EDITORIAL
Who Speaks for the Consumer?

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The consumer movement is necessarily going through a period of reappraisal. Budgetary cutbacks and recessionary conditions would, in any event, have brought about a search for priorities and a regrouping of consumerist forces, but it seems to this writer that, if consumers are to hold the ground they won in the battles of the 1960s and 1970s and to be able to move forward to further victories as the economic situation improves, they should take the opportunity afforded by the current lull in order to make sure that the new advance, when it occurs, is solidly based in good sense and practicalities, and that, above all, the leaders and spokespersons of the movement are not self-appointed nor false claimants to representative positions.

Since we are all consumers, it is admittedly difficult to obtain through democratic means any kind of organizational structure that can genuinely claim a mandate to represent the consumer in general on any particular issue. It was partly in recognition of this that we have had a spate, in the last fifteen or twenty years, of newly created governmental positions, the incumbents of which were vested by the reigning political party with authority to represent the interests of consumers. There were two primary ways in which this approach could be regarded as appropriate. The individuals or bodies so appointed could have conducted research on a scientific basis and, conceivably, could thus be regarded as fairly and reasonably putting forward views which represented the views of at least a substantially sized cross-section of the community on whose behalf representations were made. The other legitimate area of operation for such governmental appointees was one in which they provided an easy and well-publicized forum to which individual complaints of consumers could be directed and the matters in dispute resolved, if possible, by mediation.

Unfortunately, both in the public and private sectors, the consumer movement attracted to its ranks scores of spurious claimants to representative capabilities on behalf of the consumers at large. There are many examples: the government employee who appears before a legislative committee and speaks for the consumer without any justification beyond the fact that he has been appointed to perform this function; the representatives of Legal Aid, more often than not supported by governmental funding, who indulge in lobbying activities, allegedly on behalf of the poor and downtrodden; and the leaders of associations of consumers who take public positions on controversial issues, claiming that the strength of their membership gives them the right to take these stands and express such views, when the fact is that there has seldom been any real attempt to canvass the opinions of the members on the particular issues, and, in any event, however large the association's membership may be, it is bound to represent only a minor fraction of the totality of consumers.

But, the consumer activist will say, this argument, even if it has validity, is not constructive since its acceptance would eliminate or greatly impede the development of means whereby the voice of the consumer may be heard. Surely, it is better that earnest and concerned people should have opportunities of presenting arguments in favor of what they believe to be the consumer interest than that, because of the practical difficulties of obtaining a genuine consensus on any specific topic, the consumer position should be entirely neglected. There is admittedly something to be said for this point of view and it justifies, as has been said, the appointment of government officials for the purpose of protecting the consumer. Unfortunately, the consumer movement has suffered from the fact that, in many instances, those who obtained positions of prominence in key positions, both in the public and

Continued on page 2
private sectors, were zealots who, by their extreme attitudes, have often brought the consumer movement into disrepute. One is reminded, in that connection, of an apt quotation from Shakespeare:

"But man, proud man,
Drest in a little brief authority,
Most ignorant of what he's most assured,
His glassy essence, like an angry ape,
Plays such fantastic tricks before high heaven
As make the angels weep."

 Measure for Measure, Act II, Sc. 2

Another matter which, it is submitted, should receive high priority in any intelligent reappraisal of the achievements of the consumer movement, is the monstrous body of consumer law with which the nation is now encumbered, at vast cost, with very little benefit flowing to the consumer, least of all to the poor and disadvantaged. Indeed, the main beneficiaries of all this lawmaking have been middle class consumers, the bureaucrats who administer such laws, and the legal practitioners who have waxed fat on the litigation that has spawned in enormous volume by the Truth-in-Lending Act, the Equal Credit Opportunity Act, and a mass of other laws in similar vein.

The Truth-in-Lending law was simple in concept and, at the outset, was developed upon the theory that, if all consumer lenders were obliged to declare the true rate of interest, the Annual Percentage Rate (APR), according to a common formula, there could then be no deception regarding the cost of credit, and potential borrowers would be able to "shop around" for the best credit bargains. But the activists were not content with the mere enforcement of cost of credit disclosures; they demanded special declaration of contractual terms, printing of documents in stipulated type sizes, and mandatory inclusion of particular provisions, so that the documentation of a simple consumer loan has become so cumbersome that it is virtually incomprehensible to the layman and read only by those lawyers who are for ever on the lookout for sources of litigious activity.

