



Senate Republicans Block Consumer Bills

Apparently intent on sending Democrats home with no fresh accomplishments to campaign on, Senate Republicans prevented consideration of a whole host of pro-consumer bills in the last week of the congressional session.

Among the legislation that died as a result of holds by Senate Republicans were bills: to reform the credit reporting industry, to create a comprehensive federal strategy to address indoor air pollution, to beef up regulation of investment advisers, and to improve the safety of the nation's drinking water.

In addition, Congress failed to pass bills to eliminate Major League Baseball's anti-trust exemption and to address radon hazards.

Gramm Kills Credit Reform Bill

Sen. Phil Gramm (R-TX) singlehandedly killed legislation designed to clean up problems in the credit reporting industry.

"As a result of the sole efforts of the senior senator from Texas, credit report errors and privacy invasions will continue to haunt American consumers," said CFA Director of Banking and Housing Policy Chris Lewis.

The Fair Credit Reporting Act compromise worked out between the House and Senate would have given consumers the right to obtain one copy of their credit report a year for \$3. Furthermore, credit bureaus would have been required to re-investigate information disputed by the consumer and remove the information if they were unable to confirm it.

The House passed the conference report September 27, then passed it again on voice vote October 5 with the addition of several non-germane items sought by various members of the Senate. Still, Sen. Gramm refused to remove his hold.

Because of the bill's strong bipartisan support in both houses, it is expected to clear Congress early in the next session.

Compromise Investment Adviser Bill Dies

Sen. Gramm also refused to remove his hold on legislation to improve federal oversight of investment advisers.

Both the House and Senate passed bills last year that would have increased funding for investment adviser oversight by the Securities and Exchange Commission (SEC). The House bill also included provisions to reform oversight practices and to require compensation disclosure by advisers.

It was only in the final weeks of the session that Senate sponsors even agreed to discuss inclusion of any of the pro-consumer provisions from the House bill.

With time running out, House and Senate staffers worked out a compromise that, in addition to the fee increases, would have required the SEC to survey unregistered advisers to detect registration violations, would have mandated creation of a simple mechanism for individuals to obtain disciplinary history information for investment advisers, and would have required the SEC to study conflicts of interest related to compensation and issue rules to improve disclosure if needed.

"This bill died because of foot-dragging by Senate sponsors, who refused to negotiate until so late in the session that they left Sen. Gramm holding all the cards," said CFA Director of Investor Protection Barbara Roper.

Indoor Air Bills Languish In Senate

Comprehensive indoor air quality and radon bills came closer than ever to clearing Congress this year, but died in the last week of the session when the Senate failed to vote on the measures.

The House gave voice vote approval to its indoor air quality bill October 3. The Senate had passed a similar bill last fall.

Because no time remained to work out differences between the two versions, the House then amended the Senate companion bill by substituting the House language and sent it over to the Senate. Several Senate Republicans placed holds on the bill, however, and it was never voted on.

"Despite careful negotiations and the development of consensus legislation supported by consumer and industry groups alike, party politics became the executioner of this important environmental health bill," said CFA Product Safety Director Mary Ellen Fise.

This is the first time the House has passed a comprehensive indoor air quality bill, although similar bills have now passed the Senate in three consecutive congresses.

The bills would have required the Environmental Protection Agency to study indoor air quality, develop voluntary guidelines to reduce associated health hazards, and develop a certification program for indoor air inspectors.

In a related matter, the Senate never voted on radon legislation, which the House passed in July and which the Senate Committee on Environment and Public Works reported out last year. This time, the stumbling block was a hold by Sen. Bennett Johnston (D-LA).

The bills would have, among other things, reauthorized key components of the EPA's radon program, required radon disclosure during real estate transac-

tions, required EPA to develop a plan to reduce radon levels in high radon areas and buildings, and mandated performance and proficiency standards for radon testing and mitigation programs and services.

