



UNITED STATES OF AMERICA
CONSUMER PRODUCT
SAFETY COMMISSION

**Statement of Douglas Dziak
Commissioner
United States Consumer Product Safety Commission**

**Hearing on The Fiscal Year 2025 Consumer Product Safety
Commission Budget**

**U.S. House of Representatives
Committee on Energy & Commerce
Subcommittee on Innovation, Data & Commerce
July 23, 2024**

Good morning, Chairman Bilirakis, Ranking Member Schakowsky, and members of the Subcommittee, I appreciate the opportunity to join my colleagues to discuss the Consumer Product Safety Commission's fiscal year (FY) 2025 budget and the Commission's work.

Chairman Bilirakis, I want to thank you and your staff for the hospitality provided to me and Commissioner Feldman when we visited you and your constituents at the Starkey Ranch Theater. When we met in February, you predicted that my confirmation was imminent. Your crystal ball must have been operating clearly that day, because the Senate confirmed me eight days later!

While I am the newest member on the Commission, I am not new to public service. I began my service in the Senate in January 2006. Later, I joined Commissioner Feldman's office in February 2021, where I served as his Chief Counsel, and was nominated to serve as a Commissioner in 2023.

My family is filled with public servants. My mother was a public health nurse, my father who was a welder had a second job as a police officer, and my wife has served for 28 years in federal law enforcement.

I view the Commission's mission as a mix of both public health and law enforcement, so I like to think our work here is in my DNA.

In addition to the Commission's budget, I want to discuss some of the successes we have enjoyed during my tenure. Also, I want to present some of my priorities I believe the Commission should focus on to better fulfill our statutory mandate of protecting the public against unreasonable risks associated with consumer products, developing uniform national standards, and promoting research and investigation into the causes of product-related deaths, illnesses, and injuries.

Having worked for Senator Mike Enzi, the Senate Budget Committee Chairman, including serving as his Budget Committee Staff Director, and Senator George Voinovich, who cared deeply about such issues, I know the importance of budgets and strategic planning.

Budgets, be they this Commission's, the federal budget, or the budget millions of Americans put together in their homes, help manage the present and plan for the future. They require that priorities be set and choices, sometimes difficult, made.

At the Commission, spending and priorities are established in a two-step process. First is the Commission's budget request, which is our planning document. This is followed by the Commission's operating plan, which is designed to set priorities based on our appropriations amount. Starting with the Commission's FY21 budget request, we started to see a significant divergence in the amounts requested and the actual appropriations. While our appropriations over the past 5 years have grown at about 3.6 percent annually, our budget requests have grown much larger.¹ For example, the Commission's FY24 budget request was \$212.6 million up from \$123.5 million in FY19. Such a divergence makes our budget less useful as a planning and management tool. The Commission's FY25 budget request of \$183 million still provides for an over twenty percent increase from our FY24 appropriation. I am hopeful our next budget will be better correlated to our current appropriation amount. Unrealistic budget requests limit their utility for planning and operational management.

¹ The Commission's appropriations amounts were: FY19, \$127 million, FY20, \$132.5 million, FY21, \$135 million, FY22 \$139.1 million, FY23 \$152.5 million, and FY24 \$151 million.

My colleagues and I will soon begin work on the Commission's FY25 operating plan, which will require us to make the difficult resource decisions for the next fiscal year. I look forward to working with my colleagues to put together a thoughtful plan.

Budgeting is one part of a Commissioner's job, working with stakeholders is another. As a Commissioner, one of my top priorities is to meet stakeholders where they are, to find ways to learn from their experiences and knowledge, and partner with them to fulfill the Commission's mission.

One of the best examples of why collaboration is so important came from a listening session Commissioner Feldman and I had with the Eastern Shoshone Tribe on the Wind River Reservation. Council Chairman John St. Clair pointed out that when conducting information and education campaigns aimed at Native Americans, the Commission should understand the challenges his Members faced. Specifically, he noted that many Members of the Eastern Shoshone spend a lot of time in their cars listening to the radio. He went on to explain the challenges of internet and phone connectivity in rural areas like the Wind River Reservation. Consequently, email, internet and social media outreach, a common tool for our communications team, would be limited in its reach.

I am proud to say that following this and similar sessions, Commissioner Feldman and I helped steer a new safety campaign, utilizing over-the-air radio and billboards, for Native American communities, whose infants are 2.7 times more likely than non-Hispanic white infants to die from accidental causes before their first birthday.² Thanks to this suggestion during our meetings, the Commission is now reaching more Native American communities with lifesaving, safety and educational information.

