

deaths, 3,910 civilian injuries, and \$1.5 billion in direct property damage per year. Manufacturers and safety experts have identified a portion of the death and injury toll to address through product design: incidents involving flame jetting from portable fuel containers intended for reuse by consumers.

Despite the fact that people should never pour fuel such as gasoline, kerosene, or diesel over a flame or use such fuel for fire-starting purposes, people do—creating a foreseeable scenario that this Act would help address. The Portable Fuel Container Safety Act would require flame mitigation devices, or flame arrestors, to prevent flame from entering these containers and igniting the gases inside. This requirement is consistent with a new voluntary standard recently finalized by ASTM International that the CPSC could decide to treat as a mandatory standard under the bill if the agency determines that it meets the bill's minimum conditions.

The new ASTM standard represents a step forward for safety, and all portable fuel containers intended for reuse by consumers should conform to its provisions. Congress should pass H.R. 806 to ensure this standard or a similar standard becomes mandatory. Consumers should have assurance that any new portable fuel container they may buy—which they or someone else may use or misuse—will contain an effective flame mitigation device, and that the CPSC can readily take action if a manufacturer fails to follow the law.

CONCLUSION

Consumer Reports thanks all members of the House of Representatives for their consideration of these important bills to improve safety around the home for millions of people nationwide. We urge you to vote yes on H.R. 2211, H.R. 1618, and H.R. 806, and look forward to working together in the future to ensure a safe marketplace for all consumers.

Sincerely,

WILLIAM WALLACE,
Manager, Home and Safety Policy.

Ms. SCHAKOWSKY. Mr. Speaker, I reserve the balance of my time.

Mr. LONG. Mr. Speaker, I encourage our colleagues to vote for H.R. 2211. I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I urge all of my colleagues to support H.R. 2211. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 2211, 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.

NICHOLAS AND ZACHARY BURT CARBON MONOXIDE POISONING PREVENTION ACT OF 2019

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1618) to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1618

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 “Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019”.

SEC. 2. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) Carbon monoxide is a colorless, odorless gas produced by burning any fuel. Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

(2) Unintentional carbon monoxide poisoning from motor vehicles and the abnormal operation of fuel-burning appliances, such as furnaces, water heaters, portable generators, and stoves, kills more than 400 people each year and sends more than 15,000 to hospital emergency rooms for treatment.

(3) Research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress should promote the purchase and installation of carbon monoxide alarms in residential homes and dwelling units nationwide in order to promote the health and public safety of citizens throughout the United States.

SEC. 3. DEFINITIONS.

In this Act:

(1) CARBON MONOXIDE ALARM.—The term “carbon monoxide alarm” means a device or system that—

(A) detects carbon monoxide; and

(B) is intended to alarm at carbon monoxide concentrations below those that could cause a loss of ability to react to the dangers of carbon monoxide exposure.

(2) COMMISSION.—The term “Commission” means the Consumer Product Safety Commission.

(3) COMPLIANT CARBON MONOXIDE ALARM.—The term “compliant carbon monoxide alarm” means a carbon monoxide alarm that complies with the most current version of—

(A) the American National Standard for Single and Multiple Station Carbon Monoxide Alarms (ANSI/UL 2034); or

(B) the American National Standard for Gas and Vapor Detectors and Sensors (ANSI/UL 2075).

(4) DWELLING UNIT.—The term “dwelling unit” means a room or suite of rooms used for human habitation, and includes a single family residence as well as each living unit of a multiple family residence (including apartment buildings) and each living unit in a mixed use building.

(5) FIRE CODE ENFORCEMENT OFFICIALS.—The term “fire code enforcement officials” means officials of the fire safety code enforcement agency of a State or local government.

(6) INTERNATIONAL FIRE CODE.—The term “IFC” means—

(A) the 2015 or 2018 edition of the International Fire Code published by the International Code Council; or

(B) any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

(7) INTERNATIONAL RESIDENTIAL CODE.—The term “IRC” means—

(A) the 2015 or 2018 edition of the International Residential Code published by the International Code Council; or

(B) any amended or similar successor code pertaining to the proper installation of carbon monoxide alarms in dwelling units.

(8) NFPA 72.—The term “NFPA 72” means—

(A) the National Fire Alarm and Signaling Code issued in 2019 by the National Fire Protection Association; or

(B) any amended or similar successor standard pertaining to the proper installation of carbon monoxide alarms in dwelling units.

(9) STATE.—The term “State” has the meaning given such term in section 3 of the Consumer Product Safety Act (15 U.S.C. 2052) and includes the Northern Mariana Islands and any political subdivision of a State.

