



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

United States Senate
Washington, DC 20515

October 4, 2017

Dear Members of the United States Senate,

On behalf of Public Citizen's more than 400,000 members and supporters, we oppose the nomination of Ann Marie Buerkle to serve as Chairman ("Chair") of the U.S. Consumer Product Safety Commission (CPSC) as well as another seven year term on the Commission.

Acting Chair Buerkle has consistently opposed strong health and safety regulations throughout her tenure on the Commission including:

- Mandatory standards that will limit carbon monoxide emissions in portable generators even though these standards have the potential to save lives;¹
- Safety technology for use on table saws that would reduce the risk of amputation of fingers;²
- Proceeding with rulemaking to protect drivers of recreational off-highway vehicles (ROVs).³

Further, Acting Chair Buerkle has become a reliable vote against imposing civil penalties for wrongdoers whose products were unsafe.⁴

¹ Orlando Sentinel, "Hurricane Irma: Officials Urge Caution with Generators after Carbon-Monoxide Deaths, Injuries," *available at*

<http://www.orlandosentinel.com/weather/hurricane/os-hurricane-irma-carbon-monoxide-deaths-20170913-story.html> (Sept. 13, 2017)(reporting that at least four people died as a result of carbon monoxide poisoning from a portable generator).

² U.S. Product Safety Commission, "Statement of Acting Chairman Ann Marie Buerkle on the Proposed Standard for Table Saws," *available at* <https://www.cpsc.gov/about-cpsc/chairman/ann-marie-buerkle/statements/statement-of-acting-chairman-ann-marie-buerkle-on-0> (last viewed Oct. 3, 2017).

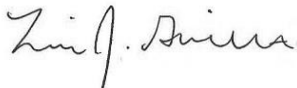
³ U.S. Product Safety Commission, Statement of Commissioner Ann Marie Buerkle on the Proposed Standard for Recreational Off-Highway Vehicles (ROVs), *available at* <https://www.cpsc.gov/about-cpsc/commissioner/ann-marie-buerkle/statements/statement-commissioner-ann-marie-buerkle-1> (last viewed Oct. 3, 2017).

⁴ *See generally* U.S. Product Safety Commission, <https://www.cpsc.gov/about-cpsc/commissioner/ann-marie-buerkle/statements/statement-commissioner-ann-marie-buerkle-0>; <https://www.cpsc.gov/about-cpsc/commissioner/ann-marie-buerkle/statements/commissioner-buerkle-statement-provisional>; *and*

Finally, we were distressed by answers that Acting Chair Buerkle gave last week at her confirmation hearing. For example, she refused to address [reports](#) that she recommended an industry lawyer to be General Counsel of the CPSC. If multiple reports are correct, this individual is also on the board of directors for the Portable Generators Manufactures Association. This choice shows a lack of judgment and appreciation for the important mission of the agency to protect Americans from unreasonable injury and death.

Acting Chair Buerkle's commitment to her community as an advocate and member of Congress is undisputed. However, Acting Chair Buerkle is the wrong choice to lead the Commission. We strongly believe in the CPSC's mission to be *the* nation's chief product safety agency and use its powers to affirmatively protect us and our families from harm. We have doubts that Ms. Buerkle shares the same commitment, and therefore we must oppose her nomination.

Sincerely,



Lisa Gilbert
Vice President for Legislative Affairs
Public Citizen
Congress Watch Division



Remington A. Gregg
Counsel for Civil Justice and Consumer Rights
Public Citizen
Congress Watch Division