

CONSUMER MESSAGES TO CONGRESS: A HISTORICAL RECORD

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In 1962, President John F. Kennedy sent a Consumer Message to Congress. It was to be the first of eight Consumer Messages by five Presidents, a tradition that lasted until President Reagan took office in 1981. Kennedy's Message is by far the most well-known. The introduction gave us the Consumer Bill of Rights: the right to safety, the right to be informed, the right to choose, and the right to be heard. The thrust of this message, and all the subsequent messages, is programmatic. The messages outline what the President believed were the pressing consumer issues of the year and what steps Congress and the administrative agencies should take to alleviate the problems.

The following Table identifies the proposals made in each of the eight Messages and lists the resulting legislative and administrative actions. Additional actions are also given which expand upon the proposals or follow in the spirit of the proposals. This is not an attempt to identify every regulatory action in the consumer interest since 1962. Most conspicuously absent are the many energy and environmental actions as these were mentioned in the Messages only in relation to auto air pollution and utility costs.

These eight Messages provide an excellent historical framework for reviewing the important consumer issues of the 1960s and 1970s. Following proposals through subsequent Messages provides a vehicle for assessing the degree of opposition to certain proposals. For example, the call for Truth-in-Lending legislation appeared in four Messages. Some proposals have never been enacted. The Messages can also be used to analyze the timing of certain proposals. Also, the progression of legislative actions on a particular proposal can be assessed. In a number of cases, Congress went beyond what a President had proposed to handle a certain issue.

The Presidential Consumer Messages to Congress

serve an important historical function. They served to direct Congress toward what the President considered to be the vital consumer issues. And now we can look at the proposals as providing a framework from which to view the legislative progress of the third wave of the consumer movement. The Table can be utilized by consumer educators in a number of ways.

REFERENCES

Carter, J. 1977. "Consumer Proposals." House of Representatives Doc. No. 95-119, April 6. [Carter]

Ford, G.R. 1975. Presidential Letter to Congress, Presidential Papers, Nov. 19. [Ford]

Johnson, L.B. 1964. "The American Consumer." House of Representatives Doc. No. 88-220, Feb. 5. [LBJ.1]

Johnson, L.B. 1966. "Consumer Interests." House of Representatives Doc. No. 89-413, March 21. [LBJ.2]

Johnson, L.B. 1967. "American Consumer Protection." House of Representative Doc. No. 90-57, Feb. 16. [LBJ.3]

Johnson, L.B. 1968. "The American Consumer." House of Representatives Doc. No. 90-248, Feb. 6. [LBJ.4]

Kennedy, J.F. 1962. "Consumers' Protection and Interest Program." House of Representatives Doc. No. 87-364, March 15. [JFK]

Nixon, R.M. 1969. "Protection of Interests of Consumers." House of Representatives Doc. No. 91-188, Oct. 30. [Nixon.1]

Nixon, R.M. 1971. "Buyer's Bill of Rights." House of Representatives Doc. No 92-52, Feb. 25. [Nixon.2]

CONSUMER PROPOSALS AND SELECTED GOVERNMENTAL ACTIONS 1962-1989

RECOMMENDATION	ACTIONS TAKEN	Related Actions in Food & Drug Safety
<b>I. Food and Drug Safety</b>		
Increased inspection in food processing, poultry and meat packing, and drug manufacturing (JFK; LBJ.1)	1962 FDA Current Good Drug Manufacturing Practice Rule 1969 FDA Current Good Food Manufacturing Practice Rule 1974 Perishable Agricultural Commodities Act Amendments	1972 Federal Water Pollution Control Amendments 1974 Safe Drinking Water Act 1976 National Consumer Health Information & Health Promotion Act 1977 FDA Chlorofluorocarbon Labeling Rule 1977 FDA Acrylonitrile Bottles Rule 1978 USDA Sodium Nitrite in Bacon Rule
Strengthen meat inspection in conjunction with states (LBJ.3)	1967 Wholesome Meat Act	
Increased inspection for poultry products (LBJ.4)	1968 Poultry Inspection Act 1970 Egg Products Inspection Act	
Increased inspection for fish and fisheries (LBJ.4)		
Review GRAS substances for safety (Nixon.1)	1970 FDA Cyclamate Rule 1977 Saccharin Labeling Act	

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Nutritional labeling program (Nixon.2)