SEC. 4. GRANT PROGRAM FOR CARBON MONOXIDE POISONING PREVENTION.

(a) IN GENERAL.—Subject to the availability of appropriations authorized under subsection (f), the Commission shall establish a grant program to provide assistance to eligible States to carry out the carbon monoxide poisoning prevention activities described in subsection (e).

(b) ELIGIBILITY.—For purposes of this section, an eligible State is any State that—

(1) demonstrates to the satisfaction of the Commission that the State has adopted a statute or a rule, regulation, or similar measure with the force and effect of law, requiring compliant carbon monoxide alarms to be installed in dwelling units in accordance with NFPA 72, the IFC, or the IRC; and

(2) submits an application to the Commission at such time, in such form, and containing such additional information as the Commission may require, which application may be filed on behalf of the State by the fire code enforcement officials for such State.

(c) GRANT AMOUNT.—The Commission shall determine the amount of the grants awarded under this section.

(d) SELECTION OF GRANT RECIPIENTS.—In selecting eligible States for the award of grants under this section, the Commission shall give favorable consideration to an eligible State that—

(1) requires the installation of compliant carbon monoxide alarms in new or existing educational facilities, childcare facilities, health care facilities, adult dependent care facilities, government buildings, restaurants, theaters, lodging establishments, or dwelling units—

(A) within which a fuel-burning appliance is installed, including a furnace, boiler, water heater, fireplace, or any other apparatus, appliance, or device that burns fuel; or

(B) which has an attached garage; and

(2) has developed a strategy to protect vulnerable populations such as children, the elderly, or low-income households.

(e) USE OF GRANT FUNDS.—

(1) IN GENERAL.—An eligible State receiving a grant under this section may use such grant—

(A) to purchase and install compliant carbon monoxide alarms in the dwelling units of low-income families or elderly persons, facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers, or student dwelling units owned by public universities;

(B) to train State or local fire code enforcement officials in the proper enforcement of State or local laws concerning compliant carbon monoxide alarms and the installation of such alarms in accordance with NFPA 72, the IFC, or the IRC;

(C) for the development and dissemination of training materials, instructors, and any other costs related to the training sessions authorized by this subsection; and

(D) to educate the public about the risk associated with carbon monoxide as a poison and the importance of proper carbon monoxide alarm use.

(2) LIMITATIONS.—

(A) ADMINISTRATIVE COSTS.—Not more than 10 percent of any grant amount received

under this section may be used to cover administrative costs not directly related to training described in paragraph (1)(B).

(B) PUBLIC OUTREACH.—Not more than 25 percent of any grant amount received under this section may be used to cover costs of activities described in paragraph (1)(D).

(f) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Subject to paragraph (2), there is authorized to be appropriated to the Commission, for each of the fiscal years 2020 through 2024, \$2,000,000, which shall remain available until expended to carry out this Act.

(2) LIMITATION ON ADMINISTRATIVE EXPENSES.—Not more than 10 percent of the amounts appropriated or otherwise made available to carry out this section may be used for administrative expenses.

(3) RETENTION OF AMOUNTS.—Any amounts appropriated pursuant to this subsection that remain unexpended and unobligated on September 30, 2024, shall be retained by the Commission and credited to the appropriations account that funds the enforcement of the Consumer Product Safety Act (15 U.S.C. 2051).

(g) REPORT.—Not later than 1 year after the last day of each fiscal year for which grants are awarded under this section, the Commission shall submit to Congress a report that evaluates the implementation of the grant program required by this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Illinois (Ms. SCHAKOWSKY) and the gentleman from Missouri (Mr. LONG) each will control 20 minutes.

The Chair recognizes the gentlewoman from Illinois.

GENERAL LEAVE

Ms. SCHAKOWSKY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 1618.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1618, the Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019. This important bipartisan legislation was introduced by Representatives ANNIE KUSTER and BUDDY CARTER.

This bill advanced out of the Energy and Commerce Committee on July 17, 2019, by voice vote, unanimous.

Carbon monoxide—colorless, odorless, tasteless—is a silent killer. More than 400 people die and approximately 50,000 people visit emergency rooms every year in the United States from carbon monoxide poisoning.

The tragedy is that these deaths and injuries are preventable. All that is needed is the installation of carbon monoxide detectors. However, many people remain unaware of the importance of carbon monoxide detectors or don't know how to install or maintain them properly.

