

Manager's Amendment
to the FY 2015 Midyear Review and Proposed Operating Plan Adjustments

1. Retrospective Rule Review

On Page 3, insert the following (and make any necessary conforming changes):

"Retrospective Review

While the Commission has engaged in retrospective review of some of its regulations, the Commission, its regulatory efforts and the public would benefit from a more formal and institutionalized approach to retrospective review. Toward this end, and consistent with the spirit of Executive Orders 13579, 13563 and 13610 and with the requirements of the Regulatory Flexibility Act (5 U.S.C. § 610(c)), including the goal of protecting public health, welfare and safety, staff will prepare for Commission consideration and approval a draft CPSC Plan for Retrospective Review ("CPSC Retrospective Review Plan") during this fiscal year. The draft CPSC Retrospective Review Plan shall consist of the following elements:

1. A statement reflecting the Commission's commitment to a meaningful, consistent and on-going retrospective review process;
2. A description of the process the Commission will follow to (a) sufficiently solicit public input through publication in the Federal Register, on the Commission's website, through the Commission's use of social media, and during applicable Commission meetings, including the annual Priorities Hearing; (b) keep the public informed of the progress the Commission is making; (c) share with the public any relevant analyses or data; (d) prioritize its retrospective review work; (e) identify up to three rules or related rules where a CPSC regulation may impose a significant and unnecessary economic or paperwork burden; and (f) reevaluate, with public input, the CPSC Retrospective Review plan at least every two years; and
3. A description of how the Commission will ensure sufficient senior, cross-disciplinary staff participation in the retrospective review work, as well as sufficient independence of the retrospective review team from staff that has drafted the rules subject to review.

In addition to public input, the staff shall include consideration of a variety of factors, as applicable, to assist in prioritizing its recommendations of rules to be reviewed, listed here in no particular order, including: (1) Is the rule a significant one, as defined by Executive Order 12866? (2) Does it remain justified as written? (3) Is it still effective or does it need to be modified, streamlined, expanded, or repealed? (4) Is the rule sufficiently clear as to the intended requirements? (5) Does the rule fulfill its intent of preventing or reducing deaths and injuries related to the product? (6) Does the rule align with other CPSC Rules? (7) Does it contribute to cumulative burdens? (8) Are there significant and unnecessary international differences that provide no increase in safety? (9) Does it impose an economically significant burden, particularly to small business? (10) Does it require a significant and unnecessary paperwork burden that can be alleviated to any degree without sacrificing the intended benefits? (11) Are its benefits significant? (12) Has legislative authority changed over time? (13) Has a change in technology affected the rule's effectiveness?

Staff will also include in the draft CPSC Retrospective Review Plan suggestions, as applicable, for whether the Commission could enhance its rulemaking through (1) randomized, controlled trials of proposed rules and (2) including retrospective review provisions in new rulemakings. To the extent staff concludes the Commission will not be able to accommodate the work required by a Commission-adopted final CPSC Retrospective Review Plan without materially impacting the Commission's core safety work, the staff will propose the Commission seek through its Performance Budget Requests any additional resources needed to fully execute the CPSC Retrospective Review Plan."

2. Burden Reduction/Assure Compliance- Direct Final Rule/NPR

In Attachment 2 "Changes to Mandatory Standards Table," for line item "Third Party Testing – Determinations," replace "NPR" with "DFR/NPR" under "FY 2015 Op Plan Revised," and make any other necessary conforming changes.

3. Directives Review

On Page 3, under the heading "Recommendation #3," after the first paragraph insert the following (and make any necessary conforming changes:

"Office of the Executive Director – Directives Review Project: The Commission maintains a Directives System which contains delegations of authority and descriptions of Commission programs, policies, and procedures. The Commission directs the Executive Director, in collaboration with other Directorates as needed, to prepare an assessment of the staff time and resources that would be necessary to review and update each series of the directives."

4. Priority Adjustments

Insert the following projects as directed below in Table 1, p. 2:

Tier	Priority Number	Org	Project Title	Funding Level
2	9	EXIT	OPEN DATA I	\$70
3	29	EXIT	OPEN DATA II	\$430

Insert the following project after the last project in Attachment 1:

Org	Priority Number	Project Title	Mid year: new requested funding	Project number	Operating plan page number	Attachment 3 page number
EXIT	9	OPEN DATA I	\$70	99953	42-43	5
EXIT	29	OPEN DATA II	\$430	99953	42-43	11

Insert the following in the appropriate order in Attachment 3:

Project	Amount	Description
99953	\$70	<p>OPEN DATA I: Implement the President's directive entitled "Building a 21st Century Digital Government" on May 23, 2012, to increase all CPSC stakeholders' access to CPSC's data to make government information open and machine readable. This initiative will provide the necessary resources to make available through a Web application interface (API), the CPSC's Consumer Incident Data through Saferproducts.gov. The project will allow CPSC to advance the goals of the digital strategy to "Identify and expose high-value data and content through web API" and will result in producing CPSC web APIs that are compliant with federal - OMB and GSA – standards.</p>

Insert the following in the appropriate order in Attachment 3:

Project	Amount	Description
99953	\$430	<p>OPEN DATA II: Implement the President's directive entitled "Building a 21st Century Digital Government" on May 23, 2012, to increase all CPSC stakeholders' access to CPSC's data to make government information open and machine readable. This initiative will provide the necessary resources to make available through a Web application interface (API), the CPSC's Letters of Advice and the National Emergency Incident Surveillance System (NEISS). The project will allow CPSC to advance the goals of the digital strategy to "Identify and expose high-value data and content through web API" and will result in producing CPSC web APIs that are compliant with federal - OMB and GSA – standards.</p>

On Page 2, reorder the projects listed in Tier 2 as follows:

5. Table Saws
6. ATVs
7. NEISS
8. Web Content
9. Open Data I
10. Manufactured Textiles
11. Gas Range
12. Chemical Hazards
13. Smoke Alarms
14. CPSRMS 360
15. Flame Mitigation
16. CO Activities
17. Human Factors

18.

~~19~~. Sharepoint

Staff is directed to make any additional conforming changes throughout the FY2015 Midyear Review Proposed Operating Plan Adjustments as needed to comply with this amendment.