

Madam Speaker, I want to emphasize something that Mr. TONKO was talking about, because let's not forget why we are here. Racehorses in the United States are injured at a much higher rate than the rest of the horse-racing world, resulting in nearly 500 horses dying every year.

One of the keys to stopping injuries and deaths is establishing strong drug policies, training, and racing protocols and racetrack standards. Standards like pre-race detection and appropriate treatment for injuries. The stress and pressure generated by an 1,100-pound animal sprinting down the track at, sometimes a rate of up to 40 miles an hour, can cause minor injuries to become fatal breaks.

Madam Speaker, as a former horse owner myself, and my horse came from a track not among the names that Mr. BARR listed—actually, he was probably thrown off the track, he wasn't very good—and came to the barn that I would go to. And I had the pleasure of having some years of the rest of his life for him to be my horse—BJ Sullivan.

He would take me down the paths in the forest preserve and he also helped me learn how to jump over fences, not too high, but pretty well. And I think sometimes, until this piece of legislation, maybe he was kind of lucky not to be one of the winners, and not to be one of the ones who would be drugged and not protected. And as the stand-in jockey, I was pretty safe on the back of BJ Sullivan, who was very honest when it came to jumping over fences.

Madam Speaker, I am very, very proud today. Rather than treating the underlying conditions, some racehorses are given pain medications to ease their pain, and the pain medications mask the relatively minor injuries that could actually become much more serious.

This legislation, as you heard in detail, I think is the kind of legislation that is really going to enhance the industry and enhance the safety of riders, of jockeys, as well as our horses.

Madam Speaker, I am so proud to be a cosponsor of the bill, and I thank our lead sponsors.

Mr. PALLONE. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I thank everyone who spoke. I know that Ms. SCHA-KOWSKY is such a champion for animals—horses and other animals. And, of course, Mr. TONKO has worked so hard and aggressively—I guess is the best way to put it—on this legislation. But also, when I listen to Mr. BARR, my colleague from Kentucky, talk about Kentucky and racetracks, I could just as easily have substituted Monmouth Park, which is my thoroughbred track, for almost everything he said.

Monmouth Park is less than a mile from my district office in my hometown. My father, my uncle—so many people in my family—either worked there or bet there or enjoyed the horses there. But particularly when you

talked about the industry, in my home county, which is Monmouth County, it is not only a question of jobs, which there are so many that depend on the track, but also open space.

As you know, New Jersey is the most densely populated State. And we are in part of the State that still has a lot of farms, but most of them are horse farms. And without those horse farms, the very character of Monmouth County would not be the same. Whether it is the economics, whether it is open space, or it is just a tradition, this bill makes it possible, in my opinion, for that to continue. And, hopefully, as Mr. BARR said, open up to new fans as well.

Madam Speaker, this is a very important piece of legislation, and I urge my colleagues to support it.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 1754, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CONSUMER PRODUCT SAFETY INSPECTION ENHANCEMENT ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 8134) to support the Consumer Product Safety Commission's capability to protect consumers from unsafe consumer products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8134

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Consumer Product Safety Inspection Enhancement Act".

#### SEC. 2. ENHANCED RISK ASSESSMENT METHODOLOGY.

Section 17 of the Consumer Product Safety Act (15 U.S.C. 2066) is amended by adding at the end the following new subsection:

"(i) ENHANCED RISK ASSESSMENT METHODOLOGY.—

"(1) IN GENERAL.—Not later than 18 months after the date of enactment of the Consumer Product Safety Inspection Enhancement Act, the Commission shall enhance targeting, surveillance, and screening of consumer products entering the United States at ports of entry, including ports of entry for de minimis shipments, by—

"(A) working in consultation with Customs and Border Protection to—

"(i) access and leverage all available data, including manifest data, to enhance targeting of violative consumer products, including de minimis shipments containing violative consumer products;

"(ii) access and leverage intellectual property rights seizure data to target products that may have both intellectual property

rights infringements and consumer product safety violations;

"(iii) prioritize shipments coming from the People's Republic of China; and

"(iv) use the Participating Government Agencies Message Set, or any successor program, and additional consumer product specific data elements, including certificates of compliance and any other data that the Commission needs, to help risk assess and target violative consumer products; and

"(B) building and improving information technology systems to support electronic access to and connection with the data and targeting systems associated with express consignment carrier facilities, international mail facilities, electronic commerce platforms, and other applicable system participants.

"(2) ELECTRONIC FILING OF CERTIFICATES OF COMPLIANCE.—Beginning not later than 2 years after the date of enactment of the Consumer Product Safety Inspection Enhancement Act, certificates of compliance shall be filed electronically for consumer products intended for entry into the United States to enhance risk assessment and target de minimis shipments containing violative consumer products.

"(3) DEFINITIONS.—As used in this subsection—

"(A) the term 'de minimis shipments' means articles containing consumer products entering the United States under the de minimis value exemption in 19 U.S.C. 1321(a)(2)(C);

"(B) the term 'express consignment carrier facility' means a separate or shared specialized facility approved by the port director solely for the examination and release of express consignment shipments;

"(C) the term 'ports of entry for de minimis shipments' means environments where de minimis shipments are processed, including express consignment carrier facilities, international mail facilities, and air cargo facilities;

"(D) the term 'violative consumer products' means consumer products in violation of an applicable consumer product safety rule under this Act or any similar rule, regulation, standard, or ban under any other Act enforced by the Commission."

