

UNITED STATES OF AMERICA  
CONSUMER PRODUCT SAFETY COMMISSION

\_\_\_\_\_) )  
In the Matter of ) )  
 ) )  
AMAZON.COM, INC. ) )  
 ) ) CPSC DOCKET NO.: 21-2  
 ) )  
 ) )  
Respondent. ) )  
\_\_\_\_\_)

**DECLARATION OF JOHN EUSTICE IN SUPPORT OF COMPLAINT COUNSEL’S  
OPPOSITION TO RESPONDENT’S MOTION FOR SUMMARY DECISION**

I, John Eustice, hereby declare:

1. I am Complaint Counsel in the above-captioned matter.
2. I am over the age of 18 and I am competent to make this Declaration.
3. Attached to this Declaration as Exhibit A is a true and correct copy of an August 5, 2021, email from Consumer Product Safety Commission Compliance Officer Joseph Williams to David Silver. CPSC\_AM0005050.
4. Attached to this Declaration as Exhibit B is a true and correct copy of a press release relating to the recall of a hair dryer. CPSC\_AM0015383-386.
5. Attached to this Declaration as Exhibit C is a true and correct copy of a press releases relating to the recall of a carbon monoxide detector. CPSC\_AM0015366-370.
6. Attached to this Declaration as Exhibit D is a true and correct copy of a spreadsheet produced by Respondent Amazon.com, Inc. (“Amazon”) during the discovery period that identifies that amount of money that Amazon recovered from the sellers of the Subject Products for the refunds provided to consumers. Amazon-CPSC-FBA-00001863.
7. Attached to this Declaration as Exhibit E is a true and correct copy of examples of press releases for products sold via the internet or a website. CPSC\_AM0015155-158 (goods

sold on [www.americanapparel.com](http://www.americanapparel.com)); CPSC\_AM0015224-228 (goods sold on [www.hm.com](http://www.hm.com)); CPSC\_AM0015253-257 (goods sold on [www.landsend.com](http://www.landsend.com)); CPSC\_AM0015300-304 (goods sold on [www.walmart.com](http://www.walmart.com)); CPSC\_AM0015320-324 (goods sold on [www.target.com](http://www.target.com)).

8. Attached to this Declaration as Exhibit F is a true and correct copy of an academic article. Wogalter, M.S. and Leonard, S.D. (1999). Attention Capture and Maintenance. In M.S. Wogalter, D.M. DeJoy, and K.R. Laughery (Eds.), *Warnings and Risk Communication* (123-148).

9. Attached to this Declaration as Exhibit G is a true and correct copy of an academic article. Wogalter, M.S. and Vigilante, Jr., W.J. (2006). Attention Switch and Maintenance. In M.S. Wogalter (Ed), *Handbook of Warnings* (245-265).

10. Attached to this Declaration as Exhibit H is a true and correct copy of the U.S. Consumer Product Safety Commission, Fiscal Year 2019 Annual Performance Report. CPSC\_AM0013327-13385.

11. Attached to this Declaration as Exhibit I is a true and correct copy of the U.S. Consumer Product Safety Commission, Fiscal Year 2020 Annual Performance Report. CPSC\_AM0012768-12829.

12. Attached to this Declaration as Exhibit J is a true and correct copy of the U.S. Consumer Product Safety Commission, Annual Performance Report Fiscal Year 2021. CPSC\_AM009558-9622.

13. Attached to this Declaration as Exhibit K is a true and correct copy of an April 23, 2021, email from an Amazon employee to Consumer Product Safety Commission Compliance Officer Joseph Williams attaching a letter and spreadsheet containing a list of

incidents in which consumers registered complaints relating to the Subject Product hair dryers.  
CPSC\_AM0001806-11.

I declare under penalty of perjury that the foregoing is true and correct.

10/21/22

Date

*John C. Eustice*

John Eustice

**CERTIFICATE OF SERVICE**

I hereby certify that on October 21, 2022, a copy of the foregoing was served upon all parties and participants of record in these proceedings as follows:

*By email to the Secretary:*

Alberta E. Mills  
Secretary  
U.S. Consumer Product Safety Commission  
4330 East West Highway  
Bethesda, MD 20814  
Email: [AMills@cpsc.gov](mailto:AMills@cpsc.gov)

*By email to the Presiding Officer:*

Judge Carol Fox Foelak  
U.S. Securities and Exchange Commission  
100 F Street, N.E.  
Washington, DC 20549  
[alj@sec.gov](mailto:alj@sec.gov)

*By email to Counsel for Respondent:*

Sarah L. Wilson  
Stephen P. Anthony  
Thomas R. Brugato  
Nicholas Griepsma  
Rukesh A. Korde  
Covington & Burling LLP  
One CityCenter  
850 Tenth Street, N.W.  
Washington, DC 20001-4956  
[swilson@cov.com](mailto:swilson@cov.com)  
[santhony@cov.com](mailto:santhony@cov.com)



\_\_\_\_\_  
Complaint Counsel for  
U.S. Consumer Product Safety Commission

# Exhibit A

(FILED UNDER SEAL)

# Exhibit B

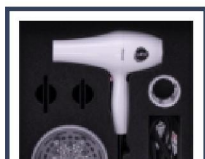


United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# LUS Recalls Hair Dryers Due to Electrocution or Shock Hazard (Recall Alert)



Recalled LUS Hair Dryer & Diffuser in Box



**Name of Product:**

LUS Hair Dryers & Diffusers

**Hazard:**

The hair dryers do not have an immersion protection device, posing an electrocution or shock hazard if the dryer falls into water when plugged in.

**Remedy:**

Refund

**Recall Date:**

April 23, 2020

**Units:**

About 2,700 (In addition, about 410 were sold in Canada)

## Consumer Contact

LUS at 800-280-1675, by email at [support@lusbrands.ca](mailto:support@lusbrands.ca), or online at [www.lusbrands.com](http://www.lusbrands.com) and click on 'Safety and Recall Information' for more information.



# Recall Details

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## In Conjunction With:



## Description:

This recall involves the LUS Dryer & Diffuser. The handheld hair dryers were sold in white, in a box that also contains a diffuser. The hair dryers have the model number HD-LUS01 printed under the back end of the hair dryer. The logos “LUS Brands” and “Love Ur Curls” are located on either side of the back end of the dryer.

## Remedy:

Consumers should immediately stop using and unplug the hair dryers. LUS is contacting all known purchasers of the hair dryers and providing a choice of either a full refund of the purchase price or a \$175 store credit.

## Incidents/Injuries:

None reported

## Sold At:

Online at [www.lusbrands.com](http://www.lusbrands.com) from November 2019 through February 2020 for between \$125 and \$144.

**Importer(s):**

LUS Distribution Inc., of Canada

**Manufactured In:**

China

**Recall number:**

20-738



This recall was conducted, voluntarily by the company, under CPSC's Fast Track Recall process. Fast Track recalls are initiated by firms, who commit to work with CPSC to quickly announce the recall and remedy to protect consumers.

# Exhibit C



United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# **Universal Security Instruments Recalls Combination Photoelectric Smoke & Carbon Monoxide Alarms Due to Risk of Failure to Alert Consumers to Hazardous Levels of Carbon Monoxide**

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Front of recalled hardwired USI Electric 2-in-1 Photoelectric Smoke & Fire + Carbon Monoxide alarm Model MPC122S with a manufacturing date code of 2017JUN02



**Name of Product:**

2-in-1 Photoelectric Smoke & Fire + Carbon Monoxide Alarms

**Hazard:**

The alarms can fail to alert consumers to the presence of a hazardous level of carbon monoxide, posing a risk of carbon monoxide poisoning or death. Carbon monoxide (CO) is an odorless, colorless, poisonous gas.

**Remedy:**

Replace

**Recall Date:**

March 31, 2022

**Units:**

About 8,000

## Consumer Contact

Universal Security Instruments toll-free at 877-220-0046 from 9 a.m. to 5 p.m. ET, Monday through Friday, or online at <https://www.universalsecurity.com/reg-form-2022/alert/> or at [www.universalsecurity.com](http://www.universalsecurity.com) and click on “Important Recall Information” for more information.

# Recall Details

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## Description:

This recall involves two models and two date codes of Universal Security Instruments 2-in-1 Photoelectric Smoke & Fire + Carbon Monoxide alarms. Model MPC322S has 10-year sealed batteries and a manufacturing date code of 2017JUN09. Model MPC122S is a hardwired alarm with 10-year sealed battery backup and a manufacturing date code of 2017JUN02. The brand name “UNIVERSAL SECURITY INSTRUMENTS, INC.” or “USI ELECTRIC” is printed on the front of the alarms above “Photoelectric Smoke & Fire + Carbon Monoxide Alarm.” The model number and date code are printed on the back of the alarms.

## Remedy:

Consumers should immediately contact Universal Security Instruments for a free replacement alarm. Consumers should keep using the recalled alarms until they install replacement alarms.

## Incidents/Injuries:

Universal Security Instruments has received two reports of units that failed to alarm for the presence of carbon monoxide within the specified time requirement. No injuries have been reported.

**Sold At:**

Electrical distributors nationwide and online at Walmart.com and other websites from June 2017 through December 2019 for between \$50 and \$80.

**Importer(s):**

Universal Security Instruments Inc., of Owings Mills, Maryland

**Manufactured In:**

China

**Recall number:**

22-111



# Exhibit D

(FILED UNDER SEAL)

# Exhibit E



United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# Children's Sleep Sacks Recalled by Gildan Activewear Due to Violation of Federal Flammability Standard; Sold Exclusively at AmericanApparel.com (Recall Alert)



Recalled American Apparel-branded children's sleep sack.



**Name of Product:**

Children's sleep sacks

**Hazard:**

The children's sleep sacks fail to meet the flammability standard for children's sleepwear, posing a risk of burn injuries to children.

**Remedy:**

Refund

Replace

**Recall Date:**

May 28, 2019

**Units:**

About 10,600

## Consumer Contact

American Apparel toll-free at 833-222-7760 from 7 a.m. to 5 p.m. PT Monday through Friday, email at [service@americanapparel.com](mailto:service@americanapparel.com) with Product Recall as the email subject, or online at [www.americanapparel.com](http://www.americanapparel.com) and click on the Product Recall link located at the bottom of the page for more information.

# Recall Details

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## Description:

This recall involves a American Apparel brand Baby Rib Collection children's 100% cotton and 90% cotton and 10% polyester-blended knit sleep sacks. They were sold in size 6-12 months and in the following colors: Black, green, gray, light blue, navy, pink, red and white. American Apparel and Baby Rib Collection are printed on a neck label. Made in Honduras and the size are printed on another neck label.

## Remedy:

Consumers should immediately take the recalled sleep sacks away from children, stop using them and contact American Apparel for a full refund or a replacement product of similar value. Gildan Activewear is contacting all known purchasers directly.

## Incidents/Injuries:

None reported

## Sold At:

Online at [www.americanapparel.com](http://www.americanapparel.com) from January 2018 through January 2019 for between \$15 and \$20.

## Importer(s):

Gildan Activewear SRI of Barbados

**Manufactured In:**

Honduras

**Recall number:**

19-747



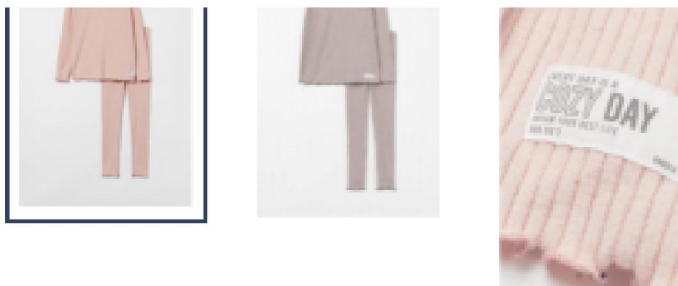
United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# H&M Recalls Children's Sleepwear Sets Due to Violation of Federal Flammability Standards and Burn Hazard (Recall Alert)



Children's Recalled Sleepwear Set – Light Pink (Product ID Number 1044037001)



**Name of Product:**

Children's Sleepwear Sets

**Hazard:**

The children's sleepwear sets fail to meet the federal flammability standards for children's sleepwear, posing a risk of burn injuries to children.

**Remedy:**

Refund

**Recall Date:**

February 17, 2022

**Units:**

About 615 (In addition, 100 in Canada)

## Consumer Contact

H&M Customer Service toll-free at 855-466-7467 from 7 a.m. to 12 a.m. CT any day of the week or online at [https://www2.hm.com/en\\_us/index.html](https://www2.hm.com/en_us/index.html) and click on Customer Service at the top of the page and then "Recalled Items" under the Products and Quality section for more information, or



[https://www2.hm.com/en\\_us/customer-service/product-and-quality/recalled-items.html](https://www2.hm.com/en_us/customer-service/product-and-quality/recalled-items.html)

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# Recall Details

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## In Conjunction With:



## Description:

This recall involves children's ribbed-knit 56% rayon, 43% polyester, and 1% spandex, two-piece pajama sets. The pajama set was sold in two colors: light pink and mole (taupe), and in sizes 8-9 Years, 9-10 Years, 10-11 Years, 11-12 Years, 12-13 Years, 13-14 Years and 14+ Years. The garment's external affixed label states, "Every day is a COZY DAY." The garment's neck label states, "H&M." Product ID numbers 1044037001 and 1044037002 can be found on the care label.

## Remedy:

Consumers should immediately take the recalled sleepwear sets away from children and stop using them. H&M will contact all known purchasers directly with instructions on how to return the sleepwear sets for a full refund.

## Incidents/Injuries:

None reported

**Sold Exclusively Online:**

Online at [www.hm.com](http://www.hm.com) from October 2021 through November 2021 for about \$30.

**Importer(s):**

H&M Hennes & Mauritz L.P., of New York

**Manufactured In:**

Turkey

**Recall number:**

22-728



United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# Lands' End Recalls Children's Pajamas and Robes



Lands' End Boys Fleece Pajamas



**Name of Product:**

Children's Pajamas and Robes

**Hazard:**

The pajamas and robes fail to meet federal flammability standards for children's sleepwear, posing a risk of burn injuries to children.

**Remedy:**

Refund

**Recall Date:**

March 27, 2015

**Units:**

About 173,000

## Consumer Contact

Lands' End toll-free at (800) 300-7487 from 7 a.m. to 11 p.m. CT daily or email [customercare@landsend.com](mailto:customercare@landsend.com). Consumers can also visit the firm's website at [www.landsend.com](http://www.landsend.com) and click on "Recall and Safety Info" for more information, including photos of all styles and colors.

# Recall Details

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## Description:

This recall involves 25 styles of boys, girls and toddler sleep sets, sleepers, pants, nightgowns and robes sold in 100% polyester fleece or knit. The garments were sold in sizes 3 months to 16 (girls) and 20 (boys), and in various colors and patterns. The style number is printed on a tag affixed to the garments' neck, waist or side seam. Style numbers included in the recall are:

## Style Number - Description

434255 TODDLER GIRL LONG SLEEVE SOLID FLEECE HOODED ROBE

439935 BOY KNIT SLEEP PANT SET

441286 LITTLE BOY KNIT SLEEP PANT SET

441540 TODDLER BOY KNIT SLEEP PANT SET

444983 TODDLER BOY FLEECE PAJAMA SET

444986 TODDLER BOY FLEECE SLEEP PANT

444991 TODDLER BOY FULL ZIP FLEECE SLEEPER

444999 TODDLER BOY HOOD FLEECE PRINTED ROBE

445595 TODDLER BOY SOLID HOODED FLEECE ROBE

445927 TODDLER GIRL SLEEP FLEECE SET

445930 INFANT LONG SLEEVE FULL-ZIP FLEECE SLEEPER

445933 TODDLER GIRL PRINT HOODED FLEECE ROBE

447284 BOY FLEECE OPEN BTM PAJAMA SET

447285 BOY FLEECE SLEEP PANT

447286 BOY FULL ZIP FLEECE SLEEPER

447287 BOY PRINT HOODED FLEECE ROBE

447288 BOY SOLID HOODED FLEECE ROBE

447352 GIRL LONG SLEEVE FLEECE SHIRRED GOWN

447353 GIRL LONG SLEEVE FULL-ZIP FLEECE SLEEPER

447354 GIRL LONG SLEEVE PRINT HOODED FLEECE ROBE

447357 GIRL KNIT SLEEP TOP

447359 GIRL LONG SLEEVE SOLID FLEECE HOODED ROBE

447361 GIRL SLEEP FLEECE PANT

447362 GIRL SLEEP FLEECE SET

448521 TODDLER GIRL LONG SLEEVE FLEECE GOWN

### Remedy:

Consumers should immediately take the recalled sleepwear away from children and return it to Lands' End for a full refund. Lands' End is notifying all known consumers

and will provide a prepaid mailing label. Consumers who return the recalled garments will receive a \$15 Lands' End gift card.

**Incidents/Injuries:**

None reported.

**Sold Exclusively At:**

Landsend.com and Lands' End kid's catalogs from January 2014 through February 2015 for between \$19 and \$35.

**Manufactured In:**

China

**Recall number:**

15-724





United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# **Richie House Recalls Children's Robes Due to Violation of Federal Flammability Standards and Burn Hazard; Sold Exclusively at Walmart.com**

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## Recalled Riche House "A Memory In" children's robe - long-sleeves, pink

**Name of Product:**

Children's robes

**Hazard:**

The children's robes fail to meet the flammability standards for children's sleepwear, posing a risk of burn injuries to children.

**Remedy:**

Refund

**Recall Date:**

June 23, 2022

**Units:**

About 480

## Consumer Contact

Richie House toll-free at 855-748-6862 between 10 a.m. and 6 p.m. ET Monday to Friday, email at [amemorycorp@gmail.com](mailto:amemorycorp@gmail.com), online at <https://www.richiehouse.com/2022/04/11/notice-to-the-public/> or

[www.richiehouse.com](http://www.richiehouse.com) and type "PRODUCT RECALL INFORMATION" in the search bar at the top of the page for more information.

# Recall Details

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## Description:

This recall involves "A Memory In" branded pink children's robes made of 100% polyester. The long-sleeved bathrobes have two front pockets and two side seam belt loops with a matching belt. They were sold in children's sizes 5, 6, 8, 10, 12 and 14. "100% Polyester," "exclusive of trim," and the fabric product unit number and garment production unit number are printed on the side seam label. The fabric product unit number and garment production unit number included in this recall are FPU NO. AM003 and GPU NO. AM003-1.

## Remedy:

Consumers should immediately take the recalled robes away from children and contact Richie House for a full refund. Consumers who purchased the robes will be asked to destroy the garments by cutting them in half and send the recalling firm a photo of the destroyed garment and of the garment's side seam label. Upon receipt of the photos, consumers will be issued a full refund. Walmart and Richie House are contacting all known purchasers directly.

## Incidents/Injuries:

None reported

## Sold At:

Online at [www.walmart.com](http://www.walmart.com) from March 2021 through March 2022 for between \$22 and \$28.

**Importer(s):**

Richie House, of Irvine, California

**Manufactured In:**

China

**Recall number:**

22-172



United States  
**CONSUMER PRODUCT  
SAFETY COMMISSION**

# Target Recalls Children's Cat & Jack Unicorn Cozy Pajama Sets Due to Burn Hazard



Recalled Cat & Jack Unicorn Cozy Pajama Set - Front



**Name of Product:**

Children's pajama sets

**Hazard:**

The children's pajama sets fail to meet the federal flammability standards for children's sleepwear, posing a risk of burn injuries to children.

**Remedy:**

Refund

**Recall Date:**

June 02, 2022

**Units:**

About 120,000

## Consumer Contact

Target at 800-440-0680 from 7 a.m. to 10 p.m. CT daily or online at [www.target.com](http://www.target.com) and click on "Recalls" at the bottom of the page, then on "Accessories/Apparel/Shoes" for more information. Consumers can also click the "Product Recalls" tab on Target's Facebook page for more information.

# Recall Details

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## Description:

This recall involves a children's two-piece, long-sleeved top and pant pajama sets. The pajama set is the brand "Cat & Jack" in the "Unicorn Cozy" pattern. The pajama top is black with ivory unicorns and ivory stars with the words "Dream Away" printed in metallic gold lettering. The pajama bottoms are ivory with black unicorns and black stars. The pajama set is 100% polyester and was sold in children's sizes XS, S, M, L and XL. The product item number is printed on the inside sewn-in side seam label on both the pajama top and pant. Pajama sets with the following product item numbers are included in the recall:

Item Number	Item Description
-------------	------------------

075-08-0157	Cat & Jack Unicorn Cozy Pajama Set Size XS
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075-08-0158	Cat & Jack Unicorn Cozy Pajama Set Size S
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075-08-0159	Cat & Jack Unicorn Cozy Pajama Set Size M
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075-08-0160

Cat &amp; Jack Unicorn Cozy Pajama Set Size L

075-08-0161

Cat &amp; Jack Unicorn Cozy Pajama Set Size XL

**Remedy:**

Consumers should immediately take the recalled pajama sets away from children and return the pajama sets to any Target store location for a full refund. Consumers who purchased the pajama sets on Target.com can contact Target to receive a prepaid return label to return the pajama set for a full refund. The firm is contacting known purchasers directly regarding the recall.

**Incidents/Injuries:**

None reported

**Sold Exclusively At:**

Target stores nationwide and Target.com from October 2021 through March 2022 for about \$15.

**Importer(s):**

Target Corporation, of Minneapolis, Minnesota

**Manufactured In:**

China

**Recall number:**

22-142

# Exhibit F

(FILED UNDER SEAL)

# Exhibit G

(FILED UNDER SEAL)

# Exhibit H

U.S. Consumer Product Safety Commission

# Fiscal Year 2019 Annual Performance Report



February 10, 2020

*CPSC Stands for Safety*



An electronic version of this document is available at:  
[www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget)

## About this Report

This document is the U.S. Consumer Product Safety Commission's (CPSC's) FY 2019 Annual Performance Report (APR). It is submitted in conjunction with the CPSC's FY 2021 Performance Budget Request (PBR) to Congress. An electronic version of this report is available on the agency's website at: [www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget).

The FY 2019 APR satisfies the annual performance reporting requirements of the GPRA Modernization Act of 2010 (GPRAMA), as well as Office of Management and Budget (OMB) Circular No. A-11 (*Preparation, Submission, and Execution of the Budget*).

The FY 2019 APR provides information on results achieved by CPSC programs during FY 2019 and progress made toward performance targets established for key performance measures. The performance measures indicate progress toward Strategic Goals and Strategic Objectives contained in the CPSC's Strategic Plan. Highlights of performance, in addition to challenges, are presented.

## Overview of the Agency

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency, created in 1972, by the Consumer Product Safety Act (CPSA). In addition to the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA), and Public Law No. 112-28, the CPSC administers other laws, such as the Federal Hazardous Substances Act, the Flammable Fabrics Act, the Poison Prevention Packaging Act, the Refrigerator Safety Act, the Virginia Graeme Baker Pool and Spa Safety Act, the Child Safety Protection Act, the Labeling of Hazardous Art Materials Act, the Children's Gasoline Burn Prevention Act, the Drywall Safety Act of 2012, and the Child Nicotine Poisoning Prevention Act.

The CPSC has jurisdiction over thousands of types of consumer products used in and around the home, in recreation, and in schools, from children's toys, to portable gas generators and toasters. Although the CPSC's regulatory purview is quite broad, a number of product categories fall outside the CPSC's jurisdiction.<sup>1</sup>

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<sup>1</sup> Product categories, such as automobiles and boats; alcohol, tobacco, and firearms; foods, drugs, cosmetics, and medical devices; and pesticides, are regulated by other federal agencies.



## *Message from the Acting Chairman*



The U.S. Consumer Product Safety Commission's FY 2019 Annual Performance Report (APR) is a comprehensive account of performance results achieved by our programs for the period of October 1, 2018 through September 30, 2019. These programs serve the Agency's mission of "Keeping Consumers Safe" as we strive for "a nation free from unreasonable risks of injury and death associated with consumer products."

I commend all CPSC staff for their accomplishments and contributions to our mission this past year. And I am pleased to confirm that, in FY 2019, the performance data presented in this report are reasonably complete, accurate, and reliable. As I recently became Acting Chairman on October 1, 2019, I would also like to acknowledge the efforts of Ann Marie Buerkle, who served as Acting

Chair of CPSC from February 2017 through September 2019. Ms. Buerkle has since left the Agency, and we will miss her thoughtful leadership.

I look forward to continuing to work with my fellow Commissioners and the CPSC staff in setting Agency priorities and achieving meaningful results in the year ahead.

*Robert S. Adler*

Robert S. Adler  
Acting Chairman  
February 10, 2020

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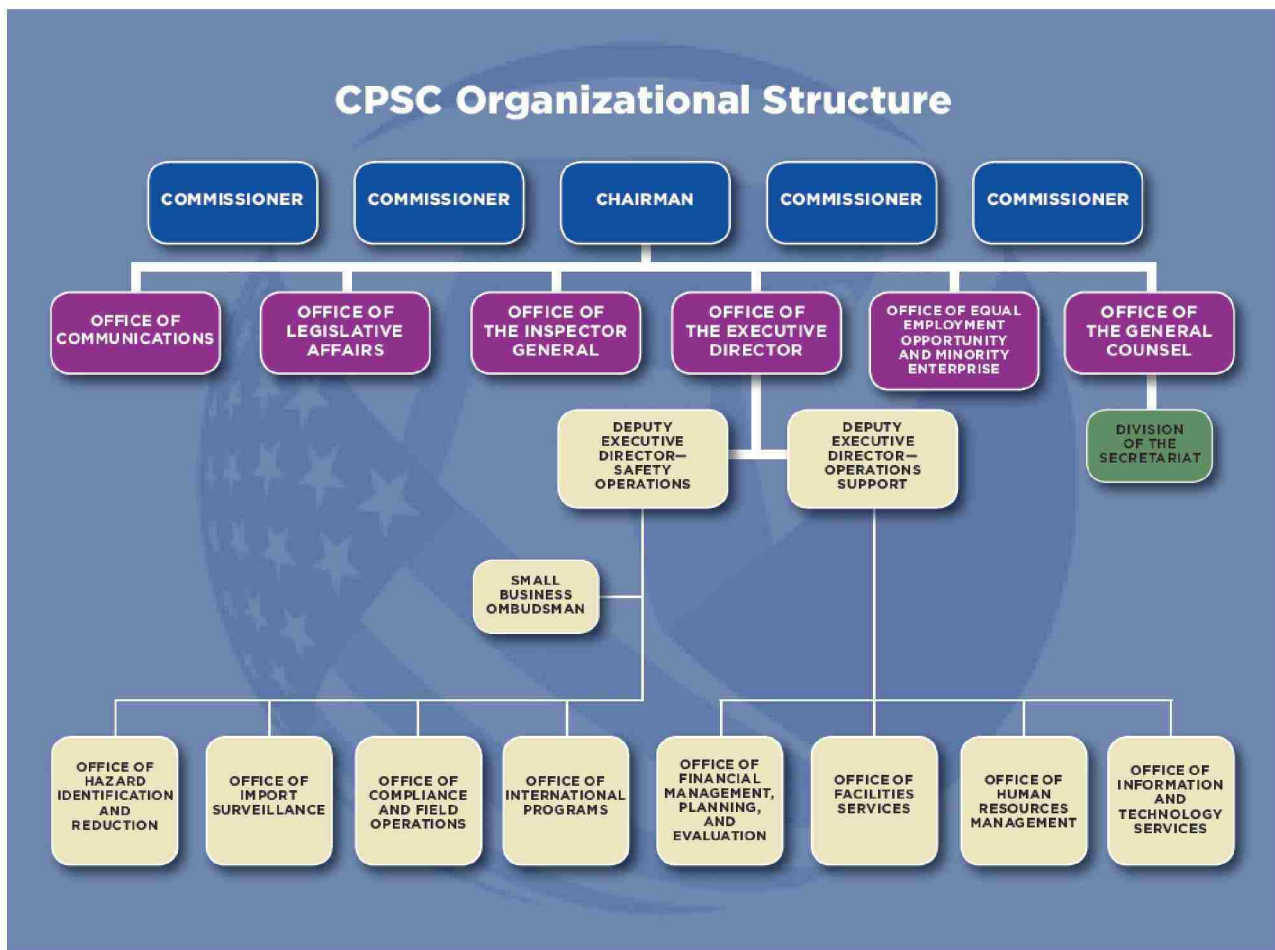
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## CPSC Organizational Structure

The CPSC is a bipartisan commission that is authorized to consist of five members appointed by the President with the advice and consent of the Senate. The Chairman is the principal executive officer of the Commission, which convenes at meetings that are open to the public. The chart below depicts the CPSC’s organizational structure<sup>2</sup> during the FY 2019 reporting period of October 1, 2018 through September 30, 2019. Effective October 1, 2019, at the start of FY 2020, Robert S. Adler assumed the role of Acting Chairman. Previous Acting Chair Ann Marie Buerkle completed her tenure at the CPSC on October 26, 2019, leaving a vacancy on the Commission. As of the publication of this document, the Commission has four members.



<sup>2</sup> The CPSC updated its organizational chart in January 2020. The updated chart can be found in Appendix D of the CPSC’s *FY 2021 Performance Budget to Congress*, which is published in conjunction with this document.

# CPSC Strategic Plan Summary

The agency's Strategic Plan lays out the CPSC's approach to achieving the mission of keeping consumers safe, with the overarching vision of a nation free from unreasonable risks of injury and death from consumer products. Each of the four Strategic Goals is supported by Strategic Objectives. A suite of performance measures with annual targets is used to monitor progress toward the Strategic Objectives and Strategic Goals.

**Mission: Keeping Consumers Safe**  
 Vision: A nation free from unreasonable risks of injury and death from consumer products



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## Performance Summary: An Overview

During FY 2019, the CPSC tracked 25 performance measures—all with established performance targets for FY 2019—to gauge progress toward the agency’s strategic goals and objectives. The CPSC met performance targets for 18 of the 25 performance measures (72 percent), and did not meet performance targets for seven measures (28 percent).

The FY 2019 results for the key performance measures are organized by Strategic Goal (Figure 2) and by CPSC functional component (Figure 3).

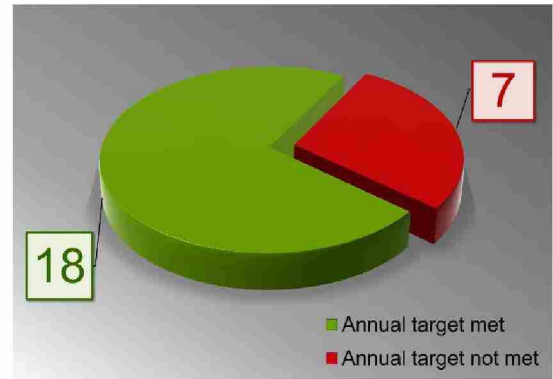


Figure 1: A snapshot of the CPSC’s FY 2019 Key Performance Measures

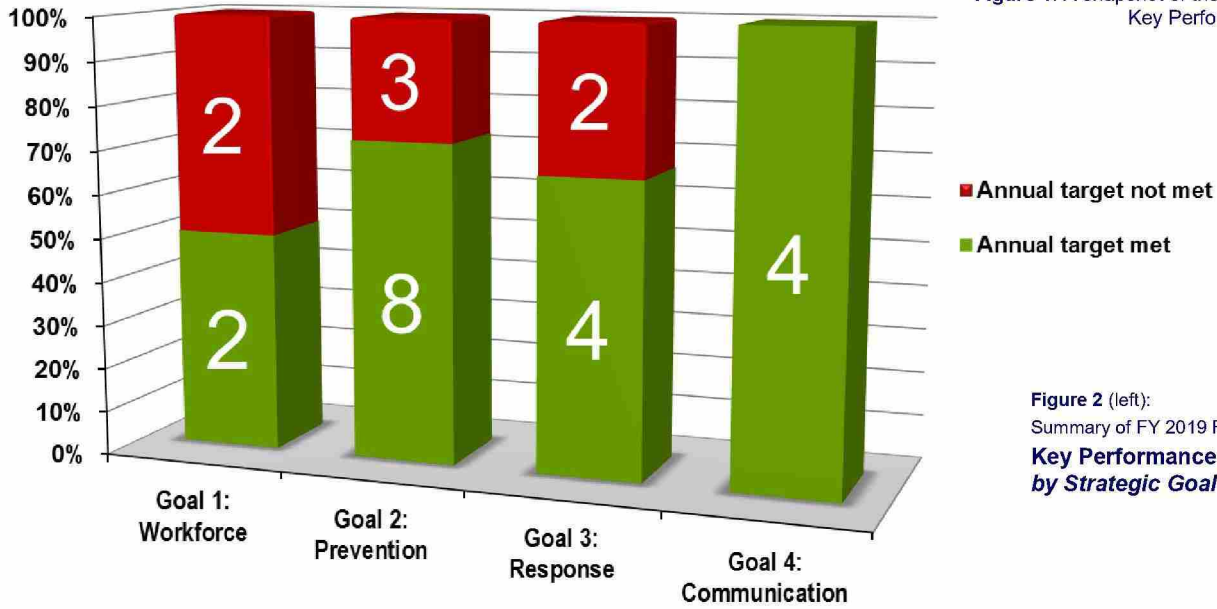


Figure 2 (left): Summary of FY 2019 Results Key Performance Measures by Strategic Goal

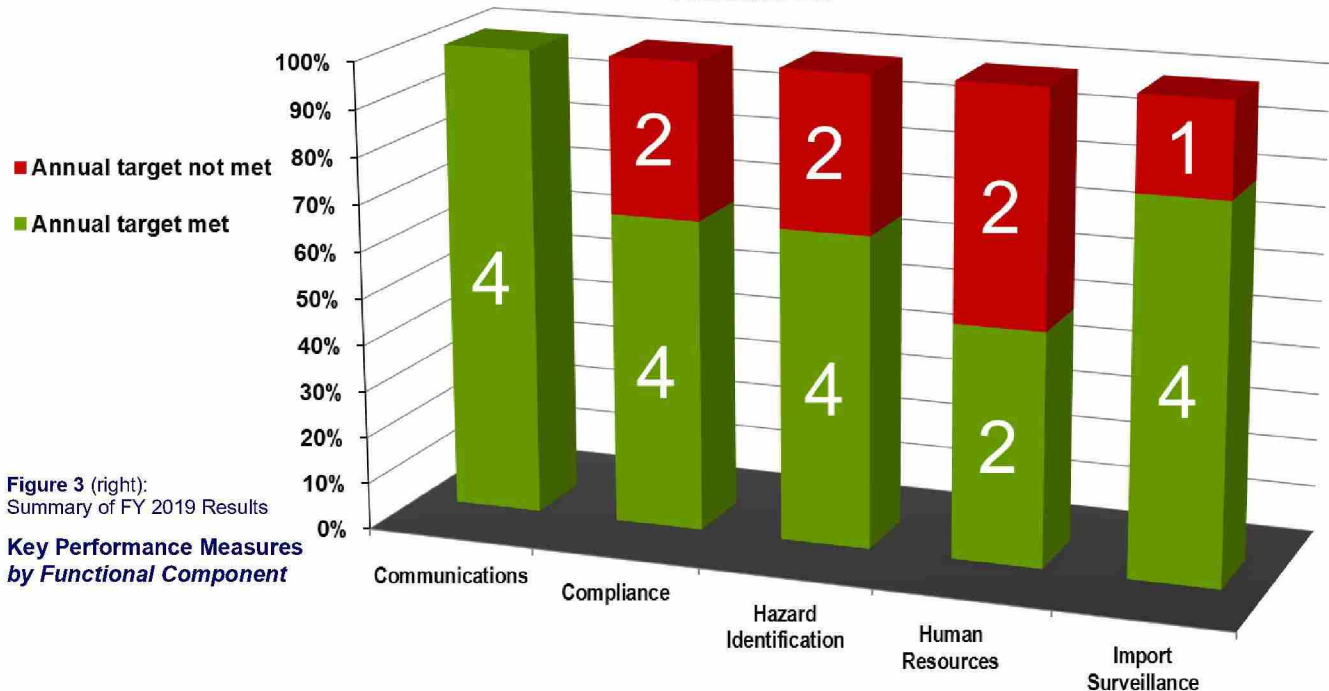


Figure 3 (right): Summary of FY 2019 Results Key Performance Measures by Functional Component

## CPSC Key Performance Measures: FY 2019 Results Summary

<b>Strategic Goal 1: Workforce</b> <i>Cultivate the most effective consumer product safety workforce</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2019 Target	
			2015	2016	2017	2018	2019	2019 Target	Target met?
<b>SO 1.1</b> Enhance effective strategic human capital planning and alignment	<b>2019KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	Human Resources	--	--	--	97%	98%	96%	✓
<b>SO 1.2</b> Foster a culture of continuous development	<b>2019KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)		--	--	72.5%	68.1%	65.8%	74%	✗
<b>SO 1.3</b> Attract and recruit a talented and diverse workforce	<b>2019KM1.3.01</b> Percentage of hiring managers trained on recruitment		--	--	56.1%	82.6%	85.5%	75%	✓
<b>SO 1.4</b> Increase employee engagement	<b>2019KM1.4.01</b> Federal Employee Viewpoint Survey Employee Engagement Index Score		66%	70%	73%	69%	66%	75%	✗
<b>Strategic Goal 2: Prevention</b> <i>Prevent hazardous products from reaching consumers</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2019 Target	
			2015	2016	2017	2018	2019	2019 Target	Target met?
<b>SO 2.1</b> Improve identification and assessment of hazards to consumers	<b>2019KM2.1.01</b> Percentage of consumer product-related incident reports warranting follow-up actions	Hazard Identification	--	--	25%	26%	23%	25%	✗
	<b>2019KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards		10	11	11	10	11	11	✓
	<b>2019KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals		91.6%	91%	92.4%	93%	89.5%	90%	✗
	<b>2019KM2.1.04</b> Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products		--	--	7	9	6	3	✓
<b>SO 2.2</b> Lead efforts to improve the safety of consumer products before they reach the marketplace	<b>2019KM2.2.01</b> Number of voluntary standards activities in which CPSC staff actively participates	Hazard Identification	81	71	76	77	74	74	✓
	<b>2019KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration		20	10	18	19	14 <sup>3</sup>	12	✓
	<b>2019KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	Import Surveillance	--	--	--	73%	90%	75%	✓
<b>SO 2.3</b> Increase capability to identify and stop imported hazardous consumer products	<b>2019KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	Import Surveillance	--	--	88.5%	89%	86%	80%	✓
	<b>2019KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within one business day		99.6%	99.8%	99.8%	99.8%	99.8%	99%	✓
	<b>2019KM2.3.03</b> Percentage of consumer product import entries that are risk-scored by the CPSC		--	--	4.2%	3%	3.4%	4%	✗
	<b>2019KM2.3.04</b> Number of import examinations completed		35,122	36,523	38,726	41,117	39,010	32,000	✓

<sup>3</sup> In FY 2019, CPSC staff prepared 14 rulemaking packages for Commission consideration—7 were from the original 12 planned candidates for rulemaking and the other 7 were in response to emerging requirements. The remaining 5 planned rulemaking candidates that were not completed in FY 2019 are: NPR-Crib Mattresses, NPR-Adjudicative Rules, DFR-F963 Toys, FR-Freedom of Information Act Fee Update, and DFR-Lab Accreditation IBR Update.

<b>Strategic Goal 3: Response</b> <i>Respond quickly to address hazardous consumer products both in the marketplace and with consumers</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2019 Target	
			2015	2016	2017	2018	2019	2019 Target	Target met?
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action	<b>2019KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening	Compliance	--	--	74%	75%	12.5%	65%	✗
	<b>2019KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection		--	--	87%	88.8%	85.1%	85%	✓
<b>SO 3.2</b> Minimize further exposure to hazardous consumer products	<b>2019KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection	Compliance	--	--	86%	87.2%	85.5%	85%	✓
	<b>2019KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days		97.3%	99.1%	98%	95.9%	97.4%	90%	✓
	<b>2019KM3.2.04</b> Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination		--	--	--	92.7%	76.9%	60%	✓
<b>SO 3.3</b> Improve consumer response to consumer product recalls	<b>2019KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	Compliance	--	--	41%	17.4%	21.4%	25%	✗

<b>Strategic Goal 4: Communication</b> <i>Communicate useful information quickly and effectively to better inform decisions</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2019 Target	
			2015	2016	2017	2018	2019	2019 Target	Target met?
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information	<b>2019KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)	Communications	--	--	285	831	1,468	320	✓
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information	<b>2019KM4.2.01</b> Number of impressions of CPSC safety messages (in millions)	Communications	--	--	6,314.8	7,597.8	4,689	4,000	✓
	<b>2019KM4.2.02</b> Average number of business days between establishment of first draft and issuance of recall press release for the timeliest 90% of recall press releases		16	17.8	17.5	17.3	17.8	< 18	✓
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders	<b>2019KM4.3.01</b> Number of collaboration activities initiated with stakeholder groups	Communications	--	--	28	47	93	28	✓



## Performance Summary by Strategic Goal

### Strategic Goal 1: Workforce

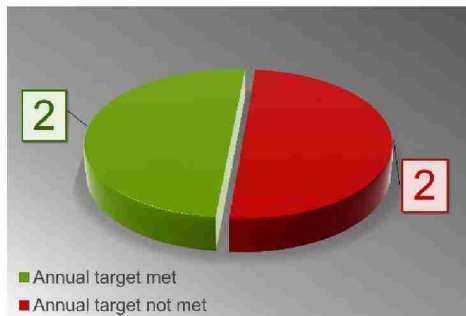
*Cultivate the most effective consumer product safety workforce*

#### Challenges

Having a highly trained, diverse, and engaged workforce is critical to meeting the dynamic challenges of the consumer product safety landscape and to achieving the CPSC’s life-saving mission. Agency staff’s knowledge about product safety, commitment to the agency’s mission, and “can-do” attitude make achieving the CPSC mission possible. The CPSC’s key *Workforce* challenges are:

- Having a workforce with the knowledge, skills, and abilities to meet new, innovative, and emerging product safety challenges;
- Aligning personnel resources to agency priorities;
- Maintaining a global presence to address global marketplace issues;
- Increasing employee engagement;
- Strengthening knowledge transfer through employee cross-training, and succession planning;
- Securing sensitive agency data against data breach and unintentional or unauthorized disclosure of information; and
- Having adequate resources to keep pace with the evolving marketplace and emerging hazards.

#### Strategies



**Figure 4:** A snapshot of Strategic Goal 1 performance measures (4 total)

The CPSC’s approach to cultivating an effective workforce involves enhancing human capital planning and alignment, increasing opportunities for professional development, and improving recruitment strategies to attract talented, diverse, and committed staff. The strategy also emphasizes increasing employee engagement by promoting and rewarding staff innovation and creativity, increasing managers’ commitment to fostering employee engagement in the workplace, and promoting a healthy work-life balance.

**Table 1**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 1.1</b> Enhance effective strategic human capital planning and alignment							
<b>2019KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	--	97%	98%	96%	✓
<b>SO 1.2</b> Foster a culture of continuous development							
<b>2019KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	72.5%	68.1%	65.8%	74%	✗

Table 1 (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 1.3</b> Attract and recruit a talented and diverse workforce							
<b>2019KM1.3.01</b> Percentage of hiring managers trained on recruitment	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	56.1%	82.6%	85.5%		
<b>SO 1.4</b> Increase employee engagement							
<b>2019KM1.4.01</b> Federal Employee Viewpoint Survey Employee Engagement Index Score	2015	2016	2017	2018	2019	2019 Target	Target met?
	66%	70%	73%	69%	66%		

## FY 2019 Results

The CPSC exceeded FY 2019 targets for two of the four key performance measures under Strategic Goal 1. Selected FY 2019 achievements under Strategic Goal 1 include:

- Trained more than 85 percent of hiring managers on the recruitment process to attract and recruit a talented, diverse, and highly effective workforce.
- Trained 90 percent of managers on effective performance management.

The agency did not meet FY 2019 targets for two of the four key performance measures under Strategic Goal 1:

- **Key Measure 1.2.01**—Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey): The agency was impacted by the 5-week government shutdown in FY 2019, and nearly all CPSC employees were furloughed. The lengthy furlough likely affected the Federal Employee Viewpoint Survey (FEVS) responses this year. Although the CPSC did not meet the target, according to other FEVS data, 80.2 percent of employees agreed that their work unit has the job-relevant knowledge and skills necessary to accomplish organizational goals. The CPSC also made progress by surveying employees on training needs and conducting more than 40 on-site training opportunities. Additionally, 9 percent of employees participated in the agency Coaching Program, and 23 percent of employees have Individual Development Plans (IDP). The agency plans to improve its performance by requesting training participants to complete course surveys after each class to solicit input for future trainings. The agency also plans to ensure that every employee has at least one developmental activity identified for FY 2020.
- **Key Measure 1.4.01**—Federal Employee Viewpoint Survey Employee Engagement Index Score: It is challenging to meet the target for this key measure because the FEVS is a voluntary survey. For each year, new approaches are needed to encourage employees to participate in the survey. Specific challenges this year that may have impacted results include the absence of a permanent agency head and the extended furlough just prior to the administration of the survey. The agency plans to improve its performance by implementing the President’s Management Agenda (PMA) Agency Improvement Plan, focusing on the *Leaders Lead* portion of the Employee Engagement Index. The agency will execute an initiative developed from the survey results with employee focus group, Union, and Management feedback.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Strategic Goal 2: Prevention

*Prevent hazardous products from reaching consumers*

### Challenges

The CPSC is charged with protecting the public from unreasonable risks of injury and death from a vast array of consumer products supplied through expanding global markets. Efforts to increase manufacturing of safe consumer products, combined with improved mechanisms to identify hazardous products before they enter the marketplace, are the most effective ways to prevent hazardous products from reaching consumers. The CPSC's key challenges to *Prevention* are:

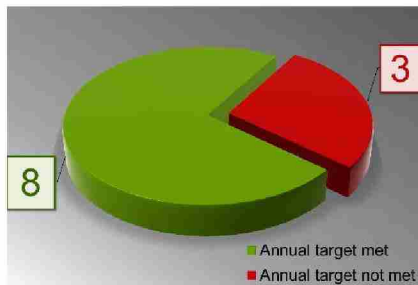
- Providing surveillance for the myriad consumer products imported and domestically manufactured under the CPSC's jurisdiction;
- Advancing data analysis and research capabilities to identify existing and potential emerging consumer product hazards that pose the greatest risks;
- Keeping pace with evolving healthcare services delivery, manufacturer-to-consumer supply chain, and technology associated with consumer products;
- Working with affected stakeholders to address product hazards and product hazards resulting from new technologies (e.g., Internet of Things);
- Helping develop voluntary standards and adopting mandatory regulations; and
- Identifying, researching, and informing the public about chemical or chronic hazards in consumer products.

**STRATEGIC OBJECTIVE 2.1**  
Improve identification and assessment of hazards to consumers

**STRATEGIC OBJECTIVE 2.2**  
Lead efforts to improve the safety of consumer products before they reach the marketplace

**STRATEGIC OBJECTIVE 2.3**  
Increase capability to identify and stop imported hazardous consumer products

### Strategies



**Figure 5:** A snapshot of Strategic Goal 2 performance measures (11 total)

The CPSC uses several means to try to prevent injury or harm from consumer products by: (1) working at the national and international level to help ensure that hazards are appropriately addressed by voluntary standards or mandatory regulations; (2) providing technical information to industry to support voluntary standards development; and (3) allocating inspection, surveillance, and enforcement resources effectively to identify and remove hazardous products from the marketplace.

**Table 2**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 2.1</b> Improve identification and assessment of hazards to consumers							
<b>2019KM2.1.01</b> Percentage of consumer product-related incident reports warranting follow-up actions	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	25%	26%	23%		
<b>2019KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	2015	2016	2017	2018	2019	2019 Target	Target met?
	10	11	11	10	11		

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 2.1 (continued)</b>							
<b>2019KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	2015	2016	2017	2018	2019	2019 Target	Target met?
	91.6%	91%	92.4%	93%	89.5%	90%	✗
<b>2019KM2.1.04</b> Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	7	9	6	3	✓
<b>SO 2.2 Lead efforts to improve the safety of consumer products before they reach the marketplace</b>							
<b>2019KM2.2.01</b> Number of voluntary standards activities in which CPSC staff actively participates	2015	2016	2017	2018	2019	2019 Target	Target met?
	81	71	76	77	74	74	✓
<b>2019KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration	2015	2016	2017	2018	2019	2019 Target	Target met?
	20	10	18	19	14 <sup>4</sup>	12	✓
<b>2019KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	--	73%	90%	75%	✓
<b>SO 2.3 Increase capability to identify and stop imported hazardous consumer products</b>							
<b>2019KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	88.5%	89%	86%	80%	✓
<b>2019KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within one business day	2015	2016	2017	2018	2019	2019 Target	Target met?
	99.6%	99.8%	99.8%	99.8%	99.8%	99%	✓
<b>2019KM2.3.03</b> Percentage of consumer product import entries that are risk-scored by the CPSC	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	4.2%	3.0%	3.4%	4%	✗
<b>2019KM2.3.04</b> Number of import examinations completed	2015	2016	2017	2018	2019	2019 Target	Target met?
	35,122	36,523	38,726	41,117	39,010	32,000	✓

<sup>4</sup> In FY 2019, CPSC staff prepared 14 rulemaking packages for Commission consideration—7 were from the original 12 planned candidates for rulemaking and the other 7 were in response to emerging requirements. The remaining 5 planned rulemaking candidates that were not completed in FY 2019 are: NPR-Crib Mattresses, NPR-Adjudicative Rules, DFR-F963 Toys, FR-Freedom of Information Act Fee Update, and DFR-Lab Accreditation IBR Update.

## FY 2019 Results

The CPSC exceeded targets for eight of the 11 key performance measures under Strategic Goal 2. Selected FY 2019 achievements under Strategic Goal 2 include:

- Implemented best practices for the Internet of Things<sup>5</sup> (IoT) and initiated an Interagency Working Group on Consumer Product Safety of Internet-Connected Products.
- Screened 39,010 different imported consumer products at U.S. ports of entry.
- Collaborated with the U.S. Embassy in Mexico City to provide information about U.S. textile flammability requirements to the Procuraduría Federal del Consumidor (PROFECO), Mexico's consumer protection federal agency. The shared information would inform work on PROFECO's technical regulation related to fire-retardant treatment for textiles and mattresses.
- Actively participated in 74 voluntary standards activities, collaborating with industry leaders, consumer advocates, and other stakeholders to improve consensus voluntary standards across a wide range of consumer products.
- Concluded the "Early Consultation Initiative" with the North American Product Safety Agencies, a trilateral, multiyear effort that resulted in development of consensus recommendations to improve test methods for ensuring the safety of alternating current chargers and universal serial bus (USB) chargers. This collaboration represents the first example of a joint consumer product safety standard effort by multiple governments that are not members of the same administrative region.

