

Wendell H. Pigman Oral History Interview – RFK#4, 07/14/1969
Administrative Information

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Biographical Note

Wendell H. Pigman was Legislative assistant for Senator Robert F. Kennedy, 1964 - 1968. This interview covers Robert F. Kennedy's [RFK] interest and involvement in auto safety, RFK's interactions with other senators, and public opinion on auto safety, among other topics.

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By Wendell H. Pigman

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Wendell H. Pigman. – RFK #4

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Fourth Oral History Interview

with

WENDELL PIGMAN

July 14, 1969
Washington, D.C.

By Roberta W. Greene

For the Robert F. Kennedy Oral History Program
of the Kennedy Library

GREENE: Okay. Can you begin by explaining how Robert Kennedy first got interested and involved in the whole question of auto safety?

PIGMAN: I really don't know because he wound up going to the hearings on sort of last minute notice, and it wasn't something which I had done a great deal of preparation on. I hadn't really done much preparation at all other than I knew that it was coming up, and that it was a subject of some interest, and that he probably should participate in it. But it certainly wasn't one of the things which we recognize ahead of time as being a real hot item and that we were going to have some fun with. He wound up going the first day and then because of the reaction to his comments, we got much more heavily involved than we had been in the past. But it wasn't a case of having studied this in great detail. I think it was somewhat on the spur of the moment that he went. He participated in the first day, and then from then on, of course, it picked up.

Most of his activities were in the Executive Reorganization Committee hearings rather than in the Commerce hearings. The Commerce hearings were sort of by-products of the Executive Reorganization Committee because the Executive Reorganization Committee is not a legislative committee. They took it up because they could enact the legislation, whereas Abraham A. Ribicoff's committee could not.

In his questioning and in his drive to get information from the auto companies on safety, I think much of the effectiveness of the

hearing can be attributed to the amazingly poor performance of the auto executives. General Motors and Chrysler both fell very much on their face, whereas Ford came off a little bit better because they didn't come in until, oh, I guess it was a couple of weeks or so after the initial testimony came off. So they had a chance to prepare. They knew what the gist of the questioning was going to be so they put on a better face. But the incredible thing was just the sort of obtuseness of the General Motors people in answering questions and in taking the attitude that safety didn't make any difference. They probably made those hearings as much as anyone else did through their poor job that they did in presenting their case.

GREENE: Did you find any difference in dealing with these three company representatives?

PIGMAN: When you say "dealing with them," not all of them came into the office. Some came into the office. I recall afterwards somebody--this is quite a while after the auto safety hearings--somebody asked the senator whether he would see the lobbyist or somebody like that. He said yes, he would. Not only, for example, did he speak to Ralph Nader, but he also spoke to the auto company representatives. Now, it was not so much the presidents who came in but it was the GM representative in town here who was a guy--he's still the GM representative; I can't think of his name offhand--who was making the initial contact. And then when the hearings came up where James M. Roche was called in. And, of course, by that time Theodore C. Sorensen had been appointed counsel to GM and came into the office to talk to the senator about the problems, talk to me about them. Ralph Nader came in. He had interests in the hearings. I set up an appointment with the senator for Ralph, and he talked to Ralph two or three times, I think, in the process. He also--one time when Ralph was testifying before the committee, he. . . . Ralph typed his own stuff. He turned out all his own stuff. He used to look down at the script on the table so that his head tended to be buried. The senator sent me down to tell him to try to look up more often. This sort of thing. I mean he was interested in Ralph making a good appearance.

Also one day I recall when Senator Kennedy was made the chairman of the committee--this was in the earlier set of hearings; this was before they moved over to the main caucus room. And Senator Carl T. Curtis had sort of been set up, as I understood it, had been set up by the auto companies to defend the faith. And he was trying to dig into Ralph Nader, and of course, he was very ineffective in doing that. He's not a good interrogator, and Ralph was doing quite a good job of putting him down. As a matter of fact, the auto company lobbyists who were in the rear of the hearing room were

sort of laughing at Curtis because he was being made a fool of. But Curtis indirectly sort of accused Ralph of trying to sell his book. Kennedy said, "If anybody is selling the book, you are, Senator Curtis." It was an interesting exchange. I think the senator had a lot of admiration for Ralph. He always had a liking for people who tried to do something and had a lot of courage. And this was a good example of that.