Truth-in-Lending then came from a sensible vision, but was spoiled in execution. The Equal Credit Opportunity Act (ECOA), however, the cost of which is prodigious, never had any scientific evidence to support the enactment of even limited intervention on the part of the government, and certainly nothing to justify the amazingly complex law and regulation which have come into being based only on anecdotal evidence of discrimination, mainly from a few middle class women who alleged that they had been denied credit because of their gender. Some scientific studies have been carried out since the enactment of the ECOA, and they have all confirmed what was always apparent; namely, no lender who wanted to remain in business could afford to exclude as possible customers whole classes of people, who were to be thus ostracized on prejudicial or stereotypical grounds. To the extent that credit had been refused in individual cases on such a slender basis, it was evident that it occurred through the frailties of human nature and the personal attributes of a small number of loan officers. If any law was needed in this area, a short statute of a declaratory nature would have sufficed. But, here again, the zealots prevailed and we are now saddled with an arcane law that is not even limited to discrimination on grounds of sex, but spreads its pernicious embrace around such imagined victims of credit discrimination as the elderly, the non-white and the recipient of social assistance.

The list of atrocities committed in the name of consumerism is endless. There has been considerable legislative and regulatory activity at all levels of government to fight another devil that almost certainly does not exist. The allegation that lenders drew red pencil markings on maps of certain areas, chiefly inner city localities, and excluded all forms of credit on an arbitrary basis within the vicinities so marked, has never been shown to be true or to be based on properly conducted research. But all of us as consumers and taxpayers pay the piper for these carefree legislative excursions in which our law makers have indulged themselves in recent years.

So what is to be done? Thank goodness, we have a breathing space and a Congress that is generally sympathetic to a degree of simplification with respect to the array of statutorily imposed consumer protective measures. At such a time, it is, in this writer's view, the opportunity for the better elements of the consumer army to regroup, redefine their objectives, and arrange a new order of battle for the purpose of safeguarding those gains that, with hindsight, can be seen to have been worth the struggles of the past, and with the additional objective of seeing that the consumer's voice is heard, especially before tribunals such as those that receive applications for price increases by public utilities. This is a vital field for such representation and, if the attitude of those who claim to speak for the consumer is constructive, probing but not antagonistic, nobody need claim that such representatives hold no mandate on behalf of the consumer. This consumer will be delighted to find himself represented in such cases by individuals of moderation and demonstrated ability, but he does not feel inclined any longer to allow the firebrands and the bigots to get away with an unsupported and unsubstantiated claim that they speak on his behalf.

The reader who would like to delve more deeply into the question, as to whether the movement for consumer protection should submit itself to a process of self-examination, would do well to read the article by P.S. Atiyah, entitled "Consumer Protection—Time
Consumer Tips From The Great Detective

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Sherlock Holmes and his associate, the good Dr. Watson, are best known to the reading public for their perilous forays into the Victorian underworld during the late nineteenth century. The very name of Sherlock Holmes conjures up nostalgic visions of violins, pipes, gas-lights, hansom cabs, and the foggy streets of bygone London. When the tall, hawk-nosed detective first appeared in “Beeton’s Christmas Annual” back in 1887, few readers had any idea that Arthur Conan Doyle had created one of the most durable and beloved characters in English literature. The complete collection of adventures, fondly referred to as the Canon by fans of the famous detective, consists of fifty-six short stories and four novels. The more popular of the tales have been presented frequently on radio, stage, and the motion picture screen.

There are several intriguing similarities between the strategies used by the detective and those required by the intelligent consumer. Indeed, the Holmes literature is an excellent vehicle to help the instructor illustrate some of the basic principles taught in consumer education courses. For example, Holmes insisted in The Sign of Four that the three essential qualities for the ideal detective were the power of observation, the power of deduction, and a wide range of exact knowledge. It is apparent that the ideal consumer would also benefit by developing these characteristics.

Perusal of the Canon suggests that the detective recognized quality products and struck more than a few good bargains himself. A man of the world, Holmes fancied himself as an expert on food, wine, music, art, and literature. As one example, he refers to Imperial Tokay as a “remarkable wine” in His Last Bow. Perhaps his peak experience in the marketplace occurs in The Cardboard Box when he purchases a rare Stradivarius violin, valued for at least five hundred guineas, for fifty-five shillings from a pawnbroker in Tottenham Court Road.