□ 1615

This legislation aims to change that. It will assist States in educating the

public on the dangers of carbon monoxide poisoning and the proper use of carbon monoxide detectors.

It will also provide States with grants so States can purchase and install carbon monoxide detectors in the homes of elderly and low-income citizens, as well as in educational facilities.

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

HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOUSE ADMINISTRATION,
Washington, DC, September 13, 2019.

DEAR CHAIRMAN PALLONE: I am writing to you regarding H.R. 1618, the “Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019.” This measure, introduced on March 7, 2019, was referred to your committee as well as the Committee on House Administration.

The Committee on House Administration agrees to waive further consideration of H.R. 1618. The Committee does so with the understanding that by waiving further consideration of this bill it does not waive any future jurisdictional claims over similar measures.

I would appreciate the inclusion of this letter and a copy of your response in the Congressional Record during consideration of H.R. 1618 on the House floor.

Sincerely,

ZOE LOFGREN,
Chairperson.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, September 16, 2019.

Hon. ZOE LOFGREN,
Chair, Committee on House Administration,
House of Representatives, Washington, DC.

DEAR CHAIRPERSON LOFGREN: Thank you for consulting with the Committee on Energy and Commerce and agreeing to discharge H.R. 1618 Nicholas and Zachary Burt Carbon Monoxide Act of 2019 from further consideration, so that the bill may proceed expeditiously to the House floor.

As introduced, H.R. 1618, includes language related to the Government Publishing Office. I understand such language was included by bill sponsors in H.R. 1618 and previous versions of this legislation in an effort to comply with a House CUTGO rule that was in effect during prior Congresses.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee or prejudice its jurisdictional prerogatives on this measure or similar legislation in the future.

I will ensure our letters on H.R. 1618 are entered into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation.

Sincerely,

FRANK PALLONE, Jr.,
Chairman.

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

Mr. Speaker, unfortunately, once again, I can relate to what this bill is trying to address. I was an auctioneer for over 30 years before I came to this body, and there was a college professor who attended hundreds of my auctions over the years. He was quite a toy collector, and he was also a professor at Missouri State University in my hometown of Springfield. Very tragically, within the last couple of years, he and

his wife both succumbed to carbon monoxide poisoning.

It is a silent killer. It can happen anywhere. There is no warning—any time, any place. Anything we can do to augment a solution here would be very, very good.

H.R. 1618 directs the Consumer Product Safety Commission to establish a grant program for States to purchase and install carbon monoxide alarms in dwelling units of low-income families; for the elderly; facilities that commonly serve children or the elderly, including childcare facilities, public schools, and senior centers; or dwelling units owned by public universities; and to assist in enforcement and education efforts related to carbon monoxide poisoning.

Carbon monoxide poisoning can happen anywhere in the United States, regardless of location or other external factors. It is an issue that is much more frequent than many realize.

According to the CDC, 50,000 people a year in the United States experience carbon monoxide poisoning. Of those, at least 430 people die from accidental carbon monoxide poisoning.

These grants will go a long way to carrying out carbon monoxide poisoning prevention actions, as they can be used for everything from installing alarms in these units of elderly individuals to training officials in the installation of such alarms.

I am pleased to support passage of this bill today. It will improve safety and provide the tools and resources needed to combat this issue.

Mr. Speaker, I urge my colleagues to support H.R. 1618, and I reserve the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield 3 minutes to the gentlewoman from New Hampshire (Ms. KUSTER), the chief sponsor of this legislation.

Ms. KUSTER of New Hampshire. Mr. Speaker, I thank Representative SCHAKOWSKY for yielding.

I want to say to Representative LONG that I am so sorry for his loss, and, again, it is appropriate to be with him on the floor today.

Mr. Speaker, more than 20 years ago, Cheryl and Todd Burt experienced an unimaginable tragedy when their two sons, Zachary and Nicholas, died as a result of carbon monoxide poisoning. Zachary was 4 years old; Nicholas was only 16 months old. Cheryl, Todd, and their eldest son, Ryan, barely made it out of the home alive on that cold January evening.

Today, the House is considering H.R. 1618, the Zachary and Nicholas Burt Carbon Monoxide Poisoning Prevention Act.

This legislation is named in honor of Zachary and Nicholas, but it is truly for the over 400 Americans who die each year and more than 20,000 who are hospitalized as a result of carbon monoxide poisoning. Among them are two of my constituents, John and April Courtney from Lyman, New Hampshire, who lost their lives to carbon monoxide poisoning just last February of this year.

