U.S. CONSUMER PRODUCT SAFETY COMMISSION
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The Honorable Ricardo H. Hinojosa
Acting Chair, U.S. Sentencing Commission
One Columbus Circle, NE
Suite 2-500, South Lobby
Washington, D.C. 20002-8002

Dear Judge Hinojosa:

I write on behalf of the Consumer Product Safety Commission ("CPSC") to express the CPSC's agreement with the Department of Justice's letter of March 27th regarding the proposed amendments to the federal sentencing guidelines to include offenses created or amended by the Consumer Product Safety Improvement Act of 2008 ("CPSIA"). As the Department of Justice elaborated, the sentencing issues raised by the CPSIA are complex and deserve further review by the Commission. Specifically, the CPSC is concerned that the Commission's proposal does not conform to the statutory maximums enacted by Congress to protect against "an unacceptable number of consumer products which present unreasonable risks of injury." 15 U.S.C. § 2051. Further, the CPSC believes that sentences under the Commission's proposal will not reflect the seriousness of the crimes at issue.

Thank you for the opportunity to comment on the published proposal. While the CPSC disagrees with the Commission's proposed amendment, we welcome the opportunity to work with the Commission on the issues raised by the CPSIA beyond the current amendment year.

Sincerely,

Cheryl A. Falvey

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