One of the interesting sidelights on this was that Mrs. [Joan B.] Ted Kennedy had a Corvair. I called up Ted Kennedy's secretary, not the office secretary but home secretary, and suggested that they might do well to get rid of the Corvair--but they never did--just as a matter of safety's sake, but not as a matter of anything else. Because they drove it a lot and it would have been. . . . With the problem that the family had had with accidents, I didn't want to have it on my conscience that they had had a car accident in the Corvair and I had failed to say anything about it.

But at any rate, the first series of hearings were over, and then there was quite a bit of preparation by the committee staff of Jerry Sonosky, who was a very able staff director and had a sense of the dramatic and the like, for the second session that was held over in the main caucus room. Apparently Jerry was getting pretty good ideas as to the character of the people that came in. For example, [Vincent] Gillen, not Gillen but the. . . . He was the general counsel for GM. It looks like Britinstein but it's not Britinstein. It's an Irish name.

GREENE: I know I had his name.

PIGMAN: He was the senior attorney for. . . . He actually was apparently retired not too. . . .

GREENE: Burgenstein. Is that the one you're thinking of?

PIGMAN: No, it's not because it was an Irish. . . . That was his assistant, I think. And the General Motors. . . .

GREENE: Aloysius Power.

PIGMAN: Yes, that's it. It's Power. Power was the counsel and he. . . . We knew ahead of time that if pushed hard enough--this was after it had been revealed that GM had put a tail on Ralph--if pushed hard enough he would say that they were doing the right thing. I mean he wouldn't say that they had done anything wrong. And then Roche disowned him in the hearing room and looked at Power as if to say--apparently they had lived across the

street in Grosse Pointe [Michigan]--and he looked at Power as if to say, "My God, what have I raised here!"

But also in between the hearings I was contacted by a friend and a former associate of Senator Kennedy who knew somebody in the legal counsel's office for GM and wanted to explain the position of the General Motors on this. And he pointed in this discussion which was held in the cafeteria. . . . It was pointed out that GM had a great many suits against it based on the Corvair, so that they were in a very difficult position. But this, although interesting, I didn't consider it particularly relevant to what was going on. The thing I guess that disturbed the staff members in the office more than anything else was when Ted Sorensen was appointed counsel to the General Motors.

GREENE: What problems did this present? Was he trying to get . . .

PIGMAN: Obviously it placed Senator Kennedy in a difficult position. It meant that he at least had to listen to Ted Sorensen's story.

GREENE: What was the basis of his appeal, Sorensen's?

PIGMAN: Well, I wasn't present for, you know. . . . Since he had a better relationship with the senator than I did, he could see him privately, and did so. I can only imagine what they were. I do know that during the hearings I was sent back by the senator to ask Mr. Roche and Ted who were sitting in the rear of the room whether they had any questions that they wanted asked, which was a courtesy-- I mean it's not a big thing, but it was the sort of thing that possibly Senator Kennedy didn't have to do. But I'm not sure it made a hell of a lot of difference. I mean if that is the extent of what came out of the contact, then one can only judge whether in the second exchange of the hearings whether GM came off any better as a result of having hired Ted Sorensen as a counsel. But I don't know. You just have to ask what was the conclusion. I don't think in toto that it had much effect. GM apparently felt it was worth their money or they wouldn't have done it.

One of the interesting sidelights of the affair was that GM tried to blame it all on a gal who worked in the legal counsel's office, that is, in their legal counsel's office, saying that she had hired Gillen and the like. As a deliberate matter of policy, we would not attack the gal just because for a group of senators to be pounding a young woman lawyer wouldn't look very good. So she was given sort of a free ticket on it. And the senators attempted to concentrate on Power.