#### SEC. 3. ADDITIONAL CPSC SURVEILLANCE PERSONNEL AT KEY PORTS OF ENTRY FOR DE MINIMIS SHIPMENTS.

The Commission shall hire, train, and assign not fewer than 16 full-time equivalent personnel during each fiscal year and to be stationed at or supporting efforts at ports of entry, including ports of entry for de minimis shipments, for the purpose of identifying, assessing, and addressing shipments of violative consumer products. Such hiring shall continue during each fiscal year until the total number of full-time equivalent personnel equals and sustains the staffing requirements identified in the report to Congress required under section 4.

#### SEC. 4. REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Commission shall transmit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available, a study and report assessing the risk to consumers associated with the targeting and screening of de minimis e-commerce shipments.

(b) REPORT REQUIREMENTS.—In the study and report, the Commission shall—

(1) examine a sampling of de minimis shipments at a sufficient and representative sample of all types of ports of entry where de minimis shipments are processed, including

express consignment carrier facilities, international mail facilities, and air cargo facilities to assess the extent to which such shipments include violative consumer products;

(2) examine a sampling of shipments coming from the People's Republic of China to identify trends associated with the shipment of products containing both intellectual property rights infringements and consumer product safety violations;

(3) detail plans and timelines to effectively address targeting and screening of de minimis shipments to prevent the entry of violative consumer products entering into the commerce of the United States taking into consideration projected growth in e-commerce;

(4) establish metrics by which to evaluate the effectiveness of the Commission efforts to reduce the number of de minimis shipments containing violative consumer products from entering into the commerce of the United States; and

(5) assess projected technology and resources, including staffing requirements necessary to implement such plans.

#### SEC. 5. DEFINITIONS.

In this Act—

(1) the term “Commission” means the Consumer Product Safety Commission;

(2) the term “de minimis shipments” means articles containing consumer products entering the United States under the de minimis value exemption in 19 U.S.C. 1321(a)(2)(C);

(3) the term “ports of entry for de minimis shipments” means environments where de minimis shipments are processed, including express consignment carrier facilities, international mail facilities, and air cargo facilities;

(4) the term “violative consumer products” means consumer products in violation of an applicable consumer product safety rule under the Consumer Product Safety Act or any similar rule, regulation, standard, or ban under any other Act enforced by the Commission;

(5) the term “electronic commerce platform” or “e-commerce platform” means any electronically accessed platform that includes publicly interactive features that allow for arranging the sale, purchase, payment, or shipping of goods, or that enables a person other than an operator of such platform to sell or offer to sell physical goods to consumers located in the United States; and

(6) the term “express consignment carrier facility” means a separate or shared specialized facility approved by the port director solely for the examination and release of express consignment shipments.

#### SEC. 6. SAVINGS CLAUSE.

Nothing in this Act shall be construed to limit, affect, or conflict with any other authority of the Commission or any other statutory requirements governing the Commission.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. PALLONE) and the gentlewoman from Washington (Mrs. RODGERS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

#### GENERAL LEAVE

Mr. PALLONE. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 8134.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Madam Speaker, I rise to speak in support of H.R. 8134, the Consumer Product Safety Inspection Enhancement Act, and I yield myself such time as I may consume.

Madam Speaker, this bipartisan legislation was introduced by Consumer Protection and Commerce Subcommittee chair JAN SCHAKOWSKY and Representative JEFF DUNCAN and advanced out of the Committee on Energy and Commerce on September 9 by a voice vote.

This important legislation will empower the Consumer Product Safety Commission with the data it needs to protect Americans from the flood of unsafe products entering our Nation from overseas, especially e-commerce shipments entering under the de minimis value exemption. It will also help ensure the Commission has adequate staffing to support these efforts.

Madam Speaker, e-commerce spending has risen steeply during the COVID-19 pandemic as Americans turn to online shopping to safely get needed goods or to find scarce supplies. Even before the pandemic, however, the CPSC was projecting that the number of e-commerce shipments to the United States would soon reach 60 million per year and represent well over 50 percent of the total volume of imports under the agency's jurisdiction.

Despite the rapid growth in e-commerce, these shipments entering the U.S. from overseas continue to face little scrutiny at our ports and often contain fake or dangerous products.

Currently, CPSC inspectors are present at only 6 percent of U.S. ports and concentrated only at seaports that receive large, high-value shipping containers. The agency virtually has no presence at the kinds of ports where millions of e-commerce shipments enter the United States, such as express courier facilities, international mail facilities, and airports.

We need CPSC inspectors stationed in all these types of places to prevent unsafe products from entering the U.S. and harming Americans. CPSC will also need more data and more advanced IT infrastructure in order to properly assess risk and target potentially unsafe e-commerce shipments.

Madam Speaker, H.R. 8134 addresses all these issues. It expands CPSC's presence at ports, to include the type of ports where e-commerce shipments enter. It also empowers the CPSC to collect the data it needs to identify and block e-commerce shipments that disregard our consumer product safety laws and standards.

This bill would protect American consumers from unsafe consumer products, at the same time an expanded and enhanced import surveillance program will also protect manufacturers and retailers from having to carry out costly recalls.

Madam Speaker, I, again, commend Chairwoman SCHAKOWSKY and Representative DUNCAN for introducing

this bill. I also thank Ranking Member WALDEN and subcommittee Ranking Member RODGERS for working with us to move this bill through the Committee on Energy and Commerce on a bipartisan basis.

Madam Speaker, I call on my colleagues to support this measure, and I reserve the balance of my time.

