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and "crime in the suites." A knowing and willful act by a corporate executive or worker on the line destined to injure or designed to rob American consumers of thousands of dollars is as wrong and worthy of punishment as a street holdup. S. 976 recognizes that for some knowing and willful acts criminal penalties are appropriate.

Unfortunately, the criminal penalty provision which is in the bill still differentiates between the man in the white collar who performs a criminal act that could rob you of thousands of dollars and the man in the ghetto who burglarizes a store and gets away with \$100 worth of merchandise. Under this bill a person is not punishable for his knowing and willful acts to violate the standards which will be established in S. 976 until after he has received notice of non-compliance. In other words, he is given a "first bite" to violate the standards established by this act before he can be convicted of a criminal offense and punished by a fine of up to \$50,000 or imprisonment up to 1 year for any knowing and willful act to violate the standards.

As agreed to in conference, this whole matter of criminal penalties for white-collar crime needs to be carefully evaluated next year, particularly when we consider amendments to the National Motor Vehicle and Traffic Safety Act. Though we have come a step by including the criminal penalties provision in this bill, in my opinion we need to go further. Nevertheless, I urge my colleagues in the Senate to support this measure because overall it benefits American consumers.

Mr. President, the able Senator from New Hampshire (Mr. Cotton), is not able to be present this afternoon. He has authorized me to express his strong support for the conference report, as reflected in his views which I ask unanimous consent to have printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### STATEMENT BY SENATOR COTTON

Mr. President, I wish to express my support for the adoption of the pending Conference Report on S. 976—the Motor Vehicle Information and Cost Savings Act.

Mr. President, my colleagues in the Senate may recall that when the bill S. 976 was passed by the Senate on November 3, 1971, I voted against passage of this bill. I explained my vote at that time in the following manner:

"I trust that the bill will work effectively. However, with all due respect to my honored assistants on the Committee, in view of the failure of the Griffin amendment, which I think was vitally necessary to safeguard the bill, I will be compelled to vote against the bill." (Congressional Record, vol. 117, pt. 30, p. 39045).

Mr. President, I am pleased to note from a reading of the Conference Report and the joint explanatory statement of the Committee of Conference that the issue which was addressed by the Griffin amendment has in large measure been resolved. My concern at that time was over the regulatory reach of Title I of the bill which would have given to the Secretary of Transportation broad power to set minimum property loss reduction standards for passenger motor vehicles.

Mr. President, as pointed out in the joint

explanatory statement of the Committee of Conference, the comparable House provision, on the other hand, limited the grant of authority in Title I to the power to establish bumper standards designed in general to reduce accident damage to a passenger motor vehicle's front and rear end. The joint statement then goes on to note the following, which I am pleased to call to the attention of my colleagues:

"The Committee of Conference has decided to take the more limited approach recommended by the House amendment."

Mr. President, I now feel that my vote against S. 976 last November is vindicated by the provisions of the Conference Report now before us for consideration and, in view of the more limited and reasonable approach taken in Title I, I am prepared to urge the adoption of this Conference Report. In point of fact, the approach taken in Title I concerning property loss is in keeping with the earlier hearing record before our Committee on Commerce, the principal thrust of which was directed to the problem of accident damage to a passenger motor vehicle's front and rear end and the need for such limited authority to establish bumper standards.

Mr. President, I therefore urge the adoption of the Conference Report on S. 976.

Mr. HART. Mr. President, I move that the Senate agree to the conference report on S. 976.

The motion was agreed to.

#### APPOINTMENT BY THE VICE PRESIDENT

The PRESIDING OFFICER (Mr. Brock). The Chair, on behalf of the Vice President, pursuant to Public Law 84-689, appoints the Senator from Utah (Mr. Moss) as alternate delegate to the North Atlantic Assembly, to be held at Bonn, Germany, November 18-24, 1972.

#### ACTION OF SENATE ON CERTAIN PROVISIONS OF SOCIAL SECURITY ACT AMENDMENTS OF 1972

Mr. MONDALE. Mr. President, before I begin my remarks, I want to comment on one action we took last night as part of the welfare reform bill which is now in conference—an action about which I feel very deeply.

I think that perhaps the most effective program in the whole OEO effort has been the legal services program. It is modestly funded. I think it is something less than \$65 million a year. And yet that program has resulted in attracting some of the most gifted, young, seasoned lawyers in the country. And they have brought a whole host of long-overdue lawsuits dealing with legal and constitutional rights—suits that would have been brought years ago had commercial business interests been the ones adversely affected. Before the legal services program was established in 1965, those lawsuits were not brought, simply because the resources did not exist.

We talk about a health crisis, a housing crisis, a social security crisis, a transportation crisis, and many other crises in American society. But there is an underlying legal crisis which exists because the cost of high quality legal representation is beyond the reach of people of moderate means, and is totally beyond reality for people below or near

the poverty level. The result is that public bodies, corporate interests and others can disregard the legitimate constitutional and legal rights of poor people almost with impunity, sometimes cruelly.

I recall hearings held a year or two ago in a county with a high migrant population, where a lawyer testified that the only way he could keep the unemployed migrants of that county from starving was to be with them when they applied for food stamps. If he was not with them, they would not get the stamps. If he did not threaten to sue, the authorities would not grant what the law requires to these pathetic people.

Time and time again this remarkable program has in a simple way brought law and order to poor people and poor communities throughout the country. And because it has been successful, powerful interests now want to throw it off.

I have never heard anyone suggest that the right of corporations to sue for their own interests and the right of wealthy people to sue for their own interests, should be restricted in any way—and I do not think they should be. But those lawsuits by and large are publicly supported, because the costs are deducted from income taxes.

I have never heard anyone say that any public body, such as a school board, should be restricted from asserting its rights. However, once again it is the public taxpayers who pay for the cost of those lawsuits.

Of course, the people in America who have unasserted legal rights are the poor. And even with the legal services they have very few rights to assert.

Last night in an action which I thought was unbelievable, the Senate passed a bill which would prohibit legal services attorneys from bringing a suit under the Social Security Act, which would mean they could not participate in any of the welfare fields at all. No matter how illegal, no matter how outrageous the violation, they cannot sue on behalf of poor people.

Mr. President, I would like to have some who voted for that provision go out and tell those poor people about our deep commitment here to law and order and to the Constitution—after we said, in effect, that the courthouse door is slammed shut, bolted, and nailed down as far as their rights are concerned. They better find a rich friend.

I deeply regret that action taken last night, and since it is in conference I hope the conferees will reject it and seek to keep this remarkable program alive. If the provision is kept I think the legal services program is, for all practical purposes, dead. I do not think they are going to be able to get gifted young lawyers into a program that cannot effectively serve the poor, which is why the American Bar Association sent a powerful telegram to the Senate urging that we reject this provision on the ground that it violates, in their opinion, the Canon of Ethics and the whole concept underlying justice in America.

I hope in conference that highly unfair and I think unfair provision will be dropped.