

Pulse Check: Manufacturing and the CPSC

Video

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Edward D. Krenik, senior principal in Bracewell's Policy Resolution Group, and Dylan Pasiuk, a PRG principal, discuss what may happen in the consumer product safety world under the new Trump administration.

Transcript:

Edward Krenik: Now that the election is over, we wanted to chat with you a little bit about consumer product safety and what's going to happen in the consumer product safety world as it relates to manufacturers and retailers. As you may know, the Consumer Product Safety Commission regulates everything from toys to infant products to ATVs or off-road vehicles. And so we want to take a little time about how things might change at the commission and talk about a few other things. As you know, President Trump has been elected the next president. So, what this means for the Consumer Product Safety Commission is that the chair will be replaced with a Republican member of the commission. Currently, there are two Republican members of the commission and three Democratic commissioners. So, the President will ask the chair to step down. There will be a vote of the commission, and it's usually pro forma, where they elect a member of the president's party. So, in this particular case, it will probably be the senior commissioner. Commissioner Feldman will be acting chairman of the commission, depending on what Chairman Hoehn-Saric does. He can stay on the commission, or he can leave altogether. If he stays, the commission will be at three Democrats and Republicans, but the acting chair will control the agenda and the items that come up before the commission. If Chairman Hoehn-Saric decides to leave the commission altogether, that will open up a slot for a new commissioner, and the president would be able to nominate a new commissioner, a Republican commissioner that would be

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confirmed by the Senate. So, a little bit of flux out there at the Commission, as far as how it's going to run, but we'll be monitoring it very closely.

Dylan Pasiuk: With the with the dynamic changing the agenda at the Commission, the agenda will also change. Their regulatory approach will shift a little bit, probably to align with the Trump administration's more deregulatory agenda. This might involve reducing the number of new regulations and possibly relaxing enforcement of existing ones that were promulgated during the Biden administration, and also that could affect the development and implementation of safety standards for some consumer products, such as table saws, portable generators or other infant products, such as infant support.

Edward Krenik: As the manufacturer and retailers are looking at this space, I think that you should watch for the change in leadership and watch for the commission agenda, because, as you know, everything is public. They have a public calendar. They post all the meetings, and they post the agenda items as well. Dylan and I will be working as the transition occurs to make sure that client interests are looked after, and we continue to have a dialog with the commission. One other thing that needs to be completed before the commission can completely operate is their budget, which expires at the end of December, unless the Congress acts to implement the funding appropriations bill.

Dylan Pasiuk: Even trending toward this election, Republicans in Congress have indicated that they are cutting the budget for the Consumer Product Safety Commission that has been in their previous fiscal year appropriations proposals, and now with a Congress that is definitely going to be the Senate being controlled by Republicans and possibly the house as well, it is likely that we'll see the Consumer Product Safety Commission's budget decrease even further limiting what they can actually work on. So, the less money that there is, the less regulatory actions they can take, and the less rules.