Last Minute Efforts Cannot Save Safe Drinking Water Bill

Despite frantic last-minute negotiations, supporters of Safe Drinking Water legislation could not overcome Senate Republican opposition.

Although not directly involved in the overall negotiations, CFA had endorsed a provision in the bill to establish a national independent certification program

for Home Water Treatment Units.

Americans spend more than \$1 billion annually to purchase such units, but the General Accounting Office has found that, in some cases, the units do not remove the contaminants they claim to, while in other cases, the units actually degrade the quality of the water.

Fise wrote to House Energy and Commerce Committee leaders in September supporting a House provision that would have provided "a preventive program to ensure that consumers do not waste money, or put their families at risk, when purchasing a home water treatment device to remove a harmful contaminant from their water."

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Sen. Metzenbaum To Join CFA As Chairman

Upon retiring from the Senate, Howard Metzenbaum (D-OH) will join CFA in the newly created position of Chairman. In that capacity, he will take the lead on issues such as securities and antitrust, advise and assist other CFA advocates, and serve as a media spokesperson.

"Sen. Metzenbaum's willingness to serve as CFA Chairman is one of the most exciting things to happen to CFA ever," said CFA Executive Director and Chief Executive Officer Stephen Brobeck.

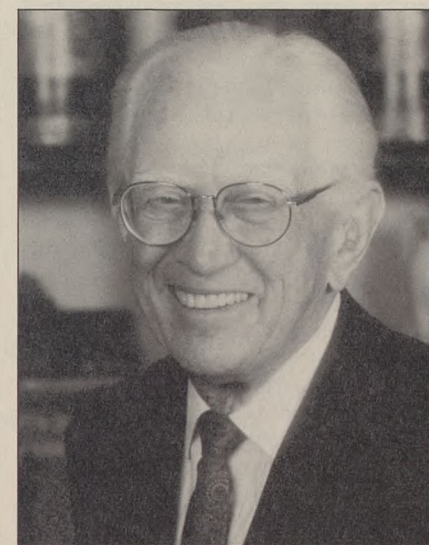
"This senator is our all-time congressional hero. His vast knowledge, superb advocacy skills, and extensive political contacts will elevate the level of CFA advocacy," Brobeck added.

"As I leave the U.S. Senate, I want to continue to be involved, active, and effective," Sen. Metzenbaum said in announcing his plans.

"There are 260 million people in America, and every one of them is a consumer. There is no better place than CFA where I can fight for their concerns," he added.

Sen. Metzenbaum is retiring after three terms in the Senate, where he has been the principal watchdog for American consumers.

During his years of public service, Sen. Metzenbaum was responsible for the passage of scores of pro-consumer measures. In recent years, for example, he deserves much credit for Senate passage of legislation to reregulate the cable television industry, ensure the future solvency of our banking system, prohibit vertical price-fixing by retailers, and require more complete and accurate nutrition labels on food.



Retiring Senator and new CFA Chairman
Howard Metzenbaum

The senator has also served the public interest as a formidable opponent of pork-barrel special interest legislation, singlehandedly stopping dozens of bills that would have provided special anti-competitive breaks to businesses.

"Thank God for Metzenbaum," wrote *The Washington Post* during the closing days of one Congress as he blocked passage of special interest bills that would have cost consumers and taxpayers \$5 billion.

In fact, numerous such bills were never introduced simply because he was there. As one Senate colleague stated: "Sen. Metzenbaum is like a security guard at the airport. You know he's going to x-ray your baggage, so you have to be clean."

Baby Bells Kill Telecom Bill

The two-year congressional effort to promote competition in the telecommunications and information industries came to a sudden halt in late September, when Senate sponsors withdrew their bill rather than further erode its consumer and competitive protections.

In the weeks preceding S. 1822's withdrawal, the seven regional Bell telephone companies lobbied against the bill, despite having previously agreed to the compromise struck during Senate Commerce Committee consideration.

