

Testimony of Austin Schlick
Consumer Product Safety Commission Spotlight Forum
July 22, 2025

Good afternoon Senator Blumenthal, Senator Klobuchar, and Congresswoman Wasserman Schultz. Thank you for convening this forum to discuss the current threats to the U.S. Consumer Product Safety Commission's capacity to protect Americans from death and injury.

My name is Austin Schlick. I was CPSC's General Counsel from 2021 until 2024, and then its Executive Director until February 2025.

Relative to its mammoth mission under the Consumer Product Safety Act, CPSC has long been undersupported. Americans purchase well over \$2 trillion in consumer products each year, across thousands of product categories. But despite ever-increasing consumer product sales, growing challenges associated with stopping hazardous products in e-commerce, and rising salaries and other operating costs, the agency's available funding has been declining. Due to appropriations restrictions, CPSC was forced to reduce its headcount by more than 10 percent from fiscal year 2024 to fiscal year 2025, while contracts for safety research, systems development, and other mission support were suspended.

In this environment, the Administration's FY 2026 budget proposal for a further 11 percent funding cut, with an additional 14 percent staff reduction, unavoidably will endanger consumers. The Administration's public plan omits program-level detail that was published throughout my time at the agency, an approach that obscures the actual impacts of the cuts. However, here are some examples of how CPSC programs could suffer from further funding reductions.

- In calendar year 2023, CPSC port inspectors intercepted about 14 million products that violated the agency's safety rules, before those unsafe products reached store shelves. Some ports of entry are not staffed at all, however, and at many there is only one CPSC inspector. Cutting port staff would leave more ports entirely open to hazardous shipments.
- Investigations into potential product hazards require support from field investigators, laboratory scientists, and engineers, who would not be sufficiently available under the proposed cuts.
- CPSC already has pulled back on educating domestic and foreign manufacturers, distributors, and retailers about U.S. product safety requirements, including providing less assistance to American small businesses. This is short-sighted, as heading off the development of hazardous products is far more cost-effective than trying to recall or seize the products later.
- In the voluntary standards development process, consumer interests, test laboratories, and industry all look to CPSC staff for reliable data and technical analysis. In FY 2024, the agency participated in 88 voluntary standards development efforts, leading to improvement of 26 safety standards. That level of staff engagement could not be sustained with the cuts that are being proposed.

Across all these activities, please keep in mind that CPSC is a very small agency. Often a single employee is uniquely responsible for a particular function or expertise. A hiring freeze already is preventing CPSC from filling staffing gaps. The Administration's proposal to cut another 75 staff in FY 2026 means that critical safety functions would be

diminished or eliminated completely. Consumers ultimately would bear this cost with increased deaths and injuries. That's what's really at stake in the CPSC budget discussion.

The Administration also suggests transferring CPSC's functions to the Department of Health and Human Services. If uncritical implementation of the President's agenda were the sole goal, that might make sense. But as Congress recognized when it established the independent Commission in 1972, there are more important public policy considerations for an effective product safety agency.

First, a perpetual political balance within agency leadership stabilizes decision-making and promotes full consideration of all perspectives. Partisan flip-flops are not impossible at an independent agency, but they are far less likely. Consumers have the right to expect that the products they buy are safe and CPSC is on the job, regardless of what party is in the White House. Swings in regulatory approaches leave consumers confused and homes less protected. At the same time, greater regulatory stability facilitates efficient product design and manufacturing and a more predictable sales environment for businesses.

Second, CPSC is a law enforcement agency. Insulating enforcement functions from Presidential influence promotes public confidence in the integrity of those important decisions. Thorough, expert analysis of the facts and law, not political favor or disfavor, should determine whether a product is recalled or monetary penalties are imposed.

Third, CPSC's focused mission means that its top decisionmakers are dedicated full-time to consumer product safety. In contrast, consumer product safety would be by

far the smallest component of HHS. Consider, for example, implementation of the Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act of 2022, which supports broader installation of carbon monoxide alarms. At CPSC, this \$2 million program represents over 1 percent of the total budget of \$151 million, and it is closely overseen by the Commissioners. At HHS, the same program would comprise less than 0.002 percent of the agency's approximately \$100 *billion* discretionary budget and there is no realistic possibility it would command Secretary-level oversight.

Finally, an HHS Secretary could repurpose CPSC resources for other programs, leaving consumer product safety even more underfunded.

These are just a few examples of the likely harms from the Administration's FY 2026 proposal, and I welcome your questions.