

Bank Fees Continue To Rise

The price hikes on bank fees that have resulted from financial deregulation continue, while interest rates earned on deposits remain the same, according to the sixth national bank fee survey released in June by CFA and member organizations.

"Fees are up again, making a bad situation worse," said CFA Legislative Representative Peggy Miller. "A regular checking account costs \$108 per year, and bounced check fees are as high as \$25, but interest rates on NOW deposits have remained the same, five percent."

Fees Are Confusing

"Fee structures are byzantine in their complexity, including double and triple balance requirements on one account," she added. "Consumers must walk a tight-rope between balances, fees and interest rates in order to get an account with value."

A typical NOW account may have an \$1180 average balance requirement to avoid fees, a minimum balance requirement of \$600 to avoid fees, and a minimum or average balance requirement to avoid reduction or elimination of interest earnings, according to survey findings.

"Consumers are confused, and they should be," Miller said. Since the first CFA bank fee survey in 1983, increases in both NOW accounts and non-interest checking accounts have been cited. The totals of these increases over seven years are 62.3 percent for NOW accounts and 28 percent for regular checking.

The increase in fees and the complexity of the fee system—when added to the increased taxes that will be borne by all to pay for the savings and loan bailout—show financial deregulation to have created a burdensome and prohibitively expensive banking system for more than half the consumers in this country.

Deregulation Has Failed For Average Consumers

"The average consumer today needs \$1500 to earn interest and have free checking. Before deregulation, the same consumer would have needed \$100. Affordable choices are reduced, fees are up again. Shopping is becoming impossible in this complex, high cost banking world," said Consumer Action Executive Director Ken McEldowney.

Survey results were based on 170 institutions surveyed in 16 states and the District of Columbia. Strict comparisons were made for those institutions which were also surveyed in 1988, a total of 111 institutions for the purposes of this survey.

For the purposes of developing comparisons and average cost figures for the

interest and non-interest checking accounts, a hypothetical account was constructed which had an average monthly balance of \$400, a minimum balance of \$200, ten checks and four ATM withdrawals per month, and two bounced checks and one returned deposit a year.

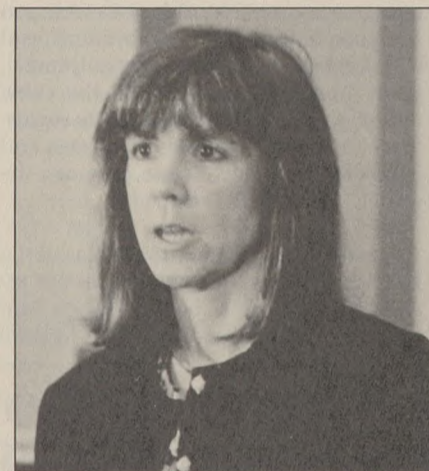
Key Survey Findings

The following are major findings from the 1990 survey.

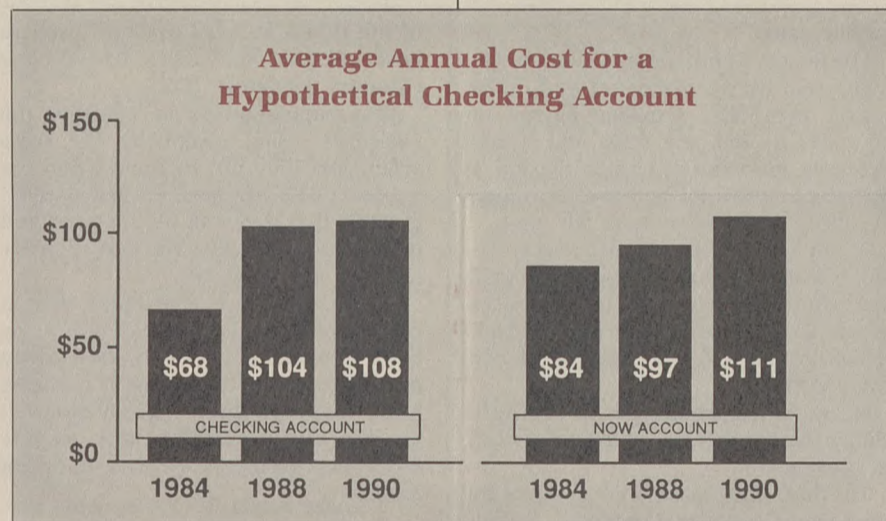
- An average non-interest checking account, the primary account for low balance consumers, costs \$107.96 per year; NOW accounts cost \$111.39 per year.
- Due to increases in bounced check and monthly fees, interest-bearing (NOW) accounts have risen 6.4 percent in cost

over the two years since the last survey, an annualized average of 3.2 percent per year.

