

**Congress of the United States**  
Washington, DC 20510

March 23, 2021

Mr. Robert Adler  
Acting Chairman  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814

Acting Chairman Adler:

This month, Congress passed the American Rescue Plan Act of 2021. Section 7401 of the Act provides \$50 million to the Consumer Product Safety Commission (CPSC) to carry out activities to protect consumers from risks associated with products that violate safety standards, with a particular focus on products whose risks may have increased because of the COVID-19 pandemic. Among the primary purposes of this new funding are enhancing targeting, surveillance, and screening of consumer products entering the United States at ports of entry and carrying out requirements in the Consolidated Appropriations Act of 2021<sup>1</sup> to restore and strengthen this capability.

It is no coincidence that Congress has directed CPSC to address shortfalls in port surveillance during the COVID-19 pandemic in two major legislative packages just months apart. There are reports that CPSC personnel were completely absent from ports of entry for a period of months after the pandemic began last year.<sup>2</sup> This is deeply troubling because it is likely that dangerous products entered the country during this period of lax oversight. The Commission must now restore and strengthen port surveillance and mitigate the risks posed by having these dangerous products in commerce throughout the United States.

CPSC must keep Congress fully informed about the Commission's progress in meeting these dual responsibilities. Congress must have assurance that the Commission is using these new funds for their intended purpose. For these reasons, we request that you provide to the Senate Committee on Commerce, Science, and Transportation and the House Committee on Energy and Commerce a full accounting of how CPSC has expended any of the \$50 million appropriated by

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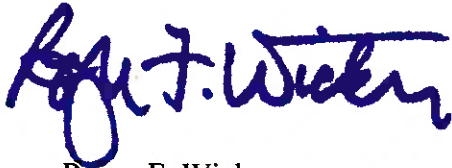
<sup>1</sup> Pub. L. 116-260, div. FF, title XX.

<sup>2</sup> See, e.g., Letitia Stein and Brett Murphy, *Are your kids' Christmas gifts safe? Toys at risk for lead, poison after US stopped inspections amid COVID-19*, USA Today (Dec. 11, 2020).

the American Rescue Plan Act of 2021 at the end of each fiscal year during which any of such funds were expended.

Thank you for your prompt attention to this important matter.

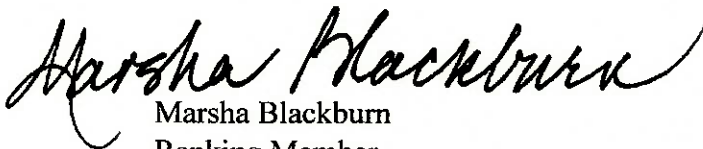
Sincerely,



Roger F. Wicker  
Ranking Member  
Senate Committee on Commerce,  
Science, & Transportation



Cathy McMorris Rogers  
Ranking Member  
House Committee on  
Energy & Commerce



Marsha Blackburn  
Ranking Member  
Senate Subcommittee on  
Consumer Protection, Product Safety,  
and Data Security



Gus M. Bilirakis  
Ranking Member  
House Subcommittee on  
Consumer Protection and  
Commerce

CC: The Honorable Dana Baiocco, Commissioner  
The Honorable Peter Feldman, Commissioner  
The Honorable Elliot Kaye, Commissioner