Measure 4.3.01 (Number of collaboration activities initiated with stakeholder groups) from the FY 2020 Operating Plan. Because of the vote, the CPSC has discontinued Key Measure 4.3.01, and there are no key measures listed under SO 4.3 in this document.

CPSC's Approach to *Communication*

The CPSC uses a wide array of communication channels and strategies to provide timely, targeted information about consumer product safety to the public, industry, and other stakeholders. The agency disseminates safety messages through workshops and training sessions; listserv messages; press releases; public service announcements and video news releases; newspaper, radio, and TV interviews; and, increasingly, social media, adhering to disclosure protocols. The CPSC will work to improve the usefulness and availability of safety messages by collecting and analyzing data, and designing and applying new and innovative communication tools. Dissemination of more useful and timely consumer product safety information will strengthen agency brand, enable communication in mobile environments, and aid micro-targeting to reach the most at-risk populations. An additional element of CPSC's strategy involves strengthening collaborations with stakeholder groups, including other government agencies and nonprofit organizations. This may include collaboration on information and education (I&E) campaigns on product safety.

Goal 4 Performance Goals (PG) and Strategic Initiatives (SI)

Strategic Objective 4.1

Improve usefulness and availability of consumer product safety information

PG4.1.1 Implement evaluation tools to measure message usefulness

SI1: Identify best practices from federal and private sectors for assessing the utility of safety information

SI2: Assess the utility of CPSC safety messages using best practices from federal and private sectors

PG4.1.2 Implement enhanced tools to increase availability of safety information

SI3: Design and develop new communication materials

Strategic Objective 4.2

Increase dissemination of useful consumer product safety information

PG4.2.1 Expand and enhance the CPSC "brand"

SI4: Identify and implement specific strategies to enhance the CPSC "brand"

PG4.2.2 Expand communications with targeted audiences

SI5: Explore strategies to communicate and interact directly with the most at-risk consumers (micro-targeting strategies)

PG4.2.3 Increase use of enhanced communication technology to advance consumer safety

SI6: Enhance CPSC websites to maintain online best practices

PG4.2.4 Increase timeliness of CPSC information dissemination

SI7: Develop new and enhanced safety alerts, posters, blogs, and toolkits that can be disseminated quickly to respond to known and emerging consumer product hazards

Strategic Objective 4.3

Increase and enhance collaborations with stakeholders

PG4.3.1 Increase agency-wide collaboration capacity

SI8: Increase the number of collaborations

Appendix A: Unfunded Priorities¹⁹

- **Vigorous Compliance (\$5.8 million):** The CPSC's FY 2022 *Request* does not fully fund the agency's plans to execute a vigorous compliance program. While the request expands the Internet Surveillance Unit (ISU) and provides for some expansion of legal staff, it does not provide enough funding to fully implement an eCommerce Division. Enforcement of the sale and distribution of goods on eCommerce platforms is one of the biggest challenges facing the agency. The CPSC needs a fully-staffed and separate division within the Office of Compliance to adapt to the new reality of eCommerce. A fully-resourced eCommerce staff would complement work at the ports and also serve as a strong signal of how seriously the agency is taking eCommerce issues.

Unfunded Priorities	in \$M
➤ Vigorous Compliance	\$5.8
➤ Expand Hazard Identification Capabilities	\$12.3
➤ Emphasize Robust Port Surveillance	\$27.0
➤ Enhance Communication Capabilities and Reach	\$22.4
➤ Create Intergovernmental Office	\$3.0
➤ Build Diversity and Seek Product Safety Equity	\$7.7
➤ Invest in Technology	\$28.6
➤ Expand Laboratory Capacity and Locations	\$43.0
➤ Modernize and Restructure Agency	\$37.8
Total Unfunded Priorities²⁰	\$187.6

Also, the *Request* does not provide any funding for increasing defect investigation capabilities and expanding civil penalty enforcement. Defect work is currently subsumed under the Compliance Office's legal division, but there is a significant need to increase the agency's investigative capacity through the addition of a cadre of trained investigators. An expanded investigative staff would enable product investigations to occur more quickly and at a higher volume, with the goal of increasing the number of recalls of defective products. Although acquiring more sophisticated technology likely will play an important role in the agency's ability to adapt to the online environment, a highly trained and skilled staff remains key to removing defective products from the marketplace.