- Non-interest checking rose 6.7 percent in cost to the consumer over the two years, an annualized average of 3.3 percent per year.
- Because it has an average balance to avoid fees of less than \$300, the statement savings account remains the best buy for those with less than \$1000 wanting to earn interest on their savings.
- The investable balance method of interest computation, which pays interest only on the balance in an account that is investable, was found to be still in use despite efforts by bank regulators to encourage elimination.



CFA Legislative Representative Peggy Miller said fee structures are byzantine in their complexity.



Costs represent the average recorded by the survey in the first year it was conducted and in the two most recent surveys. Strict comparisons cannot be made, since not all the same institutions were surveyed in all three years.

The bank fee survey was conducted by Miller, CFA Research Director Mark Cooper, and CFA intern Neene Hirata in cooperation with Citizens Action of San Francisco and the Virginia Citizens Consumer Council. Other participating organizations included: Arizona Consumers Council, CalPIRG, Concerned Consumers League of Milwaukee, Consumer Affairs Association (Kansas), Consumers League of New Jersey, Consumers League of Ohio, Detroit Department of Consumer Affairs, Harlem Consumer Education Council, Idaho Consumer Council, Caroline Stelman (Maryland), MassPIRG, Michigan Citizens Lobby, New Jersey PIRG, New York State Consumer Protection Board, Niagara Frontier Consumer Association, North Carolina Consumers Council, Rhode Island PIRG, Vermont PIRG.

House Passes CPSC Bill

In July, the House approved on voice vote a bill to reauthorize the Consumer Product Safety Commission for two years and strengthen the agency's ability to protect consumers from unsafe products.

The Senate passed its version of the reauthorization legislation last August. The bills (H.R. 4952, S. 605) will now go to conference, where differences between the two measures will be worked out, bringing reauthorization within reach for this agency for the first time since 1981.

"This is a major victory," said CFA Product Safety Director Mary Ellen Fise. "An effective CPSC can prevent tens of thousands of consumer deaths and injuries and save millions of dollars resulting from lost wages, medical payments and property damage."

"These bills will improve CPSC's regulatory procedures, enhance the agency's ability to learn about unsafe products, and restore the value lost through inflation to civil penalties for violations of the law," Fise said.

Both bills contain regulatory changes designed to improve CPSC operations, including a requirement that CPSC monitor industry compliance with voluntary safety standards more carefully. The House bill would also require manufacturers to report to the agency lawsuits resulting from dangerous products.

In order to gain Republican support, a provision was eliminated from the House bill during mark up that would have amended CPSC law (6b) to allow the agency to disclose more complete information

to the public regarding unsafe products. This provision was strongly opposed by business groups.

"The loss of the 6b provision was particularly hard to swallow," explained Fise, "but we are pleased that the House bill moved with the strong penalty and product reporting provision."

Republicans also opposed those sections of the bill which would require the CPSC to take action on specific products—such as ATVs, cigarette lighters, garage doors, and amusement park rides—that have been repeatedly associated with consumer deaths. An amendment by Rep. William Dannemeyer (R-CA) to eliminate this provision from the House bill was defeated in mark up. The Senate bill contains no such product-specific language.

Cable Regulation Bills Progress

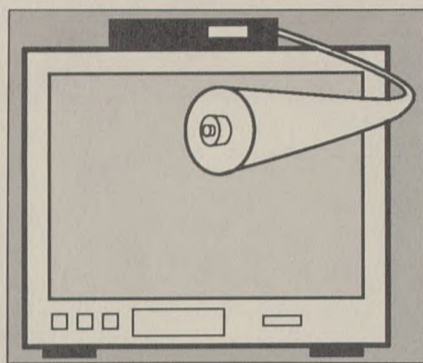
Offering "the first major opportunity to reverse the excessive deregulation of the 1980s," legislation to reregulate the cable television industry was approved by the House Energy and Commerce Committee in July and the Senate Commerce Committee in June.

The House committee approved the bill by voice vote. The Senate committee approved the bill 18-1.