Mrs. RODGERS of Washington. Madam Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 8134, the Consumer Product Safety Inspection Enhancement Act.

This bill will give the Consumer Product Safety Commission important tools to crack down on unsafe and counterfeit products at our Nation's ports.

As dangerous items and products that infringe on our companies' intellectual property flow into the country from China and other countries, it is essential that we empower the CPSC to find these products before they enter the country.

Madam Speaker, I applaud Mr. DUNCAN and Chair SCHAKOWSKY for their leadership, and I reserve the balance of my time.

Mr. PALLONE. Madam Speaker, I yield such time as she may consume to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the subcommittee chairwoman.

Ms. SCHAKOWSKY. Madam Speaker, I thank the chairman for yielding to me. I rise in strong support of H.R. 8134, the Consumer Product Safety Inspection Enhancement Act, a bill that I introduced with my friend and colleague, JEFF DUNCAN.

E-commerce spending is surging right now during the COVID-19 pandemic as Americans turn to online shopping for household essentials, personal protective equipment, back-to-school supplies, and more.

However, e-commerce shipments entering the United States from overseas face little scrutiny and often contain fake or dangerous products. It is time that we empower the Consumer Product Safety Commission to collect the data it needs to identify and block e-commerce shipments that can harm consumers and that don't offer the protection and safety that they need.

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This legislation would give the CPSC the data that it needs to protect Americans from the flood of unsafe products that are coming in.

This legislation is a critical first step to restoring confidence in e-commerce sites, but this bill is not a silver bullet. Much more needs to happen.

Earlier this month, CNN reported that products sold on Amazon had burst into flames, causing significant bodily harm and property damage as well.

Madam Speaker, I include in the RECORD that article.

[From CNN, Sept. 10, 2020]

DOZENS OF AMAZON'S OWN PRODUCTS HAVE BEEN REPORTED AS DANGEROUS—MELTING, EXPLODING OR EVEN BURSTING INTO FLAMES. MANY ARE STILL ON THE MARKET

(By Blake Ellis and Melanie Hicken)

(CNN) When firefighters arrived at Austin Parra's home on January 12, 2017, they could see smoke and the charred remnants of an office chair outside.

Parra, then 20, had been transported to the hospital. His mother explained to firefighters that her son's chair caught on fire while he was sleeping, and he was burned as he carried the flaming chair outside.

Anthony Dignoti, the Wethersfield, Connecticut, fire marshal in charge of investigating the incident, could see that the door and door frame were damaged by the fire as well. He noticed bowls strewn about, which he wrote in his official report had been filled with water in an attempt to extinguish the fire.

The fire at Austin Parra's home originated with an AmazonBasics USB cord, Fire Marshal Anthony Dignoti determined. (Courtesy Wethersfield Fire Marshal's Office)

But most interesting to Dignoti was a white USB cord. Part of the cord was hanging off the chair and still intact, but the other side was stuck to the seat and had melted into a bare wire, he said in his report and an interview with CNN.

Dignoti ultimately concluded that the fire originated with the cord Parra was using to charge his cellphone. His report stated the cord experienced a short circuit, and while it was unclear why this happened, "the heat produced by the cord ignited the upholstery for the office chair."

The cord had been branded with the name of the world's largest online retailer: Amazon. It was sold by one of Amazon's popular private label lines, AmazonBasics, which offers budget-friendly products including consumer electronics, household appliances, home goods and office accessories.

Launched in 2009, AmazonBasics has grown to offer more than 5,000 products, according to the retailer. Its mission: identifying everyday items that Amazon can create at a similar or higher quality and lower price point when compared to existing name brands—a strategy also employed by companies such as Costco and Target.

#### KEY FINDINGS

Using keywords including "fire," "dangerous" and "burn," reporters identified more than 1,500 reviews about AmazonBasics electronics and appliances posted by US customers on Amazon.com from 2016 through early 2020 that described safety-related issues.

More than 10 percent of the reviews identified by CNN reported that products had caught fire—in some cases describing how flames shot out of the devices.

Nearly 200 included reports of damage to homes or belongings, including charred walls and fried cellphones.

A growing number of AmazonBasics products, which the company promotes heavily on its site, have become bestsellers since the line's inception, and many have ratings above four stars, according to Marketplace Pulse research. In recent months, the online retailer's sales have been soaring as millions of Americans have been staying at home—and in many cases working remotely—during the ongoing pandemic.

But consumers have raised serious safety concerns about AmazonBasics items in complaints to government regulators and in reviews posted on Amazon's own website. Since 2016, at least 1,500 reviews, covering more than 70 items, have described products ex-

ploding, catching on fire, smoking, melting, causing electrical malfunctions or otherwise posing risks, according to an analysis of AmazonBasics electronics and appliances listed on its website.

The reviews identified represent a small fraction of the overall purchases of the products, and fires caused by consumer electronics are not unique to Amazon branded items. User error can also be a factor, as can faulty or aging wiring within a home or a defective device being used in conjunction with the product.

But when well-made and used properly by consumers, electronics like those sold under the AmazonBasics name should rarely pose dangers, said electrical engineers interviewed by CNN.

Dozens of AmazonBasics product are flagged as dangerous, but many are still being sold. Within the more than 1,500 reviews, many consumers explicitly called out items as potentially dangerous—using terms such as "hazard" or "fire" or saying the product should be recalled. Around 30 items with three or more reviews like this remain for sale on Amazon.com today. At least 11 other products that fit this criteria were no longer for sale at the time of publication. Some became unavailable after CNN began its reporting, and at least four product pages were removed from the retailer's site entirely—leaving behind dead URLs known by employees as "dog pages." Amazon confirmed that at least eight of these products had been under investigation, but said the company determined they all met its safety standards.

