



United States
Consumer Product Safety Commission

Record of Commission Action
Commissioners Voting by time critical ballot*

Commissioners Voting: Acting Chairman Peter A. Feldman
 Commissioner Douglas Dziak

ITEM:

Directive on *Interim Delegations in Furtherance of the Commission's Adjudicatory Enforcement Authorities*.

(Ballot vote package dated August 21, 2025)

DECISION:

The Commission voted unanimously (2-0) to adopt the directive on *Interim Delegations in Furtherance of the Commission's Adjudicatory Enforcement Authorities*.

For the Commission:

Abioye Mosheim Oyewole
Acting Secretary

*Time critical vote due August 22, 2025, by 12 pm

Acting Chairman Feldman voted on August 22, 2025
Commissioner Dziak voted on August 21, 2025



NUMBER: ID002

APPROVED: August 22, 2025

SUBJECT: Interim Delegations in Furtherance of the Commission's Adjudicatory Enforcement Authorities

1. PURPOSE. The Commission exercises various adjudicatory enforcement authorities under the Consumer Product Safety Act (CPSA), the Federal Hazardous Substances Act (FHSA), and the Flammable Fabrics Act (FFA). The Commission has previously delegated a number of these authorities to officers and employees of the Commission. This directive amends those delegations, in part, and provides additional delegations of the Commission's adjudicatory enforcement functions in the event that, due to vacancies on the Commission, the total number of Commissioners serving on the Commission is less than the number required to constitute a quorum for the transaction of business under section 4(d) of the CPSA.

2. AUTHORITIES.

- a. Sections 15(c), (d) and (f) and section 27(b)(10) of the CPSA, as amended (15 U.S.C. 2064 and 2076(b)(10)).
- b. Section 17 of the CPSA, as amended (15 U.S.C. 2066).
- c. Section 15 of the Federal Hazardous Substances Act, as amended, (15 U.S.C. 1274).
- d. Sections 3 and 8(b) of the FFA (15 U.S.C. 1192 and 1197(b)).
- e. 5 U.S.C. 551, 554, 556, 557 *et seq.*
- f. 16 C.F.R. part 1025; 16 CFR 1500.268.
- g. 16 CFR part 1000, Commission Organization and Functions.

3. EFFECTIVE DATE. This directive becomes effective on the first day on which vacancies in the Commission cause the total number of Commissioners serving



on the Commission to be less than the number required to constitute a quorum for the transaction of business under section 4(d) of the CPSA. Once in effect, this directive remains effective until such time as the total number of Commissioners serving on the Commission is sufficient to constitute a quorum for the transaction of business under section 4(d) of the CPSA.

- 4. SCOPE.** This directive applies agency wide.
- 5. CONTINUING DELEGATIONS.** Unless expressly stated herein, this directive does not diminish or supersede any delegation of function previously made or assigned by the Commission in any directive or regulation.
- 6. DEFINITION.** As used in this directive, the term Chairman means the principal executive officer of the Commission, appointed by the President, by and with the advice and consent of the Senate, or in the case of a vacancy in the office of the Chairman, the Vice Chairman of the Commission pursuant to section 4(d) of the CPSA, 15 U.S.C. 2053(d).
- 7. DELEGATIONS OF AUTHORITY TO THE CHAIRMAN.** Pursuant to Section 27(b)(10) of the CPSA, as amended, the Commission hereby delegates the following authorities to the Chairman with respect to any Commission adjudications under the authorities listed in section 2, to the extent not otherwise delegated to any other officer or employee of the Commission:
 - a. Authority to authorize the issuance of a complaint instituting the commencement of adjudicatory proceedings, and to delegate the prosecution function to the Associate Executive Director for Compliance and Field Operations for each complaint authorized;
 - b. Authority to appoint a Presiding or Hearing Officer;
 - c. Authority to accept or reject any offers of settlement transmitted by any Presiding or Hearing Officer;
 - d. Authority to adopt an initial decision as the Final Decision;
 - e. Authority to review any appeal of an Initial Decision;
 - f. Authority to review any initial decision in the absence of an appeal;



- g. Authority to consider the record as a whole and render a Final Decision;
- h. Authority to act on any request for reconsideration of a Final Decision on appeal or review;
- i. Authority to reopen proceedings on the Commission's own initiative or upon petition of any party to the proceedings;
- j. Authority to approve recommendations for refusal of admission under 15 USC 2066(a) in accordance with the provisions of section 17 and, where necessary, to transmit those recommendations to the Secretary of the Treasury; and
- k. Authority under section 27(a) of the CPSA to conduct any hearing or other inquiry necessary or appropriate to the Commission's functions under the authorities listed in section 2, or to any other Commission functions permitted by law.

In exercising these authorities, the Chairman is subject to any applicable laws, administrative rules, and regulations.

8. CONCURRENTLY SERVING COMMISSIONER. If, during any period in which this directive is effective, another Commissioner other than the Chairman is also serving on the Commission, the Chairman must obtain the concurrence of such Commissioner before exercising the authorities delegated to the Chairman herein. If the Chairman is disqualified or unavailable, the Chairman may delegate all authorities stated herein to another concurrently serving Commissioner.

9. REDELEGATION OF AUTHORITY. The Chairman may redelegate any authority delegated herein.

Peter A. Feldman
Acting Chairman

8-22-25
Date



United States
Consumer Product Safety Commission

A handwritten signature in black ink, appearing to read "Douglas Dziak", written over a horizontal line.

Douglas Dziak
Commissioner

8.22.25

Date