While it happens most frequently in cold winter months, carbon monoxide poisoning actually happens throughout this country.

As a mother and an aunt, I know there is nothing more important than keeping our children and our loved ones safe, and that is why I am so proud today that the House is preparing to vote on my bipartisan legislation with my colleague BUDDY CARTER, which provides funding for States to prevent future carbon monoxide-related deaths by educating the public about the dangers of carbon monoxide poisoning and the importance of properly installing alarms in their home.

It also supports the installation of carbon monoxide detectors in housing for the elderly and low-income individuals and high-traffic public buildings like schools. This bipartisan legislation will truly save lives.

Mr. Speaker, I want to thank my distinguished colleague, BUDDY CARTER, for working on this bill with me and helping to build a consensus for its unanimous passage in the Energy and Commerce Committee. I also want to thank Chairman PALLONE and Congresswoman SCHAKOWSKY for making this piece of legislation a priority and including it in the package of bills today.

At a time when Congress so often seems divided, this legislation is proof positive that we can work together on our committee to find common ground and get things done to help our constituents.

Finally, Mr. Speaker, I would like to recognize and thank Anna Yu and Alex Chasick from the Energy and Commerce Committee staff and Hart Thompson and Nick Schemmel from Congressman CARTER's office for collaborating with my team, Will Pisano and Travis Krogman, to move this legislation forward.

I am proud that this bill is supported by a diverse coalition of public safety and industry groups, and I include in the RECORD five letters of support.

The first is a letter from 15 national organizations representing consumers throughout the United States. The second is a letter of support from the National Association of State Fire Marshals.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. SCHAKOWSKY. Mr. Speaker, I yield an additional 15 seconds to the gentlewoman.

Ms. KUSTER of New Hampshire. Mr. Speaker, I thank the gentlewoman for yielding. I will be quick.

The third letter of support is from the National Association of Home Builders, which will demonstrate the bipartisan support. The fourth is from Consumer Reports, and finally one from the National Electrical Manufacturers Association.

SEPTEMBER 16, 2019.

DEAR REPRESENTATIVE: As organizations dedicated to improving consumer protections, we write to express our support for

two consumer product safety bills as they move to the House floor this week. These bills would enhance protections to prevent deaths from portable fuel cans and injuries and deaths from carbon monoxide poisoning. We urge you to support these bills to protect children and all consumers from preventable injuries and deaths.

The Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019 (H.R. 1618) would establish a grant program, administered by the CPSC, that would encourage states to require the installation of residential carbon monoxide detectors, including for vulnerable populations. According to the CDC, during 2010–2015, a total of 2,244 deaths resulted from unintentional carbon monoxide (CO) poisoning, with 393 of those deaths occurring in 2015. This bill seeks to reduce carbon monoxide poisonings.

The Portable Fuel Container Safety Act of 2019 (H.R. 806) would help prevent flame-jetting incidents through establishing a binding and enforceable standard that would require flame mitigation devices, or flame arrestors, on portable fuel containers to prevent flames from entering these containers and igniting the gases inside. According to National Fire Protection Association estimates, fire departments responded to an average of 160,910 fires per year between 2007 and 2011 that started with ignition of a flammable or combustible liquid, resulting in an estimated 454 civilian deaths, 3,910 civilian injuries, and \$1.5 billion in direct property damage per year.

These bills offer a critical opportunity to protect children and all consumers from preventable injuries and deaths. We urge you to support these child health and safety bills, and to vote “yes” on them as they move to the House floor this week.

Sincerely,

Alaska Public Interest Research Group (AkPIRG), Center for Justice & Democracy, Chicago Consumer Coalition, Child Injury Prevention Alliance, Consumer Assistance Council, Inc., Consumer Federation of America, Kids In Danger, National Consumers League, OHSU/Doernbecher Tom Sargent Safety Center, Parents for Window Blind Safety, Public Citizen, Safe Kids Worldwide, Safe States Alliance, The Society for Advancement of Violence and Injury Research (SAVIR), Virginia Citizens Consumer Council.

NATIONAL ASSOCIATION OF
STATE FIRE MARSHALS,
Maitland, FL, September 16, 2019.

Hon. ANN KUSTER,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN KUSTER: The National Association of State Fire Marshals (NASFM) thanks you for your continued leadership in consumer product safety issues, and specifically in protecting Americans from carbon monoxide (CO) poisoning. NASFM strongly endorses H.R. 1618, the Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act of 2019.