"While the Bell companies constantly complain about outmoded regulations and lack of access to competitive markets, their unreasonable demands and refusal to compromise forced sponsors to end their attempts to pass comprehensive telecommunications legislation this year," said CFA Legislative Counsel Bradley Stillman.

"The Bell companies apparently decided that, if they couldn't get legislation that would simultaneously strengthen their current monopolies and deregulate them, they were going to take their ball and go home," he added.

Sponsors Hold Line Against Anti-Competitive Concessions

Stillman praised the bill's principal sponsors — Commerce Committee Chairman Ernest F. Hollings (D-SC), Ranking Minority Member John Danforth (R-MO), and Sen. Daniel K. Inouye (D-HI) — for holding the line against local telephone company attempts to win further concessions that would enable them to stifle competition to the detriment of American consumers.

In declaring the bill dead, Sen. Hollings said that he had the votes to pass the

bill, but not enough time left in the session to overcome opponents' delaying tactics. The Bell companies had apparently lined up several senators, including Minority Leader Bob Dole (R-KS), who were willing to stop the bill, either through a filibuster or by burying it in amendments.

While the Bell companies' allies were demanding massive additional deregulation, Sen. Howard Metzenbaum (D-OH) was working with sponsors to strengthen the bill's consumer protections and competitive safeguards, which were seriously weakened during Commerce Committee consideration.

Although the legislation is dead for this session, sponsors in both the House and Senate have pledged to renew their efforts early in the next session.

"We look forward to working with the next Congress to craft legislation that will

move us in a fair and consumer friendly manner from a monopoly local telephone system to a competitive one," Stillman said.

Legislation Must Guarantee Reasonable Rates

To accomplish these goals, legislation must "guarantee just and reasonable rates for basic telecommunications services and prevent the local telephone monopolies from building the information superhighway on the backs of their captive ratepayers," he said.

Acknowledging that passing legislation requires a "difficult balancing act," Stillman said, "the public interest in fair competition and the lowest possible rates should define the terms of the telecommunications debate, not the interest of a handful of companies."

Telecommunications Issues Shift To FCC, States

With the demise of legislation to increase competition in the telecommunications and information industries, the focus of telecommunications policy has shifted to the Federal Communications Commission (FCC) and the states, where consumers have recently suffered serious setbacks.

At the federal level, the FCC has begun granting Bell company applications to construct video dialtone systems without first establishing a comprehensive video dialtone policy to ensure that access is equitable and that basic ratepayers are not forced to pay a disproportionate share of the costs.

At the same time, three states — New York, Ohio, and Pennsylvania — have decided within the last six months to adopt price cap regulation for local telephone companies without first resolving the issue of competition.

"Moving away from rate of return regulation and at the same time authorizing massive infrastructure investments virtually ensures that captive local ratepayers are going to be used as the forced financing arm of the local telephone companies and that the development of competition will be slowed," said CFA Research Director Mark Cooper.

Video Dialtone Standards Needed

In October, CFA joined with the Center for Media Education, MCI, and the National Cable Television Association in writing to FCC Chairman Reed Hundt and the other commissioners to express "concern over the pending proposals to offer commercial video dialtone services."

Video dialtone is a common carrier video service that would be provided by the local telephone monopolies over the local network, requiring a significant expansion in the capacity of the network.

Because of the current lack of "clear standards to govern allocation and jurisdictional separation of video dialtone costs," "local telephone companies essentially have unrestricted discretion in recovering the substantial investments required to construct and operate video dialtone facilities," the groups wrote in their letter. "Under these circumstances, a disproportionate share of video dialtone costs will be paid by captive ratepayers and customers of other telephone company services."

"With the demise of telecommunications reform legislation this year, however, the opportunity to write the fundamental rules of the road into law has been lost, at least for the immediate future," the letter continues. "If the Commission and the states do not fill the void, critical policy decisions will effectively be left to the telephone companies."