"These bills would protect consumers against unreasonable cable rates and open the door to increased competition," said CFA Legislative Director Gene Kimmelman. "Vertical integration in the cable industry, coupled with inadequate regulation, has resulted in excessive rates and inadequate service. These bills are designed to correct that."

Both bills would:

- establish regulatory protection at the FCC against unreasonable prices for installation, converter boxes, remote controls, and viewing packages that include



such popular cable networks as ESPN, CNN, and other Turner networks;

- require cable companies to offer a very low cost basic tier of services that includes network stations, as well as local independent and PBS stations;
- prohibit cable programming companies with financial ties to cable operators from discriminating in price and other conditions against that operator's competitors; and

- enhance local authority over cable customer service.

The House bill, which was sponsored by Reps. Edward J. Markey (D-MA) and Matthew Rinaldo (R-NJ), goes farther than the Senate bill, setting more severe regulatory pricing restrictions for all cable services that are packaged together and priced in a block or "tier."

Both bills would also require reasonable access to cable programming for satellite dish users who, in general, have no other method of receiving a broad package of video services.

Neither bill covers pay-per-view or "premium" channels, such as Home Box Office.

In the three years since the Federal Communications Commission deregulated cable rates, basic rates have increased more than 40 percent on average, according to surveys by the General Accounting Office. Since competition to cable exists in few communities, cable subscribers must either pay the rate their cable

operator demands or do without a broad package of video programming.

CFA estimates that, had cable not been deregulated or had full competition developed, cable consumers' rates would be about 50 percent lower, saving consumers approximately \$6 billion per year.

"This legislation offers a significant mid-course correction in the 1984 Cable Act which will ensure that cable rates fall within the zone of reasonableness," Kimmelman said.

Interested individuals should write to their representatives and senators urging quick passage of the Markey-Rinaldo bill and S. 1880.

Whistleblower Protection Bills Introduced

Bills have been introduced in both the House and the Senate to protect private employees who report public health and safety threats from harassment by their employers. The Senate bill has been reported out of the Labor Committee and awaits floor action.

The "Employee Health and Safety Whistleblower Protection Act" (S. 436 and H.R. 3368) was introduced by Sens. Howard Metzenbaum (D-OH) and Charles Grassley (R-IA) and by Rep. William D. Ford (D-MI).

This bill prohibits an employer from discriminating against an employee:

- because the employee reports a violation of federal health and safety laws or participates in an investigation; or
- because the employee refuses to follow an order to violate the law or that poses an imminent danger to the employee, fellow employees, or the public.

The bill also extends to corporate workers the more realistic burdens of proof in the federal employee Whistleblower Protection Act and would require the government to open an investigation into violations of health and safety laws for every filed complaint.

"Some federal environmental laws theoretically protect employees who voice concerns on public health and safety violations in the work place, but leave tens of millions with no such rights in danger of being fired at will," said Tom Devine of the Government Accountability Project. "Whistleblowers attempt to defend the public, but they can't defend themselves when they are fired, blacklisted, or intimidated into choosing between economic survival and community responsibility."

"This is a law enforcement bill aimed at preventing and/or detecting violations of public health and safety statutes, before they become tragedies," said David Brown, also of GAP. "Without this protection, workers are often unable to follow safety laws and in fact are often coerced into breaking the very laws that are designed to protect both workers and the public."

The bill faces stiff opposition from such organizations as the U.S. Chamber of Commerce, the National Association of Manufacturers, and the National Broiler Council.

Senate To Consider Raising CAFE Standards



In July, supporters were attempting to bring to the Senate floor for a vote legislation to increase the federal gas mileage standards for new cars and light trucks.

This bill, S.1224, introduced by Sen. Richard Bryan (D-NV), would require each auto manufacturer to increase its Corporate Average Fuel Economy (CAFE) by 20 percent over its 1988 level by the year 1995, and by 40 percent by 2000.

It is estimated that this would result in an overall national new car average of 34.4 miles per gallon in 1995 and 40 mpg in 2000. The measure also sets new efficiency standards—an average of 25 mpg in 1995 and 30 mpg in 2000—for light trucks. These vehicles, which are 25 percent less efficient on average than cars, today account for one-third of new

vehicle sales.

The Energy Conservation Coalition estimates that the standards set by S. 1224 would save about 2 million barrels of oil a day by the year 2005 and would decrease emissions of carbon dioxide, a primary contributor to global warming, by about 300 million tons per year.