Customers have written in their reviews and said in interviews that they trusted that AmazonBasics purchases would be safe and well made since they were branded with Amazon's name and frequently touted as "Amazon's Choice." But even as complaints have mounted, the company has provided little or no information to consumers or the public about how it is handling allegations that some of its merchandise is unsafe.

This review was written about an AmazonBasics car charger that has multiple consumer safety complaints.

Amazon shoppers have recounted frightening malfunctions and close calls in vivid detail: A surge protector turned into a "blowtorch," one father recalled—saying that flames shot out of the device, which was near his baby's nursery. Phone chargers were said to have burned peoples' hands and legs, and exploding batteries allegedly sprayed chemicals in someone's face. A USB cord burst into flames in a parked car while a toddler was inside, according to one parent. A charger in another car was reported as starting an electrical fire on the freeway, allegedly burning the driver and a jacket. Paper shredders turned on by themselves, according to multiple consumers, and one reportedly blew up in a "fireball," burning someone's arm and singeing the hair off. And a microwave suddenly caught on fire when an 8-year-old went to heat up her macaroni and cheese cup as she had done "a zillion times," a mother claimed, saying she had to take the appliance outside and spray it with a hose. Each of these purchases were "verified," meaning Amazon confirmed that the customer who wrote the review actually purchased the product on the site and didn't receive a "deep discount," according to its website. Several were accompanied by photos of the burned items.

More than 150 reviews about the AmazonBasics microwave describe safety concerns including flames and smoke.

While the best way to determine why something malfunctioned is to physically test it and take it apart, many customers said they immediately threw out the defec-

tive devices or sent them back to Amazon at the company's request.

CNN obtained two damaged AmazonBasics products from customers: a microwave that a customer said caught fire and a USB cord a user said overheated and melted. These were tested by researchers at the failure analysis lab at the University of Maryland's Center for Advanced Life Cycle Engineering (CALCE) at CNN's request.

The USB cord was too burned for researchers to determine what had gone wrong. The microwave testing found that the design of the panel covering the heating device inside the microwave could result in the machine catching on fire, and determined that the way the panel was secured could allow debris such as food or grease to collect behind it and possibly ignite. As soon as the researchers turned it on, the microwave began sparking and smoking, causing it to react as if its user put foil or other metal inside. The testing was cut short when the lab was closed due to Covid-19.

"There's a risk in using this machine for sure, and it's a safety risk because this clearly heated up to the extent a fire could occur," said engineering professor Michael Pecht, who is the founder of CALCE and has previously assisted in government safety investigations. "This is more than a reliability problem, this is a potential safety problem."

Amazon did not comment on whether any improvements had been made to the microwave, but said it is confident the microwave is safe to use and that it continues to "meet or exceed" all of the applicable certification requirements.

The retailer said "safety is a top priority" at the company and that it takes a number of steps to ensure all AmazonBasics products are safe and high quality, such as selecting experienced manufacturers, monitoring customer feedback and testing items to ensure they pass safety and compliance standards both before and after they are available. It also said AmazonBasics offers thousands of products which combined have more than 1 million reviews, and that concerns are thoroughly investigated and that the company acts accordingly.

"Not safe," one verified purchaser wrote in a review about an AmazonBasics microwave, including a home video that shows the device sparking and making loud popping noises.

"The outcome of the investigation varies on a case by case basis and may include removing the product from the store, adjusting the design of the product, notifying customers to stop using the product, or other appropriate action," a company spokesperson said in a statement. "We want customers to shop with confidence and if ever a customer has a concern, they can contact customer service and we will investigate."

Amazon said there are a number of reasons an item may no longer be available, but that customers will be notified if a critical safety issue is identified. When asked how frequently the company has done this, Amazon said it had notified customers about an AmazonBasics product less than five times. It did not specify whether it did this for any of the items reviewed by CNN.

#### 'IT'S A RED FLAG'

Amazon has already been under intense scrutiny for allowing third party sellers with allegedly dangerous offerings to do business on the site, and multiple court rulings have found that the retailer can be held liable for defective items sold in its third party marketplace. CNN's analysis focused on products sold with Amazon's own name on them—a growing part of the retailer's business.

The reviews come from people living all over the United States and span five years, but they often call attention to the very

same problems: The same panel within a microwave catching fire, USB cords melting or burning despite no visible wear and tear or overuse, and paint on outdoor patio heaters lighting on fire. Consumers alleged items malfunctioned the first time they plugged them in. Others said electronics were not in use when they began malfunctioning.

In general, one or two reports of problems could be more easily chalked up to user error or other external factors, multiple electrical engineers said. But as the number of reports about the same kinds of failures increases about the same item, so does the likelihood that there is a defect in the design or manufacturing.

Researchers at the CALCE lab compare a new AmazonBasics microwave to one that had visible burn damage.