The National Association of State Fire Marshals membership comprises the most senior fire officials in the United States. NASFM's mission is to protect human life, property and the environment from fire and related hazards. As such, we are extremely supportive of your legislation, which will amend the Consumer Product Safety Act to require residential carbon monoxide alarms to meet the applicable ANSI/UL standards by treating that standard as a consumer product safety rule, to encourage States to require the installation of such detectors in homes, and in an overall effort to prevent carbon monoxide poisoning.

Carbon Monoxide poisoning is a proven dangerous threat, claiming approximately

450 lives annually, with another 21,000 Americans sent to emergency rooms due to unintentional poisonings, according to Centers for Disease Control and Prevention (CDC). Per the CDC, CO poisoning is the leading cause of accidental poisoning deaths in America, and because CO is an odorless, tasteless and colorless gas, many people are initially unaware they are even being poisoned.

“The National Association of State Fire Marshals enthusiastically supports H.R. 1618, the Carbon Monoxide Poisoning Prevention Act of 2019,” said NASFM Executive Director Jim Narva, “It's important we all strive to mitigate the potentially fatal effects of CO Poisoning. With States focusing on low-income families, the elderly and children, the enactment of this Bill and its grant program will save countless lives.”

Thank you again for your leadership on the carbon monoxide alarm issue and we look forward to working to enact into law this important public safety prevention legislation.

Sincerely,

JIM NARVA,
Executive Director,
National Association of State Fire Marshals.

NATIONAL ASSOCIATION OF
HOME BUILDERS,
September 16, 2019.

Hon. ANN KUSTER,
House of Representatives,
Washington, DC.

Hon. BUDDY CARTER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES KUSTER AND CARTER: On behalf of the approximately 140,000 members of the National Association of Home Builders (NAHB), I am writing to express my support for H.R. 1618, Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019. We appreciate your willingness to work with us on this important issue.

The Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019 would create a grant program to encourage states to install carbon monoxide detectors in public facilities. NAHB members are involved in land development and building single-family and multi-family housing, remodeling, and other aspects of residential and light commercial construction. While our members are typically not involved in building schools, hospitals, airports, and other public buildings, we recognize the importance of requiring carbon monoxide detectors.

According to the Center of Disease Control, at least 430 people die in the United States from accidental carbon monoxide poisoning. As a response, majority of the states have adopted statutes, via building codes or state law, that requires carbon monoxide detectors in all residential buildings. NAHB supports legislation like this that promotes the safety of occupants in a cost-effective way.

NAHB appreciates your leadership on this life saving legislation and we look forward to working with you on future legislation.

Sincerely,

JAMES W. TOBIN III.

CONSUMER REPORTS,
September 17, 2019.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR REPRESENTATIVE: Consumer Reports, the independent, non-profit member organization, urges you to vote yes on H.R. 2211, H.R. 1618, and H.R. 806, three bills that would

help protect consumers from product safety hazards in their homes. CR testified before the House Energy and Commerce Committee in support of these bills in June, and urges their passage today for the reasons below.

H.R. 2211, THE STURDY ACT

Consumer Reports strongly supports H.R. 2211, the “Stop Tip-overs of Unstable, Risky Dressers on Youth Act,” or the STURDY Act, and urges its swift passage. The bill would require the Consumer Product Safety Commission (CPSC) to establish a strong mandatory safety standard to improve the stability of dressers and similar clothing storage furniture and help prevent deaths and injuries resulting from when they tip over onto children. Long a hidden hazard in the home, tip-overs send thousands of people to the emergency room annually. Dressers and other clothing storage units are particularly lethal, accounting for at least 206 reported deaths since the year 2000, with most of the victims being children younger than age 6.

CR has found that the most effective and most widely touted tip-over prevention strategy available today—anchoring a dresser to the wall using brackets and straps—is not an easy fix for the majority of consumers. Our nationally representative survey last year of 1,502 U.S. adults found that only 27 percent of Americans had anchored furniture in their homes, and among Americans with kids under age 6 at home, 40 percent anchored their furniture. Fundamentally, because a child’s life should not rely on consumer skill at anchoring a dresser to a wall, CR has called on the furniture industry to consistently produce dressers and other clothing storage units that are designed to be more stable and that better resist tipping over onto children.

Over the past two years, CR has conducted extensive research, analysis of incident and injury data, and comparative testing of a cross-section of dressers in the marketplace. Based on our investigation, we found that the industry’s voluntary standard leaves too many children at risk. Our results demonstrated that it is feasible for dressers at all price points to pass a more rigorous test. CR bought 42 dressers for evaluation, and put them through a series of three progressively tougher stability tests. While 13 dressers failed all but the first of the tests, 20 dressers passed all the testing, underscoring that manufacturers are capable of successfully designing more stable dressers. The failures reinforce why a stronger standard is necessary to protect consumers. The 20 dressers that passed all our tests cost various amounts, and were representative of all price points in the market.

