

1-1-1971

## Action for Consumers

Hubert H. Humphrey

Follow this and additional works at: <https://digital.sandiego.edu/sdlr>



Part of the [Consumer Protection Law Commons](#)

---

### Recommended Citation

Hubert H. Humphrey, *Action for Consumers*, 8 SAN DIEGO L. REV. 1 (1971).

Available at: <https://digital.sandiego.edu/sdlr/vol8/iss1/3>

This Article is brought to you for free and open access by the Law School Journals at Digital USD. It has been accepted for inclusion in *San Diego Law Review* by an authorized editor of Digital USD. For more information, please contact [digital@sandiego.edu](mailto:digital@sandiego.edu).

# Action For Consumers

HUBERT H. HUMPHREY\*

Our awesome abundance is a tribute to the productivity of American capitalism and the ingenuity of American businessmen and workers. We have no chronic shortages, no dreary sameness, no technological lags. Compared to other countries, we live in plenty.

The vast majority of our businessmen recognize that it is to their advantage to sell a decent product at a reasonable price. Our credit transactions are usually fair. Most services are as represented and most consumers are in a position to exercise choice and discretion in their purchases.

But our system is by no means perfect. We are very well organized in this country in our capacity as producers, but not yet in our capacity as consumers.

Though the consumer movement is growing both in scope and activity, it is yet to play a significant role in government decision making except in such limited activities as lobbying for Truth-In-Lending, or Truth-In-Packaging, legislation.

These are important efforts and I do not mean to downgrade them. But the American consumer cannot afford to stop short at the marketplace. There is a whole basketful of areas which we, as consumers, must examine if we are to move from a defensive to an offensive position in consumer affairs.

---

\* United States Senator from Minnesota; A.B., University of Minnesota, A.M., University of Louisiana.

We must for example, recognize and identify the environmental hazards posed by the manufacture of certain items, and the pollutant effects of the waste disposal systems of many industries.

We must concern ourselves with the quality of television programming offered by the makers of our favorite products—it is, after all, *our* choice that determines what we see—and what our children see—in this marvelous electronic age.

Public transportation and public utilities too are consumer problems, and so are the cost and quality of our professional services—health and law and education.

The emergence of enormous credit data-banks poses a serious threat to today's consumer. Networks of private investigators gather the most personal information about individuals without their knowledge—a serious invasion of privacy—and computer errors and rumor (fed into the computer as facts) can permanently destroy reputations as well as credit ratings.

These things require legal remedies that few of us can afford and that, in some cases, do not exist. So do some of the new sales techniques, including the mailing of unsolicited credit cards and unsolicited merchandise, an unwarranted imposition on the recipients. More seriously, credit cards mailed in this fashion sometimes fail to reach those for whom they were intended, and fall into unscrupulous hands.

To correct these abuses, I think we need a Consumer Privacy Protection Act that would require credit reporting bureaus to permit each individual to review his own file and correct any errors.

I think we need an Unsolicited Credit Card and Merchandise Protection Act that would prohibit the distribution of credit cards not requested by the addressee, and would limit liability in the event of unauthorized use. Such legislation could require that unsolicited merchandise be considered a gift to the recipient.

Another important area of consumer abuse is insurance—a billion dollar industry in which the consumer is usually less than sure of what he pays for. I think the Congress should authorize an Insurance Study Commission to investigate rate making and general practices in the industry, as well as ways to enable the insurance consumer to make accurate cost comparisons when shopping for insurance, and to guard against fraud in the sale of mail order insurance.

To protect consumers against fraud and misrepresentation, we need a Deceptive Sales Act with an appropriation that would enable

the Federal Trade Commission to move in fast against sales rackets such as those in home improvements which—according to the Better Business Bureau—cost the American consumer over half a billion dollars last year.

And we should establish a National Consumer Fraud Program under the Justice Department. It would need a network of local and regional bureaus to prosecute frauds and swindles in violation of federal law, and to work with state and local agencies in a common effort to rid the nation's marketplace of economic misrepresentation and exploitation.

These are some of the major areas in which consumers can develop legislative recourse. And, if we are to continue to take pride in our American abundance, we will have to do something about these areas of abuse.

In creating this abundance, we have substituted mass production and mass marketing for personal enterprise and personal contact. We have created a gulf—and a credibility gap—between the consumer and those who produce and sell to him.

But we must also—as I said earlier—look beyond the marketplace and beyond the legislature, beyond our justified demands for product safety—for bottles that do not explode, and foods that do not spoil, and appliances that do not short circuit, and automobiles that do not fail us at crucial moments—we must look too at quality.

Quality is more than the merit of individual products, it is our total atmosphere. The environmental disruption from abundant production, the noise from our impressive transportation machines, the square miles of filth from our solid wastes—these are all legitimate and necessary concerns for the contemporary consumer in the battle to preserve and protect the human experience. And they will require individual vigilance from each of us in the decade ahead.