The agency did not meet FY 2019 targets for three of the 11 key performance measures under Strategic Goal 2:

- **Key Measure 2.1.01**—Percentage of consumer product-related incident reports warranting follow-up actions: The CPSC did not meet the target, due to staffing shortages, the 5-week government shutdown, and ongoing changes of the CPSC's Integrated Product Teams (IPTs). This measure is being reevaluated due to the changes in the IPTs.
- **Key Measure 2.1.03**—Percentage of consumer product-related injury cases correctly captured at NEISS hospitals: The CPSC monitors performance under this key measure by conducting on-site evaluation visits at NEISS hospitals to determine whether coders at those hospitals are capturing the reportable cases correctly. The Coder's Conference planned for FY 2019 did not take place, due to the government shutdown; and, as a result, the coders were not provided with timely feedback from CPSC. Several hospitals that were very large or relatively new to the CPSC's NEISS sample had identified issues with the CPSC-conducted evaluations. To boost future performance, the CPSC will continue working with hospitals to help improve their capture rate.
- **Key Measure 2.3.03**—Percentage of consumer product import entries that are risk-scored by the CPSC: The CPSC did not meet the target. The result of this key measure is calculated by dividing the total number of import entry lines that are risk-scored by the total number of entry summary lines received. Fluctuating import volume under the CPSC's jurisdiction is outside of the agency's control, and the fluctuation greatly affects this measure's denominator. The CPSC has discontinued this performance measure in FY 2020.

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>5</sup> Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices/products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues/hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders. For more information on CPSC's FY 2019 efforts on IoT, please visit: [www.cpsc.gov/About-CPSC/ann-marie-buerkle/Speeches/acting-chairman-ann-marie-buerkle-prepared-remarks-for-the](http://www.cpsc.gov/About-CPSC/ann-marie-buerkle/Speeches/acting-chairman-ann-marie-buerkle-prepared-remarks-for-the).

## Strategic Goal 3: Response

*Respond quickly to address hazardous consumer products both in the marketplace and with consumers*

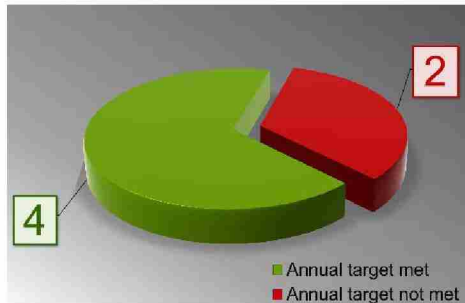
### Challenges

The CPSC learns about potential consumer product hazards from many sources, including incident reports, consumer complaints, the agency’s Hotline (1-800-638-2772), [www.SaferProducts.gov](http://www.SaferProducts.gov), Internet reports, and company reports. Additionally, field staff investigates reports of incidents and injuries; conducts inspections of manufacturers, importers, and retailers; and identifies potential regulatory violations and product hazards. When potential product defects are identified, the CPSC must act quickly to address the most hazardous consumer products that have made their way into the marketplace or into the hands of consumers. The CPSC’s key *Response* challenges are:

- Addressing trends in retailing and e-commerce, such as the prevalence of online sellers or other direct manufacturer-to-consumer marketing, as well as sales through third party platform providers;
- Working within a global supply chain, which creates complex monitoring challenges;
- Collecting, integrating, and analyzing data to identify high-risk hazards for appropriate action;
- Advancing agency data-sharing through use of an integrated, enterprise-wide approach; and
- Improving the monitoring and effectiveness of consumer product recalls.



### Strategies



**Figure 6:** A snapshot of Strategic Goal 3 performance measures (6 total)

The CPSC’s strategy involves improving the effectiveness of the procedures used to process and analyze incoming product hazard-related data, and aligning resources so that the agency can act upon the information and quickly remove potentially hazardous products from the marketplace. The strategy also involves improving the recall monitoring process and working with industry to increase consumer awareness of product recalls as they occur. To achieve this strategic goal, the CPSC works toward improving consumer response to consumer product recalls. The CPSC works with consumers, recalling firms, retailers, and other interested parties to reach consumers affected by recalls. The agency works to improve the effectiveness of product recalls by expanding the CPSC’s use of social media, urging recalling firms to use social media to broaden the notice of recalls, and conducting consumer focus group research on why and when consumers respond to recalls, among other techniques.

**Table 3**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action							
	2015	2016	2017	2018	2019	2019 Target	Target met?
<b>2019KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening	--	--	74%	75%	12.5%	65%	✗
<b>2019KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection	--	--	87%	88.8%	85.1%	85%	✓

**Table 3** (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 3.2</b> Minimize further exposure to hazardous consumer products							
<b>2019KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	86%	87.2%	85.5%		
<b>2019KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days	2015	2016	2017	2018	2019	2019 Target	Target met?
	97.3%	99.1%	98%	95.9%	97.4%		
<b>2019KM3.2.04</b> Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	--	92.7%	76.9%		
<b>SO 3.3</b> Improve consumer response to consumer product recalls							
<b>2019KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	41%	17.4%	21.4%		

## FY 2019 Results

The CPSC exceeded FY 2019 targets for four of the six key performance measures under Strategic Goal 3. Selected FY 2019 achievements under Strategic Goal 3 include:

- Completed 1,410 establishment inspections of firms for compliance with CPSC’s laws and regulations;
- Worked with firms to conduct 259 voluntary recalls, involving approximately 20 million units;
- Contacted approximately 5,900 Internet firms and individuals who were offering for sale banned or previously recalled consumer products via Internet websites, preventing approximately 12,000 recalled or banned product units from being re-sold;
- Sent 1,368 notices of noncompliance, and negotiated 246 corrective action plans (CAPs) to address hazardous consumer products; and
- Awarded approximately \$1.0 million in *Pool Safely* grants to provide assistance for enforcement, training, and education on pool safety requirements to save lives and prevent serious injuries associated with drownings and drain entrapments.

The agency did not meet FY 2019 targets for two of the six performance measures under Strategic Goal 3:

- **Key Measure 3.1.01**—Percentage of cases for which a preliminary determination is made within 85 business days of the case opening: This measure was negatively affected by the 5-week government shutdown that furloughed most CPSC employees. In addition, the CPSC’s Office of Compliance and Field Operations reorganized functions in FY 2019, resulting in a higher vacancy rate and fewer available resources to perform work under this key measure. The CPSC will evaluate this measure in FY 2020, make process improvements, and potentially revise the measure.
- **Key Measure 3.3.01**—Recall effectiveness rate for all consumer product recalls: The CPSC did not meet the target because of the volatility in the recall rates, which are highly dependent upon the type of product and number of units involved in the recall.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Strategic Goal 4: Communication

*Communicate useful information quickly and effectively to better inform decisions*

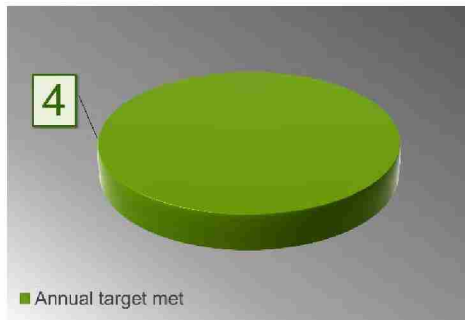
### Challenges

Consumers, safety advocates, industry, and government regulators need high-quality information about consumer product safety. Consumers need safety information to make more informed decisions for themselves and their families. Safety advocates rely on accurate data to shape their policy recommendations. Industry needs information to stay in compliance with safety requirements. Foreign regulators and state and local government agencies also need high-quality information to establish new safety requirements that advance consumer safety. These diverse audiences have different information needs and respond to different methods of communication. The CPSC's key *Communication* challenges are:

- Strengthening the CPSC's collaboration with all stakeholders to improve communication;
- Updating knowledge management strategies and adopting advanced communication tools and channels to improve consistency, reliability, accessibility, and timeliness of information provided to stakeholders and internally among CPSC staff;
- Improving CPSC messaging and outreach to affected populations, including underserved, low-income, and minority communities and families; and
- Managing the communication of consumer products that pose unreasonable risks of injury and death.



### Strategies



**Figure 7:** A snapshot of Strategic Goal 4 performance measures (4 total)

The CPSC uses a wide array of communication channels and strategies to provide timely, targeted information about consumer product safety to the public, industry, and other stakeholders. The agency disseminates safety messages through workshops and training sessions; listserv messages; press releases; public service announcements and video news releases; newspaper, radio, and TV interviews; and increasingly, social media, including Facebook, Twitter, and blogs, while adhering to disclosure protocols. The CPSC strives to improve the usefulness and availability of safety messages by collecting and analyzing data and designing and applying new and innovative communication tools. Dissemination of more useful and timely consumer product safety information will result in a stronger agency brand, the ability to communicate in mobile environments, and the ability to explore micro-targeting to reach the most at-risk populations. An additional element of the CPSC's strategy involves strengthening collaborations with stakeholder groups, including other government agencies and nonprofit organizations. This may include collaboration on information and education campaigns on product safety.



**Table 4**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2019 Target	
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information							
<b>2019KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	285	831	1,468		
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information							
<b>2019KM4.2.01</b> Number of impressions of CPSC safety messages (in millions)	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	6,314.8	7,597.8	4,689		
<b>2019KM4.2.02</b> Average number of business days between establishment of first draft and issuance of recall press release for the timeliest 90% of recall press releases	2015	2016	2017	2018	2019	2019 Target	Target met?
	16	17.8	17.5	17.3	17.8		
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders							
<b>2019KM4.3.01</b> Number of collaboration activities initiated with stakeholder groups	2015	2016	2017	2018	2019	2019 Target	Target met?
	--	--	28	47	93		

## FY 2019 Results

The CPSC exceeded FY 2019 targets for all four key performance measures under Strategic Goal 4. Selected FY 2019 achievements under Strategic Goal 4 include:

- Increased the number of engagements by consumers and others with CPSC’s social media messages on CPSC’s Twitter (@USCPSC), Facebook, and Instagram accounts by approximately 77 percent, from 831,000 in FY 2018 to 1.47 million in FY 2019.
- Improved CPSC’s “Regulatory Robot,” an interactive resource to help small businesses identify important product safety requirements applicable to their products. In FY 2019, the Robot’s functionality was improved for users navigating in English and six foreign languages - Chinese (simplified), Chinese (traditional), Spanish, Vietnamese, Bahasa Indonesian, and Korean.
- Conducted collaborative training in Chicago, IL, on CPSC’s product safety requirements and the processing of imports at U.S. ports of entry. Trainees included customs brokers, importers, manufacturers, and safety professionals, and other stakeholders. The CPSC training included hands-on demonstrations of how products are screened when they enter the United States, and attendees were able to speak directly with port investigators.
- Produced a new Anchor It! public service announcement in the form of a 30-second education video, titled, “Anchored. Safe and Sound,” which demonstrates to parents and caregivers that they can prevent tip-over injuries or deaths by taking low-cost steps to anchor TVs, furniture, and appliances to walls and floors.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Agency Priorities & Management Challenges

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### **Agency Priority:** Focus on Risk

The CPSC will prioritize its resources on the products with the highest consumer product safety risks. The CPSC will accomplish this by using data to guide decisions and policy; working with standards development organizations to develop voluntary standards; assessing mandatory standard-setting activities; and revisiting the efficacy of existing regulations, when necessary. To advance data-based decision-making, the CPSC will invest in analytical tools and technology and expand its data sources.

### **Agency Priority:** Import Surveillance

The CPSC will continue to support import surveillance by operating, maintaining, and developing the Risk Assessment Methodology (RAM) system to identify and stop noncompliant imported products from entering the U.S. marketplace. The CPSC will accomplish this by allocating and expanding full-time staff to conduct inspections and clear compliant cargo quickly at the highest-volume ports of entry, and by analyzing the ways in which e-commerce is evolving the global supply chain.

### **Agency Priority:** Collaboration, Education, and Outreach

The CPSC will emphasize collaboration, education, and outreach by engaging all stakeholders through forums, advisory groups, seminars, webinars, technical stakeholder-to-government discussions,

and workshops. In addition, the CPSC will continue to emphasize and expand the work of the agency's Small Business Ombudsman (SBO), use information and insight gained from workshops (e.g., Internet of Things [IoT]), proactively engage industry and international stakeholders at all levels, and provide information and education to consumers to enable informed decision-making. The CPSC will collaborate with other federal agencies and industry through research and sharing data to leverage the broader stakeholder community to advance consumer product safety.

### **Agency Priority:** Data-Driven

The CPSC will seek to expand the utility of its data assets, data analysis tools, sources, and types of analysis used to identify and assess hazards and inform solutions to address them. The CPSC will accomplish this by augmenting analytical and trend-assessment protocols and pursuing an integrated data management and analytics strategy. These efforts will expand and improve the CPSC's capabilities to identify and analyze emerging hazards and reinforce the data-driven nature of the agency's work.

### **Management Challenges**

Management challenges identified by the CPSC's Inspector General are detailed on pp. 60–68 of the *FY 2019 Agency Financial Report (AFR)*, which can be found at: [www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget).

## Cross-Agency Collaboration

### Collaboration with GSA on Enterprise Data Analytics Strategy

The CPSC has an extremely wide jurisdictional scope, encompassing roughly 15,000 categories of consumer products found in homes, stores, schools, and recreational settings. As such, the agency collects and analyzes large volumes of structured and unstructured data from a wide variety of sources, including hospitals, consumer incident reports, businesses, other federal agencies, among others. As the volume and sources of data expand, the CPSC's limited resources have become inadequate to maintain the advanced capability necessary to analyze such large and varied amounts of data. This limitation impedes the agency's ability to effectively identifying or assessing hazard patterns and prevent harm from reaching consumers. In FY 2019, the CPSC established an Interagency Agreement (IAA) with the General Services Administration's (GSA) IT Modernization Centers of Excellence (CoE) to formulate a multiyear Enterprise Data Analytics Strategy (EDAS), which provides the basis for structured incremental improvements to enable the CPSC to extract maximum value from its large amounts of mission-facing data. The CPSC plans to utilize enterprise data analytics tools to amplify the CPSC's analytics capability and effectiveness in preventing harm from reaching consumers.

### Collaboration with Federal Agencies on Data Collection through NEISS

The CPSC uses the National Electronic Injury Surveillance System (NEISS) to collect information on consumer product-related injuries occurring in the United States that are treated in hospital emergency rooms. This unique CPSC's system provides statistically valid national estimates of injuries from a probability sample of hospital emergency rooms. NEISS is a critical component of the CPSC's data-driven approach to identifying emerging trends and consumer product hazards. NEISS data are available to anyone with an Internet connection.<sup>6</sup>

The CPSC has collaborated successfully with other federal agencies to collect injury data through

<sup>6</sup> To access NEISS data, please visit: [www.cpsc.gov/en/research-statistics/NEISS-injury-data](http://www.cpsc.gov/en/research-statistics/NEISS-injury-data)

NEISS on non-consumer product-related injuries. Examples of CPSC's FY 2019 collaborations include:

- **Centers for Disease Control and Prevention (CDC):** To collect comprehensive data on trauma-related injuries. These data make up the nonfatal injury component of the CDC's Web-based Injury Statistics Query and Reporting System<sup>7</sup> (WISQARS),<sup>TM</sup> an interactive, online database used by researchers, public health professionals, and the public.
- **National Center for Injury Prevention and Control (NCIPC):** To conduct NEISS studies of data on nonfatal injuries associated with interpersonal violence and assaults, firearms, and self-inflicted violence.
- **National Institute for Occupational Safety and Health (NIOSH):** To collect data on nonfatal occupational injuries. The data can be accessed through NIOSH's online database—Work-Related Injury Statistics Query System (Work-RISQS).<sup>8</sup>
- **National Highway Traffic Safety Administration (NHTSA):** To collect data on non-crash injuries.

### Collaboration with CBP on Import Surveillance

The CPSC has collaborated successfully with U.S. Customs and Border Protection (CBP) to improve surveillance and screening of imported consumer products. Section 222 of the CPSIA directed the CPSC to create a Risk Assessment Methodology (RAM) to identify products imported into the United States that are most likely to violate consumer product safety statutes and regulations or that contain a defect that constitutes a substantial product hazard. The CPSC uses a RAM system, which integrates data collected by CBP with data used in CPSC systems, to identify high-risk imports that might violate a CPSC statute or regulation. The CPSC has port investigators who are stationed at U.S. ports of entry to identify and interdict noncompliant consumer products and prevent them from entering the United States; the CPSC investigators are co-located with CBP officers at the ports. In addition, the CPSC collaborates with CBP at the Commercial Targeting and Analysis Center (CTAC), which serves as a central location

<sup>7</sup> [www.cdc.gov/injury/wisqars/index.html](http://www.cdc.gov/injury/wisqars/index.html)

<sup>8</sup> [wwwn.cdc.gov/wisards/workrisqs](http://wwwn.cdc.gov/wisards/workrisqs)

for coordinating import safety targeting efforts with CBP in support of agency enforcement plans.

### Collaboration with Federal Agencies and Other Stakeholders on the Internet of Things

The Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices or products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues or hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders. To address this challenge, in FY 2019, the CPSC collaborated with other federal agencies, foreign governments, and a wide range of stakeholders to address the safety of Internet-connected products, including:

- Initiating an Interagency Working Group on Consumer Product Safety of Internet-Connected Products. Participating agencies included the National Cybersecurity Center of Excellence (NCCoE) of the National Institute of Standards and Technology (NIST), the Federal Trade Commission (FTC), the U.S. Food and Drug Administration (FDA), the Federal Communications Commission (FCC), the Department of Energy (DOE), and the Department of Homeland Security (DHS).
- Developing expertise and in-house capabilities for Internet-connected products and participating in development of voluntary consensus standards;
- Participating on IoT panels at the UL's Consumer Advisory Council, Consumer Federation of America's Consumer Assembly, NIST's Core Cybersecurity Capabilities Workshop, and the DHS Cybersecurity and Infrastructure Security Agency's (CISA) 2019 CISA National Cybersecurity Summit;
- Establishing an IAA with NIST's NCCoE on workforce development.

### Collaboration with Federal Agencies on Nanotechnology

The CPSC has collaborated successfully with other federal agencies through the National Nanotechnology Initiative (NNI), a White House-led \$27 billion initiative that involves 20 federal

agencies working in the emerging field of nanotechnology. There is a critical need for focused research on consumer product applications of nanomaterials and their potential risks to consumers. Given the CPSC's size and budget, partnering has been a key element in achieving mission success. The CPSC's collaborative activities with the NNI have produced more than 50 reports and publications, in addition to voluntary standards resulting from CPSC-funded research that addresses nanomaterial hazards in consumer products and the Nano Prioritization Tool. The Nano Prioritization Tool is now included in the Organisation for Economic Co-operation and Development's (OECD) program for use in assessing exposure to manufactured nanomaterials.

- **Collaboration on 3-D Printing:** Technical improvements and cost reductions of 3-D printing have made the technology become more widely available, allowing for consumers to print products for children and the home. However, printing filaments used in certain 3-D printers contain nanomaterials. The CPSC has been collaborating successfully with the Environmental Protection Agency (EPA) and NIOSH to study potential health hazards associated with nanomaterials in 3-D printing filaments. Additionally, in FY 2019, the CPSC expanded its collaborative research efforts on 3-D printing by establishing an IAA with NIST.
- **Quantifying Exposure to Engineered Nanomaterials in Manufactured Products:** In FY 2019, the CPSC and the NNI sponsored the second Quantifying Exposure to Engineered Nanomaterials in Manufactured Products (QEEN II) workshop.<sup>9</sup> The workshop highlighted new research on the tools and methods available to characterize and quantify effective population exposures and the presence and release potential of nanomaterials. The QEEN II workshop addressed the progress made since the first QEEN workshop<sup>10</sup> in July 2015. The growth of emerging technologies, including 3-D printing, additive manufacturing, and other advanced manufacturing technologies and the use of nanotechnology in these processes, were also addressed as areas of continued interest within the Nano Environmental Health and

<sup>9</sup> [www.nano.gov/queen2](http://www.nano.gov/queen2)

<sup>10</sup> [www.nano.gov/node/1327](http://www.nano.gov/node/1327)

Safety (NanoEHS) exposure and toxicology communities.

For more information on the CPSC's FY 2019 collaboration with other federal agencies on nanotechnology, please visit:

[www.nano.gov/sites/default/files/CPSC-2019-NNI-progress-plans.pdf](http://www.nano.gov/sites/default/files/CPSC-2019-NNI-progress-plans.pdf).

### Collaboration with Federal Agencies on Chemical Hazards

As a small agency, the CPSC benefits greatly from collaborating with other federal agencies. The CPSC participates in a number of significant interagency committees or groups that address chemical hazards, including:

- The President's Task Force on Children's Environmental Health (CEHTF);
- Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM);
- National Toxicology Program (NTP), run by the U.S. Department of Health and Human Services (HHS);
- Federal Interagency Committee on Indoor Air Quality (CIAQ);
- White House Policy Coordinating Committee (PCC) Technical Working Group (TWG) on Per- and Polyfluoroalkyl Substances (PFAS)
- National Cancer Advisory Board (NCAB), run by the National Cancer Institute; and
- NNI's Nanotechnology Environmental and Health Implications (NEHI) Working Group.

### Collaboration with Federal Agencies on Shared Services

The CPSC's operating model is designed around the use of shared services to lower costs, improve service delivery, and benefit from economies of scale not necessarily available to a small agency. The CPSC leveraged the following shared services in FY 2019:

- **Financial Management and Acquisition:** In FY 2019, the CPSC transitioned its financial management systems and services to the Department of Treasury's Administrative Resource Center (ARC) within the Bureau of the Fiscal Service, and ended its shared services

agreement with the Department of Transportation (DOT). In switching to the new provider, the agency retired the legacy contracting system, implemented electronic invoicing, and integrated budget, accounting, and procurement data across core systems and reports. The CPSC expects this new, shared-services agreement to result in cost savings totaling more than \$3 million over 5 years.

- **Payroll and Related Human Resource (HR) System Services:** Provided by the Interior Business Center (IBC) of the U.S. Department of the Interior (DOI).
- **Grants Management Services:** Provided by the Denali Commission to manage CPSC's *Pool Safely* Grant Program<sup>11</sup> (PSGP), in accordance with the Virginia Graeme Baker Pool and Spa Safety Act (VGB Act).
- **Information Systems Security Line of Business (ISSLoB) Services:** Provided by the U.S. Department of Justice (DOJ) (one of OMB's designated Shared Services Centers [SSC] for ISSLoB Certification and Accreditation [C&A] services). The CPSC procures the services as part of its continued implementation of OMB's 2005 ISSLoB initiative.
- **Security Assessment and Authorization (SA&A) Services:** Provided by the DOI for the CPSC's information systems, as part of CPSC's compliance with the Federal Information Security Management Act (FISMA).
- **Federal Docket Management System (FDMS):** Provided by the EPA for implementation, use, operation, and management of the FDMS, the centralized electronic docket management system for federal agency users. The FDMS services a wide array of routinely performed regulatory activities to the public through [www.Regulations.gov](http://www.Regulations.gov), which is the public-facing website of FDMS that offers citizens the opportunity to search, view, download, and submit comments on federal notices and rules.

<sup>11</sup> [www.poolsafely.gov/about-us/grants-vqbfy18](http://www.poolsafely.gov/about-us/grants-vqbfy18)

## Evaluation and Research

### Key Performance Measures

The CPSC has identified a core set of 25 key performance measures that describe progress in implementing the Strategic Plan. The key performance measures are tools for monitoring and reporting progress toward the agency's strategic goals and strategic objectives, and they facilitate using evidence in agency management and resource decisions. The key performance measures are supplemented by additional operating performance measures, which track lower-level project and program outcomes and outputs, and are used for internal management and decision-making. Additional internal milestones are set and monitored to track implementation progress.

### Strategic Data Review Meetings

The CPSC implements a number of different mechanisms to review financial and performance information and to manage programs during the fiscal year. The Office of the Chief Financial Officer (CFO) produces a monthly report for senior managers' use, which summarizes the status of the agency's financial resources and human capital. Financial data presented in the report include the current fiscal year's annual funding level, cumulative allowances, cumulative funds obligated, and expended obligations, as well as information on onboard staffing levels. Another helpful agency practice has been conducting a Mid-Year review process, during which the annual operating budget is examined for potential adjustments, based on new information or emerging priorities of the agency.

The agency also conducts periodic Strategic Data Reviews (SDRs). The SDRs are strategic, data-driven planning and performance progress reviews attended by the CPSC's senior managers. The SDRs provide a forum for managers to focus on annual planning to achieve performance goals and strategic objectives and to refresh program priorities and funding requirements. Forward-looking planning decisions are informed by assessing progress toward performance measure targets and achieving agency performance goals and strategic objectives, and reviewing relevant evaluation information. Managers discuss constraints or problems, and identify any needed

modifications to programs going forward. Program risks are also discussed, and mitigation strategies are developed.

### Evaluation and Research

The CPSC uses research, analysis, and program assessments to inform management decisions, drive improvements in program delivery and effectiveness, and update future strategies and program formulation. The CPSC's Office of the Inspector General (OIG) audits, evaluates, reviews, and investigates the agency's programs and operations. The U.S. Government Accountability Office (GAO) also conducts performance audits and analyses, and makes recommendations to help improve CPSC's practices, policies, and programs. In addition, the CPSC performs targeted reviews of internal controls to determine whether processes should be modified to strengthen and improve operations. Finally, the CPSC conducts research, and reviews and assesses the effectiveness and efficiency of specific programs supporting the strategic goals in the Strategic Plan, as appropriate. The CPSC is committed to using the findings from research and evaluation to improve programs and strategies and make progress toward strategic goals and strategic objectives. Examples of CPSC's FY 2019 evaluation and research efforts include:

**Enterprise Data Analytics:** In FY 2019, the CPSC partnered with the GSA's IT Modernization Centers of Excellence (CoE) to formulate a multi-year Enterprise Data Analytics Strategy (EDAS) to expand CPSC's analytics capability (see p. 17 for information on the Interagency Agreement with GSA). Accordingly, the CPSC is pursuing a pilot initiative to test and evaluate a limited number of Use Cases employing advanced analytics tools (e.g., machine learning, an analytics functionality that replicates human decision-making, analysis, and processing, to identify serious incidents that require action). The pilot will inform and refine the agency's EDAS for the next few years.

- **Use Cases Pilot Initiative:** In FY 2019, as part of the Use Cases pilot initiative for the EDAS, the CPSC funded its first Use Case — "Use Case 1 – Data Analytics Implementation." One type of incident data the agency collects is CPSC's retailer data, which is incident data

retailers submit voluntarily through the CPSC's Retailer Reporting Program. Agency staff then processes the retailer data by manually assigning the product code of the potentially harmful product to the retailer incident data. However, it is likely that the volume of the incoming retailer data will increase in the near future, and, should that occur, the manual process would not be scalable. Use Case 1 will establish a framework to automate the process of assigning product code to the retailer data. Furthermore, Use Case 1 will help standardize CPSC's coding taxonomy by using machine learning to accurately code those potentially harmful products into the coding taxonomy. In addition, Use Case 1 will help depict the severity of injury, by analyzing or translating a narrative text description of the harmful product. Use Case 1 is expected to be completed in FY 2020, and its results will inform and refine the CPSC's EDAS and other potential Use Cases.

**E-commerce:** The digital marketplace has grown rapidly, which has resulted in a significant global shift from the traditional consumer product distribution chain (e.g., retail stores) to an e-commerce platform.<sup>12</sup> The CPSC's import surveillance operational structure has been organized to scan for high-value shipments that arrive at traditional U.S. ports of entry; those shipments are typically intended for businesses (e.g., distributors or retailers), which, for instance, would offer for sale to the consumer individual products from their imported shipments. Given the agency's operational structure, it is extremely challenging for the CPSC to keep pace with the rise of e-commerce, which has led to a significant increase in volume of low-value, potentially non-compliant or hazardous shipments of foreign-manufactured products that are shipped directly to consumers.

- **E-commerce Study:** With the aim of developing a longer-term vision for more effective identification, enforcement, and deterrence of trade violations in the e-commerce environment, the CPSC initiated an E-commerce Study in FY 2018, to assess its

current capabilities in addressing e-commerce shipments arriving at U.S. ports. In addition, the study would help the CPSC estimate the expected volume and location of where those shipments would arrive in the next 5 years. The agency successfully completed its E-commerce Study<sup>13</sup> in FY 2019. Results from the study will directly inform the E-commerce Concept of Operations.

- **E-commerce Concept of Operations (CONOPS):** Funded in FY 2019, the CONOPS is a 5-year plan that will serve as a roadmap for the CPSC in determining implementation of various resources for addressing e-commerce risks. The CPSC expects the implementation of the CONOPS to significantly improve the agency's ability to identify potentially noncompliant and dangerous e-commerce shipments and stop those shipments from reaching consumers.

**Business Process Review:** The marketplace for consumer products under CPSC's jurisdiction has been evolving and influenced by societal and technological trends, such as expansion of the digital marketplace, along with new types of hazards that consumers are being exposed to daily. The CPSC needs to adapt its compliance and enforcement operations to keep pace with the evolving marketplace. In FY 2019, the CPSC funded a Business Process Review (BPR) to modernize the agency's compliance business processes. The BPR involves assessment of CPSC's current compliance business processes and key capabilities of existing data systems that support those processes. Upon completion of the BPR work, scheduled for FY 2020, the agency will have identified recommendations for: (1) opportunities for maximizing efficiencies in those compliance business processes; and (2) key data system capabilities that will support the updated or improved business processes. The BPR is the first step in what is the CPSC envisions as a multi-project and multi-year effort to modernize the agency's compliance and enforcement business work streams and essential data system capabilities to support those work streams.

<sup>12</sup> The number of Americans shopping online increased nearly four-fold from 22 percent to 79 percent between 2000 and 2018. Reference: [www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CPB-E-Commerce-Strategic-Plan\\_0.pdf](http://www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CPB-E-Commerce-Strategic-Plan_0.pdf)

<sup>13</sup> A detailed report on the E-commerce Study can be found at:

[www.cpsc.gov/s3fs-public/CPSC%20E-Commerce%20Assessment%20Report.pdf?B.5pu7oFYPRJsokNiHygmRyZV00tpmE](http://www.cpsc.gov/s3fs-public/CPSC%20E-Commerce%20Assessment%20Report.pdf?B.5pu7oFYPRJsokNiHygmRyZV00tpmE)

**Tipovers:** Tipovers are a significant hidden hazard in the home. The annual average number of injuries associated with tipovers is more than 27,000.<sup>14</sup> Since year 2000, there have been more than 550 fatalities associated with tipovers; tragically, 83 percent of those fatalities involved children.<sup>15</sup>

- **Furniture Tipover Consumer Research:**<sup>16</sup> To help address tipover hazards, in FY 2019, the CPSC initiated a study on furniture tipover and consumer behavior. The purpose of the study is to gather information from participants regarding their perceptions or interactions with clothing storage units and associated warning information and the factors that influence their decisions on product selection and use. Findings from the study will help inform discussions with stakeholders on the definition for “clothing storage units” and warning label conspicuity and content.
- **Child Strength Study:** Tipovers, among some other incidents that result in injury or death of children, occur when the child has sufficient physical strength to interact with or modify an otherwise safe object and leads to an injury or the death of the child. Initiated in FY 2018, the agency’s multiyear Child Strength Study will update and expand CPSC’s current data on strength of children ages 0 to 5 years old. The study is expected to be completed in FY 2023.

**Infant Sleep Environment—Consumer Awareness of and Engagement with Warning Labels:** According to the CPSC’s 2017 Nursery Product Annual Report,<sup>17</sup> the agency received reports of a total of 284 fatalities associated with nursery products from the 3-year period of 2012–2014. Of those 284 fatalities, sleep products account for nearly three-quarters of the fatalities. To address this hazard, in FY 2019, the CPSC funded a study on consumer awareness of warning labels and public messages about infant sleep environment. The study will involve in-depth interviews with caregivers of infants less than 1 year old, and the study will seek to understand the gap between consumers’ understanding of product

warning labels and their attention or response to those labels. Based on CPSC’s current data, it can be typical of an infant to sleep in many different products (e.g., crib, playpen, bassinet, inclined sleeper); however, not all of those sleep products are safe for infant sleep. Additionally, new sleep products are frequently introduced into the market that, if used incorrectly, may put an infant at risk of injury and death. Findings from the study will help inform the agency’s work on safety standards for infant sleep products and other children’s products under CPSC’s jurisdiction.

**Human Factors-Related Research:** The CPSC strives to improve the quality and specificity of hazard information and improve analytic capabilities. When appropriate, the CPSC conducts research on how consumers actually use or interact with specific products, to help understand exposure to safety hazards. Information from these research efforts, which can include consumer surveys, contributes to work on development of product safety standards.

- **Playground Surfacing National Survey:** An example of CPSC’s human factors-related research is a national survey to learn more about young children’s potential exposure to chemical and mechanical safety hazards on playgrounds with surfacing material made from recycled tires. This research project had been under way since FY 2017 and was completed in FY 2019. It supports the federal interagency research effort *Federal Research Action Plan on Recycled Tire Crumb Used on Playing Fields and Playgrounds* (FRAP). Findings from the survey provide information on children’s use patterns on playgrounds (i.e., frequency and duration of visits), parents’ or caregivers’ observations of children’s behaviors and activities on playgrounds, and other exposure factors such as clothing and hygiene habits at playgrounds. The survey also includes information on seasonal and regional variations of those exposure factors. Survey results will be used, along with biomonitoring information collected by other agencies, when

<sup>14</sup> According to CPSC’s National Electronic Injury Surveillance System’s (NEISS) data, the annual average number of emergency department-treated injuries from years 2016 to 2018 is 27,100.

<sup>15</sup> Between 2000 and 2018, the CPSC received 556 reports of tipover-related fatalities. Of the 556 reported fatalities, 459 (83%) involved children of ages 1 month to 14 years.

<sup>16</sup> The Furniture Tipover Consumer Research focuses on furniture tipovers, which are one of the three categories of tipovers being studied by the CPSC. The agency publishes annual tipover reports that contain

information on injuries and fatalities associated with furniture, television, and appliance product instability or tipover incidents. For more information, please see the agency’s 2019 tipover report at: [www.cpsc.gov/s3fs-public/2019\\_Tip\\_Over\\_Report\\_0.pdf?kk87NU139Jb5NtMYAF.15ppcG4z0K66s](http://www.cpsc.gov/s3fs-public/2019_Tip_Over_Report_0.pdf?kk87NU139Jb5NtMYAF.15ppcG4z0K66s)

<sup>17</sup> [www.cpsc.gov/s3fs-public/Nursery-Products-Annual-Report-2017\\_0.pdf](http://www.cpsc.gov/s3fs-public/Nursery-Products-Annual-Report-2017_0.pdf)



it becomes available, to develop chemical exposure models of children using playgrounds that have surfaces made from recycled tires. The exposure models will be combined with chemical hazard information (*i.e.*, toxicity and potency) for use in future risk assessments of the potential human health impact from chemicals in recycled tire crumb rubber. The report of the playground survey results is available to the public on the CPSC website.<sup>18</sup>

### Chemical Hazards-Related Research:

The CPSC conducts research on toxicity, human exposure, and health risks of the thousands of chemicals found in consumer products. In FY 2019, the agency's research on chemical hazards resulted in 11 publications and 17 presentations at scientific conferences.

- **Phthalates Alternatives:** In FY 2019, the CPSC established agreements with the University of Cincinnati to conduct toxicological reviews of 16 phthalates. So that other scientists can access the information, the 16 toxicological review reports are posted as technical reports on the CPSC public website.<sup>19</sup> Results from the toxicological reviews would serve as a first step in evaluating potential risks associated with the chemical compounds being used by industry as alternatives to regulated phthalates.
- **Organohalogen Flame Retardants:** In May 2019, the National Academy of Sciences (NAS) publicly released a report on a scoping plan to assess organohalogen flame retardants (OFRs) as a class of chemicals considered as potential chronic health hazards (including cancer, birth defects, and gene mutations) under the Federal Hazardous Substance Act (FHSA). The National Academies Press published the final report in July 2019.<sup>20</sup> Because the CPSC sponsors the scoping plan, in July 2019, the Chairman of the NAS's OFR Committee briefed the Commission and also met with CPSC staff. The strategy for implementing the scoping plan was initiated in FY 2019, and will continue in FY 2020.
- **Alternative Toxicological Methods:** In FY 2019, the CPSC collaborated extensively with the

Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM). The CPSC's FY 2019 collaborative work includes:

- Continuing participation as members of numerous working groups for the ICCVAM;
- Participating in the new ICCVAM working group on Nanotechnology;
- Continuing working with NIST on validating the Electrophilic Allergen Screening Assay (EASA) assay (*i.e.*, a scientific testing procedure to detect or identify skin sensitizers, which are substances found in consumer products and have the potential to cause Allergic Contact Dermatitis [ACD]); the work was performed in cooperation with ICCVAM, the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM), NIST, the U.S. Food and Drug Administration (FDA), and the Department of Defense (DoD). The CPSC developed a testing protocol for the EASA assay and presented a poster that summarizes the testing protocol at the Society for Toxicology's 2019 annual meeting and to the American Society of Cellular and Computational Toxicology.
- Reviewed numerous documents for ICCVAM, such as testing procedures, guidance documents and OECD Test Guidelines Programme<sup>21</sup> documents.

### Importance of Data and Evidence in Determining Program Priorities

As a data-driven agency, the CPSC regularly collects and analyzes a wide range of data from multiple sources that are relevant to its mission. The CPSC uses that information to shape program strategies and select priorities. For example, the CPSC systematically reviews and analyzes data on injury and death incidents related to consumer products to develop the CPSC's hazard-mitigation strategies. The CPSC receives data from multiple sources, including NEISS, death certificates, Medical Examiner and Coroners Alert Project (MECAP) reports, incident reports, and [www.SaferProducts.gov](http://www.SaferProducts.gov), among others.

<sup>18</sup> [www.cpsc.gov/s3fs-public/Final-Report\\_Playground-Surfacing-Survey-with-Appendices-and-Cleared-Staff-Statement-Cover-Page.pdf?sqzSSGJkODbKEnHhYnkJrP8eDpKRWKBS](http://www.cpsc.gov/s3fs-public/Final-Report_Playground-Surfacing-Survey-with-Appendices-and-Cleared-Staff-Statement-Cover-Page.pdf?sqzSSGJkODbKEnHhYnkJrP8eDpKRWKBS)

<sup>19</sup> The reports can be found at: [www.cpsc.gov/Research--Statistics/Technical-Reports#phthalates-and-other-plasticizers](http://www.cpsc.gov/Research--Statistics/Technical-Reports#phthalates-and-other-plasticizers).

<sup>20</sup> The report can be found at: [www.nap.edu/catalog/25412/a-class-approach-to-hazard-assessment-of-organohalogen-flame-retardants](http://www.nap.edu/catalog/25412/a-class-approach-to-hazard-assessment-of-organohalogen-flame-retardants).

<sup>21</sup> [www.oecd.org/chemicalsafety/testing/oecd-guidelines-testing-chemicals-related-documents.htm](http://www.oecd.org/chemicalsafety/testing/oecd-guidelines-testing-chemicals-related-documents.htm)

## Appendix A

### CPSC Performance: Verification & Validation of Performance Data

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The CPSC requires complete, accurate, and reliable performance data to assess agency progress toward its strategic objectives and performance goals, and to make good management decisions. The CPSC's approach to verification and validation (V&V) of performance data, intended to improve accuracy and reliability, is based upon the following:

- (1) The agency develops performance measures through its strategic planning and annual performance planning processes.
- (2) The CPSC's functional components follow a standard reporting procedure to document detailed information for each performance measure in an internal agency database. This information includes, but is not limited to:
  - performance measure definition,
  - rationale for the performance measure,
  - source of the data,
  - data collection and computation methods, and
  - data limitations.
- (3) The agency's major functional components are responsible for assessing the completeness, consistency, timeliness, and quality of the data for their key performance measures, as well as identifying any data limitations. Managers of major functional components responsible for reporting key measures certify that procedures for ensuring performance data quality have been followed, and that the reported results are reasonably complete, accurate, and reliable.
- (4) In addition to the self-assessments and certification statements completed by functional components, year-end results for key performance measures are reviewed by the

Office of Financial Management, Planning, and Evaluation (EXFM) team and approved by management before they are published in agency documents. Furthermore, EXFM also conducts an in-depth V&V review of each key performance measure within a 2-year cycle, following established operating procedures. In FY 2019, EXFM independently assessed 12 key performance measures out of 25 from across the agency's major functional components for quality and accuracy of the year-end reported performance results.

- (5) The CPSC also conducts periodic Strategic Data Review (SDR) meetings, where managers of major functional components analyze progress toward performance measure targets and broader progress toward achieving the agency's strategic objectives and performance goals. Program risks are also discussed, and mitigation strategies are developed.
- (6) Managers of major functional components within the CPSC also submit annual statements of assurance (SoA) on the operating effectiveness of general- and program-level internal controls for their areas of responsibility. Those SoA identify any known deficiencies or weaknesses in program-level internal controls where they exist, including any issues with the quality of program data.

These procedures help to provide assurance that performance data reported by the agency are sufficiently complete, accurate, and reliable, as appropriate to intended use, and that internal controls are maintained and functioning, as intended.

## Appendix B

### Changes to FY 2019 Performance Measures

In accordance with OMB Circular No. A-11 guidance, this section of the FY 2019 APR summarizes changes to FY 2019 performance measures that occurred between the publication of the FY 2019 Performance Budget Request (PBR) (published February 2018) and this document, the FY 2019 APR (February 2020). Changes to the performance measures resulted from the enactment of the CPSC’s FY 2019 annual appropriations and implementation of the CPSC’s FY 2019 Operating Plan (published October 2018).

In the table below, the left-most column indicates whether the FY 2019 measure was discontinued, revised, or replaced after the FY 2019 PBR publication. For revised measures, the table presents changes made to the performance measure’s statement and/or annual target. For replaced measures, the table presents changes from the original performance measure (as reported in the FY 2019 PBR) to the replacement measure (as reported in this document) for the following attributes, as are relevant: measure ID, performance measure statement, and annual target.

FY 2019 Measure Status	Measure ID	FY 2019 Performance Measure Statement (from FY 2019 PBR to FY 2019 APR)	FY 2019 Target	
			FY 2019 PBR	FY 2019 APR
Revised	2019KM1.1.02	Percentage of full-time equivalents (FTEs) utilized	95%	96%
Revised	2019KM2.2.01	Number of voluntary standards activities in which CPSC staff actively participates	71	74
Revised	2018KM2.2.02	Number of candidates for rulemaking prepared for Commission consideration	10	12
Replaced	2019KM2.2.03	<u>PBR</u> : Violation rate of targeted repeat offenders		
	2019KM2.2.07	<u>APR (replacement)</u> : Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	TBD	75% <sup>22</sup>
Revised	2019KM3.1.01	Percentage of cases for which a preliminary determination is made within 85 business days of the case opening	70%	65%
Discontinued	2019KM4.1.01	Percentage of positive responses about usefulness of information received from CPSC communication channels	85%	Discontinued
Revised	2019KM4.1.02	Number of engagement with CPSC safety messaging on social media channels by stakeholders (in thousands)	300	320
Revised	2019KM4.2.01	Number of impressions of CPSC safety messages (in millions)	5,900	4,000
Revised	2019KM4.3.01	Number of collaboration activities initiated with stakeholder groups	35	28

<sup>22</sup> The CPSC started collecting baseline data for Key Measure 2.2.07 in FY 2018, and established FY 2019 target of 75% in the FY 2020 PBR (approved March 2019).

## Appendix C

### Detailed Information on FY 2019 Performance Measures

This section presents detailed information on the 25 key performance measures for FY 2019. The CPSC’s FY 2019 Operating Plan includes FY 2019 performance measures and annual targets, used for tracking progress toward achieving the strategic goals and strategic objectives outlined in the agency’s strategic plan.

**Navigation:** The performance measures are organized by strategic goal. For each performance measure, this appendix shows key information from the data fields listed in the CPSC’s centralized Performance Management Database (PMD). Each quarter, the CPSC’s functional components are responsible for reporting actual progress for each performance measure in the PMD. The following are the data fields listed in this appendix for each performance measure:

Name of Data Field	Description
<b>Control ID</b>	A unique identifier assigned to each performance measure. <ul style="list-style-type: none"> <li><b>Note:</b> An asterisk symbol (*) following the Control ID indicates that the performance measure has been verified and validated. For more information on CPSC’s procedures on Verification &amp; Validation (V&amp;V) of performance data, refer to Appendix A on p. 24.</li> </ul>
<b>Program</b>	The CPSC’s functional component that is responsible for the performance measure.
<b>Strategic Goal</b>	The strategic goal from the CPSC’s Strategic Plan associated with the performance measure.
<b>Strategic Objective</b>	The strategic objective from the CPSC’s Strategic Plan associated with the performance measure.
<b>Performance Measure Statement</b>	A measurable value that indicates the state or level of the targeted result.
<b>Definition of Performance Measure</b>	A clear description of the indicator, with enough specificity that different individuals can collect and report the same information for the measure.
<b>Rationale for Performance Measure</b>	A description of why the performance measure was selected; how it tracks progress toward the associated strategic objective; and how the information will be useful for management.
<b>2015–2019 Actuals; Target met?</b>	FY 2019 target and historical actual values for the performance measure and indication of whether the FY 2019 target was met.

<b>Name of Data Field</b>	<b>Description</b>
<b>Analysis</b>	<p>This field may include:</p> <ul style="list-style-type: none"> <li>• An explanation of how progress toward meeting the annual target for this performance measure contributes to progress toward meeting the strategic objective;</li> <li>• Annual target:               <ul style="list-style-type: none"> <li>◦ If the FY 2019 target was met, a description of the key elements that contributed to success in meeting the target</li> <li>◦ If the FY 2019 target was not met, a description of the issues/obstacles that impeded success in meeting the target</li> <li>◦ If data for FY 2019 result are not available, the reason(s) for the unavailability, and the expected date that the data will become available; and</li> </ul> </li> <li>• Discussion of the trend result: positive, negative, or steady; expectations for trend over time.</li> </ul>
<b>Plan(s) for Improving Performance</b>	<p>If applicable, a description of action(s) to be implemented to improve performance in future years.</p>
<b>Data Source</b>	<p>Identification of data source(s) with enough specificity, so that the same source(s) can be used for the performance measure over time.</p>
<b>Data Collection Method and Computation</b>	<p>Detailed description of the collection and computation method, so that it can be replicated consistently over time, and by different personnel.</p>
<b>Data Limitations and Implications of the Reported Results</b>	<p>Identification of any known data limitations, including a description of the limitations, the impact limitations may have on measuring progress toward the annual target and/or the related performance goal or strategic objective, and the actions that will be taken to correct the limitations.</p>

<b>Control ID</b>		<b>Program</b>				
2019KM1.1.02		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.1: Enhance effective strategic human capital planning and alignment						
<b>Performance Measure Statement</b>						
Percentage of full-time equivalents (FTEs) utilized						
<b>Definition of Performance Measure</b>						
The total number of on-board FTEs, divided by the CPSC's authorized FTE ceiling for the fiscal year						
<b>Rationale for Performance Measure</b>						
The FTE utilization rate serves as an important workforce planning tool to guide the CPSC in assessing current/projected future skill gaps and changing/reshaping of the agency's workforce that might be needed to meet the agency's mission.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	--	97%	98%	96%	✓
<b>Analysis</b>						
The FY 2019 result was 98%, an increase from the FY 2018 result of 97% and exceeding the FY 2019 target of 96%.						
<b>Plan(s) for Improving Performance</b>						
The agency plans to continue efforts for strategic workforce planning to maintain the FTE utilization rate.						
<b>Data Source</b>						
Quarterly 113G Reports, from the Federal Personnel and Payroll System (FPPS). The FPPS is a database system administered by CPSC's Shared Services Provider—Interior Business Center (IBC) of the U.S. Department of Interior (DOI)						
<b>Data Collection Method and Computation</b>						
Calculate the average of: Each quarter's total on-board FTEs (from quarterly 113G report) divided by CPSC's authorized FTE ceiling for the fiscal year						
<b>Data Limitations and Implications of the Reported Results</b>						
The calculation method for this performance measure assumes the same weight for all FTE units, regardless of the FTE's level of managerial responsibility, expertise, or salary.						

<b>Control ID</b>				<b>Program</b>		
2019KM1.2.01				Human Resources		
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.2: Foster a culture of continuous development						
<b>Performance Measure Statement</b>						
Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)						
<b>Definition of Performance Measure</b>						
The percentage of positive responses for Question 1 – “I am given a real opportunity to improve my skills in my organization.” – from the annual FEVS administered by OPM is computed as follows: The number of employees who responded “satisfied” or “highly satisfied,” divided by the number of employees who responded to the question.						
<b>Rationale for Performance Measure</b>						
FEVS results for Question 1 are an indicator of how well the agency fosters a culture of continuous development by providing opportunities and encouraging professional development.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	72.5%	68.1%	65.8%	74%	<b>X</b>
<b>Analysis</b>						
The target was 74%; the FY 2019 actual result was 65.8%. The CPSC did not meet the target. The agency was impacted by the 5-week government shutdown in FY 2019, and nearly all CPSC employees were furloughed. The lengthy furlough likely affected the Federal Employee Viewpoint Survey (FEVS) responses this year. Although the CPSC did not meet the target, according to other FEVS data, 80.2% of employees agreed that their work unit has the job-relevant knowledge and skills necessary to accomplish organizational goals. The CPSC also made progress by surveying employees on training needs and conducting more than 40 on-site training opportunities. Additionally, 9% of employees participated in the agency Coaching Program, and 23% of employees have Individual Development Plans (IDPs).						
<b>Plan(s) for Improving Performance</b>						
To improve future performance, the agency will: <ul style="list-style-type: none"> <li>Request training participants to complete course surveys after each class to solicit input for future trainings.</li> <li>Ensure that every employee has at least one developmental activity identified for FY 2020.</li> </ul>						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM’s annual FEVS link sent out via email to all permanent employees. The positive responses are calculated by OPM. The positive responses include both the “highly satisfied” and “satisfied” employee responses for Question 1 of the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
CPSC employee responses to the FEVS are the source of data for this measure. As such, the data quality for this performance measure depends on the quality of survey responses, as well as the survey response rate (the FY 2019 response rate was 76.6%).						

<b>Control ID</b>		<b>Program</b>				
2019KM1.3.01*		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.3: Attract and recruit a talented and diverse workforce						
<b>Performance Measure Statement</b>						
Percentage of hiring managers trained on recruitment						
<b>Definition of Performance Measure</b>						
The CPSC provided recruitment training (segments on targeted assessments and recruitment authorities) to all selecting officials at CPSC (all supervisors, managers and executives) during FY 2019. The performance measure tracked the percentage of CPSC selecting officials who completed the training segments during the fiscal year (the number of CPSC selecting officials who completed the training segments during the fiscal year divided by the total number of CPSC selecting officials).						
<b>Rationale for Performance Measure</b>						
CPSC selecting officials received training in assessment tools and targeted recruitment authorities to ensure that they have the tools necessary to recruit a talented and diverse workforce. To recruit the best talent, hiring managers need to focus on the vacancy announcement and assessment to get the best applicants for selection. This comprehensive training provided selecting officials with the tools to develop assessments that will ensure that the most talented applicants are considered.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	56.1%	82.6%	85.5%	75%	✓
<b>Analysis</b>						
The FY 2019 result was 85.5%, exceeding the annual target of 75%.						
<b>Plan(s) for Improving Performance</b>						
Additional training sessions on recruitment topics will be offered in FY 2020, including interviewing and reference checking. In FY 2019, we measured hiring manager satisfaction to ensure that the training results in higher satisfaction with the applicant lists.						
<b>Data Source</b>						
Tracking spreadsheet						
<b>Data Collection Method and Computation</b>						
The CPSC uses sign-in sheets, provided at each training session, to update the tracking spreadsheet and the selecting officials' learning histories to verify attendance at trainings. The spreadsheet lists all selecting officials who have completed training on Targeted Assessment and Recruitment Training.						
<b>Data Limitations and Implications of the Reported Results</b>						
The measure only reports whether the managers were trained. The measure does not capture whether the training is effectively implemented by the managers to improve the quality of recruiting.						



