



## U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY  
BETHESDA, MARYLAND 20814-4408

### MINUTES OF COMMISSION MEETING

June 13, 2017

Acting Chairman Ann Marie Buerkle convened the June 13, 2017, meeting of the U.S. Consumer Product Safety Commission in open session at 10:15 a.m. Commissioners Robert S. Adler, Marietta S. Robinson, Elliot F. Kaye and Joe P. Mohorovic were also in attendance.

#### Decisional Matter: Fiscal Year ("FY") 2017 Midyear Review and Proposed Operating Plan Adjustments

(Briefing package dated May 31, 2017)

After introducing the matter on the agenda and making an opening statement, Acting Chairman Buerkle called for any questions for the staff. Patricia Akins, Executive Director, DeWane Ray, Deputy Executive Director for Safety Operations, Jay Hoffman, Director, Office of Financial Management, and James Baker, Director, Division of Planning, Budget and Evaluation and Budget Officer, were present to respond to questions. Patty Davis, Acting Director, Office of Communications, also responded to questions from the Commissioners. Hearing no other questions, Acting Chairman Buerkle called for any motions.

Commissioner Robinson moved to amend the FY 2017 operating plan Table 4 of Mandatory Standards to remove certain items. Commissioner Robinson explained the amendment. (A copy of Commissioner Robinson's proposed amendment is attached.) Commissioner Kaye seconded the motion. After a discussion of the motion, Acting Chairman Buerkle called for a vote on the motion. The Commission voted (3-2) to not adopt the amendment. Acting Chairman Buerkle, Commissioner Adler and Commissioner Joe P. Mohorovic voted to not adopt the amendment. Commissioner Robinson and Commissioner Kaye voted to adopt the amendment.

Acting Chairman Buerkle called for any other motions. Commissioner Robinson moved to amend the operating plan to Table 4 of Mandatory Standards to remove "Reason for Change" from 2 items, Information Disclosure Under Section 6b of the CPSIA – 1101 and Voluntary Recall. Commissioner Robinson explained the amendment. (A copy of Commissioner Robinson's proposed amendment is attached.) Commissioner Kaye seconded the motion. After a discussion of the motion, Acting Chairman Buerkle called for a vote on the motion. The Commission voted (4-1) to adopt the amendment. Acting Chairman Buerkle, Commissioner Adler, Commissioner Robinson and Commissioner Kaye voted to adopt the amendment. Commissioner Joe P. Mohorovic voted to not adopt the amendment.

Acting Chairman Buerkle called for any other motions. Commissioner Kaye, on behalf of Commissioner Adler, Commissioner Robinson and Commissioner Kaye, moved to amend the operating plan to Table 3 Recommended Projects to reorder the projects and remove certain projects. Commissioner Kaye explained the amendment. (A copy of Commissioner Kaye's proposed amendment is attached.) Commissioner Adler seconded the motion. After a discussion of the motion, Acting Chairman Buerkle called for a vote on the motion. The Commission voted (4-1) to adopt the amendment. Acting Chairman Buerkle, Commissioner Adler, Commissioner Robinson and Commissioner Kaye voted to adopt the amendment. Commissioner Joe P. Mohorovic voted to not adopt the amendment.

Acting Chairman Buerkle moved that the Commission approve the underlying FY 2017 Midyear Review and Operating Plan Adjustments, recommended by the Executive Director, as amended. Hearing no discussion, Acting Chairman Buerkle called for a vote. The Commission voted (4-1) to adopt the amendment. Acting Chairman Buerkle, Commissioner Adler, Commissioner Robinson and Commissioner Kaye voted to adopt the FY 2017 Midyear Review and Operating Plan Adjustments, as amended. Commissioner Joe P. Mohorovic voted to not adopt the FY 2017 Midyear Review and Operating Plan Adjustments, as amended.

Acting Chairman Buerkle called for any closing statements. The Commissioners each made closing statements. There being no other business, Acting Chairman Buerkle adjourned the meeting at 11:30 a.m.

For the Commission:

Todd A. Stevenson  
Secretary

Attachments: 1. Amendment Proposed (Not Adopted) by Commissioner Robinson  
2. Amendment Proposed (Adopted) by Commissioner Robinson  
3. Amendment Proposed (Adopted) by Commissioner Kaye, on behalf of  
Commissioner Adler, Commissioner Robinson and Commissioner Kaye

**COMR Amendment 1:**

On page 4, in Table 4, delete items 1, 2, 4, and 5 and renumber the list accordingly. Make conforming changes in Attachment 3 (Changes to Mandatory Standards Table) and elsewhere, as needed.

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**COMR Amendment 2:**

On page 4, Table 4, delete the text in the column "Reason for Change" for the mandatory standards Information Disclosure Under Section 6b of the CPSIA – 1101 and Voluntary Recall.

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**Commissioner Kaye Amendment on Behalf of Commissioners Adler, Robinson, and Kaye Regarding Recommended Projects**

On page 4, replace existing Table 3 with the following new Table 3 and make technical and conforming changes to Attachment 1 (Detailed Project Descriptions) and elsewhere, as needed:

<u>TIER</u>	<u>MY#</u>	<u>PROJECT TITLE</u>	<u>AMOUNT</u>
Tier			
1	1	Lithium-ion Battery Project	\$783
	2	Monthly Progress Reports	\$200
	3	Regulatory Robot Update	\$205
	4	E-Filing Study	\$400
	5	SAS Support	\$335
	6	PC-NEISS Application Update	\$195
	7	Lab Equipment - Flash CT Parallel Process Sys	\$132
	8	Smoke Alarms and CO Alarms Usage Survey	\$189
	9	Injury Estimation Methodology - Small Area	\$300
	10	Injury Estimation Methodology - Fatal/Non Fatal	\$150
	11	Lab Equipment - FLIR Camera Systems	\$100
	12	Lab Equipment - HD XRF	\$52
	13	Lab Equipment - XRF	\$54
<b>Total</b>			<b>\$3,095</b>
Tier			
2	14	ATV Testing: Rollover Simulation	\$670
	15	Healthy Children: Chronic Hazards	\$500
	16	Anchor It!	\$400
	17	ATV Testing: Occupant Protection	\$340
	18	WordPress Migration and Redesign	\$349
	19	Fuel Gels - Flame Mitigation Devices	\$60
	20	Automated Software System Testing Pilot	\$198
	21	Flammable Refrigerant Odorants	\$90
	22	CRT TV Hazard Reduction Study	\$150
<b>Total</b>			<b>\$2,757</b>
<b>Grand Total</b>			<b>\$5,852</b>

This Amendment deletes project 14, CO Sensors for Gas Appliances (Cost/Benefit Analysis) from Table 3, and directs staff to make all corresponding changes throughout Attachment 1 (Detailed Project Descriptions) and elsewhere, as needed.

In Attachment 1, on page 1, add the following project description to the list of projects and renumber the list accordingly:

2	<b>Publication of Monthly CAP Progress Reports</b>	\$200	This project will create systems and procedures to facilitate, consistent with all applicable law, the regular publication of Monthly Corrective Action Plan (CAP) Progress Reports to better inform consumers and other stakeholders about recall effectiveness.
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