What are some of the Holmesian methods which contributed to his astuteness both as a detective and a consumer? The first point is that Holmes had great respect for education and the importance of academic training. He was a product of the English boarding schools and studied at a university (Sherlockians argue as to whether his school was Oxford or Cambridge) for at least two years. He later completed independent studies in the Reading Room of the British Museum and conducted scientific research at St. Bartholomew’s Hospital in London. It should be noted that Holmes found his personal library and collection of reference works to be invaluable resources in resolving many of his cases. In the same way that a solid education was the basis for a successful career as private investigator, Holmes surely sensed that educational programs must be the foundation for citizens to become more intelligent consumers.

A second factor which can be gleaned from the Holmes chronicles is the necessity to become familiar with the various brands of products available. Throughout his many exploits, the detective shows his familiarity with the brand names of such products as wines, violins, watches, locks, pipes, firearms, and bicycles. Although his claims seem exaggerated even for a man of his towering intellect, Sherlock Holmes boasted that he was acquainted with forty-two types of bicycle tire (Priory School), seventy-five types of perfume (Hound of the Baskervilles), and as many as 140 different varieties of tobacco (Boscombe Valley Mystery).

A third aspect of the detective approach is the avoidance of preconceptions about particular products. Holmes often cautioned Watson that all the facts of a case must be collected and analyzed before an intelligent judgement could be made. Unless the investigator keeps an open mind, premature theories can lead him to misinterpret the evidence so as to fit his biases. Before purchasing any goods or services, the consumer would also do well to heed Holmes’ famous maxim that “It is a capital mistake to theorize before one has data” (Scandal in Bohemia).

A fourth dimension of this strategy involves the ability to observe those small details which may be overlooked by others. Holmes questioned the suspected criminals, and even his clients, on the most minute details of the mystery he was attempting to solve. In some cases, one “trivial” bit of information

Continued on page 4
would reveal the truth or open up a new line of inquiry. In fact, the entire Holmes' method was based upon the observation of trifles. The detective, in a playful mood, once asked Dr. Watson the number of steps from the street to their lodgings on Baker Street. Watson, as expected, had no idea. Holmes noted that there were seventeen and then gently chided his old friend by saying, "You have not observed. And yet you have seen. That is just my point" (Scandal in Bohemia). The main implication for consumerism is that there may be small differences in design, workmanship, or warranty which make one product superior to another. Consumers can learn, like detectives, to be more perceptive of these differences when comparing various products and services.

A fifth point implicit in the Holmes' model is that emotions should not influence our purchasing decisions. The great detective considered detection an exact science and felt it must be pursued in a cold and unemotional manner. A life-long bachelor who scoffed at the softer emotions, he asserted that emotional arousal tended to hinder the objectivity required for accurate observation and logical reasoning. Holmes summarized his position on emotions in his revealing statement that "whatever is emotional is opposed to that true cold reason which I place above all things" (Sign of Four). Assuming that Holmes was correct, it would follow that emotional control is a requirement if the consumer is to make wise purchasing decisions.

Do these methods of Sherlock Holmes have relevance for consumer education? A review of his cases indicate a number of factors which can assist one in becoming a more sophisticated consumer of goods and services. To summarize this approach, it has been suggested that the consumer should be educated about products and services which are available, should become familiar with the brand names of various products, should not prejudge goods or services before studying all the evidence, should cultivate the ability to observe small differences in comparable products, and should realize that excessive emotional arousal may lead to poor purchasing decisions.

The same abilities and attitudes which enable one to become a proficient detective can also help one in becoming a more competent consumer. It is pleasant for followers of Sherlock Holmes to imagine that their hero is now retired and peacefully tending bees on a farm in the south of England. If so, the master sleuth will surely be delighted to know that his investigative procedures can also be the basis for a teaching method relevant to consumer education.

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The Homemaker/Entrepreneur: A Direction with Potential

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The traditional emphasis of consumer education programs is managing resources, especially time and money. However, consumers have many other resources, including special talents and skills. For some individuals, using these resources to produce income may not only form an alternative and satisfying combination, but one that requires special preparation. This preparation is a form of consumer education which bears exploration.

