

**Senate Committee on Commerce, Science and Transportation Nominations Hearing
Opening Statement of the Honorable Robert S. Adler,
Acting Chairman of the Consumer Product Safety Commission
Regarding his Nomination to be a Commissioner,
Consumer Product Safety Commission (Reappointment)**

June 11, 2014

Good afternoon, Chairman Rockefeller and Ranking Member Thune. I thank you for the opportunity to appear before you regarding my nomination to serve a second term as a Commissioner at the U.S. Consumer Product Safety Commission. As I approach my fifth year on the Commission, I am deeply honored to be considered for reappointment.

As a starting point, I would like to introduce my wonderful wife, Terrie Gale, to whom I have been married for the past thirty-nine years – and who daily inspires me. Terrie is now teaching criminal law at The George Washington University after serving 18 years as legal counsel to the Police Department in Chapel Hill, North Carolina.

I would also like to introduce my extraordinary son, Paul Adler, who is completing his Ph.D. in History at Georgetown University – and who is heading off this Fall to teach in the History and Literature Program at Harvard University.

If I may, I would also like to introduce my staff to you. First, I would like to introduce Ophelia McCardell, my terrific Executive Assistant. Ophelia and I have worked on and off together for almost 40 years. Four years ago, I pulled her from her second retirement to work with me, and I'm afraid the next time she says she's retiring, she's really going to mean it.

And, I would like to introduce my Special Assistant, Jason Levine, who has been serving as the agency's Chief of Staff since I became Acting Chairman last December. Jason's brilliance is matched only by his dedication and commitment to the mission of the CPSC.

Finally, although she recently left my office to take a wonderful new job, I want to thank Jana Fong Swamidoss, my Special Assistant for the past four years, who always gave me

straight, blunt feedback that, while not necessarily pleasant, constantly steered me in the right direction.

Mr. Chairman, when I appeared before this Committee for my first confirmation hearing, I was asked what I thought the biggest challenge before the CPSC was, and I answered that we needed to restore some lost luster to the agency by implementing the many mandates contained in a recently-enacted omnibus piece of legislation known as the Consumer Product Safety Improvement Act (CPSIA). Included in the Act were a host of new requirements, which I believe we have acted on with effectiveness and dispatch. Among the tasks that we have addressed are the following.

We have:

- Enforced stringent limits on lead and phthalates in children's products,
- Promulgated the strongest safety standard for cribs in the world,
- Developed implementing rules for the new CPSIA requirement that firms have independent laboratories do third party testing of children's products before introducing them into the US market,
- Made mandatory a comprehensive voluntary toy standard, ASTM F963,
- Written, and continue to write, a series of standards for durable infant products like play yards and strollers,
- Drafted and enforced new guidelines on civil penalties and set broader limits on consumer product recalls, and
- Developed new approaches to catching dangerous imported products.

And, despite occasional glitches, I believe that we have made tremendous progress in meeting these statutory mandates.

Notwithstanding our considerable progress in implementing the CPSIA, we still have work to do to protect American lives from unreasonably dangerous products. And, we should not lose sight of the fact that, in order to do so, we must work cooperatively with our friends in the

business community to figure out ways to meet our safety mission with them as our partners, not our adversaries.

On this point, I pause to note the tremendous progress I have seen in the voluntary standards community over the past forty years. Groups such as ASTM, ANSI, and UL have dramatically improved their technical skills, their efficiency in drafting standards, their openness and transparency, and their outreach to all stakeholders – especially consumers – affected by their work. I'm pleased to see CPSC work so closely with these groups, and I have little doubt that our partnership with them will only grow and deepen in the years to come.

I have similar high hopes for collaborating with my fellow Commissioners, both current and future. It has been an absolute delight to work with Commissioners Marti Robinson and Ann Marie Buerkle this past year, and one of the reasons I hope to be confirmed is the opportunity to continue working with them.

Similarly, I have worked closely with and have gotten to know Elliot Kaye, current nominee to be CPSC Chair, over the past three years. If Elliot is confirmed, I believe his experience, dedication, and temperament will make him a truly outstanding Chairman. And, although I have not yet gotten to know our other nominee, Joe Mohorovic, as well, I hope and believe he will round out a group of talented and gracious Commissioners.

In closing, I would like to mention one critical demographic that I believe has not received enough attention over the past number of years: senior citizens – a group of which I am a proud member. Our data show that the second most vulnerable population after kids is adults over age 65. And, I note that this is a rapidly growing group due to the aging of the baby boomers and the greater longevity of our citizens. In fact, seniors, while comprising only 13 percent of the US population, account for 65 percent of our consumer product-related deaths. And, by 2020, they – we – will be 20 percent of the US population. I recently created a Senior Safety Initiative at CPSC and, if confirmed, I will continue my advocacy on behalf of this group's safety needs.

Thank you for your time, and I look forward to your questions.