The groups urged the FCC to:

- adopt effective allocation rules that would be applicable to any of the pending video dialtone applications;
- coordinate the provision of video dialtone services with the removal of barriers to local telephone competition; and
- establish a procedure, with the states, for separating the costs of integrated facilities between the federal and state jurisdictions.

FCC Urged To Act On Rulemaking Petitions

CFA has two petitions for rulemakings on video dialtone pending at the FCC, one on cost allocation, which was filed a year and a half ago, and a more recent

petition to establish anti-redlining rules.

"Over the next several years, video dialtone will be the single biggest consumer pocketbook issue that the commission will face," said CFA Legislative Counsel Bradley Stillman. He estimated that between \$400 and \$700 billion in capital outlay, depreciation, and return on equity is at stake.

"With that much ratepayer money at stake, we can't simply leave the rules of the road to the companies that own the road," he said.

"The FCC has an obligation to address the cost allocation and other important policy for video dialtone in an open, public proceeding before authority to build the systems and offer service is granted," he said.

Key States Abandon Rate Of Return Regulation

Meanwhile, the recent settlement proposals in New York and Ohio and a commission ruling in Pennsylvania to abandon rate of return regulation would bring to eight the number of states which have adopted rate caps. Illinois is also expected to adopt price cap regulation in the near future.

This relatively small number of states nonetheless represents more than half the nation's telephone ratepayers, and they include the nation's most influential commissions, which places tremendous pressure on other states to follow their lead.

In Pennsylvania, regulators traded away rate of return regulation, over the strong objections of the administrative law judge, in return for a commitment from the company to deploy more fiber. "Neither the excess profits allowed nor the economics of fiber justify this decision from a consumer perspective," Cooper said.

In New York and Ohio, regulators have negotiated agreements that exchange adoption of price caps for substantial rate reductions and a lengthy freeze on those rates, elimination of certain charges, such as touch tone charges, some commitments regarding lifeline, and substantial reductions in intralata toll rates.

"In some respects, these are very attractive money deals for consumers," Cooper said. "The problem is that they leave a tremendous amount of money

on the table because of declining costs and increasing revenues. The phone companies will immediately achieve excess profits which in the past have been shared with ratepayers."

"Furthermore, the issue of competition in the local market remains unresolved, and very little has been done to open up the network," he said.

Consumer advocates throughout the country who are not already engaged in price cap proceedings should be gearing up for similar battles in the near future, he warned.

"If the legislation had passed, the terrain would have shifted very sharply," Cooper said. "But it didn't pass, and there is a great deal of doubt whether it will in the next Congress."

"Control of excess profits has been the cornerstone of consumer protection. The only alternative is true and effective competition for local service," he said. "But on a state by state basis, the Baby Bells have effectively prevented competition and have already launched aggressive campaigns to extend their monopolies as far into the future as possible."

Consumer Bills

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Time Runs Out On Baseball Bills

The House Judiciary Committee gave voice vote approval to legislation to partially lift Major League Baseball's antitrust exemption, but the measure never made it to the House floor.

The bill would have allowed players to go to court to challenge any imposition by owners of such unilateral conditions as a salary cap.

In the Senate, Sen. Howard Metzenbaum (D-OH) and Sen. Orrin Hatch (R-UT) attempted to get a similar measure passed, but they were never able to bring it up for a vote.

"If the baseball strike has not been settled, it is a virtual certainty that Congress will take up this issue again next session," said CFA Legislative Counsel Bradley Stillman.



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CFA Endorses 1994 Congressional Candidates

With analysts predicting another tough election year for incumbents, CFA's political action committee announced its endorsement of 149 candidates for the 1994 House and Senate races in mid-September.

In the Senate, CFA endorsed eight incumbents, three House members running for the Senate, and two non-incumbents. In the House, CFA endorsed 123 incumbents and 13 non-incumbents.