Then when Gillen came in, the dick, the private dick from Long Island, he turned out to be in a way the most frightening character in the whole cast because he was, for one, touting his business. He was advertising his business from the Senate and saying what a good job he was doing. And two, he was saying it was a highly honorable profession, and three, he was willing to get into shouting matches, you know. He fought hard, and he was not an easy witness to deal with at all. He told--what was it--something to the effect: "Senator Kennedy, I supported you in the election," something like this, you know, "voted for you and I would hope to do so again," and, "I'm one of your constitutents," you know. The senator was sort of astounded at the brashness of the guy, conducting the most shoddy sort of business, who thought it was reputable to follow Ralph around. It was just incredible to me, and to anyone connected with this, that GM would have hired a couple of private eyes to follow Nader, and they would go around and follow him in the Senate. I mean if every company that was being looked at by a congressional committee did this, I mean you'd have a field day because it would be so easy to do away. That was the amazing thing. Anyway, this brought the. . . .

GREENE: Do you think they just thought that they had a reasonable cover by saying that they were tracking him?

PIGMAN: I think that their answer--and actually Senator Kennedy asked that question: "Why are they acting this way?" It was just their way of life. I remember the day that they testified first over at the New Senate Office Building. At the first set of hearings, there were more limousines outside that building than when the president came to visit him. There were a flock of limousines. These are the titans of industry and in their communities they are gods in their own right. It's probably true that they didn't know how much money they spent on safety. By the time these people reach the. . . . It wasn't Roche who came in the first time, I think it was one of the other senior officials. And he, I don't think, probably didn't know. He probably was too high up. He probably only. . . . I don't know, but I mean maybe all he does is play golf, or did at that time, you know. I just think that it was beneath them to think about that sort of thing. There were good answers to be given. One could give an answer and say, "It's impossible to calculate the amount of money that's spent on safety because everything we do has this in mind. And to say that you spend so much on safety would be to downgrade safety in the production of motor cars." But this wasn't their attitude. It was that they were sort of caught flat-footed. They didn't even want to--Jerry Sonosky said they didn't even want to send in their top-ranking people in the beginning. They wanted to send the representative of the American Motor Cars Association. . . .

GREENE: American Automobile Manufacturers Association?

PIGMAN: Oh, yes, that's it. They wanted to send an Automobile Manufacturers Association representative, which is their traditional. . . . A lot of these things Ralph pointed out in the book. You call the company to try to get some information on the company, and in the end they send in the AMA guy and he answers "for the industry." And he doesn't know anything so you can't get any information out of him. But Ribicoff insisted that they send in representatives, and that's where they were caught flat-footed. They didn't prepare for their work, obviously.

GREENE: This Lloyd Cutler was selected as the AMA lobbyist somewhere in the middle of this whole thing, right after the hearings about Nader's being followed. Do you remember that name?

PIGMAN: Yes, vaguely. It seems to me he may have come into the office. There was a procession of people into the office who were talking about this. Cutler came in, I think, more when the legislation came up before the Commerce Committee. And then they were working on us, or trying to work on us, and trying to work on the Senate side, and they weren't that successful. I think they did most of their work on the House side. I remember at the end, when the legislation finally was passed, that our conclusion was that Cutler had done a good job from the standpoint of the auto industry and cutting out certain of the fines that were to be levied on the automobile manufacturers.

GREENE: What was the reaction within the Reorganization Subcommittee to Bob Kennedy's appearance, do you remember?

