



U.S. CONSUMER PRODUCT SAFETY COMMISSION
WASHINGTON, D.C. 20207

MINUTES OF COMMISSION MEETING
July 23, 1997
4330 East West Highway
Bethesda, Maryland

The July 23, 1997, meeting of the U.S. Consumer Product Safety Commission was convened at 10:10 a.m. in open session by Chairman Ann Brown. Commissioner Mary Sheila Gall and Commissioner Thomas H. Moore were present.

Agenda Item: Fiscal Year 1999 Budget Recommendation

The Commission considered the agency's preliminary budget request for fiscal year 1999. On July 16, 1997, the Commission staff briefed the Commission on a recommended budget of \$52.4 million and 480 full-time equivalent positions (FTEs), as set forth in the 1999 Budget Recommendation document transmitted by memorandum dated July 1, 1997, from the Executive Director to the Commission.

Commissioner Gall offered a motion to direct the staff to take the following actions with respect to the staff recommendation for the Commission's fiscal year 1999 budget request. The staff should prepare a revised budget request that totals \$48.6 million. The staff should use the fiscal year 1998 budget request base of \$45 million and add to it the following amounts: (1) \$1.847 million to meet current increases over the base (includes fixed salary and rent increases); (2) \$225,000 for current services restoration (\$100,000 for staff awards and \$125,000 for technical training); (3) \$315,000 for poisoning data, Injury Cost Models for head and child injuries, and an update of the Project Population Model; (4) \$100,000 for laboratory support; (5) \$50,000 for a pilot program to improve availability of working smoke detectors to high-risk populations; (6) \$63,000 for field investigation support (\$39,000 for travel and \$24,000 for equipment); and (7) \$1 million for information technology improvements.

The motion failed by vote of 1-2, with Commissioner Gall voting in favor and Chairman Brown and Commissioner Moore voting in opposition.

Minutes of Commission Meeting
July 23, 1997

Fiscal Year 1999 Budget Recommendation, continued

Chairman Brown offered a motion to direct the staff to amend the fiscal year 1999 budget recommendation by (1) removing \$60,000 for the matches project in the Hazard Assessment and Reduction program; and (2) increasing the Smoke Detector project by \$60,000.

The motion passed by a unanimous vote 3-0.

The Commission then voted 2-1 on the motion of Chairman Brown to approve the fiscal year 1999 Budget Recommendation as amended by the previously approved motion and as otherwise presented by the staff in the briefing memorandum dated July 1, 1997. Chairman Brown and Commissioner Moore voted to approve. Commissioner Gall voted against. Statements on the matter were filed by Commissioner Gall and Commissioner Moore.

There being no further business on the agenda, Chairman Brown adjourned the meeting.

For the Commission:

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

Todd A. Stevenson
Deputy Secretary

Attachments

7/23/97

STATEMENT OF COMMISSIONER THOMAS HILL MOORE
ON THE FISCAL YEAR 1999 BUDGET

I support the budget, as amended, and am particularly pleased that funding for the smoke detector project for low-income communities has been increased. I will be even more pleased when we actually have dollars in hand for that project.

Much of the proposed increase is to fund unavoidable expenses, either increases in salary, benefits and rent or critical information technology investments. Our agency has made great strides in the information technology area in the last few years and it is crucial that we build on those improvements. Our ability to collect and analyze the data on which so many of our decisions rest, depends on having the computer infrastructure to support it.

I think the budget appropriately mirrors our Results Act goals. The American public will be extremely well served by our work to meet those goals through the activities funded in this budget.



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**STATEMENT OF THE HONORABLE MARY SHEILA GALL
ON THE FISCAL YEAR 1999 BUDGET REQUEST**

Today I voted against the Fiscal Year 1999 Budget Request of \$54.2 million. I did so primarily because its request for a sixteen percent (16%) increase in funding over the FY 1998 request (\$45 million) is unrealistically high. I have been in government for over 20 years and recognize that agencies customarily ask for amounts greater than they are likely to receive. Requests, however, should constitute a useful planning exercise on the part of the agency and bear at least a passing resemblance to likely funding. Unfortunately, a request for a budget increase of 16% over the previous year is more in the nature of a "wish-list to Santa Claus" and postpones realistic budget planning until the Commission receives its mark from OMB.

The other reason that I oppose this budget request stems from the fact that it contains certain projects that I do not believe are worthy of funding. For example, the budget includes \$500,000 for research to improve smoke detector technology, even though current smoke detectors work as intended and the extremely competitive smoke detector industry has continually put improved products on the market at reasonable prices. The budget request also contains a "reserve" of \$1.5 million for substantial-risk technically-complex cases that the Office of Compliance believes it *will* have by FY 1999, even though the historical record furnished to the Commission shows that such cases are few and far between. Finally, the budget request contains a request of \$2.43 million for improvements to Information Technology. I agree Information Technology improvements are important to the continued efficient functioning of the agency, and I am confident that the Information Technology staff has the expertise to identify and make the most important ones for \$1 million in FY 1999 (as I proposed in my alternative budget amendment).

In addition to the projects with which specific dollar amounts were associated, the FY 1999 Budget Requests contains staff activities within the budget base that I do not believe are legitimate areas of Commission inquiry and study. For example, a study of youth basketball injuries is proposed even though there is no evidence that any product is associated with, let alone causing, injuries to basketball players. Similarly, a study of respiratory masks intended for consumer use is contained within the budget base, even though no data suggests that dust and other particulates that consumers intend to filter with these masks are causing lung or other respiratory diseases. The Commission should stick to investigating products known to or reasonably suspected of causing injuries, and refrain from activities based on conjecture.

I offered an amendment for an increase of \$3.6 million over the FY 1998 request, or \$48.6 million, representing an 8% increase. It would have permitted the Commission to fund current services, plus have \$1.753 million for truly essential purposes, such as improving the Commission's data collection and analysis capability (e.g., purchasing poisoning data, injury cost models, and updating the product population model), for technical training and for additional vital projects and activities. I regret that my fellow commissioners did not agree with this funding level, but I suspect that the Commission will be considering it again in the near future.