

Let me ask you one other thing here. On page 2 you say you were requested by the food distribution industry.

Mr. O'BRIEN. Yes, sir.

Mr. MYERS. No one else, the HDC here did not request you?

Mr. O'BRIEN. No, sir.

Mr. MYERS. No one else requested the Better Business Bureau, you didn't get any complaints until the food industry itself asked?

Mr. O'BRIEN. Fifteen out of 67,000 calls were complaints on food in the first 6 months of this year.

Mr. MYERS. But none of these agencies that have come before us today have asked you to do anything?

Mr. O'BRIEN. No, sir.

Mr. NADLER. Last March with the original study that I did it was brought to the attention of the Better Business Bureau, at which time they said no laws were being violated and could not do anything about it.

Mr. MYERS. Do you recall this?

Mr. O'BRIEN. No, sir. I say we have a staff of 25, I don't mean to hide behind them, but I do not recall the incident. I would like to say in our 42 categories, food has never been in the top 10. They are such things as home remodeling, automobile purchases, traffic education, things of that sort.

Mr. MYERS. I have been somewhat familiar with the BBB and familiar with how they operate because I have utilized them quite often in helping people, and I don't think you always worry only about whether a law has been violated but also are you protecting the interests of the public, too. You are also concerned about this, too, aren't you?

Mr. O'BRIEN. Yes, sir; we are.

Mr. MYERS. It seems like it would be kind of a frail excuse to use, I have never been told that by Better Business Bureau. I just don't understand why they would say that.

Mr. NADLER. I spoke to some woman there, and I don't have her name with me now because I just buried it.

Mr. MYERS. But through letter form you did not notify them?

Mr. NADLER. No, over the phone, I spoke with her, she was most receptive to the information and wanted to call me back as soon as she could, she'd talk with her supervisor, which she did, and said she was sorry she couldn't be of any help because no laws have been violated.

Mr. MYERS. I want to compliment you. I want to compliment the job you are doing, and let me hasten to suggest if you do find errors and irregularities notify the Better Business Bureau, they are right here in St. Louis and this is their job. They are here to police themselves.

Thank you very much.

Mr. O'BRIEN. May I say just one word in rebuttal of the violation of law? I share your feeling, that's no excuse. Our job is a little bit in the area where the law does not reach and we respond to that sometimes like a Congressman; we are spread out too thin and we do look at our top 10, the most urgent squeaky wheels first, sir.

Mr. MYERS. We never say "No."

Mr. O'BRIEN. We try not to.

Mr. MYERS. Some days I wish I had.