

CPSC Voting Soon on Changes to Its Role in Voluntary Standards Activities

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Last week, CPSC staff proposed an amendment to the agency's current voluntary standards rule that would allow Commission employees to participate as voting members and to accept leadership positions in voluntary standard development groups. The new rule would amend [16 CFR 1031](#) to remove the current prohibitions on this type of CPSC staff involvement in voluntary standards activities and instead allow the Office of the Executive Director to approve any such staff participation on a case-by-case basis. The proposed amendment follows a [2012 GAO report](#) that encouraged the CPSC to allow staff to take a more active role in developing voluntary standards, including voting on standards and taking leadership roles.

The Commission is scheduled to vote on the staff's proposed rule tomorrow (September 10th) but that deadline could be extended to the end of the week. Although the Commission could always vote not to approve the proposed amendment or alter it substantially, the proposal likely will be approved and not be altered much from its present form. The most common Commission alterations to the staff versions of proposed rules that are not greatly controversial is for the Commission to insert additional questions in the request for comments section of the proposal to solicit feedback on specific issues from stakeholders.

If approved in its present form, the agency will be specifically seeking comments on:

1. The value (including benefits) of CPSC staff participation in voluntary standard development groups in a voting capacity or in a leadership role;
2. Concerns related to CPSC staff participation in voluntary standard development groups in a voting capacity or in a leadership role and potential solutions or measures to mitigate such concerns; and
3. The requirement for the Office of the Executive Director to approve staff participation in voluntary standard development groups in a voting capacity or in a leadership role

The proposal provides 60 days for public comment, which means the comment period likely would close sometime in late November if the Commission votes to approve the proposed amendment this week.

Authors