



U.S. CONSUMER PRODUCT SAFETY COMMISSION

4330 EAST WEST HIGHWAY
BETHESDA, MARYLAND 20814-4408

Temporary Record of Commission Action

(Final Minutes of the complete Commission decisional meeting on April 14, 2021 will be filed in a few days)

Commissioners Voting: Acting Chairman Robert S. Adler
 Commissioner Elliot F. Kaye
 Commissioner Dana Baiocco
 Commissioner Peter A. Feldman

ITEM:

Decisional Matter: Proposed Fiscal Year (FY) 2021 Spending Plan of the American Rescue Plan Act (ARPA) Funds
Briefing Package Dated – March 31, 2021

The Commission voted unanimously (4-0) to approve the “Proposed Fiscal Year (FY) 2021 Spending Plan of the American Rescue Plan Act (ARPA) Funds” with an amendment to the plan from Commissioner Feldman (Feldman #1). The amendment would prohibit compensation for non-government spokespeople unless approved by a majority of the Commission, or on a pro bono basis. The Commission voted (3-1) to adopt the amendment. Commissioners Kaye, Baiocco and Feldman voted to adopt the amendment. Acting Chairman Adler voted to not adopt the amendment. The adopted amendment is attached. Commissioner Feldman introduced other amendments that were not adopted.

For the Commission:

Alberta E. Mills
Secretary

Attachment: Commission Adopted Amendment for the “Proposed Fiscal Year (FY) 2021 Spending Plan of the American Rescue Plan Act (ARPA) Funds”
(Feldman #1 - Proposed by Commissioner Feldman).
Other Amendments by Commissioner Feldman – Not adopted (Feldman #2, #3, #4).

COPF AMENDMENTS ON PROPOSED FY 21 SPENDING PLAN FOR THE AMERICAN RESCUE PLAN ACT

1. Prohibition on compensation for non-government spokespeople ADOPTED

Purpose: To eliminate the use of taxpayer dollars to compensate actors, social media influencers, media personalities, or any other non-government spokespeople as a part of CPSC’s Office of Communication’s public service announcements.

The proposed fiscal year 2021 Spending Plan of the American Rescue Plan Act funds is amended, in Section 4, by inserting, at the appropriate place, the following:

“Prohibition on Compensation for Non-government Spokespeople: With the exception of approved contractors, non-government spokespeople shall not be compensated, directly or indirectly, as part of any project, unless a majority of the Commission approves or the engagement is on a pro bono basis. Any directives governing the use of influencers, supported by a majority of Commissioners, shall supersede this requirement.”

2. Weekly reporting on high-risk screenings required NOT ADOPTED

Purpose: To ensure transparency in meeting the goals set forward in the port surveillance provisions of Title XX of Division FF of the Consolidated Appropriations Act, 2021, Pub. L. 116-260.

The proposed fiscal year 2021 Spending Plan of the American Rescue Plan Act Funds is amended by inserting, at the appropriate place, the following:

- (1) Staff shall include in its weekly Port and Field Staffing report to the Commission information that describes the percentage of consumer products entering the United States that are risk-scored in the Risk Assessment Methodology system that were screened at import for possible violations of CPSC mandatory rules and/or voluntary standards.

3. Additional port inspectors to meet 90 percent screening objective NOT ADOPTED

Purpose: To ensure compliance with the objective set forward in the port surveillance provisions of Title XX of Division FF of the Consolidated Appropriations Act, 2021, Pub. L. 116-260.

The proposed fiscal year 2021 Spending Plan of the American Rescue Plan Act funds is amended by inserting, at the appropriate place, the following:

- (1) If, by September 30, 2021, the percentage of consumer products entering the United States that are risk-scored in the Risk Assessment Methodology system that are screened at import for possible violations of CPSC mandatory rules and/or voluntary standards

does not meet or exceed 90 percent, staff shall immediately hire, train, and assign up to 10 additional full-time equivalent personnel to be stationed at the highest volume ports of entry in order to achieve the 90 percent screening objective.

4. Remedial screenings of product inventories that entered the United States during the COVID-19 pandemic NOT ADOPTED

Purpose: To ensure transparency in meeting the goals set forward in the port surveillance provisions of Title XX of Division FF of the Consolidated Appropriations Act, 2021, Pub. L. 116-260.

The proposed fiscal year 2021 spending plan of the American Rescue Plan Act funds is amended by inserting, at the appropriate place, the following:

- (1) For the duration of the COVID-19 pandemic, staff shall provide, in the weekly Port and Field Staffing Report to the Commission, information regarding the remedial steps taken to mitigate the risks associated with the reduction in Commission port inspection activity during the COVID-19 pandemic, particularly threats to vulnerable populations, especially children and seniors.