With regard to penalty enforcement, CPSC Compliance attorneys perform both compliance enforcement work and civil penalty work related to violative or defective products in the marketplace. The agency has prioritized recall and enforcement efforts to protect consumers as a first principle by ensuring the removal of hazardous products before devoting scarce resources to time-consuming penalty work. As a result, not only does the agency lack sufficient resources to pursue the full volume of potential penalty cases, a penalty investigation may not occur until well after a product is recalled. A separate penalty staff would allow the agency to work on a faster timeframe and would increase the number of penalty cases the agency could pursue. This approach would be more efficient, and, at the same time, would send a strong message that the agency is dedicated to both protecting consumers and penalizing bad actors.

- **Expand Hazard Identification Capabilities (\$12.3 million):** The CPSC's FY 2022 *Request* does not fully fund the agency's efforts to focus on chronic hazards, expand CPSC's Epidemiology Division, and invest significantly in Artificial Intelligence (AI). In addition, it does not provide any funds to create a division for software standards and testing or developing physical and digital simulated-use assessment capabilities.

¹⁹ *Unfunded Priorities* are a broader portfolio of projects and programs that CPSC would seek to implement if funding beyond the \$170 million for the FY 2022 *Request* level were available.

²⁰ The *Unfunded Priorities* consist of \$114.2 million in recurring costs and \$73.4 million in one-time costs.

With regard to chronic hazards, CPSC presently contracts out a significant amount of work, limiting the agency's ability to address these issues in a comprehensive manner. Investigations frequently proceed with a piecemeal and *ad seriatim* approach, rather than a holistic approach. Additionally, the CPSC's ability to identify hazards and analyze ever-expanding pools of data is limited by the agency's small Epidemiology staff. Continuing to increase Epidemiology personnel, along with expanding their capability and reach, will allow for enhanced acquisition of diverse data sources. In turn, this will enable better trend identification, emerging hazard evaluation, and corresponding data analysis. Importantly, this also will allow a greater—and much needed—focus on safety hazards that disproportionately affect vulnerable populations.

In addition, further investment in artificial intelligence capability beyond the *Request* is required for the agency to make significant strides in data analysis that cannot be achieved through the current funding. The *Request* also does not fund subject matter experts that are needed for safety standards development, product testing, and evaluation in the growing number of products utilizing software, which include AI and Internet of Things (IoT). Furthermore, current analyses of consumer use of products are predominantly done using low-technology capabilities, such as test dummies and dolls. To better model these and related aspects of consumer risks, the CPSC needs enhanced software, hardware, and skilled professionals to digitally simulate hazard scenarios. These need resources that can help provide more effective analysis for compliance cases, as well as the development of standards that cannot be funded with the current *Request* level.

- **Emphasize Robust Port Surveillance (\$27.0 million):** The CPSC's FY 2022 *Request* does not sufficiently fund all the FTEs and required equipment and contractor support to enhance the agency's surveillance efforts at the ports. Additional resources are necessary to implement the significant mandate from Congress, expand port staff at traditional ports, and modify and update the Risk Assessment Methodology (RAM). A fully modernized RAM system would allow the agency to expand capabilities related to eFiling, *de minimis* shipments, and the identification of defective products. Additional funding is also needed to hire and sustain personnel to support the eCommerce initiative and to develop the infrastructure to support this expanded work.
- **Enhance Communication Capabilities and Reach (\$22.4 million):** The CPSC's FY 2022 *Request* does not fully fund the agency's plans to restructure agency communications to meet 21st Century challenges. Effective public health and safety communications require specialized skill sets to reach the American public in the 21st century. This investment will allow for the development of three distinct divisions of communications: Public Affairs, Digital Communications, and Community Engagement. These capabilities will require investment in metrics and analytics to support research on and tracking of the effectiveness of CPSC's campaigns to allow them to be continually refined over time. This will also support future needs as CPSC adapts to rapid changes in technology and their impact on the American consumer. As the agency's budget grows significantly, safety campaigns, recall work, and press engagements must expand accordingly. The CPSC's communications infrastructure must be equipped to handle both known and emerging product safety hazards, and to develop novel approaches for effectuating behavior change. Additionally, effective safety messaging requires the agency to meet consumers where they are—for many, that is online. This means the agency must develop and maintain a robust internet presence, including traditional social media, CPSC websites, and apps to track product safety developments. In addition, unlike many similar consumer protection agencies, CPSC's Communications Division does not have a field presence that can directly engage with targeted communities across the country. Such a division is

