

Congress of the United States
Washington, DC 20515

July 1, 2019

Chairman (Acting) Ann Marie Buerkle
Consumer Product Safety Commission
4330 East West Highway
Bethesda, MD 20184-4408

Dear Acting Chairman Buerkle,

We write regarding the proceedings taking place at the Consumer Product Safety Commission (CPSC) regarding the proposed Amendments to Fireworks Regulations [Docket No. CPSC-2006-0034]. It is important that the CPSC act with caution and allow maximum opportunity for industry to work towards the goal of consumer protection; while preserving the fireworks that Americans treasure as a symbol of our nation's independence and heritage.

While the issues of the proposed rulemaking are complex, it is clear from numerous comments on the public record that there is significant disagreement over the potential impact of the proposed regulations. While some claim the proposed regulations will be an improvement, others express grave concerns that they will not improve safety and will hurt small businesses and decrease the availability of some of the most popular consumer fireworks.

On July 17, 2017, the U.S. Small Business Administration Office of Advocacy sent a letter to the commission stating that "the CPSC's Initial Regulatory Flexibility Analysis (IRFA) is inadequate in assessing the costs to small business. Advocacy recommends that CPSC publish for public comment either a supplemental IRFA that properly assesses the costs to small businesses and includes alternatives to the rule with cost data and explanations as to why the alternatives were not selected; or if the Commission determines the rule will not have a significant impact on a substantial number of small entities, certify the rule using a proper factual basis and certification language." U.S. Small Business Administration Office of Advocacy created to represent the views of small entities before federal agencies and Congress, recognizes that the proposed rules are not ready to be promulgated, and so do we.

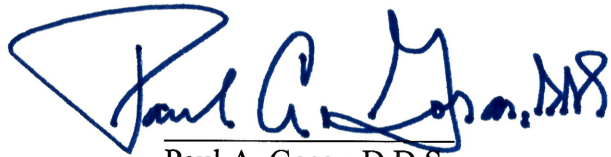
Given these concerns and the potential impact of the proposed regulations on American businesses, workers and consumers, we encourage the CPSC to continue to act with caution in moving forward with the proposal. Careful attention and consideration should be given to the comments and evidence on the record, and a decision should not be rushed. Maximum opportunity should be given to discuss and analyze the proposal to ensure that its potential effects are fully vetted and scrutinized.

As America prepares to celebrate its 243rd birthday on July 4th, we encourage the Commission to allow as much time as possible to evaluate the proposed regulations and get them right. If not, the possibility exists that during this time of great patriotism and economic expansion, the proposed regulations, if enacted, would cause irreparable harm to many American fireworks businesses without any benefit to consumer safety.

Thank you for your continued thoughtful consideration of these matters, and your service to the American public.



Dusty Johnson
Member of Congress



Paul A. Gosar, D.D.S.
Member of Congress



Doug LaMalfa
Member of Congress



Tim Burchett
Member of Congress