PIGMAN: I think they--well, they welcomed him. I mean Sonosky always. . . . I mean Sonosky had been Ribicoff's administrative assistant and he knew what Ribicoff--or legislative assistant--he knew what Ribicoff was like. And Ribicoff is a more conservative guy. Sonosky wanted to fight. I mean Sonosky enjoyed the controversy. I mean he was an activist, or let me say that, he was just a very skilled guy and he welcomed Kennedy's participation because he knew that it would add some fireworks to what otherwise might be fairly calm. And so I don't think there was any resentment. The other members of the subcommittee staff--well, a number of them were Kennedy fans and subsequently came to work for Kennedy during the campaign or just part of the campaign. The gal that's Sonosky's secretary came over to work. I don't think there was resentment certainly on the part of the staff at all. I mean they saw his participation as something that helped in accomplishing what they wanted to be accomplished. One of the

problems of the non-legislative committees sometimes is you're shooting in the dark and you don't have any legislation you're going to bring out.

GREENE: Did you ever notice Robert Kennedy, in dealing with other lesser known senators, hanging back somewhat not to steal the publicity? Some people have said he was very conscious of the fact that he was the one that always made the news and sometimes would defer to other senators.

PIGMAN: I would say that he certainly didn't attempt to dominate the scene. I mean there was always a protocol for calling for everyone to speak. Certainly at the second big hearings over in the Caucus Room I was surprised that one of the senators who had spent. . . . I think it was Lee Metcalf who I hardly expected to do anything of any significance on the Committee. And he questioned the witnesses at length. I certainly think that he was not--he didn't try to steal other people's, or even get in the way of their opportunities for publicity. Unfortunately there wasn't much he could do about it because of this.

I noticed the Republicans by and large stayed away from the hearings over in the Caucus Room. I forget whether it was Curtis or not, but Curtis came over there and his questions were so weak that it was just, again, embarrassing to. . . . He didn't have much to say. That was really more of a reflection on what the motor companies had done than anything else. You couldn't defend their actions. It made it difficult, you know. It was a black eye for industry and they felt it as. . . . I mean the fact that they had put detectives on Nader had more to do with the public's reaction than anything else.

The other thing was that I don't think that the public necessarily understood what Ralph Nader was talking about, which was the fact that cars could be made safer. What they were mad at was the motor companies because they'd had to deal with shoddy workmanship in trying to get their cars repaired or trying to cost them a guarantee which they couldn't. It led to a tremendous frustration and the mail cascaded in. I got a good feel for what the mail was, and it was, you know, "Boy, you got to get this service station," or "Boy, you got to get this salesman who. . . ." This was the attitude.

The other thing was that there was a flood of safety devices that individuals would peddle on one another, which was more a reflection of the fact that if you put eighty million drivers behind the wheel of a car for a couple of hours a day, they're going to think about the car and they're going to come up with ideas about

what can be done to improve it. Well, it seemed like they all drew designs and sent them in to want to get them incorporated. One of the problems was that these tremendous numbers of people wanted their device to be touted in the hearings. And you had to politely say, "Well, you know, we're glad to pass it on to the Transportation Department; it wasn't the Transportation Department then. Where was it?"

GREENE: Well, Commerce and Public Works.

PIGMAN: There was an HEW [Department of Health, Education, and Welfare] group, I think, but we passed these on just to ship them off, to have them included. The public opinion had more to do with just a discontent with the car companies. There was a guy who came in who described to me that he had--this is a genuine inventor--and he had had a device which he had invented. He took it to the motor companies. He had heard that the motor companies really didn't want to consider anyone else's device because if they took their device, their safety device, they would then have to pay a royalty on it. So usually they'd get the person to sign either a disclaimer to any royalty, or say, you know, "We'll give you fifty thousand dollars for it and that's it." He said no, he wouldn't do that. They said, "Well, will you bring it out and let us look at it?" because they wanted to figure out what it was and to copy it and to patent it so that they could. . . . Apparently it was complex enough so he wasn't worried about this. He took that out and they never could figure out what it was. But the motor companies refused to take safety ideas that were not invented within their own shops because they did not want to have to pay the royalty on it.