Unsafe, ineffective drugs to be removed (JFK)

Devices to be tested for safety and effectiveness prior to marketing (LBJ.1,2,3; Nixon.1)

Drugs to be tested for safety and effectiveness prior to marketing (JFK)

Cosmetics to be tested for safety prior to marketing (JFK; LBJ.1,2)

Warning labels for drugs, cosmetics and pressurized containers (LBJ.1,2)

Regulate pesticides (JFK; LBJ.1)

Assignment of generic names to drugs (JFK)

Control barbiturate and amphetamine distribution (JFK)

Recording of drug experience and certification of all drugs (LBJ.2)

Identification of drugs (Nixon.1,2)

FTC to require drug advertising to physicians to disclose safety and efficacy (JFK)

Licensing of clinical laboratories to meet standards (LBJ.3)

End use of pesticides prior to market clearance (LBJ.1)

## II. Product Health and Safety

Extend protection from hazardous products to children (LBJ.2)

Establish National Commission on Product Safety (LBJ.3; Nixon.1)

Strengthen Flammable Fabrics Act (LBJ.3)

Initiate a fire research program and promote fire prevention education (LBJ.3)

Minimum safety standards for gas pipelines (LBJ.1)

Safety standards for radiation yielding products (LBJ.4)

Establish recreation boat safety programs and standards (LBJ.4)

Create consumer product safety organization to promote safe products and safe usage of products (Nixon.2)

Premarket testing for all products (Nixon.2)

## III. Transportation Safety and Health

HEW, Commerce and auto industry to review design changes aimed at increased safety and decreased air pollution (JFK)

FAA to design an improved air traffic control system (JFK)

## IV. Financial and Credit Protection

SEC investigation of securities industry to serve as basis for later legislation (JFK)

Disclosure for over-the-counter securities (LBJ.1)

Safeguards against unscrupulous practices in interstate land sales (LBJ.3)

Mutual fund investor protections (LBJ.3)

1973 FDA Nutrition Labeling Rule  
1984 FDA Sodium Content Labeling Rule

1976 & 1984 Medical Device Amendments  
1977 FTC Hearing Aid Rule  
1978 FDA Good Manufacturing Practices for Medical Devices Rule

1962 Kefauver-Harris Drug Amendments  
1985 Revised FDA Drug Efficacy Rule

### Related

1976 FDA Cosmetic Labeling Rule

1965 Hazardous Substances Act Amendment  
1970 Poison Prevention Packaging Act

1972 Federal Environmental Pesticide Control Act

1962 Kefauver-Harris Drug Amendments  
1972 Drug Listing Act

1965 Drug Abuse Control Act  
1966 Narcotic Addict Rehabilitation Act  
1970 Controlled Substances Act  
1970 Controlled Substances Import and Export Act  
1972 Drug Abuse Prevention, Treatment and Rehabilitation Act

1972 Drug Listing Act  
1975 FDA Voluntary National Drug Code

1967 Clinical Laboratories Licensing Amendments  
1988 Clinical Laboratory Regulation Act

1966 Child Protection Act  
1969 Child Protection and Toy Safety Act  
1971 Lead-Based Paint Poisoning Prevention Act and 1974 Amendments  
1972 Consumer Product Safety Act  
1984 Toy Safety Act  
1987 CPSC All-Terrain Vehicle Ban

1967 National Commission on Product Safety

1967 Flammable Fabrics Act Amendments

1969 Fire Research and Safety Act  
1974 Federal Fire Prevention and Control Act

1968 Natural Gas Pipeline Safety Act

1968 Radiation Health and Safety Act

1971 Federal Boat Safety Act

1972 Consumer Product Safety Act  
1976 and subsequent Reauthorization and Improvement Acts

1963 Clean Air Act and subsequent Amendments  
1965 Motor Vehicle Pollution Control Act  
1966 National Traffic and Motor Vehicle Safety Act  
1966 National Highway Act  
1967 Air Quality Control Act  
1969 National Environmental Policy Act  
1970 National Highway Traffic Safety Act  
1971 NHTSA Occupant Protection in Interior Impact Rule  
1974 Emergency Highway Energy Conservation Act  
1977 NHTSA Bumper Standard  
1977 NHTSA Passenger Automobile Average Fuel Economy Standards  
1979 NHTSA Tire Identification Rule  
1982 EPA Lead Content in Gasoline Standards  
1982 Diesel Engine Emission Standards  
1983 NHTSA Third Brake Light Rule  
1984 NHTSA Passenger Car Safety Rule