Greater fuel efficiency also lowers urban pollution, reduces pressures to drill in sensitive environments, and decreases our nation's dependence on imported oil, which accounts for 40 percent of our trade deficit.

Moreover, improvements in fuel efficiency pay for themselves in fuel savings to consumers.

The bill was passed 14-4 in April by the Senate Commerce Committee. A similar measure, H.R. 4532, was introduced

in the House in April by Reps. Barbara Boxer (D-CA), Pete Stark (D-CA), and Claudine Schneider (R-RI).

Auto manufacturers are opposing the measures, using essentially the same arguments they put forward when the original CAFE standards bill was enacted in 1975, that they will be forced to end production of family-sized cars in order to meet the standards.

"This is no more true today than it was in 1975," said CFA Research Director Mark Cooper. "Much of the technology needed to meet these goals is available today and simply isn't being fully exploited by auto manufacturers. Other technological improvements are just around the corner."

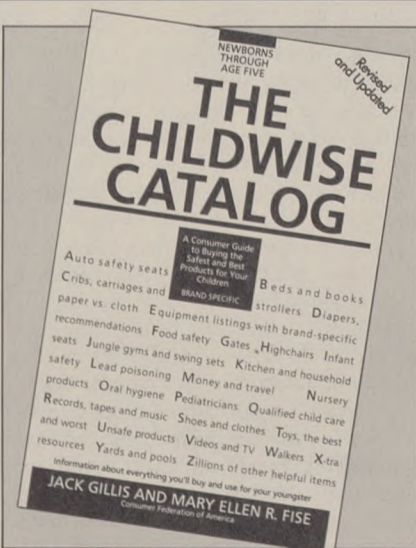
Childwise Catalog Provides Practical Advice For Parents

The *Childwise Catalog*, the book Dr. Benjamin Spock has advised every parent to buy, has been re-released with all new information to guide parents through the hundreds of buying choices they must make in the first five years of their child's life.

Written by CFA Product Safety Director Mary Ellen Fise and Public Affairs Director Jack Gillis, the book provides parents with comprehensive and practical information on safety and value on a wide variety of products and services.

In addition to providing information on how to select the best products among cribs, child safety seats, and other necessities, the book also provides:

- the latest recall information on thousands of toys and children's products, including what action to take if you own a recalled product;
- information on how to identify potentially dangerous products already in your



home, including how to determine which cribs and bunk beds are safe for use and which are not;

- checklists to use to shop around for the best childcare and pediatricians;
- age-specific lists of gift ideas, children's book recommendations, and a guide to children's videos;
- tips on how to travel with young children; and
- an extensive list of resources for parents on topics such as abuse, day care, catalogs, and parenting publications.

Unintentional injury is the leading killer of children under age 15, and each year one in four children is hurt badly enough to require medical attention.

The *Childwise Catalog* not only provides comprehensive information on child-proofing the home for safety, but also helps parents identify unsafe toys (including those that have killed children but have never been recalled).

Published by Harper and Row, the book is available in book stores at a price of \$12.95.

House Approves Penny Stock Bill

In July, the House approved by voice vote a bill to protect investors from fraud and abuse in the penny stock market. The bill was approved by the Energy and Commerce Committee in late June.

State securities regulators estimate that consumers lose at least \$2 billion a year as a result of penny stock fraud and abuse.

"Many of the people who have been victimized are relatively unsophisticated first-time participants in the financial markets," said CFA Legislative Representative Barbara Roper. "They lose their life savings, their retirement funds, and the money they set aside to pay for their children's education."

"The Penny Stock Reform Act of 1990" focuses on the non-exchange-listed and non-NASDAQ-quoted securities, also known as the "pink sheets" market, which has in the past gone virtually unregulated.

The bill reported by the committee is a compromise measure that gives the Securities and Exchange Commission more leeway to act through rule-making authority than was contained in the bill as originally introduced.

The bill would:

- greatly expand disclosure to investors of the risk associated with penny stock investments, the disciplinary history of broker-dealers, bid and ask prices for stocks being purchased, commissions and other compensation, and market value of holdings;

- give the Securities and Exchange Commission more power to police the so-called "consultants" and "promoters" who manipulate the market and who have in the past evaded SEC sanction by avoiding formal registration as brokers and dealers;

- direct the SEC to enact rules to tighten

substantially the investor protections related to "blank check" offerings, which have come to dominate the market in recent years and which are frequent vehicles for market manipulation; and

- require the SEC to facilitate the establishment of an automated quotation system with firm bid and ask prices and last sale reporting.