<b>Control ID</b>		<b>Program</b>				
2019KM1.4.01		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.4: Increase employee engagement						
<b>Performance Measure Statement</b>						
Federal Employee Viewpoint Survey Employee Engagement Index Score						
<b>Definition of Performance Measure</b>						
The FEVS Employee Engagement Index (EEI) score, developed and computed by OPM, is a measure of work environment conditions that are conducive to employee engagement. The index consists of three factors: (1) Leaders Lead, (2) Supervisors, and (3) Intrinsic Work Experience. Each factor reflects a different aspect of an engaging work environment. The EEI includes results for 15 different questions from the FEVS, which together, are designed to measure overall employee engagement.						
<b>Rationale for Performance Measure</b>						
According to OPM's definition, "employee engagement" is described as an employee's sense of purpose. It is evident in their display of dedication, persistence, and effort in their work, or overall commitment to their organization and its mission. An agency that engages its employees ensures a work environment where each employee contributes to the success of the agency while reaching his or her full potential. Engaged employees contribute significantly to the success of the CPSC and the federal government as a whole.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
66%	70%	73%	69%	66%	75%	<b>X</b>
<b>Analysis</b>						
The target was 75%; the FY 2019 actual result was 66%. The CPSC did not meet the target. It is challenging to meet the target for this key measure because the FEVS is a voluntary survey. Specific challenges this year that may have impacted results include the absence of a permanent agency head and the extended furlough just prior to the administration of the survey.						
<b>Plan(s) for Improving Performance</b>						
The agency plans to improve its performance by implementing the President's Management Agenda (PMA) Agency Improvement Plan, focusing on the <i>Leaders Lead</i> portion of the Employee Engagement Index. The agency will execute an initiative developed from the survey results with employee focus group, Union, and Management feedback.						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM's annual FEVS link sent out via email to all permanent CPSC employees. The EEI score is based on data from responses to 15 different questions on the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
CPSC employee responses to the FEVS are the source of data for this measure. As such, the data quality for this performance measure depends upon the quality of survey responses, as well as the survey response rate (the FY 2019 response rate was 76.6%).						

<b>Control ID</b>				<b>Program</b>		
2019KM2.1.01				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Percentage of consumer product-related incident reports warranting follow-up actions						
<b>Definition of Performance Measure</b>						
Integrated Product Teams (IPTs), consisted of subject-matter experts from various organizations within CPSC and organized by type of hazard, receive incident reports through the Consumer Product Safety Risk Management System (CPSRMS), and determine whether follow-up actions, such as in-depth investigations or enforcement actions, are warranted.						
<b>Rationale for Performance Measure</b>						
Improved quality and specificity of hazard information included in incident reports makes them more informative and useful. The percentage of incident reports that warrant follow-up actions provides an indication of the extent to which incident reports contain improved information.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	25%	26%	23%	25%	<b>X</b>
<b>Analysis</b>						
The FY 2019 actual result was 23%, falling short of the target of 25%. The CPSC did not meet the target. This was due to staffing shortages, the 5-week government shutdown, and ongoing changes of the CPSC's IPTs.						
<b>Plan(s) for Improving Performance</b>						
The CPSC is in the process of reevaluating the IPT data review process to minimize the amount of time the IPTs spend on reviewing incident reports that lack sufficient information. Having more comprehensive incident reports before the IPTs' review will help expedite any warranted follow-up actions.						
<b>Data Source</b>						
CPSRMS						
<b>Data Collection Method and Computation</b>						
Incident reports received through CPSRMS are queried using statistical computer software to compute the proportions of each disposition assigned. Incident reports with the status of either, "Compliance Action" or "Possible Further Action" are tallied and then divided by the total number of incident reports with all statuses.						
<b>Data Limitations and Implications of the Reported Results</b>						
Incidents are reported to the agency by the public, manufacturers, retailers, or other stakeholders. Often, an incident report is not useful or meaningful because it lacks sufficient detail to be informative.						

<b>Control ID</b>				<b>Program</b>		
2019KM2.1.02*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards						
<b>Definition of Performance Measure</b>						
The number of milestone hazard characterization statistical reports produced for specified product-related hazards or categories. These reports characterize the number of reported fatalities and estimated injuries and trends.						
<b>Rationale for Performance Measure</b>						
This key measure tracks an element of the CPSC's strategy for improved hazard identification by scanning the marketplace to determine whether previously identified significant hazards exist in similar products. Annual reports presenting statistics on the numbers of reported deaths and estimates of emergency department-treated, product-related injuries for specific product-related hazards or categories allow for trend assessments and inform management decisions, along with information and education campaigns.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
10	11	11	10	11	11	✓
<b>Analysis</b>						
The FY 2019 actual result was 11 annual reports, meeting the annual target of 11 reports.						
<b>Plan(s) for Improving Performance</b>						
The CPSC plans to work on 11 reports in FY 2020, but some of those reports will cover new or updated product-related hazards or categories, such as e-scooters and off-road vehicles (All-Terrain Vehicles [ATVs], Recreational Off-Highway Vehicles [ROVs], and Utility Task Vehicles [UTVs]).						
<b>Data Source</b>						
Report postings for Assistant Executive Director (AED) review (Form 122) on CPSC's internal administrative system.						
<b>Data Collection Method and Computation</b>						
The agency prepares reports on consumer product-related fatalities, injuries, and/or losses for specific hazards annually. This is a count of the number of hazard characterization reports posted for AED review (Form 122) on CPSC's internal document-sharing system during the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure tracks the number of completed reports. It does not measure the quality of the reports.						

<b>Control ID</b>		<b>Program</b>				
2019KM2.1.03*		Hazard Identification				
<b>Strategic Goal</b>						
Goal : Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Percentage of consumer product-related injury cases correctly captured at NEISS hospitals						
<b>Definition of Performance Measure</b>						
A weighted average of the percentage of consumer product-related injury cases correctly captured at a sample of hospitals participating in the National Electronic Injury Surveillance System (NEISS) (where the percentage at each sampled hospital is calculated as: the number of product-related injury cases captured by the NEISS coder, divided by the number of product-related cases captured by a CPSC auditor).						
<b>Rationale for Performance Measure</b>						
Evaluation visits are conducted at NEISS hospitals to determine the percentage of reported consumer product-related cases captured correctly by hospital coders, indicating the quality of consumer product-related incident data from the hospitals.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
91.6%	91%	92.4%	93%	89.5%	90%	<b>X</b>
<b>Analysis</b>						
The target was 90%; the actual result was 89.5%. The CPSC did not meet the target. The CPSC monitors performance under this key measure by conducting on-site evaluation visits at NEISS hospitals to determine whether coders at those hospitals are capturing the reportable cases correctly. The Coder's Conference planned for FY 2019 did not take place due to the government shutdown in FY 2019, and, as a result, the coders were not provided with timely feedback from the CPSC. Several hospitals that were very large or relatively new to the CPSC's NEISS sample had identified issues during the CPSC-conducted evaluations.						
<b>Plan(s) for Improving Performance</b>						
To improve future performance, the CPSC will provide training and continue working with the larger or newer hospitals that had poor evaluations, to help improve their capture rate.						
<b>Data Source</b>						
NEISS Administrative Records System (NARS)						
<b>Data Collection Method and Computation</b>						
Audit results from each NEISS hospital visit are captured in NARS. Calculate one percentage (p) across all the NEISS hospitals that were evaluated during the fiscal year as: $p = \frac{\sum_i (N_i * (n_i(\text{coder}) / (s_i)))}{\sum_i (N_i * (n_i(\text{cpsc}) / (s_i)))}$ where $N_i$ is the annual number of emergency department treated cases at the $i$ th NEISS hospital, $(s_i)$ is the number of cases in sample drawn by the CPSC auditor at the $i$ th NEISS hospital, and $n_i(\text{coder})$ and $n_i(\text{cpsc})$ are as defined below. During a hospital audit, between 200 and 300 emergency department records are sampled, and the number of product-related cases in the sample are determined. These cases are then compared to the number of product-related cases in the sample, as captured by the NEISS coder. The hospital's capture metric is estimated as: $(n_i(\text{coder}) / (n_i(\text{cpsc})))$ where $n_i(\text{coder})$ is the number of product-related cases in the sample of cases $(s_i)$ as determined by the coder for the $i$ th NEISS hospital; and $n_i(\text{cpsc})$ is the number of product-related cases in the sample $(s_i)$ , as determined by the CPSC auditor. The performance metric is then estimated across audited NEISS hospitals as a weighted estimate of the individual hospital metrics.						
<b>Data Limitations and Implications of the Reported Results</b>						
Findings and guidance for improving the capture rate are provided to the NEISS coder. If capture rates are lower than expected, a second audit may be performed during the year.						

<b>Control ID</b>				<b>Program</b>		
2019KM2.1.04*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products						
<b>Definition of Performance Measure</b>						
A collaboration is defined as a contract, interagency agreement (IAA), or other formal documented agreement with another entity to obtain data for CPSC about nanomaterials in consumer products.						
<b>Rationale for Performance Measure</b>						
Increasing CPSC collaboration with other entities conducting research and obtaining information about nanomaterials in consumer products will leverage available CPSC funding to fill data gaps and to develop tools, which will allow CPSC to assess the risk to consumers of nanomaterials and help CPSC prioritize activities to prevent, reduce, or eliminate the risk of injury or death.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	7	9	6	3	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2019 target with six collaborations to fill data gaps on likely health effects from exposure to 3-D printer emissions and nanoparticle release from post-fused deposition modeling (FDM) printing, which support identification of hazards so that risk mitigations can be determined.						
<b>Plan(s) for Improving Performance</b>						
This key measure has been discontinued because there is no planned nanotechnology funding for collaborations in FY 2020.						
<b>Data Source</b>						
Procurement Information System for Management (PRISM) – interagency agreements and contracts for nanotechnology						
<b>Data Collection Method and Computation</b>						
Count of the number of PRISM nanotechnology initiatives awarded						
<b>Data Limitations and Implications of the Reported Results</b>						
This performance measure tracks the number of collaborations and does not measure the quality of those collaborations.						

<b>Control ID</b>		<b>Program</b>				
2019KM2.2.01*		Hazard Identification				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of voluntary standards activities in which CPSC staff actively participates						
<b>Definition of Performance Measure</b>						
<p>CPSC staff provides technical support and monitors voluntary safety standards activities, which are tracked in the Voluntary Standards Tracking Activity Report (V-STAR).</p> <p>A voluntary standard is a prescribed set of rules, conditions, or requirements relating to the safety of consumer products found in the home, schools, and/or recreation areas, which, by itself, imposes no obligation regarding use. In the case of CPSC staff support, a voluntary consumer product safety standard is generally developed using ASTM International (ASTM), Underwriters Laboratories Inc. (UL), or another standards developing organization that is accredited by the American National Standards Institute (ANSI). These voluntary standards may be incorporated, in whole or in part, into CPSC rules, such as rules for durable infant or toddler products, as set forth in the Danny Keysar Child Product Safety Notification Act.</p> <p>Active participation by CPSC extends beyond attendance at meetings, and it may include, among other things, any one or more of the following: providing injury data and hazard analyses, encouraging the development of a voluntary safety standard, identifying specific risks of injury, performing research, developing health science data, performing laboratory technical assistance, providing information on a proposed rulemaking, and taking other actions that the Commission, in a particular situation, determines may be appropriate. A list of these activities can be found at 16 CFR §1031.7.</p>						
<b>Rationale for Performance Measure</b>						
The CPSC works to minimize hazardous defects through increased participation in voluntary standards activities. The CPSC's statutory authority requires the agency to rely on voluntary standards rather than promulgate mandatory standards, if compliance with a voluntary standard would eliminate or adequately reduce the risk of injury identified and it is likely that there will be substantial compliance with the voluntary standard.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
81	71	76	77	74	74	✓
<b>Analysis</b>						
The CPSC met its target by being actively involved in the development of voluntary standards for 74 different products. Twenty-eight new or revised voluntary safety standards were approved in FY 2019. Detailed activities covering these products are published in the VSTAR issued twice a year, in the: (1) Mid-Year Report, and (2) Annual Report, which can be located at: <a href="http://www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards">www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards</a> .						
<b>Plan(s) for Improving Performance</b>						
With the new Voluntary Standards Specialist onboard, more attention can be given to voluntary standards work progress and to stay on top of the next actions associated with the voluntary standards.						
<b>Data Source</b>						
CPSC Voluntary Standards (VS) database, where calendar notices and VS documents are stored. An activity-tracking spreadsheet is also updated regularly.						
<b>Data Collection Method and Computation</b>						
It is a simple count of products that have had voluntary standards activities. Each product that has at least one activity is counted as one. These activities are reported in the bi-annual Voluntary Standards Tracking Activity Report (V-STAR).						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC's participation in voluntary standards activities is an ongoing process that depends on the activities of the voluntary standards committees and the Commission's priorities. The level of CPSC participation in developing voluntary standards also varies from product to product.						

<b>Control ID</b>				<b>Program</b>		
2019KM2.2.02*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of candidates for rulemaking prepared for Commission consideration						
<b>Definition of Performance Measure</b>						
The number of rulemaking briefing packages submitted by CPSC staff for the Commission's consideration						
<b>Rationale for Performance Measure</b>						
Safety standards address hazards associated with the use of consumer products. Consumer products that have been designed and manufactured to mandatory safety standards help prevent future hazards from occurring.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
20	10	18	19	14	12	✓
<b>Analysis</b>						
<p>The CPSC exceeded the FY 2019 target by completing 14 rulemaking packages. The 7 rulemaking packages from the original 12 planned candidates were: Final Rule (FR)–Consumer Registration Card Rule Updates, Notice of Proposed Rulemaking (NPR)–Crib Bumpers, NPR–Gates and Other Enclosures, FR–Stationary Activity Centers, NPR–Burden Reduction Manufactured Fibers, Direct Final Rule (DFR)–Customs Value for Refillable Cigarette Lighters, and ANPR–Furnances (CO Hazards). The 7 rulemaking packages in response to emerging requirements were: DFRs for Infant Bath Tubs, Pool and Spa, High Chairs, Full-size Cribs, Carriages and Strollers, Infant Bouncer Seats, and Infant Bath Seats. The remaining 5 planned rulemaking candidates not completed in FY 2019 were: NPR-Crib Mattresses, NPR-Adjudicative Rules, DFR-F963 Toys, FR-Freedom of Information Act Fee Update, and DFR-Lab Accreditation IBR Update.</p>						
<b>Plan(s) for Improving Performance</b>						
The CPSC's Office of Hazard Identification & Reduction plans to start work on the rulemaking packages earlier in FY 2020.						
<b>Data Source</b>						
Postings on the CPSC's website: <a href="http://www.cpsc.gov/newsroom/FOIA/commission-briefing-packages">www.cpsc.gov/newsroom/FOIA/commission-briefing-packages</a> .						
<b>Data Collection Method and Computation</b>						
Count the number of rulemaking briefing packages (ANPR, DFR, NPR, and FR) posted to: <a href="http://www.cpsc.gov">www.cpsc.gov</a> .						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure reflects the number of rulemaking candidates prepared for the Commission, and not necessarily whether they have been approved by the Commission. It also tracks workload accomplishments and does not provide information about the potential safety improvements expected to result from those rulemakings.						

<b>Control ID</b>				<b>Program</b>		
2019KM2.2.07				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender						
<b>Definition of Performance Measure</b>						
Firms with a history of repeated violations are subject to the requirements of an establishment inspection (EI). This performance measure tracks the percentage of firms that engage in an EI in a timely manner. "Timely" means that the firm engages in an EI within 60 calendar days of the EI assignment date determined by the CPSC.						
<b>Rationale for Performance Measure</b>						
EIs provide the CPSC an opportunity to help firms with a history of repeated violation to comply with applicable CPSC requirements.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	--	73%	90%	75%	✓
<b>Analysis</b>						
The FY 2019 result was 90%, exceeding the annual target of 75%. This indicates that establishment inspections are an effective tool for coordinating product safety compliance through cooperation by firms.						
<b>Plan(s) for Improving Performance</b>						
N/A						
<b>Data Source</b>						
Data sources: (1) International Trade Data System/Risk Assessment Methodology (ITDS/RAM) Exam Logbook (2) Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Data on repeat offenders (firms with history of repeated violation) are extracted from the IFS system. The IFS, which is also a system used by CPSC staff to record/retrieve inspection cases, is then used to assign/track EI cases for the repeat offenders.						
Computation steps:						
<ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of firms that are engaged in an EI in a timely manner (within 60 calendar days of EI date assigned by CPSC in the IFS) during the fiscal year.</li> <li>• Calculate the denominator: Count the total number of firms that were assigned EI cases during the fiscal year.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
It is technically possible for a supervisor to make adjustments to the EI assignment date in the IFS in response to scheduling complications.						



<b>Control ID</b>		<b>Program</b>				
2019KM2.3.01*		Import Surveillance				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of consumer product imports, identified as high-risk, examined at import						
<b>Definition of Performance Measure</b>						
The percentage of examined entries identified through CPSC's Targeting program is computed as the number of targeted entries with logbook exams, divided by the number of targeted entries from CPSC's Targeting program entered into the International Trade Data System (ITDS)/RAM Inbox.						
<b>Rationale for Performance Measure</b>						
Targeting identifies characteristics in import shipments that are associated with elevated inherent product risks.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	88.5%	89%	86%	80%	✓
<b>Analysis</b>						
The FY 2019 result was 86%, exceeding the annual target of 80%. This indicates that the CPSC's Import Surveillance Targeting program is effective in identifying and examining high-risk shipments.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue to prioritize examining high-risk shipments. The CPSC expects to maintain the level of performance that has been captured by this performance measure, assuming current staffing levels are maintained.						
<b>Data Source</b>						
ITDS/RAM Inbox and Exam Logbook						
<b>Data Collection Method and Computation</b>						
<p>Computation steps:</p> <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of targeted entries with logbook exams.</li> <li>• Calculate the denominator: Count the total number of targeted entries from CPSC's Targeting program entered into ITDS/RAM Inbox.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Examinations data depend on recording by different personnel at different locations.						

<b>Control ID</b>		<b>Program</b>				
2019KM2.3.02		Import Surveillance				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within one business day						
<b>Definition of Performance Measure</b>						
Number of shipments (entry lines) cleared within 1 business day, divided by the total number of shipments (entry lines) processed through the RAM system						
<b>Rationale for Performance Measure</b>						
The percentage of import shipments the CPSC clears within 1 business day is a measure of how successful the CPSC is at expeditiously processing compliant imports of consumer products and facilitating legitimate trade.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
99.6%	99.8%	99.8%	99.8%	99.8%	99%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2019 target of 99%; the actual result was 99.8% of import shipments cleared within 1 business day. This indicates that the CPSC's import surveillance work is conducted efficiently and compliant imports are released quickly.						
<b>Plan(s) for Improving Performance</b>						
The agency will use a similar approach from past years to maintain the level of performance that has been captured by this performance measure.						
<b>Data Source</b>						
ITDS/RAM Inbox						
<b>Data Collection Method and Computation</b>						
The status of each entry the CPSC acted on is recorded in the ITDS/RAM system ( <i>i.e.</i> , "May Proceed," or "CBP Hold Request"). Entries of import shipments that are recorded by CPSC as "May Proceed," or "Scored," are considered "Cleared" by CPSC. "Scored" shipments are cleared within 1 business day because no action was taken by the CPSC to stop the cargo from entering commerce. Computation steps: <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of shipments (entry lines) cleared within 1 business day.</li> <li>• Calculate the denominator: Count the total number of shipments (entry lines) processed through the RAM system.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
No known data limitations.						

<b>Control ID</b>		<b>Program</b>				
2019KM2.3.03*		Import Surveillance				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of consumer product import entries that are risk-scored by the CPSC						
<b>Definition of Performance Measure</b>						
The percentage is computed as the number of import entry lines scored by system rules in the ITDS/RAM system, divided by the number of entry summary lines received.						
<b>Rationale for Performance Measure</b>						
This performance measure tracks addressable consumer product shipments that are risk-scored in the RAM. Entries risk-scored in the RAM are determined by the number of high-risk product areas under CPSC's jurisdiction, as well as design limitations of the RAM system.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	4.2%	3.0%	3.4%	4%	<b>X</b>
<b>Analysis</b>						
The target was 4%; the FY 2019 actual result was 3.4%. The CPSC did not meet the FY 2019 target. The result of this key measure is calculated by dividing the total number of import entry lines that are risk-scored, by the total number of entry summary lines received. Fluctuating import volume under the CPSC's jurisdiction is outside of the agency's control, and the fluctuation greatly affects this measure's denominator.						
<b>Plan(s) for Improving Performance</b>						
The agency has discontinued this performance measure in FY 2020. Fluctuating import volume under CPSC's jurisdiction, which is outside the agency's control, greatly affects the denominator.						
<b>Data Source</b>						
ITDS/RAM Inbox metrics and entry summary						
<b>Data Collection Method and Computation</b>						
Divide the total number of import entry lines scored by the total number of entry summary lines received						
<b>Data Limitations and Implications of the Reported Results</b>						
N/A						

<b>Control ID</b>				<b>Program</b>		
2019KM2.3.04				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Number of import examinations completed						
<b>Definition of Performance Measure</b>						
Number of examinations conducted by the CPSC on imported consumer products to verify compliance with CPSC rules, regulations, and bans. Each exam is for one product.						
<b>Rationale for Performance Measure</b>						
The total number of import examinations CPSC performs is a measure of surveillance at U.S. ports to reduce entry of unsafe consumer products.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
35,122	36,523	38,726	41,117	39,010	32,000	✓
<b>Analysis</b>						
In FY 2019, the CPSC screened 39,010 imported products, exceeding the annual target of 32,000 screenings.						
<b>Plan(s) for Improving Performance</b>						
The measure reflects CPSC's capability to examine shipments. The current level of performance depends upon maintaining sufficient import surveillance personnel to examine shipments.						
<b>Data Source</b>						
Import Exam Logbook						
<b>Data Collection Method and Computation</b>						
The CPSC records all import examinations it performs in the Import Exam Logbook. This performance measure captures the sum of the number of products with exam dates for the reporting period (fiscal year).						
<b>Data Limitations and Implications of the Reported Results</b>						
The Office of Import Surveillance (EXIS) conducts data quality checks to ensure import exams are recorded in the Import Exam Logbook. Examination data depends on recording by different personnel at different locations.						

<b>Control ID</b>				<b>Program</b>		
2019KM3.1.01				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a preliminary determination is made within 85 business days of the case opening						
<b>Definition of Performance Measure</b>						
The number of cases for which a preliminary determination (PD) has been made within the fiscal year and it was made within 85 business days of the case opening date, divided by the number of cases for which a PD has been made within the fiscal year. PD is the determination made by a panel of managers regarding whether there is enough evidence to preliminarily determine whether a substantial potential hazard exists. A case opening is when a case is entered into Dynamic Case Management (DCM) System, which then generates a Case Creation date. This measure excludes Fast-Track cases.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC case work. Making PDs more quickly contributes to the efficiency and speed of recalls for noncompliant and defective products.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	74%	75%	12.5%	65%	<b>x</b>
<b>Analysis</b>						
The target was 65%; FY 2019 actual result was 12.5%. The CPSC did not meet the target. This measure was negatively affected by the 5-week government shutdown that furloughed most CPSC employees. In addition, the Office of Compliance and Field Operations (EXC) reorganized functions in FY 2019, resulting in a higher vacancy rate and fewer available resources to perform work under this key measure.						
<b>Plan(s) for Improving Performance</b>						
Effective January 2020, EXC's former Defects Division has been replaced with a new Enforcement and Litigation Division, responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. This new division integrates attorneys at the line and supervisory levels, which will strengthen EXC's ability to efficiently and effectively make analytically sound substantial product hazard determinations. In conjunction with these changes, EXC plans to recommend changing this measure to better reflect effective work on substantial hazard matters, including better accounting for complex cases that may require significantly more time (and resources) before reaching a PD.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
Data are collected from DCM on all Compliance Action-initiated cases and non-Fast-Track reported cases that went to PD involving products under hazard categories A, B, or C. These classification categories are based on the severity of the most likely injury resulting from the hazard, and the likelihood that such injury will occur. The number of business days is calculated as the number of business days between the Case Creation Date and the PD Date. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly due to updates, edits, or corrections to case data that may occur, after the team lead completes fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2019KM3.1.02				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection						
<b>Definition of Performance Measure</b>						
The number of cases for which a sample is determined to have a regulatory violation within the fiscal year and the determination was made within 35 business days of the date of the sample collection, divided by the number of cases for which a sample is determined to have a regulatory violation within the fiscal year. Samples collected in the field and at the ports are sent to the CPSC's National Product Testing and Evaluation Center (NPTEC) for analysis; and often, CPSC technical experts conduct additional technical analysis to determine whether a product violates CPSC standards.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC regulatory case work. Making determinations of a regulatory violation more quickly contributes to the efficiency and speed of recalls for noncompliant products.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	87%	88.8%	85.1%	85%	✓
<b>Analysis</b>						
The FY 2019 actual result was 85.1%, slightly exceeding the target of 85%. Going forward, this measure will exclude fireworks cases due to their unique and lengthy processes.						
<b>Plan(s) for Improving Performance</b>						
The CPSC began work on a Business Process Review (BPR) to modernize its enforcement business processes in FY 2019, and will continue work to develop a business process efficiency plan as well as a technical modernization plan to improve CPSC's ability to enforce consumer product safety requirements in FY 2020.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of regulatory violation determination. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2019KM3.2.02*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection						
<b>Definition of Performance Measure</b>						
The number of cases for which a firm was first notified of a violation within the fiscal year and was notified within 40 business days of the date a sample was collected, divided by the number of cases for which a firm was first notified of a violation within the fiscal year. The firm is initially notified of a violation via phone or email, and written confirmation is obtained and the date is entered into IFS under Notify Date. However, if written confirmation is not obtained, the Letter of Advice (LOA) date will serve as the date of the first form of notification.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC's notice to firms of violations resulting from sample collection.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	86%	87.2%	85.5%	85%	✓
<b>Analysis</b>						
The FY 2019 actual result was 85.5%, slightly exceeding the target of 85%. Going forward, this measure will exclude fireworks cases due to their unique and lengthy processes.						
<b>Plan(s) for Improving Performance</b>						
The CPSC began work on a Business Process Review (BPR) to modernize its enforcement business processes in FY 2019, and will continue work to develop a business process efficiency plan, as well as a technical modernization plan to improve CPSC's ability to enforce consumer product safety requirements in FY 2020.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of company notification. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2019KM3.2.03*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of Fast-Track cases with corrective actions initiated within 20 business days						
<b>Definition of Performance Measure</b>						
The number of Fast-Track cases with a Corrective Action Plan (CAP) Accept date within the fiscal year for which a firm had a Stop Sale date within 20 business days of the Case Opening date, divided by the number of Fast-Track cases with a CAP Accept date within the fiscal year. A Case Opening is when a case is entered into the DCM System, which then generates a Case Creation date. A Stop Sale date is the date when notice was given to stop sale or distribution of affected products, and is considered to be the date a corrective action was initiated.						
<b>Rationale for Performance Measure</b>						
Industry has an opportunity to participate in a streamlined recall process through the Fast-Track Product Recall Program, which is designed to remove potentially dangerous products from the marketplace more quickly and save the company and the CPSC time and resources. To potentially take advantage of the Fast-Track program, a firm must, among other steps, commit to implementing a sufficient consumer-level voluntary recall within 20 business days of the case opening. Increased timeliness of processing these cases contributes to the efficiency and speed of recalls for noncompliant and defective consumer products.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
97.3%	99.1%	98%	95.9% <sup>23</sup>	97.4%	90%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2019 target of 90%; the actual result was 97.4%.						
<b>Plan(s) for Improving Performance</b>						
The critical measurement period between Case Opening date and Stop Sale date as defined (see <i>Definition of Performance Measure</i> field above) tracks corrective actions initiated by firms ( <i>i.e.</i> , product discontinued or stop sale issued), but does not track the corrective actions by firms at the consumer recall level. For FY 2020, the CPSC has a Priority Activity to seek feedback from stakeholders on potential Fast-Track program changes as well as improve upon this measure by replacing it with a more meaningful and useful measure.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from DCM on all Fast-Track reported cases where the firm stopped sale. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure accounted for corrective action taken by a firm ( <i>i.e.</i> , product discontinued or stop sale issued) that occurred prior to the Case Opening date on DCM resulting in the computation of negative days. Many cases fell in this category—where a Stop Sale date happened prior to the Case Open date—meaning that the cases were already met before the cases were even opened on DCM. On a separate note, results may differ slightly due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>23</sup> A new computation method, as a result of an audit recommendation by CPSC's Office of the Inspector General, was implemented in FY 2018. The actual results since FY 2018 are not comparable to those prior to FY 2018.



<b>Control ID</b>		<b>Program</b>				
2019KM3.2.04		Compliance & Field				
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination						
<b>Definition of Performance Measure</b>						
The number of cases for which a Corrective Action Plan (CAP) was accepted within the fiscal year, and it was accepted within 90 business days of the PD date, divided by the number of cases for which a CAP has been accepted within the fiscal year where a PD is made. PD is the determination made by a panel of managers about whether there is enough evidence to preliminarily determine the existence of a substantial potential hazard. This measure is limited to cases with hazard priority A, B and C, and excludes Fast-Track cases.						
<b>Rationale for Performance Measure</b>						
This performance measure tracks the timeliness of the CPSC's negotiation of CAPs with companies. More timely negotiation of CAPs contribute to the efficiency and speed of recalls for noncompliant and defective products.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	--	92.7%	76.9%	60%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2019 target of 60%; the actual result was 76.9%, which was lower than the 92.7% result in FY 2018. This number may fluctuate depending on the number of more complex, contested matters in a given year.						
<b>Plan(s) for Improving Performance</b>						
Effective January 2020, EXC's former Defects Division has been replaced with a new Enforcement and Litigation Division, responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. This new division integrates attorneys at the line and supervisory levels, which will strengthen EXC's ability to efficiently and effectively make analytically sound substantial product hazard determinations and negotiate CAPs. In conjunction with these changes, EXC plans to recommend changing this measure to better reflect effective work on substantial hazard matters, including better accounting for complex cases that may require significantly more time (and resources) before reaching a CAP.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from DCM on all Compliance Action (CA) initiated cases and non-Fast-Track Reported (RP) cases, where a CAP is accepted. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2019KM3.3.01*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.3: Improve consumer response to consumer product recalls						
<b>Performance Measure Statement</b>						
Recall effectiveness rate for all consumer product recalls						
<b>Definition of Performance Measure</b>						
Total number recalled products within the fiscal year that were corrected, divided by the total number of products recalled within the fiscal year. The CPSC deems a case to be closed when the last action is taken via reports of significant improvement and collection of recall products, a decision is made not to do a recall, or for other unique reasons or circumstances.						
<b>Rationale for Performance Measure</b>						
The performance measure is intended to improve understanding of the overall effectiveness of product recalls at all levels, including products at the manufacturer, distributor, retailer, and consumer levels. Typically, recalls of consumer products are conducted voluntarily by firms that work with the CPSC to develop a CAP that will protect the public from potentially unsafe products. Recalls include a notice to the public and some remedial measures, such as a repair, a replacement of the product, or a refund to the purchaser.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	41%	17.4%	21.4%	25%	<b>X</b>
<b>Analysis</b>						
The target was 25%; the FY 2019 actual result was 21.4%. The CPSC did not meet the target because of the volatility in the recall rates, which are highly dependent on the type of product and number of units involved in the recall.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue working with recalling firms to maximize notification to consumers, including through direct notice, social media, and other technological means.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System and Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Recall information is gathered from Monthly Progress Reports provided by the recalling firms. Data from this source are entered into DCM. The data evaluated for this effort were DCM-closed cases for FY 2019. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC relies on the data provided by the recalling firms. Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>		<b>Program</b>				
2019KM4.1.02		Communications				
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.1: Improve usefulness and availability of consumer product safety information						
<b>Performance Measure Statement</b>						
Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)						
<b>Definition of Performance Measure</b>						
Number of stakeholder engagements with CPSC safety messages on Twitter, Instagram, and Facebook, as measured by social media monitoring services						
<b>Rationale for Performance Measure</b>						
Engagement refers to consumers who are sharing, forwarding, and/or re-tweeting CPSC safety messages.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	285	831	1,468	320	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2019 target with more than 1.4 million engagements achieved through use of enhanced social media tools to grow the number of followers across media platforms and increase availability and dissemination of consumer product safety information.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue to design and develop new online and social media communication to disseminate through social media and drive more engagement with CPSC safety messages.						
<b>Data Source</b>						
CPSC's contracted social media monitoring companies for data on engagement.						
<b>Data Collection Method and Computation</b>						
Data are provided by contracted media monitoring companies that subscribe to media measurement tools that are used by a broad spectrum of companies, such as advertisers, agencies, and research firms that need reliable audience data. All engagement data are added together in a spreadsheet.						
<b>Data Limitations and Implications of the Reported Results</b>						
Units of social media engagement vary among the different media platforms. The reported result is a mixture of these engagement units.						

<b>Control ID</b>		<b>Program</b>				
2019KM4.2.01		Communications				
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Number of impressions of CPSC safety messages (in millions)						
<b>Definition of Performance Measure</b>						
The number of impressions is an estimate of potential reach of CPSC safety messages. Impressions are defined as an estimate of the number of individuals that visit a publication's website or the number of viewers that are in TV station markets across the U.S. The CPSC gathers impressions on specific placements in publications or TV markets where CPSC consumer product safety messages or stories on targeted and priority consumer product safety hazards, excluding recalls, have appeared. This includes people who have seen or heard messages delivered via TV, radio, newspaper, online and social media, billboards, and public events.						
<b>Rationale for Performance Measure</b>						
This performance indicator tracks the number of impressions of CPSC safety messages. The number of impressions is an estimate of the potential reach of CPSC safety messages. There is a direct relationship between the number of estimated viewers exposed to a safety message and the level of awareness of the message in the general population.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	6,314.8	7,597.8	4,689	4,000	✓
<b>Analysis</b>						
In FY 2019, more than 4.6 billion impressions of targeted CPSC safety messages were received by targeted audiences on priority and targeted hazards, exceeding the target of 4 billion impressions.						
<b>Plan(s) for Improving Performance</b>						
The agency had gradually shifted resources from tracking the number of impressions by decreasing the annual targets in recent years to measuring social media engagement (see 2019KM4.1.02), which is a better gauge of direct consumer response to CPSC messaging. This measure has been discontinued in FY 2020.						
<b>Data Source</b>						
Contracted media monitoring companies						
<b>Data Collection Method and Computation</b>						
Data provided by contracted media monitoring companies that subscribe to media measurement tools are used by a broad spectrum of companies, such as advertisers, agencies, and research firms that need reliable audience data. The sum is the number of estimated viewers of CPSC safety messages related to consumer product hazards during the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
Impressions are reasonable estimates of the potential size of the audience to which a message was delivered, but impressions are not necessarily an indicator of how effective the message was at influencing audience behavior.						

<b>Control ID</b>				<b>Program</b>		
2019KM4.2.02				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Average number of business days between establishment of first draft and issuance of recall press release for the timeliest 90% of recall press releases						
<b>Definition of Performance Measure</b>						
The total number of business days between establishment of first draft and issuance of recall press release for the most timely 90% of all recall press releases, divided by the total number of those recall press releases.						
<b>Rationale for Performance Measure</b>						
This performance measure monitors progress toward reducing the time it takes to inform consumers and stakeholders of product-specific hazards and the actions consumers should take to receive a free remedy. Reducing the average time it takes the CPSC to issue press releases announcing product recalls will get product hazard information to consumers more quickly and reduce the risk of harm.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
16	17.8	17.5	17.3	17.8	<18	✓
<b>Analysis</b>						
The CPSC took an average of 17.8 business days to issue a recall press release, slightly faster than the FY 2019 target of 18 business days.						
<b>Plan(s) for Improving Performance</b>						
Offices within the CPSC collaborated to improve the timeliness of disseminating recall press releases. Timely recall press release dissemination is also dependent on companies' timely responses during recall release negotiations. In FY 2020, this measure will be replaced to track the percentage of recall press releases issued within 22 business days from first draft.						
<b>Data Source</b>						
CPSC News Release Performance (Tracking) Log						
<b>Data Collection Method and Computation</b>						
Data on recall announcements are tracked and transferred to a performance log that compiles Office of Communications' dates for First Draft and Date Issued for a recall. The average number of business days for 90% of recall releases (Fast-Track and Non-Fast-Track) is calculated. Recall alerts are excluded from this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
There is high variability in the determination of the recall release issuance date, due to logistical challenges that recalling firms may face before announcing the recall.						

<b>Control ID</b>				<b>Program</b>		
2019KM4.3.01*				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.3: Increase and enhance collaboration with stakeholders						
<b>Performance Measure Statement</b>						
Number of collaboration activities initiated with stakeholder groups						
<b>Definition of Performance Measure</b>						
Collaborations with stakeholders are activities that involve communicating product safety information, and may include activities involving a Memorandum of Understanding (MOU) or an IAA, as well as special working groups with other agencies or groups, to communicate safety issues. An example is a working group on lithium-ion battery safety that involved CPSC offices and outside group/agency collaborators.						
<b>Rationale for Performance Measure</b>						
This is an effort to keep track of collaborations with external stakeholders by different CPSC offices, with the goal of streamlining activities across offices and improving coordination and awareness.						
<b>2015 Actual</b>	<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2019 Target</b>	<b>Target Met?</b>
--	--	28	47	93	28	✓
<b>Analysis</b>						
The CPSC had 93 collaboration activities with stakeholders in FY 2019, exceeding the target of 28. Examples include: collaboration with actor and Instagram chef Tia Mowry to promote CPSC's <i>Pool Safely</i> drowning prevention campaign messages by creating and launching a new water safety public service announcement video "Water Watchers," along with the significance of layers of protection when it comes to drowning prevention (Ms. Mowry twice retweeted our messages about the video to her 1.9 million followers); addition of 32 new organizations/community safety leaders to the <i>Pool Safely</i> campaign; and addition of 9 new advocates to the Anchor It! campaign to promote furniture and TV tip-over prevention. CPSC staff throughout the agency collaborated with external stakeholders on a variety of projects, partnerships, speeches, and working groups toward meeting this measure's target.						
<b>Plan(s) for Improving Performance</b>						
This measure has been discontinued in FY 2020.						
<b>Data Source</b>						
Data are entered to a shared spreadsheet monitored by the Office of Communications team.						
<b>Data Collection Method and Computation</b>						
Data on collaboration activities are kept in a spreadsheet on SharePoint.						
<b>Data Limitations and Implications of the Reported Results</b>						
Each collaboration activity varies widely from one to another and it is counted based on the number of stakeholders. They range from having an interagency agreement with another federal agency or a contract with an academia on a specific safety topic, partnering with stakeholders at an outreach event, to a technical meeting with outside stakeholders.						

## Appendix D: Acronyms

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APR	Annual Performance Report
CAP	Corrective Action Plan
CBP	U.S. Customs and Border Protection
CDC	U.S. Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CPSC	U.S. Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act
CPSRMS	Consumer Product Safety Risk Assessment Management System
DCM	Dynamic Case Management System
EDAS	Enterprise Data Analytics Strategy
EEI	Employee Engagement Index
EPA	U.S. Environmental Protection Agency
FEVS	Federal Employee Viewpoint Survey
FTE	Full-time Equivalent
FY	Fiscal Year
IAA	Interagency Agreement
IFS	Integrated Field System
IPT	Integrated Product Team
ITDS	International Trade Data System
NEISS	National Electronic Injury Surveillance System
NIST	National Institute of Standards and Technology
NNCO	National Nanotechnology Coordination Office
NNI	National Nanotechnology Initiative
OMB	Office of Management and Budget
PBR	Performance Budget Request
RAM	Risk Assessment Methodology
SDR	Strategic Data Review

**U.S. Consumer Product Safety Commission**  
Bethesda, MD 20814



# Exhibit I

# Fiscal Year 2020 Annual Performance Report



January 19, 2021

*CPSC Stands for Safety*



An electronic version of this document is available at:  
[www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget)

## About this Report

This document is the U.S. Consumer Product Safety Commission's (CPSC's) FY 2020 Annual Performance Report (APR). An electronic version of this report is available on the agency's website at: [www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget).

The FY 2020 APR satisfies the annual performance reporting requirements of the GPRA Modernization Act of 2010 (GPRAMA), as well as Office of Management and Budget (OMB) Circular No. A-11 (*Preparation, Submission, and Execution of the Budget*).

The FY 2020 APR provides information on results achieved by CPSC programs during FY 2020 and progress made toward performance targets established for key performance measures. The performance measures indicate progress toward Strategic Goals and Strategic Objectives contained in the CPSC's Strategic Plan. Highlights of performance, in addition to challenges, are presented.

## Overview of the Agency

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency, created in 1972, by the Consumer Product Safety Act (CPSA). In addition to the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA), and Public Law No. 112-28, the CPSC administers other laws, such as the Federal Hazardous Substances Act, the Flammable Fabrics Act, the Poison Prevention Packaging Act, the Refrigerator Safety Act, the Virginia Graeme Baker Pool and Spa Safety Act, the Child Safety Protection Act, the Labeling of Hazardous Art Materials Act, the Children's Gasoline Burn Prevention Act, the Drywall Safety Act of 2012, and the Child Nicotine Poisoning Prevention Act.

The CPSC has jurisdiction over thousands of types of consumer products used in and around the home, in recreation, and in schools, from children's toys, to portable gas generators and toasters. Although the CPSC's regulatory purview is quite broad, a number of product categories fall outside the CPSC's jurisdiction.<sup>1</sup>

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<sup>1</sup> Product categories, such as automobiles and boats; alcohol, tobacco, and firearms; foods, drugs, cosmetics, and medical devices; and pesticides, are regulated by other federal agencies.

## *Message from the Acting Chairman*



The U.S. Consumer Product Safety Commission's FY 2020 Annual Performance Report (APR) is a comprehensive account of performance results achieved by our programs for the period of October 1, 2019 through September 30, 2020. These programs serve the Agency's mission of "Keeping Consumers Safe" as we strive for "a nation free from unreasonable risks of injury and death associated with consumer products."

I commend all CPSC staff for their accomplishments and contributions to our mission this past year. Due to the COVID-19 pandemic, our employees began teleworking full-time in March 2020. Once personal protective equipment (PPE) became available, some staff returned to port and lab operations. I am particularly grateful that our employees have adapted well to the challenges of working remotely and safely under the conditions brought about by the pandemic.

I am pleased to confirm that, in FY 2020, the performance data presented in this report are reasonably complete, accurate, and reliable. I look forward to continuing to work with my fellow Commissioners and the CPSC staff in setting Agency priorities and achieving meaningful results in the year ahead.

*Robert S. Adler*

Robert S. Adler  
Acting Chairman  
January 19, 2021

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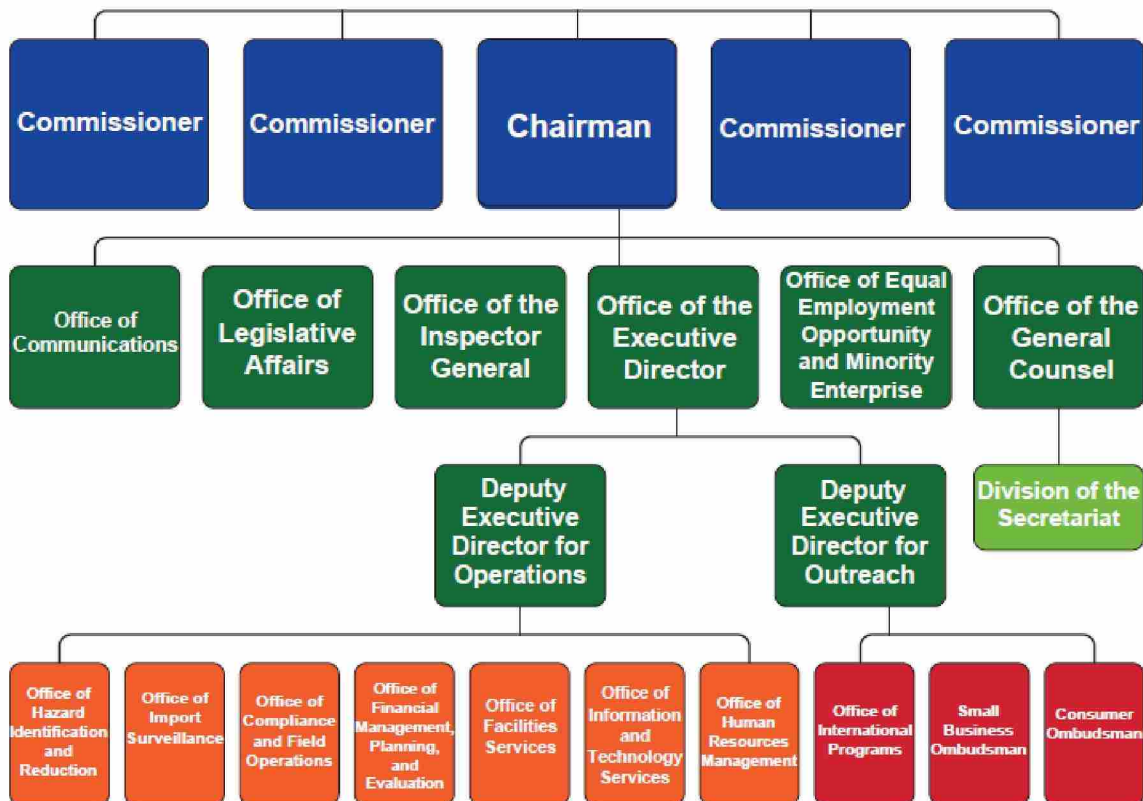
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# CPSC Organizational Structure

The CPSC is a bipartisan commission that is authorized to consist of five members appointed by the President with the advice and consent of the Senate. The Chairman is the principal executive officer of the Commission, which convenes at meetings that are open to the public. The chart below depicts the CPSC’s organizational structure during the majority of the FY 2020 reporting period of October 1, 2019 through September 30, 2020. Previous Acting Chair Ann Marie Buerkle completed her tenure on October 26, 2019, leaving a vacancy on the Commission. Effective October 1, 2019, at the start of FY 2020, Robert S. Adler assumed the role of Acting Chairman. As of the publication of this document, the Commission has four members.



# CPSC Strategic Plan Summary

The agency's Strategic Plan lays out the CPSC's approach to achieving the mission of keeping consumers safe, with the overarching vision of a nation free from unreasonable risks of injury and death from consumer products. Each of the four Strategic Goals is supported by Strategic Objectives. A suite of performance measures with annual targets is used to monitor progress toward the Strategic Objectives and Strategic Goals.

**Mission: Keeping Consumers Safe**  
Vision: A nation free from unreasonable risks of injury and death from consumer products





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## Performance Summary: An Overview

During FY 2020, the CPSC tracked 25 performance measures—all with established performance targets for FY 2020—to gauge progress toward the agency’s Strategic Goals and Strategic Objectives. The CPSC met performance targets for 18 of the 25 performance measures and did not meet performance targets for five measures. Results were not available for two measures that require information from the Federal Employee Viewpoint Survey (FEVS); those measures will be reported in the CPSC’s next agency-level report after the 2020 FEVS results are made available.

The FY 2020 results for the key performance measures are organized by Strategic Goal (Figure 2) and by CPSC functional component (Figure 3).