To me, it was very clear that they were not interested in safety. I think we got the feeling that after you worked in these companies for a while, you realized that every decision you made on a door frame or something like this was a compromise between money and safety, and safety wasn't necessarily the prime factor. But I mean that's true in a lot of other products that we make. And the government sometimes is no better than anyone else. For example, in air traffic control some of that's done. The thing that was disturbing was the blatancy of their position, and then the stupidity with which they proceeded until they finally got people like [Frederic G.] Donner in and Sorensen and to sort of pull them out.

GREENE: One of the things they tried to stress was that people didn't want safety, that they wouldn't buy a car with safety features if they had a choice. From your mail, is this a credible excuse or not?

PIGMAN: This was the old argument that American Motors or Studebaker tried to bring out the so-called safe car after World War II, and it had not been a success. The car may not have been a success, but it wasn't necessarily for that reason. I think the mail showed a concern about highway deaths. But I don't think that they understood what Nader's point was about the construction of the cars. I mean I think it is true that if you took five cars and you put them before the public, the average buying public, and they ranged in price, and the one that was safer cost a couple of hundred dollars more, I don't think it would necessarily be bought. That's a reflection on the economics or the pressures of money on the average buyer.

But I think that Ralph's point was that safety didn't have to be more expensive. If it was more expensive, they probably wouldn't buy it. The other thing is that it is true that for--at least I think it's true; my own impression is that it's true--is that a lot of people buy cars for the very reasons that Ralph pointed out that the companies stress. It's the extra power, the racing, things of this nature, the aggressive name--Mustang, Cougar, et cetera. A lot of people get very aggressive behind cars. I'm not sure that they want to be slow. You wouldn't advertise, "Slow as a snail and safe as a turtle." It probably wouldn't sell a car in that way.

On the other hand, if you can require that cars include certain basic features, they don't have to be more expensive. The Renault, I guess it is, the French car, has disc brakes and it's had them for a long time. It hasn't been that much more of a--I shouldn't say that much--it hasn't been more expensive. These happen to be better brakes.

And the other thing was that no matter what the price, you don't put a car on the road that is unsound. And they did, I think, in the early Corvair.

GREENE: What did you do to keep up on the auto safety issue between the July hearings and February? Was there anything going on?

PIGMAN: Well, I was working with Sonosky in aiming at the I'm assuming that was the ones in the New Senate Office Building just on the dates and the ones in July. We were working with Sonosky aiming at questions for the companies and also the senator had a number of specific suggestions for Sonosky as to what they ought to do in taking testimony from the company, company witnesses. But it wasn't that much of a sustained effort between the hearings. I think the revelation in the New Republic, I believe it was, that broke the story about the detectives was the one that sort

of triggered the activity at that time. But there wasn't a continued. . . . The hearings came out and, of course, I read the hearing in detail. And the mail was going on. I began to follow it just in the various sources that were available. Also there was an outfit connected with the National Research Council, National. . . .

GREENE: Safety?

PIGMAN: No. It was the Highway Safety Research Board, or something like this, down in the NAS (National Academy of Science). They put out some publications. And I think I began to look at some of these just to get a feel for it, understanding for what, you know, get a better idea, better background for it.

GREENE: Would you have contact with Ribicoff's office or Gaylord Nelson or something like that?

PIGMAN: No, it would mostly be with the committee staff, not with the other senators. Ribicoff's work was done by Sonosky and not within his own office. And that's the usual way it's done.

GREENE: Do you think the February hearings, which were the ones where the tailing of Ralph Nader came up, would that have been a direct result of his book?

PIGMAN: They were, I think, very concerned. They wanted to possibly get Ralph on the basis that he was urging people to bring suit, which legally would be against the rule of etiquette for a lawyer. And I think they were just doing anything they could to discredit him as a witness because they had a lot of cases coming up and Ralph was advising people and testifying in a number of these trials where people were suing General Motors on the basis of accidents with the Corvair. I mean from their standpoint it wasn't a tremendous amount of money, but there was a reasonable amount of money that was in question because of the suits. So I think they were interested in finding out whether he was doing anything improper in that regard.

