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**United States Senate**  
COMMITTEE ON COMMERCE, SCIENCE,  
AND TRANSPORTATION  
WASHINGTON, DC 20510-6125  
WEBSITE: <https://commerce.senate.gov>

May 22, 2025

The Honorable Peter Feldman  
Acting Chairman  
Consumer Product Safety Commission  
U.S. Consumer Product Safety Commission  
4330 East-West Hwy  
Bethesda, MD 20814

Dear Acting Chairman Feldman:

I write regarding the Trump Administration's plans to eliminate the Consumer Product Safety Commission (CPSC) and move its functions to the Department of Health and Human Services (HHS) as part of a massive restructuring of HHS. According to the Administration's plan, the CPSC will no longer be a separate, independent agency led by a bipartisan commission but will become part of HHS and report to the HHS Secretary through an Assistant Secretary for Consumer Product Safety.

As Ranking Member of the U.S. Senate Committee on Commerce, Science, and Transportation with oversight over your agency, I write with grave concerns about the impacts of eliminating the CPSC on the safety and well-being of American consumers. Further, this illegal plan is a direct assault on the power and intent of Congress to establish an independent agency dedicated to consumer safety, which is squarely within Congress's constitutional power to regulate interstate commerce<sup>1</sup> and provide for the general welfare of the United States.<sup>2</sup>

Congress passed the Consumer Product Safety Act (CPSA) and created the CPSC in 1972 to protect Americans from hazardous consumer products that present an unreasonable risk of injury and death. In passing the CPSA, Congress made a deliberate choice to create an independent agency; and rejected calls to incorporate the consumer product safety functions within the Department of Health, Education, and Welfare, the predecessor agency of HHS.<sup>3</sup> Congress decided on the independent agency structure because "an independent agency can better carry out the legislative and judicial functions contained in [the CPSA] with the cold neutrality that the public has a right to expect of regulatory agencies formed for its protection . . . and . . . will tend to provide greater insulation from political and economic pressures than is possible or likely in a cabinet level-department."<sup>4</sup> Indeed, Congress was specifically concerned about assigning responsibility for consumer product safety to a cabinet agency with broad and diverse

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<sup>1</sup> U.S. Const., art. 1, § 8, cl. 3.

<sup>2</sup> U.S. Const., art. 1, § 3, cl. 1.

<sup>3</sup> H.R. Rep. No. 92-1153, at 24-26 (1972).

<sup>4</sup> *Id.* at 24-25.

responsibilities because in those situations “the regulatory effort has typically suffered from a lack of adequate funding and staffing.”<sup>5</sup>

Since it was established as an independent agency over 50 years ago, the CPSC has protected consumers from injury and death from hazardous products through the issuance of voluntary and mandatory safety standards, product recalls, port inspections, and consumer education. Moving the CPSC to HHS would directly contravene Congress’s clear intent and harm consumers by ending the independence and specialization of the CPSC.

The Commerce Committee has a duty to conduct oversight of the agencies and programs under its jurisdiction to ensure they are implemented and operating as Congress intended.

Accordingly, please provide the following documents and information no later than June 5, 2025:

1. A description of the constitutional or legal authority relied upon for eliminating the CPSC.
2. A complete description of the Administration’s plans to eliminate the CPSC, including a precise timeline.
3. A complete description of the duties of the proposed “Assistant Secretary for Consumer Product Safety” at HHS.
4. A complete description of the functions that will be overseen by the proposed “Assistant Secretary for Consumer Product Safety” at HHS.
5. A complete description of how the CPSC’s current divisions, offices, and programs will be structured within HHS.
6. A complete description of how the CPSC will maintain independent decision-making authority within the overall HHS structure.
7. A complete description of the staff that will be transferred from the CPSC to HHS, if any.
8. The number of CPSC full time equivalent employees (FTEs) that will be eliminated, if any, under the Administration’s plan.
9. The number of FTEs that will be devoted to consumer product safety upon implementation of the Administration’s plan.
10. Any reduction in force (RIF) plan, including any pre-decisional or draft plan, the CPSC, HHS, or other office within the Administration has prepared with respect to CPSC employees, regardless of whether such RIF plan has been prepared in anticipation of the Administration’s plans to make HHS responsible for consumer product safety.

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<sup>5</sup> *Id.* at 25.

11. A complete description of the resources and funding HHS will devote exclusively to the statutory duties assigned to the CPSC under the CPSA.
12. For requests 2-10 above, provide an evaluation of the impact on the mission of the CPSC to safeguard the public from unreasonable risks of injury and death from consumer products.
13. For requests 1-12 above, provide all documents relating to the request or your response to the request, including all documents sent to or received from the Office of Management and Budget, whether pre-decisional or final, regarding any reorganization of any Federal agency that may involve or impact the CPSC

Sincerely,



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Maria Cantwell  
Ranking Member