"Increasingly, voters have been paying close attention to the votes made by their representatives in Washington to see where they stand on issues that are most important to them," said CFA Legislative Counsel Bradley Stillman.

"The CFA endorsement lets voters know who has been protective and supportive of consumers with respect to pocketbook issues, health and safety, and the effects of business and industry's activities on consumers," he said.

Incumbents Assessed On Pro-Consumer Voting Records

Incumbent endorsees were selected on the basis of their lifetime voting records and their positions on key consumer issues.

The senators and representatives endorsed by CFA have been watchdogs of consumers' pocketbooks and protectors of clean government, advocates of the health and safety of all citizens, and champions of making financial services available to all consumers and of making all of our financial institutions stronger.

"These public servants are making sure scarce tax dollars are used in ways which benefit consumers most," said Stillman. "They are working to bring stability and assure access to financial services locally for consumers and to protect them from potentially dangerous products and unfair business practices."

The 15 non-incumbents endorsed by CFA were chosen from candidates for open seat races and challengers of those incumbents with particularly poor consumer voting records. Endorsed candidates are those whose responses to a CFA questionnaire showed a strong commitment to pro-consumer initiatives.

"After reviewing the backgrounds and positions of these candidates, CFA is confident that they will strongly defend consumer interests if elected," Stillman said.

"They have expressed strong support for a broad health care program, campaign finance reform, and strong consumer protections for product safety, our financial system and other businesses. We strongly endorse their candidacy," he added.

Key Supporters Leave Congress

Among those leaving Congress this year are: Sen. Howard Metzenbaum (D-OH), whose lifetime voting record is the highest in the Senate; Senate Majority Leader George Mitchell (D-ME), who is a recipient of CFA's Philip Hart Public Service Award for his efforts on behalf of consumers; Sen. Donald Riegle (D-MI), who has been a staunch consumer supporter as Banking Committee Chairman; and Sen. John Danforth (R-MO), who has been a

leading Republican advocate on safety and telecommunications issues.

In addition, CFA endorsee Rep. Mike Synar (D-OK) was defeated in his primary election, and Rep. Craig Washington (D-TX), a CFA Consumer Hero, lost his primary before CFA released its endorsements.

Two other representatives, Phil Sharp (D-IN) and Don Edwards (D-CA), who are recipients of the Philip Hart Public Service Awards from CFA for their pro-consumer records, are retiring.

"All of these members leave difficult shoes to fill," Stillman said. "Furthermore, there is a lot of unfinished legislative

business with tremendous implications for consumers. That is why it is particularly important that voters return pro-consumer members to Congress and elect strong new advocates to replace those who are leaving and those current members who consistently oppose the consumer interest."

Senate

MD: Sen. Paul Sarbanes (D)
MA: Sen. Edward Kennedy (D)
MO: Rep. Alan Wheat (D)
MT: Jack Mudd (D)

NV: Sen. Richard Bryan (D)
NJ: Sen. Frank Lautenberg (D)
OH: Joel Hyatt (D)
PA: Harris Wofford (D)

