



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN ON
FY 2022 MIDYEAR/ARPA SPENDING PLAN**

June 1, 2022

Today, by a unanimous vote, the Commission approved a spending plan accounting for the difference in the Consumer Product Safety Commission's (CPSC) actual appropriation from what it had anticipated as it planned for fiscal year 2022. Additionally, the Commission approved a list of projects funded with American Rescue Plan Act of 2021 (ARPA) dollars. I supported the plan as it offers several worthwhile projects, but I do have reservations about some of the inclusions, and, importantly, what was excluded.

One of my amendments, which was adopted by the Commission, will ensure funding to meet our Freedom of Information Act (FOIA) obligations and to clear the existing FOIA backlog. For too long CPSC has fallen short in this area. I commend our General Counsel for his commitment to improve the FOIA office, and I look forward to working with him to adopt additional timeliness performance metrics for the coming fiscal year. Ultimately, these efforts will increase transparency and accountability to the American people.

I am concerned that the Commission failed to strengthen our Office of Inspector General (OIG). I offered an amendment that would have authorized OIG to hire one additional staff member rather than spending money on a contract that cannot be executed successfully. My proposal was carefully constructed to hold other Commission operations harmless without requiring any additional spending. While no one is completely satisfied with the appropriation we received from Congress, the budgetary arguments against this amendment do not hold water. I heard the Inspector General loud and clear when he said he could not spend contract dollars responsibly. Rather than take him at his word, my colleagues decided to move forward with a plan that does not fully empower our chief watchdog. I find that outcome unfortunate.

As the Commission continues its work in fiscal year 2022 and beyond, I hope my colleagues will join me in making accountability and transparency a top priority as we work to protect American consumers.

COPF AMENDMENT #1

Providing CPSC’s Inspector General with the Requisite Resources to Conduct Oversight without Additional Spending or Affecting Other Commission Functions

Purpose: To provide 8 full-time equivalent staffers for the Office of the Inspector General (OIG) to address the Inspector General’s staffing issues, and thus to achieve its mission.

- I. Consistent with Section 6(a)(7) of the Inspector General Act of 1978, as amended, staff is directed:
 - a. in fiscal year (FY) 2022 to provide the Inspector General the authority to hire up to 8 (eight) full-time-equivalent (FTEs) staff members; and
 - b. in FY2023, permit the Inspector General the authority to maintain up to 8 FTEs.

- II. Conforming changes and hold-harmless offsets:
 - a. staff shall:
 - i. in Attachment 2, as amended, delete MY#6 (ARPA Spending Oversight) in Table 2;
 - ii. make conforming changes in Table 2; and
 - iii. add one additional FTE to the Commission’s existing FTE total.

 - b. to offset costs associated with the hiring actions in Paragraph I and assure that no other existing FTE or non-OIG spending is affected, staff is authorized to convert funds allocated in the OIG Budget for Contracts & Operating Expenses and Training to Salaries and Expenses.

COPF AMENDMENT #2

Increasing Commission Transparency

Purpose: To use resources available as part of the Fiscal Year 2022 Operating Plan Alignment and Mid-Year review to increase agency transparency and address the existing Freedom of Information Act (FOIA) backlog.

In “Attachment 2” “Table 3” move MY#9, FIOA Support, to MY#3 and renumber the remaining projects as appropriate. Staff shall update “Attachment 2” “Table 2” accordingly.

COPF AMENDMENT #3

Improving Freedom of Information Act Responsiveness

Purpose: To include performance-based metrics to measure FOIA response timeliness

On page 17, after “Number of Freedom of Information Act (FOIA) request processed” insert “, as follows:”. Below the newly inserted text, add the following table:

Request Type	Processing Timeline
Simple Request	70 days
Complex Request	107 days
Expedited Treatment Request	14 days