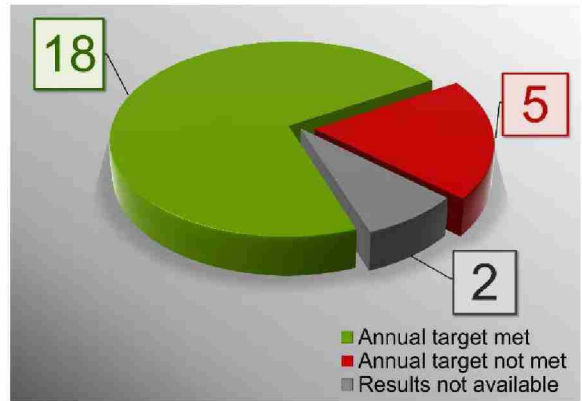


Figure 1: A snapshot of the CPSC’s FY 2020 Key Performance Measures

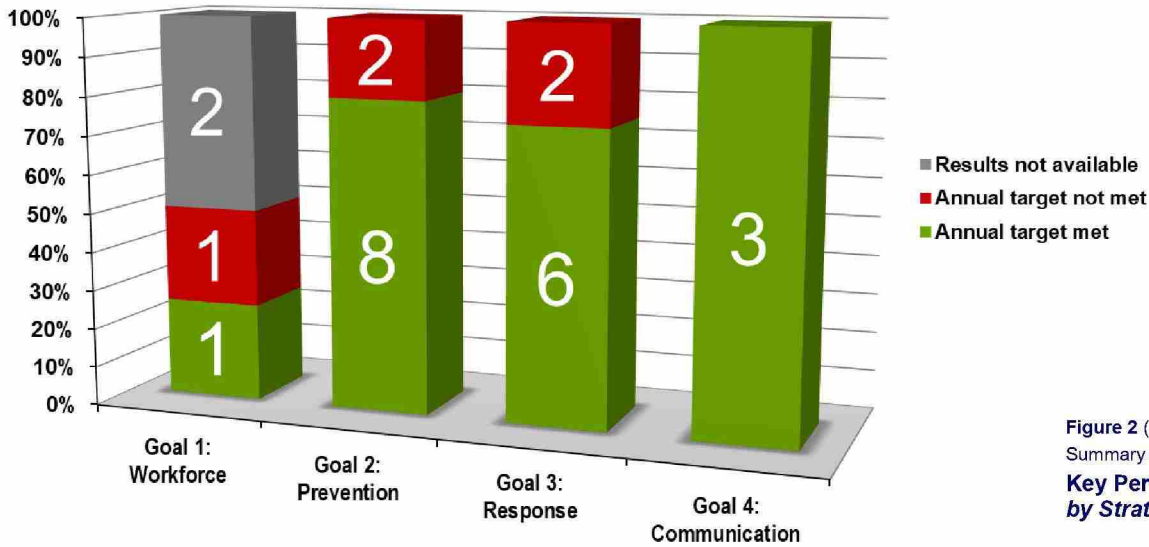


Figure 2 (left): Summary of FY 2020 Results Key Performance Measures by Strategic Goal

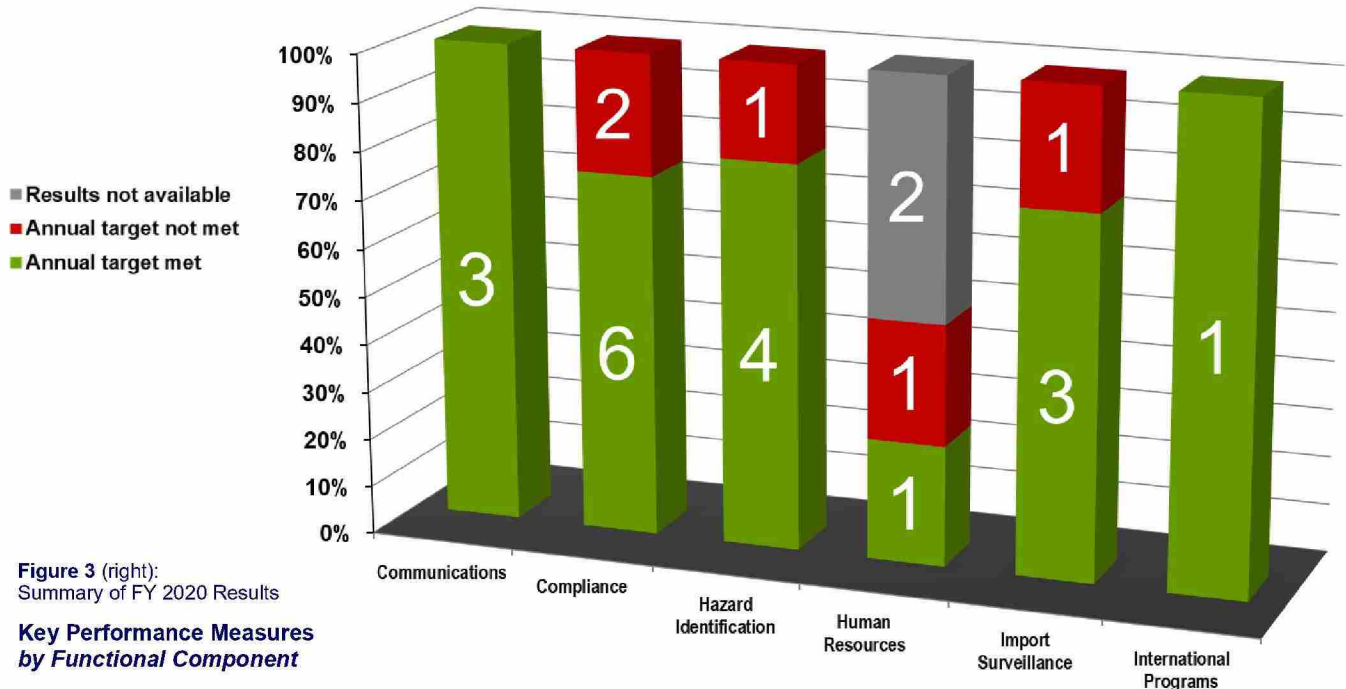


Figure 3 (right): Summary of FY 2020 Results Key Performance Measures by Functional Component

## CPSC Key Performance Measures: FY 2020 Results Summary

### Strategic Goal 1: Workforce *Cultivate the most effective consumer product safety workforce*

Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2020 Target	
			2016	2017	2018	2019	2020	2020 Target	Target met?
SO 1.1 Enhance effective strategic human capital planning and alignment	<b>2020KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	Human Resources	--	--	97%	98%	95%	96%	✗
	<b>2020KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)		--	72.5%	68.1%	65.8%	Not Avail. <sup>2</sup>	70%	N/A
	<b>2020KM1.3.01</b> Percentage of hiring managers trained on recruitment		--	56.1%	82.6%	85.5%	89.7%	80%	✓
	<b>2020KM1.4.01</b> High-performing Federal Workforce - Employee Engagement Index Score		70%	73%	69%	66%	Not Avail. <sup>3</sup>	70%	N/A

### Strategic Goal 2: Prevention *Prevent hazardous products from reaching consumers*

Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2020 Target	
			2016	2017	2018	2019	2020	2020 Target	Target met?
SO 2.1 Improve identification and assessment of hazards to consumers	<b>2020KM2.1.01</b> Percentage of consumer product-related incident reports warranting follow-up actions	Hazard Identification	--	25%	26%	23%	20%	25%	✗
	<b>2020KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards		11	11	10	11	11	11	✓
	<b>2020KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals		91%	92.4%	93%	89.5%	90.6%	90%	✓
SO 2.2 Lead efforts to improve the safety of consumer products before they reach the marketplace	<b>2020KM2.2.01</b> Number of voluntary standards activities in which CPSC staff actively participates	Hazard Identification	71	76	77	74	78	78	✓
	<b>2020KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration	Hazard Identification	10	18	19	14	14 <sup>4</sup>	12	✓
	<b>2020KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	Import Surveillance	--	--	73%	90%	83%	75%	✓
	<b>2020KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas	International Programs	--	--	--	--	0.21	< 0.33	✓
SO 2.3 Increase capability to identify and stop imported hazardous consumer products	<b>2020KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	Import Surveillance	--	88.5%	89%	86%	80%	80%	✓
	<b>2020KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day		99.8%	99.8%	99.8%	99.8%	99.9%	99%	✓
	<b>2020KM2.3.04</b> Number of import examinations completed		36,523	38,726	41,117	39,010	18,561	32,000	✗

<sup>2</sup> The U.S. Office of Personnel Management (OPM) postponed its launch of the annual 2020 FEVS (actual survey period: September 24, 2020 through November 5, 2020). Results for the two measures are not available as of the publication of this document.

<sup>3</sup> Ibid.

<sup>4</sup> In FY 2020, CPSC staff prepared 14 rulemaking packages for Commission consideration—7 were from the original 12 planned candidates for rulemaking, and the other 7 were in response to emerging requirements. The remaining 5 planned rulemaking candidates that were not completed in FY 2020 are as follows, of which 4 were deferred to FY 2021 due to COVID-19: FR-Adjudicative Rules (completed as an SNPR, instead of planned FR); NPR-Clothing Storage Units Tip-Over (deferred); FR-Freedom of Information Act Fee Update (deferred); DFR-Lab Accreditation IBR Update (deferred); and FR-Table Saws (deferred).

<b>Strategic Goal 3: Response</b> <i>Respond quickly to address hazardous consumer products both in the marketplace and with consumers</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2020 Target	
			2016	2017	2018	2019	2020	2020 Target	Target met?
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action	<b>2020KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening	Compliance	--	74%	75%	12.5%	<b>83.3%</b>	<b>65%</b>	✓
	<b>2020KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)		--	87%	88.8%	85.1%	<b>89.2%</b> <sup>5</sup>	<b>85%</b>	✓
	<b>2020KM3.1.03</b> Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection		--	--	--	--	<b>42.9%</b>	<b>85%</b>	✗
<b>SO 3.2</b> Minimize further exposure to hazardous consumer products	<b>2020KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)	Compliance	--	86%	87.2%	85.5%	<b>85.6%</b> <sup>6</sup>	<b>85%</b>	✓
	<b>2020KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening		99.1%	98%	95.9%	97.4%	<b>96.5%</b>	<b>90%</b>	✓
	<b>2020KM3.2.04</b> Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination		--	--	92.7%	76.9%	<b>71.4%</b>	<b>60%</b>	✓
	<b>2020KM3.2.05</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection		--	--	--	--	<b>42.9%</b>	<b>85%</b>	✗
<b>SO 3.3</b> Improve consumer response to consumer product recalls	<b>2020KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	Compliance	--	41%	17.4%	21.4%	<b>32.6%</b>	<b>25%</b>	✓

<b>Strategic Goal 4: Communication</b> <i>Communicate useful information quickly and effectively to better inform decisions</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2020 Target	
			2016	2017	2018	2019	2020	2020 Target	Target met?
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information	<b>2020KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)	Communications	--	285	831	1,468	<b>12,095</b>	<b>840</b>	✓
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information	<b>2020KM4.2.04</b> Number of national media placements of CPSC stories	Communications	--	--	--	--	<b>12</b>	<b>6</b>	✓
	<b>2020KM4.2.05</b> Percentage of recall press releases issued in 22 business days or less from first draft		--	--	--	--	<b>63%</b>	<b>60%</b>	✓
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders	(None) <sup>7</sup>								

<sup>5</sup> Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.1.03.

<sup>6</sup> Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.2.05.

<sup>7</sup> The CPSC's *FY 2020 Request to Congress* (published March 2019) included one key measure (KM 4.3.01) under Strategic Objective (SO) 4.3. In October 2019, the Commission voted to discontinue KM 4.3.01 in FY 2020. As such, there were no key measures under SO 4.3 for FY 2020.

## Performance Summary by Strategic Goal

### Strategic Goal 1: Workforce

*Cultivate the most effective consumer product safety workforce*

#### Challenges

Having a highly trained, diverse, and engaged workforce is critical to meeting the dynamic challenges of the consumer product safety landscape and to achieving the CPSC’s life-saving mission. Agency staff’s knowledge about product safety, commitment to the agency’s mission, and “can-do” attitude make achieving the CPSC mission possible. The CPSC’s key *Workforce* challenges are:

- Having a workforce with the knowledge, skills, and abilities to meet new, innovative, and emerging product safety challenges;
- Aligning personnel resources to agency priorities;
- Maintaining a global presence to address global marketplace issues;
- Increasing employee engagement;
- Strengthening knowledge transfer through employee cross-training, and succession planning; and
- Having adequate resources to keep pace with the evolving marketplace and emerging hazards.

**STRATEGIC OBJECTIVE 1.1**  
Enhance effective strategic human capital planning and alignment

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**STRATEGIC OBJECTIVE 1.2**  
Foster a culture of continuous development

---

**STRATEGIC OBJECTIVE 1.3**  
Attract and recruit a talented and diverse workforce

---

**STRATEGIC OBJECTIVE 1.4**  
Increase employee engagement

#### Strategies



**Figure 4:** A snapshot of Strategic Goal 1 performance measures (4 total)

The CPSC’s approach to cultivating an effective workforce involves enhancing human capital planning and alignment, increasing opportunities for professional development, and improving recruitment strategies to attract talented, diverse, and committed staff. The strategy also emphasizes increasing employee engagement by promoting and rewarding staff innovation and creativity, increasing managers’ commitment to fostering employee engagement in the workplace, and promoting a healthy work-life balance.

**Table 1**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 1.1</b> Enhance effective strategic human capital planning and alignment							
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	--	--	97%	98%	95%	96%	✗
<b>SO 1.2</b> Foster a culture of continuous development							
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)	--	72.5%	68.1%	65.8%	Not Avail. <sup>8</sup>	70%	N/A

<sup>8</sup> The U.S. Office of Personnel Management (OPM) postponed its launch of the annual 2020 FEVS (actual survey period: September 24, 2020 through November 5, 2020). Results for the two measures are not available as of the publication of this document.

Table 1 (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 1.3</b> Attract and recruit a talented and diverse workforce							
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM1.3.01</b> Percentage of hiring managers trained on recruitment	--	56.1%	82.6%	85.5%	89.7%	80%	✓
<b>SO 1.4</b> Increase employee engagement							
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM1.4.01</b> High-performing Federal Workforce - Employee Engagement Index Score	70%	73%	69%	66%	Not Avail. <sup>9</sup>	70%	N/A

## FY 2020 Results

The CPSC exceeded FY 2020 targets for one of the four key performance measures under Strategic Goal 1. Selected FY 2020 achievements under Strategic Goal 1 include:

- Trained more than 89 percent of hiring managers on the recruitment process to attract and recruit a talented, diverse, and highly effective workforce;
- Trained 100 percent of managers on effective performance management to help them retain the best talent, engage and reward top performers, and properly address poor performance;
- Kicked off initiatives to increase employee engagement. The “Integrating New Employees to CPSC” program consists of the Chairman hosting monthly Meet & Greets with new employees and a CPSC 101 presentation during onboarding. The new agency newsletter and the program, *What’s On Your Mind?* are new communication tools for employees and agency leadership. The program provides a mechanism for employees to ask questions anonymously, offer suggestions, and provide feedback. Submissions and management responses are then shared with all employees on the agency’s intranet site.

The agency did not meet FY 2020 targets for one of the four key performance measures under Strategic Goal 1:

- **Key Measure 1.1.02**—Percentage of full-time equivalents (FTEs) utilized: The CPSC did not meet the target because the COVID-19 pandemic impacted recruiting, interviewing, and onboarding. The agency mitigated the issue by developing new hiring and onboarding procedures for CPSC’s virtual workplace, falling short of the annual target by only 1 percent.

FY 2020 results were not available for two of the four key measures under Strategic Goal 1. Results for these measures require information from the Federal Employee Viewpoint Survey (FEVS) and will be reported in the CPSC’s next agency-level report after the 2020 FEVS results are made available:

- **Key Measure 1.2.01**—Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)
- **Key Measure 1.4.01**—High-Performing Federal Workforce - Employee Engagement Index Score

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>9</sup> Ibid.

## Strategic Goal 2: Prevention

*Prevent hazardous products from reaching consumers*

### Challenges

The CPSC is charged with protecting the public from unreasonable risks of injury and death from a vast array of consumer products supplied through expanding global markets. Efforts to increase manufacturing of safe consumer products, combined with improved mechanisms to identify hazardous products before they enter the marketplace, are the most effective ways to prevent hazardous products from reaching consumers. The CPSC's key challenges to *Prevention* are:

- Providing surveillance for the myriad consumer products imported and domestically manufactured under the CPSC's jurisdiction;
- Advancing data analysis and research capabilities to identify existing and potential emerging consumer product hazards that pose the greatest risks;
- Keeping pace with evolving injury data collection, manufacturer-to-consumer supply chain, and technology associated with consumer products;
- Working with affected stakeholders to address product hazards and product hazards resulting from new technologies (e.g., Internet of Things);
- Helping develop voluntary standards and adopting mandatory regulations; and
- Identifying, researching, and informing the public about chemical or chronic hazards in consumer products.

**STRATEGIC OBJECTIVE 2.1**  
Improve identification and assessment of hazards to consumers

**STRATEGIC OBJECTIVE 2.2**  
Lead efforts to improve the safety of consumer products before they reach the marketplace

**STRATEGIC OBJECTIVE 2.3**  
Increase capability to identify and stop imported hazardous consumer products

### Strategies

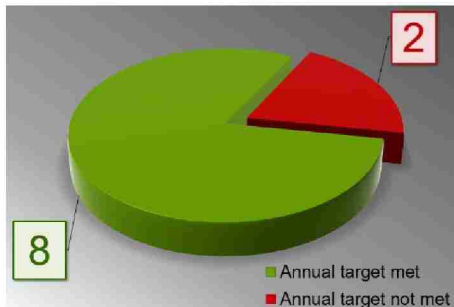


Figure 5: A snapshot of Strategic Goal 2 performance measures (10 total)

The CPSC uses several means to try to prevent injury or harm from consumer products by: (1) working at the national and international level to help ensure that hazards are appropriately addressed by voluntary standards or mandatory regulations; (2) providing technical information to industry to support voluntary standards development; and (3) allocating inspection, surveillance, and enforcement resources effectively to identify and remove hazardous products from the marketplace.

Table 2

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	Target met?
<b>SO 2.1</b> Improve identification and assessment of hazards to consumers							
<b>2020KM2.1.01</b> Percentage of consumer product-related incident reports warranting follow-up actions	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	25%	26%	23%	20%		
						25%	✗
<b>2020KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	2016	2017	2018	2019	2020	2020 Target	Target met?
	11	11	10	11	11		
						11	✓

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 2.1 (continued)</b>							
<b>2020KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	2016	2017	2018	2019	2020	2020 Target	Target met?
	91%	92.4%	93%	89.5%	90.6%	90%	✓
<b>SO 2.2 Lead efforts to improve the safety of consumer products before they reach the marketplace</b>							
<b>2020KM2.2.01</b> Number of voluntary standards activities in which CPSC staff actively participates	2016	2017	2018	2019	2020	2020 Target	Target met?
	71	76	77	74	78	78	✓
<b>2020KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration	2016	2017	2018	2019	2020	2020 Target	Target met?
	10	18	19	14	14 <sup>10</sup>	12	✓
<b>2020KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	--	73%	90%	83%	75%	✓
<b>2020KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	--	--	--	0.21	< 0.33	✓
<b>SO 2.3 Increase capability to identify and stop imported hazardous consumer products</b>							
<b>2020KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	88.5%	89%	86%	80%	80%	✓
<b>2020KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day	2016	2017	2018	2019	2020	2020 Target	Target met?
	99.8%	99.8%	99.8%	99.8%	99.9%	99%	✓
<b>2020KM2.3.04</b> Number of import examinations completed	2016	2017	2018	2019	2020	2020 Target	Target met?
	36,523	38,726	41,117	39,010	18,561	32,000	✗

<sup>10</sup> In FY 2020, CPSC staff prepared 14 rulemaking packages for Commission consideration—7 were from the original 12 planned candidates for rulemaking, and the other 7 were in response to emerging requirements. The remaining 5 planned rulemaking candidates that were not completed in FY 2020 are as follows, of which 4 were deferred to FY 2021 due to COVID-19: FR-Adjudicative Rules (completed as an SNPR, instead of planned FR); NPR-Clothing Storage Units Tip-Over (deferred); FR-Freedom of Information Act Fee Update (deferred); DFR-Lab Accreditation IBR Update (deferred); and FR-Table Saws (deferred).



## FY 2020 Results

The CPSC exceeded targets for eight of the 10 key performance measures under Strategic Goal 2. Selected FY 2020 achievements under Strategic Goal 2 include:

- To address potential emerging hazards, the CPSC established and filled new positions: a Chief Technologist—focused on emerging artificial intelligence (AI) and machine learning (ML) technologies in consumer products—and a Chief Analytics Officer—focused on how AI and ML can improve CPSC’s data analysis. For the possible emerging hazard from products making use of the Internet of Things<sup>11</sup> (IoT), the CPSC developed a plan to establish the capability for testing software embedded in consumer products, including connected products.
- CPSC conducted an e-Commerce Assessment to forecast e-Commerce trends, understand CPSC’s current capabilities relative to e-Commerce, and identify other stakeholder practices. Results of the Assessment provided the agency with a foundational understanding that sets the stage for CPSC’s long-term planning to addressing e-Commerce challenges.
- CPSC actively participated in 78 voluntary standards activities, collaborating with industry leaders, consumer advocates, and other stakeholders to improve consensus voluntary standards across a wide range of consumer products.
- The agency developed a new “Online Clearinghouse” to provide stakeholders with self-service, open access to CPSC incident data.
- CPSC participated as vice-chair of the Organisation for Economic Cooperation and Development’s (OECD) Working Party on Consumer Product Safety (WPCPS), which completed a comprehensive set of best practices to improve consumer product safety, replacing six OECD Legal Instruments from the 1970s and 1980s. The document emphasizes the importance of good data, communication between governments and businesses, and attention to emerging issues such as e-Commerce, IoT, AI, holiday lights, mattresses, and toys.<sup>12</sup>

The agency did not meet FY 2020 targets for two of the 10 key performance measures under Strategic Goal 2:

- **Key Measure 2.1.01**—Percentage of consumer product-related incident reports warranting follow-up actions: The CPSC did not meet the target because most of the data received by the CPSC through incident reports are not actionable, warranting no follow-up actions. Starting in FY 2021, this measure was discontinued—the measure did not add much utility to CPSC’s ability to improve the identification and assessment of hazards to consumers.
- **Key Measure 2.3.04**—Number of import examinations completed: Due to the COVID-19 pandemic, all CPSC employees began teleworking full-time in March 2020, which continued through nearly the remainder of the fiscal year. During this period, import examinations were conducted remotely by CPSC’s port investigators through collaboration with U.S Customs and Border Protection (CBP) officers, a process that permitted only certain product types to be screened. As a result, the agency was unable to meet its FY 2020 target for this measure.

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>11</sup> Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices/products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues/hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders.

<sup>12</sup> To view the document, please visit <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0459>. For definitions of “OECD Legal Instruments,” please visit: [www.oecd.org/legal/legal-instruments.htm](http://www.oecd.org/legal/legal-instruments.htm).

## Strategic Goal 3: Response

*Respond quickly to address hazardous consumer products both in the marketplace and with consumers*

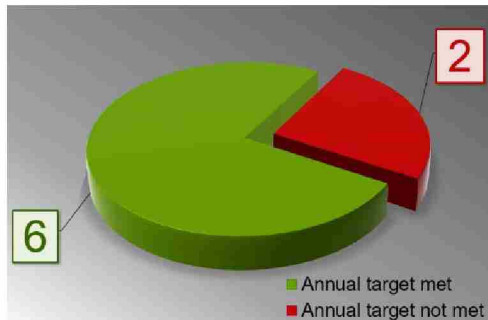
### Challenges

The CPSC learns about potential consumer product hazards from many sources, including incident reports, consumer complaints, the agency's Hotline (1-800-638-2772), [www.SaferProducts.gov](http://www.SaferProducts.gov), Internet reports, and company reports. Additionally, field staff investigates reports of incidents and injuries; conducts inspections of manufacturers, importers, and retailers; and identifies potential regulatory violations and product hazards. When potential product defects are identified, the CPSC must act quickly to address the most hazardous consumer products that have made their way into the marketplace or into the hands of consumers.

The CPSC's key *Response* challenges are:

- Addressing trends in retailing and e-Commerce, such as the prevalence of online sellers or other direct manufacturer-to-consumer marketing, as well as sales through third party platform providers;
- Working within a global supply chain, which creates complex monitoring challenges;
- Collecting, integrating, and analyzing data to identify high-risk hazards for appropriate action;
- Advancing agency data-sharing through use of an integrated, enterprise-wide approach; and
- Improving the monitoring and effectiveness of consumer product recalls.

### Strategies



**Figure 6:** A snapshot of Strategic Goal 3 performance measures (8 total)

The CPSC's strategy involves improving the effectiveness of the procedures used to process and analyze incoming product hazard-related data, and aligning resources so that the agency can act upon the information and quickly remove potentially hazardous products from the marketplace. The strategy also involves improving the recall monitoring process and working with industry to increase consumer awareness of product recalls as they occur. To achieve this strategic goal, the CPSC works toward improving consumer response to consumer product recalls. The CPSC works with consumers, recalling firms, retailers, and other interested parties to reach consumers affected by recalls. The agency works to improve the effectiveness of product recalls by expanding the CPSC's use of social media, urging recalling firms to use social media to broaden the notice of recalls, and conducting consumer focus group research on why and when consumers respond to recalls, among other techniques.

**STRATEGIC OBJECTIVE 3.1**  
Rapidly identify hazardous consumer products for enforcement action

**STRATEGIC OBJECTIVE 3.2**  
Minimize further exposure to hazardous consumer products

**STRATEGIC OBJECTIVE 3.3**  
Improve consumer response to consumer product recalls

**Table 3**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action							
<b>2020KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	74%	75%	12.5%	83.3%		
<b>2020KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks) <i>*Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.1.03.</i>	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	87%	88.8%	85.1%	89.2%*		
<b>2020KM3.1.03</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	--	--	--	42.9%		

Table 3 (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 3.2 Minimize further exposure to hazardous consumer products</b>							
<b>2020KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks) <i>*Fireworks cases were disaggregated from this measure in FY 2020 and captured by a new measure—KM 3.2.05.</i>	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	86%	87.2%	85.5%	85.6%*	85%	✓
<b>2020KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening	2016	2017	2018	2019	2020	2020 Target	Target met?
	99.1%	98%	95.9%	97.4%	96.5%	90%	✓
<b>2020KM3.2.04</b> Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	--	92.7%	76.9%	71.4%	60%	✓
<b>2020KM3.2.05</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	--	--	--	42.9%	85%	✗
<b>SO 3.3 Improve consumer response to consumer product recalls</b>							
<b>2020KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	2016	2017	2018	2019	2020	2020 Target	Target met?
	--	41%	17.4%	21.4%	32.6%	25%	✓

### FY 2020 Results

The CPSC exceeded FY 2020 targets for six of the eight key performance measures under Strategic Goal 3. Selected FY 2020 achievements under Strategic Goal 3 include:

- Staff completed 500 establishment inspections of firms for compliance with CPSC's laws and regulations.
- CPSC worked with firms to conduct 240 voluntary recalls, involving approximately 2.1 million units being removed from the marketplace and the hands of consumers.
- Staff contacted approximately 8,900 Internet firms and individuals who were offering for sale banned or previously recalled consumer products via Internet websites, preventing approximately 18,500 recalled or banned product units from being re-sold.
- CPSC cited 1,706 products for regulatory violations,<sup>13</sup> and staff negotiated 183 corrective action plans (CAPs) to address hazardous consumer products, resulting in removal of these hazardous products from the distribution chain.

The agency did not meet FY 2020 targets for two of the eight performance measures under Strategic Goal 3:

- **Key Measure 3.1.03**—Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection: This was a new measure in FY 2020; it was established to track only fireworks cases and was disaggregated from its original measure (KM 3.1.02). The CPSC did not meet the target because the COVID-19 pandemic prevented staff from working full-time in the laboratory to perform testing from March 2020 through most of the remainder of the fiscal year. As a result, the number of days between sample collection and a compliance determination based on lab testing results was affected.
- **Key Measure 3.2.05**—Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection: This was a new measure in 2020; it was established to track only fireworks cases and was disaggregated from its original measure (KM 3.2.02). The CPSC did not meet the target because testing of the fireworks cases was delayed during FY 2020 (see explanation under KM 3.1.03 above), impacting the result for this measure.

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>13</sup> This number includes products cited by the Office of Compliance and the Office of Import Surveillance.

## Strategic Goal 4: Communication

*Communicate useful information quickly and effectively to better inform decisions*

### Challenges

Consumers, safety advocates, industry, and government regulators need high-quality information about consumer product safety. Consumers need safety information to make more informed decisions for themselves and their families. Safety advocates rely on accurate data to shape their policy recommendations. Industry needs information to stay in compliance with safety requirements. Foreign regulators and state and local government agencies also need high-quality information to establish new safety requirements that advance consumer safety. These diverse audiences have different information needs and respond to different methods of communication. The CPSC's key *Communication* challenges are:

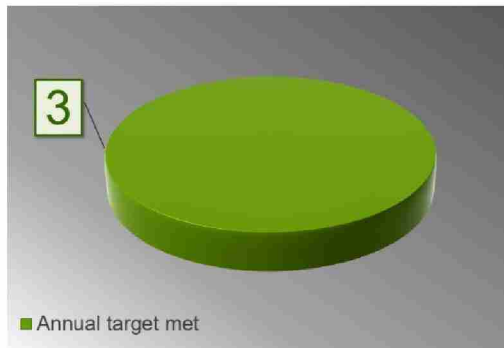
- Strengthening the CPSC's collaboration with all stakeholders to improve communication;
- Updating knowledge management strategies and adopting advanced communication tools and channels to improve consistency, reliability, accessibility, and timeliness of information provided to stakeholders and internally among CPSC staff;
- Improving CPSC messaging and outreach to affected populations, including underserved, low-income, and minority communities and families; and
- Managing the communication about consumer products that pose unreasonable risks of injury and death.

**STRATEGIC OBJECTIVE 4.1**  
Improve usefulness and availability of consumer product safety information

**STRATEGIC OBJECTIVE 4.2**  
Increase dissemination of useful consumer product safety information

**STRATEGIC OBJECTIVE 4.3**  
Increase and enhance collaboration with stakeholders

### Strategies



**Figure 7:** A snapshot of Strategic Goal 4 performance measures (3 total)

The CPSC uses a wide array of communication channels and strategies to provide timely, targeted information about consumer product safety to the public, industry, and other stakeholders. The agency disseminates safety messages through workshops and training sessions; listserv messages; press releases; public service announcements and video news releases; newspaper, radio, and TV interviews; and increasingly, social media, including Facebook, Twitter, and blogs, while adhering to disclosure protocols. The CPSC strives to improve the usefulness and availability of safety messages by collecting and analyzing data and designing and applying new and innovative communication tools. Dissemination of more useful and timely

consumer product safety information will result in a stronger agency brand, the ability to communicate in mobile environments, and the ability to explore micro-targeting to reach the most at-risk populations. An additional element of the CPSC's strategy involves strengthening collaborations with stakeholder groups, including other government agencies and nonprofit organizations. This may include collaboration on information and education campaigns on product safety.

**Table 4**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2020 Target	
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information							
	2016	2017	2018	2019	2020	2020 Target	Target met?
		285	831	1,468	12,095		
<b>2020KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)	--					840	✓
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information							
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM4.2.04</b> Number of national media placements of CPSC stories	--	--	--	--	12	6	✓
	2016	2017	2018	2019	2020	2020 Target	Target met?
<b>2020KM4.2.05</b> Percentage of recall press releases issued in 22 business days or less from first draft	--	--	--	--	63%	60%	✓
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders							
(None) <i>*The CPSC's FY 2020 Request to Congress (published March 2019) included one key measure (KM 4.3.01) under Strategic Objective (SO) 4.3. In October 2019, the Commission voted to discontinue KM 4.3.01 in FY 2020. As such, there were no key measures under SO 4.3 for FY 2020.</i>							

## FY 2020 Results

The CPSC exceeded FY 2020 targets for all three key performance measures under Strategic Goal 4. Selected FY 2020 achievements under Strategic Goal 4 include:

- The agency significantly increased the number of engagements by consumers and others with CPSC's social media messages on all CPSC social media accounts (@USCPSC), including Twitter, Facebook, and Instagram by more than 700 percent, from 1.47 million in FY 2019 to more than 12 million engagements in FY 2020.
- CPSC improved CPSC's "Regulatory Robot," an interactive resource to help small businesses identify applicable safety requirements, so it is now available in Spanish for all consumer products. Previously, the Robot was only available in Spanish for a limited number of product types.
- CPSC staff conducted webinar training entitled, "Safety 101 and Importing Overview," which included a regulatory update, an overview of CPSC's importing requirements, and video demonstrations of field-screening used at U.S. ports of entry. Three hundred fifty importers, custom brokers, and small businesses attended the training.
- The agency completed a survey to evaluate effectiveness of Anchor It!, which is CPSC's national public education campaign aimed at preventing furniture and TV tip-overs from killing and seriously injuring children. A key finding from the survey was many parents or caregivers who did not anchor furniture (e.g., dressers) based their decision on a belief that it is not necessary to do so, as long as they are watching their children. The CPSC released a new public service announcement video, titled, "[Even When You're Watching](#)," which was informed by the survey. Additional recommendations from the findings will be used to improve future tip-over prevention messaging.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Agency Priorities & Management Challenges

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### **Agency Priority:** Focus on Risk

The CPSC prioritizes its resources on the products with the highest consumer product safety risks. The CPSC accomplishes this by using data to guide decisions and policy; working with standards development organizations to develop voluntary standards; and adopting mandatory standards as necessary. To advance data-based decision-making, the CPSC invests in analytical tools and technology and expand its data sources. The CPSC continues to build on its pilot initiative on artificial intelligence (AI) and machine learning (ML) methods and technologies to improve the ability to identify hazardous products and injury severity. The agency also continues development of an integrated data management and storage capability strategy through implementation of best practices of data governance. These efforts expand and improve CPSC's capabilities to identify and analyze emerging hazards.

### **Agency Priority:** Robust Compliance and Enforcement

The CPSC vigorously enforces compliance with mandatory regulations and works actively to remove defective products through recalls or other corrective actions. When necessary, the CPSC litigates to secure a mandatory recall. Compliance

activities focus on the timely investigation of reports of hazardous consumer products and entail marketplace surveillance, including a heightened emphasis on e-Commerce activity, to ensure that hazardous products do not enter or remain in the distribution chain.

### **Agency Priority:** Increased Import Surveillance

The CPSC continues to support import surveillance by operating, maintaining, and developing the Risk Assessment Methodology (RAM) system to identify and stop noncompliant imported products from entering the U.S. marketplace. The CPSC accomplishes this by allocating and expanding full-time staff to conduct inspections and clear compliant cargo quickly at the highest-volume ports of entry and by beginning to address the challenge of risk-assessing and interdicting the significant volume of e-Commerce shipments under its jurisdiction.

### **Management Challenges**

Management challenges identified by the CPSC's Inspector General are detailed on pp. 63–72 of the *FY 2020 Agency Financial Report (AFR)*, which can be found at: [www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget).

## Cross-Agency Collaboration

### Collaboration with GSA on Enterprise Data Analytics Strategy

The CPSC has an extremely wide jurisdictional scope, encompassing roughly 15,000 categories of consumer products found in homes, stores, schools, and recreational settings. As such, the agency collects and analyzes large volumes of structured and unstructured data from a wide variety of sources, including hospitals, consumer incident reports, businesses, other federal agencies, among others. As the volume and sources of data expand, the CPSC's limited resources have become inadequate to maintain the advanced capability necessary to analyze such large and varied amounts of data. This limitation impedes the agency's ability to effectively identify or assess hazard patterns and prevent harm from reaching consumers. In FY 2019, the CPSC established an Interagency Agreement (IAA) with the General Services Administration's (GSA) IT Modernization Centers of Excellence (CoE) to formulate a multiyear Enterprise Data Analytics Strategy (EDAS). The EDAS provides the basis for structured incremental improvements to enable the CPSC to extract maximum value from its large amounts of mission-facing data. The EDAS was delivered from GSA to the CPSC in February 2020. The CPSC has since pursued construction of a Data Lake that would allow for computing and collaborating in a cloud environment to enhance security and processing power.

### Collaboration with Federal Agencies on Data Collection Through NEISS

The CPSC uses the National Electronic Injury Surveillance System (NEISS) to collect information on consumer product-related injuries occurring in the United States that are treated in hospital emergency rooms. This unique CPSC system provides statistically valid national estimates of injuries from a probability sample of hospital emergency rooms. NEISS is a critical component of the CPSC's data-driven approach to identifying emerging trends and consumer product hazards. NEISS data are available to anyone with an Internet connection.<sup>14</sup>

<sup>14</sup> To access NEISS data, please visit: [www.cpsc.gov/en/research--statistics/NEISS-injury-data](http://www.cpsc.gov/en/research--statistics/NEISS-injury-data)

The CPSC has collaborated successfully with other federal agencies to collect injury data through NEISS on non-consumer product-related injuries. Examples of CPSC's FY 2020 collaborations include:

- **Centers for Disease Control and Prevention (CDC):** To collect comprehensive data on trauma-related injuries. These data make up the nonfatal injury component of the CDC's Web-based Injury Statistics Query and Reporting System<sup>15</sup> (WISQARS),<sup>TM</sup> an interactive, online database used by researchers, public health professionals, and the public.
- **National Center for Injury Prevention and Control (NCIPC):** To conduct NEISS studies of data on nonfatal injuries associated with interpersonal violence and assaults, firearms, and self-inflicted violence.
- **National Institute for Occupational Safety and Health (NIOSH):** To collect data on nonfatal occupational injuries. The data can be accessed through NIOSH's online database—Work-Related Injury Statistics Query System (Work-RISQS).<sup>16</sup>
- **National Highway Traffic Safety Administration (NHTSA):** To collect data on non-crash injuries.

### Collaboration with CBP on Import Surveillance

The CPSC has collaborated successfully with U.S. Customs and Border Protection (CBP) since 2008 to improve surveillance and screening of imported consumer products. Section 222 of the CPSIA directed the CPSC to create a Risk Assessment Methodology (RAM) to identify products imported into the United States that are most likely to violate consumer product safety statutes and regulations or that contain a defect that constitutes a substantial product hazard. The CPSC uses a RAM system, which integrates data collected by CBP with data used in CPSC systems, to identify high-risk imports that might violate a CPSC statute or regulation. The CPSC has investigators who are stationed at select U.S. ports of entry working side-by-side with CBP officers to identify and interdict noncompliant consumer products and prevent them from entering the United States. In addition, the CPSC collaborates with CBP at the Commercial

<sup>15</sup> [www.cdc.gov/injury/wisqars/index.html](http://www.cdc.gov/injury/wisqars/index.html)

<sup>16</sup> [wwwn.cdc.gov/wisards/workrisqs](http://wwwn.cdc.gov/wisards/workrisqs)

Targeting and Analysis Center (CTAC), which serves as a central location for coordinating import safety targeting efforts with CBP in support of agency enforcement plans. In FY 2020, the agency conducted approximately 18,500 import examinations of consumer product shipments at U.S. ports of entry.

### Collaboration with Federal Agencies and Other Stakeholders on the Internet of Things

The Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices or products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues or hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders. To address this challenge, in FY 2020, the CPSC collaborated with other federal agencies, foreign governments, and a wide range of stakeholders to address the safety of Internet-connected products, including:

- Leading an Interagency Working Group on Consumer Product Safety of Internet-Connected Products. Participating agencies include the National Cybersecurity Center of Excellence (NCCoE) of the National Institute of Standards and Technology (NIST), the Federal Trade Commission (FTC), the U.S. Food and Drug Administration (FDA), the Federal Communications Commission (FCC), the Department of Energy (DOE), and the Department of Homeland Security (DHS).
- Developing expertise and in-house capabilities for Internet-connected products and participating in development of voluntary consensus standards;
- Participating on IoT panels at the International Consumer Product Health and Safety (ICPHSO) annual conference;
- Completed an IAA with NIST's NCCoE on workforce development.

### Collaboration with Federal Agencies and Other Stakeholders on Micromobility Products

"Micromobility products" (e-scooters, e-bicycles, and hoverboards) are an emerging mode of

personal transportation. Micromobility products can occupy space alongside bicycles on dedicated bike lanes or paths, but they are not intended for sidewalks with pedestrians or for vehicle-occupied roads with cars and trucks. These products are popular with consumers because they are convenient for short-distance travel. In FY 2020, the CPSC collaborated with other federal agencies and a wide range of stakeholders to address the safety of micromobility products, including:

- Hosting a webinar forum on the safety of consumer micromobility products. The purpose of the event was to bring stakeholders together to exchange information on enhancing the safety of three specific consumer micromobility products: e-scooters, e-bicycles, and hoverboards. There were 19 presentations over the course of the day, split into five sessions: Data, Standards Development, Best Practices for Enhancing Safety, Micromobility Design and Research, and Policy and Consumer Safety.
- Participating in micromobility voluntary standards developments with UL and ASTM.
- Participated in the Federal Highway Administration's (FHWA) Office of Planning, Environment, and Realty and the U.S. Department of Transportation's (DOT) Volpe Center interviews to identify the perspectives of partners across the DOT and other Federal agencies for coordination and collaboration on micromobility issues.

### Collaboration with Federal Agencies on Nanotechnology

The CPSC has collaborated successfully with other federal agencies through the National Nanotechnology Initiative (NNI), a White House-led \$27 billion initiative that involves 20 federal agencies working in the emerging field of nanotechnology. There is a critical need for focused research on consumer product applications of nanomaterials and their potential risks to consumers. Given the CPSC's size and budget, partnering has been a key element in achieving mission success.

- **Collaboration with NNCO:** Since FY 2003, the CPSC's collaborative activities with the NNI have produced more than 50 reports and publications, in addition to voluntary standards resulting from CPSC-funded research that



addresses nanomaterial hazards in consumer products.

- **Collaboration with EPA and NIOSH on 3-D Printing:** Technical improvements and cost reductions of 3-D printing have made the technology become more widely available, allowing for consumers to print products for children and the home. However, printing filaments used in certain 3-D printers contain nanomaterials. The CPSC has been collaborating successfully with the Environmental Protection Agency (EPA) and NIOSH since FY 2018.

- **EPA – Assessing Emission Characteristics**

- **Phase I:** In FY 2018, phase I of the collaborative work with EPA was initiated to study potential health hazards associated with 3-D printing.
- **Phase II and Phase III:** The Phase II work, which was initiated in FY 2019, helped inform the work initiated in FY 2020 for the final phase III (*i.e.*, “Quantifying the Composition and Release of Organic and Inorganic Chemicals and Materials from Fused Deposition Modeling [FDM] Printer Filaments, Waste, and Printed Objects”).
- **Utilizing Research Results:** Results from this research will provide a much-needed baseline data set that quantifies the chemicals and materials present in filaments, consumer products, and waste generated from the FDM printing processes. It will provide quantitative information on the release of chemicals and inorganic materials during the FDM printing process, as well as from consumer products and waste created from that process. Finally, the results will determine the suitability of filament materials for various print applications (fragility, ability to generate small parts). This information is critical for identifying the hazards associated with FDM printing, the potential for exposure to chemicals or materials created during or liberated from FDM print processes or products, and the overall risk of FDM printing processes using various filament types.

- **NIOSH – Assessing Health Effects**

- The NIOSH Phase II studies, initiated in FY 2019, built on the Phase I work that assessed the potential for respiratory toxicity induced by emissions from 3-D printers using acrylonitrile butadiene styrene (ABS), poly-lactic acid (PLA), and polycarbonate (PC) filaments with and without multi-walled carbon nanotubes (MWCNTs). The Phase II studies focus on 3-D printing systems that use other types of engineered nanoparticles and the potential for systemic toxicity from exposure to the emissions from these 3-D printer systems.

### Collaboration with Federal Agencies on Chemical Hazards

As a small agency, the CPSC benefits greatly from collaborating with other federal agencies. The CPSC participates in a number of significant interagency committees or groups that address chemical hazards, including:

- The President’s Task Force on Children’s Environmental Health (CEHTF);
- Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM);
- Toxic Substances Control Act (TSCA) Interagency Testing Committee (ITC)
- National Toxicology Program (NTP), run by the U.S. Department of Health and Human Services (HHS);
- Federal Interagency Committee on Indoor Air Quality (CIAQ);
- White House Policy Coordinating Committee (PCC) Technical Working Group (TWG) on Per- and Polyfluoroalkyl Substances (PFAS);
- National Cancer Advisory Board (NCAB), run by the National Cancer Institute; and
- NNI’s Nanotechnology Environmental and Health Implications (NEHI) Working Group.

### Collaboration with Federal Agencies on Shared Services

The CPSC’s operating model is designed around the use of shared services to lower costs, improve service delivery, and benefit from economies of scale not necessarily available to a small agency. The CPSC leveraged the following shared services in FY 2020:

- **Financial Management, Travel, and Acquisitions Systems and Services:** Provided by Department of Treasury's Administrative Resource Center (ARC) within the Bureau of the Fiscal Service. The CPSC procures hosting and application management services from ARC, which uses an Oracle-based financial reporting system for accounting and travel management services. The CPSC also uses the Procurement Request Information System Management (PRISM) through ARC's services platform, which is fully interfaced with Oracle for real-time contracting actions and awarding.
- **Payroll and Related Human Resource (HR) System Services:** Provided by the Interior Business Center (IBC) of the U.S. Department of the Interior (DOI).
- **Grants Management Services:** Provided by the Denali Commission to manage CPSC's *Pool Safely* Grant Program (PSGP), in accordance with the Virginia Graeme Baker Pool and Spa Safety Act (VGB Act).
- **Federal Docket Management System (FDMS):** Provided by the EPA for implementation, use, operation, and management of the FDMS, the centralized electronic docket management system for federal agency users. The FDMS services a wide array of routinely performed regulatory activities to the public through [www.Regulations.gov](http://www.Regulations.gov), which is the public-facing website of FDMS that offers citizens the opportunity to search, view, download, and submit comments on federal notices and rules.

## Evaluation and Research

### Key Performance Measures

The CPSC has identified a core set of 25 key performance measures that describe progress in implementing the Strategic Plan. The key performance measures are tools for monitoring and reporting progress toward the agency's strategic goals and strategic objectives, and they facilitate using evidence in agency management and resource decisions. The key performance measures are supplemented by additional operating performance measures, which track lower-level project and program outcomes and outputs, and are used for internal management and decision-making. Additional internal milestones are set and monitored to track implementation progress.

### Strategic Data Review Meetings

The CPSC implements a number of different mechanisms to review financial and performance information and to manage programs during the fiscal year. The Office of the Chief Financial Officer (CFO) produces a monthly report for senior managers' use, which summarizes the status of the agency's financial resources and human capital. Financial data presented in the report include the current fiscal year's annual funding level, cumulative allowances, cumulative funds obligated, and expended obligations, as well as information on onboard staffing levels. Another helpful agency practice has been conducting a Mid-Year review process, during which the annual operating budget is examined for potential adjustments, based on new information or emerging priorities of the agency.

The agency also conducts periodic Strategic Data Reviews (SDRs). The SDRs are strategic, data-driven planning and performance progress reviews attended by the CPSC's senior managers. The SDRs provide a forum for managers to focus on annual planning to achieve performance goals and strategic objectives and to refresh program priorities and funding requirements. Forward-looking planning decisions are informed by assessing progress toward performance measure targets and achieving agency performance goals and strategic objectives, and reviewing relevant evaluation information. Managers discuss constraints or problems, and identify any needed

modifications to programs going forward. Program risks are also discussed, and mitigation strategies are developed.

### Evaluation and Research

The CPSC uses research, analysis, and program assessments to inform management decisions, drive improvements in program delivery and effectiveness, and update future strategies and program formulation. The CPSC's Office of the Inspector General (OIG) audits, evaluates, reviews, and investigates the agency's programs and operations. The U.S. Government Accountability Office (GAO) also conducts performance audits and analyses, and makes recommendations to help improve CPSC's practices, policies, and programs. In addition, the CPSC performs targeted reviews of internal controls to determine whether processes should be modified to strengthen and improve operations. Finally, the CPSC conducts research, and reviews and assesses the effectiveness and efficiency of specific programs supporting the strategic goals in the Strategic Plan, as appropriate. The CPSC is committed to using the findings from research and evaluation to improve programs and strategies and make progress toward strategic goals and strategic objectives. Examples of CPSC's FY 2020 evaluation and research efforts include:

**Enterprise Data Analytics:** The volume of the incoming data to the CPSC has been increasing over the years, making manual processing of data less viable. In addition, the current CPSC environment includes siloed data sources that are dedicated to the systems and applications they serve, which makes data sharing across the agency difficult and limits the agency's ability to deploy modern data analytics and business intelligence tools. These issues necessitate an effective, on-demand, cross-system data exchange, as data analytics are becoming more critical for data-driven decision making throughout the agency.

- **Background:** To expand CPSC's analytics capability, in FY 2019, the CPSC partnered with the GSA's IT Modernization Centers of Excellence (CoE) to formulate and establish a multi-year Enterprise Data Analytics Strategy (EDAS) and Implementation Plan (see p. 17 for

information on the Interagency Agreement with GSA). The CPSC expects to take a stepwise, incremental approach to improving its data analytics and business intelligence environment.

- **FY 2020 Results:** In FY 2020, the CPSC completed its first Use Case pilot initiative of the multi-year EDAS to expand CPSC's analytics capability. The goal of the pilot was to address the challenges created by processing the high volume of incoming retailer data, a labor-intensive effort that currently involves manual review of the data by CPSC staff to classify the type of product and the severity of any injury. The pilot used machine learning (ML)—an analytics functionality that replicates human decision-making, analysis, and processing—to classify this data. As a result of the pilot, the agency gained great insight into the potential for automating the classification of incident reports, and the results will help inform and refine the CPSC's EDAS and other potential Use Cases in the coming years. In addition to the pilot, the CPSC also expanded the use of machine learning for quality assurance checks for agency data, helping to automate this labor-intensive process.

**e-Commerce:** The digital marketplace has grown rapidly, which has resulted in a significant global shift from the traditional consumer product distribution chain (*e.g.*, retail stores) to online shopping.<sup>17</sup> Consequently, a large volume of low-value, potentially noncompliant or hazardous shipments of foreign-manufactured products are now being shipped directly to consumers in the United States. CPSC staff estimates the value of e-Commerce shipments the CPSC regulates will reach \$415 billion by calendar year 2023, representing nearly 38 percent of the total value of imports under CPSC's jurisdiction.

- **CPSC Constraints:** The CPSC's import surveillance operational structure has been organized for the traditional import environment—to scan for high-value shipments that arrive at traditional U.S. ports of entry; those shipments are typically intended for businesses (*e.g.*, distributors or retailers), which, for instance, would offer for sale to the

consumer individual products from their imported shipments.

- **Addressing e-Commerce Challenges:** To address e-Commerce challenges, the CPSC developed a vision for more effective identification, enforcement, and deterrence of trade violations in the e-Commerce environment. The CPSC identified key resource gaps, which have been introduced by e-Commerce. Additionally, the agency assessed the impacts of e-Commerce on CPSC's import enforcement.
  - **e-Commerce Assessment:** The first major effort undertaken by the CPSC to address e-Commerce challenges was the FY 2019 e-Commerce Assessment.<sup>18</sup> The resulting report identified CPSC's current capabilities in addressing e-Commerce shipments arriving at U.S. ports. The study also estimated the expected volume and location of where those shipments would arrive in the next 5 years—it was estimated that 55 million e-Commerce shipments under CPSC's jurisdiction will enter the United States in calendar year 2023. Results from the study directly informed the FY 2020 follow-on work—e-Commerce Concept of Operations and Implementation Plan (CONOPS), which provides a roadmap from an Import Surveillance perspective for how the CPSC can address e-Commerce risks in the long-term.
  - **FY 2020 e-Commerce Concept of Operations and Implementation Plan (CONOPS):** Completed in FY 2020, the CONOPS is a 5-year implementation plan that can serve to guide the CPSC in determining the various resources needed to identify and interdict high-risk e-Commerce shipments, as well as to guide the agency's strategy to address e-Commerce risks. The CPSC expects the implementation of the CONOPS to significantly improve the agency's ability to identify potentially noncompliant and dangerous e-Commerce shipments and stop those shipments from reaching consumers.

<sup>17</sup> The number of Americans shopping online increased nearly four-fold from 22 percent to 79 percent between 2000 and 2018. Reference: [www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-E-Commerce-Strategic-Plan\\_0.pdf](http://www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-E-Commerce-Strategic-Plan_0.pdf)

<sup>18</sup> A detailed report on the E-commerce Study can be found at: [www.cpsc.gov/s3fs-public/CPSC%20e-Commerce%20Assessment%20Report.pdf?B.5pu7oFYPRJsokNjHygmRYZVo0tpPmE](http://www.cpsc.gov/s3fs-public/CPSC%20e-Commerce%20Assessment%20Report.pdf?B.5pu7oFYPRJsokNjHygmRYZVo0tpPmE)

**Business Process Review:** The marketplace for consumer products under CPSC's jurisdiction has been evolving, including expansion of the digital marketplace, along with emerging new technologies that consumers are being exposed to on a daily basis. To keep pace with the evolving marketplace, the CPSC needs to adapt its compliance and enforcement operations.

- **Background:** In FY 2020, the CPSC completed its Business Process Review (BPR), which was phase I of CPSC's IT Modernization of the Integrated Field System (IFS). The IFS is CPSC's compliance and enforcement database system that contains information about field activities, regulated products compliance, and recalls. IT Modernization of the IFS is a multi-year, internal collaborative effort to modernize the agency's case management system for regulatory enforcement work.
- **FY 2020 Results:** The agency's FY 2020 work on the BPR involved assessment of CPSC's current regulatory compliance and enforcement business processes and systems. The agency evaluated results of the BPR and made resource recommendations on two key components of the IT Modernization of the IFS effort—a business efficiency plan and an IT systems development plan for the IFS database. Findings from the BPR (*i.e.*, phase I) will help inform phase II of the IT Modernization of IFS effort.