House of Representatives

ID: Penny Fletcher (D-02)
IL: Rep. Bobby Rush (D-01)
Rep. Luis Gutierrez (D-04)
Rep. Cardiss Collins (D-07)
Rep. Sidney Yates (D-09)
Pete Sullivan (D-16)
Rep. Lane Evans (D-17)
Rep. Richard Durbin (D-20)
IN: Rep. Peter Visclosky (D-01)
Rep. Frank McCloskey (D-08)
LA: Rep. William Jefferson (D-02)
Rep. Cleo Fields (D-04)
MA: Rep. John Olver (D-01)
Rep. Richard Neal (D-02)
Rep. Barney Frank (D-04)
Rep. Martin Meehan (D-05)
Rep. Edward Markey (D-07)
Rep. Joseph Kennedy (D-08)
Rep. Joe Moakley (D-09)
Rep. Gerry Studds (D-10)
MD: Rep. Benjamin Cardin (D-03)
Rep. Albert Wynn (D-04)
Rep. Steny Hoyer (D-05)
Rep. Kweisi Mfume (D-07)
Rep. Constance Morella (R-08)
MI: Rep. Bart Stupak (D-01)
Rep. Dale Kildee (D-09)
Rep. David Bonior (D-10)
Rep. Sander Levin (D-12)
Rep. John Conyers (D-14)
Rep. Barbara-Rose Collins (D-15)
MN: Rep. Bruce Vento (D-04)
Rep. Martin Olav Sabo (D-05)
Rep. James Oberstar (D-08)
NC: Rep. Eva Clayton (D-01)
Rep. Melvin Watt (D-12)
NJ: Rep. Frank Pallone (D-06)
Rep. Herbert Klein (D-08)
Rep. Robert Torricelli (D-09)
Rep. Donald Payne (D-10)
Rep. Robert Menendez (D-13)
NM: Rep. Bill Richardson (D-03)
NY: Rep. George Hochbrueckner (D-01)
Rep. Gary Ackerman (D-05)
Rep. Jerrold Nadler (D-08)

NY: Rep. Charles Schumer (D-09)
Rep. Edolphus Towns (D-10)
Rep. Major Owens (D-11)
Rep. Nydia Velazquez (D-12)
Rep. Carolyn Maloney (D-14)
Rep. Charles Rangel (D-15)
Rep. Jose Serrano (D-16)
Rep. Eliot Engel (D-17)
Rep. Nita Lowey (D-18)
Rep. Michael McNulty (D-21)
Rep. Maurice Hinchey (D-26)
Rep. Louise Slaughter (D-28)
OH: Rep. Ted Strickland (D-06)
Rep. Marcy Kaptur (D-09)
Rep. Louis Stokes (D-11)
Rep. Sherrod Brown (D-13)
Rep. Thomas Sawyer (D-14)
Rep. James Traficant (D-17)
OR: Rep. Elizabeth Furse (D-01)
Rep. Ron Wyden (D-03)
Rep. Peter DeFazio (D-04)
PA: Rep. Thomas Foglietta (D-01)
Rep. Marjorie Margolies-Mezvinsky (D-13)
Rep. William Coyne (D-14)
Rep. Paul McHale (D-15)
RI: Patrick Kennedy (D-01)
Rep. John Reed (D-02)
SC: Rep. James Clyburn (D-06)
TX: Rep. John Bryant (D-05)
Lloyd Doggett (D-10)
Rep. Henry Gonzalez (D-20)
Scott Cunningham (D-22)
Rep. Frank Tejeda (D-28)
Rep. Gene Green (D-29)
Rep. Eddie Bernice Johnson (D-30)
UT: Rep. Karen Shepherd (D-02)
Rep. Robert Scott (D-03)
Rep. Leslie Byrne (D-11)
VT: Rep. Bernard Sanders (I-AL)
WA: Rep. Jolene Unsoeld (D-03)
Rep. Jim McDermott (D-07)
Rep. Mike Kreidler (D-09)
WI: Rep. Peter Barca (D-01)
Rep. Gerald Kleczka (D-04)
Rep. Thomas Barrett (D-05)
Rep. David Obey (D-07)

Brochure Provides Air Quality Checklist

Calling indoor air pollution one of the greatest consumer challenges of the next century, CFA released a free brochure in September designed to guide consumers through the process of auditing their homes' air quality.

"How Healthy is the Air in Your Home?" lists 35 steps consumers can take to reduce common indoor pollutants. A separate section explains the health effects associated with the ten most common categories of indoor pollutants.

"Indoor air pollution will be to the 21st century what outdoor pollution has been to the 20th century," predicted CFA Product Safety Director Mary Ellen Fise.