1970 Securities Investor Protection Act  
1970 Investor Protection Amendments to Securities Exchange Act of 1934  
1974 Commodity Futures Trading Commission Act

1964 Amendments to the Securities Act of 1933

1968 Interstate Land Sales Full Disclosure Act

1970 Investment Company Amendments Act

1979 FDA & USDA Diethylstilbestrol (DES) Rule  
1980 FDA Liquid Protein Rule  
1982 FDA Tamper Resistant Packaging Rule  
1982 FDA Infant Formula Quality Control Procedures Rule  
1983 Orphan Drug Act  
1986 BATF Alcoholic Beverage Definitions Rule  
1987 USDA Fresh & Processed Meats Labeling Rule  
1988 FDA Aspirin Labeling for Reyes Syndrome Rule

### Related Actions in Product Health & Safety

1969 National Environment Policy Act  
1970 Occupational Health & Safety Act  
1972 Noise Control Act  
1972 Youth Camp Safety Investigation Act  
1976 Solid Waste Disposal Act  
1977 Toxic Substances Control Act  
1978 Home Insulation Safety Act

### Related Actions in Transportation Safety & Health

1970 Traffic & Motor Vehicle Safety Amendments  
1972 Motor Vehicle Information Information & Cost Savings Act  
1974 Motor Vehicle Safety Act Amendments  
1974 Motor Vehicle & School Bus Safety Amendments  
1975 Auto Recall Repair Act  
1984 Motor Vehicle Theft Law Enforcement Act  
1984 DOT Commercial Airline Smoking Rule  
1986 Truth-in-Mileage Act  
1989 Airline Smoking Ban Act

### Related Actions in Financial & Credit Protection

1969 Bankruptcy Amendments  
1970 Bank Holding Company Act  
1970 Share Insurance Amendments to the Federal Credit Union Act  
1974 Real Estate Settlement Procedures Act

Truth-in-lending (JFK; LBJ.1,2,3)

National Commission on Consumer Finance to review credit practices (Nixon.1)

Employee protection in private pension plans (LBJ.3)

Stepped-up enforcement of mail fraud statutes (JFK)

#### V. Information and Representation at the Federal Level

Make current information more available to consumers (JFK; Nixon.1)

Council of Economic Advisors to create a Consumer's Advisory Council (JFK)

President's Committee on Consumer Interests and the Consumer Advisory Council (LBJ.1)

Create Office of Consumer Affairs (Nixon.1,2)

Each federal agency to designate a special assistant for consumer affairs (JFK)

Appoint a consumer division within Justice (LBJ.4; Nixon.1,2)

Consumer Advocate at the federal level (Nixon.2; Carter)

Postmaster General to begin a pilot program for the dissemination of consumer information in post offices (JFK)

Expand consumer education programs especially in adult education (LBJ.1; Nixon.1,2; Ford)

Consumer education programs for those in poverty (LBJ.2; Nixon.1)

Funds for citizen participation in agency & judicial proceedings (Carter)

Expand opportunities for class action lawsuits (Carter)

#### VI. Vigilance against Monopolies

FTC to be given power to issue cease and desist orders (JFK; LBJ.1; Nixon.1,2)

Companies must give notice of mergers in advance to Justice (JFK)

#### VII. Effective Regulation of Business Practices

CAB: airline overbooking (JFK)

FCC: television program selection and promotion of educational television (JFK)

FPC: regulation of utility rates (JFK)

FTC: deceptive trade practices and false advertising (JFK; LBJ.4)

ICC: household movers (JFK)

Truth-in-packaging (JFK; LBJ.1,2)

Increase electric power reliability and service (LBJ.3)

DOT to study state auto insurance rates & regulations (LBJ.4)

Improve warranty programs (LBJ.4; Nixon.1,2)

Right to sue in federal court to recover damages from fraudulent or deceptive practices (Nixon.1,2)

FTC to have jurisdiction over consumer abuses "affecting" interstate commerce (Nixon.1,2)

Create consumer fraud clearing-house (Nixon.2)