**CPSC's "Anchor It!" – Campaign Effectiveness Survey:** "Anchor It!" is CPSC's national public education campaign, aimed at preventing furniture and TV tip-overs from killing and seriously injuring children. Tip-overs are a significant hidden hazard in the home; even when adults are in the same room with children, dangerous tip-overs can occur. The annual average number of injuries associated with tip-overs is approximately 25,500.<sup>19</sup> Since year 2000, there have been more than 570 fatalities associated with tip-overs; tragically, 82 percent of those fatalities involved children.<sup>20</sup>

- **Background:** To evaluate effectiveness of the "Anchor It!" campaign, in FY 2018, the CPSC

initiated work on the survey to conduct a comprehensive research study<sup>21</sup> of attitudes and behaviors about furniture and TV anchoring among parents and caregivers. Two key objectives of the survey were: (1) To assess consumer awareness, recognition, and behavior change as a result of the "Anchor It!" campaign (2) To assess knowledge, attitudes, and awareness around TV and furniture tip-overs and anchoring, including comprehension of hazards, risks, and remedies.

- **FY 2020—Survey Completion and Findings:**
  - The CPSC completed the "Anchor It!" effectiveness survey in FY 2020. The survey found that most consumer respondents—80 percent—are aware that unanchored furniture can tip over, and 82 percent are aware that tip-overs can lead to injuries and deaths. Awareness does not always turn into action, however. Of those surveyed, 47 percent say they have ever anchored a TV in their home, while 55 percent have ever anchored their furniture. Parents are more likely to anchor than caregivers.
  - A key finding from the survey was many parents or caregivers who did not anchor furniture (*e.g.*, dressers) based their decision on a belief that it is not necessary to do so, as long as they are watching their children.
- **Utilizing Survey Results:** Understanding knowledge, awareness, and perceptions from various levels of consumers and other stakeholders helps give a well-rounded picture of the campaign. Findings from the survey will help shape recommendations and enhance CPSC's messaging of the campaign in the future, so consumers are made aware that tip-overs can be prevented and lives can be saved.

**Chemical Hazards-Related Research—Organohalogen (OFRs):** The CPSC conducts research on toxicity, human exposure, and health risks of organohalogen, a diverse group of chemical classes, that may be found in a wide variety of consumer products. Assessing OFRs together, as multiple classes, allows CPSC to assess

<sup>19</sup> According to CPSC's National Electronic Injury Surveillance System's (NEISS) data, the annual average number of emergency department-treated injuries from years 2017 to 2019 is 25,500.

<sup>20</sup> Between 2000 and 2019, the CPSC received 571 reports of tipover-related fatalities. Of the 571 reported fatalities, 469 (82%) involved children

of ages 1 month to 14 years.

<sup>21</sup> To see a full report of the survey results, please visit: [https://www.cpsc.gov/s3fs-public/CPSC-Anchor-It-Campaign-Effectiveness-Survey-Main-Report\\_Final\\_9\\_2\\_2020....pdf?qC1No.oO02FEXV9wmOtdJVAtacRLHIMK](https://www.cpsc.gov/s3fs-public/CPSC-Anchor-It-Campaign-Effectiveness-Survey-Main-Report_Final_9_2_2020....pdf?qC1No.oO02FEXV9wmOtdJVAtacRLHIMK)

how different OFR classes have been used in different consumer products.

- **Background:** In response to Petition HP15-1, the Commission voted to grant the petition and directed staff to initiate several activities. In FY 2019, the CPSC received a scoping and feasibility study of OFRs from the National Academies of Sciences, Engineering, and Medicine (NASEM), entitled, "A Class Approach to Hazard Assessment of Organohalogen Flame Retardants." The NASEM study provided a plan for identifying and applying accepted scientific methods for assessing the toxicity of OFRs as a class, to be used by the CPSC in its rulemaking efforts. The NASEM identified 14 OFR subclasses that would need to be evaluated separately. The CPSC has been working to implement the research and assessment recommendations proposed by the NASEM in its 2019 report.
- **FY 2020 Results:** In FY 2020, based upon the evaluation of the NAS study, CPSC staff developed a briefing package entitled, "Project Plan: Organohalogen Flame Retardant Chemicals Assessment," which describes the approach to scope and conduct risk assessments for OFRs in consumer products. The work completed in FY 2020 will inform follow-on work to begin to implement CPSC staff's plan to assess the potential risks of the OFR subclasses in consumer products.

### Chemical Hazards-Related Research—

**Other Chemicals:** The CPSC also conducts research on toxicity, human exposure, and health risks of thousands of other chemicals found in consumer products.

- **Phthalates Alternatives:** In FY 2020, the CPSC continued reviewing toxicology studies for use in evaluating potential risks associated with the chemical compounds being used by industry as alternatives to regulated phthalates.
- **Alternative Toxicological Methods:** In FY 2020, the CPSC collaborated extensively with the Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM). The CPSC's FY 2020 collaborative work includes:

- Continuing participation as members of numerous working groups for the ICCVAM.
- Participating in the new ICCVAM working group on metrics.
- Continuing work with NIST on validating the Electrophilic Allergen Screening Assay (EASA) assay (*i.e.*, a scientific testing procedure to detect or identify skin sensitizers, which are substances found in consumer products and have the potential to cause Allergic Contact Dermatitis [ACD]); the work was performed in cooperation with ICCVAM, the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM), NIST, the U.S. Food and Drug Administration (FDA), and the Department of Defense (DoD). The CPSC evaluated a measurement science approach to characterize uncertainty, variability, and potential biases in the EASA assay and prepared a presentation that summarizes the measurement science approach for the American Society of Cellular and Computational Toxicology annual meeting.
- Continuing participation in an international effort to collect human predictive patch test data for more than 100 substances and apply decision tree and weight-of-evidence approaches to resolve ambiguity and discordance in individual tests. This work is to support the evaluation of defined approaches for skin sensitization proposed for inclusion in a new Organisation for Economic Co-operation and Development (OECD) guideline.
- Participated on the Validation Management Team for an alternative test method for evaluating ocular irritation. The team's evaluation on the validation of this test method was published in the peer-reviewed journal, *Cutaneous and Ocular Toxicology*, in FY 2020.
- Reviewed numerous documents for ICCVAM, such as testing procedures, guidance documents and OECD Test Guidelines Programme<sup>22</sup> documents.

<sup>22</sup>[www.oecd.org/chemicalsafety/testing/oecd-guidelines-testing-chemicals-](http://www.oecd.org/chemicalsafety/testing/oecd-guidelines-testing-chemicals-)

[related-documents.htm](#)

## Importance of Data and Evidence in Determining Program Priorities

As a data-driven agency, the CPSC regularly collects and analyzes a wide range of data from multiple sources that are relevant to its mission. The CPSC uses that information to shape program strategies and select priorities. For example, the

CPSC systematically reviews and analyzes data on injury and death incidents related to consumer products to develop the CPSC's hazard-mitigation strategies. The CPSC receives data from multiple sources, including NEISS, death certificates, Medical Examiner and Coroners Alert Project (MECAP) reports, incident reports, and [www.SaferProducts.gov](http://www.SaferProducts.gov), among other sources.

## Appendix A

### CPSC Performance: Verification & Validation of Performance Data

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The CPSC requires complete, accurate, and reliable performance data to assess agency progress toward its strategic objectives and performance goals, and to make good management decisions. The CPSC's approach to verification and validation (V&V) of performance data, intended to improve accuracy and reliability, is based upon the following:

- (1) The agency develops performance measures through its strategic planning and annual performance planning processes.
- (2) The CPSC's functional components follow a standard reporting procedure to document detailed information for each performance measure in an internal agency database. This information includes, but is not limited to:
  - performance measure definition,
  - rationale for the performance measure,
  - source of the data,
  - data collection and computation methods, and
  - data limitations.
- (3) The agency's major functional components are responsible for assessing the completeness, consistency, timeliness, and quality of the data for their key performance measures, as well as identifying any data limitations. Managers of major functional components responsible for reporting key measures certify that procedures for ensuring performance data quality have been followed, and that the reported results are reasonably complete, accurate, and reliable.
- (4) In addition to the self-assessments and certification statements completed by functional components, year-end results for key performance measures are reviewed by CPSC's

Office of Financial Management, Planning, and Evaluation (EXFM) team and approved by management before they are published in agency documents. Furthermore, EXFM also conducts an in-depth V&V review of each key performance measure within a 2-year cycle, following established operating procedures. In FY 2020, EXFM independently assessed 11 key performance measures out of 25 from across the agency's major functional components for quality and accuracy of the year-end reported performance results.

- (5) The CPSC also conducts periodic Strategic Data Review (SDR) meetings, where managers of major functional components analyze progress toward performance measure targets and broader progress toward achieving the agency's strategic objectives and performance goals. Program risks are also discussed, and mitigation strategies are developed.
- (6) Managers of major functional components within the CPSC also submit annual Statements of Assurance (SoA) on the operating effectiveness of general- and program-level internal controls for their areas of responsibility. Those SoAs identify any known deficiencies or weaknesses in program-level internal controls where they exist, including any issues with the quality of program data.

These procedures help to provide assurance that performance data reported by the agency are sufficiently complete, accurate, and reliable, as appropriate to intended use, and that internal controls are maintained and functioning as intended.



## Appendix B

### Changes to FY 2020 Performance Measures

In accordance with OMB Circular No. A-11 guidance, this section of the FY 2020 APR summarizes changes to FY 2020 performance measures that occurred between the publication of the FY 2020 Performance Budget Request (PBR) (published March 2019) and this document, the FY 2020 APR (January 2021). Changes to the performance measures resulted from the enactment of the CPSC’s FY 2020 annual appropriations and implementation of the CPSC’s FY 2020 Operating Plan (published October 2019).

The table below indicates whether the FY 2020 measure was discontinued, revised, replaced, or added since the FY 2020 PBR publication. Any changes made to the performance measure’s annual target are included in the “FY 2020 Target” columns.

FY 2020 Performance Measure Statement	FY 2020 Target	
	FY 2020 PBR	FY 2020 APR
<p><u>PBR and APR:</u>  <b>2020KM1.2.01:</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)</p>	74%	70%
<p><u>PBR:</u>  <b>2020KM1.4.01:</b> Federal Employee Viewpoint Survey Employee Engagement Index Score</p> <p><u>APR – Revised to:</u>  <b>2020KM1.4.01:</b> High-performing Federal Workforce – Employee Engagement Index Score</p>	75%	70%
<p><u>PBR:</u>  <b>2020KM2.1.04:</b> Number of collaborations established or maintained with other organizations to work on nanotechnology research or issues affecting consumer products</p> <p><u>APR – Discontinued</u></p>	3	Discontinued
<p><u>PBR and APR:</u>  <b>2020KM2.2.01:</b> Number of voluntary standards activities in which CPSC staff actively participates</p>	72	78
<p><u>PBR and APR:</u>  <b>2020KM2.2.02:</b> Number of candidates for rulemaking prepared for Commission consideration</p>	7	12
<p><u>PBR:</u>                      Not included</p> <p><u>APR - Added:</u>  <b>2020KM2.2.08</b>                      Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas</p>		< 0.33
<p><u>PBR:</u>  <b>2020KM3.1.02:</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection</p> <p><u>APR – Replaced with:</u></p> <ul style="list-style-type: none"> <li><b>2020KM3.1.02:</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks); and</li> <li><b>2020KM3.1.03:</b> Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection</li> </ul>	85%	85%

FY 2020 Performance Measure Statement	FY 2020 Target	
	FY 2020 PBR	FY 2020 APR
<u>PBR:</u> <b>2020KM3.2.02:</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection		85%
<u>APR – Replaced with:</u> <ul style="list-style-type: none"> <li><b>2020KM3.2.02:</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks); and</li> <li><b>2020KM3.2.05:</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection</li> </ul>	85%	85%
<u>PBR and APR:</u> <b>2020KM4.1.02:</b> Number of engagement with CPSC safety messaging on social media channels by stakeholders (in thousands)	820	840
<u>PBR and APR:</u> <b>2020KM4.2.01:</b> Number of impressions of CPSC safety messages (in millions)	4,200	Discontinued
<u>PBR:</u> <b>2020KM4.2.02:</b> Average number of business days between establishment of first draft and issuance of recall press release for the timeliest 90% of recall press releases	<18	60%
<u>APR – Replaced with:</u> <b>2020KM4.2.05:</b> Percentage of recall press releases issued in 22 business days or less from first draft		
<u>PBR – Not included</u>  <u>APR – Added:</u> <b>2020KM4.2.04</b> Number of national media placements of CPSC stories	Not included	6
<u>PBR:</u> <b>2020KM4.3.01</b> Number of collaboration activities initiated with stakeholder groups	29	Discontinued
<u>APR – Discontinued</u>		

## Appendix C

### Detailed Information on FY 2020 Performance Measures

This section presents detailed information on the 25 key performance measures for FY 2020. The CPSC’s FY 2020 Operating Plan includes FY 2020 performance measures and annual targets, used for tracking progress toward achieving the strategic goals and strategic objectives outlined in the agency’s strategic plan.

**Navigation:** The performance measures are organized by strategic goal. For each performance measure, this appendix shows key information from the data fields listed in the CPSC’s centralized Performance Management Database (PMD). Each quarter, the CPSC’s functional components are responsible for reporting actual progress for each performance measure in the PMD. The following are the data fields listed in this appendix for each performance measure:

Name of Data Field	Description
<b>Control ID</b>	A unique identifier assigned to each performance measure. <ul style="list-style-type: none"> <li><b>Note:</b> An asterisk symbol (*) following the Control ID indicates that the performance measure has been verified and validated. For more information on CPSC’s procedures on Verification &amp; Validation (V&amp;V) of performance data, refer to Appendix A on p. 26.</li> </ul>
<b>Program</b>	The CPSC’s functional component that is responsible for the performance measure.
<b>Strategic Goal</b>	The strategic goal from the CPSC’s Strategic Plan associated with the performance measure.
<b>Strategic Objective</b>	The strategic objective from the CPSC’s Strategic Plan associated with the performance measure.
<b>Performance Measure Statement</b>	A measurable value that indicates the state or level of the targeted result.
<b>Definition of Performance Measure</b>	A clear description of the indicator, with enough specificity that different individuals can collect and report the same information for the measure.
<b>Rationale for Performance Measure</b>	A description of why the performance measure was selected; how it tracks progress toward the associated strategic objective; and how the information will be useful for management.
<b>2016–2020 Actuals; Target met?</b>	FY 2020 target and historical actual values for the performance measure and indication of whether the FY 2020 target was met.

Name of Data Field	Description
<b>Analysis</b>	<p>This field may include:</p> <ul style="list-style-type: none"> <li>• An explanation of how progress toward meeting the annual target for this performance measure contributes to progress toward meeting the strategic objective;</li> <li>• Annual target:               <ul style="list-style-type: none"> <li>◦ If the FY 2020 target was met, a description of the key elements that contributed to success in meeting the target</li> <li>◦ If the FY 2020 target was not met, a description of the issues/obstacles that impeded success in meeting the target</li> <li>◦ If data for FY 2020 result are not available, the reason(s) for the unavailability, and the expected date that the data will become available; and</li> </ul> </li> <li>• Discussion of the trend result: positive, negative, or steady; expectations for trend over time.</li> </ul>
<b>Plan(s) for Improving Performance</b>	<p>If applicable, a description of action(s) to be implemented to improve performance in future years.</p>
<b>Data Source</b>	<p>Identification of data source(s) with enough specificity, so that the same source(s) can be used for the performance measure over time.</p>
<b>Data Collection Method and Computation</b>	<p>Detailed description of the collection and computation method, so that it can be replicated consistently over time, and by different personnel.</p>
<b>Data Limitations and Implications of the Reported Results</b>	<p>Identification of any known data limitations, including a description of the limitations, the impact limitations may have on measuring progress toward the annual target and/or the related performance goal or strategic objective, and the actions that will be taken to correct the limitations.</p>

<b>Control ID</b>		<b>Program</b>				
2020KM1.1.02*		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.1: Enhance effective strategic human capital planning and alignment						
<b>Performance Measure Statement</b>						
Percentage of full-time equivalents (FTEs) utilized						
<b>Definition of Performance Measure</b>						
The total number of on-board FTEs, divided by the CPSC's authorized FTE ceiling for the fiscal year						
<b>Rationale for Performance Measure</b>						
The FTE utilization rate serves as an important workforce planning tool to guide the CPSC in assessing current/projected future skill gaps and changing/reshaping of the agency's workforce that might be needed to meet the agency's mission.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	97%	98%	95%	96%	<b>X</b>
<b>Analysis</b>						
The target was 96 percent; the FY 2020 actual result was 95 percent. The CPSC did not meet the target. The COVID-19 pandemic and working remotely have impacted recruiting, interviewing, and onboarding. The agency developed remote interviewing, new hiring and onboarding procedures for the CPSC's virtual workplace, but still fell short of the annual target by 1 percent.						
<b>Plan(s) for Improving Performance</b>						
The agency provided Human Capital Data to hiring managers for successful workforce planning and recruitment, incorporated feedback to improve quarterly reports, updated dashboard with requested reporting functionality, and plans to continue efforts for strategic workforce and succession planning to maintain the FTE utilization rate.						
<b>Data Source</b>						
Quarterly 113G Reports, from the Federal Personnel and Payroll System (FPPS). The FPPS is a database system administered by CPSC's Shared Services Provider—Interior Business Center (IBC) of the U.S. Department of Interior (DOI).						
<b>Data Collection Method and Computation</b>						
From the quarterly 113G report as of year end, divide the Grand Total Employment (cumulative column) by CPSC's authorized FTE ceiling for the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
The measure tracks only straight time hours.						

<b>Control ID</b>				<b>Program</b>		
2020KM1.2.01*				Human Resources		
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.2: Foster a culture of continuous development						
<b>Performance Measure Statement</b>						
Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)						
<b>Definition of Performance Measure</b>						
The percentage of positive responses for Question 1—"I am given a real opportunity to improve my skills in my organization."—from the annual FEVS administered by OPM is computed as follows: The number of employees who responded "satisfied" or "highly satisfied," divided by the number of employees who responded to the question.						
<b>Rationale for Performance Measure</b>						
FEVS results for Question 1 are an indicator of how well the agency fosters a culture of continuous development by providing opportunities and encouraging professional development.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	72.5%	68.1%	65.8%	Result not available	70%	N/A
<b>Analysis</b>						
The result for this measure is not available. The U.S. Office of Personnel Management (OPM) postponed its launch of the annual 2020 FEVS, which was administered from September 24, 2020 through November 5, 2020. To improve employee satisfaction, the agency revised its training plans and fully implemented them in the remote environment and, since March, training participant rates for agency-sponsored training was higher than ever with 97% of courses filled to capacity.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will explore new opportunities for remote learning, market the coaching program, and continue to provide training to employees to develop their Individual Development Plan (IDP).						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM's annual FEVS link sent out via email to all permanent employees. The responses are calculated by OPM. The positive responses include both the "highly satisfied" and "satisfied" employee responses for Question 1 of the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
Not applicable						

<b>Control ID</b>		<b>Program</b>				
2020KM1.3.01		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.3: Attract and recruit a talented and diverse workforce						
<b>Performance Measure Statement</b>						
Percentage of hiring managers trained on recruitment						
<b>Definition of Performance Measure</b>						
The CPSC provided recruitment training (segments on interviewing and reference checking) to all selecting officials at CPSC (all supervisors, managers and executives) during FY 2020. The performance measure tracked the percentage of CPSC selecting officials who completed the training segments during the fiscal year (the number of CPSC selecting officials who completed the training segments during the fiscal year divided by the total number of CPSC selecting officials).						
<b>Rationale for Performance Measure</b>						
CPSC selecting officials received training in assessment tools and targeted recruitment authorities to ensure that they have the tools necessary to recruit a talented and diverse workforce. To recruit the best talent, hiring managers need to focus on the vacancy announcement and assessment to get the best applicants for selection. This comprehensive training provided selecting officials with the tools to develop assessments that will ensure that the most talented applicants are considered.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	56.1%	82.6%	85.5%	89.7%	80%	✓
<b>Analysis</b>						
The FY 2020 result was 89.7%, exceeding the annual target of 80%. The training topic on <i>Interviewing and Conducting Referencing Checks</i> was of interest to, and well-received by, selecting officials. We also noticed a slight increase in the average score of hiring managers satisfied with applicant listing, from 8.275 in FY 2019, to 8.5 in FY 2020, out of a score of 10.						
<b>Plan(s) for Improving Performance</b>						
In FY 2020, the CPSC developed a plan to increase hiring managers' participation in the hiring process, and in FY 2021, will execute the plan from FY 2020, by working on remote hiring practices and guidance, preparing for virtual job fairs and outreach events, as well as offering training sessions on recruitment topics of interest.						
<b>Data Source</b>						
Tracking spreadsheet						
<b>Data Collection Method and Computation</b>						
The CPSC uses sign-in sheets, provided at each training session, to update the tracking spreadsheet and the selecting officials' learning histories to verify attendance at trainings. The spreadsheet lists all selecting officials who have completed training on Targeted Assessment and Recruitment Training.						
<b>Data Limitations and Implications of the Reported Results</b>						
The measure only reports whether the managers were trained. The measure does not capture whether the training is effectively implemented by the managers to improve the quality of recruiting.						

<b>Control ID</b>		<b>Program</b>				
2020KM1.4.01*		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.4: Increase employee engagement						
<b>Performance Measure Statement</b>						
High-performing Federal Workforce - Employee Engagement Index Score						
<b>Definition of Performance Measure</b>						
The Employee Engagement Index (EEI) score, developed and computed by OPM, is a measure of work environment conditions that are conducive to employee engagement. The index consists of three factors: (1) Leaders Lead, (2) Supervisors, and (3) Intrinsic Work Experience. Each factor reflects a different aspect of an engaging work environment. The EEI includes results for 15 different questions from the FEVS, which together, are designed to measure overall employee engagement.						
<b>Rationale for Performance Measure</b>						
According to OPM's definition, "employee engagement" is described as an employee's sense of purpose. It is evident in their display of dedication, persistence, and effort in their work, or overall commitment to their organization and its mission. An agency that engages its employees ensures a work environment where each employee contributes to the success of the agency while reaching his or her full potential. Engaged employees contribute significantly to the success of the CPSC and the federal government as a whole.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
70%	73%	69%	66%	Result not available	70%	N/A
<b>Analysis</b>						
The result for this measure is not available. The U.S. Office of Personnel Management (OPM) postponed its launch of the annual 2020 FEVS, which was administered from September 24, 2020 through November 5, 2020. The agency executed its plans to improve its performance by implementing the President's Management Agenda (PMA) Agency Improvement Plan, and focused on the <i>Leaders Lead</i> portion of the Employee Engagement Index. Other employee engagement examples include: <ul style="list-style-type: none"> <li>• Completed training on performance management and telework for employees;</li> <li>• Implemented wellness plan such as fitness center upgrades, personal training plans and virtual work-life balance sessions; and</li> <li>• Implemented the bottom 20% in the FEVS action plan, such as the <i>What's On Your Mind?</i> Initiative, to let CPSC's management team know your questions, ideas or suggestions; and <i>Walk in Your Shoes</i> pilot program to provide employees an opportunity to "shadow" a host employee and learn what they do.</li> </ul>						
<b>Plan(s) for Improving Performance</b>						
The agency will continue employee engagement efforts, especially where improvement is needed, when the 2020 FEVS results are made available.						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM's annual FEVS link sent out via email to all permanent CPSC employees. The EEI score is based on data from responses to 15 different questions on the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
Not applicable						



<b>Control ID</b>				<b>Program</b>		
2020KM2.1.01*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Percentage of consumer product-related incident reports warranting follow-up actions						
<b>Definition of Performance Measure</b>						
Integrated Product Teams (IPTs), consisted of subject-matter experts from various organizations within CPSC and organized by type of hazard, receive incident reports through the Consumer Product Safety Risk Management System (CPSRMS), and determine whether follow-up actions, such as in-depth investigations or enforcement actions, are warranted.						
<b>Rationale for Performance Measure</b>						
Improved quality and specificity of hazard information included in incident reports makes them more informative and useful. The percentage of incident reports that warrant follow-up actions provides an indication of the extent to which incident reports contain improved information.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	25%	26%	23%	20%	25%	<b>X</b>
<b>Analysis</b>						
The FY 2020 actual result was 20%, falling short of the target of 25%. The CPSC did not meet the target because most of the data received by the CPSC through incident reports are not actionable, warranting no follow-up actions.						
Although the CPSC fell short of the annual target, the agency had a successful FY 2020 pilot program of a new, improved approach of CPSC's Integrated Product Teams (IPTs), which are organized by type of hazard and consist of subject-matter experts from across the agency who review incoming incident report data. Success of the new, improved IPT approach was attributed to staff-developed algorithms that analyze changes in incident reports over time.						
<b>Plan(s) for Improving Performance</b>						
Starting in FY 2021, this measure will be discontinued. The measure was initially established to demonstrate the large amount of incident report data needed to be processed by the CPSC to obtain a small amount of data that are actionable. This measure did not add much utility to CPSC's ability to improve the identification and assessment of hazards to consumers.						
Even though the measure will be discontinued, the CPSC will continue with the work previously tracked under this measure—intaking and processing data submitted through incoming incident reports. The CPSC expects the new, improved IPT approach to improve the identification and assessment of hazards to consumers.						
<b>Data Source</b>						
CPSRMS						
<b>Data Collection Method and Computation</b>						
Incident reports received through CPSRMS are queried using statistical computer software to compute the proportions of each disposition assigned. Incident reports with the status of either, "Compliance Action" or "Possible Further Action," are tallied and then divided by the total number of incident reports with all statuses.						
<b>Data Limitations and Implications of the Reported Results</b>						
Incidents are reported to the agency by the public, manufacturers, retailers, or other stakeholders. Often, an incident report is not useful or meaningful because it lacks sufficient detail to be informative.						

<b>Control ID</b>				<b>Program</b>		
2020KM2.1.02				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards						
<b>Definition of Performance Measure</b>						
The number of milestone hazard characterization statistical reports produced for specified product-related hazards or categories. These reports characterize the number of reported fatalities and estimated injuries and trends.						
<b>Rationale for Performance Measure</b>						
This key measure tracks an element of the CPSC's strategy for improved hazard identification by scanning the marketplace to determine whether previously identified significant hazards exist in similar products. Annual reports presenting statistics on the numbers of reported deaths and estimates of emergency department-treated, product-related injuries for specific product-related hazards or categories allow for trend assessments and inform management decisions, along with information and education campaigns.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
11	11	10	11	11	11	✓
<b>Analysis</b>						
The FY 2020 actual result was 11 annual reports, meeting the annual target of 11 reports.						
<b>Plan(s) for Improving Performance</b>						
The CPSC plans to work on 11 reports in FY 2021, adding a report on senior safety and continuing the Off-Road Vehicle Report initiated in FY 2020.						
<b>Data Source</b>						
Report postings for Assistant Executive Director (AED) review (Form 122) on CPSC's internal administrative system.						
<b>Data Collection Method and Computation</b>						
The agency prepares reports on consumer product-related fatalities, injuries, and/or losses for specific hazards annually. This is a count of the number of hazard characterization reports posted for AED review (Form 122) on CPSC's internal document-sharing system during the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure tracks the number of completed reports. It does not measure the quality of the reports.						

<b>Control ID</b>		<b>Program</b>				
2020KM2.1.03		Hazard Identification				
<b>Strategic Goal</b>						
Goal : Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Percentage of consumer product-related injury cases correctly captured at NEISS hospitals						
<b>Definition of Performance Measure</b>						
A weighted average of the percentage of consumer product-related injury cases correctly captured at a sample of hospitals participating in the National Electronic Injury Surveillance System (NEISS) (where the percentage at each sampled hospital is calculated as: the number of product-related injury cases captured by the NEISS coder, divided by the number of product-related cases captured by a CPSC auditor).						
<b>Rationale for Performance Measure</b>						
Evaluation visits are conducted at NEISS hospitals to determine the percentage of reported consumer product-related cases captured correctly by hospital coders, indicating the quality of consumer product-related incident data from the hospitals.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
91%	92.4%	93%	89.5%	90.6%	90%	✓
<b>Analysis</b>						
The FY 2020 result was 90.6%, exceeding the target of 90%. Before the COVID-19 pandemic, the CPSC was monitoring performance under this key measure by conducting on-site evaluation visits at NEISS hospitals to determine whether coders at those hospitals are capturing the reportable cases correctly. Due to the pandemic, evaluation visits had to be performed remotely.						
<b>Plan(s) for Improving Performance</b>						
To improve future performance, the CPSC will provide training and continue working with the larger or newer hospitals that had poor evaluations, to help improve their capture rate.						
<b>Data Source</b>						
NEISS Administrative Records System (NARS)						
<b>Data Collection Method and Computation</b>						
Audit results from each NEISS hospital visit are captured in NARS. Calculate 1 percentage (p) across all the NEISS hospitals that were evaluated during the fiscal year as: $p = \frac{\sum(N_i * (n_i(\text{coder}) / (s_i)))}{\sum(N_i * (n_i(\text{cpsc}) / (s_i)))}$ where $N_i$ is the annual number of emergency department-treated cases at the $i$ th NEISS hospital, $(s_i)$ is the number of cases in sample drawn by the CPSC auditor at the $i$ th NEISS hospital, and $n_i(\text{coder})$ and $n_i(\text{cpsc})$ are as defined below. During a hospital audit, between 200 and 300 emergency department records are sampled, and the number of product-related cases in the sample are determined. These cases are then compared to the number of product-related cases in the sample, as captured by the NEISS coder. The hospital's capture metric is estimated as: $(n_i(\text{coder}) / (n_i(\text{cpsc})))$ where $n_i(\text{coder})$ is the number of product-related cases in the sample of cases $(s_i)$ as determined by the coder for the $i$ th NEISS hospital; and $n_i(\text{cpsc})$ is the number of product-related cases in the sample $(s_i)$ , as determined by the CPSC auditor. The performance metric is then estimated across audited NEISS hospitals as a weighted estimate of the individual hospital metrics.						
<b>Data Limitations and Implications of the Reported Results</b>						
Findings and guidance for improving the capture rate are provided to the NEISS coder. If capture rates are lower than expected, a second audit may be performed during the year.						

<b>Control ID</b>		<b>Program</b>				
2020KM2.2.01		Hazard Identification				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of voluntary standards activities in which CPSC staff actively participates						
<b>Definition of Performance Measure</b>						
<p>CPSC staff provides technical support and monitors voluntary safety standards activities, which are tracked in the Voluntary Standards Tracking Activity Report (V-STAR).</p> <p>A voluntary standard is a prescribed set of rules, conditions, or requirements relating to the safety of consumer products found in the home, schools, and/or recreation areas, which, by itself, imposes no obligation regarding use. In the case of CPSC staff support, a voluntary consumer product safety standard is generally developed using ASTM International (ASTM), Underwriters Laboratories Inc. (UL), or another standards developing organization that is accredited by the American National Standards Institute (ANSI). These voluntary standards may be incorporated, in whole or in part, into CPSC rules, such as rules for durable infant or toddler products, as set forth in the Danny Keysar Child Product Safety Notification Act.</p> <p>Active participation by CPSC extends beyond attendance at meetings, and it may include, among other things, any one or more of the following: providing injury data and hazard analyses; encouraging the development of a voluntary safety standard; identifying specific risks of injury; performing research; developing health science data; performing laboratory technical assistance; providing information on a proposed rulemaking; and taking other actions that the Commission, in a particular situation, determines may be appropriate. A list of these activities can be found at 16 CFR §1031.7.</p>						
<b>Rationale for Performance Measure</b>						
The CPSC works to minimize hazardous defects through increased participation in voluntary standards activities. The CPSC's statutory authority requires the agency to rely on voluntary standards, rather than promulgate mandatory standards, if compliance with a voluntary standard would eliminate or adequately reduce the risk of injury identified, and it is likely that there will be substantial compliance with the voluntary standard.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
71	76	77	74	78	78	✓
<b>Analysis</b>						
The CPSC met its target by being actively involved in the development of voluntary standards for 78 different products. Twenty-seven new or revised voluntary safety standards were approved in FY 2020. Detailed activities covering these products are published in the VSTAR issued twice a year, in the: (1) Mid-Year Report, and (2) Annual Report, which can be located at: <a href="http://www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards">www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards</a> .						
<b>Plan(s) for Improving Performance</b>						
With the new Voluntary Standards Specialist onboard, more attention can be given to voluntary standards work progress and to stay on top of the next actions associated with the voluntary standards.						
<b>Data Source</b>						
CPSC Voluntary Standards (VS) database, where calendar notices and VS documents are stored. An activity-tracking spreadsheet is also updated regularly.						
<b>Data Collection Method and Computation</b>						
It is a simple count of products that have had voluntary standards activities. Each product that has at least one activity is counted as one. These activities are reported in the bi-annual Voluntary Standards Tracking Activity Report (V-STAR).						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC's participation in voluntary standards activities is an ongoing process that depends on the activities of the voluntary standards committees and the Commission's priorities. The level of CPSC participation in developing voluntary standards also varies from product to product.						

<b>Control ID</b>		<b>Program</b>				
2020KM2.2.02		Hazard Identification				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of candidates for rulemaking prepared for Commission consideration						
<b>Definition of Performance Measure</b>						
The number of rulemaking briefing packages submitted by CPSC staff for the Commission's consideration						
<b>Rationale for Performance Measure</b>						
Safety standards address hazards associated with the use of consumer products. Consumer products that have been designed and manufactured to mandatory safety standards help prevent future hazards from occurring.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
10	18	19	14	14	12	✓
<b>Analysis</b>						
<p>The CPSC exceeded the FY 2020 target by completing 14 rulemaking packages. The 7 rulemaking packages from the original 12 planned candidates were: Direct Final Rule (DFR)–Non-Full-Size Cribs and Play Yards 112-28 Update; DFR–Toddler Beds 112-28 Update; Supplemental Notice of Proposed Rulemaking (SNPR)–Infant Sleep Products; Final Rule (FR)–Burden Reduction Manufactured Fibers; FR–Gates and Other Enclosures; NPR–Crib Mattresses (include Supplemental and Aftermarket); and NPR–Mattress 16 CFR Part 1632 Surface Testing Exemptions and SRM Cigarette Reference Update. The 7 rulemaking packages in response to emerging requirements were: SNPR–Adjudicative Rules; DFR–Children’s Portable Bed Rails 112-28; DFR–Sling Carriers; DFR–Children’s Folding Chairs 112-28; DFR–Handheld Infant Carriers 112-28; FR–Handheld Infant Carriers; and FR–APSP-16 (“APSP” stands for “Association of Pool and Spa Professionals”).</p>						
<b>Plan(s) for Improving Performance</b>						
While meeting the FY 2020 target, CPSC’s Office of Hazard Identification & Reduction has adapted plans to minimize disruption from the COVID-19 pandemic, and it has had success at operating at the National Product Testing and Evaluation Center (NPTEC) once personal protective equipment (PPE) was procured, which enabled safe lab testing.						
<b>Data Source</b>						
Postings on the CPSC’s website: <a href="http://www.cpsc.gov/newsroom/FOIA/commission-briefing-packages">www.cpsc.gov/newsroom/FOIA/commission-briefing-packages</a> .						
<b>Data Collection Method and Computation</b>						
Count the number of rulemaking briefing packages (ANPR, DFR, NPR, and FR) posted to: <a href="http://www.cpsc.gov">www.cpsc.gov</a> .						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure reflects the number of rulemaking candidates prepared for the Commission and not necessarily whether they have been approved by the Commission. It also tracks workload accomplishments and does not provide information about the potential safety improvements expected to result from those rulemakings.						

<b>Control ID</b>				<b>Program</b>		
2020KM2.2.07*				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender						
<b>Definition of Performance Measure</b>						
Firms with a history of repeated violations are subject to the requirements of an establishment inspection (EI). This performance measure tracks the percentage of firms that engage in an EI in a timely manner. "Timely" means that the firm engages in an EI within 60 calendar days of the EI assignment date determined by the CPSC.						
<b>Rationale for Performance Measure</b>						
EIs provide the CPSC an opportunity to help firms with a history of repeated violation to comply with applicable CPSC requirements.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	73%	90%	83%	75%	✓
<b>Analysis</b>						
The FY 2020 result was 83%, exceeding the annual target of 75%. Conducting establishment inspections of firms that are repeat offenders is an important part of the agency's Import Surveillance program because it helps increase the firms' compliance with CPSC regulations, thereby promoting product safety. However, establishment inspections cannot be executed remotely, and on-site presence of CPSC staff is required to perform those duties.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue to prioritize performing establishment inspections of repeat offenders. The CPSC expects to maintain the level of performance that has been captured by this performance measure, provided staff are able to resume conducting on-site establishment inspections.						
<b>Data Source</b>						
Data sources: (1) International Trade Data System/Risk Assessment Methodology (ITDS/RAM) Exam Logbook (2) Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Data on repeat offenders (firms with history of repeated violation) are extracted from the IFS system. The IFS, which is also a system used by CPSC staff to record/retrieve inspection cases, is then used to assign/track EI cases for the repeat offenders.						
Computation steps:						
<ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of firms that are engaged in an EI in a timely manner (within 60 calendar days of EI date assigned by CPSC in the IFS) during the fiscal year.</li> <li>• Calculate the denominator: Count the total number of firms that were assigned EI cases during the fiscal year.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
It is technically possible for a supervisor to make adjustments to the EI assignment date in the IFS in response to scheduling complications.						

<b>Control ID</b>		<b>Program</b>				
2020KM2.2.08		International Programs				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Countries or Administrative Areas						
<b>Definition of Performance Measure</b>						
This measure tracks the number of annual recalls per each billion dollars of the total value of consumer products imported from the top 50 import sources, countries, or administrative areas.						
<b>Rationale for Performance Measure</b>						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	--	--	0.21	< 0.33	✓
<b>Analysis</b>						
The FY 2020 result was 0.21 recalls per billion dollars, which is below the threshold annual target of 0.33 recalls per billion dollars.						
<b>Plan(s) for Improving Performance</b>						
The actual result far exceeded the target. EXIP will continue to base its international outreach activities on analysis of import and recalls data, as well as information on production and hazard trends.						
<b>Data Source</b>						
<p>There are two data sources:</p> <ul style="list-style-type: none"> <li>• CPSC's Office of Compliance and Enforcement (EXC) – Provides recall data.</li> <li>• U.S. International Trade Commission (USITC) – Provides trade/import data, which is annually tabulated by the Directorate of Economic Analysis, under CPSC's Office of Hazard Identification and Reduction (EXHR).</li> </ul>						
<b>Data Collection Method and Computation</b>						
<p>The result is calculated by dividing the numerator (the number of recalls) by the denominator (the aggregate annual dollar value of consumer product imports from the top 50 import sources, countries, or administrative areas).</p> <p>The numerator (the number of recalls) is obtained by:</p> <ul style="list-style-type: none"> <li>• Querying CPSC's Dynamic Case System. Then data are entered to a spreadsheet.</li> </ul> <p>The denominator (the aggregate annual dollar value of consumer product imports, on a Cost-Insurance-Freight [CIF] basis) is obtained by:</p> <ul style="list-style-type: none"> <li>• Tabulating dollar values of imported products, reported with North American Industry Classification System (NAICS) codes on the USITC DataWeb (<a href="https://dataweb.usitc.gov">https://dataweb.usitc.gov</a>), deemed more likely to include products under the CPSC's jurisdiction.</li> <li>• The data are then entered into a spreadsheet.</li> </ul> <p>The final annual result is then calculated in Excel, by dividing the numerator by the denominator.</p>						
<b>Data Limitations and Implications of the Reported Results</b>						
Calculating the annual result requires the CPSC to use Department of Commerce trade/import data that are 2 years old, which are the latest data available. For consistency, recall data (from EXC), used in calculating the annual result, are also 2 years old.						

<b>Control ID</b>				<b>Program</b>		
2020KM2.3.01				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of consumer product imports, identified as high-risk, examined at import						
<b>Definition of Performance Measure</b>						
The percentage of examined entries identified through CPSC's Targeting program is computed as the number of targeted entries with logbook exams, divided by the number of targeted entries from CPSC's Targeting program entered into the International Trade Data System (ITDS)/RAM Inbox.						
<b>Rationale for Performance Measure</b>						
Targeting identifies characteristics in import shipments that are associated with elevated inherent product risks.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	88.5%	89%	86%	80%	80%	✓
<b>Analysis</b>						
The FY 2020 result was 80%, meeting the annual target of 80%. This indicates that the CPSC's Import Surveillance Targeting program is effective in identifying and examining high-risk shipments.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue to prioritize examining high-risk shipments. The CPSC expects to maintain the level of performance that has been captured by this performance measure, assuming CPSC's Targeting program continues to be supported.						
<b>Data Source</b>						
ITDS/RAM Inbox and Exam Logbook						
<b>Data Collection Method and Computation</b>						
Computation steps: <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of targeted entries with logbook exams.</li> <li>• Calculate the denominator: Count the total number of targeted entries from CPSC's Targeting program entered into ITDS/RAM Inbox.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Examinations data depend on recording by different personnel at different locations.						



<b>Control ID</b>				<b>Program</b>		
2020KM2.3.02*				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day						
<b>Definition of Performance Measure</b>						
Number of shipments (entry lines) cleared within 1 business day, divided by the total number of shipments (entry lines) processed through the RAM system						
<b>Rationale for Performance Measure</b>						
The percentage of import shipments the CPSC clears within 1 business day is a measure of how successful the CPSC is at expeditiously processing compliant imports of consumer products and facilitating legitimate trade.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
99.8%	99.8%	99.8%	99.8%	99.9%	99%	✓
<b>Analysis</b>						
The FY 2020 result was 99.9%, exceeding the FY 2020 target of 99%. This indicates that the CPSC's import surveillance work is conducted efficiently, and compliant imports are released quickly.						
<b>Plan(s) for Improving Performance</b>						
The agency will use a similar approach from past years to maintain the level of performance that has been captured by this performance measure.						
<b>Data Source</b>						
ITDS/RAM Inbox						
<b>Data Collection Method and Computation</b>						
The status of each entry the CPSC acted on is recorded in the ITDS/RAM system ( <i>i.e.</i> , "May Proceed," or "CBP Hold Request"). Entries of import shipments that are recorded by CPSC as "May Proceed," or "Scored," are considered "Cleared" by CPSC. "Scored" shipments are cleared within 1 business day because no action was taken by the CPSC to stop the cargo from entering commerce. Computation steps: <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of shipments (entry lines) cleared within 1 business day.</li> <li>• Calculate the denominator: Count the total number of shipments (entry lines) processed through the RAM system.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
No known data limitations.						

<b>Control ID</b>				<b>Program</b>		
2020KM2.3.04*				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Number of import examinations completed						
<b>Definition of Performance Measure</b>						
Number of examinations conducted by the CPSC on imported consumer products to verify compliance with CPSC rules, regulations, and bans. Each exam is for one product.						
<b>Rationale for Performance Measure</b>						
The total number of import examinations CPSC performs is a measure of surveillance at U.S. ports to reduce entry of unsafe consumer products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
36,523	38,726	41,117	39,010	18,561	32,000	<b>X</b>
<b>Analysis</b>						
<p>The FY 2020 result was 18,561 exams; the target was 32,000. The CPSC did not meet the target. Due to the COVID-19 pandemic, all CPSC employees began teleworking full-time in March 2020, which continued through the remainder of the fiscal year. As a result, import examinations, which normally require CPSC port investigators to be on-site at the ports, were significantly impacted.</p> <p>Even though the CPSC fell short of its target, CPSC port investigators continued conducting exams after the pandemic started. The CPSC has a long-standing partnership with the U.S. Customs and Border Protection (CBP), which enabled CPSC port investigators to conduct the exams remotely by collaborating with CBP officers at ports, at which CPSC port investigators are normally co-located, through video meetings, phone calls, and emails.</p> <p>Because only certain product types can be screened through the remote exam program, the total number of exams conducted in FY 2020 was significantly lower, compared to prior years.</p>						
<b>Plan(s) for Improving Performance</b>						
The measure reflects CPSC's capability to examine shipments. The targeted level of performance depends upon import surveillance personnel co-located at ports to examine shipments.						
<b>Data Source</b>						
Import Exam Logbook						
<b>Data Collection Method and Computation</b>						
The CPSC records all import examinations it performs in the Import Exam Logbook. This performance measure captures the sum of the number of products with exam dates for the reporting period (fiscal year).						
<b>Data Limitations and Implications of the Reported Results</b>						
The Office of Import Surveillance (EXIS) conducts data quality checks to ensure import exams are recorded in the Import Exam Logbook. Examination data depend on recording by different personnel at different locations.						

<b>Control ID</b>				<b>Program</b>		
2020KM3.1.01*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a preliminary determination is made within 85 business days of the case opening						
<b>Definition of Performance Measure</b>						
The number of cases for which a preliminary determination (PD) has been made within the fiscal year and that was made within 85 business days of the case opening date, divided by the number of cases for which a PD has been made within the fiscal year. PD is the determination made by a panel of managers regarding whether there is enough evidence to preliminarily determine that a substantial potential hazard exists. A case opening is when a case is entered into Dynamic Case Management (DCM) System, which then generates a Case Creation date. This measure excludes Fast-Track cases.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC case work. Making PDs efficiently contributes to timely recalls for noncompliant and defective products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	74%	75%	12.5%	83.3%	65%	✓
<b>Analysis</b>						
The target was 65%; FY 2020 actual result was 83.3%. The CPSC met the target. Effective January 2020, EXC's former Defects Division has been replaced with a new Enforcement and Litigation Division, responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. This new division integrates attorneys at the line and supervisory levels working to strengthen EXC's ability to efficiently and effectively make analytically sound substantial product hazard determinations.						
<b>Plan(s) for Improving Performance</b>						
EXC is evaluating possible changes to this measure for FY 2022 to account for complex cases that may require significantly more time (and resources) before reaching a PD.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
Data are collected from DCM on all Compliance Action-initiated cases and non-Fast-Track reported cases that went to PD involving products under hazard categories A, B, or C. These classification categories are based on the severity of the most likely injury resulting from the hazard, and the likelihood that such injury will occur. The number of business days is calculated as the number of business days between the Case Creation Date and the PD Date. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly due to updates, edits, or corrections to case data that may occur after the team lead completes fiscal year-end run of data and reports the results.						

<b>Control ID</b>		<b>Program</b>				
2020KM3.1.02*		Compliance & Field				
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)						
<b>Definition of Performance Measure</b>						
The number of cases for which a sample is determined to have a regulatory violation within the fiscal year and the determination was made within 35 business days of the date of the sample collection (excludes fireworks), divided by the number of cases for which a sample is determined to have a regulatory violation within the fiscal year. Samples collected in the field and at the ports are sent to the CPSC's National Product Testing and Evaluation Center (NPTEC) for analysis; and often, CPSC technical experts conduct additional technical analysis to determine whether a product violates CPSC standards.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC regulatory case work. Making determinations of a regulatory violation more quickly contributes to the efficiency and speed of recalls for noncompliant products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	87%	88.8%	85.1%	89.2% <sup>23</sup>	85%	✓
<b>Analysis</b>						
The CPSC met the FY 2020 target of 85%; the actual result was 89.2%, which now excludes fireworks cases because those cases have unique processes.						
<b>Plan(s) for Improving Performance</b>						
The CPSC completed work on a Business Process Review (BPR) (phase I of IT Modernization of the IFS) to modernize its enforcement business processes, and based on the results, will develop a business efficiency plan and analyze alternatives to develop an improved platform to replace or enhance the Integrated Field System (IFS), which is CPSC's database system that stores information about field activities, regulated products compliance, and recalls.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of regulatory violation determination. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>23</sup> Fireworks cases were disaggregated from this measure and captured by KM 3.1.03, a new FY 2020 measure.

<b>Control ID</b>				<b>Program</b>		
2020KM3.1.03*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of firework cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection						
<b>Definition of Performance Measure</b>						
The number of cases for which a fireworks sample is determined to have a regulatory violation within the fiscal year and the determination was made within 70 business days of the date of the sample collection, divided by the number of cases for which a sample is determined to have a regulatory violation within the fiscal year. Fireworks samples collected in the field and at the ports are sent to the CPSC’s National Product Testing and Evaluation Center (NPTEC) for analysis; and often, CPSC technical experts conduct additional technical analysis to determine whether a product violates CPSC standards.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC regulatory case work. Making determinations of a regulatory violation more quickly contributes to the efficiency and speed of recalls for noncompliant products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	--	--	42.9%	85%	<b>X</b>
<b>Analysis</b>						
This was a new measure in FY 2020; it was established to track only fireworks cases and was disaggregated from its original measure (KM 3.1.02). The target was 85%; the FY 2020 actual result was 42.9%. The CPSC did not meet the target because the COVID-19 pandemic prevented staff from working full-time in the laboratory to perform testing from March 2020 through most of the remainder of the fiscal year. As a result, the number of days between sample collection and a compliance determination based on lab testing results was affected.						
<b>Plan(s) for Improving Performance</b>						
Performance should improve as COVID-19 limitations dissipate.						
<b>Data Source</b>						
CPSC’s Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of regulatory violation determination. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2020KM3.2.02				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)						
<b>Definition of Performance Measure</b>						
The number of cases for which a firm was first notified of a violation within the fiscal year and was notified within 40 business days of the date a sample was collected (excludes fireworks), divided by the number of cases for which a firm was first notified of a violation within the fiscal year. The firm is initially notified of a violation via phone or email, and written confirmation is obtained and the date is entered into IFS under Notify Date. However, if written confirmation is not obtained, the Notice of Violation (NOV) <sup>24</sup> date will serve as the date of the first form of notification.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC's notice to firms of violations resulting from sample collection.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	86%	87.2%	85.5%	85.6% <sup>25</sup>	85%	✓
<b>Analysis</b>						
The CPSC met the FY 2020 target of 85%; the actual result was 85.6%, which now excludes fireworks cases because those cases have unique processes.						
<b>Plan(s) for Improving Performance</b>						
The CPSC completed work on a Business Process Review (BPR) (phase I of IT Modernization of the IFS) to modernize its enforcement business processes, and based on the results, will develop a business efficiency plan and analyze alternatives to develop an improved platform to replace or enhance the Integrated Field System, which is CPSC's database system that stores information about field activities, as well as regulated products compliance and recalls.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of company notification. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>24</sup> A Notice of Violation (NOV) is issued when a firm has violated a mandatory standard. NOV's are issued by the Office of Compliance (EXC) and, starting in FY 2020, are also issued by the Office of Import Surveillance on behalf of EXC.

<sup>25</sup> Fireworks cases were disaggregated from this measure and captured by KM 3.2.05, a new FY 2020 measure.