For the past two years, I have conducted seminars on "Selling Sewing Services" and "Sewing for Profit." Much creativity and plain good horse sense exists in the towns and villages of America. Women who have been hiding behind their calico aprons are becoming entrepreneurs and successfully marketing skills which were developed and perfected in their homemaking roles. Constructing clothing, draperies, window treatments, and decorator accessories as well as upholstering and chair seat weaving offer possibilities to the creative, ambitious, energetic person. Individuals with the expertise often need assistance to successfully produce income from talent and skills.

Entrepreneur workshops on "Selling Sewing Services" were conducted throughout Ohio by The Cooperative Extension Service home economics agents and state clothing specialists. Regardless of location, workshop registration has been triple the anticipated attendance—clearly a sign of the economic and social times. Ten years ago, these women (and a few men) would not have considered marketing these skills, or in many instances, hobbies.

Approaching a home business requires attention to five categories: The person, the family, the government, the client, and the product or service offered.

The Person

Not everyone can be his/her own boss and do it well. Before going into business, an individual must analyze one's own traits. Am I flexible, tactful, patient, ambitious, and energetic? Do I have a well-developed self-concept and possess strong managerial skills? The home business entrepreneur is just as much a professional as the individual in a separate store or shop. The idea of being a professional is a new concept for many individuals with little work experience other
than homemaking. Nevertheless, people need to be honest with themselves and evaluate their strengths and weaknesses. Some will be discouraged and perhaps rightly so. Operating a home business is not for everyone.

The Family

Every business operated from the home affects family members. They all must be supportive and cooperative. At times, family members may be inconvenienced and receive less attention than they experienced in the past. Starting a business in the home must be a family decision.

The Government

The regulations and limitations seem endless but require acknowledgement. Zoning laws, vendor licenses, sales income tax records and reporting, safety regulations, insurance, and consumer protection legislation comprise just a few of the concerns requiring investigation. The how, what, why, when, and where of these regulations, plus the how-much, can be cumbersome and complicated problems which must be recognized and solved.

The Client

Who will use the goods and services produced? What is the potential market? These are crucial questions to answer. Another challenge for many people newly established in business is dealing with the difficult or dissatisfied customer. For most, it will remain a challenge. The successful businessperson must develop the ability to handle tactfully such situations whether or not the client’s concerns are legitimate.

The home industry must be treated like a business located in a separate store or shop. Use of a purchase or work agreement for services is encouraged. It protects both the client and businessperson from unfortunate misunderstandings which cause dissatisfaction. A work agreement should include responsibilities of both parties as well as time limits, price, and method of payment.

A record system for income, expenses, and clients is crucial. Record systems need not be expensive and complex, but rather, useable and practical.

The Product or Service

Each product or service marketed possesses its own unique characteristics, even idiosyncrasies, which must be identified, considered and planned for in a successful business. Our workshops feature a panel of custom sewers, clearly a valuable segment. Each panelist provides insights into her specialty, such as reupholstery, custom dressmaking, alterations, or craft items. Generally, successful individuals readily share their knowledge and experience. They don’t fear competition; most have all the business they can handle.

In addition to local craftspeople or, in our case, successful custom sewers, the U.S. Small Business Administration, local Small Business Councils, and Chambers of Commerce are potential information resources. We successfully used at least one of these resources in all our sessions. These contributions and interests should be encouraged and nurtured.

Rather than work outside the home to supplement family income, many homemakers find marketing creative talents and skills they have developed a more attractive alternative. They are using talents effectively but to produce income rather than redistribute that which they already have.

Vocational schools offer many skill development programs, yet how much effort is directed toward alternatives for using these skills to increase or produce income. A few sessions on marketing the skill may offer more potential benefit than learning one or two new skills which hopefully the more highly motivated student might seek out or develop on the job.

The potential for cottage industries or home businesses among homemakers, youth, families, and retired individuals is considerable. It is economic education which can make a significant impact on family income and well-being.

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USING CLOTHING TO SAVE ENERGY

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Most consumers are all too aware of the energy situation of recent years. Higher energy costs have resulted in a flood of consumer materials and programs designed to help homeowners cut their energy bills mostly through lowering thermostats, installing home insulation, using and selecting appliances wisely, and installing efficient window treatments. Students too are taught the basics of energy conservation in a variety of classes in school. One conservation area that has tended to be overlooked, however, is the potential for saving energy through the appropriate use of clothing. Both in the classroom and in adult education situations the potential of energy savings through clothing use is an especially important topic.

