



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
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**JOINT STATEMENT OF COMMISSIONERS PETER A. FELDMAN AND DOUGLAS  
DZIAK ON “VALUE OF STATISTICAL LIFE” DOUBLE COUNTING**

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The U.S. Consumer Product Safety Commission (CPSC) has adopted a new cost-benefit methodology that needlessly places future Commission rulemakings in jeopardy. CPSC will now calculate regulatory benefits using a “value of statistical life” (VSL) that counts the lives of people under 18 years old as being worth double those of anyone 18 or older. This unprecedented policy rejects how *every other* federal agency conducts such analyses. It is economically questionable and legally risky. Rules that are struck down in court offer zero consumer protection. Therefore, we oppose this change.

Inflating certain variables in cost-benefit analyses has already led to judicial disfavor, including with respect to protections for children. In the recent *WCMA v. CPSC* case, the U.S. Court of Appeals for the D.C. Circuit vacated a Commission rule that sought to make window blinds safer for children. In its decision, the D.C. Circuit criticized the lack of rigor and care with which CPSC conducts its cost-benefit calculations. Instead of heeding these warnings, the Commission has now decided to adopt this novel cost-benefit calculation. We believe this VSL will, at the very least, create the appearance that the Commission is putting its thumb on the scale to make regulatory benefits seem greater than they are. At worst, this VSL threatens the legal viability of future rulemakings. In any event, it harms the Commission’s credibility.