essential to increase CPSC's engagement with vulnerable populations and ensure effectiveness of the agency's outreach.

- **Create Intergovernmental Office (\$3.0 million):** The CPSC's FY 2022 *Request* does not fund the agency's need to create an intergovernmental office. CPSC interactions with federal, state, and local government partners tend to be *ad hoc*, occurring in the context of individualized issues that may arise at the prompting by another agency or in response to a media story. Given the importance of working cooperatively with other agencies on matters of product safety, it is critical that a more coordinated approach be taken. An intergovernmental branch within CPSC would be devoted to leveraging relationships with other agencies, both at the local/state and federal levels, to enhance consumer protection. Examples include potential collaborations with the U.S. Department of Housing and Urban Development (HUD) or the military to ensure non-corded window blinds, stable furniture, and safe playground equipment are in place in federally subsidized housing, as well as partnerships with State Attorneys General to enhance enforcement at the state level. To create an intergovernmental office, which will be critical to working with federal, state, and local government partners, the CPSC requires \$3.0 million.
- **Build Diversity and Seek Product Safety Equity (\$7.7 million):** The CPSC's FY 2022 *Request* does not fully fund the agency's efforts to enhance diversity and inclusion at CPSC, expand outreach to vulnerable populations, enhance data collection, and invest in safety work. Additional staff is required to enhance recruitment efforts, analysis of workforce data, and proactive programs that seek to foster inclusion, equity, and diversity. Furthermore, vulnerable, diverse, and disenfranchised communities can be better served through targeted communications and outreach. This would be accomplished by the enhanced ability to micro-target proven safety messaging that can help close the gaps between existing safety disparities in the market.
- **Invest in Information Technology (\$28.6 million):** The CPSC's FY 2022 *Request* does not fully fund the agency's requirements to significantly invest in Information Technology (IT). Long-term remote work has revealed ongoing needs to upgrade and modernize agency IT systems. In addition to addressing the deficits the agency has identified during the pandemic, and the accompanying increase in remote work, the CPSC has significant needs related to the overhaul of internal systems within the Office of Compliance, (including critical, statutorily required data collection from regulated entities), such as the Dynamic Case Management system (DCM), the Consumer Product Safety Risk Management System (CPSRMS), and Section 15 reports. A substantial commitment to IT development and modernization will allow the agency to keep pace with continuing advances in technology to improve the ability of the agency to work more efficiently and effectively.
- **Expand Laboratory Capacity and Locations (\$43.0 million):** The CPSC's FY 2022 *Request* does not fully fund the required FTEs and equipment to expand laboratory capacity and locations. The evolution of the marketplace along with the Congressional mandate to increase port surveillance necessitate an increase in testing capacity that will require expanded laboratory capacity or, more likely, the addition of new testing locations. The agency's sole laboratory (Rockville, Maryland) was built in the wake of expanded testing requirements under legislation enacted in 2008, the Consumer Product Safety Improvement Act (CPSIA) – a significant achievement, at the time, that advanced agency capabilities. Ten years later, CPSC needs to remain on the cutting edge of laboratory work and testing capacity. An increase in port inspectors around the country will lead to the need for new satellite testing laboratories in targeted geographic locations (e.g., closer to the ports) in order to more rapidly identify violative products.

- **Modernize and Restructure Agency (\$37.8 million):** The CPSC's FY 2022 *Request* does not fund the agency's requirements to modernize and restructure the CPSC.