"The challenge facing consumers right now is getting the information they need to improve the air in their homes," she added. "We've prepared this checklist brochure as a first step in combatting

residential indoor air pollution."

Indoor air pollutants include biological contaminants, organic gases, carbon monoxide, radon, asbestos, lead, and environmental tobacco smoke. The costs of indoor air pollution in direct medical costs and lost productivity is in the tens of billions of dollars per year, according to Environmental Protection Agency (EPA) estimates.

EPA also has found that indoor air can be more seriously polluted than outdoor air, even in the largest and most industrialized cities. The problem is exacerbated by the fact that consumers spend a large amount of time indoors — as much as 90 percent of their time — a trend that is likely to increase as consumers increasingly take advantage of the "information superhighway" to do more from their homes and as more and more con-

sumers "telecommute."

"Indoor air pollution presents a serious health risk to the public," commented the Director of EPA's Indoor Air Division Robert Axelrad. "Repeated comparative risk studies have demonstrated that the health risks presented by indoor air pollutants are among the top five environmental risks to public health."

"Indoor air-proofing the home is a new concept for consumers," Fise said. "They've heard of child-proofing and of the need to have a smoke detector and take other fire prevention measures. Now we need to begin to educate them about the air in their homes."

Individuals can obtain a free copy of the brochure by sending a self-addressed stamped envelope to: CFA IAQ Checklist, P.O. Box 12099, Washington, D.C. 20005-0999.

CFA Supports CPSC Safety Proposals

In recent months, CFA has submitted comments in favor of Consumer Product Safety Commission proposed rules to implement the toy safety provisions of the Child Safety Protection Act as well as Advance Notices of Proposed Rulemakings (ANPRs) on upholstered furniture fires, plastic buckets, and baby walkers.

"The commission's level of rulemaking activity in the past few months is a monstrous leap over that which occurred during the Reagan and Bush administrations," said CFA Product Safety Director Mary Ellen Fise.

The proposed rules to implement the toy safety provisions of the Child Safety Protection Act would: ban balls intended for children under age three that have a diameter of 1.75 inches or less; require choking hazard warning labels on toys that contain small parts and that are intended for children up to age six; and require manufacturers to report choking incidents associated with their products within 24 hours of learning of the incident.

In addition to expressing strong overall support for the proposed rules, CFA offered several suggestions for improvements, including:

- requiring warning labels on products intended for children between the ages of three and six that contain a small part as the result of use and abuse testing, and
- adding an anti-stockpiling provision to the regulations to prevent "massive manufacture and packaging" of toys that don't comply with the rules prior to the January 1, 1995 effective date.

Action On Buckets Urged

In comments filed September 6, CFA praised CPSC for beginning its rulemaking on plastic buckets and urged the agency to act promptly to address this issue.

The CPSC has received reports of 228 deaths and 30 nonfatal incidents associated with buckets between January 1984 and March 1994, figures the commission acknowledges are incomplete.

"Five-gallon plastic buckets represent a classic 'hidden hazard.' What appears to be a benign consumer product is the vehicle for far too many deaths to children. These tragedies occur swiftly and silently, in a matter of just minutes," the comments note.

CFA urged the agency to promulgate a mandatory performance standard along with an interim mandatory labeling rule and to accompany the rules with a vigorous consumer education campaign "to address the millions of buckets already in the stream of commerce."

The alternatives for performance criteria outlined in the ANPR adequately address the two key factors involved in reducing the drowning risk — preventing the child from entering the bucket or eliminating the liquid in which the child drowns — while still allowing manufacturers many packaging designs and alternatives to choose among, the comments state.

On the other hand, "a mandatory warning label alone is not adequate to address this risk," the comments state. "Despite the recent use of labels, deaths appear to be continuing at a consistent rate." At least one death has occurred in a labeled bucket.

In addition, CFA urged the commission to address the issue of new, empty five-gallon buckets sold in retail stores in its rulemakings and to actively promote the use of alternative containers.