"That would certainly lead to more suspicion that the product is at fault," said Mark Horenstein, a professor at Boston University's College of Engineering. "It's a red flag." Amazon said customer reviews are only one indication of a potential issue, saying it looks at a number of other factors such as sales history, returns and customer service contacts when assessing potential problems. "Using customer reviews alone to conclude a product is unsafe or imply there's a widespread issue is misleading," the company said in a statement. Former Amazon employees said that even a few reviews mentioning words like "fire" and "hazard" should automatically prompt the retailer to take action. Amazon said reviews are monitored and can trigger safety investigations, but it declined to provide details about the specific threshold needed for this to happen. The company said products may be temporarily removed during such inquiries and that in order to keep selling something, it must be confirmed to be safe. It also said that if an investigation uncovers a "potential, non-isolated safety issue," it takes appropriate measures to notify the government and "safely recall the product." This AmazonBasics surge protector remains for sale despite reviews about dangers and a report to the CPSC that it "made a loud popping noise, sparked, and the case was opened by the force of the damage." Amazon said the product is safe and that most reports involved customers who plugged in multiple large electronics. Some reviews identified by CNN said nothing was plugged into the device, however.

Businesses are required by law to immediately report "potentially hazardous" items to the federal Consumer Product Safety Commission (CPSC) so the agency can determine whether an official recall is necessary. Companies can also initiate voluntary recalls in cooperation with the CPSC. Concerns similar to those detailed in Amazon reviews have been relayed to the CPSC in at least 10 reports that specifically mention an AmazonBasics product. The complaints cover at least eight different items and date back to 2012.

In the United States, Amazon publicly recalled two AmazonBasics items in 2018 and 2019, after the company received 53 reports in the US about power banks overheating and 25 about versions of a space heater overheating, burning or sparking. It said it proactively notified the CPSC of the results of the company's own investigation and its intent to recall the items. Beyond these two official recalls, the company has never publicly acknowledged that AmazonBasics products have any safety issues.

The CPSC said it was prohibited by law from discussing any item that had not been recalled and that in general, the agency determines if a recall is necessary based on a number of factors, including "the nature of the defect, the level of hazard associated

with the issue, and the pattern of similar problems (seen)."

Customers reported being shocked or burned in at least 100 reviews on Amazon's website. Parra from the Connecticut apartment fire said in a lawsuit that he suffered second-degree burns and injuries to his throat from smoke inhalation. Dignoti's report shows Parra spent around a day in the hospital. Parra sued Amazon in 2019, and the case settled. He and his attorney did not respond to interview requests.

CNN used the information provided by the fire department to determine that the type of cord Parra purchased had been removed from Amazon's website. While it is unclear when the cord was pulled, a version of the page captured by the Wayback Machine, an internet archive, shows the product had an average rating of 4.1 out of 5 stars. It shows the cord was still available for purchase until at least June 2017, and that there were warnings from other customers at least a year before Parra's January 2017 fire.

The link for the phone cord used by Parra now leads to nothing but a dead URL known internally at Amazon as a dog page.

"End of the cable melted and started smoking. Glad we caught it before a fire," one verified purchaser wrote in June 2016.

"DO NOT BUY! FIRE HAZARD!" another customer with a verified purchase of the cord wrote in May 2016, attaching 10 photos of the melted and warped cord—saying it ruined an expensive iPhone and that he considered himself lucky that a fire hadn't ignited. "These should be taken off the market immediately!!!"

While fires caused by USB cords are uncommon, they are possible, according to electrical engineers who said a range of factors could be at play in situations like this—from problems with whatever device the cord is plugged into to defects within the cord itself.

The AmazonBasics lightning charger that this review was written about became unavailable after CNN began its reporting.

An industry non-profit, the USB Implementers Forum Inc, said it does not believe user error is a significant cause of overheating USB cables. A cable that is substandard, whether because of a design or manufacturing defect, can be dangerous and lead to electric shock, overheating, sparks or fire, it said. The group has certified a number of AmazonBasics cables as meeting their standards, though it focuses on the functionality of the cables and making sure their specifications are in compliance—emphasizing that it is "not a replacement for industry best practices or any applicable local, state or government statutes, rules or regulations pertaining to safety."

The group also said it conducted an internal review of several cables CNN brought to its attention and found them to be compliant. It does not certify proprietary lightning USB cords used for Apple devices, however, such as Parra's cord. Apple said it allows manufacturers to use its lightning connectors in their products if those items are tested and confirmed to meet high quality standards, and that the company expects manufacturers to meet any applicable safety standards.

#### HAVE YOU PURCHASED AN AMAZONBASICS PRODUCT?

Amazon meanwhile said it investigated the safety claims about the kind of cord used by Parra and determined it met the company's standards. "If we determine that a product is unsafe, we remove it from our stores and take all necessary actions, which may include contacting regulators and customers," it said, specifically in response to questions about the cord used by Parra, which was removed from the site.

The retailer did introduce a new version of the product, however, saying it made updates to improve the customer experience.

#### LOSING TRUST

Matt Citro purchased his AmazonBasics surge protector to protect his family from a fire. Instead, he said that in January 2018, the surge protector itself caught fire. A single phone charger was plugged into the device, but was not being used at the time.

Sitting on the couch as his 9-month-old son slept in his nursery nearby, Citro said he noticed flames coming out of the surge protector—turning it into what resembled a "blowtorch." He told CNN that he quickly pulled the flaming device from the wall. He wasn't injured but said he was left with more than \$1,000 of damage after the surge protector burned a hole in the wall outlet and seared part of his wall.

Matt Citro says that he sent back his charred surge protector so that it could be investigated by Amazon. He never heard anything back, but did receive a payment to cover damage to his home. (Courtesy Matt Citro)

He had never experienced any electrical issues in his home before this, he said, and was convinced the AmazonBasics surge protector was to blame.

"DO NOT BUY THIS PRODUCT!!! . . . If I wasn't home my entire house would have burnt down from this cheap product," Citro wrote in a review. "I'm extremely disappointed in Amazon. We put a lot of faith in their products and to have (one) almost burn down my home does not make me trust them. This product has amazons name on it!"

