



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
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**COMMISSIONER MARY T. BOYLE**

**Commissioner Mary T. Boyle Statement on FY 2023 Operating Plan  
Alignment and Midyear Review**

**May 1, 2023**

On April 26, the Commission voted to approve the FY 23 Operating Plan Alignment, including unanimous support for the amendments I proposed (in addition to an amendment I put forward jointly with Commissioner Feldman). Those amendments will strengthen the Commission's work in the remaining part of this fiscal year, and I believe they set the stage for developing a robust FY24 Operating Plan.

To that end, I want to emphasize my support for rigorous enforcement of the recently adopted Commission rules. Those rules—which address longstanding hazards to children and infants—will be undercut without the appropriate level of enforcement to ensure compliance and to seek penalties for those who would flout them. It is for that reason that I support increases in Compliance staffing. I would prefer to use precious resources—we are vastly under-funded, no doubt—to grow our staff rather than to invest in discrete contract projects that may not yield the same long-term results that a seasoned staff would produce.

My amendment requiring a plan to expand staff devoted to chronic hazards in the toxicology division strikes a similar note: I believe in the excellence of CPSC staff and think we, as an agency, should do more to cultivate that excellence through personnel rather than reliance on the contracting process.

With respect to my amendment regarding equity, that amendment is intended to have staff consider and incorporate tools that will produce a layered and nuanced understanding of how risks in specific areas may affect different populations so that we may develop actionable responses to meet the needs of those communities. I encourage staff to look beyond the CPSC to other of sources of data and information—from federal agencies, academic institutions, and community organizations to name a few—so that the agency commitment to equity reflects the broadest possible perspective and is integrated into all that we do, using the widest possible lens.

Finally, I note that the resources approved in this Midyear Review are devoted significantly to agency communications. More and more, I find myself troubled by the limits of our collective ambitions when it comes to addressing the entrenched poverty and inequality that persist in this country—factors that undoubtedly compound the risks of death and injury from

consumer product hazards. That is why I applaud efforts planned in this Midyear package to spread safety messaging to underserved communities, on topics ranging from baby safety to CO poisoning risks from portable generators, and to commit to translating recall notices into Spanish.

I nevertheless want to sound a note of caution about the proportion of limited agency resources that we choose to devote to communication campaigns and projects.

Our mission at this agency is about more than informing consumers about risky products. Our mandate is to use the resources of the federal government to protect consumers, not to set the expectation that consumers can protect themselves, or to send an implicit message that the onus for safety is on the consumer. I am concerned that when we spend so many resources on education and information campaigns, and other messaging tools, we are not striking the right balance. When we have limited resources, we need to get the balance right.

In the words that Congress chose to introduce our founding statute, “complexities of consumer products and the diverse nature and abilities of consumers using them frequently result in an inability of users to anticipate risks and to safeguard them adequately.” If that was true in 1972, think how much more complex the world is today. And in 1972, Congress couldn’t have been clearer: “the public should be protected against unreasonable risks of injury associated with consumer products.”