"Although we liked the original version of the bill, we believe this is a strong piece of legislation that takes direct aim at the primary causes of fraud and manipulation in the penny stock arena," Roper said. "We are convinced that it will provide much needed investor protections."

Since its introduction in April by Rep. Edward J. Markey (D-MA), the bill has moved quickly in the House, due in part to the strong bipartisan support led by co-sponsor Rep. Matthew J. Rinaldo (R-NJ).

Before the floor vote, the bill was merged with legislation that authorizes the SEC and federal courts to impose civil fines for securities law violations. In addition, the bill gives the SEC authority to issue cease-and-desist orders and gives courts the right to bar convicted individuals from continuing to work in the securities industry.

"This is a good package," Roper said. "The added enforcement mechanisms in the civil remedies bill should enhance investor protections, not only in the penny stock arena, but also in dealing with regular brokers and financial planners." The Senate has already approved similar civil penalties legislation but has not yet taken up the penny stock issue, except in hearings.

"We will be working to get similar penny stock protections added to the Senate bill," Roper said.

Senate Panel Passes Consumer Banking Bills

In July, the Senate Banking Committee marked up and reported out a package of consumer banking measures, including provisions on truth in savings, home equity loan protections, consumer compliance programs, and mortgage discrimination.

The truth in savings provision, sponsored by Sen. Christopher J. Dodd (D-CT), would require banks to disclose fees and interest rates on all savings instruments. It would also require banks to calculate interest rates on a uniform basis, equivalent to the average daily balance.

"Consumers have waited for truth in savings legislation for years," said CFA Legislative Representative Peggy Miller. "This is a modest bill, but it is essential to allow consumers to shop for the best deal available in a world of ever-increasing fees."

The Senate version is stronger than a companion measure in the House, which has been reported out of subcommittee and is awaiting full Banking Committee action.

The committee print also contains a provision to clarify that the 1988 home equity law requires lenders offering variable interest rates to disclose the margin, or spread, they are offering before

imposing non-refundable fees.

"Without this integral cost information, consumers have no way of figuring out the cost of the loan—whether they can afford it or whether they can get a better deal elsewhere," said Consumers Union's Michelle Meier, who led the fight for this measure.

Regulations issued by the Federal Reserve Board have allowed lenders to disclose only that a margin will be added to the index value to calculate the interest rate and that the consumer should ask the lender for the current margin value.

"Disclosing the actual margin being offered, as Congress originally intended, will give consumers invaluable information without unduly burdening lenders," Meier said.

A consumer coalition working in support of the legislation—including CFA, Consumers Union, U.S. PIRG, and Public Citizen—also managed to defeat a weakening amendment on check holds.

Offered by Sen. Jake Garn (R-UT) and supported by the Federal Reserve Board, this amendment would have lengthened the check hold period for local checks

from two to three days, before the shorter hold period ever went into effect. The permanent availability schedule provided for in the 1987 check hold law will go into effect in September.

"Consumers have waited three years for the major benefits of the 1987 check hold law to kick in," Miller said. "Expanding the hold period is totally unjustified."

Consumers lost on an amendment that allows banks an additional four-year postponement before they must shorten from five to three days the hold period for checks deposited at ATM machines.

"While we are displeased with this provision, we nonetheless support the overall committee print," Miller said. All three of these measures are tied to S. 307, a bill that deals with questions of fraud and crime related to loopholes in bank procedures. This bill has already been passed by the House, and therefore could move quickly to conference if passed by the full Senate.

As part of the same mark up, the Senate Banking Committee also approved a fair lending enforcement bill sponsored by Sen. Alan J. Dixon (D-IL).

The bill would enhance the tools currently available to detect and deter mortgage discrimination by:

- requiring lenders to provide loan applicants with a copy of their appraisal report;

- requiring the regulatory agencies to establish separate consumer compliance programs with specially trained examiners, the heads of which would report directly to the head of the agency;

- requiring that appropriate discrimination cases under the Equal Credit Opportunity Act or the Fair Housing Act be referred to the Justice Department or the Department of Housing and Urban Development and allowing the Justice Department to seek actual and punitive damages; and

- bringing mortgage bankers within the Home Mortgage Disclosure Act's disclosure requirements, with exemptions that more closely parallel those available to banks.