Citro said he immediately contacted Amazon and told the company what happened. At first, he said he was offered a replacement or a refund. Not satisfied, he continued to call customer service.

He said he finally got through to someone who connected him with an insurance company, and he was ultimately paid \$1,469, according to a settlement document reviewed by CNN in which Amazon denies any liability.

Amazon continued to sell the surge protector for nearly two years after Citro posted his review, during which time more reviews about similar situations and other concerns piled up. More than 40 customers reported that the product was a fire hazard, had caused damage to their home or belongings or described other dangers.

These reviews represented around 1.7% of the roughly 2,600 US reviews posted about the \$10.99 device as of late last year, before Amazon removed it from the site. Several included claims of flames and fires like Citro's. As a comparison, a similar product made by a major consumer electronics company and also sold on Amazon's site had six reviews about possible safety concerns earlier this year, representing .07% of its more than 8,000 reviews. And none of the six mentioned actual fires. Amazon said its own analysis, which added global reviews about the AmazonBasics surge protector, found 1.1 % involved claims of overheating, fire and other dangers.

One former AmazonBasics product manager, who asked to remain anonymous because she still works in the industry, said she was surprised to hear that such a high percentage of reviews raised safety issues about an AmazonBasics item. "Once you get 40, oh my gosh, no, that would not be acceptable in any shape, way or form," she said of the reviews found by CNN, adding that a ratio of around .05% would have been seen as more acceptable when she worked there. But she defended her former employer, saying this was just one product and that during her

time with the company, she believed the retailer was even more vigilant than competitors in trying to react to safety concerns.

More than 40 customers reported dangers involving the same surge protector that Citro said burst into flames.

Weeks after CNN began reporting on the surge protector—reaching out to customers and employees and ordering the same item as part of the investigation—Amazon pulled it from its site in December despite its high average rating of 4.4 stars as of a month earlier. The company did not appear to provide any notification to customers, including to the reporters who purchased it. And it did not post any message on its site about why it was taken down.

Amazon declined to comment on individual customers, and would not say why the page was removed or whether Citro's surge protector was tested. It did say an updated version of the product had been released, but when asked for the link to the updated version, the company said "this product is currently unavailable."

Citro, who said he still shops at Amazon frequently, said he sent his burned surge protector back for testing as the company requested, but never heard anything about what its investigation found.

"I do wish this particular product was tested more thoroughly," he said. "A lot was on the line with my son's bedroom in the next room."

Just like Parra's phone cord, this specific kind of surge protector has not been officially recalled.

#### BEHIND THE SCENES

Three former Amazon employees said the vast majority of AmazonBasics electronics are made in Asia. The company's list of suppliers used for its various private label lines—including AmazonBasics—shows that only around 10% are in the United States and nearly half are located in China.

The retailer typically brings AmazonBasics items to market in two ways, explained the former product manager. It either goes straight to manufacturers that are able to meet its standards and works closely with them to create items for the AmazonBasics line. Or Amazon finds an existing product and works with a third-party company, which may use an outside manufacturer of its own, to brand the item with the AmazonBasics name.

The reviews

More than 90% of the reviews CNN analyzed were about "verified purchases."

Some 400 reviews posted on the site included photos or videos as visual evidence of their claims.

Reviews came from around 70 product pages, which sometimes included multiple variations of an item (such as USB cords in different lengths or colors), which may have separate identification numbers.

Reviews were excluded if a product had clearly been used incorrectly—for example, those saying non-rechargeable batteries were placed in a charger.

Most reviews did not include people's full names, but CNN did reach more than 30 customers, and many provided information such as evidence of their purchases, photos, additional details and correspondence with Amazon.

She said both methods have been implemented for electronics, but that in this second scenario, Amazon typically has less insight into the manufacturing process and is less involved in quality and safety testing. Amazon disputed this, saying it verifies that products meet the same safety standards regardless of the business model. The company also said it most frequently works directly with manufacturers.

RELATED: FAKE AND DANGEROUS KIDS PRODUCTS ARE TURNING UP FOR SALE ON AMAZON

Another former employee who was involved with AmazonBasics in its earlier years and asked to remain anonymous because of a confidentiality agreement, said employees on the AmazonBasics team would randomly order items to inspect and stay on top of reviews to make sure red flags were being caught. "We didn't have a lot of problems in my time but were much smaller than they are now so it was easy to keep things under control," the former employee said.

Former Amazon manager Rachel Greer, who left the company in 2015, said that when she worked in compliance at the company, she believed AmazonBasics products were closely monitored from conception to the years following their launch, saying there was extensive testing done. She said safety issues were rare, but when they occurred, they were caught quickly and addressed as soon as possible. "If someone complained on a review, we took it very seriously," she said.

This required staying on top of manufacturers and making sure corners weren't cut, she and the AmazonBasics product manager both said. In the case of USB cords, for example, Greer described how she made sure there was frequent testing of the cords to ensure that manufacturers hadn't begun to swap in thinner wiring which could be more likely to cause cords to overheat.

A customer said this AmazonBasics retractable USB cord began melting only a few months after he purchased it. "Had my wife not heard it crackling it could have started a fire," he wrote in a review.

"When you're in charge of compliance for something that has the Amazon brand on it, I didn't think it should be something we're messing around with," Greer said. "When you're outsourcing production there's a lot of things that can go wrong."

