

Statement of Peter A. Feldman
Nominee, U.S. Consumer Product Safety Commission
U.S. Senate Committee on Commerce, Science, and Transportation
July 20, 2018

Chairman Thune, Ranking Member Nelson, and members of the Committee.

Good morning, and thank you for the opportunity to appear before you today as a nominee for Commissioner of the Consumer Product Safety Commission (CPSC). For the past seven years, I have had the privilege of serving this Committee as Senior Counsel. Sitting here today, on this side of the table, has caused me to reflect on my time in this room and the many things the Committee has accomplished.

Under your leadership, Mr. Chairman, the Committee worked to advance consumer protection issues, with a focus on safety, innovation, and fairness in the marketplace. Ranking Member Nelson, among other things, I am proud to have worked with your staff to enact, on a bipartisan basis, your bill to require special packaging for liquid nicotine containers.

Chairman Moran, Ranking Member Blumenthal, and Senator Heller, under your leadership on the Consumer Protection Subcommittee, we conducted meaningful oversight of agencies like CPSC, as it worked to implement the rulemakings required under the Consumer Product Safety Improvement Act of 2008 (CPSIA).

This is just a small sample of the good work this body has done on behalf of American consumers. And I am honored to have played a supporting role in these proceedings.

Previously, I worked as counsel under Ranking Member Hutchison. In 2008, I also worked for Senator McCain, a former Chairman of this Committee, who has been in my thoughts a great deal lately.

And as a young staffer for Senator Mike DeWine, I worked directly on the Virginia Graeme Baker Pool and Spa Safety Act, a landmark bill enforced by the CPSC that recently celebrated its 10th anniversary, and which I consider to be among my top professional accomplishments.

When I say that my roots on this Committee run deep, I am not exaggerating that my earliest memories were with Senator Fritz Hollings and his wife Peatsy in 1983 when my parents, as members of the CBS press corps, left on assignment to New Hampshire to cover that state's primary, bringing their infant son in tow.

On that campaign trail, Peatsy Hollings became one of my first babysitters. Back in the Senate, Chairman Hollings advanced sweeping changes to the Consumer Product Safety Act, including new requirements for Commissioners -- that they be "knowledgeable in consumer product safety issues" -- which, as fate would have it, is the standard by which I will be judged today.

It is a great honor to have been nominated by President Trump to serve as a Commissioner on CPSC.

I believe strongly in the mission of the agency because American consumers have every right to expect that the products that they purchase will be safe and will not pose an unreasonable risk of injury to themselves or their families.

According to the National Safety Council, about 1 in 10 Americans experienced an unintentional injury at home or in their community in 2015, the most recent year for which such data exists. Of these injuries, about 1 in 3,000 resulted in fatalities.

While the causes underpinning these statistics are varied, and do not all involve consumer products, it is useful nevertheless to consider that these incidents all involve real people – someone's young child, someone's elderly parent, someone's friend. That is why CPSC's mission is so critical, particularly when it comes to protecting our most vulnerable populations.

That is also why I believe more work needs to be done.

If I am confirmed, there are specific items on which I intend to focus, all of which are important and fall under the general categories of modernizing the agency and increasing its transparency.

CPSC must modernize its data capabilities. This challenge cuts across all aspects of the agency's mission, including emerging hazard identification, enforcement, and its standards and regulatory work.

The agency must address e-commerce. The CPSC is keyed to traditional distribution models and brick-and-mortar retail and it must determine what its role will be in the 21st Century economy.

Finally, CPSC must advance safety through stakeholder engagement. Many consider CPSC to be among the least transparent agencies in the federal government. That is unacceptable and CPSC must improve its outreach to stakeholders about its expectations.

In closing, Mr. Chairman, I would be remiss if I did not thank you personally for the trust you have placed in me over these years. It has been an honor to serve you, the people of South Dakota and the American people.

If confirmed, I look forward to continuing to work closely with all of you to advance the agency's mission while ensuring fairness in the execution of its duties.

Thank you again for the opportunity to appear before you today and for your consideration of my nomination.

I look forward to answering your questions.