They alleged that he was a homosexual because he--oh, this business about some girl he contacted in a store. They were trying to produce things--you know, what sort of strange duck was he--to make him seem unusual. The purpose, I think, was really just to discredit him so that he wouldn't be a good witness at trials because he was being called in for this purpose. He had taken time to read the GM patent applications and patent grants that had established certain safety devices, and he knew the subject well.

GREENE: Did you find out about this tailing before the New Republic article came out?

PIGMAN: I'd heard about but I didn't. . . . It was more or less that I heard a couple of days before the article was coming out--that is, the article was in preparation--I was not aware that Ralph was being tailed.

GREENE: He hadn't discussed this then with you or the senator or anyone?

PIGMAN: No, no, he hadn't. I'm not sure that Ralph was aware of it, for that matter, until the incident in the Senate where they had been stopped by a guard. I guess they tried to follow him in one of the Senate buildings and the guard stopped them, and they claimed something like, "We're following him." This brought it out.

One of the questions was whether they were trying to intimidate the witness, which would be an extremely serious charge against GM. The whole question of protocol. . . . First of all, one of the things that disturbed a lot of the senators was that anyone would send a detective in the halls of the Senate. And the second thing was that it is literally true that I think Ribicoff sent a letter down to the Department of Justice to look into the matter and to see whether they were trying to intimidate Ralph or not. They were never able to make the charge stick. I'm not sure how interested the Justice Department was in following through on that. But that was the nature of the charge. I had not heard it until it came out, was announced in the press.

GREENE: What was the initial reaction--your own and Senator Kennedy's--to the administration bill when it came out in March 1967?

PIGMAN: Well, there already was a bill, as I recall, before the. . . . Let's see, I'm not sure whether the administration bill preceded the Ribicoff bill or not. But I remember I had a discussion with Jerry Sonosky with respect to which should go first, whether we should put in the bill, or whether we should wait for the administration bill and see which was the better. And I think--it seems to me that there were bills in . . .

GREENE: Well, as far as I know, the bill that was under discussion at the Reorganization Subcommittee was the Nelson bill, which was to build the prototype car. And there was a second Nelson bill to make the standards that GSA

[General Services Administration] set for the prototype car applicable to commercial automobiles . . .

PIGMAN: Yes. But that was not. . . . The administration bill came up for consideration before the Commerce Committee. And this was something which we had. . . . I think this was something we tried to. . . . Yes, now I recall. We worked on amendments on that, rather than trying to write our own safety bill at the time. Earlier than that, this prototype car thing was something that neither Ralph, at least initially, nor I thought was a particularly good idea. There was a state senator, [Edward J.] Speno from New York, and his assistant made a big thing of the safe car or our prototype car. And they wanted a particular company to make the prototype car. It seemed more of an attempt to get the car built in a particular geographical area than something that was going to benefit, say. . . . As you know, there's a limited amount of money to spend on construction of safe cars. It was felt that it would be better to do this by, say, working on door frames and having the auto safety agency itself work on a prototype rather than contract out to have one built.

GREENE: Senator [Jacob K.] Javits, at this hearing where Senator Speno presented his evidence, said that Bob Kennedy and he were going to introduce their own bill.

PIGMAN: Yes, and that was one of the things . . .

GREENE: Whatever happened to that?

PIGMAN: Well, Senator Javits did that in his own inimitable fashion, which was sort of trying to pull Kennedy in on that. We just ignored it after the fact because I don't think Kennedy agreed on that. I didn't agree--and the senator never picked it up--on the idea of a prototype car to be built. That itself was not what we were looking for. We were looking for. . . . See, the thing is you could build a million prototype cars and that wouldn't necessarily mean that the auto companies would modify what they were doing. What you wanted to do was to have a standard setting agency, and some of the standards could come from prototype work.