Clothing can be easily used to maintain body comfort when interior temperatures are adjusted to save energy. Clothing, in fact, can be used to create a portable environment which means greater physical comfort in addition to dollar savings. Such information could be valuable to students now and in the future when they are homeowners themselves.

One important advantage of using clothing to save energy is that appropriate garments are often already in many consumers' wardrobes. As a result, little time, effort, or expense is involved. In addition, information on dressing for energy conservation is readily available and easily disseminated. The following suggestions for using clothing to save energy could form the outline for a science or consumer education unit from the adult to elementary school level.

Thermal Comfort

Basically, thermal comfort centers on the concept of thermal equilibrium. The exchange of heat between the body and the environment via radiation, convection, conduction, and evaporation must take place at an equal rate in order to maintain body comfort. Clothing serves as a mediator to control heat exchange. How well clothing allows heat to escape from the body or provides insulation depends on fiber content, fabric structure and clothing design and fit.

Fiber Content

Fiber content refers to the composition of fibers in a garment. Different fibers have different properties which influence body comfort. Wool, for example, has insulative and absorbent properties which help maintain body heat in cold weather in clothing such as sweaters, slacks, and socks. Acrylic is a synthetic fiber manufactured to have properties similar to wool. Both wool and acrylic fibers impede the loss of heat through radiation. Although the insulative ability of acrylic is not as good as that of wool, it is still a good choice, usually at a much lower cost.

When air conditioners are adjusted during warm weather, absorbent fibers such as cotton, linen, and rayon aid in body cooling through evaporation of moisture. Cotton is an excellent choice for undergarments as well as for outerwear. Since synthetic fibers such as nylon and polyester have very low absorbency, garments made of these fibers can prevent body moisture from evaporating and make the wearer feel clammy and uncomfortable. For summer, garments with a high percentage of an absorbent fiber such as cotton are desired.

Fabric Structure

Since dead air is one of the best insulators, the insulative potential of clothing will depend to some extent on whether the fabric is structured to provide for air space. Fabrics which entrap air and provide warmth include bulky knits used for sweaters, waffle knits or duofold used for thermal underwear, pile or napped fabrics with a surface dimension such as flannel or corduroy, and quilted fabrics with polyester or down batting. Wearing a heavy long-sleeved sweater means the thermostat can be lowered almost 4°F. Wearing several garments in layers also creates insulating dead air space between garments for maximum warmth.

In hot weather, loose weaves and open fabric structures allow for ventilation. Tightly woven fabrics prevent the transfer of air and moisture between the body and the environment causing perspiration and body heat to be trapped next to the body, thus decreasing comfort.

Garment Design and Fit

In dressing for thermal comfort, garment design is important in terms of the amount of coverage provided, the extent to which limbs are encased, the type and location of closings, and proper fit.

The "bellows effect" can occur when very stiff fabrics or too loose garments pump air surrounding the body through the neck, wrist, or waist openings. Closings such as zippers and buttons seal garment edges and also help retain body heat; wrapped closures allow heat to escape.

The degree to which clothing encases the limbs influences the loss of body heat through radiation. Garments which encase, such as pants or long-sleeved shirts, help hold in body heat by minimizing escape routes at wrists, neck, and ankles. Replacing a skirt with pants means the thermostat setting can be reduced 1.5°F; replacing a sleeveless dress with a long-sleeved dress or a sandal type shoe with a closed shoe can each allow the thermostat to be lowered an additional 0.2°F.
Sufficient fitting ease will permit clothing to be worn in layers to create dead air space between garments for greater insulation in cold weather. Adding an undershirt and a winter weight jacket over a shirt results in several dead air layers between layers and will keep the wearer comfortable with the thermostat setting turned down an additional 5°F. However, it is important that clothing not fit so tightly as to restrict ventilation which allows the escape of body moisture. Body moisture has a cooling effect so it is important to maintain dry clothing. An absorbent layer of clothing worn next to the skin, such as a cotton slip or undershirt, can absorb moisture.