When she left Amazon, she said she was growing concerned that a drive to increase sales would overshadow a focus on safety as the number of AmazonBasics offerings continued to rise. Prior to her departure, she would increasingly disagree with product managers, who she said pushed to get items into the pipeline faster and more cheaply. Performance evaluations reviewed by reporters backed up the idea that Greer had clashed with colleagues but also described her as "an evangelist for product safety," saying "she is passionate about keeping customers safe."

Greer now works as a consultant to third-party sellers, and said she wasn't surprised to hear that customers were complaining of alleged dangers. She said that when she worked for Amazon, she was never aware of anything close to the number or level of seriousness of the reviews identified by CNN, and questioned whether testing was still as rigorous as it had been in the past.

"If this had happened on a seller product, the second complaint of fire it would have been taken down," she said, while scanning through some of the more than 150 reviews about serious problems with a voice-activated AmazonBasics microwave—the same product tested by CALCE.

Greer said that if she was still at the company and had seen so many reports of fire about a single item, she likely would have reported the microwave to the CPSC and worked with the business teams to enact a voluntary recall by the company.

Since the microwave's release in the fall of 2018, its product page has been flooded with reports from consumers about problems including flames, smoke and sparks. These kinds of reviews made up roughly 5% of the AmazonBasics microwave's more than 3,000

reviews as of February, when CNN's final analysis was conducted. Another roughly 1,000 reviews have been posted since then, with fires being reported as recently as September. A microwave that has been reviewed less frequently but is the same size and wattage had only 10 reviews describing similar safety issues—amounting to around .7% of its roughly 1,350 reviews on Amazon.

Research scientists use x-ray CT scanning to test AmazonBasics retractable charging cords and microwave parts.

While the retailer did not provide unit sales, Amazon said that as the best-selling microwave on the site, it may have a higher number of sales and reviews, which could result in more mentioning possible concerns.

The company disputed Greer's comments, saying safety testing had not become any less rigorous and that it was not aware of any manufacturers using thinner cables "than they were directed to use." It said safety testing is handled by reputable third-party labs with global facilities, including in China and that her statements about the microwave were speculative since she was not part of the team that worked on this item and was not involved in the testing of the device. Amazon also said it proactively sends safety-related customer reports to the CPSC and noted the agency has not issued any consumer warnings about the AmazonBasics microwave.

#### STILL FOR SALE

Amazon declined to provide details about why certain products were investigated and removed from its site, while others with repeated complaints about the same hazards are still available to purchase today.

Leeona Smail said her AmazonBasics battery charger began to melt and smoke.

New mom Leeona Smail posted her review about an AmazonBasics battery charger late last year. When CNN reached her, she recounted how she and her husband were forced to evacuate their home in the middle of the night when they detected the unmistakable smell of something burning. They gathered their dogs, cats and 4-month-old baby by their front porch, called 911 and waited for help to arrive.

It wasn't until after the firefighters left that the Smails said they found what they believed was the culprit: an AmazonBasics battery charger. They had used the device for several years to charge batteries. But this time, Smail said, after unplugging it from the wall and placing it in a box on their coffee table, it began to melt and smoke. When the fire chief returned the next day to check on them, she said, he was amazed to see the source of the smell.

A Vandergrift, Pennsylvania fire chief confirmed that his team was dispatched to investigate "a smoke odor and light haze" at the Smail home. He said they ultimately learned that a battery charger "overheated and melted," and said it was unclear whether it would have caused the house to catch fire if it hadn't been found.

Other reviews about the same battery charger have described similar concerns. It is still available for sale.

Smail posted a photo of the burned device along with her review before throwing it away. Amazon eventually gave her a refund—though she said she only received a partial one because the warranty window had passed.

Credits

At least 21 other reviews about the same battery charger, which had around 2,000 total reviews at the time of CNN's analysis, also said the device had overheated, melted or burned. Three described the same situation that Smail reported: the charger had not even been plugged in and had no batteries in it at the time.

The item was still for sale on Amazon at the time of publication.

The company said an investigation confirmed the product was safe, and that there were no broader design or safety concerns. But when asked whether it tested any of the actual chargers customers had flagged, and if so, what those tests had found, Amazon said it did not have "information to share."

Ms. SCHAKOWSKY. In July, I introduced the INFORM Consumers Act with Congresswoman KATHY CASTOR, which would require platforms such as Amazon to verify third-party sellers. It is my sincere hope that this body can move, first, on the legislation that we are addressing today and, finally, on legislation that would protect consumers in a deeper way.

I thank Representative DUNCAN, my friend and colleague, for introducing this legislation with me, this important consumer safety legislation. I would also like to take a moment to recognize both majority and minority committee staff who worked hard on this and each of the other bills that are before us today that moved through the subcommittee that I have the privilege of chairing: Lisa Goldman, Anna Yu, Daniel Greene, Chloe Rodriguez, Alex Hoehn-Saric, Tim Kurth, and Bijan Koohmaraie.

I urge my colleagues to support this important legislation.

Mrs. RODGERS of Washington. Madam Speaker, I yield such time as he may consume to the gentleman from Oregon (Mr. WALDEN), the former chairman of the House Energy and Commerce Committee. I appreciate his leadership.

Mr. WALDEN. Madam Speaker, I thank the leaders of the Energy and Commerce Committee on both sides of the aisle for moving forward with H.R. 8134, the Consumer Product Safety Inspection Enhancement Act.

