



UNITED STATES
CONSUMER PRODUCT SAFETY COMMISSION
4330 EAST WEST HIGHWAY
BETHESDA, MD 20814

ACTING CHAIRMAN PETER A. FELDMAN

February 13, 2026

The Honorable Amy Klobuchar
United States Senate
425 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Maria Cantwell
United States Senate
511 Hart Senate Office Building
Washington, DC 20510

The Honorable Edward Markey
United States Senate
255 Dirksen Senate Office Building
Washington, DC 20510

Dear Senators Klobuchar, Cantwell, and Markey:

Thank you for your January 15, 2026, letter regarding the integration of artificial intelligence (AI) technologies into children's toys. I appreciate your comments and recognize that the increasing incorporation of AI into consumer products raises important questions for parents and caregivers. The Consumer Product Safety Commission (CPSC) is aware of the tragic circumstances you cite in your letter and approaches these accounts of harm with seriousness and compassion.

CPSC remains fully committed to its statutory mission: protecting the public against unreasonable risks of injury associated with consumer products. That mission, and the authorities Congress has granted to the Commission, have been traditionally focused on reasonably foreseeable risk of *physical injury*. CPSC is not a content regulator, nor is it equipped or authorized to evaluate non-physical hazards, such as mental, emotional, or psychological harm, or physical harm that is not proximately caused by a product's physical characteristics or operation. If CPSC were to extend its jurisdiction to such non-physical hazards, that would constitute a novel expansion of the agency's mandate and would risk exceeding the limits of authority Congress has set.

CPSC remains vigilant to protect Americans against new and emerging consumer product hazards within the scope of its authorities, including with respect to AI-enabled toys and other products. This approach is consistent with broader Trump Administration policy encouraging innovation while ensuring agencies remain within their statutory lanes. In particular, the

Commission’s work implements President Trump’s Executive Order *Removing Barriers to American Leadership in Artificial Intelligence*, which emphasizes promoting innovation and avoiding regulatory approaches that exceed existing legal authority or unnecessarily impede technological advancement.¹

Regarding your specific questions:

1. *What steps have you taken to ensure that toys that integrate AI are safe for use by young children?*

CPSC routinely monitors product hazards through its National Electronic Injury Surveillance System (NEISS) and other incident-reporting mechanisms. Using this data, along with scientific and technical analysis, the Commission develops evidence-based policies to address unreasonable risks of physical injury. CPSC recently has made investments in data infrastructure analytics to strengthen injury surveillance and accelerate decision-making. As part of this effort, CPSC is modernizing NEISS, integrating AI-enabled workflows and analytics, and enhancing both the quality and scope of injury data collection. Together, these improvements position the agency to better identify emerging consumer product safety hazards, including those involving AI-enabled products, and to intervene more quickly to protect American consumers.

Recognizing the rapid evolution of technologies such as AI, CPSC supports the development of industry consensus standards as an effective and adaptable approach to addressing product safety concerns. The Consumer Product Safety Act (CPSA) codifies a preference for these standards, which allow industry, consumer groups, and technical experts to collaborate in developing requirements that keep pace with innovation. For example, CPSC staff contributed to the development of ASTM F3463, *Standard Guide for Ensuring the Safety of Connected Consumer Products*, which addresses how connected functionality can be evaluated to ensure it does not introduce physical hazards. Recent revisions to this standard added AI component testing and evaluation.

In addition, CPSC published a report in June 2025 that examined children’s interest and ability to use smart and interactive toys.² CPSC also released a report in August 2022 outlining a potential framework for evaluating products incorporating AI technologies more generally.³

2. *What steps have you taken to track the integration of AI into toys? How many toys with AI integrations are circulating in the United States today?*

¹ Exec. Order No. 14,179, *Removing Barriers to American Leadership in Artificial Intelligence*, 90 Fed. Reg. 8741 (Jan. 31, 2025) (signed Jan. 23, 2025).

² U.S. Consumer Prod. Safety Comm’n, *Investigation of Smart Toys and Additional Toys through Child Observations* (June 10, 2025), <https://www.cpsc.gov/content/Investigation-of-Smart-Toys-and-Additional-Toys-through-Child-Observations> (last visited Feb. 13, 2026).

³ U.S. Consumer Prod. Safety Comm’n, *Applied Artificial Intelligence and Machine Learning Test and Evaluation Program for Consumer Products* (Aug. 24, 2022), https://www.cpsc.gov/s3fs-public/Applied-Artificial-Intelligence-and-Machine-Learning-Test-and-Evaluation-Program-for-Consumer-Products.pdf?VersionId=UnxX1zRgy_wt.B4eo4_vvWWMcA8a4pQc (last visited Feb. 13, 2026).

CPSC works with the ASTM F15.22 Toy Subcommittee to monitor emerging technologies incorporated into toys and to assess whether those technologies introduce new or different physical safety risks. The Commission does not maintain an independent inventory of AI-enabled toys currently on the U.S. market.

3. *What independent safety testing, if any, do AI toys go through before coming to market?*

Under the CPSA, all children's products, including toys primarily intended for children aged 12 and under, must undergo third-party testing to ensure compliance with applicable safety regulations. At present, however, there are no CPSC-specific testing requirements directed at AI functionality or internet-enabled features in toys, apart from existing requirements addressing physical hazards.

4. *What additional authority, if any, do you need from Congress to protect children from potential harms from toys that incorporate AI systems?*

CPSC has clear and sufficient statutory authority to address substantial product hazards that present unreasonable risks of physical injury associated with toys, including toys that incorporate AI systems. Based on the Commission's injury surveillance and incident data, CPSC has identified no evidence to date that the integration of AI into toys has resulted in real-world injuries to children. When credible risks of physical injury are identified, CPSC will act decisively under its existing authorities, without delay or hesitation, to protect children from harm.

As noted above, concerns that are not rooted in product-related physical hazards may fall more squarely within the expertise and statutory authorities of other federal agencies. Of course, CPSC will faithfully carry out any additional responsibilities that Congress and the President may choose to enact.

Thank you again for your interest in this issue and your continued support for CPSC's safety mission. If you or your staff have additional questions, please do not hesitate to contact me or John Mitchell, Director of Legislative Affairs, at jmitchell@cpsc.gov or 240-429-3876.

Sincerely,

A handwritten signature in black ink that reads "Peter A. Feldman". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Peter A. Feldman
Acting Chairman