But the problem of the Speno approach was that it was to try to build up an automobile industry for Long Island to replace the aircraft industry that was sort of dying on the vine there. Also Speno was riding the safety issue. I shouldn't knock him too much because he had done a fairly good job up in Albany on the car safety issue.

One of the problems that became clear as you looked at this was

how cavalier the car companies had been towards the state legislators, or legislatures, in their attempts to find out anything about what was going on. I mean they just wouldn't respond. They did not want national legislation and their line is the typical line you find so often in these cases: Control should be done at the state level. And then when you go to the state level, they just won't--they've got much more power there and they won't play ball.

GREENE: Robert Kennedy issued four amendments to the administration bill, the one which [Warren G.] Magnuson submitted. The fourth amendment authorized the secretary of what would be transportation to contract for the testing and development of safety devices in the prototype car. Where did this come from? Since you disagreed with the whole idea of it, where did the idea for this come from?

PIGMAN: I don't really recall right now. It would have been done by me, but it doesn't. . . . I mean the fact that it was there doesn't. . . . I mean I did things I didn't necessarily agree with. I think that as you read it, it sounds like it's worded in a way that it doesn't necessarily mean that one would build a prototype car.

GREENE: I think those words were used in the amendment.

PIGMAN: Well, they are. . . . The word "prototype car" was used. You know you have to read the wording very carefully in these cases, and they don't necessarily mean that. . . . The other thing was that, of course, if the administrator of the Auto Safety Agency wasn't interested in doing it, he probably wouldn't have to do that. I did not share in the desire to see the prototype car. I saw their pictures that appeared in the paper at the time of a model that had been done by this group on Long Island, and it seemed to me to be sort of a Buck Rogers type thing, not, you know. . . . They had a periscope out of the top and, well, you know. . . . Some of the ideas, heck, I mean you can do a lot with fiberoptics for total vision. You can greatly increase the driver's vision with certain things.

I just wasn't impressed with the engineering that had been done. I mean you could figure about how much money the company had spent on it and what was involved. One of the problems with all these cars is that if it looks like a scientist's plaything, it's not going to sell. I mean people are not going to buy a scientist's plaything. They want to buy something that looks more conventional. Just the subsequent changes that were made in putting structural steel in doors of cars, that probably has more to do with safety

and making decent door latches, than any of the fancy cushioning devices that they've talked about.

There have been many, many good ideas in safety that just have not been picked up. The inflatable bag in front of the driver inside the car that automatically inflates in an accident is a cheap device that has a great deal of promise. And yet, it's the sort of thing you can't get adopted by the companies. The companies are an oligopoly, so that you need somebody to require it by regulation. They're not going to do it be. . . .

The only changes of significance that have come in the car field have come from foreign competition. The small car that's being built by Ford now is not being built because Ford likes small cars; it's because the Volkswagen is taking a reasonable percentage of the business and they don't like that. It's just an example of an industry in which movement doesn't come from inside; it comes from outside.

GREENE: Let's see. In March, the end of March, March 30th Robert Kennedy appeared before the Commerce Committee and offered these four amendments.

PIGMAN: That's right, four amendments.

GREENE: Had you had any contact with administration people before that? Did Robert Kennedy try to get these written into the bill before . . .

PIGMAN: No, no, we didn't participate in the drafting of the administration bill. We were more concerned with. . . .
As I recall now, the administration bill came up and then we worked with Ralph Nader and saw a number of the automobile representatives who had their thoughts on amendments. We drafted these amendments and then drafted a statement. And he went up and presented that to the committee. And then we worked from the House side to get Neal Smith, I think, from Iowa and somebody else who was on the committee to work on the--I forget which committee handled it on that side--to make sure that the amendments got through on that side. It may have been the Public Works Committee . . .

GREENE: I think it was the Public Works Committee.

PIGMAN: I think I talked to [Richard J.] Dick Sullivan about it, and I think we got a couple of the amendments on it.

GREENE: Most of them were in the final bill, yes.

