



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
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ACTING CHAIRMAN ROBERT ADLER

**STATEMENT OF ACTING CHAIRMAN ROBERT ADLER  
ON FISCAL YEAR 2022 OPERATING PLAN**

September 27, 2021

On Friday, September 24, 2021, the Commissioners of the CPSC were due to cast their votes by ballot on the staff's draft Operating Plan for FY 2022. Moments before the deadline, my two CPSC colleagues submitted a seven-page single-spaced list containing over 50 amendments with no advance notice to me or anyone on agency staff. These amendments, with virtually no rationale, would, among other things, dramatically alter the management structure of the agency, impose new and often unclear work requirements on agency staff, stop work on certain mandatory safety standards, mandate automatic implementation of Inspector General recommendations irrespective of their merit, and inject Commission authority into personnel matters and other areas of authority reserved for the agency's Chairman.

Aside from the disappointing lack of any courtesy, comity, or fair play, I believe that my colleagues' failure to provide notice constitutes a clear and serious breach of our internal rules. The only proper term to apply to their action is "Government by Ambush."

I note that my colleagues have seized on a temporary drop in Commission membership with the recent resignation of Commissioner Elliot Kaye to make a power grab that would otherwise not be available to them with a more fully staffed set of Commissioners. This is particularly distressing given that we are on the verge of welcoming three new Commissioners once the Senate confirmation process is completed.

In light of this unprecedented and inappropriate attempt to change the way CPSC operates, I hope that members of the Senate will confirm the pending nominations of new Commissioners in order to ensure that the agency can continue its normal mode of operation.