"This entire package will give consumers important protections in their deposit and credit relationships with banks and other lenders," Miller said.

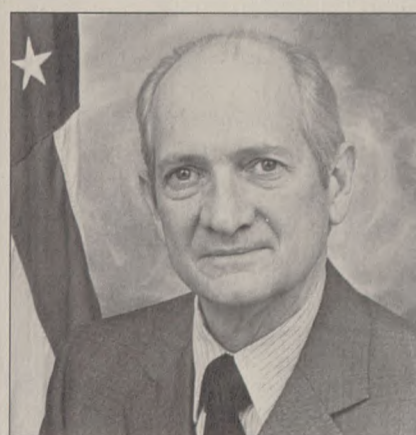
House Committee Votes to Repeal Insurance Antitrust Exemption

Legislation to eliminate the insurance industry's antitrust exemption cleared an important hurdle in June, when the House Judiciary Committee reported out a bill on a 19-17 vote.

H.R. 1663, sponsored by Judiciary Chairman Jack Brooks (D-TX), would prohibit certain insurance company practices which stifle competition. These include price fixing, market division among competing companies, monopolization, and requiring consumers to buy insurance packages that include policies they may not want or need.

Under H.R. 1663, insurers would still be allowed to share certain information, such as volume of claims, in order to predict future business trends. They could not use this information, however, to fix prices or monopolize the industry.

The bill would not affect insurance companies' exemption from federal regula-



Rep. Jack Brooks (D-TX) is sponsor of a House bill to eliminate the insurance industry's exemption.

tion in states which already have strong insurance regulations. Finally, the bill pro-

vides for a three- to five-year transition period for implementation.

H.R. 1663 is supported by a broad coalition of consumer and professional organizations, including CFA.

"The repeal of the anti-trust exemption will eliminate billions of dollars of waste and inefficiency, and it would increase availability and affordability of insurance for consumers," CFA Executive Director Stephen Brobeck said.

The bill, which was opposed by all 14 Republican committee members, is expected to face a tough fight when it reaches the House floor, possibly in late summer. Supporters are optimistic about its chances for House approval, however.

The insurance industry's antitrust exemptions were instituted in the McCarran-Ferguson Act in 1945, when the insurance industry consisted primarily of small, intrastate companies.

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Clean Air Act Requires Consumer Commitment

The Clean Air Act currently under consideration in Congress will require a major commitment from everyone at all levels of society, Rep. Philip R. Sharp (D-IN) told attendees at a CFA conference on "Clean Air Solutions: Implications for Consumers."

Rep. Sharp, who is Chairman of the House Energy and Power Subcommittee, provided a congressional perspective on the Clean Air Act, which he said represents the "second wave" of the environmental movement.

The original Clean Air Act, enacted in 1970, went after the "big ticket" pollutants, which were relatively easy to eliminate, he said. "Now we have to achieve these final steps, which are incremental, small steps that add up to the big improvements. That will be more costly, and it will be more interventionist."

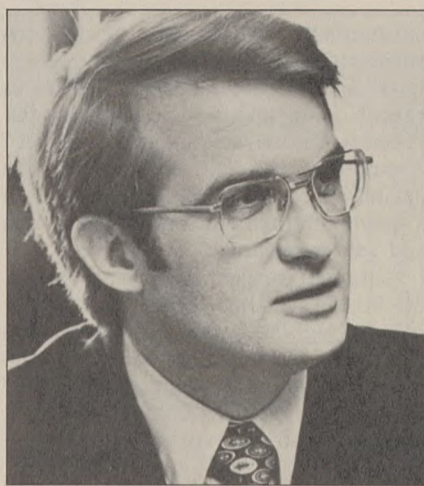
"Now we know that air isn't free," he said. "It is one of our most important items we consume."

"The cost is going to come back to all of us in the products we buy. How much, we don't know," he said. "But we do know that some people are going to pay with their jobs."

Bill Will Create Jobs

Rep. Sharp argued, however, that the bill ultimately will create jobs for this country. "We can be the sellers of technology around the world. This is the front line of activity. Everyone is going to have to invest in it."

This view was seconded by Dale Curtis,



Rep. Philip R. Sharp (D-IN) provided a congressional perspective on the Clean Air Act.

Special Assistant to the Chairman of the President's Council on Environmental Quality. "The dire predictions about the drastic impact of the original law on the economy were unwarranted," he said. "They may be equally unwarranted about the new act."

