



441 G St. N.W.  
Washington, DC 20548

October 13, 2021

Darrell K. Smith  
President and CEO  
National Waste & Recycling Association  
Suite 804  
1550 Crystal Drive  
Arlington, VA 22202

Dear Mr. Smith:

Thank you for your letter of October 4, 2021, addressed to the Comptroller General. I understand from your letter that you are interested in GAO opining on the federal agency in the position to regulate mobile phones as an inherently addictive product that causes distractions leading to injury and death.

GAO is a legislative branch agency that, pursuant to various statutory authorities, examines the use of federal funds; evaluates federal programs and activities; and provides information, analyses, options, recommendations, and other assistance to help the Congress make effective policy, funding, and oversight decisions. GAO's statutory authority includes providing legal decisions and opinions to Congress, its committees, and Members, and to accountable officers and heads of executive agencies. GAO does not issue legal opinions to members of the public or other entities.

While we cannot opine on the specific question that you raised, I have identified other GAO audit work that may be of interest to you. In particular, GAO-09-56, *Highway Safety: Foresight Issues Challenge DOT's Efforts to Assess and Respond to New Technology-Based Trends* describes the National Highway Traffic Safety Administration's activities related to distracted driving and studies on the role of cell phone use in distracted driving, and GAO-21-56, *Consumer Product Safety Commission: Actions Needed to Improve Processes for Addressing Product Defect Cases* addresses the Consumer Product Safety Commission's activities related to product defect cases.

Thank you for your interest in GAO's prior work on consumer product safety.

Sincerely yours,

A handwritten signature in cursive script that reads 'Edda Emmanuelle Perez'.

Edda Emmanuelle Perez  
General Counsel