1968 Consumer Credit Protection Act & 1969 FRB Regulation Z

1970 Credit Card Act  
1970 Fair Credit Reporting Act  
1974 Fair Credit Billing Act  
1974 Equal Credit Opportunity Act & 1975 FRB Regulation B  
1976 Equal Credit Opportunity Act Amendments  
1976 Federal Deposit Insurance Act  
1976 FTC Holder-in-Due-Course Rule  
1977 Fair Debt Collection Practices Act  
1978 FRB/FDIC Consumer Fund Transfer Rule  
1980 Truth-in-Lending Simplification and Reform Act  
1985 FTC & FRB Credit Practices Rule  
1985 FRB Rule Limiting Telephone Credit Card Liability  
1986 Fair Debt Collection Practices Act Amendments

1974 Employee Retirement Income Security Act

1970 Mail Fraud Act  
1977 Mail Fraud Solicitation Act  
1987 USPS COD Payment Rule

1970 Executive Order 11566, Consumer Product Information

1962 President's Consumer Message to Congress

1964 Executive Order 11136, Establishing the President's Committee on Consumer Interests  
1967 Executive Order 11349, Amending Executive Order 11136

1971 Executive Order 11583, Office of Consumer Affairs

1979 Executive Order 12160, Enhancement and Coordination of Federal Consumer Programs

1972 Education Amendments  
1974 Education Amendments (creating position of director of consumer education in Office of Education)

1974 Head Start Economic Opportunity and Community Partnership Act

1980 Dispute Resolutions Act

1973 Trans-Alaska Pipeline Authorization and Federal Trade Commission Improvements Act  
1975 Magnuson-Moss Warranty and Federal Trade Commission Improvements Act

1974 Anti-Trust Procedures and Penalties Act  
1976 Hart-Scott-Rodino Anti-Trust Improvement Act

1978 CAB Airline Overbooking Rule  
1982 CAB Airline Overbooking Ruled Modification

1962 All-Channel Receiver Act  
1967 Public Broadcasting Act & 1981 Amendments

1978 Public Utilities Regulation Policy Act  
1978 Natural Gas Policy Act

1963 FTC Sleeping Bag Advertising and Labeling Rule  
1965 FTC Previously Used Lubricating Oil Advertising and Labeling Rule  
1969 FTC Games of Chance Rule  
1971 FTC Advertising Substantiation Program  
1971 FTC Availability of Advertised Specials Rule & 1989 Revision  
1975 Magnuson-Moss Warranty and Federal Trade Commission Improvements Act  
1978 FTC Franchise and Business Opportunities Rule  
1978 FTC Advertising of Ophthalmic Goods Rule  
1978 FTC Vocational Schools Rule  
1984 FTC Funeral Practices Rule  
1984 FTC Used Care Rule

1980 Household Goods Transportation Act

1966 Fair Packaging and Labeling Act

Related  
1977 Public Utilities Regulation Policies Act

1968 Automobile Insurance Study Act

1975 Magnuson-Moss Warranty and Federal Trade Commission Improvements Act

1973 Trans-Alaska Pipeline Authorization and Federal Trade Commission Improvements Act

1975 & 1977 Federal Credit Union Amendments  
1976 Consumer Leasing Act  
1976 Real Estate Settlement Procedures Amendments  
1978 Electronic Funds Transfer Act  
1980 Depository Institutions Deregulatory & Monetary Control Act  
1982 Depository Institutions Act  
1987 Expedited Funds Availability Act

#### Related Actions in Information & Representation at the Federal Level

1966 Public Information Act  
1974 Freedom of Information Act  
1974 Privacy Act  
1976 Government in the Sunshine Act

#### Related Actions in Effective Regulation of Business Practices

1965 Federal Cigarette Labeling & Advertising Act  
1969 Public Health Cigarette Smoking Act  
1971 Cigarette Labeling & Advertising Act  
1972 FTC Incandescent Lamp Disclosure Rule  
1972 Posting of Octane Numbers at Gasoline Pumps Rule  
1973 Little Cigar Act  
1977 & 1984 DOT Air Carrier Baggage Liability Rules  
1977 CAB Timely Notification of Baggage Loss Rule  
1978 FDA Vitamin & Mineral Labeling Rule  
1979 FDA Patient Package Insert Rule  
1980 BATF Mail-Order Alcohol Labeling Rule  
1986 Comprehensive Smokeless Tobacco Health Education Act  
1987 National Energy Conservation Policy Act