Curtis warned, however, that Japan and Germany are currently outstripping the United States in the area of conservation technology.

Robert Brenner, Director of Policy Analysis and Review for the Environmental Protection Agency's Office of Air and Radiation, said that efforts had been made in drafting the legislation to minimize

the costs of implementation by providing various industries and cities with as much flexibility as possible in determining how they will meet the clean air standards.

CFA Research Director Mark Cooper said that this kind of economic efficiency and flexibility, which he said is most apparent in the House version of the bill, should be the first principle applied in approaching this issue.

"Those who bear the economic burdens will make the best decisions" about how to implement improvements, he said.

Like Rep. Sharp, Cooper stressed that conservation "should be a major component of any least cost solutions. Conservation contributes to the solutions of a lot of other problems. All aspects of the bill should include inducements to conservation."

Because this legislation is going to be costly to ratepayers, he said, they deserve "vigorous efforts to minimize costs."

"Passing legislation is not the end," he added. "It is only the beginning. You have to administer these laws."

The history of poor enforcement of the original Clean Air Act makes this point particularly important, he said. "Consumers must stay involved in the implementation."

California Lesson: Consumers Have An Impact

How individuals can make relatively small changes in their lives that combine to make a big impact was the focus of

remarks by Carolyn L. Green, Deputy Executive Officer of the South Coast Air Quality Management District.

Green, who described the major air quality management plan adopted in March of 1989 in California, said "the real lesson from Los Angeles is not that smog is everybody's problem. The real lesson is that clean air is everybody's business, and we have to make sure that we keep it that way."

"The things that we as consumers must do don't require that much effort," she said, citing as examples using water-based paint instead of lead, not using aerosols, refusing to accept all the packaging our society uses, and recycling.

"We're really not asking people to make dramatic changes in their lives. We're just asking them to be a little smarter as consumers," she said.

"Clean Air Solutions," planned by CFA Assistant Director Ann Lower, was the first national conference organized by a consumer group on clean air issues, recognizing the fact that consumers are growing more concerned about these issues because of their impact on health and safety and pocketbook issues.

In addition to its discussion of the Clean Air Act and the California plan, the conference included sessions on problems and solutions related to the automobile, power plants and factories, pollution sources and remedies in household consumption, the economic impacts of clean air policy, and ensuring consumer participation in clean air planning.

Senate Tables Check Cashing Amendment

Responding to intensive lobbying from the American Bankers Association and other industry groups, the Senate voted 55-43 to table an amendment offered by Sen. Howard Metzenbaum (D-OH) that would have required financial institutions to cash government checks for a low fee.

The amendment, which was strongly supported by CFA, the American Association of Retired Persons, U.S. PIRG, ACORN, and the NAACP was offered to the National Affordable Housing Act.

"Seventeen million low income families in this country have been shut out of the banking system by the rising fees that have emerged in the decade since deregulation," said CFA Legislative Representative Peggy Miller. (See related article, page 1.)

Most banks refuse to cash checks for non-account holders. These individuals are forced to turn for these services to liquor stores and check cashing outlets, where fees of \$25 a check are common.

"A person should not be forced to pay these exorbitant prices and risk their personal safety to cash a Social Security, public assistance, or veterans benefits check. The people who would benefit from this amendment do not have money to spare," Miller said.

The Metzenbaum amendment, which incorporated a number of compromise provisions to address bank concerns, would have:

- required financial institutions to cash federal, state, and local government checks in amounts of \$1,500 or less;
- required consumers to register with financial institutions to qualify for government check cashing services; and
- allowed these institutions to charge fees that cover cost, including fraud losses, plus 10 percent profit.

The compromise measure, which was actively pushed by Banking Chairman Donald W. Riegle, Jr. (D-MI) and Sen. Alan Cranston (D-CA), was supported by members from both sides of the aisle. Minority Leader Robert Dole (R-KS), Sen. H. John Heinz III (R-PA), and Sen. Alphonse D'Amato (R-NY) all spoke against the tabling motion and in favor of the amendment.

"This defeat was a disappointment, but Sen. Metzenbaum and the coalition of supporting organizations have not given up," Miller said. "We will be looking to attach this measure to any appropriate vehicle that comes to the floor. In the meantime, we will be attempting to better educate members on this issue. All we need to do is change seven votes."

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