<b>Control ID</b>		<b>Program</b>				
2020KM3.2.03		Compliance & Field				
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening						
<b>Definition of Performance Measure</b>						
The number of Fast-Track cases with a Corrective Action Plan (CAP) Accept date within the fiscal year for which a firm had a Stop Sale date within 20 business days of the Case Opening date, divided by the number of Fast-Track cases with a CAP Accept date within the fiscal year. A Case Opening is when a case is entered into the DCM System, which then generates a Case Creation date. A Stop Sale date is the date when notice was given to stop sale or distribution of affected products, and is considered to be the date a corrective action was initiated.						
<b>Rationale for Performance Measure</b>						
Industry has an opportunity to participate in a streamlined recall process through the Fast-Track Product Recall Program, which is designed to remove potentially dangerous products from the marketplace more quickly and save the company and the CPSC time and resources. To potentially take advantage of the Fast-Track program, a firm must, among other steps, commit to implementing a sufficient consumer-level voluntary recall within 20 business days of the case opening. Increased timeliness of processing these cases contributes to the efficiency and speed of recalls for noncompliant and defective consumer products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
99.1%	98%	95.9% <sup>26</sup>	97.4%	96.5%	90%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2020 target of 90%; the actual result was 96.5%.						
<b>Plan(s) for Improving Performance</b>						
In FY 2021, with stakeholder input, the agency will continue developing a new online portal to improve the user experience for stakeholders seeking to participate in Fast-Track recall cases.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from DCM on all Fast-Track reported cases where the firm stopped sale. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure accounted for corrective action taken by a firm ( <i>i.e.</i> , product discontinued or stop sale issued) that occurred prior to the Case Opening date on DCM resulting in the computation of negative days. There are cases in this category—where a Stop Sale date happened prior to the Case Open date—meaning that the cases were already met before the cases were even opened on DCM. On a separate note, results may differ slightly due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>26</sup> A new computation method, as a result of an audit recommendation by CPSC's Office of the Inspector General, was implemented in FY 2018. The actual results since FY 2018 are not comparable to those prior to FY 2018.

<b>Control ID</b>				<b>Program</b>		
2020KM3.2.04*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination						
<b>Definition of Performance Measure</b>						
The number of cases for which a Corrective Action Plan (CAP) was accepted within the fiscal year, and it was accepted within 90 business days of the PD date, divided by the number of cases for which a CAP has been accepted within the fiscal year where a PD is made. PD is the determination made by a panel of managers about whether there is enough evidence to preliminarily determine the existence of a substantial potential hazard. This measure is limited to cases with hazard priority A, B and C, and excludes Fast-Track cases.						
<b>Rationale for Performance Measure</b>						
This performance measure tracks the timeliness of the CPSC's negotiation of CAPs with companies. More timely negotiation of CAPs contribute to the efficiency and speed of recalls for noncompliant and defective products.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	92.7%	76.9%	71.4%	60%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2020 target of 60%; the actual result was 71.4%, which was lower than the two prior years' results. This number may fluctuate depending on the number of more complex, contested matters in a given year. Effective January 2020, EXC's former Defects Division has been replaced with a new Enforcement and Litigation Division, responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. This new division integrates attorneys at the line and supervisory levels, which will strengthen EXC's ability to efficiently and effectively make analytically sound substantial product hazard determinations and negotiate CAPs.						
<b>Plan(s) for Improving Performance</b>						
Starting in FY 2021, this measure will be replaced with a new measure to better reflect effective work on substantial hazard matters.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from DCM on all Compliance Action (CA) initiated cases and non-Fast-Track Reported (RP) cases, where a CAP is accepted. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						



<b>Control ID</b>				<b>Program</b>		
2020KM3.2.05				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection						
<b>Definition of Performance Measure</b>						
The number of fireworks cases for which a firm was first notified of a violation within the fiscal year and was notified within 75 business days of the date a sample was collected, divided by the number of cases for which a firm was first notified of a violation within the fiscal year. The firm is initially notified of a violation via phone or email, and written confirmation is obtained and the date is entered into IFS under Notify Date. However, if written confirmation is not obtained, the Notice of Violation (NOV) date will serve as the date of the first form of notification.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC's notice to firms of violations resulting from sample collection.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	--	--	42.9%	85%	<b>X</b>
<b>Analysis</b>						
This was a new measure in FY 2020; it was established to track only fireworks cases and was disaggregated from its original measure (KM 3.2.02). The target was 85 percent; the FY 2020 actual result was 42.9 percent. The CPSC did not meet the target because the COVID-19 pandemic prevented staff from working full-time in the laboratory to perform testing from March 2020 through most of the remainder of the fiscal year. As a result, the number of days between sample collection and regulatory violation notification was affected.						
<b>Plan(s) for Improving Performance</b>						
Performance should improve as COVID-19 limitations dissipate.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
IFS tracks the date of sample collection and the date of company notification. An <i>ad hoc</i> report in the system runs the computation. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2020KM3.3.01				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.3: Improve consumer response to consumer product recalls						
<b>Performance Measure Statement</b>						
Recall effectiveness rate for all consumer product recalls						
<b>Definition of Performance Measure</b>						
Total number recalled products within the fiscal year that were corrected, divided by the total number of products recalled within the fiscal year. The CPSC deems a case to be closed when the last action is taken via reports of significant improvement and collection of recall products, a decision is made not to do a recall, or for other unique reasons or circumstances.						
<b>Rationale for Performance Measure</b>						
The performance measure is intended to improve understanding of the overall effectiveness of product recalls at all levels, including products at the manufacturer, distributor, retailer, and consumer levels. Typically, recalls of consumer products are conducted voluntarily by firms that work with the CPSC to develop a CAP that will protect the public from potentially unsafe products. Recalls include a notice to the public and some remedial measures, such as a repair, a replacement of the product, or a refund to the purchaser.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	41%	17.4%	21.4%	32.6%	25%	✓
<b>Analysis</b>						
The target was 25%; the FY 2020 actual result was 32.6%. Although the CPSC met the target this year, the recall effectiveness rate is highly volatile and is dependent on the type of product and number of units involved in the recalls as well as consumers' responses to the recalls.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue working with recalling firms to maximize notification to consumers, including through direct notice, social media, and other technological means.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System and Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Recall information is gathered from Monthly Progress Reports provided by the recalling firms. Data from this source are entered into DCM. The data evaluated for this effort were DCM-closed cases for FY 2020. See also <i>Definition of Performance Measure</i> field above for the computation of this measure.						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC relies on the data provided by the recalling firms. Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>		<b>Program</b>				
2020KM4.1.02*		Communications				
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.1: Improve usefulness and availability of consumer product safety information						
<b>Performance Measure Statement</b>						
Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)						
<b>Definition of Performance Measure</b>						
Number of stakeholder engagements with CPSC safety messages on Twitter, Instagram, and Facebook, as measured by social media monitoring services						
<b>Rationale for Performance Measure</b>						
Engagement refers to consumers who are sharing, forwarding, and/or re-tweeting CPSC safety messages.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	285	831	1,468	12,095	840	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2020 target with more than 12 million engagements, an increase of more than 700 percent from 1.47 million in FY 2019. This success was due in part to CPSC's creative advertising on various social media platforms, as well as CPSC's use of audience optimizing to maximize engagements from social media users who would be receptive to the agency's social media messaging.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue to design and develop new online and social media communication to disseminate through social media and drive more engagement with CPSC safety messages.						
<b>Data Source</b>						
CPSC's contracted social media monitoring companies for data on engagement.						
<b>Data Collection Method and Computation</b>						
Data are provided by contracted media monitoring companies that subscribe to media measurement tools that are used by a broad spectrum of companies, such as advertisers, agencies, and research firms that need reliable audience data. All engagement data are added together in a spreadsheet.						
<b>Data Limitations and Implications of the Reported Results</b>						
Units of social media engagement vary among the different media platforms. The reported result is a mixture of these engagement units.						

<b>Control ID</b>				<b>Program</b>		
2020KM4.2.04				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Number of national media placements of CPSC stories						
<b>Definition of Performance Measure</b>						
Placements of CPSC-generated news stories in national newspapers, national online news services, network and cable broadcasts, and network affiliate service broadcasts.						
<b>Rationale for Performance Measure</b>						
National placements of CPSC-generated news stories garner the largest potential audience for CPSC safety messages, as opposed to placing them in local newspapers or local broadcasts.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	--	--	12	6	✓
<b>Analysis</b>						
The CPSC completed 12 national media placements of CPSC stories, exceeding the FY 2020 target by six. Some examples of CPSC stories include <i>Future of Product Recalls</i> , <i>Tip-Over Prevention</i> , <i>Holiday Safety</i> , <i>Warm Up to Winter Safety Tips</i> , <i>CO Detectors</i> and <i>Coronavirus Hidden Home Hazards</i> . The CPSC had success generating national media placements due to newsworthiness of the stories, and creative pitching by Office of Communications (OCM) staff.						
<b>Plan(s) for Improving Performance</b>						
OCM is on track with continued success of national media placements of CPSC stories in FY 2021.						
<b>Data Source</b>						
(1) CPSC-contracted monitoring services, including TVEyes and Meltwater, and (2) CPSC public relations (PR) agency-contracted monitoring services						
<b>Data Collection Method and Computation</b>						
OCM staff collects data from the contracted monitoring companies, then enters the data to an Excel spreadsheet to calculate final results.						
<b>Data Limitations and Implications of the Reported Results</b>						
None.						

<b>Control ID</b>				<b>Program</b>		
2020KM4.2.05*				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Percentage of recall press release issued in 22 business days or less from first draft						
<b>Definition of Performance Measure</b>						
The total number of recall press releases issued in 22 business days or less from first draft, divided by the total number of recall press releases.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of recall press releases from first draft to issuance. The more quickly the CPSC and firms negotiate and issue press releases on consumer product recalls, the quicker the product hazard information is disseminated to consumers, enabling them to act more quickly on the recall.						
<b>2016 Actual</b>	<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2020 Target</b>	<b>Target Met?</b>
--	--	--	--	63%	60%	✓
<b>Analysis</b>						
This is a new measure in FY 2020, an improved measure to track 100% of all recall press releases instead of only the timeliest 90% of the recall press releases. The FY 2020 actual result is 63%, slightly higher than the target of 60%.						
<b>Plan(s) for Improving Performance</b>						
Offices within the CPSC and the recalling firm work together to formulate and announce recall press releases as expeditiously as possible to protect consumers from hazardous recalled products. In FY 2021, this measure will be replaced by a new measure tracking the percentage of recall press releases turned around on a timely basis by the Office of Communications (OCM), once it has received the first draft from the Office of Compliance (EXC). This will measure the segment of the process that is within the CPSC's control.						
<b>Data Source</b>						
CPSC News Release Performance (Tracking) Log						
<b>Data Collection Method and Computation</b>						
Data on recall announcements (regular recalls and recall alerts) are tracked and transferred to a performance log that compiles OCM's dates for First Draft, Recall Issuance as well as the number of business days between these dates.						
<b>Data Limitations and Implications of the Reported Results</b>						
Even though the result of this measure is partially subject to CPSC's actions, it is also subject to the recalling firm's response time on the recall press release. Some firms have had logistical challenges executing recalls during the COVID-19 pandemic; this slows down the recalling firm's response time.						

## Appendix D: Acronyms

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APR	Annual Performance Report
BPR	Business Process Review
CAP	Corrective Action Plan
CBP	U.S. Customs and Border Protection
CDC	U.S. Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CONOPS	e-Commerce Concept of Operations and Implementation Plan
CPSC	U.S. Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act
CPSRMS	Consumer Product Safety Risk Assessment Management System
DCM	Dynamic Case Management System
EDAS	Enterprise Data Analytics Strategy
FEVS	Federal Employee Viewpoint Survey
FTE	Full-time Equivalent
FY	Fiscal Year
GSA	General Services Administration
IAA	Interagency Agreement
IFS	Integrated Field System
ITDS	International Trade Data System
NEISS	National Electronic Injury Surveillance System
NIST	National Institute of Standards and Technology
OECD	Organisation for Economic Cooperation and Development
OFR	Organohalogen
OMB	Office of Management and Budget
PBR	Performance Budget Request
RAM	Risk Assessment Methodology
SDR	Strategic Data Review

**U.S. Consumer Product Safety Commission**  
Bethesda, MD 20814

# Exhibit J

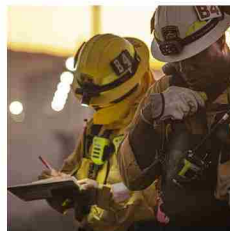
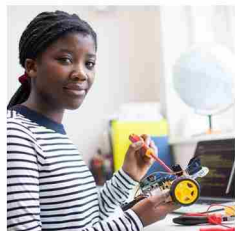
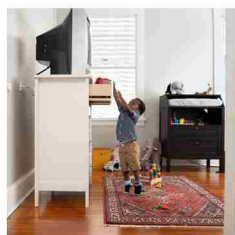
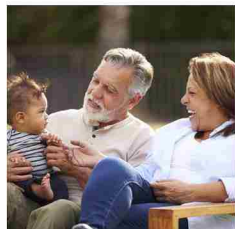




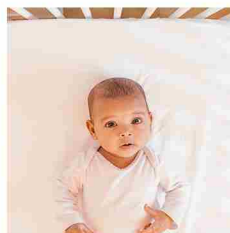
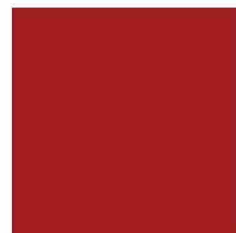
# United States Consumer Product Safety Commission

# Annual Performance Report

FISCAL YEAR 2021



March 28, 2022



An electronic version of this document is available at:

**[www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget)**

## About this Report

This document is the U.S. Consumer Product Safety Commission's (CPSC's) FY 2021 Annual Performance Report (APR). An electronic version of this report is available on the agency's website at: <https://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget>.

The FY 2021 APR satisfies the annual performance reporting requirements of the GPRA Modernization Act of 2010 (GPRAMA), as well as Office of Management and Budget (OMB) Circular No. A-11 (*Preparation, Submission, and Execution of the Budget*).

The FY 2021 APR provides information on results achieved by CPSC programs during FY 2021 and progress made toward performance targets established for key performance measures. The performance measures indicate progress toward Strategic Goals and Strategic Objectives contained in the CPSC's Strategic Plan. Highlights of performance, in addition to challenges, are presented.

## Overview of the Agency

The U.S. Consumer Product Safety Commission (CPSC) is an independent federal regulatory agency, created in 1972, by the Consumer Product Safety Act (CPSA). In addition to the CPSA, as amended by the Consumer Product Safety Improvement Act of 2008 (CPSIA), and Public Law No. 112-28, the CPSC administers other laws, such as the Federal Hazardous Substances Act, the Flammable Fabrics Act, the Poison Prevention Packaging Act, the Refrigerator Safety Act, the Virginia Graeme Baker Pool and Spa Safety Act, the Child Safety Protection Act, the Labeling of Hazardous Art Materials Act, the Children's Gasoline Burn Prevention Act, the Drywall Safety Act of 2012, and the Child Nicotine Poisoning Prevention Act.

The CPSC has jurisdiction over thousands of types of consumer products used in and around the home, in recreation, and in schools, from children's toys to portable gas generators and toasters. Although the CPSC's regulatory purview is quite broad, a number of product categories fall outside the CPSC's jurisdiction.<sup>1</sup>

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<sup>1</sup> Product categories, such as automobiles and boats; alcohol, tobacco, and firearms; foods, drugs, cosmetics, and medical devices; and pesticides, are regulated by other federal agencies.

## Message from the Chair



*Chair Alexander Hoehn-Saric*

The U.S. Consumer Product Safety Commission's FY 2021 Annual Performance Report (APR) is a comprehensive account of performance results achieved by our programs for the period of October 1, 2020 through September 30, 2021. These programs serve the Agency's mission of "Keeping Consumers Safe" as we strive for "a nation free from unreasonable risks of injury and death associated with consumer products."

I became the Chair of the CPSC on October 13, 2021, and am honored to be part of this important agency. In presenting the FY 2021 APR, I am pleased to acknowledge that the accomplishments outlined in this report occurred under the able leadership of Commissioner Robert S. Adler, who served as the Acting Chair of the CPSC from October 1, 2019 through October 12, 2021. His commitment to protecting the public and his stewardship of the CPSC is commendable. Additionally, I applaud all CPSC staff for their accomplishments and contributions to our mission this past year. I am grateful that our employees continued to adapt well to working remotely and safely under the conditions brought about by the COVID-19 pandemic.

I am pleased to confirm that, for FY 2021, the performance data presented in this report are reasonably complete, accurate, and reliable. I look forward to working with my fellow Commissioners, and the CPSC staff in setting Agency priorities and achieving meaningful results in the year ahead.

A handwritten signature in black ink, which appears to read "Alex H. Saric".

Alexander Hoehn-Saric  
Chair  
March 28, 2022

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## Other Information

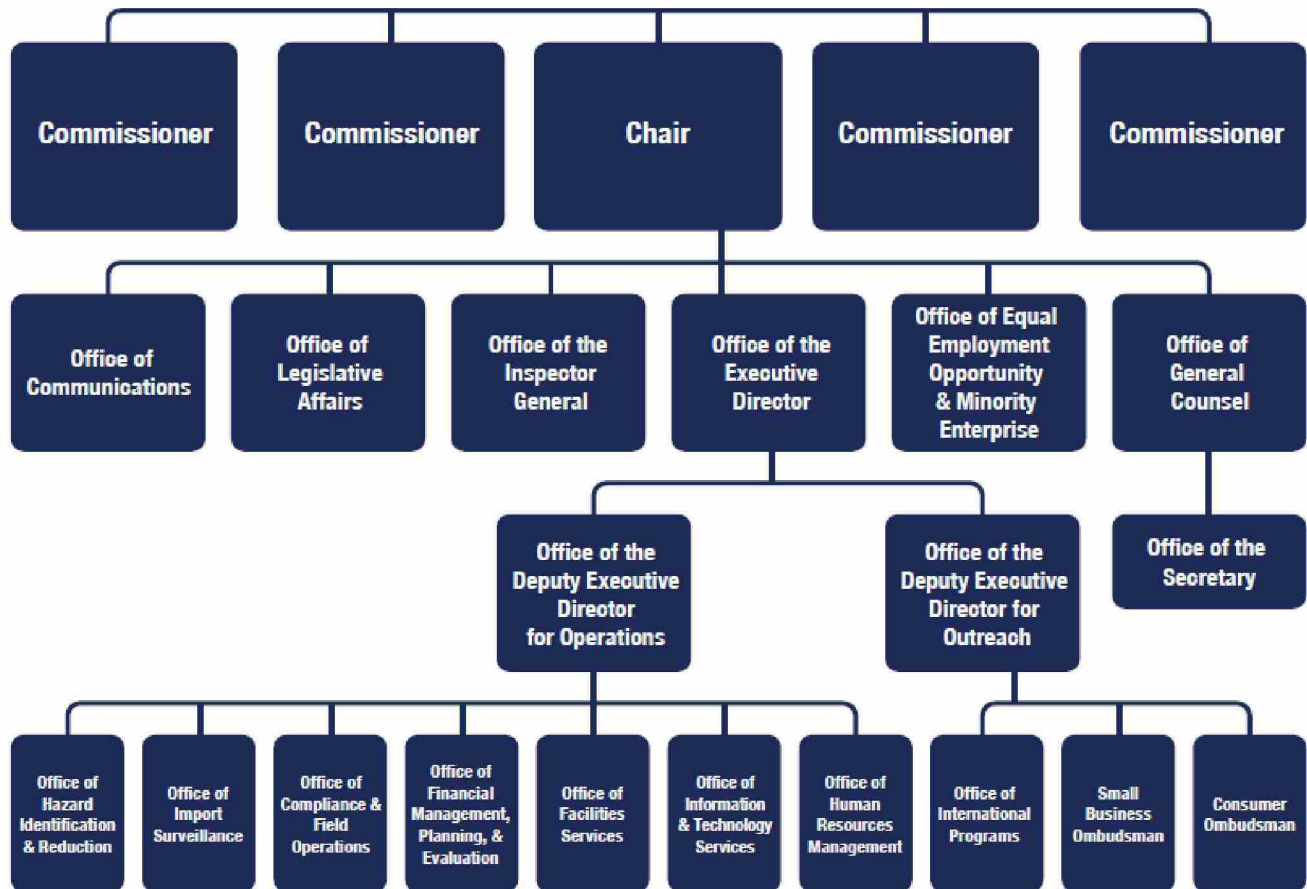
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## CPSC Organizational Structure

The CPSC is a bipartisan commission that is authorized to consist of five members appointed by the President with the advice and consent of the Senate. The Chair is the principal executive officer of the Commission, which convenes at meetings that are open to the public. The chart below depicts the CPSC’s organizational structure during the majority of the FY 2021 reporting period<sup>2</sup> of October 1, 2020 through September 30, 2021. Previous Acting Chair Robert S. Adler completed his Commission tenure on December 1, 2021. Effective October 13, 2021, Alexander Hoehn-Saric assumed the role of Chair. As of the publication of this document, the Commission has four members, with Alexander Hoehn-Saric serving as Chair of the CPSC, and Commissioners Peter A. Feldman, Dana Baiocco, and Richard Trumka, Jr.



<sup>2</sup> Elliot F. Kaye's tenure as CPSC Commissioner ended on August 27, 2021.

# CPSC Strategic Plan Summary

The agency's Strategic Plan lays out the CPSC's approach to achieving the mission of keeping consumers safe, with the overarching vision of a nation free from unreasonable risks of injury and death from consumer products. Each of the four Strategic Goals is supported by Strategic Objectives. A suite of performance measures with annual targets is used to monitor progress toward the Strategic Objectives and Strategic Goals.

**Mission: Keeping Consumers Safe**  
Vision: A nation free from unreasonable risks of injury and death from consumer products



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## Performance Summary: An Overview

During FY 2021, the CPSC tracked 24 performance measures. Twenty three of those performance measures had established performance targets for FY 2021 to gauge progress toward the agency's Strategic Goals and Strategic Objectives. One of the 24 measures, KM 3.2.06, did not have a FY 2021 target because the measure was new. The CPSC collected baseline data for KM 3.2.06 during FY 2021, and the data will be used to set performance target levels for future years. The CPSC met performance targets for 19 of the 23 performance measures with targets and did not meet performance targets for two measures. For the two remaining measures with established targets, results were not available because they require information from the 2021 Federal Employee Viewpoint Survey (FEVS); those measures will be reported in CPSC's next agency-level report after the 2021 FEVS results are made available.

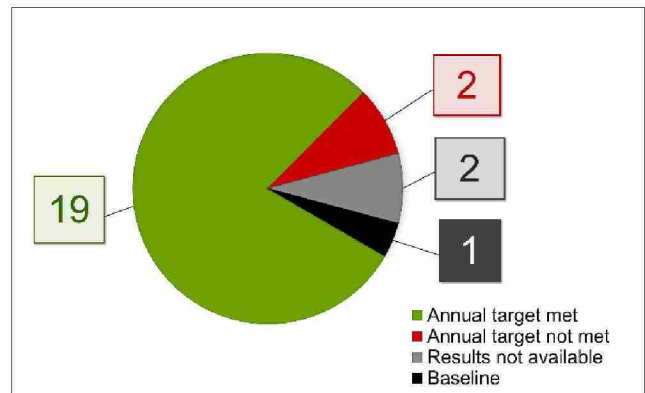


Figure 1: A snapshot of the CPSC's FY 2021 Key Performance Measures

The FY 2021 results for the key performance measures are organized by Strategic Goal (Figure 2) and by CPSC functional component (Figure 3).

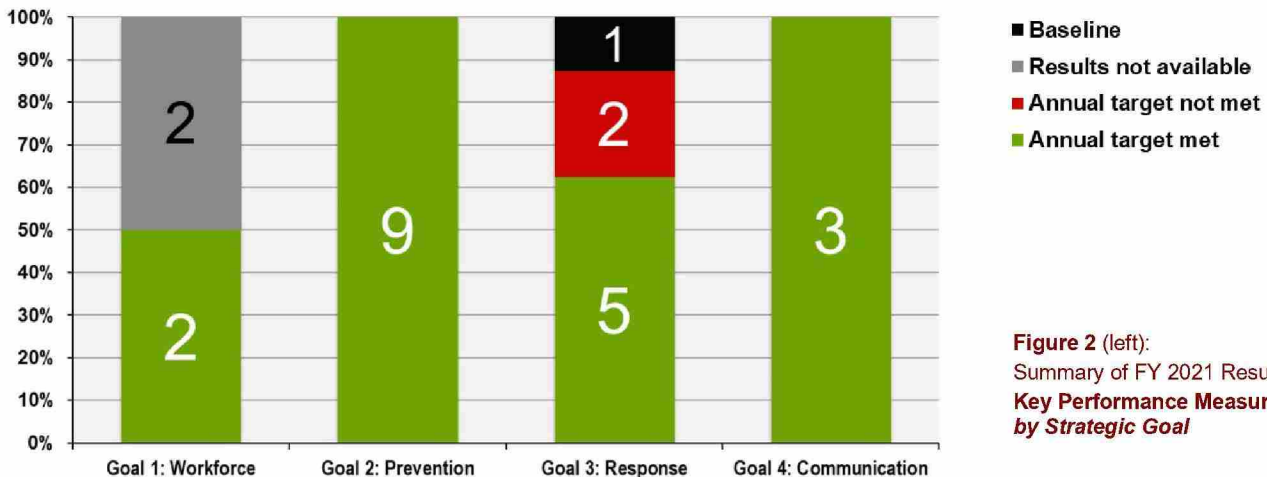


Figure 2 (left): Summary of FY 2021 Results Key Performance Measures by Strategic Goal

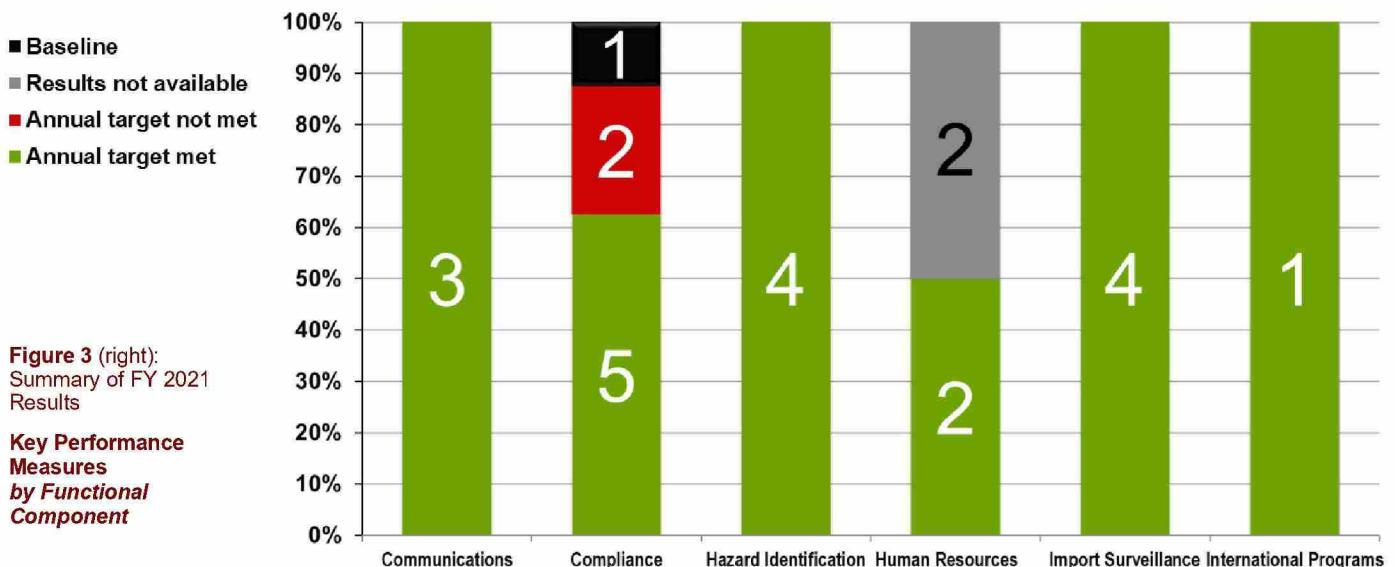


Figure 3 (right): Summary of FY 2021 Results Key Performance Measures by Functional Component

## CPSC Key Performance Measures: FY 2021 Results Summary

<b>Strategic Goal 1: Workforce</b> <i>Cultivate the most effective consumer product safety workforce</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2021 Target	
			2017	2018	2019	2020	2021	2021 Target	Target met?
<b>SO 1.1</b> Enhance effective strategic human capital planning and alignment	<b>2021KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	Human Resources	--	97%	98%	95%	97%	96%	✓
<b>SO 1.2</b> Foster a culture of continuous development	<b>2021KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)		73%	68%	66%	74%	Not Avail <sup>3</sup>	70%	N/A
<b>SO 1.3</b> Attract and recruit a talented and diverse workforce	<b>2021KM1.3.01</b> Percentage of hiring managers trained on recruitment		56%	83%	86%	90%	97%	80%	✓
<b>SO 1.4</b> Increase employee engagement	<b>2021KM1.4.01</b> High-performing Federal Workforce – Employee Engagement Index Score		73%	69%	66%	75%	Not Avail <sup>4</sup>	70%	N/A
<b>Strategic Goal 2: Prevention</b> <i>Prevent hazardous products from reaching consumers</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2021 Target	
			2017	2018	2019	2020	2021	2021 Target	Target met?
<b>SO 2.1</b> Improve identification and assessment of hazards to consumers	<b>2021KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	Hazard Identification	11	10	11	11	11	11	✓
	<b>2021KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals		92%	93%	90%	91%	91%	90%	✓
<b>SO 2.2</b> Lead efforts to improve the safety of consumer products before they reach the marketplace	<b>2021KM2.2.01</b> Number of voluntary standards activities in which CPSC actively participates	Hazard Identification	76	77	74	78	78	78	✓
	<b>2021KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration		18	19	14	14	13	10	✓
	<b>2021KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	Import Surveillance	--	73%	90%	83%	100%	75%	✓
	<b>2021KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources, Countries or Administrative Areas	International Programs	--	--	--	0.21	0.21	< 0.33	✓
<b>SO 2.3</b> Increase capability to identify and stop imported hazardous consumer products	<b>2021KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	Import Surveillance	89%	89%	86%	80%	82%	80%	✓
	<b>2021KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day		99.8%	99.8%	99.8%	99.9%	99.8%	99%	✓
	<b>2021KM2.3.04</b> Number of import examinations completed		38,726	41,117	39,010	18,561	36,375	32,000	✓

<sup>3</sup> The U.S. Office of Personnel Management (OPM) administered the 2021 FEVS in November 2021. Results for the two measures are not available as of the publication of this document.

<sup>4</sup> Ibid.

<b>Strategic Goal 3: Response</b> <i>Respond quickly to address hazardous consumer products both in the marketplace and with consumers</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2021 Target	
			2017	2018	2019	2020	2021	2021 Target	Target met?
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action	<b>2021KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)	Compliance	74%	75%	13%	83%	64%	65%	✗
	<b>2021KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)		87%	89%	85%	89% <sup>5</sup>	86%	85%	✓
	<b>2021KM3.1.03</b> Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection		--	--	--	43%	100%	85%	✓
<b>SO 3.2</b> Minimize further exposure to hazardous consumer products	<b>2021KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)	Compliance	86%	87%	86%	86% <sup>6</sup>	83%	85%	✗
	<b>2021KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening		98%	96%	97%	97%	95%	90%	✓
	<b>2021KM3.2.05</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection		--	--	--	43%	100%	85%	✓
	<b>20210KM3.2.06</b> Percentage of cases for which a corrective action plan (CAP) is accepted, or public notice of hazard is issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)		--	--	--	--	75%	Baseline	N/A <sup>7</sup>
<b>SO 3.3</b> Improve consumer response to consumer product recalls	<b>2021KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	Compliance	41%	17%	21%	33%	32%	25%	✓

<b>Strategic Goal 4: Communication</b> <i>Communicate useful information quickly and effectively to better inform decisions</i>									
Strategic Objective (SO), Key Performance Measure (KM)		Program Office	Actuals					2021 Target	
			2017	2018	2019	2020	2021	2021 Target	Target met?
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information	<b>2021KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in millions)	Communications	0.3	0.8	1.5	12.1	9.3	3.0	✓
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information	<b>2021KM4.2.04</b> Number of national media placements of CPSC stories	Communications	--	--	--	12	16	10	✓
	<b>20210KM4.2.06</b> Percentage of recall press releases cycled through the Office of Communications in 2 business days or less, once received from the Office of Compliance & Field Operations		--	--	--	--	96%	80%	✓
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders	(None)								

<sup>5</sup> Starting with FY 2020, fireworks cases have been disaggregated from this measure. KM 3.1.03 was established for FY 2020 to capture the disaggregated fireworks cases.

<sup>6</sup> Starting with FY 2020, fireworks cases have been disaggregated from this measure. KM 3.2.05 was established for FY 2020 to capture the disaggregated fireworks cases.

<sup>7</sup> Correction: This measure was reported as "Met" in CPSC's FY 2021 Agency Financial Report, but it should be reported as N/A (not applicable) instead.

# Performance Summary by Strategic Goal

## Strategic Goal 1: Workforce

*Cultivate the most effective consumer product safety workforce*

### Challenges

Having a highly trained, diverse, and engaged workforce is critical to meeting the dynamic challenges of the consumer product safety landscape and to achieving the CPSC’s life-saving mission. Agency staff’s knowledge about product safety, commitment to the agency’s mission, and “can-do” attitude make achieving the CPSC mission possible. The CPSC’s key *Workforce* challenges are:

- Having a workforce with the knowledge, skills, and abilities to meet new, innovative, and emerging product safety challenges;
- Aligning personnel resources to agency priorities;
- Maintaining a global presence to address global marketplace issues;
- Increasing employee engagement;
- Strengthening knowledge transfer through employee cross-training, and succession planning; and
- Having adequate resources to keep pace with the evolving marketplace and emerging hazards.

**STRATEGIC OBJECTIVE 1.1**  
Enhance effective strategic human capital planning and alignment

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**STRATEGIC OBJECTIVE 1.2**  
Foster a culture of continuous development

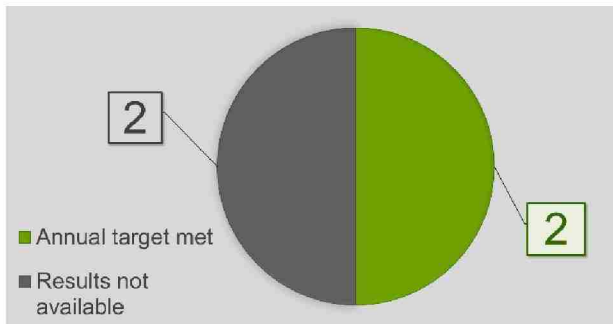
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**STRATEGIC OBJECTIVE 1.3**  
Attract and recruit a talented and diverse workforce

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**STRATEGIC OBJECTIVE 1.4**  
Increase employee engagement

### Strategies



The CPSC’s approach to cultivating an effective workforce involves enhancing human capital planning and alignment, increasing opportunities for professional development, and improving recruitment strategies to attract talented, diverse, and committed staff. The strategy also emphasizes increasing employee engagement by promoting and rewarding staff innovation and creativity, increasing managers’ commitment to fostering employee engagement in the workplace, and promoting a healthy work-life balance.

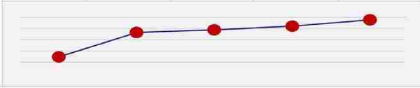

**Figure 4:** A snapshot of Strategic Goal 1 performance measures (4 total)

**Table 1**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 1.1 Enhance effective strategic human capital planning and alignment</b>							
	2017	2018	2019	2020	2021	2021 Target	Target met?
<b>2021KM1.1.02</b> Percentage of full-time equivalents (FTEs) utilized	--	97%	98%	95%	97%	96%	✓
<b>SO 1.2 Foster a culture of continuous development</b>							
	2017	2018	2019	2020	2021	2021 Target	Target met?
<b>2021KM1.2.01</b> Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)	73%	68%	66%	74%	Not Avail. <sup>8</sup>	70%	N/A

<sup>8</sup> The U.S. Office of Personnel Management (OPM) administered the 2021 FEVS in November 2021. Results for this measure are not available as of the publication of this document.

**Table 1** (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 1.3</b> Attract and recruit a talented and diverse workforce							
<b>2021KM1.3.01</b> Percentage of hiring managers trained on recruitment	2017	2018	2019	2020	2021	2021 Target	Target met?
	56%	83%	86%	90%	97%	80%	✓
							
<b>SO 1.4</b> Increase employee engagement							
<b>2021KM1.4.01</b> High-performing Federal Workforce – Employee Engagement Index Score	2017	2018	2019	2020	2021	2021 Target	Target met?
	73%	69%	66%	75%	Not Avail. <sup>9</sup>	70%	N/A
							

## FY 2021 Results

The CPSC exceeded FY 2021 targets for two of the four key performance measures under Strategic Goal 1. Selected FY 2021 achievements under Strategic Goal 1 include:

- Trained more than 97 percent of hiring managers on the recruitment process to attract and recruit a talented, diverse, and highly effective workforce; and
- Trained 93 percent of managers on effective performance management to help them retain the best talent, engage and reward top performers, and properly address poor work performance.

FY 2021 results were not available for two of the four key measures under Strategic Goal 1. Results for these measures require information from the Federal Employee Viewpoint Survey (FEVS) and will be reported in CPSC’s next agency-level report after the 2021 FEVS results are made available:

- Key Measure 1.2.01 – Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)
- Key Measure 1.4.01 – High-Performing Federal Workforce – Employee Engagement Index Score

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>9</sup> The U.S. Office of Personnel Management (OPM) administered the 2021 FEVS in November 2021. Results for this measure are not available as of the publication of this document.

## Strategic Goal 2: Prevention

*Prevent hazardous products from reaching consumers*

### Challenges

The CPSC is charged with protecting the public from unreasonable risks of injury and death from a vast array of consumer products supplied through expanding global markets. Efforts to increase manufacturing of safe consumer products, combined with improved mechanisms to identify hazardous products before they enter the marketplace, are the most effective ways to prevent hazardous products from reaching consumers. The CPSC's key challenges to *Prevention* are:

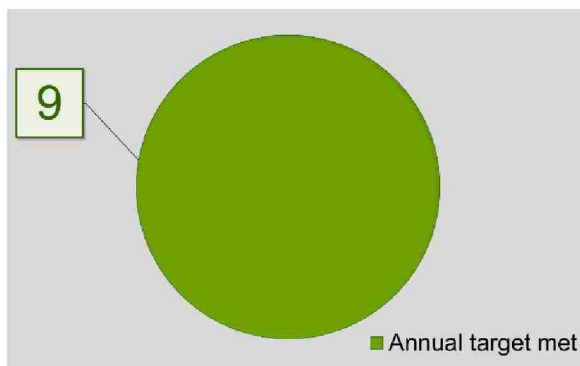
- Providing surveillance for the myriad consumer products imported and domestically manufactured under the CPSC's jurisdiction;
- Advancing data analysis and research capabilities to identify existing and potential emerging consumer product hazards that pose the greatest risks;
- Keeping pace with evolving injury data collection, manufacturer-to-consumer supply chain, and technology associated with consumer products;
- Working with affected stakeholders to address product hazards and product hazards resulting from new technologies (e.g., Internet of Things);
- Helping develop voluntary standards and adopting mandatory regulations; and
- Identifying, researching, and informing the public about chemical or chronic hazards in consumer products.

**STRATEGIC OBJECTIVE 2.1**  
Improve identification and assessment of hazards to consumers

**STRATEGIC OBJECTIVE 2.2**  
Lead efforts to improve the safety of consumer products before they reach the marketplace

**STRATEGIC OBJECTIVE 2.3**  
Increase capability to identify and stop imported hazardous consumer products

### Strategies









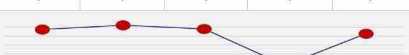
The CPSC uses several means to try to prevent injury or harm from consumer products by: (1) working at the national and international level to help ensure that hazards are appropriately addressed by voluntary standards or mandatory regulations; (2) providing technical information to industry to support voluntary standards development; and (3) allocating inspection, surveillance, and enforcement resources effectively to identify and remove hazardous products from the marketplace.

**Figure 5:** A snapshot of Strategic Goal 2 performance measures (9 total)

**Table 2**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 2.1</b> Improve identification and assessment of hazards to consumers							
<b>2021KM2.1.02</b> Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards	2017	2018	2019	2020	2021	2021 Target	Target met?
	11	10	11	11	11	11	✓
<b>2021KM2.1.03</b> Percentage of consumer product-related injury cases correctly captured at NEISS hospitals	2017	2018	2019	2020	2021	2021 Target	Target met?
	92%	93%	90%	91%	91%	90%	✓

Table 2 (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 2.2</b> Lead efforts to improve the safety of consumer products before they reach the marketplace							
<b>2021KM2.2.01</b> Number of voluntary standards activities in which CPSC actively participates	2017	2018	2019	2020	2021	2021 Target	Target met?
	76	77	74	78	78		
							
<b>2021KM2.2.02</b> Number of candidates for rulemaking prepared for Commission consideration	2017	2018	2019	2020	2021	2021 Target	Target met?
	18	19	14	14	13		
							
<b>2021KM2.2.07</b> Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	73%	90%	83%	100%		
							
<b>2021KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources, Countries or Administrative Areas	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	0.21	0.21		
							
<b>SO 2.3</b> Increase capability to identify and stop imported hazardous consumer products							
<b>2021KM2.3.01</b> Percentage of consumer product imports, identified as high-risk, examined at import	2017	2018	2019	2020	2021	2021 Target	Target met?
	89%	89%	86%	80%	82%		
							
<b>2021KM2.3.02</b> Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day	2017	2018	2019	2020	2021	2021 Target	Target met?
	99.8%	99.8%	99.8%	99.9%	99.8%		
							
<b>2021KM2.3.04</b> Number of import examinations completed	2017	2018	2019	2020	2021	2021 Target	Target met?
	38,726	41,117	39,010	18,561	36,375		
							

## FY 2021 Results

The CPSC met or exceeded targets for all nine key performance measures under Strategic Goal 2. Selected FY 2021 achievements under Strategic Goal 2 include:

- To address potential emerging hazards, the CPSC published reports on emerging artificial intelligence (AI) and machine learning (ML) technologies in consumer products and on using AI/ML to strengthen CPSC's data analysis. This included hosting a stakeholder forum on AI/ML in consumer products, as well as several applications of ML to CPSC data for data coding, data quality assurance, and analytics.
- For the possible emerging hazard from products making use of the Internet of Things<sup>10</sup> (IoT), the CPSC developed capabilities for testing software embedded in consumer products, including connected products. Additionally, the CPSC continued to lead the Interagency Working Group on IoT.<sup>11</sup>
- Pursuant to Title XX, Section 2001 of the Consolidated Appropriations Act of 2021 (Pub. L. No. 116-260), the CPSC submitted a [Report to Congress](#), which highlighted the risk posed by the influx of consumer products, especially those arriving via eCommerce, and the need to increase staffing in both the traditional and *de minimis* port environments. With subsequent funding received under the American Rescue Plan Act of 2021 (ARPA) (Pub. L. No. 117-2), the CPSC co-located new staff at four additional high-volume ports of entry, including the establishment of a dedicated eCommerce team.
- The CPSC actively participated in 78 voluntary standards activities, collaborating with industry leaders, consumer advocates, and other stakeholders to improve consensus voluntary standards across a wide range of consumer products.
- The agency implemented a new, fully functional "Online Clearinghouse" to provide stakeholders with self-service, open access to CPSC incident data. It was launched on March 5, 2021. The Online Clearinghouse was visited 598 times in Fiscal Year 2021. Additionally, CPSC's Clearinghouse fulfilled 127 FOIA requests and made 4,365 manufacturer notifications. The Division of Hazard Analysis prepared data for 23 standards development groups/committees.
- Produced or engaged in 14 virtual training events, reaching, in real time, more than 1,000 registered foreign industry and government representatives from 79 different countries, as well as individuals who viewed recorded sessions from CPSC's servers and from media accounts from the U.S. Embassy in China.

Additional analysis and explanation for each performance measure is included in Appendix C.

<sup>10</sup> Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices/products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues/hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders.

<sup>11</sup> For more information on the Interagency Working Group on IoT, please refer to the narrative "Collaboration with Federal Agencies and Other Stakeholders on the Internet of Things" on pp. 19–20.



## Strategic Goal 3: Response

*Respond quickly to address hazardous consumer products both in the marketplace and with consumers*

### Challenges

The CPSC learns about potential consumer product hazards from many sources, including incident reports, consumer complaints, the agency's Consumer Hotline and General Information number (1-800-638-2772), [www.SaferProducts.gov](http://www.SaferProducts.gov), Internet reports, and company reports. Additionally, field staff investigates reports of incidents and injuries; conducts inspections of manufacturers, importers, and retailers; and identifies potential regulatory violations and product hazards. When potential product defects are identified, the CPSC must act quickly to address the most hazardous consumer products that have made their way into the marketplace or into the hands of consumers. The CPSC's key *Response* challenges are:

- Addressing trends in retailing and eCommerce, such as the prevalence of online sellers or other direct manufacturer-to-consumer marketing, as well as sales through third party platform providers;
- Working within a global supply chain, which creates complex monitoring challenges;
- Collecting, integrating, and analyzing data to identify high-risk hazards for appropriate action;
- Advancing agency data-sharing through use of an integrated, enterprise-wide approach; and
- Improving the monitoring and effectiveness of consumer product recalls.

**STRATEGIC OBJECTIVE 3.1**  
Rapidly identify hazardous consumer products for enforcement action

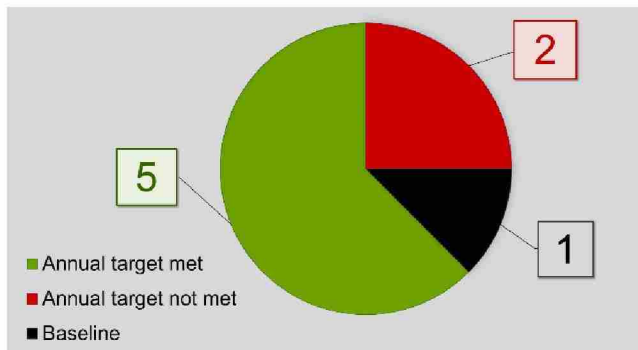
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**STRATEGIC OBJECTIVE 3.2**  
Minimize further exposure to hazardous consumer products

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**STRATEGIC OBJECTIVE 3.3**  
Improve consumer response to consumer product recalls

### Strategies



**Figure 6:** A snapshot of Strategic Goal 3 performance measures (8 total)

The CPSC's strategy involves improving the effectiveness of the procedures used to process and analyze incoming product hazard-related data, and aligning resources so that the agency can act upon the information and quickly remove potentially hazardous products from the marketplace. The strategy also involves improving the recall monitoring process and working with industry to increase consumer awareness of product recalls as they occur. To achieve this strategic goal, the CPSC works toward improving consumer response to consumer product recalls. The CPSC works with consumers, recalling firms, retailers, and other interested parties to reach consumers affected by recalls. The agency works to improve the effectiveness of product recalls by expanding the CPSC's use of social media, urging recalling firms to use social media to broaden the notice of recalls, and conducting consumer focus group research on why and when consumers respond to recalls, among other techniques.

urging recalling firms to use social media to broaden the notice of recalls, and conducting consumer focus group research on why and when consumers respond to recalls, among other techniques.

**Table 3**

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 3.1</b> Rapidly identify hazardous consumer products for enforcement action							
<b>2021KM3.1.01</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)	2017	2018	2019	2020	2021	2021 Target	Target met?
	74%	75%	13%	83%	64%	65%	✗
<b>2021KM3.1.02</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks) <i>*Starting with FY 2020, fireworks cases were disaggregated from this measure and are captured by a new measure established for FY 2020—KM 3.1.03.</i>	2017	2018	2019	2020	2021	2021 Target	Target met?
	87%	89%	85%	89%*	86%	85%	✓

Table 3 (continued)

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>2021KM3.1.03</b> Percentage of firework cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	43%	100%	85%	✓
<b>SO 3.2</b> Minimize further exposure to hazardous consumer products							
<b>2021KM3.2.02</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks) <i>*Starting with FY 2020, fireworks cases were disaggregated from this measure and are captured by a new measure established for FY 2020—KM 3.2.05.</i>	2017	2018	2019	2020	2021	2021 Target	Target met?
	86%	87%	86%	86%*	83%	85%	✗
<b>2021KM3.2.03</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening	2017	2018	2019	2020	2021	2021 Target	Target met?
	98%	96%	97%	97%	95%	90%	✓
<b>2021KM3.2.05</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	43%	100%	85%	✓
<b>2021KM3.2.06</b> Percentage of cases for which a corrective action plan (CAP) is accepted, or public notice of hazard is issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	--	75%	Baseline	N/A <sup>12</sup>
<b>SO 3.3</b> Improve consumer response to consumer product recalls							
<b>2021KM3.3.01</b> Recall effectiveness rate for all consumer product recalls	2017	2018	2019	2020	2021	2021 Target	Target met?
	41%	17%	21%	33%	32%	25%	✓

<sup>12</sup> Correction: This measure was reported as “Met” in CPSC’s FY 2021 Agency Financial Report, but it should be reported as N/A (not applicable) instead.

## FY 2021 Results

The CPSC exceeded FY 2021 targets for five of the seven key performance measures with established performance targets under Strategic Goal 3. One additional measure was designated as “baseline” and did not have a FY 2021 performance target. Selected FY 2021 achievements under Strategic Goal 3 include:

- Staff completed approximately 900 establishment inspections, surveillance activities, and recall effectiveness checks at firms for compliance with CPSC’s laws and regulations.
- The CPSC worked with firms to conduct 223 voluntary recalls, involving approximately 43 million units being removed from the marketplace and the hands of consumers, thus protecting consumers from further exposure to potential harm from the products.
- The CPSC’s eSAFE Team, formerly known as the Internet Surveillance Unit (ISU), screened more than 640,000 listings on websites. Also, CPSC staff contacted approximately 17,100 online platforms and sellers who were offering for sale banned or previously recalled consumer products. Additionally, staff requested more than 10,500 Internet site takedowns, resulting in removal of 31,500 products.
- Staff sent 1,940 Notices of Violation (NOV) and negotiated 193 corrective action plans (CAPs) to address hazardous consumer products, resulting in removal of these hazardous products from the distribution chain.

