



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
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COMMISSIONER PETER A. FELDMAN

**STATEMENT OF COMMISSIONER PETER A. FELDMAN
REQUESTING COMMENT ON INFORMATION DISCLOSURE UNDER 6(b)
FEBRUARY 8, 2023**

Today, the U.S. Consumer Product Safety Commission (CPSC) voted to issue a supplemental notice of proposed rulemaking (SNPR) on the Commission's procedures for disclosing information to the public. I voted in favor of issuing the notice because public input is a crucial part of our decision-making process. I believe we need more information on the potential effects of this proposed rule, and I am disappointed that a majority of my colleagues did not support my amendment to add two specific questions for comment.

Under this proposal, the Commission may endorse existing third-party information, such as news reports. In doing so, CPSC must decide whether information is accurate and not misleading. My amendment sought comment on how the Commission should evaluate this information for release. This process would involve an assessment of the credibility of individual outlets, reports, or authors, as well as determinations about bias, journalistic standards, and other factors. My amendment asked the threshold question of whether the Commission should engage in this sort of content selection, and if so, what standards and safeguards should apply.

The proposed rule also would give the Commission additional flexibility to publish information from SaferProducts.gov. My amendment asked if it would better serve the public interest to release this information regularly rather than selecting specific items to release occasionally. I am interested in learning if periodic and routine information sharing would provide for more neutral and transparent dissemination.

Our public information sharing must provide consumers with timely, actionable information about safety. At the same time, our process must ensure accuracy and fairness. I hope that the final rule will strike the appropriate balance between these two objectives. I have concerns about this SNPR but voted to publish it to facilitate public comment.

While my amendment was not adopted, I nevertheless urge the public to comment on the following two issues to provide a complete record to inform our next steps:

1. The proposed rule would allow CPSC to publish third-party content. Inherent in such activity, CPSC would need to engage in a content selection process to decide which publications are appropriate for release and which are not. Should the Commission engage in this sort of content selection? If so, what standards and safeguards should the Commission apply?

2. Currently, reports of harm are available to the public on SaferProducts.gov. Would the routine release (e.g., weekly or monthly) of new reports provide an opportunity for greater transparency? Would periodic releases allow CPSC to disseminate this information in a more neutral manner? What standards and safeguards should apply?