In light of the unreasonable risk of death or injury to children and the findings of our investigation, CR and others have been advocating for the CPSC to develop and implement a strong mandatory safety standard with performance requirements for the stability of dressers and other clothing storage units. While both Republican and Democratic CPSC commissioners have expressed support for measures to strengthen the current safety framework around furniture tip-overs, the agency has so far failed to act, and commissioners have recognized that CPSC rulemaking under its Consumer Product Safety Act Section 7 and 9 authority is likely to take several years, if not a full decade, to complete. To account for the weight of children under age 6 and the feasibility demonstrated by CR’s test results, CR has said the standard should, at a minimum, include a loaded stability test of 60 pounds. We also have said that it is critical for the standard to be mandatory, not voluntary, for several reasons, including because:

Under the current system of safety oversight, consumers essentially must place their trust in manufacturers that they will produce a reasonably stable dresser;

Wall anchors and other tip-over restraint devices, while important, are no substitute for adequate stability performance testing;

A mandatory standard is justified under the Consumer Product Safety Act—with the CPSC able to find that such a rule is reasonably necessary and in the public interest;

CR’s testing shows that manufacturers are capable of incorporating appropriate design changes to their products that yield adequate stability, and of offering units for sale to consumers that are affordable and do not sacrifice utility; and

Such a standard would allow the CPSC to enforce requirements, including performance standards, and more readily gain industry cooperation for recalls; historically, companies have not carried out tip-over-related dresser recalls unless they face overwhelming CPSC and public pressure, or their product is linked to a death or failed CPSC stability test.

Enactment of the STURDY Act would help ensure the fastest possible implementation of a strong stability standard, and the reduced delay could save children’s lives. In addition to CR, the bill has the support of Parents Against Tip-Overs and a broad coalition of 75 pediatrician, safety, and consumer groups. A bipartisan majority of CPSC commissioners also has expressed support for the STURDY Act and enactment of a legislative solution that would permit the CPSC to take faster action to help prevent tip-overs than the promulgation of a rule under its traditional rulemaking authority and procedures.

The hazard to children of furniture tip-overs has been insufficiently addressed by both the furniture industry and the CPSC for years. Congress, today, has the chance to finally force a more protective stability standard to take effect. We urge members to seize this opportunity for leadership on behalf of child safety and pass H.R. 2211, the STURDY Act, without delay.

H.R. 1618, THE NICHOLAS AND ZACHARY BURT CARBON MONOXIDE POISONING PREVENTION ACT

Consumer Reports supports H.R. 1618, the Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019. According to the CDC, during 2010–2015, a total of 2,244 deaths resulted from unintentional carbon monoxide (CO) poisoning, with 393 of those deaths occurring in 2015. CR often stresses the importance of installing and maintaining CO detectors, and offers a buying guide and ratings to give consumers comparative information about different products that CR has tested. To help keep consumers safe, CR also has published stories about how to ensure that smoke and carbon monoxide detectors function properly.

H.R. 1618 would establish a grant program for CO poisoning prevention, administered by the CPSC. The grants would help push states to require that up-to-date carbon monoxide detectors be installed in all dwelling units and numerous other facilities with the capacity to hold a large number of people, and encourage states to develop a strategy to protect vulnerable populations such as children, the elderly, or low-income households. With hundreds of people dying each year from carbon monoxide poisoning, it is appropriate to establish a modest CPSC-administered grant program to promote the installation of CO detectors, especially for vulnerable populations. This grant program can be an important part of a broader, multi-pronged strategy to significantly reduce injuries and deaths associated with carbon monoxide poisoning, and Congress should pass the bill.

H.R. 806, THE PORTABLE FUEL CONTAINER SAFETY ACT

Consumer Reports supports H.R. 806, the Portable Fuel Container Safety Act of 2019. According to National Fire Protection Association estimates, fire departments responded to an average of 160,910 fires per year in the 2007–2011 period that started with ignition of a flammable or combustible liquid, resulting in an estimated 454 civilian deaths, 3,910 civilian injuries, and \$1.5 billion in direct property damage per year. Manufacturers and safety experts have identified a portion of the death and injury toll to address through product design: incidents involving flame jetting from portable fuel containers intended for reuse by consumers.