Educational Strategies

The above information can be presented to students using a variety of techniques. At Miami University, both an illustrated pamphlet and a slide/tape presentation have been developed. We have conducted research investigating their usefulness and have found that both produce a significant increase in students' knowledge about using clothing to save energy.

Besides slides or written information, classroom projects and/or assignments could facilitate learning. For example, the principles of radiation, convection, conduction, and evaporation could be demonstrated using various articles of clothing. Classroom activities could include student use of a checklist to record how many energy efficient garments are already owned. Another assignment might focus on how efficient a typical school outfit is in terms of thermal comfort. A class might also develop a project in which garment choices could be varied at different room temperatures to compare comfort levels. Above all, clothes-conscious students should recognize that fashion need not be sacrificed for energy efficiency, nor must great amounts of money be spent to "energize" a wardrobe.

Conclusion

It is possible to survive high energy costs and stay comfortable in the new indoor environments by dressing appropriately. When students view clothing as a mobile environment, indoor temperatures can be adjusted to cut back on energy use. The result can be dollar savings both in the home and at school. We think the use of clothing to maintain body comfort can become so commonplace that interior temperature changes can be viewed as permanent adjustments and significant savings can be realized in the limited energy environment of the future.

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CONSUMER...

Continued from page 2

to Take Stock" (1979) 1 Liverpool L.R.20. The present writer would like to conclude with the following quotation from Mr. Atiyah's article (p. 44):

"...I am not suggesting that the whole experience of the past twenty-five years is in question, nor am I suggesting that there may still not be areas of law ripe for improvement and amendment in the consumer interest. But I do suggest that it is not necessarily the best policy to frame our consumer protection laws on the basis of the maxim. Lex procurator faturum est—the law is the Protector of the Stupid."

Newport Beach, California
SHELTER FROM THE TAX STORM: Effective Methods to Lower Income and Estate Taxes by Charles R. Perelman, J.D., C.P.A., is worth its weight in gold. This up-to-date volume is not only easy to read, but a bargain too, $6.95, from Executive Press, 9777 Wilshire Boulevard, Suite 700, Beverly Hills, CA 90212, Prepaid.

LONG DISTANCE FOR LESS: How to Choose Between Ma Bell and Those "other" Carriers by Robert Self is a mine of information in the era of telecommunications deregulation. The Telecom Library, 205 West 19 Street, New York, NY 10011.

Of consuming interest to pet owners and consumers are two excellent publications: SELECTING & CARING FOR YOUR DOG and SELECTING & CARING FOR YOUR CAT, both by Sheldon Rubin, DVM and the Editors of CONSUMER GUIDE. $3.98 each. Consumer Guide Publications, 3841 W. Oakton Street, Skokie, IL 60076. Ask for a list of the many consumer-oriented publications.

For those who wish to read an exceptionally well-developed study of the consumer finance industry, write for price information on the full or executive version of: PROJECTIONS FOR THE U.S. CONSUMER FINANCE INDUSTRY TO THE YEAR 2000: DELPHI FORECASTS AND SUPPORTING DATA by Wayne I. Boucher, Center for Futures Research, Graduate School of Business Administration, University of Southern California, Los Angeles, CA 90007.

The Federal Reserve Bank of New York continues to offer even more from the steady stream of inexpensive, accurate, and lively audiovisual materials on credit: ECO AND YOU is a filmstrip and narrative explaining discrimination in lending practices and consumer protection under federal law. GETTING CREDIT is a filmstrip and narrative which explains lending standards. Write: Sonya Fujarski, P.I. Department, Federal Reserve Bank of New York, 33 Liberty Street, New York, NY 10045.

For those who have an interest in international consumer affairs, Jan Taylor, Consumer Education Officer of the Queensland Government Office in Australia, can provide you with some fascinating "down under" materials: Consumer Affairs Bureau, Box 252, Brisbane, North Quay 4000, Australia.

Managing money certainly is one of life's most important skills, and the National Credit Union Youth Program Has recently produced its Money Management Kit to help students in that pursuit. For information, write: NCUYP, Box 391, Madison, WI 53701.

"How to Save Money When You Hire a Real Estate Broker" by Peter G. Miller is the first of a project series of consumer-oriented, single-subject handbooks published by The Springhill Press, Box 1762, Silver Spring, MD 20902. $4, including postage and handling.


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