I especially want to thank Chairwoman SCHAKOWSKY, who has worked so hard on this, and Representative JEFF DUNCAN, who has also led on this bill. This bill will improve coordination with U.S. Customs and Border Protection, the CBP, to target and prevent consumer products that violate American laws from entering the United States. Importantly, this effort prioritizes shipments from China, where we know the overwhelming majority of counterfeit goods originate.

By prioritizing inspection of shipments from China, H.R. 8134 will help the CPSC and the CBP identify trends and better position us to prevent goods that violate our laws and, by the way, hurt our small businesses from entering our country.

The COVID-19 pandemic underscored the importance of addressing supply chain threats. This bill is an important step in making that happen.

I urge my colleagues to support this legislation.

Mrs. RODGERS of Washington. Madam Speaker, I yield back the balance of my time.

Mr. PALLONE. Madam Speaker, I would ask my colleagues to support

this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. PALLONE) that the House suspend the rules and pass the bill, H.R. 8134, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## CONSUMER SAFETY TECHNOLOGY ACT

Mr. PALLONE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 8128) to direct the Consumer Product Safety Commission to establish a pilot program to explore the use of artificial intelligence in support of the consumer product safety mission of the Commission, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 8128

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Consumer Safety Technology Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

### TITLE I—ARTIFICIAL INTELLIGENCE AND CONSUMER PRODUCT SAFETY

Sec. 101. Short title.

Sec. 102. Pilot program for use of artificial intelligence by Consumer Product Safety Commission.

### TITLE II—BLOCKCHAIN TECHNOLOGY INNOVATION

Sec. 201. Short title.

Sec. 202. Study on blockchain technology and its use in consumer protection.

### TITLE III—DIGITAL TOKEN TAXONOMY

Sec. 301. Short title.

Sec. 302. Findings.

Sec. 303. Reports on unfair or deceptive acts or practices in transactions relating to digital tokens.

### SEC. 2. DEFINITIONS.

In this Act—

(1) the term "consumer product" has the meaning given such term in section 3(a) of the Consumer Product Safety Act (15 U.S.C. 2052(a)); and

(2) the term "Secretary" means the Secretary of Commerce.

### TITLE I—ARTIFICIAL INTELLIGENCE AND CONSUMER PRODUCT SAFETY

#### SEC. 101. SHORT TITLE.

This title may be cited as the "AI for Consumer Product Safety Act".

#### SEC. 102. PILOT PROGRAM FOR USE OF ARTIFICIAL INTELLIGENCE BY CONSUMER PRODUCT SAFETY COMMISSION.

(a) ESTABLISHMENT.—Not later than 1 year after the date of enactment of this Act, the Consumer Product Safety Commission shall establish a pilot program to explore the use of artificial intelligence by the Commission in support of the consumer product safety mission of the Commission.

(b) REQUIREMENTS.—In conducting the pilot program established under subsection (a), the Commission shall do the following:

(1) Use artificial intelligence for at least 1 of the following purposes:

(A) Tracking trends with respect to injuries involving consumer products.

(B) Identifying consumer product hazards.

(C) Monitoring the retail marketplace (including internet websites) for the sale of recalled consumer products (including both new and used products).

(D) Identifying consumer products required by section 17(a) of the Consumer Product Safety Act (15 U.S.C. 2066(a)) to be refused admission into the customs territory of the United States.

(2) Consult with the following:

(A) Technologists, data scientists, and experts in artificial intelligence and machine learning.

(B) Cybersecurity experts.

(C) Members of the retail industry.

(D) Consumer product manufacturers.

(E) Consumer product safety organizations.

(F) Any other person the Commission considers appropriate.

(c) REPORT TO CONGRESS.—Not later than 180 days after the conclusion of the pilot program established under subsection (a), the Consumer Product Safety Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Commission, a report on the findings and data derived from such program, including whether and the extent to which the use of artificial intelligence improved the ability of the Commission to advance the consumer product safety mission of the Commission.

## TITLE II—BLOCKCHAIN TECHNOLOGY INNOVATION

### SEC. 201. SHORT TITLE.

This title may be cited as the "Blockchain Innovation Act".

### SEC. 202. STUDY ON BLOCKCHAIN TECHNOLOGY AND ITS USE IN CONSUMER PROTECTION.

(a) IN GENERAL.—

(1) STUDY REQUIRED.—Not later than one year after the date of enactment of this Act, the Secretary of Commerce, in consultation with the Federal Trade Commission, and in consultation with the any other appropriate Federal agency the Secretary determines appropriate, shall conduct a study on current and potential use of blockchain technology in commerce and the potential benefits of blockchain technology for limiting fraud and other unfair and deceptive acts and practices.

(2) REQUIREMENTS FOR STUDY.—In conducting the study, the Secretary shall examine—

(A) trends in the commercial use of and investment in blockchain technology;

(B) best practices in facilitating public-private partnerships in blockchain technology;

(C) potential benefits and risks of blockchain technology for consumer protection;

(D) how blockchain technology can be used by industry and consumers to reduce fraud and increase the security of commercial transactions;

(E) areas in Federal regulation of blockchain technology that greater clarity would encourage domestic innovation; and

(F) any other relevant observations or recommendations related to blockchain technology and consumer protection.

(3) PUBLIC COMMENT.—In producing the study required in subsection (a)(2), the Secretary shall provide opportunity for public comment and advice relevant to the production of the study.

(b) REPORT TO CONGRESS.—Not later than 6 months after the completion of the study required pursuant to subsection (a), the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and make publicly available on the website of the Department of Commerce, a report that contains the results of the study conducted under subsection (a).