Despite the fact that people should never pour fuel such as gasoline, kerosene, or diesel over a flame or use such fuel for fire-starting purposes, people do—creating a foreseeable scenario that this Act would help address. The Portable Fuel Container Safety Act would require flame mitigation devices, or flame arrestors, to prevent flame from entering these containers and igniting the gases inside. This requirement is consistent with a new voluntary standard recently finalized by ASTM International that the CPSC could decide to treat as a mandatory standard under the bill if the agency determines that it meets the bill’s minimum conditions.

The new ASTM standard represents a step forward for safety, and all portable fuel containers intended for reuse by consumers should conform to its provisions. Congress should pass H.R. 806 to ensure this standard or a similar standard becomes mandatory. Consumers should have assurance that any new portable fuel container they may buy—which they or someone else may use or misuse—will contain an effective flame mitigation device, and that the CPSC can readily take action if a manufacturer fails to follow the law.

CONCLUSION

Consumer Reports thanks all members of the House of Representatives for their consideration of these important bills to improve safety around the home for millions of people nationwide. We urge you to vote yes on H.R. 2211, H.R. 1618, and H.R. 806, and look forward to working together in the future to ensure a safe marketplace for all consumers.

Sincerely,

WILLIAM WALLACE,
Manager, Home and Safety Policy.

NATIONAL ELECTRICAL
MANUFACTURERS ASSOCIATION,

September 9, 2019.

Re NEMA Support for H.R. 1618—Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act.

Hon. ANN M. KUSTER,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE KUSTER: The National Electrical Manufacturers Association (NEMA) is the principal trade group representing U.S.-based manufacturers of electrical products and systems and medical imaging technology. On behalf of NEMA’s Fire, Life Safety, Security & Emergency Communications product section, I am writing to express support for H.R. 1618, which promotes the purchase and installation of carbon monoxide (CO) alarms in residential homes and dwelling units nationwide. This measure is overdue and NEMA commends you for your leadership on this important health & safety issue.

Carbon monoxide is a silent killer. Undetectable by human senses—you cannot see it, smell it or taste it—CO is the leading cause of accidental poisoning death in the

United States. Often misdiagnosed or under-detected, CO poisoning induces symptoms that mimic those of the flu, with headache, nausea and dizziness being the most common. A CO alarm or detector is an inexpensive, effective way to warn that a dangerous concentration of CO is present, which can occur whenever a fuel-burning appliance such as a furnace, water heater, stove, or generator malfunctions or is used improperly. Other common household sources of CO include fireplaces and vehicles left running in attached garages.

According to the Centers for Disease Control, each year more than 400 Americans die from unintentional CO poisoning not linked to fires, more than 20,000 visit the emergency room, and more than 4,000 are hospitalized. Regrettably, many of these incidents could be prevented by properly installed and maintained alarm systems.

The need for detection and alarms is especially acute in homes, where people sleep and typically spend most of their time. Any residence that contains a potential source of CO emissions should be equipped with protection from this insidious life-safety hazard.

Most states (as well as Puerto Rico and Guam) have enacted laws requiring CO detection in residential dwellings, and it is likely that more will adopt similar legislation or codes in the coming years. These measures—along with education efforts—have proven successful in reducing CO-related injuries and deaths, but laws alone do not guarantee that protection is in place wherever it is needed.

The Nicholas and Zachary Burt Memorial Carbon Monoxide Poisoning Prevention Act will help states and local governments implement these programs and provide greater assurance that families are protecting themselves and their loved ones from CO. NEMA particularly supports the bill's emphasis on facilities that serve children and the elderly, since they are especially susceptible to the effects of CO exposure. All schools should have proper CO detection systems in place and NEMA welcomes federal support in this regard.

NEMA's Fire, Life Safety, Security & Emergency Communications product section includes the world's leading manufacturers of systems and devices that guard against not only CO but other commonplace life safety hazards such as fire and smoke. These companies strongly endorse measures that help to reduce these hazards in more spaces and environments where people gather. H.R. 1618 is an important step in that regard and NEMA is pleased to support its enactment.

Very truly yours,

PHILIP SQUAIR,
Vice President—Government Relations.

Ms. KUSTER of New Hampshire. So, again, Mr. Speaker, this bill has strong bipartisan support, and I encourage all my colleagues to support it.

Mr. LONG. Mr. Speaker, I am prepared to close.

When we go home, people say: Well, can't you all agree on anything up there in Washington, because all you all do is fight? Why can't you work in a bipartisan fashion?"