The agency did not meet FY 2021 targets for two of the seven performance measures with established performance targets under Strategic Goal 3:

- **Key Measure 3.1.01**—Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C): The FY 2021 actual result is 64 percent, falling slightly short of the annual target of 65 percent. For 14 of the 22 products with Hazard Priority A, B, or C, preliminary determination (PD) was made within 85 days. The CPSC did not meet the target because some of the cases involved products that were the subject of an ongoing administrative litigation seeking mandatory recalls.
- **Key Measure 3.2.02**—Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks): The target was 85 percent; the FY 2021 actual result was 83 percent. The CPSC did not meet the target due to CPSC’s recent expansion of its ATV compliance program, resulting in a significant increase in the number of ATV compliance cases. Additionally, ATV cases involve unique challenges, which are due to the product size of ATVs and HAZMAT protocols. Those challenges result in longer turnaround time from sample collection to notifying the firm of a regulatory violation.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Strategic Goal 4: Communication

*Communicate useful information quickly and effectively to better inform decisions*

### Challenges

Consumers, safety advocates, industry, and government regulators need high-quality information about consumer product safety. Consumers need safety information to make more informed decisions for themselves and their families. Safety advocates rely on accurate data to shape their policy recommendations. Industry needs information to stay in compliance with safety requirements. Foreign regulators and state and local government agencies also need high-quality information to establish new safety requirements that advance consumer safety. These diverse audiences have different information needs and respond to different methods of communication. The CPSC's key *Communication* challenges are:

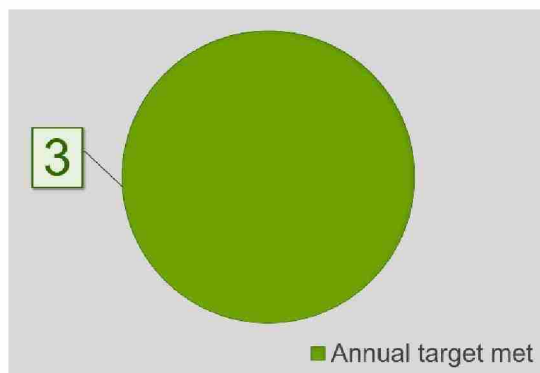
- Strengthening the CPSC's collaboration with all stakeholders to improve communication;
- Updating knowledge management strategies and adopting advanced communication tools and channels to improve consistency, reliability, accessibility, and timeliness of information provided to stakeholders and internally among CPSC staff;
- Improving CPSC messaging and outreach to affected populations, including underserved, low-income, and minority communities and families; and
- Managing the communication about consumer products that pose unreasonable risks of injury and death.

**STRATEGIC OBJECTIVE 4.1**  
Improve usefulness and availability of consumer product safety information

**STRATEGIC OBJECTIVE 4.2**  
Increase dissemination of useful consumer product safety information

**STRATEGIC OBJECTIVE 4.3**  
Increase and enhance collaboration with stakeholders

### Strategies



**Figure 7:** A snapshot of Strategic Goal 4 performance measures (3 total)

The CPSC uses a wide array of communication channels and strategies to provide timely, targeted information about consumer product safety to the public, industry, and other stakeholders. The agency disseminates safety messages through workshops and training sessions; listserv messages; press releases; public service announcements and video news releases; newspaper, radio, and TV interviews; and increasingly, social media, including Facebook, Twitter, and blogs, while adhering to disclosure protocols. The CPSC strives to improve the usefulness and availability of safety messages by collecting and analyzing data and designing and applying new and innovative communication tools. Dissemination of more useful and timely consumer product safety information will result in a stronger agency brand, the ability to communicate in mobile environments, and the

ability to explore micro-targeting to reach the most at-risk populations. An additional element of the CPSC's strategy involves strengthening collaborations with stakeholder groups, including other government agencies and nonprofit organizations. This may include collaboration on information and education campaigns on product safety.

Table 4

Strategic Objective (SO) / Key Performance Measure (KM)	Actuals / Trend line					2021 Target	
<b>SO 4.1</b> Improve usefulness and availability of consumer product safety information							
<b>2021KM4.1.02</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in millions)	2017	2018	2019	2020	2021	2021 Target	Target met?
	0.3	0.8	1.5	12.1	9.3		
<b>SO 4.2</b> Increase dissemination of useful consumer product safety information							
<b>2021KM4.2.04</b> Number of national media placements of CPSC stories	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	12	16		
<b>2021KM4.2.05</b> Percentage of recall press releases cycled through the Office of Communications in 2 business days or less, once received from the Office of Compliance & Field Operations	2017	2018	2019	2020	2021	2021 Target	Target met?
	--	--	--	--	96%		
<b>SO 4.3</b> Increase and enhance collaboration with stakeholders							
(None)							

### FY 2021 Results

The CPSC exceeded FY 2021 targets for all three key performance measures under Strategic Goal 4. Selected FY 2021 achievements under Strategic Goal 4 include:

- The agency achieved more than 9.3 million engagements, significantly outpacing its target of 3 million engagements (by consumers and others) with CPSC’s social media messages on all CPSC social media accounts (@USCPSC), including Twitter, Facebook, and Instagram.
- The agency’s Small Business Ombudsman (SBO) had great success in making inquiries to the CPSC easier for small businesses through improvements of CPSC’s “Regulatory Robot,” an interactive resource to help small businesses identify applicable safety requirements. The number of Robot users increased from 21,000 in FY 2020 to 23,000 in FY 2021, demonstrating an increased interest in the resource by industry stakeholders.
- The SBO continued to produce training videos for CPSC’s YouTube channel to increase dissemination and longevity of useful product safety information. The shift toward virtual multimedia content has increased the number of viewers of SBO training materials. In FY 2021, there were approximately 17,200 views of SBO’s videos, trainings, and webinars. The increase in the number of followers of CPSC’s social media channels, from 150,500 in FY 2020 to 211,200 in FY 2021, enabled the CPSC to deliver safety messaging to a wider audience.
- Developed a story series for *Pool Safely*, which is CPSC’s national public education campaign to reduce child drownings and entrapments. The story series is available on [PoolSafely.gov](https://www.poolsafely.gov), and it engages campaign collaborators to collect stories that personalize the issue of child drownings, leading to greater impact on the public by the campaign.
- The Consumer Ombudsman’s outreach efforts provided safety materials, explained agency procedures, supported CPSC staff’s public education efforts, and addressed inquiries from individual consumers and organizations.

Additional analysis and explanation for each performance measure is included in Appendix C.

## Agency Priorities & Management Challenges

### Agency Priority: Emphasize Robust Import Surveillance

The CPSC has long recognized the critical importance of pursuing product safety as shipments enter the United States, if not at an earlier stage in the supply-chain process. In cooperation with CBP, CPSC has stretched its budget for traditional port surveillance to expand inspections, and we will continue to increase port staff stationed throughout the country. However, the rise in eCommerce requires a corresponding increase in our efforts to monitor port environments that receive low-value, direct-to-buyer shipments of consumer products. Along with these efforts, CPSC will be developing an eFiling Program to enhance targeting capability at traditional ports and in the emerging eCommerce arena. We also will be working to modify and update the Risk Assessment Methodology (RAM) system to expand capabilities related to eFiling, *de minimis* shipments, and the identification of defective products.

### Agency Priority: Pursue Vigorous Compliance

The CPSC will vigorously enforce compliance with mandatory regulations and work actively to remove defective products through recalls or other corrective actions. When necessary, the CPSC will litigate to secure a mandatory recall. And CPSC will monitor recall implementation, to ensure that recalled products are removed from people's homes and from store shelves. Compliance activities will focus on the timely investigation of reports of hazardous consumer products and also will entail marketplace surveillance, including a heightened emphasis on eCommerce activity, to ensure that hazardous products do not enter or remain in the distribution chain. Indeed, given the increasing role of eCommerce in our lives, enforcement of the sale and distribution of goods on eCommerce platforms will be a major focus of the agency's enforcement activities. eCommerce has evolved, and it is now central to the way American consumers and sellers interact. The CPSC is committed to addressing this new paradigm in a number of ways, including expanding its regulatory and legal staff devoted to investigating reports of hazardous and violative products on third party platforms and increasing the agency's Internet surveillance capabilities.

The CPSC also remains committed to pursuing civil penalties, where warranted. The agency has correctly prioritized recall and enforcement efforts to protect consumers as a first principle, by ensuring removal of hazardous products. Simultaneously, we remain committed not only to protecting consumers, but also to penalizing violators and offenders, and we will use all of our statutory authorities to do so.

### Agency Priority: Expand Hazard Identification

The collection and analysis of data to identify hazards and hazard patterns, particularly emerging hazards, is central to CPSC's mission to protect consumers from unreasonable risks of injury or death associated with consumer products. To address these issues effectively, we must invest significantly in staff, research, testing capabilities, expanded laboratory facilities, and, most significantly, high-quality data that informs CPSC's decision making. In particular, the CPSC will continue to improve and upgrade the NEISS data system; focus on applied research in hazard identification; gather additional geographic and demographic data to better identify whether hazard patterns are disproportionately impacting particular communities and populations; expand our chronic hazard analysis capability; and ensure that the agency keeps pace with technology, advances in machine learning, artificial intelligence, and evolving methods of data collection and analysis.

### Agency Priority: Build Diversity and Seek Product Safety Equity

The CPSC will enhance recruitment efforts, analysis of workforce data, and proactive programs that seek to foster inclusion, equity, and diversity. The CPSC will serve vulnerable, diverse, and underserved communities better through targeted communications and outreach. This will be accomplished by the enhanced ability to micro-target proven safety messaging that can help reduce existing safety disparities in the marketplace. The agency will develop robust agency data collection and analysis of product safety incidents, injuries, and deaths reflecting potential safety disparities among diverse populations and allocate safety work to address these disparities.

### **Agency Priority: Enhance Communications Capabilities and Reach**

Effective public health and safety communications require specialized skill sets to reach the American public in the 21st century. The CPSC's safety campaigns, recall work, and press engagements must expand, and the communications infrastructure must be equipped to handle known and emerging product safety hazards, and to develop novel approaches for effectuating behavior change. Effective safety messaging requires the agency to meet consumers where they are—that is, online. This means we must develop and maintain a robust Internet presence, including traditional social media, CPSC websites, and apps to track product safety developments.

### **Agency Priority: Invest in Technology**

The CPSC has significant needs related to the overhaul of internal systems (including critical, statutorily required data collection from regulated entities), such as the Dynamic Case Management system (DCM), the Consumer Product Safety Risk Management System (CPSRMS), and the creation of a regulated products case management system. A substantial commitment and investment to IT development and modernization will allow the agency to keep pace with continuing advances in technology.

### **Management Challenges**

Management challenges identified by the CPSC's Inspector General are detailed on pp. 60–74 of the *FY 2021 Agency Financial Report (AFR)*, which can be found at: [www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget](http://www.cpsc.gov/about-cpsc/agency-reports/performance-and-budget).

## Cross-Agency Collaborations

### Collaboration with Federal Agencies on Data Collection Through NEISS

The CPSC uses the National Electronic Injury Surveillance System (NEISS) to collect information on consumer product-related injuries occurring in the United States that are treated in hospital emergency rooms. This unique CPSC system provides statistically valid national estimates of injuries from a probability sample of hospital emergency rooms. NEISS is a critical component of the CPSC's data-driven approach to identifying emerging trends and consumer product hazards. NEISS data are available to anyone with an Internet connection.<sup>13</sup>

The CPSC has collaborated successfully with other federal agencies to collect injury data through NEISS on non-consumer product-related injuries. Examples of CPSC's FY 2021 collaborations include:

- **Centers for Disease Control and Prevention (CDC):** To collect comprehensive data on trauma-related injuries. These data make up the nonfatal injury component of the CDC's Web-based Injury Statistics Query and Reporting System<sup>14</sup> (WISQARS),<sup>TM</sup> an interactive, online database used by researchers, public health professionals, and the public.
- **National Center for Injury Prevention and Control (NCIPC):** To conduct NEISS studies of data on nonfatal injuries associated with interpersonal violence and assaults, firearms, and self-inflicted violence.
- **National Institute for Occupational Safety and Health (NIOSH):** To collect data on nonfatal occupational injuries. The data can be accessed through NIOSH's online database—Work-Related Injury Statistics Query System (Work-RISQS).<sup>15</sup>
- **National Highway Traffic Safety Administration (NHTSA):** To collect data on non-crash injuries.

<sup>13</sup> To access NEISS data, please visit: [www.cpsc.gov/en/research--statistics/NEISS-injury-data](http://www.cpsc.gov/en/research--statistics/NEISS-injury-data)

### Collaboration with CBP on Import Surveillance

The CPSC has collaborated successfully with U.S. Customs and Border Protection (CBP) since 2008 to improve surveillance and screening of imported consumer products. Section 222 of the CPSIA directed the CPSC to create a Risk Assessment Methodology (RAM) to identify products imported into the United States that are most likely to violate consumer product safety statutes and regulations or that contain a defect that constitutes a substantial product hazard. The CPSC uses a RAM system, which integrates data collected by CBP with data used in CPSC systems, to identify high-risk imports that might violate a CPSC statute or regulation. The CPSC has investigators who are stationed at select U.S. ports of entry working side-by-side with CBP officers to identify and interdict noncompliant consumer products and prevent them from entering the United States. In addition, the CPSC collaborates with CBP at the Commercial Targeting and Analysis Center (CTAC), which serves as a central location for coordinating import safety targeting efforts with CBP in support of agency enforcement plans. In FY 2021, the agency conducted more than 36,000 import examinations of consumer product shipments at U.S. ports of entry.

### Collaboration with Federal Agencies and Other Stakeholders on the Internet of Things

The Internet of Things (IoT), as it relates to consumer products, refers to an environment in which consumer products are connected to the Internet or other devices or products that are connected to the Internet. This type of connectivity is capable of introducing potential safety issues or hazards. The growth of IoT-related products is a challenge for the CPSC and its stakeholders. To address this challenge, in FY 2021, the CPSC collaborated with other federal agencies, foreign governments, and a wide range of stakeholders to address the safety of Internet-connected products, including:

- Leading an Interagency Working Group on Consumer Product Safety of Internet-Connected Products. Participating agencies include the National Cybersecurity Center of

<sup>14</sup> [www.cdc.gov/injury/wisqars/index.html](http://www.cdc.gov/injury/wisqars/index.html)

<sup>15</sup> [wwwn.cdc.gov/wisards/workrisqs/datalinks.aspx](http://wwwn.cdc.gov/wisards/workrisqs/datalinks.aspx)



Excellence (NCCoE) of the National Institute of Standards and Technology (NIST), the Federal Trade Commission (FTC), the U.S. Food and Drug Administration (FDA), the Federal Communications Commission (FCC), the Department of Energy (DOE), and the Department of Homeland Security (DHS).

- Developing expertise and in-house capabilities for Internet-connected products and participating in development of voluntary consensus standards.

### Collaboration with Federal Agencies and Other Stakeholders on Artificial Intelligence and Machine Learning (AI/ML) in Consumer Products

The CPSC made AI/ML a priority in FY 2021, due to the expanding role AI/ML plays in consumer products. During FY 2021, staff focused on the importance of assessing and analyzing these technologies to ensure that the use of AI/ML does not result in unsafe products.

CPSC staff collaborated with other agencies, including working with the NIST-led Interagency Committee on Standards Policy (ICSP) Artificial Intelligence Standards Committee Working Group (AISCWG) to facilitate government agency activities related to the development and use of AI standards. It is establishing a charter to develop recommendations relating to the definition, application, and standards for AI/ML. The overarching objective of this ICSP is to promote consistent federal policies, raise awareness, and foster effective coordination among federal agencies. Coordinating a collaborative approach will be an essential step in creating a consistent means of modeling and measuring AI/ML. This approach will afford AISCWG the opportunity to develop voluntary standards to analyze the potential for hazards that harm consumers.

CPSC staff held a virtual AI/ML forum on March 2, 2021, attended by more than 200 stakeholders. The forum included more than one dozen presentations and four panels, including presentations from the White House Office of Science and Technology Policy (OSTP) and NIST. The forum, which was attended by a range of consumer advocates, testing groups, manufacturers, and academia, helped the CPSC identify steps for moving forward to address this emerging technology, including voluntary standards and product testing and evaluation.

Additionally, CPSC staff is participating in AI/ML voluntary standards developments with the

Underwriters Laboratories (UL) and other stakeholders.

### Collaboration with Federal Agencies on Nanotechnology

The CPSC has collaborated successfully with other federal agencies through the National Nanotechnology Initiative (NNI), a White House-led \$38 billion initiative that involves 20 federal agencies working in the emerging field of nanotechnology. There is a critical need for focused research on consumer product applications of nanomaterials and their potential risks to consumers. Given the CPSC's size and budget, partnering has been a key element in achieving mission success.

- **Collaboration with National Nanotechnology Coordination Office (NNCO):** Since FY 2003, the CPSC's collaborative activities with the NNI have produced more than 70 reports and publications, in addition to voluntary standards resulting from CPSC-funded research that addresses nanomaterial hazards in consumer products.
- **Collaboration with EPA, NIOSH, and NIST on 3-D Printing:** Technical improvements and cost reductions of 3-D printing have made the technology become more widely available, allowing for consumers to print products for children and the home. However, printing filaments used in certain 3-D printers contain nanomaterials. The CPSC has been collaborating successfully with the Environmental Protection Agency (EPA), NIST, and NIOSH. The collaborations below all help the CPSC with its ongoing evaluation of potential consumer hazards from 3-D printing and 3-D printed products, which staff plans to report on in FY 2022.
  - EPA – Assessing Emission Characteristics
    - Results from this research will provide a much-needed baseline data set that quantifies the chemicals and materials present in filaments, consumer products, and waste generated from the FDM printing processes. It will provide quantitative information on the release of chemicals and inorganic materials during the FDM printing process, as well as from consumer products and waste created from that process. This information is critical for identifying the hazards associated with FDM printing, the potential for exposure to chemicals or

materials created during or liberated from FDM print processes or products, and the overall risk of FDM printing processes using various filament types.

- NIOSH – Assessing Health Effects
  - The NIOSH Phase II studies, initiated in FY 2019, built on the Phase I work that assessed the potential for respiratory toxicity induced by emissions from 3-D printers using acrylonitrile butadiene styrene (ABS), poly-lactic acid (PLA), and polycarbonate (PC) filaments with and without multi-walled carbon nanotubes (MWCNTs). The Phase II studies focused on 3-D printing systems that use other types of engineered nanoparticles and assessed dose-dependent changes after inhalation of a low dose of PC filament emissions, with a focus on pulmonary and microvascular responses, liver toxicity, neurotoxicity, and systemic biodistribution. Work will continue on the potential for systemic toxicity (*i.e.*, reproductive toxicity, induction, and/or exacerbation of asthma) from exposure to the emissions from these 3-D printer systems.
  - Additional interagency work with NIOSH evaluated the safer use of 3-D printers in educational settings, indicating the need for awareness of the effects of printer temperature and filament type on contaminant releases. These studies demonstrated that a safer use of Fused Filament Fabrication (FFF) 3-D printers in educational settings can be achieved following a hierarchy of controls.
- NIST – Assessing Physical Factors and Long-term Emissions
  - The NIST Phase I studies evaluated polymeric (ABS) and nano-composite (ABS/MWCNT) systems, demonstrating that no free MWCNTs were detected and that the nanomaterials were embedded in the emitted particles. Phase II studies will continue on the evaluation of different classes of consumer grade 3-D printers for long-term release, as well as the characterization of the potential exposure that young children may have to 3-D printed toys via object-to-mouth exposure pathway.

## Collaboration with Federal Agencies on Chemical Hazards

As a small agency, the CPSC benefits greatly from collaborating with other federal agencies. The CPSC participates in a number of significant interagency committees or groups that address chemical hazards, including:

- The President’s Task Force on Children’s Environmental Health (CEHTF);
- Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM);
- Toxic Substances Control Act (TSCA) Interagency Testing Committee (ITC);
- National Toxicology Program (NTP), led by the U.S. Department of Health and Human Services (HHS);
- Federal Interagency Committee on Indoor Air Quality (CIAQ);
- White House Policy Coordinating Committee (PCC) Technical Working Group (TWG) on Per- and Polyfluoroalkyl Substances (PFAS);
- The Lead Exposure and Prevention Advisory Committee (LEPAC), led by the CDC;
- National Cancer Advisory Board (NCAB), run by the National Cancer Institute; and
- Nanotechnology Environmental and Health Implications (NEHI) Working Group of the NNI.

## Collaboration with Federal Agencies on Shared Services

The CPSC’s operating model is designed around the use of shared services to lower costs, improve service delivery, and benefit from economies of scale not necessarily available to a small agency. The CPSC leveraged the following shared services in FY 2021:

- **Financial Management, Travel, and Acquisitions Systems and Services:** Provided by Department of Treasury’s Administrative Resource Center (ARC) within the Bureau of the Fiscal Service. The CPSC procures hosting and application management services from ARC, which uses an Oracle-based financial reporting system for accounting and travel management services. The CPSC also uses the Procurement Request Information System Management (PRISM) through ARC’s services platform, which is fully interfaced with Oracle for real-time contracting actions and awarding.
- **Payroll and Related Human Resource (HR) System Services:** Provided by the Interior Business Center (IBC) of the U.S. Department of the Interior (DOI).

- **Grants Management Services:** Provided by the Department of Health and Human Services (HHS) to provide access to Grants Solutions, and the Denali Commission to manage CPSC's *Pool Safely Grant Program (PSGP)*, in accordance with the Virginia Graeme Baker Pool and Spa Safety Act (VGB Act).
- **Federal Docket Management System (FDMS):** Provided by the General Services

Administration (GSA) for implementation, use, operation, and management of the FDMS, the centralized electronic docket management system for federal agency users. The FDMS services a wide array of routinely performed regulatory activities to the public through [www.Regulations.gov](http://www.Regulations.gov), which is the public-facing website of FDMS that offers citizens the opportunity to search, view, download, and submit comments on federal notices and rules.

## Evaluation and Research

### Key Performance Measures

The CPSC has identified a core set of 24 key performance measures that describe progress in implementing the Strategic Plan. The key performance measures are tools for monitoring and reporting progress toward the agency's strategic goals and strategic objectives, and they facilitate using evidence in agency management and resource decisions. The key performance measures are supplemented by additional operating performance measures, which track lower-level project and program outcomes and outputs, and are used for internal management and decision-making. Additional internal milestones are set and monitored to track implementation progress.

### Strategic Data Review Meetings

The CPSC implements a number of different mechanisms to review financial and performance information and to manage programs during the fiscal year. The Office of the Chief Financial Officer (CFO) produces a monthly report for senior managers' use, which summarizes the status of the agency's financial resources and human capital. Financial data presented in the report include the current fiscal year's annual funding level, cumulative allowances, cumulative funds obligated, and expended obligations, as well as information on onboard staffing levels. Another helpful agency practice has been conducting a Mid-Year review process, during which the annual operating budget is examined for potential adjustments, based on new information or emerging priorities of the agency.

The agency also conducts periodic Strategic Data Reviews (SDRs). The SDRs are strategic, data-driven planning and performance progress reviews attended by the CPSC's senior managers. The SDRs provide a forum for managers to focus on annual planning to achieve performance goals and strategic objectives and to refresh program priorities and funding requirements. Forward-looking planning decisions are informed by assessing progress toward performance measure targets and achieving agency performance goals and strategic objectives, and reviewing relevant evaluation information. Managers discuss constraints or problems, and identify any needed modifications to programs going forward. Program risks are also discussed, and mitigation strategies are developed.

### Evaluation and Research

The CPSC uses research, analysis, and program assessments to inform management decisions, drive improvements in program delivery and effectiveness, and update future strategies and program formulation. The CPSC's Office of the Inspector General (OIG) audits, evaluates, reviews, and investigates the agency's programs and operations. The U.S. Government Accountability Office (GAO) also conducts performance audits and analyses, and makes recommendations to help improve CPSC's practices, policies, and programs. In addition, the CPSC performs targeted reviews of internal controls to determine whether processes should be modified to strengthen and improve operations. Finally, the CPSC conducts research, and reviews and assesses the effectiveness and efficiency of specific programs supporting the strategic goals in the Strategic Plan, as appropriate. The CPSC is committed to using the findings from research and evaluation to improve programs and strategies and make progress toward strategic goals and strategic objectives. Examples of CPSC's FY 2021 evaluation and research efforts include:

**Enterprise Data Analytics:** The volume of the incoming data to the CPSC has been increasing over the years, making manual processing of data less viable. In addition, the current CPSC environment includes siloed data sources that are dedicated to the systems and applications they serve, which makes data sharing across the agency difficult and limits the agency's ability to deploy modern data analytics and business intelligence tools. These issues necessitate an effective, on-demand, cross-system data exchange, as data analytics are becoming more critical for data-driven decision making throughout the agency.

- **Background:** To expand CPSC's analytics capability, in FY 2019, the CPSC partnered with the GSA's IT Modernization Centers of Excellence (CoE) to formulate and establish a multi-year Enterprise Data Analytics Strategy (EDAS) and Implementation Plan. This plan supports the agency's ongoing efforts to improve data management and analytics across the agency, as well as comply with requirements in the Foundation for Evidence-based Policymaking Act of 2018 (Pub. L. No. 115-435) and the overarching Federal Data

Strategy<sup>16</sup> (FDS) and its annual action plan milestones. The CPSC is making ongoing improvements to processes, technologies, and skills to enable the CPSC to effectively utilize current and future data collections and analytical methods. The new functionality will enhance CPSC's ability to identify long-term risks to consumers (e.g., product toxicity), share analytics across offices within the agency, ensure consistency across reports, and increase efficiency by automating where possible. The CPSC recognizes this requires sustained commitment and is taking an incremental, step-by-step approach to improving its data analytics and business intelligence environment.

**FY 2021 Results:** In FY 2021, the CPSC began migration of data into its Data Lake. The Data Lake will enable access to agency data in an environment that permits improved authorized access to agency data assets, greater processing of data in shorter periods of time, and processing of data from multiple areas across the agency. Additionally, it will provide greater data security with both access controls within the agency and also greater barriers to threats from external sources. Furthermore, in FY 2021, staff contracted to bridge gaps in data on race, ethnicity, and other demographic variables that require advanced statistical imputation in order to properly analyze threats to the populations outlined in [Executive Order \(EO\) 13985](#) (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government). This work will enhance the agency's data and analytics policies, processes, and technologies to address the missing data across data systems.

**eCommerce:** The digital marketplace has grown rapidly, which has resulted in a significant global shift from the traditional consumer product distribution chain (e.g., retail stores) to online shopping.<sup>17</sup> Consequently, a large volume of low-value, potentially noncompliant or hazardous shipments of foreign-manufactured products are now being shipped directly to consumers in the United States. CPSC staff estimates the value of

<sup>16</sup> The Federal Data Strategy (FDS) encompasses a 10-year vision for how the federal government will accelerate the use of data to deliver on mission, serve the public, and steward resources, while protecting security, privacy, and confidentiality. The mission of the FDS is to fully leverage the value of federal data for mission, service, and the public good by guiding the federal government in practicing ethical governance, conscious design, and a learning culture. For

eCommerce shipments the CPSC regulates will reach \$415 billion by calendar year 2023, representing nearly 38 percent of the total value of imports under CPSC's jurisdiction.

- **CPSC Constraints:** The CPSC's import surveillance operational structure has traditionally been organized to scan for high-value shipments that arrive at U.S. ports of entry; those shipments are typically intended for businesses (e.g., distributors or retailers), which, for instance, would offer for sale to the consumer individual products from their imported shipments.
- **Addressing eCommerce Challenges:** To address eCommerce challenges, the CPSC developed a vision for more effective identification, enforcement, and deterrence of trade violations in the eCommerce environment. The CPSC identified key resource gaps, which have been introduced by eCommerce. Additionally, the agency assessed the impacts of eCommerce on CPSC's import enforcement.
  - **eCommerce Assessment:** The first major effort undertaken by the CPSC to address eCommerce challenges was the FY 2019 [eCommerce Assessment](#). The resulting report identified CPSC's current capabilities in addressing eCommerce shipments arriving at U.S. ports. The study also estimated the expected volume and location of where those shipments would arrive in the next 5 years—it was estimated that 55 million eCommerce shipments under CPSC's jurisdiction will enter the United States in calendar year 2023.
  - **eCommerce Concept of Operations and Implementation Plan (CONOPS):** Completed in FY 2020, the CONOPS 5-year implementation plan (initiated in FY 2021) guides the CPSC in determining the various resources needed to identify and interdict high-risk eCommerce shipments, as well as to guide the agency's strategy to address eCommerce risks.
  - **FY 2021 – Creation of a Dedicated eCommerce Team:** Leveraging the research and planning from the development

more information on the FDS Framework, please visit: <https://strategy.data.gov/overview>

<sup>17</sup> The number of Americans shopping online increased nearly four-fold from 22 percent to 79 percent between 2000 and 2018. Reference: [www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-E-Commerce-Strategic-Plan\\_0.pdf](http://www.cbp.gov/sites/default/files/assets/documents/2018-Mar/CBP-E-Commerce-Strategic-Plan_0.pdf)

of the eCommerce Assessment and CONOPS, and in response to Title XX of the Consolidated Appropriations Act of 2021 (Pub. L. No. 116-260) and the American Rescue Plan Act of 2021 (ARPA) (Pub. L. No. 117-2), the CPSC expanded its Import Surveillance program in FY 2021, including the creation of a dedicated eCommerce team. Working closely with CBP, the eCommerce team will focus on interdicting high-risk, low value shipments. Further expansion of the eCommerce team is planned for FY 2022.

### **Fast-Track Recall Program – New Online**

**Portal:** The CPSC’s Fast-Track program is designed for companies willing and able to move quickly with a voluntary recall of their product by participating in a streamlined recall process through Fast-Track. The program eliminates some of the procedural steps in the traditional recall process, including a staff preliminary determination (PD) that the product contains a defect that presents a substantial product hazard. A Fast-Track recall helps protect the consumer from further exposure to a potentially dangerous product by removing the product from the marketplace more quickly. Additionally, the firm benefits from the recall through potentially reduced likelihood of product liability claims or other lawsuits. As such, the Fast-Track program helps save time and resources for both the company and the CPSC, while keeping consumers safe.

- **Background:** With the existing Fast-Track process, the agency was not receiving necessary or consistent information at the outset of Fast-Track cases. Additionally, the portal did not allow businesses or other stakeholders to report information to the CPSC in a standardized and efficient manner.
- **Development in FY 2020:** In FY 2020, the CPSC initiated work to develop a new online Fast-Track portal to make it more user friendly, provide improved functionality and flexibility for businesses and other stakeholders to report and submit Fast-Track recall cases, and incorporate automatic notifications on actions at various stages of the Fast-Track recall process. In FY 2020, the CPSC involved external stakeholders in development of the new Fast-Track portal by surveying them to identify problems they encountered with the existing Fast-Track portal and identify useful features of the existing portal.

- **FY 2021 Results:** Most of the work on development of the new online portal was completed in FY 2021. The CPSC provided a preview of the new portal to more than 100 industry stakeholders via a webinar in April 2021, after which the CPSC made additional refinements to the portal. The new portal was then tested by select external stakeholders in August 2021, where further feedback was gathered. The new portal was rolled out in December 2021. Effective January 31, 2022, Fast-Track submissions received via email, fax, and postal mail were rejected by the CPSC, and it became mandatory for businesses that wish to participate in the Fast-Track program to file submissions through the new online portal.

### **CPSC’s Pool Safety Campaign – Focus**

**Group Research:** *Pool Safety* is CPSC’s national public education campaign aimed at reducing child drownings, submersion injuries, and pool drain entrapments. The campaign is a call-to-action for consumers and industry to adopt proven measures for child swimming safety and to join a national dialogue on pool and spa safety by sharing best practices and other life-saving information with stakeholders and the public. According to [CPSC’s FY 2021 report on pool drownings of children](#), from 2018 through 2020, an annual average of 78 percent of nonfatal drowning injuries occurred among children younger than five years old.

- **Background & Synopsis:** In FY 2021, the CPSC conducted focus group research in three of the campaign’s target states—Arizona, Florida, and Texas—to gather insights and evaluate the effectiveness of existing *Pool Safety* campaign messaging. Findings from the research will help inform the CPSC on the update of campaign messaging and tools, in both English and Spanish, which will be crucial for *Pool Safety* in moving forward to reach more targeted audiences—parents/caregivers, vulnerable populations, and at-risk communities.
- **Plans to Utilize Focus Group Research Findings:** The following are some of the ways in which the CPSC plans on utilizing the focus group research findings:
  - 1) Develop customized child swimming safety messaging for non-pool owners and those who may not be familiar with child swimming safety in general.

- 2) Collaborate with influencers and community leaders with clout in the African American and Hispanic American communities to dispel their misconception about swimming. The CPSC will consider working with the National Drowning Prevention Alliance (NDPA) to co-host a panel discussion at the 2022 Drowning Prevention Conference to directly address misconception about swimming in at-risk communities and emphasize the importance that every child should learn to swim.
  - 3) Develop more specific, consumer-friendly language about pool drain safety, to educate consumers on pool drain risks, as well as learning to recognize an unsafe pool drain and take necessary action upon recognizing that the pool drain is unsafe.
  - 4) Develop new social media campaigns that are inspired by insights gained from the focus group research.
- **FY 2021 Results – Focus Group Research Findings:** The focus group research yielded four categories of research findings: general pool safety, specific *Pool Safely* campaign messaging, pool safety information and resources, and general child safety.
    - **General Pool Safety:** There were four key findings resulting from questions pertaining to general pool safety.
      - The first finding was regarding focus group participants' initial thought when asked about what pool safety means. Children's unsafe behavior, specifically misbehavior or rough playing in or around the pool, was the first thing that came to mind when the participants were asked about pool safety.
      - The second finding was regarding swimming safety measures for children. Responses differed between pool owners and non-pool owners. To pool owners, safety measures entailed pool fencing, locked back doors, and removal of above-ground pool ladders. As for non-pool owners, they indicated that if the pool belonged to friends or family, they could not always be assured that those safety

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<sup>18</sup> The Virginia Graeme Baker Pool and Spa Safety Act (VGB Act) (Pub. L. No. 110-140) requires all public pools and spas to have proper suction outlet covers and back-up anti-entrapment systems that conform with the entrapment protection standards of the ASME/ANSI A112.19.8

mechanisms would be in place to keep their children safe.

- The third finding was regarding method of learning how to swim. Some parents enrolled their children in formal swimming lessons (the children's ages ranged from six months to seven years old), while the other parents indicated that their children learned informally or at home.
- The fourth finding was regarding entrenched stereotypes in the African American and Hispanic American communities. The parents expressed the general misconception in those communities about swimming, as well as the communities' overall disinclination to engage in swimming as an activity. Those parents noted the need for increased awareness and messaging about the importance of learning to swim.
- **Specific *Pool Safely* Messaging:** There were four key findings resulting from questions pertaining to specific *Pool Safely* campaign messaging.
  - The first finding concerned general campaign messaging. Across the board, participating parents preferred messaging with an emotional tone, but they indicated that the messaging needs to be backed by statistics or facts that put the issue of pool safety into perspective. Parents also indicated being more engaged when they were learning something from campaign messaging for the first time (*i.e.*, something they had not considered before or a statistic/fact that they were not aware of). Non-pool owners, however, indicated feeling more disconnected from *Pool Safely* messaging.
  - The second finding concerned simple *Pool Safely* safety steps. Participants indicated that "Never leave a child unattended" and "Teach children to swim" were the most important steps. However, most, if not all participants, were confused about pool drains (*i.e.*, what makes a pool drain or pool drain cover VGB-compliant<sup>18</sup>).
  - The third finding was regarding the social media aspect of the *Pool Safely*

performance standard, or any successor standard regulating such swimming pool or drain cover. Residential pools are not required to install these, but it is recommended that they do so.





Academies of Sciences, Engineering, and Medicine (NASEM), entitled, "A Class Approach to Hazard Assessment of Organohalogen Flame Retardants." The NASEM study provided a plan for identifying and applying accepted scientific methods for assessing the toxicity of OFRs as a class, to be used by the CPSC in its rulemaking efforts. The NASEM identified 14 OFR subclasses that would need to be evaluated separately. The CPSC has been working to implement the research and assessment recommendations proposed by the NASEM in its 2019 report.

- **FY 2021 Results:** In FY 2021 CPSC staff began work to implement staff's FY 2020 "Project Plan: Organohalogen Flame Retardant Chemicals Assessment," which describes the approach to scope and conduct risk assessments for OFRs in consumer products, and that incorporates the approach identified in the NASEM report. In FY 2021, staff initiated several projects using contractors and interagency collaboration to research the OFR market and uses, identify readily available data information for all OFRs in all 14 subclasses, and identify relevant scientific publications. The work completed in FY 2021 will inform follow-on work to begin analyses of toxicological and exposure information as described in CPSC staff's plan to assess the potential risks of the OFR subclasses in consumer products.

#### **Chemical Hazards-Related Research –**

**Other Chemicals:** The CPSC also conducts research on toxicity, human exposure, and health risks of thousands of other chemicals found in consumer products.

- **Alternative Toxicological Methods:** In FY 2021, the CPSC collaborated extensively with the Interagency Coordinating Committee for the Validation of Alternative Methods (ICCVAM). The CPSC's FY 2021 collaborative work includes:
  - Published Proposed Guidance on CPSC Staff's Technical Evaluation of Alternative Toxicological Testing Methods for public comment. When finalized in FY 2022, the document will assist manufacturers in evaluating alternative methods for use in meeting labeling requirements of the Federal Hazardous Substances Act (FHSA)
  - Continuing participation as members of numerous working groups for the ICCVAM, including the Metrics Workgroup, which published [Measuring U.S. Federal Agency](#)

#### **Progress Toward Implementation of Alternative Methods in Toxicity Testing in FY 2021.**

- Continuing work with NIST on validating the Electrophilic Allergen Screening Assay (EASA) assay (*i.e.*, a scientific testing procedure to detect or identify skin sensitizers, which are substances found in consumer products and have the potential to cause Allergic Contact Dermatitis [ACD]); the work was performed in cooperation with ICCVAM, the National Toxicology Program Interagency Center for the Evaluation of Alternative Toxicological Methods (NICEATM), NIST, the U.S. Food and Drug Administration (FDA), and the Department of Defense (DoD). The CPSC evaluated a measurement science approach to characterize uncertainty, variability, and potential biases in the EASA assay, which was published in a peer-reviewed journal.
- Continuing participation in an international effort to collect and characterize human predictive patch test data for more than 100 substances and apply decision tree and weight-of-evidence approaches to resolve ambiguity and discordance in individual tests. This work supported the evaluation of defined approaches for skin sensitization in a new Organisation for Economic Co-operation and Development (OECD) guideline.
- Participated on the Validation Management Team for an alternative test method for evaluating ocular irritation. The team's evaluation on the validation of this test method was published in the peer-reviewed journal, *Cutaneous and Ocular Toxicology*, in FY 2021.
- Reviewed numerous documents for ICCVAM, such as testing procedures, guidance documents and [OECD Test Guidelines Programme documents](#), including the phosphatidyl inositol glycan class A gene (PIG-A gene) mutation assay.

## Importance of Data and Evidence in Determining Program Priorities

As a data-driven agency, the CPSC regularly collects and analyzes a wide range of data from multiple sources that are relevant to its mission. The CPSC uses that information to shape program strategies and select priorities. For example, the

CPSC systematically reviews and analyzes data on injury and death incidents related to consumer products to develop the CPSC's hazard-mitigation strategies. The CPSC receives data from multiple sources, including NEISS, death certificates, Medical Examiner and Coroners Alert Project (MECAP) reports, incident reports, and [www.SaferProducts.gov](http://www.SaferProducts.gov), among other sources.

## Appendix A

### CPSC Performance: Verification & Validation of Performance Data

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The CPSC requires complete, accurate, and reliable performance data to assess agency progress toward its strategic objectives and performance goals, and to make good management decisions. The CPSC's approach to verification and validation (V&V) of performance data, intended to improve accuracy and reliability, is based upon the following:

- (1) The agency develops performance measures through its strategic planning and annual performance planning processes.
- (2) The CPSC's functional components follow a standard reporting procedure to document detailed information for each performance measure in an internal agency database. This information includes, but is not limited to:
  - performance measure definition,
  - rationale for the performance measure,
  - source of the data,
  - data collection and computation methods, and
  - data limitations.
- (3) The agency's major functional components are responsible for assessing the completeness, consistency, timeliness, and quality of the data for their key performance measures, as well as identifying any data limitations. Managers of major functional components who are responsible for reporting key measures certify that procedures for ensuring performance data quality have been followed, and they also certify that the reported results are reasonably complete, accurate, and reliable.
- (4) In addition to the self-assessments and certification statements completed by major functional components, year-end results for key performance measures are reviewed by

CPSC's Office of Financial Management, Planning, and Evaluation (EXFM) team and approved by management before they are published in agency documents. Furthermore, EXFM also conducts an in-depth V&V review of each key performance measure within a 2-year cycle, following established operating procedures. In FY 2021, EXFM independently assessed 14 key performance measures out of 24 from across the agency's major functional components for quality and accuracy of the year-end reported performance results.

- (5) The CPSC also conducts periodic Strategic Data Review (SDR) meetings, where managers of major functional components analyze progress toward performance measure targets and broader progress toward achieving the agency's strategic objectives and performance goals. Program risks are also discussed, and mitigation strategies are developed.
- (6) Managers of major functional components within the CPSC also submit annual Letters of Assurance on the operating effectiveness of general- and program-level internal controls for their areas of responsibility. Those Letters identify any known deficiencies or weaknesses in program-level internal controls where they exist, including any issues with the quality of program data.

These procedures help to provide assurance that performance data reported by the agency are sufficiently complete, accurate, and reliable, as appropriate to intended use, and that internal controls are maintained and functioning as intended.

## Appendix B Changes to FY 2021 Performance Measures

In accordance with OMB Circular No. A-11 guidance, this section of the FY 2021 APR summarizes changes to FY 2021 performance measures that occurred between the publication of the FY 2021 Performance Budget Request (PBR) (published February 2020) and this document, the FY 2021 APR (March 2022). Changes to the performance measures resulted from the enactment of the CPSC's FY 2021 annual appropriations and implementation of the CPSC's FY 2021 Operating Plan (published November 2020).

The table below indicates whether the FY 2021 measure was discontinued, revised, replaced, or disaggregated since the FY 2021 PBR publication. Any changes made to the performance measure's annual target are included in the "FY 2021 Target" columns.

FY 2021 Performance Measure Statement	FY 2021 Target	
	FY 2021 PBR	FY 2021 APR
<u>PBR:</u> <b>2021KM2.1.01:</b> Percentage of consumer product related incident reports warranting follow-up actions	25%	Discontinued
<u>PBR and APR:</u> <b>2021KM2.2.01:</b> Number of voluntary standards activities in which CPSC staff actively participates	79	78
<u>PBR and APR:</u> <b>2021KM2.2.02:</b> Number of candidates for rulemaking prepared for Commission consideration	5	10
<u>PBR:</u> <b>2021KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources Nations  <u>APR – Revised to:</u> <b>2021KM2.2.08</b> Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources, Countries or Administrative Areas	0.33	< 0.33
<u>PBR:</u> <b>2021KM3.1.01:</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening  <u>APR – Revised to:</u> <b>2021KM3.1.01:</b> Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)	65%	
<u>PBR:</u> <b>2021KM3.1.02:</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)  <u>APR – Disaggregated to:</u> <ul style="list-style-type: none"> <li>• <b>2021KM3.1.02:</b> Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks) (Note: Starting with FY 2020, fireworks cases have been disaggregated from this measure and are captured by KM3.1.03.); and</li> <li>• <b>2021KM3.1.03:</b> Percentage of fireworks cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection</li> </ul>	85%	85%
		85%

FY 2021 Performance Measure Statement	FY 2021 Target	
	FY 2021 PBR	FY 2021 APR
<p><u>PBR:</u>  <b>2021KM3.2.02:</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)</p> <p><u>APR – Disaggregated to:</u></p> <ul style="list-style-type: none"> <li><b>2021KM3.2.02:</b> Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks) (Note: Starting with FY 2020, fireworks cases have been disaggregated from this measure in FY 2020 and are captured by KM3.2.05.); and</li> <li><b>2021KM3.2.05:</b> Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection</li> </ul>	85%	85%
<p><u>PBR:</u>  <b>2021KM3.2.03:</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days</p> <p><u>APR – Revised to:</u>  <b>2021KM3.2.03:</b> Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening</p>	90%	
<p><u>PBR:</u>  <b>2021KM3.2.04:</b> Percentage of cases for which a corrective action is accepted within 90 business days of preliminary determination</p> <p><u>APR – Replaced with:</u>  <b>2021KM3.2.06:</b> Percentage of cases for which a corrective action plan (CAP) is accepted, or public notice of hazard is issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)</p>	60%	Baseline
<p><u>PBR:</u>  <b>2021KM3.3.01:</b> Recall effectiveness rate for all consumer products</p> <p><u>APR – Revised to:</u>  <b>2021KM3.3.01:</b> Recall effectiveness rate for all consumer product recalls</p>	25%	
<p><u>PBR:</u>  <b>2021KM4.1.02:</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in thousands)</p> <p><u>APR – Revised to:</u>  <b>2021KM4.1.02:</b> Number of engagements with CPSC safety messaging on social media channels by stakeholders (in millions)</p>	860	3
<p><u>PBR:</u>  <b>2021KM4.2.05:</b> Percentage of recall press releases issued in 22 days or less from first draft</p> <p><u>APR – Replaced with:</u>  <b>2021KM4.2.06:</b> Percentage of recall press releases cycled through the Office of Communications in 2 business days or less, once received from the Office of Compliance &amp; Field Operations</p>	60%	80%

## Appendix C

### Detailed Information on FY 2021 Performance Measures

This section presents detailed information on the 24 key performance measures for FY 2021. The CPSC's FY 2021 Operating Plan includes FY 2021 performance measures and annual targets, used for tracking progress toward achieving the strategic goals and strategic objectives outlined in the agency's strategic plan.

**Navigation:** The performance measures are organized by strategic goal. For each performance measure, this appendix shows key information from the data fields listed in the CPSC's centralized Performance Management Database (PMD). Each quarter, the CPSC's functional components are responsible for reporting actual progress for each performance measure in the PMD. The following are the data fields listed in this appendix for each performance measure:

Name of Data Field	Description
<b>Control ID</b>	A unique identifier assigned to each performance measure. <ul style="list-style-type: none"> <li><b>Note:</b> An asterisk symbol (*) following the Control ID indicates that the performance measure has been verified and validated. For more information on CPSC's procedures on Verification &amp; Validation (V&amp;V) of performance data, refer to Appendix A on p. 30.</li> </ul>
<b>Program</b>	The CPSC's functional component that is responsible for the performance measure.
<b>Strategic Goal</b>	The strategic goal from the CPSC's Strategic Plan associated with the performance measure.
<b>Strategic Objective</b>	The strategic objective from the CPSC's Strategic Plan associated with the performance measure.
<b>Performance Measure Statement</b>	A measurable value that indicates the state or level of the targeted result.
<b>Definition of Performance Measure</b>	A clear description of the indicator, with enough specificity that different individuals can collect and report the same information for the measure.
<b>Rationale for Performance Measure</b>	A description of why the performance measure was selected; how it tracks progress toward the associated strategic objective; and how the information will be useful for management.
<b>2017–2021 Actuals; Target met?</b>	FY 2021 target and historical actual values for the performance measure and indication of whether the FY 2021 target was met.

<b>Name of Data Field</b>	<b>Description</b>
<b>Analysis</b>	This field may include: <ul style="list-style-type: none"> <li>• An explanation of how progress toward meeting the annual target for this performance measure contributes to progress toward meeting the strategic objective;</li> <li>• Annual target:               <ul style="list-style-type: none"> <li>◦ If the FY 2021 target was met, a description of the key elements that contributed to success in meeting the target</li> <li>◦ If the FY 2021 target was not met, a description of the issues/obstacles that impeded success in meeting the target</li> <li>◦ If data for FY 2021 result are not available, the reason(s) for the unavailability, and the expected date that the data will become available; and</li> </ul> </li> <li>• Discussion of the trend result: positive, negative, or steady; expectations for trend over time.</li> </ul>
<b>Plan(s) for Improving Performance</b>	If applicable, a description of action(s) to be implemented to improve performance in future years.
<b>Data Source</b>	Identification of data source(s) with enough specificity, so that the same source(s) can be used for the performance measure over time.
<b>Data Collection Method and Computation</b>	Detailed description of the collection and computation method, so that it can be replicated consistently over time, and by different personnel.
<b>Data Limitations and Implications of the Reported Results</b>	Identification of any known data limitations, including a description of the limitations, the impact limitations may have on measuring progress toward the annual target and/or the related performance goal or strategic objective, and the actions that will be taken to correct the limitations.

<b>Control ID</b>				<b>Program</b>		
2021KM1.1.02				Human Resources		
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.1: Enhance effective strategic human capital planning and alignment						
<b>Performance Measure Statement</b>						
Percentage of full-time equivalents (FTEs) utilized						
<b>Definition of Performance Measure</b>						
The total number of on-board FTEs, divided by the CPSC's authorized FTE ceiling for the fiscal year						
<b>Rationale for Performance Measure</b>						
The FTE utilization rate serves as an important workforce planning tool to guide the CPSC in assessing current/projected future skill gaps and changing/reshaping of the agency's workforce that might be needed to meet the agency's mission.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	97%	98%	95%	97%	96%	✓
<b>Analysis</b>						
The target was 96 percent; the FY 2021 actual result was 97 percent. The agency provided Human Capital data to hiring managers for successful workforce planning and recruitment, incorporated feedback from hiring managers to improve quarterly reports, and updated the user dashboard with reporting functionality requested by hiring managers.						
<b>Plan(s) for Improving Performance</b>						
The increase in FTEs for FY 2022 provides the agency with resources for mission-critical work and also poses challenges with hiring top talents for a highly technical and specialized workforce. To maintain the FTE utilization rate, the agency plans to utilize available human capital tools, including the full range of available hiring authorities, recruitment incentives, and employment flexibilities.						
<b>Data Source</b>						
Quarterly 113G Reports, from the Federal Personnel and Payroll System (FPPS). The FPPS is a database system administered by CPSC's Shared Services Provider – Interior Business Center (IBC) of the U.S. Department of Interior (DOI).						
<b>Data Collection Method and Computation</b>						
From the quarterly 113G report as of year end, divide the Grand Total Employment (cumulative column) by CPSC's authorized FTE ceiling for the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
The measure tracks only straight time hours.						