² <https://minorityhealth.hhs.gov/infant-mortality-and-american-indiansalaska-natives#>.

We accomplished this by listening.

Another success born of such outreach is the Commission's new Business Product Safety Complaint Portal. Commission staff developed the portal based on feedback Commissioner Feldman and I shared from stakeholder listening sessions we held in Utah in 2022. During our discussions, we heard that companies frequently learned of counterfeit products that failed to meet mandatory labeling and flammability requirements. At the time, the Commission's website did not provide a way for companies to report such products, and participants recommended creating one. They noted, businesses are incentivized to protect their own brands against dangerous knockoffs and simply needed a method to share such information with the Commission.

Innovations like the new portal and SaferProducts.gov are a force-multiplier to the Commission's investigations and surveillance programs.

Another example of what we accomplish when we listen.

My approach to listening extends to my office in Bethesda. I maintain an open-door policy for all stakeholders, including those harmed by unsafe products, their families, safety advocates, safety professionals, and the business community that ultimately implements safety improvements.

There is no monopoly on good ideas.

In addition to aiding my work as a Commissioner, working with stakeholders helps us achieve our mission within our existing budget.

While increases in our appropriations could be put to many uses, based on the growth in the Commission's most recent appropriations, we must plan conservatively. This means we will need to prioritize our work carefully and find ways to do more with less.

For example, I would like the Commission to consider leveraging relationships with higher education where appropriate and feasible. Toward this end, in September I am planning a visit to the Virginia Tech Helmet Lab to learn more about the work they are doing and how our own lab in Rockville might collaborate to improve helmet safety.

I am also aware of higher education programs working to address hazards for older Americans, including at least one local university. While I am in the learning phase, I want to better understand if the Commission can work with such existing programs to improve safety outcomes for our older adults. Older adult safety is one of my priorities. In the Commission's latest report on Consumer Product-Related Injuries and Deaths Among Adults 65 Years of Age and Older, our staff found that an average of three million annual injuries suffered by older adults are associated with consumer products.³ I speak from personal experience, as my mother-in-law faced terrible head trauma when she fell coming up a flight of carpeted stairs. Her life has never been the same, and I want to use my position to help other families avoid tragedy like this.

Finally, I want to ensure we are collaborating with our colleagues across the federal government to maximize efficiency. Working in the Senate taught me that government efforts can be siloed. I want to work with this Committee, entities like GAO, and our sister agencies to understand where our collective efforts can be leveraged, and efficiencies gained. I believe one of our more successful partnerships is the co-location of our port inspectors with U.S. Customs and Border Patrol. Having toured a number of ports, I have learned first-hand how agencies can work together successfully.

Before I conclude, let me briefly discuss some of my other priorities I want to focus on as a Commissioner.

³ <https://www.cpsc.gov/content/Injuries-and-Consumer-Product-Related-Injuries-and-Deaths-Among-Adults-65-Years-of-Age-and-Older-0>.

In addition to my focus on the safety of older Americans, another priority is reducing the number of fatal childhood drownings. Drowning, which results in approximately 4,000 deaths each year, is the leading cause of death for children ages one to four, and unfortunately overall deaths have been rising in recent years.⁴ With humility and a recognition that accidents will happen, I am committed to working with stakeholders to see what is achievable to reduce such tragedies.

Finally, I want to work with my colleagues toward our joint goal of improving e-commerce safety. E-commerce sales platforms must do a better job with respect to the sale of dangerous consumer products and in certain instances the illegal re-sale of recalled products.

The Commission's responsibility covers thousands, if not tens of thousands, of consumer products. Many of our challenges result from newer technologies including products like lithium-ion batteries, which are increasingly ubiquitous in homes while presenting unique risk-of-fire challenges. Additionally, we are faced with the emergence of direct-to-consumer sales from foreign e-commerce platforms that allow for the purchase of products directly from overseas manufacturers, especially from China, where manufacturers may not be concerned with American safety regulations and laws.⁵ These are just some of the issues that keep me, and I suspect my colleagues, awake at night.

I appreciate this opportunity today to provide you with some of my initial thoughts as the newest Commissioner. I look forward to continuing to expand on these ideas and working with my colleagues and you going forward.

Thank you.

⁴ <https://www.cdc.gov/media/releases/2024/s0514-vs-drowning.html>.

⁵ According to CPSC staff approximately 80 percent of examined shipments each fiscal year originated in China. See, CPSC Staff Report to Congress Pursuant to Title XX, Section 2001 of the Consolidated Appropriations Act, 2021, June 25, 2021.