Baby Walker Performance Standard Needed

CFA also urged the CPSC to adopt a performance standard to address deaths and injuries associated with baby walkers and supported the commission's proposal to focus particularly on a standard that prevents walkers from falling down steps.

Studies have indicated that 79 percent of baby walker injuries are the result of falls down stairs and that nearly 100 percent of serious injuries result from stairway falls, CFA's comments note.

Contrary to common misperceptions, these walker falls do not necessarily result from poor supervision. In a CPSC study, 61 percent of respondents reported a closed door, gate, or other barrier in use prior to or around the time of the fall. Others reported that the walker moved too quickly for a nearby adult to prevent the incident.

This suggests "that traditional supervision, such as being in the same room as the child and keeping an eye on the child, is not enough," the comments state.

Furthermore, CFA noted in its comments that "warnings alone, even if new and improved, will not significantly decrease the risk of injury to young children in walkers." Baby walkers have carried warn-

ings since 1986, and the number of walker injuries has risen, the comments note.

Adoption Of Furniture Fire Standard Urged

In comments filed in August, CFA urged the CPSC to adopt the California standard for upholstered furniture fires caused by open flames.

It has been shown that furniture complying with the California standard, TB-117, "allows more time for escape, detection and suppression of fire than furniture that does not comply," the comments note.

This standard has been enforced in California for nearly 20 years, during which time both foreign and domestic manufacturers have had to comply with the regulation. "If manufacturers have successfully complied with TB-117 in California, the state with by far the largest population, it stands to reason that manufacturers should have not problem complying in the other 49 states," the comments state.

CFA also noted that a warning label alone would be ineffective, since consumers are already well aware of dangers of fire and since labeling would have no effect on fires started by children.

Finally, CFA urged the commission to continue its study of the possible development of a flammability standard addressing cigarette ignition of upholstered furniture, including performing an independent evaluation of upholstered furniture conformance with the industry voluntary program.

CFA Participates In World Consumer Congress

Leaders of CFA participated in, and made presentations at, the 14th World Congress of the International Organisation of Consumers Unions (IOCU) held recently in Montpellier, France.

The nearly 500 persons from 76 countries who attended discussed and debated issues related to the theme of Consumers in the Global Market. General sessions focused attention on the GATT, transnational corporations, sustainable consumption, and economic restructuring. In addition, workshops treated a variety of policy and organizational issues of interest both to industrialized and developing countries.

In a session on "Financial Services: Reading the Fine Print," CFA Executive Director Stephen Brobeck discussed barriers to informed consumer decisions about financial services products and strategies for reducing or eliminating these barriers. In a related session, "Consumer Loans: Easy Credit or Debt Trap?," CFA President Jean Ann Fox described various credit abuses by lenders against low and moderate income consumers.

The participation of Brobeck and Fox was made possible by support from Consumers Union, whose President, Rhoda Karparkin, has provided critically important leadership and financial support to IOCU for many years. Karparkin herself spoke in sessions on empowering the poor and raising funds. Other Consumers Union staffers also participated in the conference, including Mark Silbergeld, a CFA Vice President, who spoke on trade relations in the Americas.

In addition to Consumers Union, other CFA member organizations that contributed to the World Congress were the American Council of Consumer Interests and AFSCME Local 1549, which represents New York City Board of Education support workers.

During the past three years, IOCU has grown more active and effective under the leadership of James Firebrace. It has also concentrated greater attention on the Third World. IOCU now has strong regional offices in Asia, Africa, and Latin America, and it is providing much assistance to consumer groups in Eastern Europe and the former Soviet Union.

In addition, IOCU has created a new Programme for Developed Economies that provides for the exchange of information on key issues among members in industrialized countries.

As a part of its restructuring, IOCU has created a new Global Policy and Campaigns Unit responsible for coordinating the development of balanced global policy positions and related representation before international policy-making bodies.

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