To accommodate planned growth, the CPSC would need to establish an administration department to centralize the agency's administrative functions within a unit with expertise to execute those functions more effectively and efficiently. Consolidation of those functions would allow program areas to work exclusively on mission issues. This new department would be dedicated to personnel administration, budget formulation, funds control, planning, and performance management. If the agency is to increase its staff size in any significant way, an efficient central hub for administrative functions is essential.

Additionally, a separate division responsible for all of the Contracting Officer's Representative (COR) functions would provide expert contract management and oversight for the agency. A centralized COR would also allow the CPSC's engineers, scientists, attorneys, IT specialists, and other staff lacking in contract administration expertise to focus on direct mission work. Adding legal staff also would enhance procurement legal expertise, contract development, and contract interpretation. Furthermore, an audit response liaison/team is essential in an environment of expanded audit work by the Office of the Inspector General. This individual/group would be responsible for handling audits, coordinating responses, and interacting with auditors so as to reduce the impact on mission work. In addition, the continued focus on improving controls and procedures, not just in the financial management arena but across program areas, requires a concerted focus for which the agency is simply not equipped. Additional resources would be used to assist program offices in assessing their risks in meeting program objectives, determining risk tolerances, developing and implementing internal controls, and assessing those controls. Currently, programs do not have the capacity to do this within the resources dedicated to the CPSC's mission. This request would provide the program offices and CPSC's Office of Financial Management, Planning & Evaluation with the resources to build, implement, and maintain a robust enterprise risk management and internal controls environment while also complying with statutory and OMB requirements.

Similarly, a dedicated in-house travel department would provide immediate assistance with procedures, systems, and training, as well as monitor rules and regulations governing travel. This would significantly lessen the administrative burden on staff unfamiliar with these processes and reduce the likelihood of erroneous violations of government travel requirements. The proposed expansion of various program areas and staff would necessitate a corresponding increase in legal and support personnel under CPSC's General Counsel, Human Resources, IT, budget, finance, and facilities, and other areas.

Appendix B: Technical Budget Tables

Table 3

Program and Financing Schedule

(Dollars in millions)

	FY 2020 <u>Actual</u>	FY 2021 <u>Enacted</u>	FY 2022 <u>Request</u>
Obligations by Program Activity:			
Consumer Product Safety Commission	\$131	\$140	\$182
Direct program activities, subtotal	\$131	\$140	\$182
Reimbursable program	\$3	\$3	\$3
<i>Total new obligations</i>	\$134	\$143	\$185
Budgetary Resources:			
Unobligated balance:			
Unobligated balance brought forward, Oct 1	\$1	\$3	\$48
Budget authority:			
Appropriations, discretionary:			
Appropriation	\$133	\$135	\$170
Appropriations, mandatory:			
Appropriation	\$0	\$50	\$0
Spending authority from offsetting collections, discretionary:			
Collected	\$3	\$3	\$3
Budget authority (total)	\$136	\$188	\$173
<i>Total budgetary resources available</i>	\$137	\$191	\$221
Change in Obligated Balance:			
Obligated balance, start of year (net):			
Unpaid obligations, brought forward, Oct 1 (gross)	\$38	\$41	\$35
Obligations incurred, unexpired accounts	\$134	\$143	\$185
Obligations incurred, expired accounts			
Outlays (gross)	-\$131	-\$149	-\$177
Recoveries of prior year unpaid obligations, expired			
Obligated balance, end of year (net):			
<i>Unpaid obligations, end of year (gross)</i>	\$41	\$35	\$43
Budget Authority and Outlays, net:			
Discretionary:			
Budget authority, gross	\$136	\$138	\$173
Outlays, gross:			
Outlays from new discretionary authority	\$101	\$110	\$138
Outlays from discretionary balances	\$30	\$35	\$27
Mandatory:			
Budget authority, gross	\$0	\$50	\$0
Outlays, gross:			
Outlays from new mandatory authority	\$0	\$4	\$0
Outlays from mandatory balances	\$0	\$0	\$12
Outlays, gross (total)	\$131	\$149	\$177
Offsets against gross budget authority and outlays:			
Offsetting collections (collected) from:			
Federal sources	-\$3	-\$3	-\$3
<i>Budget authority, net (total)</i>	\$133	\$185	\$170
<i>Outlays, net (total)</i>	\$128	\$146	\$174

