



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Record of Commission Action Commissioners Voting by Ballot*

Commissioners Voting: Acting Chairman Ann Marie Buerkle
 Commissioner Robert S. Adler
 Commissioner Marietta S. Robinson
 Commissioner Elliot F. Kaye
 Commissioner Joseph P. Mohorovic

ITEM:

Fiscal Year 2018 Performance Budget Request to Congress
(Briefing package dated May 4, 2017, OS No. 5319)

DECISION:

The Commission voted (4-1) to approve the FY 2018 Performance Budget Request to Congress, as drafted. The FY 2018 Request will be submitted to Congress. Acting Chairman Buerkle, Commissioner Adler, Commissioner Robinson and Commissioner Mohorovic voted to approve the FY 2018 Performance Budget Request to Congress, as drafted. Commissioner Kaye voted to take other action and reject the FY 2018 Performance Budget Request to Congress and approve the FY 2018 Performance Budget Request to Congress, as amended by specific changes. (Proposed amendments attached.)

For the Commission:

Todd A. Stevenson
Secretary

* Ballot vote due May 16, 2017

(Commissioner Kaye extended the vote due date to May 12, 2017.)

(Acting Chairman Buerkle extended the vote due date to May 15, 2017.)

(Commission agreed by poll to extend the vote due date to May 16, 2017.)

Attachment: Proposed Amendments by Commissioner Kaye (Not Adopted)

Commissioner Kaye Amendment to the FY 2018 Performance Budget Request to Congress

Staff is directed to increase the total request amount in the Fiscal Year 2018 Performance Budget Request to Congress by \$5.5 million, for a total request of \$128.5 million. Staff shall include the following initiatives in the FY 2018 Performance Budget Request as part of the \$5.5 million increase:

- 1. Protect Consumers by Expanding Port Coverage** – the expansion of CPSC port coverage through an increase in CPSC staff at U.S. ports of entry from 62 percent of consumer product imports to 65 percent in FY 2018, working toward the ultimate goal of covering 95+ percent of imported consumer products in the future. (Funding amount: \$3 million)
- 2. Protect Consumers by Expanding Internet Surveillance** – the hiring of 3 FTE investigators who will be assigned and dedicated to internet surveillance and utilizing any additional automated surveillance tools. Among other duties as assigned, the new internet investigators shall concentrate their efforts on monitoring online sales and working closely with website management of retail and resale sites to improve the methods that companies use to identify and address improper listings. They will also assist in responding to complaints from consumer or industry involving recalled or banned products being sold on websites. (Funding amount: \$450,000)
- 3. Accelerate Enhancement of Data Mining Capabilities** – an acceleration of the system improvements to mine and analyze consumer product related death and injury data received by the CPSC. (Funding amount: \$550,000)
- 4. Enhance Recall Effectiveness by Posting CAP Monthly Compliance Reports** - the systematic and regular publication of Monthly Compliance Progress reports to better inform consumers and other stakeholders about recall effectiveness. (Funding amount: \$200,000)
- 5. Enhance Risk-Based Safety Work Through More Effective Voluntary Standards Efforts** – the hiring of 1 FTE who shall work with the Voluntary Standards Coordinator to assist in the CPSC's voluntary standards efforts. The funding will also support increased CPSC staff participation in voluntary standards efforts. (Funding amount: \$200,000)
- 6. Enhance Education and Outreach By Building Out SBO Capabilities** – the hiring of 2 FTEs who shall assist the SBO in responding to inquiries from small businesses and to provide additional resources to enhance the capability of tools such as the Regulatory Robot. (Funding amount: \$600,000)
- 7. Enhance Safety Messaging Through Micro-Targeting** – the hiring of 1 FTE and the study, development, administration, and evaluation of a pilot program for a micro-targeting safety communications effort to reach the most at-risk populations. (Funding amount: \$500,000)

To reflect the inclusion of the initiatives above in the FY 2018 Performance Budget Request to Congress, staff is directed to make the following changes:

- 1. Protect Consumers by Expanding Port Coverage** – pg 5, strike “Maintain Port Presence” and replace with “Expand Port Presence”. pg 5, under “Maintain Port Presence,” strike “In FY 2018 the CPSC proposes to maintain the current port presence coverage. With the baseline funding level, the CPSC will continue with” and replace with “In FY 2018 the CPSC proposes to increase its port coverage at U.S. ports of entry from 62 percent to 65 percent of consumer product imports by expanding” pg 5, under “Maintain Port Presence”, add the following language at the end of the section: “Because consumers deserve full protection from non-compliant and dangerous imported consumer products, the CPSC is working toward the ultimate goal of screening 95+ percent of imported products at the ports. “
- 2. Protect Consumers by Expanding Internet Surveillance** – pg 8, under “Field Investigators,” strike “93 field investigators” and replace with “96 field investigators”. pg 8, under “Field Investigators” add the following language at the end of the section: “In FY 2018, CPSC staff plans to utilize additional automated surveillance tools to assist in improving recall effectiveness.”
- 3. Accelerate Enhancement of Data Mining Capabilities** – pg 6, under “Enhance Data and Analysis,” add the following language at the end of the section: “In FY 2018, the CPSC also plans a significant data collection upgrade under its NEISS system.”
- 4. Enhance Recall Effectiveness by Posting CAP Monthly Compliance Reports** – pg 8, under “Recall Effectiveness,” add the following language at the end of the section: “As a first step, in FY 2018 the CPSC plans to systematically and regularly publish Monthly Compliance Progress reports to better inform consumers and other stakeholders about recall effectiveness.”
- 5. Enhance Risk-Based Safety Work Through More Effective Voluntary Standards Efforts** – pg 6, under “Voluntary Standards,” add the following language after “[see Voluntary Standards table on pp. 18-20].”: “The CPSC also plans to enhance its participation and technical input in voluntary standards activities by increasing the staff dedicated to voluntary standards work.”
- 6. Enhance Education and Outreach Through Building out SBO Capabilities** – pg. 9, under “Small Business Ombudsman (SBO),” add the following language at the end of the section: “In FY 2018, the CPSC will provide additional resources to the SBO to assist the office in responding to inquiries from small businesses and enhancing tools such as the Regulatory Robot.”
- 7. Enhance Safety Messaging Through Micro-Targeting** – pg. 9, under “Public Education and Education Campaigns,” add the following language at the end of the section: “In FY 2018, the CPSC will study, develop, pilot and evaluate a micro-targeting safety communications effort to reach the most at-risk populations.”

Staff is directed to make any additional conforming changes throughout the FY 2018 Performance Budget Request to Congress as needed to comply with this amendment, including but not limited to any conforming changes to the proposed appropriations language, executive summary, budget discussion, and tables to reflect the increased request amount of \$128.5 million.