

# CPSC Commissioner Ann Marie Buerkle Elected Vice Chair; CPSC under Regulatory Freeze

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On January 19, 2017, Commissioners at the Consumer Product Safety Commission elected Commissioner Ann Marie Buerkle to be the next vice chair. Commissioner Buerkle was appointed to the agency by President Obama in May 2013 with a term expiring in October 2018. As vice chair, Buerkle would become acting CPSC chair if that position is vacated by Elliot Kaye. Chairman Kaye, who was nominated by President Obama in 2014, has not indicated any intention to step down, but may be asked to leave, as CPSC regulations allow, by the new Administration. If Chairman Kaye voluntarily steps down or is asked to leave, Vice Chairwoman Buerkle would assume the position of Acting Chair until a new chair is appointed by the President and confirmed by the Senate.

Commissioner Buerkle has been vocal in her opposition to the CPSC's recent proposals to increase civil monetary penalties and to modify the voluntary recall program and 6(b) rules. "Without question," Commissioner Buerkle [testified](#), "these initiatives undermine any engagement and collaborative efforts" between the Agency and all stakeholders, especially the regulated community.

The election of Commissioner Buerkle comes one day before the White House ordered an immediate freeze of pending regulations. In a [memo](#) to federal departments and agencies, the Trump Administration said the freeze was designed to ensure President Donald Trump's appointees or designees "have the opportunity to review any new or pending regulations." The regulatory freeze halts until further notice any regulation yet to be sent or yet to be published in the Federal Register. This includes a number of regulations proposed by the CPSC, in particular, the proposed 6(b) rules setting forth CPSC's policy on the public disclosure of information from which the identity of a manufacturer or private labeler of a product can be ascertained.

We will continue to monitor for further developments.