<b>Control ID</b>				<b>Program</b>		
2021KM1.2.01				Human Resources		
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.2: Foster a culture of continuous development						
<b>Performance Measure Statement</b>						
Percentage of employees satisfied with opportunities to improve their skills (as reported in the Federal Employee Viewpoint Survey)						
<b>Definition of Performance Measure</b>						
The percentage of positive responses for Question 1—"I am given a real opportunity to improve my skills in my organization."—from the annual FEVS administered by the U.S. Office of Personnel Management (OPM) is computed as follows: The number of employees who responded "strongly agree" or "agree," divided by the number of employees who responded to the question.						
<b>Rationale for Performance Measure</b>						
FEVS results for Question 1 are an indicator of how well the agency fosters a culture of continuous development by providing opportunities and encouraging professional development.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
73%	68%	66%	74%	Result not available	70%	N/A
<b>Analysis</b>						
As of the publication of this document, the result for this measure was not available because OPM administered the 2021 FEVS in November 2021. Results from the 2020 FEVS, released in 2021, showed that the 74 percent of employees were satisfied with opportunities to improve their skills, compared to 66 percent from 2019. Based on results from the 2020 FEVS, the agency revised its training plans and fully implemented them in CPSC's remote work environment. Additionally, in FY 2021, the agency offered 35 developmental opportunities to employees through the Agency Training Plan.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will explore new opportunities for remote learning, market the coaching program, and continue to provide developmental opportunities, as well as training to employees to develop their Individual Development Plan (IDP).						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM's annual FEVS link sent out via email to all permanent employees. The responses are calculated by OPM. The positive responses include both the "strongly agree" and "agree" employee responses for Question 1 of the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
Not applicable						

<b>Control ID</b>		<b>Program</b>				
2021KM1.3.01*		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.3: Attract and recruit a talented and diverse workforce						
<b>Performance Measure Statement</b>						
Percentage of hiring managers trained on recruitment						
<b>Definition of Performance Measure</b>						
The CPSC provided recruitment training (segments on targeted assessments and recruitments) to all selecting officials at CPSC (all team leads, supervisors, managers and executives). The performance measure tracked the percentage of CPSC selecting officials who completed the training segments during the fiscal year (the number of CPSC selecting officials who completed the training segments during the fiscal year divided by the total number of CPSC selecting officials).						
<b>Rationale for Performance Measure</b>						
CPSC selecting officials received training in assessment tools and targeted recruitment authorities to ensure that they have the tools necessary to recruit a talented and diverse workforce. To recruit the best talent, hiring managers need to focus on the vacancy announcement and assessment to get the best applicants for selection. This comprehensive training provided selecting officials with the tools to develop assessments that will ensure that the most talented applicants are put forward for consideration.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
56%	83%	86%	90%	97%	80%	✓
<b>Analysis</b>						
The FY 2021 result was 97%, exceeding the annual target of 80%. To increase hiring managers' participation in the hiring process, the agency worked on remote hiring practices and guidance, prepared for virtual job fairs and outreach events, and offered training sessions on recruitment topics of interest. Ninety-seven percent of hiring managers were trained on the recruitment process to attract and recruit a talented, diverse, and highly effective workforce. Additionally, the average score of hiring managers satisfied with applicant listing was 8 out of a possible high score of 10.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue to implement its plan to increase hiring managers' participation in the hiring process. Additionally, for FY 2022, the target is revised upward to 85 percent, as the 80 percent target has been exceeded in the recent years.						
<b>Data Source</b>						
Tracking spreadsheet						
<b>Data Collection Method and Computation</b>						
The CPSC uses sign-in sheets, provided at each training session, to update the tracking spreadsheet and the selecting officials' learning histories to verify attendance at trainings. The spreadsheet lists all selecting officials who have completed training on Targeted Assessment and Recruitment Training.						
<b>Data Limitations and Implications of the Reported Results</b>						
The measure only reports on whether selecting officials were trained. The measure does not capture whether the training is effectively implemented by the selecting officials to improve the quality of recruiting.						

<b>Control ID</b>		<b>Program</b>				
2021KM1.4.01		Human Resources				
<b>Strategic Goal</b>						
Goal 1: Workforce						
<b>Strategic Objective</b>						
1.4: Increase employee engagement						
<b>Performance Measure Statement</b>						
High-performing Federal Workforce – Employee Engagement Index Score						
<b>Definition of Performance Measure</b>						
The Employee Engagement Index (EEI) score, developed and computed by OPM, is a measure of work environment conditions that are conducive to employee engagement. The index consists of three subindices: (1) Leaders Lead, (2) Supervisors, and (3) Intrinsic Work Experience. Each subindex reflects a different aspect of an engaging work environment. The EEI includes results for 15 different questions from the FEVS, which together, are designed to measure overall employee engagement.						
<b>Rationale for Performance Measure</b>						
According to OPM’s definition, “employee engagement” is described as an employee’s sense of purpose. It is evident in their display of dedication, persistence, and effort in their work, or overall commitment to their organization and its mission. An agency that engages its employees ensures a work environment where each employee contributes to the success of the agency while reaching his or her full potential. Engaged employees contribute significantly to the success of the CPSC and the federal government as a whole.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
73%	69%	66%	75%	Result not available	70%	N/A
<b>Analysis</b>						
As of the publication of this document, the result for this measure was not available because OPM administered the 2021 FEVS in November 2021. Results from the 2020 FEVS, released in 2021, showed that the overall EEI was 75 percent in 2020, compared to 66 percent in 2019, with the <i>Leaders Lead</i> subindex demonstrating the biggest increase of 11 percentage points out of the three subindices. Based on results of the 2020 FEVS, the CPSC has focused on engaging and investing in its employees and has continued work on improving its employees’ perception of leadership’s integrity, communication, support of employee professional development and work-life balance, and overall employee engagement.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue employee engagement efforts, especially where improvement is needed, by incorporating the 2021 FEVS results after they are made available.						
<b>Data Source</b>						
Annual FEVS, administered by OPM						
<b>Data Collection Method and Computation</b>						
Data are collected through OPM’s annual FEVS link sent out via email to all permanent CPSC employees. The EEI score is based on data from responses to 15 different questions on the FEVS survey instrument.						
<b>Data Limitations and Implications of the Reported Results</b>						
Not applicable						

<b>Control ID</b>		<b>Program</b>				
2021KM2.1.02*		Hazard Identification				
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Number of hazard characterization annual reports completed on consumer product-related fatalities, injuries, and/or losses for specific hazards						
<b>Definition of Performance Measure</b>						
The number of milestone hazard characterization statistical reports produced for specified product-related hazards or categories. These reports characterize the number of reported fatalities and estimated injuries and trends.						
<b>Rationale for Performance Measure</b>						
This key measure tracks an element of the CPSC's strategy for improved hazard identification by scanning the marketplace to determine whether previously identified significant hazards exist in similar products. Annual reports presenting statistics on the numbers of reported deaths and estimates of emergency department-treated, product-related injuries for specific product-related hazards or categories allow for trend assessments and inform management decisions, along with information and education campaigns.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
11	10	11	11	11	11	✓
<b>Analysis</b>						
The FY 2021 actual result was 11 annual reports, meeting the annual target of 11 reports.						
<b>Plan(s) for Improving Performance</b>						
The CPSC plans to work on 12 reports in FY 2022, adding a report on Poison Prevention Packaging Act (PPPA) Injury and Fatality.						
<b>Data Source</b>						
Report postings for Assistant Executive Director (AED) review (Form 122) on CPSC's internal administrative system.						
<b>Data Collection Method and Computation</b>						
The agency prepares reports on consumer product-related fatalities, injuries, and/or losses for specific hazards annually. This is a count of the number of hazard characterization reports posted for AED review (Form 122) on CPSC's internal document-sharing system during the fiscal year.						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure tracks the number of completed reports. It does not measure the quality of the reports.						

<b>Control ID</b>		<b>Program</b>				
2021KM2.1.03*		Hazard Identification				
<b>Strategic Goal</b>						
Goal : Prevention						
<b>Strategic Objective</b>						
2.1: Improve identification and assessment of hazards to consumers						
<b>Performance Measure Statement</b>						
Percentage of consumer product-related injury cases correctly captured at NEISS hospitals						
<b>Definition of Performance Measure</b>						
A weighted average of the percentage of consumer product-related injury cases correctly captured at a sample of hospitals participating in the National Electronic Injury Surveillance System (NEISS) (where the percentage at each sampled hospital is calculated as: the number of product-related injury cases captured by the NEISS coder, divided by the number of product-related cases captured by a CPSC auditor).						
<b>Rationale for Performance Measure</b>						
Evaluation visits are conducted at NEISS hospitals to determine the percentage of reported consumer product-related cases captured correctly by hospital coders, indicating the quality of consumer product-related incident data from the hospitals.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
92%	93%	90%	91%	91%	90%	✓
<b>Analysis</b>						
The FY 2021 result was 91%, exceeding the target of 90%. Before the COVID-19 pandemic, the CPSC was monitoring performance under this key measure by conducting on-site evaluation visits at NEISS hospitals to determine whether coders at those hospitals are capturing the reportable cases correctly. Due to the pandemic, evaluation visits had to be performed remotely, in some cases.						
<b>Plan(s) for Improving Performance</b>						
To maintain performance, the CPSC will provide training and continue working with the larger or newer hospitals that had poor evaluations, to help improve their capture rate.						
<b>Data Source</b>						
NEISS Administrative Records System (NARS)						
<b>Data Collection Method and Computation</b>						
<p>Audit results from each NEISS hospital visit are captured in NARS. Calculate 1 percentage (p) across all the NEISS hospitals that were evaluated during the fiscal year as:</p> $p = (\sum_i(N_i * (n_i(\text{coder}) / (s_i))) / \sum_i(N_i * (n_i(\text{cpsc}) / (s_i))))$ <p>where <math>N_i</math> is the annual number of emergency department-treated cases at the <math>i</math>th NEISS hospital, <math>(s_i)</math> is the number of cases in sample drawn by the CPSC auditor at the <math>i</math>th NEISS hospital, and <math>n_i(\text{coder})</math> and <math>n_i(\text{cpsc})</math> are as defined below.</p> <p>During a hospital audit, between 200 and 300 emergency department records are sampled, and the number of product-related cases in the sample are determined. These cases are then compared to the number of product-related cases in the sample, as captured by the NEISS coder. The hospital's capture metric is estimated as:</p> $(n_i(\text{coder}) / (n_i(\text{cpsc})))$ <p>where <math>n_i(\text{coder})</math> is the number of product-related cases in the sample of cases <math>(s_i)</math> as determined by the coder for the <math>i</math>th NEISS hospital; and <math>n_i(\text{cpsc})</math> is the number of product-related cases in the sample <math>(s_i)</math>, as determined by the CPSC auditor. The performance metric is then estimated across audited NEISS hospitals as a weighted estimate of the individual hospital metrics.</p>						
<b>Data Limitations and Implications of the Reported Results</b>						
Findings and guidance for improving the capture rate are provided to the NEISS coder. If capture rates are lower than expected, a second audit may be performed during the year.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.2.01*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of voluntary standards activities in which CPSC actively participates						
<b>Definition of Performance Measure</b>						
<p>CPSC staff provides technical support and monitors voluntary safety standards activities, which are tracked in the Voluntary Standards Tracking Activity Report (V-STAR).</p> <p>A voluntary standard is a prescribed set of rules, conditions, or requirements relating to the safety of consumer products found in the home, schools, and/or recreation areas, which, by itself, imposes no obligation regarding use. In the case of CPSC staff support, a voluntary consumer product safety standard is generally developed using ASTM International (ASTM), Underwriters Laboratories Inc. (UL), or another standards development organization (SDO) that is accredited by the American National Standards Institute (ANSI). These voluntary standards may be incorporated, in whole or in part, into CPSC rules, such as rules for durable infant or toddler products, as set forth in the Danny Keysar Child Product Safety Notification Act.</p> <p>Active participation by CPSC extends beyond attendance at meetings, and it may include, among other things, any one or more of the following: providing injury data and hazard analyses; encouraging the development of a voluntary safety standard; identifying specific risks of injury; performing research; developing health science data; performing laboratory technical assistance; providing information on a proposed rulemaking; and taking other actions that the Commission, in a particular situation, determines may be appropriate. A list of these activities can be found at 16 CFR §1031.7.</p>						
<b>Rationale for Performance Measure</b>						
The CPSC works to minimize hazardous defects through increased participation in voluntary standards activities. The CPSC's statutory authority requires the agency to rely on voluntary standards, rather than promulgate mandatory standards, if compliance with a voluntary standard would eliminate or adequately reduce the risk of injury identified, and it is likely that there will be substantial compliance with the voluntary standard.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
76	77	74	78	78	78	✓
<b>Analysis</b>						
The CPSC met its target by being actively involved in the development of voluntary standards for 78 different products. Thirty-two new or revised voluntary safety standards were approved in FY 2021. Detailed activities covering these products are published in the VSTAR issued twice a year, in the: (1) Mid-Year Report, and (2) Annual Report, which can be found at: <a href="http://www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards">www.cpsc.gov/Regulations-Laws--Standards/Voluntary-Standards</a> .						
<b>Plan(s) for Improving Performance</b>						
For FY 2022, CPSC staff plans to be active in 83 voluntary standards categories, including newly added categories such as Building Codes; Market and Beach Umbrellas; Infant Support Pillows and Nursing Support Products; and Service, Communication, Information, Education, and Entertainment (SCIEE) Robots.						
<b>Data Source</b>						
CPSC's internal Voluntary Standards (VS) SharePoint site, where calendar notices and VS documents are stored. An activity-tracking spreadsheet is also updated regularly.						
<b>Data Collection Method and Computation</b>						
It is a simple count of products that have had voluntary standards activities. Each product that has at least one activity is counted as one. These activities are reported in the bi-annual Voluntary Standards Tracking Activity Report (V-STAR).						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC's participation in voluntary standards activities is an ongoing process that depends on the activities of the voluntary standards committees and the Commission's priorities. The level of CPSC participation in developing voluntary standards also varies from product to product.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.2.02*				Hazard Identification		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Number of candidates for rulemaking prepared for Commission consideration						
<b>Definition of Performance Measure</b>						
The number of rulemaking briefing packages submitted by CPSC staff for the Commission's consideration						
<b>Rationale for Performance Measure</b>						
Safety standards address hazards associated with the use of consumer products. Consumer products that have been designed and manufactured to mandatory safety standards help prevent future hazards from occurring.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
18	19	14	14	13	10	✓
<b>Analysis</b>						
<p>The CPSC exceeded the FY 2021 target by completing 13 rulemaking packages. The 6 rulemaking packages from the original 10 planned candidates were: ANPR–Off-Highway Vehicle (OHV) Fire and Debris Penetration Hazards; FR–Infant Sleep Products; FR–Mattress 16 CFR Part 1632 SRM Cigarette Reference Update; NPR–Clothing Storage Units Tip Over; DFR–Lab Accreditation IBR Update and FR–Crib Mattress (include Supplemental and Aftermarket). The 8 rulemaking packages in response to emerging requirements were: FR–Amending 16 CFR Part 1015; DFR–Infant and Cradle Swings; DFR–High Chairs 112-28; DFR and NPR–Upholstered Furniture (TB 117-2013); DFR–Amending 16 CFR Parts 1107 and 1112; DFR–Children’s Folding Chairs and Stools; DFR–Gates and Other Enclosures; and NPR–PPPA Exemption Petition.</p>						
<b>Plan(s) for Improving Performance</b>						
While meeting the FY 2021 target, CPSC’s Office of Hazard Identification & Reduction will continue to address issues related to disruptions from the COVID-19 pandemic.						
<b>Data Source</b>						
Postings on the CPSC’s website: <a href="#">Newsroom – FOIA   CPSC.gov</a>						
<b>Data Collection Method and Computation</b>						
Count the number of rulemaking briefing packages (ANPR, DFR, NPR, and FR) posted to: <a href="#">www.cpsc.gov</a> .						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure reflects the number of rulemaking candidates prepared for the Commission and not necessarily whether they have been approved by the Commission. It also tracks workload accomplishments and does not provide information about the potential safety improvements expected to result from those rulemakings.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.2.07				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Percentage of firms that are engaged with timely establishment inspection after being identified as a repeat offender						
<b>Definition of Performance Measure</b>						
Firms with a history of repeated violations are subject to the requirements of an establishment inspection (EI). This performance measure tracks the percentage of firms that engage in an EI in a timely manner. "Timely" means that the firm engages in an EI within 60 calendar days of the EI assignment date determined by the CPSC.						
<b>Rationale for Performance Measure</b>						
EIs provide the CPSC an opportunity to help firms with a history of repeated violation to comply with applicable CPSC requirements.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	73%	90%	83%	100%	75%	✓
<b>Analysis</b>						
The FY 2021 result was 100%, exceeding the annual target of 75%. Conducting establishment inspections of firms that are repeat offenders is an important part of the agency's Import Surveillance program because it helps increase the firms' compliance with CPSC regulations, thereby promoting product safety. However, establishment inspections cannot be executed remotely, and on-site presence of CPSC staff is required to perform those duties.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue to prioritize performing establishment inspections of repeat offenders. The CPSC expects to maintain the level of performance that has been captured by this performance measure, provided staff are able to resume conducting on-site establishment inspections.						
<b>Data Source</b>						
Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Data on repeat offenders (firms with history of repeated violation) are extracted from the IFS system. The IFS, which is also a system used by CPSC staff to record/retrieve inspection cases, is then used to assign/track EI cases for the repeat offenders.						
Computation steps:						
<ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of firms that are engaged in an EI in a timely manner (within 60 calendar days of EI date assigned by CPSC in the IFS) during the fiscal year.</li> <li>• Calculate the denominator: Count the total number of firms that were assigned EI cases during the fiscal year.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
It is technically possible for a supervisor to make adjustments to the EI assignment date in the IFS in response to scheduling complications.						



<b>Control ID</b>				<b>Program</b>		
2021KM2.2.08*				International Programs		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.2: Lead efforts to improve the safety of consumer products before they reach the marketplace						
<b>Performance Measure Statement</b>						
Recalls per Billion Dollars in Consumer Product Imports for Top 50 Import Sources, Countries or Administrative Areas						
<b>Definition of Performance Measure</b>						
This measure tracks the number of annual recalls per each billion dollars of the total value of consumer products imported from the top 50 import sources, countries, or administrative areas. "Recalls" in this measure includes all corrective action plans, whether they result in a public recall or not.						
<b>Rationale for Performance Measure</b>						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	0.21	0.21	< 0.33	✓
<b>Analysis</b>						
The FY 2021 result was 0.21 recalls per billion dollars, which is below the threshold annual target of 0.33 recalls per billion dollars.						
<b>Plan(s) for Improving Performance</b>						
The actual result far exceeded the target. The agency will continue to base its international outreach activities on analysis of import and recalls data, as well as information on production and hazard trends.						
<b>Data Source</b>						
There are two data sources: <ul style="list-style-type: none"> <li>• CPSC's Office of Compliance &amp; Field Operations (EXC) – Provides recall data from CPSC's Dynamic Case System (DCM).</li> <li>• CPSC's Office of Hazard Identification and Reduction (EXHR), Directorate of Economic Analysis – Extracts and tabulates data from the U.S. International Trade Commission's (USITC) DataWeb (Link: <a href="https://dataweb.usitc.gov">https://dataweb.usitc.gov</a>).</li> </ul>						
<b>Data Collection Method and Computation</b>						
The result is calculated by dividing the numerator (the number of recalls) by the denominator (the aggregate annual dollar value of consumer product imports from the top 50 import sources, countries, or administrative areas). The numerator (the number of recalls) is obtained by: <ul style="list-style-type: none"> <li>• Querying CPSC's Dynamic Case System (DCM).</li> </ul> The denominator (the aggregate annual dollar value of consumer product imports, on a Cost-Insurance-Freight [CIF] basis) is obtained by: <ul style="list-style-type: none"> <li>• Tabulating dollar values of imported products, reported with North American Industry Classification System (NAICS) codes on the USITC DataWeb (<a href="https://dataweb.usitc.gov">https://dataweb.usitc.gov</a>), deemed more likely to include products under the CPSC's jurisdiction.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
The result reported for this measure in FY 2021 was based on recall and import data from calendar year 2020.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.3.01*				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of consumer product imports, identified as high-risk, examined at import						
<b>Definition of Performance Measure</b>						
The percentage of examined entries identified through CPSC's Targeting program is computed as the number of targeted entries with logbook exams, divided by the number of targeted entries from CPSC's Targeting program entered into the International Trade Data System (ITDS)/RAM Inbox.						
<b>Rationale for Performance Measure</b>						
Targeting identifies characteristics in import shipments that are associated with elevated inherent product risks.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
89%	89%	86%	80%	82%	80%	✓
<b>Analysis</b>						
The FY 2021 result was 82%, exceeding the annual target of 80%. This indicates that the CPSC's Import Surveillance Targeting program is effective in identifying and examining high-risk shipments.						
<b>Plan(s) for Improving Performance</b>						
The agency will continue to prioritize examining high-risk shipments. The CPSC expects to maintain the level of performance that has been captured by this performance measure, assuming CPSC's Targeting program continues to be supported.						
<b>Data Source</b>						
ITDS/RAM Inbox and Exam Logbook						
<b>Data Collection Method and Computation</b>						
<p>Computation steps:</p> <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of targeted entries with logbook exams.</li> <li>• Calculate the denominator: Count the total number of targeted entries from CPSC's Targeting program entered into ITDS/RAM Inbox.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Examinations data depend on recording by different personnel at different locations.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.3.02				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of import shipments processed through the Risk Assessment Methodology (RAM) system that are cleared within 1 business day						
<b>Definition of Performance Measure</b>						
Number of shipments (entry lines) cleared within 1 business day, divided by the total number of shipments (entry lines) processed through the RAM system						
<b>Rationale for Performance Measure</b>						
The percentage of import shipments the CPSC clears within 1 business day is a measure of how successful the CPSC is at expeditiously processing compliant imports of consumer products and facilitating legitimate trade.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
99.8%	99.8%	99.8%	99.9%	99.8%	99.0%	✓
<b>Analysis</b>						
The FY 2021 result was 99.8%, exceeding the FY 2021 target of 99%. This indicates that the CPSC's import surveillance work is conducted efficiently, and compliant imports are released quickly.						
<b>Plan(s) for Improving Performance</b>						
The agency will use a similar approach from past years to maintain the level of performance that has been captured by this performance measure.						
<b>Data Source</b>						
ITDS/RAM Inbox						
<b>Data Collection Method and Computation</b>						
The status of each entry the CPSC acted on is recorded in the ITDS/RAM system ( <i>i.e.</i> , "May Proceed," or "CBP Hold Request"). Entries of import shipments that are recorded by CPSC as "May Proceed," or "Scored," are considered "Cleared" by CPSC. "Scored" shipments are cleared within 1 business day because no action was taken by the CPSC to stop the cargo from entering commerce. Computation steps: <ul style="list-style-type: none"> <li>• Calculate the numerator: Count the total number of shipments (entry lines) cleared within 1 business day.</li> <li>• Calculate the denominator: Count the total number of shipments (entry lines) processed through the RAM system.</li> <li>• Divide the numerator by the denominator to yield the actual result.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
No known data limitations.						

<b>Control ID</b>				<b>Program</b>		
2021KM2.3.04				Import Surveillance		
<b>Strategic Goal</b>						
Goal 2: Prevention						
<b>Strategic Objective</b>						
2.3: Increase capability to identify and stop imported hazardous consumer products						
<b>Performance Measure Statement</b>						
Number of import examinations completed						
<b>Definition of Performance Measure</b>						
Number of examinations conducted by the CPSC on imported consumer products to verify compliance with CPSC rules, regulations, and bans. Each exam is for one product.						
<b>Rationale for Performance Measure</b>						
The total number of import examinations CPSC performs is a measure of surveillance at U.S. ports to reduce entry of unsafe consumer products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
38,726	41,117	39,010	18,561	36,375	32,000	✓
<b>Analysis</b>						
<p>The FY 2021 result was 36,375 exams, exceeding the target of 32,000. Due to the COVID-19 pandemic, all CPSC employees began teleworking full-time during FY 2020. However, the majority of CPSC port investigators returned to work onsite at the ports at the end of FY 2020. Due to varying COVID-19 vaccine availability across the country and/or personal exemptions for certain CPSC employees, some port investigators continued to conduct exams remotely* into FY 2021. As port investigators returned to onsite operations at the ports, the number of product exams increased each quarter, as the fiscal year progressed.</p> <p>In June 2021 (third quarter of FY 2021), all CPSC port investigators returned to working onsite full-time at the ports, enabling CPSC’s Office of Import Surveillance (EXIS) to conduct exams at levels close to those seen pre-pandemic. Furthermore, newly hired port investigators helped EXIS exceed its expected number of exams for the fourth quarter of FY 2021.</p> <p>*The CPSC has a long-standing partnership with the U.S. Customs and Border Protection (CBP), which enabled CPSC port investigators to conduct the exams remotely by collaborating with CBP officers at ports, at which CPSC port investigators are normally co-located, through video meetings, phone calls, and emails.</p>						
<b>Plan(s) for Improving Performance</b>						
The measure reflects CPSC’s capability to examine shipments. The targeted level of performance depends upon import surveillance personnel co-located at ports to examine shipments.						
<b>Data Source</b>						
Import Exam Logbook						
<b>Data Collection Method and Computation</b>						
The CPSC records all import examinations it performs in the Import Exam Logbook. This performance measure captures the sum of the number of products with exam dates for the reporting period (fiscal year).						
<b>Data Limitations and Implications of the Reported Results</b>						
EXIS conducts data quality checks to ensure import exams are recorded in the Import Exam Logbook. Examination data depend on recording by different personnel at different locations.						

<b>Control ID</b>				<b>Program</b>		
2021KM3.1.01				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a preliminary determination is made within 85 business days of the case opening (Hazard Priorities A, B, and C)						
<b>Definition of Performance Measure</b>						
<p>Preliminary Determination (PD) is the determination made by a panel of CPSC managers on whether there is sufficient evidence to preliminarily determine that a substantial potential hazard exists in a product. A case opening is when a case is entered into CPSC's Dynamic Case Management (DCM) System, which then generates a Case Creation date.</p> <p>This measure is limited to cases with Hazard Priorities A, B, and C, and excludes Fast-Track cases.</p>						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC case work. Making PDs efficiently contributes to timely recalls for noncompliant and defective products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
74%	75%	13%	83%	64%	65%	<b>x</b>
<b>Analysis</b>						
The target was 65%; FY 2021 actual result was 64%. The CPSC fell slightly short of the annual target, with 14 of the 22 products with a Hazard Priority A, B, or C having a PD made within 85 business days. Some of the cases that took longer than 85 business days from case opening involved products that were the subject of an ongoing administrative litigation seeking mandatory recalls.						
<b>Plan(s) for Improving Performance</b>						
The Enforcement and Litigation Division (CEL), which is under CPSC's Office of Compliance & Field Operations (EXC), was formed in January 2020 to replace EXC's former Defects Division. CEL is responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. Formation of CEL integrates attorneys at the line and supervisory levels to help strengthen the agency's capacity to efficiently make analytically sound substantial product hazard determinations and negotiate CAPs.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
<p>The CPSC collects data from DCM on all Compliance Action (CA) initiated cases and non-Fast-Track reported cases that progressed to PD during the fiscal year on products with hazards that fall under Hazard Priorities A, B, or C. Classification of the Hazard Priorities is based on the severity of the most likely injury resulting from the hazard, as well as the likelihood that such injury would occur. This measure is limited to cases with Hazard Priority A, B, and C, and excludes Fast-Track cases.</p> <p>Calculation Formula – Divide the numerator by the denominator:</p> <ul style="list-style-type: none"> <li><i>Numerator</i>: Count the number of cases where the number of business days is 85 business days or less from the Case Creation Date to the PD date (the PD date should fall within the fiscal year).</li> <li><i>Denominator</i>: Count the total number of cases where PD was made within the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly due to updates, edits, or corrections to case data that may occur after the team lead completes fiscal year-end run of data and reports the results.						

<b>Control ID</b>		<b>Program</b>				
2021KM3.1.02		Compliance & Field				
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of cases for which a compliance determination of a regulatory violation is made within 35 business days of sample collection (excludes fireworks)						
<b>Definition of Performance Measure</b>						
Included in the definition for this measure is the percentage of cases for which a sample is determined, within the fiscal year, to have a regulatory violation and the determination was made within 35 business days of the date of sample collection (excludes fireworks). Samples collected in the field and at U.S. ports of entry are sent to CPSC's National Product Testing and Evaluation Center (NPTEC) for analysis. Often, CPSC technical experts conduct additional technical analysis to determine whether a product violates CPSC standards.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC regulatory case work. Making determinations of a regulatory violation more quickly contributes to the efficiency and speed of recalls for noncompliant products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
87%	89%	85%	89% <sup>19</sup>	86%	85%	✓
<b>Analysis</b>						
The CPSC exceeded the annual target of 85%; the actual FY 2021 result was 86%. Starting with FY 2020, this measure excludes fireworks cases because those cases have unique and lengthy processes.						
<b>Plan(s) for Improving Performance</b>						
Going forward, the agency will develop a strategy and contract requirements for a comprehensive case and data management solution, which will include modernizing or replacing IFS.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from the IFS, which tracks the date of sample collection and the date of regulatory violation determination. An <i>ad hoc</i> report in the system runs the computation. Calculation Formula – Divide the numerator by the denominator: <ul style="list-style-type: none"> <li><i>Numerator</i>: Count the number of cases for which a sample is determined to have a regulatory violation and the determination was made within 35 business days of sample collection. The date of the regulatory violation determination should fall within the fiscal year.</li> <li><i>Denominator</i>: Count the total number of cases for which a sample is determined to have a regulatory violation. The date of the regulatory violation determination should fall within the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>19</sup> Fireworks cases have unique processes. Starting with FY 2020, fireworks cases have been disaggregated from KM 3.1.02, and KM 3.1.03 was established to capture the disaggregated fireworks cases.

<b>Control ID</b>				<b>Program</b>		
2021KM3.1.03				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.1: Rapidly identify hazardous consumer products for enforcement action						
<b>Performance Measure Statement</b>						
Percentage of firework cases for which a compliance determination of a regulatory violation is made within 70 business days of sample collection						
<b>Definition of Performance Measure</b>						
Included in the definition of this measure is the percentage of cases for which a fireworks sample is determined, within the fiscal year, to have a regulatory violation and the determination was made within 70 business days of the date of the sample collection. Fireworks samples collected in the field and at U.S. ports of entry are sent to CPSC's National Product Testing and Evaluation Center (NPTEC) for analysis. Often, CPSC technical experts conduct additional technical analysis to determine whether a product violates CPSC standards.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC regulatory case work. Making determinations of a regulatory violation more quickly contributes to the efficiency and speed of recalls for noncompliant products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	43%	100%	85%	✓
<b>Analysis</b>						
The annual target was 85%, which was exceeded by the FY 2021 actual result of 100%. This measure was established for FY 2020 to track only fireworks cases, which were disaggregated from its original measure (KM 3.1.02). This measure now reflects more accurately the time needed for assessing fireworks samples, which often require additional time for testing. As a result, EXC achieved 100% for this measure.						
<b>Plan(s) for Improving Performance</b>						
Going forward, the agency will develop a strategy and contract requirements for a comprehensive case and data management solution, which will include modernizing or replacing IFS.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from the IFS, which tracks the date of sample collection and the date of regulatory violation determination. An <i>ad hoc</i> report in the system runs the computation.						
Calculation Formula – Divide the numerator by the denominator:						
<ul style="list-style-type: none"> <li>• <i>Numerator</i>: Count the number of cases for which a fireworks sample is determined to have a regulatory violation and the determination was made within 70 business days of sample collection. The date of the regulatory violation determination should fall within the fiscal year.</li> <li>• <i>Denominator</i>: Count the total number of cases for which a fireworks sample is determined to have a regulatory violation. The date of the regulatory violation determination should fall within the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>				<b>Program</b>		
2021KM3.2.02*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a firm is notified of a regulatory violation within 40 business days from sample collection (excludes fireworks)						
<b>Definition of Performance Measure</b>						
The firm is initially notified of a violation via phone or email, and written confirmation is obtained from the firm; the date is then entered into IFS under Notify Date. However, if written confirmation is not obtained from the firm, the Notice of Violation (NOV) <sup>20</sup> date will serve as the date of the first form of notification.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC's notice to firms of violations resulting from sample collection.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
86%	87%	86%	86% <sup>21</sup>	83%	85%	<b>x</b>
<b>Analysis</b>						
The FY 2021 result was 83%, falling slightly short of the annual target of 85%. This was due to CPSC's expansion of its ATV compliance program, resulting in a sharp increase in the number of ATV cases. Also, ATVs require longer shipping time due to product size; staff to assemble the ATVs upon arrival; additional testing by CPSC's Division of Human Factors, including age-grading analysis; and other protocols that add to the time it takes to conduct such analyses.						
<b>Plan(s) for Improving Performance</b>						
Going forward, the agency will develop a strategy and contract requirements for a comprehensive case and data management solution, which will include modernizing or replacing IFS.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from the IFS, which tracks the date of sample collection and the date of company notification. An <i>ad hoc</i> report in the system runs the computation.						
Calculation Formula – Divide the numerator by the denominator:						
<ul style="list-style-type: none"> <li><i>Numerator</i>: Count the number of cases for which the firm was first notified of a regulatory violation and the determination was made within 40 business days of sample collection. The notification date should fall within the fiscal year.</li> <li><i>Denominator</i>: Count the total number of cases for which the firm was notified of a regulatory violation. The notification date should fall within the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>20</sup> A Notice of Violation (NOV) is issued when a firm has violated a mandatory standard. NOV's are issued by the EXC and, starting in FY 2020, are also issued by the Office of Import Surveillance on behalf of EXC.

<sup>21</sup> Fireworks cases have unique processes. Starting with FY 2020, fireworks cases have been disaggregated from KM 3.2.02, and KM 3.2.05 was established as a new measure to capture the disaggregated fireworks cases.



<b>Control ID</b>				<b>Program</b>		
2021KM3.2.03*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of Fast-Track cases with corrective actions initiated within 20 business days of case opening						
<b>Definition of Performance Measure</b>						
Case Opening date is when a case is entered into the DCM System, which then generates a Case Creation date. A Stop Sale date is the date when notice was given by a firm to stop sale or distribution of the affected product and is considered the date a corrective action was initiated.						
<b>Rationale for Performance Measure</b>						
Industry has an opportunity to participate in a streamlined recall process through the Fast-Track Product Recall Program, which is designed to remove potentially dangerous products from the marketplace more quickly and save the company and the CPSC time and resources. To potentially take advantage of the Fast-Track program, a firm must, among other steps, commit to implementing a sufficient consumer-level voluntary recall within 20 business days of the case opening. Increased timeliness of processing these cases contributes to the efficiency and speed of recalls for noncompliant and defective consumer products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Target</b>	<b>2021 Target</b>	<b>Target Met?</b>
98%	96% <sup>22</sup>	97%	97%	95%	90%	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2021 target of 90%, with the actual result of 95%. In FY 2021, with stakeholder input, the agency completed development of a new online portal to improve stakeholders experience in reporting and submitting Fast-Track recall cases, as well as providing more complete information sooner.						
<b>Plan(s) for Improving Performance</b>						
The new and improved online Fast-Track portal was rolled out in the first quarter of FY 2022.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
<p>Calculation Formula – Divide the numerator by the denominator:</p> <ul style="list-style-type: none"> <li><i>Numerator</i>: Count the number of Fast-Track cases with a CAP Accept date for which a firm had a Stop Sale date within 20 business days of the Case Opening date (Case Creation date, as generated by the DCM). The CAP Accept date should fall within the fiscal year.</li> <li><i>Denominator</i>: Count the total number of Fast-Track cases with a CAP Accept date that falls within the fiscal year</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
This measure accounted for corrective action taken by a firm ( <i>i.e.</i> , product discontinued or stop sale issued) that occurred prior to the Case Opening date on DCM resulting in the computation of negative days. There are cases in this category—where a Stop Sale date happened prior to the Case Open date—meaning that the cases were already met before the cases were even opened on DCM. On a separate note, results may differ slightly due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>22</sup> A new computation method, as a result of an audit recommendation by CPSC's Office of the Inspector General, was implemented in FY 2018. The actual results since FY 2018 are not comparable to those prior to FY 2018.

<b>Control ID</b>				<b>Program</b>		
2021KM3.2.05*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of fireworks cases for which a firm is notified of a regulatory violation within 75 business days from sample collection						
<b>Definition of Performance Measure</b>						
Included in the definition of this measure is the percentage of fireworks cases for which a firm was first notified of a violation within the fiscal year and the notification date was within 75 business days of the date the fireworks sample was collected.						
The firm is initially notified of a violation via phone or email, and written confirmation is obtained from the firm; the date is then entered into IFS under Notify Date. However, if written confirmation is not obtained from the firm, the Notice of Violation <sup>23</sup> (NOV) date will serve as the date of the first form of notification.						
<b>Rationale for Performance Measure</b>						
This performance measure is an indicator of the timeliness of CPSC's notice to firms of violations resulting from fireworks sample collection.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	43%	100%	85%	✓
<b>Analysis</b>						
The FY 2021 result was 100 percent, exceeding the annual target of 85 percent. This measure was established for FY 2020 to track only fireworks cases, which were disaggregated from its original measure (KM 3.2.02). This measure now reflects more accurately the time needed for assessing fireworks samples, which often require additional time for testing. As a result, EXC achieved 100% for this measure.						
<b>Plan(s) for Improving Performance</b>						
Going forward, the agency will develop a strategy and contract requirements for a comprehensive case and data management solution, which will include modernizing or replacing IFS.						
<b>Data Source</b>						
CPSC's Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
The CPC collects data from IFS, which tracks the date of sample collection and the date of company notification. An <i>ad hoc</i> report in the system runs the computation.						
Calculation Formula – Divide the numerator by the denominator:						
<ul style="list-style-type: none"> <li>• <i>Numerator</i>: Count the number of fireworks cases for which the firm was first notified of a violation within 75 business days of sample collection date. The notification date should fall within the fiscal year.</li> <li>• <i>Denominator</i>: Count the total number of fireworks cases for which a firm was first notified of a violation within the fiscal year. The notification date should fall within the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>23</sup> A Notice of Violation (NOV) is issued when a firm has violated a mandatory standard. NOV's are issued by EXC and, starting in FY 2020, are also issued by the Office of Import Surveillance on behalf of EXC.

<b>Control ID</b>				<b>Program</b>		
2021KM3.2.06*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.2: Minimize further exposure to hazardous consumer products						
<b>Performance Measure Statement</b>						
Percentage of cases for which a corrective action plan (CAP) is accepted, or public notice of hazard issued within 90 business days of a Preliminary Determination (Hazard Priorities A, B, and C)						
<b>Definition of Performance Measure</b>						
Included in the definition of this measure is the percentage of cases where the firm accepted, within 90 days of CPSC's Preliminary Determination (PD) that was made within the fiscal year, either a Corrective Action Plan (CAP) negotiated between the CPSC and the firm or a public notice of hazard issued by the CPSC. PD is the determination made by a panel of CPSC managers on whether there is sufficient evidence to preliminarily determine the existence of a substantial potential hazard in a product. This measure is limited to cases with Hazard Priority A, B and C, and excludes Fast-Track cases.						
<b>Rationale for Performance Measure</b>						
This performance measure tracks the timeliness of CPSC's negotiation of CAPs with firms or issuance of public notices of hazards to firms. More timely negotiation of CAPs or issuance of public notices of hazard contribute to the efficiency and speed of recalls for noncompliant and defective products.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	--	75%	Baseline	N/A <sup>24</sup>
<b>Analysis</b>						
This measure was new for FY 2021. It was established to monitor substantial hazard work performed by the agency's Enforcement and Litigation Division (CEL), a new division under CPSC's Office of Compliance & Field Operations (EXC). Established in FY 2020, the new CEL is responsible for substantial product hazard investigations, administrative litigation, and civil penalty work. The new division integrates attorneys at the line and supervisory levels to help strengthen EXC's ability to make analytically sound substantial product hazard determinations efficiently and effectively and negotiate CAPs.						
<b>Plan(s) for Improving Performance</b>						
This measure better reflects effective work on substantial hazard matters. In FY 2022, the target is set for 60%.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System						
<b>Data Collection Method and Computation</b>						
The CPSC collects data from DCM on all Compliance Action (CA) initiated cases and non-Fast-Track reported cases where, within 90 days of the PD that was made during the fiscal year, the firm accepts either: (1) a CAP negotiated between the CPSC and the firm; or (2) a public notice of hazard issued by the CPSC. This measure is limited to cases with Hazard Priority A, B and C, and excludes Fast-Track cases. Calculation Formula – Divide the numerator by the denominator: <ul style="list-style-type: none"> <li>• <i>Numerator</i>: Count the number of cases for which the firm, within 90 days of the PD, accepted either: (1) a CAP that was negotiated between the CPSC and the firm; or (2) a public notice of hazard issued by the CPSC. The PD date should fall within the fiscal year.</li> <li>• <i>Denominator</i>: Count the total number of cases, where PD was made during the fiscal year, for which the firm accepted either: (1) a CAP that was negotiated between the CPSC and the firm; or (2) a public notice of hazard issued by the CPSC.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<sup>24</sup> Correction: This measure was reported as "Met" in [CPSC's FY 2021 Agency Financial Report](#), but it should be reported as N/A (not applicable) instead.

<b>Control ID</b>				<b>Program</b>		
2021KM3.3.01*				Compliance & Field		
<b>Strategic Goal</b>						
Goal 3: Response						
<b>Strategic Objective</b>						
3.3: Improve consumer response to consumer product recalls						
<b>Performance Measure Statement</b>						
Recall effectiveness rate for all consumer product recalls						
<b>Definition of Performance Measure</b>						
Included in the definition of this measure is the percentage of recalled products within the fiscal year that were corrected during the fiscal year. The CPSC deems a case to be closed when the last action is taken via the firm's report(s) of significant improvement and collection of recall products, a decision is made to not conduct a recall, or other unique reasons or circumstances.						
<b>Rationale for Performance Measure</b>						
<p>"Recall effectiveness" is the degree to which a recall is successful in improving consumer safety by producing the desired results, including, but not limited to: (1) mitigation of the hazard (2) notifying consumers of the problem (3) appropriately encouraging consumers to take action.</p> <p>The performance measure is intended to improve understanding of the overall effectiveness of product recalls at all levels, including products at the manufacturer, distributor, retailer, and consumer levels. Typically, recalls of consumer products are conducted voluntarily by firms that work with the CPSC to develop a CAP that will protect the public from potentially unsafe products. Recalls include a notice to the public and some remedial measures, such as a repair, a replacement of the product, or a refund to the purchaser.</p>						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
41%	17%	21%	33%	32%	25%	✓
<b>Analysis</b>						
The target was 25%; the FY 2021 actual result was 32%. While the CPSC met the target this year, the recall effectiveness rate is highly volatile and is dependent on the type of product, the price point of the product, and/or the number of units involved in the recalls, as well as consumers' responses to the recalls.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue working with recalling firms to maximize notification to consumers, including through direct notice, social media, and other technological means.						
<b>Data Source</b>						
CPSC's Dynamic Case Management (DCM) System and Integrated Field System (IFS)						
<b>Data Collection Method and Computation</b>						
Recall information is gathered from Monthly Progress Reports provided by the recalling firms. The information is then entered into CPSC's DCM system. This measure tracks the percentage of DCM-closed cases for the fiscal year.						
<p>Calculation Formula – Divide the numerator by the denominator:</p> <ul style="list-style-type: none"> <li><i>Numerator</i>: Count the number of products that were recalled and corrected during the fiscal year.</li> <li><i>Denominator</i>: Count the number of products that were recalled during the fiscal year.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
The CPSC relies on the data provided by the recalling firms. Results may differ slightly, due to updates, edits, or corrections to case data that may occur, after the team lead completes the fiscal year-end run of data and reports the results.						

<b>Control ID</b>		<b>Program</b>				
2021KM4.1.02		Communications				
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.1: Improve usefulness and availability of consumer product safety information						
<b>Performance Measure Statement</b>						
Number of engagements with CPSC safety messaging on social media channels by stakeholders (in millions)						
<b>Definition of Performance Measure</b>						
Number of stakeholder engagements with CPSC safety messages on Twitter, Instagram Facebook, and YouTube, as measured by contracted social media monitoring services						
<b>Rationale for Performance Measure</b>						
Engagement refers to consumers or other individuals who like, share, forward, or re-tweet CPSC safety messages or content on social media platforms.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
0.3	0.8	1.5	12.1	9.3	3.0	✓
<b>Analysis</b>						
The CPSC exceeded the FY 2021 target of 3 million with more than 9.3 million engagements. The continued success in FY 2021 was due in part to CPSC's social media strategy, which helped engagements continue going viral and was bolstered by effective paid social media campaigns throughout the year.						
<b>Plan(s) for Improving Performance</b>						
The CPSC will continue to design and develop new online and social media communication to disseminate CPSC safety messaging through social media and drive more engagement with CPSC safety messages. Additionally, in FY 2022, OCM will update its social media strategy to target communities that have historically been difficult to reach.						
<b>Data Source</b>						
CPSC's contracted social media monitoring companies for data on engagement.						
<b>Data Collection Method and Computation</b>						
Data are provided by contracted media monitoring companies that subscribe to media measurement tools that are used by a broad spectrum of companies, such as advertisers, agencies, and research firms that need reliable audience data. All engagement data are added together in a spreadsheet.						
<b>Data Limitations and Implications of the Reported Results</b>						
Units of social media engagement vary among the different media platforms. The reported result is a mixture of these engagement units.						

<b>Control ID</b>				<b>Program</b>		
2021KM4.2.04*				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Number of national media placements of CPSC stories						
<b>Definition of Performance Measure</b>						
Placements of CPSC-generated news stories in national newspapers, national online news services, network and cable broadcasts, and network affiliate service broadcasts.						
<b>Rationale for Performance Measure</b>						
National placements of CPSC-generated news stories garner the largest potential audience for CPSC safety messages, as opposed to placing them in local newspapers or local broadcasts.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	12	16	10	✓
<b>Analysis</b>						
The CPSC completed 16 national media placements of CPSC stories, exceeding the FY 2021 target of 10 placements. Some examples of CPSC stories include treadmill recalls, information about gasoline storage safety due to shortages related to the pandemic, and residential elevator warnings and recalls. The CPSC had success generating national media placements due to newsworthiness of the stories, and creative pitching by Office of Communications (OCM) staff.						
<b>Plan(s) for Improving Performance</b>						
Due to the success in FY 2021, for FY 2022, the agency has raised its annual target to 15 national media placements of CPSC stories. Additionally, the CPSC has hired a Communications Coordinator to focus on media outreach work.						
<b>Data Source</b>						
(1) CPSC-contracted monitoring services, including TVEyes and Meltwater, and (2) CPSC public relations (PR) agency-contracted monitoring services						
<b>Data Collection Method and Computation</b>						
OCM staff collects data from the contracted monitoring companies, then enters the data to an Excel spreadsheet to calculate final results.						
<b>Data Limitations and Implications of the Reported Results</b>						
None						

<b>Control ID</b>				<b>Program</b>		
2021KM4.2.06*				Communications		
<b>Strategic Goal</b>						
Goal 4: Communication						
<b>Strategic Objective</b>						
4.2: Increase dissemination of useful consumer product safety information						
<b>Performance Measure Statement</b>						
Percentage of recall press releases cycled through the Office of Communications in 2 business days or less, once received from the Office of Compliance & Field Operations						
<b>Definition of Performance Measure</b>						
Offices within the CPSC, and the recalling firm, work together to formulate and announce recall press releases as expeditiously as possible to protect consumers from hazardous recalled products.						
This measure tracks the percentage of recall press releases issued to the public by CPSC's Office of Communications (OCM) within 2 business days of receiving a draft from the Office of Compliance & Field Operations (EXC).						
<b>Rationale for Performance Measure</b>						
This measure was newly established in FY 2021, to serve as a replacement for KM4.2.05 – Percentage of recall press releases issued in 22 business days or less from first draft (last reported in the FY 2020 APR). This new measure was established as an improved measure to track CPSC's timeliness of recall press releases.						
<b>2017 Actual</b>	<b>2018 Actual</b>	<b>2019 Actual</b>	<b>2020 Actual</b>	<b>2021 Actual</b>	<b>2021 Target</b>	<b>Target Met?</b>
--	--	--	--	96%	80%	✓
<b>Analysis</b>						
This was a new measure in FY 2021. It was established to capture the part of the recall process that is within OCM's control. The FY 2021 result was 96%; the target of 80% was exceeded because OCM made it a priority to respond to EXC on recall releases within 2 business days.						
<b>Plan(s) for Improving Performance</b>						
OCM will continue prioritizing quick response to EXC by keeping recall press release turnaround at 2 business days or less.						
<b>Data Source</b>						
OCM's Tracking Spreadsheet: Recall Press Release Log						
<b>Data Collection Method and Computation</b>						
OCM counts the number of days it takes to turnaround recalls and recall alerts for every version of draft recall press release received from EXC.						
Calculating the Result – Divide the numerator by the denominator:						
<ul style="list-style-type: none"> <li>• <i>Numerator</i>: The number of recall press releases issued by OCM within 2 business days once the draft recall press release has been received from EXC.</li> <li>• <i>Denominator</i>: The total number of recall press releases issued by OCM.</li> </ul>						
<b>Data Limitations and Implications of the Reported Results</b>						
None						

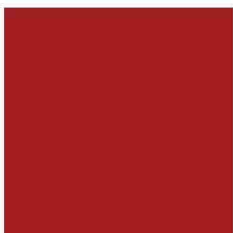
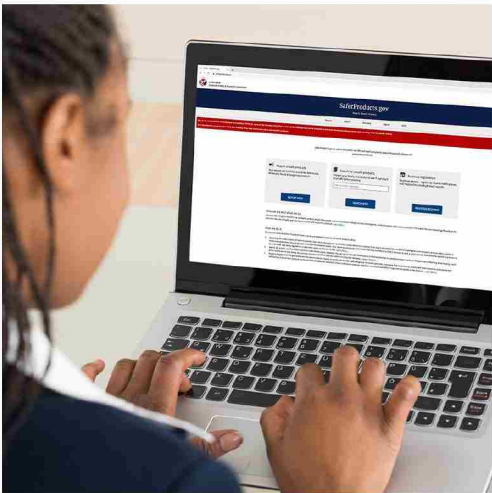
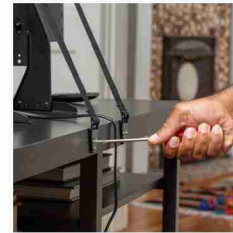
## Appendix D

### Acronyms

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AI/ML	Artificial Intelligence and Machine Learning
AOA	Analysis of Alternatives
APR	Annual Performance Report
ARPA	American Rescue Plan Act of 2021
BPR	Business Process Review
CAP	Corrective Action Plan
CBP	U.S. Customs and Border Protection
CDC	U.S. Centers for Disease Control and Prevention
CFR	Code of Federal Regulations
CONOPS	eCommerce Concept of Operations and Implementation Plan
CPSA	Consumer Product Safety Act
CPSC	U.S. Consumer Product Safety Commission
CPSIA	Consumer Product Safety Improvement Act of 2008
DCM	Dynamic Case Management System
FEVS	Federal Employee Viewpoint Survey
FTE	Full-time Equivalent
FY	Fiscal Year
IFS	Integrated Field System
ITDS	International Trade Data System
NEISS	National Electronic Injury Surveillance System
NIOSH	National Institute for Occupational Safety and Health
NIST	National Institute of Standards and Technology
OECD	Organisation for Economic Cooperation and Development
OFR	Organohalogen
OMB	Office of Management and Budget
OPM	U.S. Office of Personnel Management
PBR	Performance Budget Request
RAM	Risk Assessment Methodology
SBO	Small Business Ombudsman
SDR	Strategic Data Review
VGB Act	Virginia Graeme Baker Pool and Spa Safety Act





**U.S. CONSUMER PRODUCT SAFETY COMMISSION**  
 4330 East West Highway | Bethesda, MD 20814  
 Consumer Hotline and General Information:  
 (800) 638-2772 | TTY (800) 638-8270  
 CPSC.gov

# Exhibit K

(FILED UNDER SEAL)