



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN
ON THE FISCAL YEAR 2023 OPERATING PLAN**

OCTOBER 26, 2022

Today, the Commission voted to approve its Operating Plan for Fiscal Year 2023 (FY23). While I am encouraged that this plan includes a number of my priorities, I voted not to approve the final plan, for several reasons, including the following. As I have [stated previously](#), the basis for our planning documents should provide a realistic blueprint for the future. Our Operating Plan should be tethered to the current fiscal reality and appropriations environment. This plan is not.

Last year, Congress considered and rejected the Commission's \$170 million proposal, and instead funded the Commission at \$139.05 million, nearly 20 percent below CPSC's request. For FY23, Congressional appropriators have already rejected the Commission's \$195.5 million request. Nevertheless, this plan is keyed to the \$195.5 million figure, which we will not receive. The plan's second funding scenario, flat funding pursuant to a continuing resolution, is also unlikely. Based on my experience, I anticipate funding somewhere between the House and Senate appropriations levels (\$166.3 million and \$153 million, respectively). Rather than approve a plan that fluctuates wildly between two unlikely funding scenarios, our operating plan should better reflect what we are likely to receive.

Further, safety standards should not create anti-consumer monopolies. Among other concerns with this plan, my amendment to collaborate with our federal antitrust authorities was not adopted. This would have used few resources and ensured that our standards work does not unintentionally raise prices and limit innovation.

Nevertheless, I am pleased that several of my amendments to protect consumers and strengthen the agency were adopted. These include:

- Building our compliance team, including new hiring authorities to increase our capacity;
- Highlighting the important work at our ports, including product seizures;
- Maintaining CPSC's enforcement focus against illegal liquid nicotine sales;
- Ensuring work to implement open GAO recommendations; and
- Protecting agency data and network assets from hostile foreign actors.

I appreciate the effort the Chairman, my fellow Commissioners, and agency staff have put into the FY23 Operating Plan. I look forward to working with my colleagues in the coming fiscal year to fulfill our mission as we implement this plan.