Table 4

Object Classification Schedule and Personnel Summary

(Dollars in millions)

		<u>FY 2020</u>	<u>FY 2021</u>	<u>FY 2022</u>
		<u>Actual</u>	<u>Enacted</u>	<u>Request</u>
Direct Obligations:				
11	Personnel Compensation	\$61	\$68	\$77
12	Personnel Benefits	21	21	24
21	Travel and Transportation of Persons	1	1	1
23	Rent, Communications, and Utilities	10	10	10
24	Printing and Reproduction	0	0	0
25	Other Services	35	36	66
26	Supplies and Materials	1	1	1
31	Equipment	2	2	3
41	Grants	0	1	0
99	<i>Subtotal, Direct Obligations</i>	<u>\$131</u>	<u>\$140</u>	<u>\$182</u>
Reimbursable Obligations:				
		<u>\$3</u>	<u>\$3</u>	<u>\$3</u>
Total Obligations:				
99.9	Total Obligations	<u><u>\$136</u></u>	<u><u>\$143</u></u>	<u><u>\$185</u></u>
Personnel Summary:				
Total Direct Compensable Work Years:				
	Full-Time Equivalent Employment	516	539	598

Table 5
CPSC FTEs by Organization

	FY 2020 <u>Actual</u>	FY 2021 <u>Enacted</u>	FY 2022 <u>Request</u>
Chairman & Commissioners	14	21	21
Hazard Identification and Reduction	157	160	176
Compliance and Field Operations	146	154	168
Import Surveillance	38	42	59
International Programs	7	7	7
Communications	11	10	14
Information Technology	42	40	43
General Counsel	33	37	38
Agency Management and Support *	61	61	64
Inspector General	7	7	8
Total	516	539	598

* Agency Management includes: Financial Management, Planning, and Evaluation; Facilities Services; Human Resources Management; EEO & Minority Enterprise; Executive Director; and Legislative Affairs.

Table 6

Inspector General Budget Request

(Dollars in thousands)

The information presented below complies with the Inspector General Act, as amended:

<u>Resource</u>	<u>FY 2020 Actual</u>	<u>FY 2021 Enacted</u>	<u>FY 2022 Request</u>
FTEs	7	7	8
Salaries & Expenses	\$1,113	\$1,133	\$1,347
Contracts & Operating Expenses	\$498	\$498	\$548
Training	\$15	\$15	\$17
Total Amount	\$1,626	\$1,646	\$1,912

