

Responses to Written Questions Submitted by Honorable Shelley Moore Capito to Peter Feldman

*Question 1.* The Consumer Product Safety Commission operates to ensure consumers have up to date information on products, and like the name states, ensure the safety of those products.

Regulations are necessary, but at times burdensome on small businesses in rural areas.

I would like to thank you for your work on the Commerce Committee. You have done excellent work.

Could you please comment on how CPSC regulations can both protect rural consumers and small businesses, while ensuring the regulations do not adversely affect economic growth in those rural areas?

Response. I believe CPSC should advance its safety mission while ensuring fairness in the execution of its duties, among other reasons, to minimize adverse effects on economic growth. If confirmed, I will work with staff and my colleagues to examine CPSC's performance in rural areas, including in West Virginia. I would work with the CPSC's Small Business Ombudsman to identify opportunities for the agency to engage rural small businesses. I would also look forward to working with you and your office on how the CPSC can better serve West Virginians.

*Question 2.* Could you also comment on how you would work to ensure new regulations are in place in a timely manner so those rural and small businesses have time to plan for any changes?

Response. CPSC should complete its rulemakings in a timely manner not only to advance safety, but also to provide certainty to regulated businesses. If confirmed, I would work with the CPSC's Small Business Ombudsman to ensure rural and small business needs are appropriately considered, including with respect to the effective date of new regulations.

Responses to Written Questions Submitted by Honorable Todd Young to Peter Feldman

*Question 1.* Mr. Feldman, the CPSC must generally rely on voluntary standards rather than creating mandatory standards unless it can meet certain requirements.

Under what circumstances do you believe it is appropriate for the CPSC to create mandatory standards?

Response. CPSC's core mission is to protect the public against unreasonable risk of injury associated with consumer products. The CPSC also has a role to play in developing uniform safety standards for consumer products and to minimize conflicting state and local regulations. At times, the agency must decide whether mandatory standards are necessary to advance these purposes. The Consumer Product Safety Act allows the agency to proceed with a consumer product safety rule (i.e., a mandatory safety standard) to address a particular risk, but requires the agency to terminate such a proceeding if a regulatory alternative (including a voluntary consumer product safety standard) exists and the agency determines, first, that compliance with that alternative is likely to result in the elimination or adequate reduction of the risk, and, second, that it is likely that there will be substantial compliance with the alternative.

*Question 2.* Do you believe there is an opportunity for the CPSC to play a more productive role by partnering with industry in the development of robust and effective voluntary standards that enhance product safety?

Response. I believe CPSC must advance safety through engagement with safety groups and the regulated community. The Commission must improve its outreach to these stakeholders about its expectations, not only to provide clarity to regulated entities, but also to ensure agency expectations are reasonably calibrated to advance specific safety goals and to avoid overly broad and burdensome regulations. That includes outreach to industry and other stakeholders with respect to the development of voluntary standards.