I will admit, sometimes it seems like we can't agree to the fact that the Sun is going to come up in the east tomorrow, but on this bill, there is bipartisan support. We agree.

Mr. Speaker, I want to urge my colleagues to support H.R. 1618, and I yield back the balance of my time.

Ms. SCHAKOWSKY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I thank Congressman LONG for his work on this legislation. It was really a pleasure to work with him on these bills.

Mr. Speaker, I want to close as well, but I want to say, once in a while we will read in the paper of a family that fell victim to carbon monoxide poisoning, but mostly this is one by one by one, a couple people here, a couple people there, and it doesn't make the headlines as a problem. Yet we heard the numbers, the astonishing numbers of people who fall victim—sometimes, and many times, fatally, not always—to carbon monoxide poisoning.

Again, this is something that is absolutely preventable, and so I am very grateful and hopeful that all our colleagues will support this legislation.

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

Ms. JACKSON LEE. Mr. Speaker, I rise today in strong support of H.R. 1618, the "Nicholas and Zachary Burt Carbon Monoxide Poisoning Prevention Act of 2019."

I thank Congresswoman KUSTER of New Hampshire for introducing this legislation which will save the lives of many children.

H.R. 1618 directs the Consumer Product Safety Commission to establish a grant program to provide assistance to States for specified activities related to the prevention of carbon monoxide poisoning, including installation of alarms in certain dwellings and facilities.

More specifically, this grant would assist in installing alarms in dwelling units of low-income families or the elderly, childcare facilities, public schools, senior centers, and student dorms owned by public universities.

In addition to installation efforts, this bill would also assist in enforcement and education efforts related to carbon monoxide detectors.

Carbon monoxide is a colorless, odorless gas produced by burning fuel.

Exposure to unhealthy levels of carbon monoxide can lead to carbon monoxide poisoning, a serious health condition that could result in death.

In the month of August, a carbon monoxide leak at the Raveneaux Apartments in Houston sent eighteen people to the hospital—seven of these victims were children.

This time, all of the victims survived.

More than 150 people in the United States die from carbon monoxide poisoning every year.

Home deaths account for the majority of accidental carbon monoxide poisoning, and research shows that purchasing and installing carbon monoxide alarms close to the sleeping areas in residential homes and other dwelling units can help avoid fatalities.

That is why I urge all Members to join me in voting for H.R. 1618.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Ms. SCHAKOWSKY) that the House suspend the rules and pass the bill, H.R. 1618, 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.

PORTABLE FUEL CONTAINER SAFETY ACT OF 2019

Ms. SCHAKOWSKY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 806) to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 806

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 "Portable Fuel Container Safety Act of 2019".

SEC. 2. PERFORMANCE STANDARDS TO PROTECT AGAINST PORTABLE FUEL CONTAINER EXPLOSIONS NEAR OPEN FLAMES OR OTHER IGNITION SOURCES.

(a) **RULE ON SAFETY PERFORMANCE STANDARDS REQUIRED.**—Not later than 30 months after the date of enactment of this section, the Consumer Product Safety Commission (referred to in this Act as the "Commission") shall promulgate a final rule to require flame mitigation devices in portable fuel containers that impede the propagation of flame into the container, except as provided in subsection (c).

(b) **RULEMAKING; CONSUMER PRODUCT SAFETY STANDARD.**—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c) **EXCEPTION.**—

(1) **VOLUNTARY STANDARD.**—Subsection (a) shall not apply for a class of portable fuel containers in the scope of this Act if the Commission determines at any time that—

(A) there is a voluntary standard for flame mitigation devices for those containers that impedes the propagation of flame into the container;

(B) the voluntary standard described in subparagraph (A) is or will be in effect not later than 18 months after the date of enactment of this Act; and

(C) the voluntary standard described in subparagraph (A) is developed by ASTM International or such other standard development organization that the Commission determines to have met the intent of this Act.

(2) **DETERMINATION REQUIRED TO BE PUBLISHED IN THE FEDERAL REGISTER.**—Any determination made by the Commission under this subsection shall be published in the Federal Register.

(d) **TREATMENT OF VOLUNTARY STANDARD FOR PURPOSE OF ENFORCEMENT.**—If the Commission determines that a voluntary standard meets the conditions described in subsection (c), the requirements of such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date which is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e) **REVISION OF VOLUNTARY STANDARD.**—

(1) **NOTICE TO COMMISSION.**—If the requirements of a voluntary standard that meet the conditions of subsection (c) are subsequently