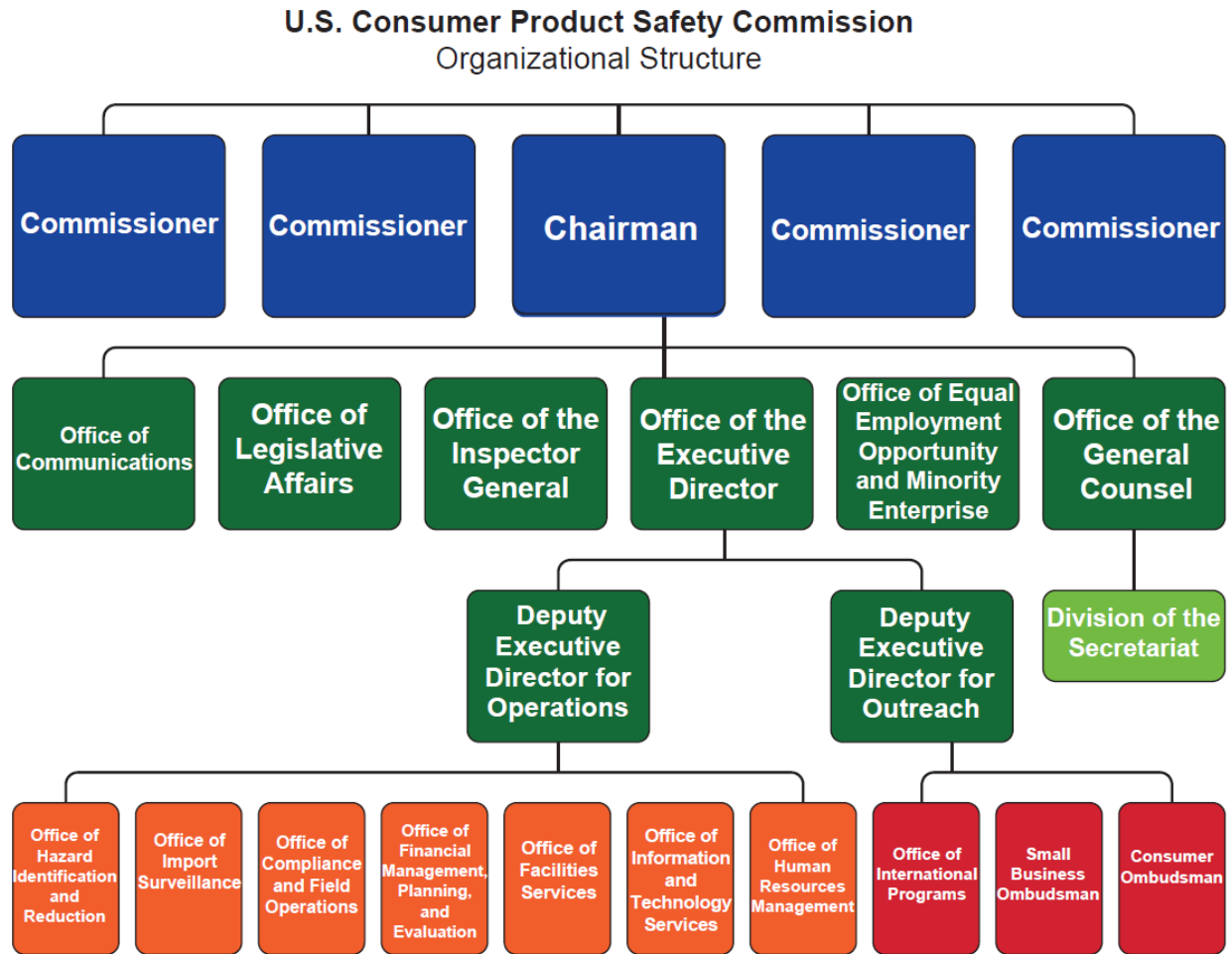
The CPSC's Inspector General (IG) certifies that the amount requested for training satisfies all known IG training requirements for FY 2022. The IG further certifies that in accordance with procedures developed by the Council of the Inspectors General on Integrity and Efficiency (CIGIE), the sum of \$6,000.00 will be set aside out of "Contracts and Operating Expenses" to provide the resources necessary to support CIGIE through the annual dues-paying process.

Appendix C: Acronyms

APP	Annual Performance Plan
ARPA	American Rescue Plan Act of 2021
CBP	U.S. Customs and Border Protection
CPSC	U.S. Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act
CPSRMS	Consumer Product Safety Risk Management System
E EI	Employee Engagement Index
ERM	Enterprise Risk Management
FEVS	Federal Employee Viewpoint Survey
FOIA	Freedom of Information Act
FTE	Full-time Equivalent
FY	Fiscal Year
IT	Information Technology
IoT	Internet of Things
KM	Key Performance Measure
NEISS	National Electronic Injury Surveillance System
NPTEC	National Product Testing and Evaluation Center
PG	Performance Goal
RAM	Risk Assessment Methodology
SBO	Small Business Ombudsman
SDO	Standards Development Organization
SI	Strategic Initiative
SO	Strategic Objective
VGB Act	Virginia Graeme Baker Pool and Spa Safety Act

Appendix D: Organizational Structure

This chart depicts the organizational structure of the CPSC:



U.S. Consumer Product Safety Commission
Bethesda, Maryland 20814