PIGMAN: Yes. Dick was a fan of Robert Kennedy's and a friend. He was actually from the Bronx in the old [Charles A.] Buckley organization. He's the chief staff member of the committee. So that, that worked out well.

GREENE: From the Senate Report, most of the amendments that Robert Kennedy and the other liberal senators wanted--in fact, I think all of them--were accepted. The one thing which he submitted separately was the one asking for or authorizing evidence which had been collected from an accident investigation . . .

PIGMAN: That's right.

GREENE: . . . to be submitted in court. Why was this submitted separately from the other amendments?

PIGMAN: I think it was probably drafted later than the others, and it was one that Ralph was particularly anxious to get in. And of course, the administration didn't want that. They're more afraid to get involved. The administration is very tied up with the motor industry. I mean they save the motor industry from time to time in much the way that they save the aircraft manufacturers. I mean they bailed out Studebaker a number of times on military contracts. They don't want to get in a position of providing evidence against the companies. They didn't want to have their files sort of being used that way, I don't think. So they opposed that particular amendment. We thought it was important. Ralph thought it was important. But I don't think that was finally adopted.

GREENE: No. What happened is they dropped the whole clause about investigations completely, which was supposedly a compromise. You didn't consider that a reasonable compromise?

PIGMAN: Well, they certainly watered it down. I mean it was not what it was originally. So I think we got part of it included but not all of it in that case.

GREENE: How interested and involved did the senator get in the technical aspects of legislation, this and legislation in general?

PIGMAN: He was interested in them when he had to testify on them. But like so many projects--he had so many projects--it wasn't the sort of a thing that he worried about an amendment over a long period of time. I think he worried about it when it was appropriate, when it came up, and then wanted to make sure that it had been drafted well, and we had the comments of the right people

on it, and that it was ready to go. And then he would. . . . As I recall, it wasn't necessary for him to intervene or to ask other senators for help on that. They flew without that sort of effort, you know. So it wasn't like going out and mobilizing support for an amendment, which some senators had to do from time to time, I think. Choose to. . . . This was accepted by the committee.

Of course, the Commerce Committee actually turned out to be a fairly liberal group. That Michael Mike Pertschuk was the staff man, a very able staff man at the time, and a friend of ours. He was quite good on this. I think it came out. . . . It became a very popular issue, and one was on the side of the angels when working on car safety.

The distressing part about it is the sort of weak sister attitude that the agency has taken since it's been in business. The accomplishments have not been nearly as wide-spread as they might have been, and you had a different type of administration down there. I noticed that in the final days of the Lyndon B. Johnson administration they put Ralph Nader on the advisory board, which I thought was sort of the comeuppance for the Richard M. Nixon administration. He and one other guy are the only two guys who make trouble on that board, which is what's needed. You need people to make trouble to keep the issue alive.

GREENE: Are you out of time?

PIGMAN: How much more do you have on this?

GREENE: Oh, not much. I wanted to ask you, when an amendment like this fourth amendment we were discussing, or actually the one that was submitted separately about the investigator-- it was about the investigation. When that is in the committee, what can you do to try to push your own viewpoint? How much success do you get within a committee if you're not . . .

PIGMAN: Well, that depends on how much time that the principal wants to devote to it. I mean you try to convince the staff director, and if it looks like it's the sort of thing that's going to. . . . If they feel in their judgment that it's going to block its passage on the floor, then they won't let them think--they won't want to accept it. But you could go around and try to get the other senators to back it, convince them. But Senator Kennedy didn't put that sort of effort into this.

GREENE: Did you have anyone representing you in the conference committee, when it went to conference? I'm sure that was

the Public Works Committee.

PIGMAN: I thought that we felt that there was a--not per se. I think we felt we were represented in effect on the House side by the House people rather than the Senate people in that case. I mean I felt that through Dick Sullivan that our interests would be represented, not in a formal sense but they would be sort of would be present and be introduced so that. . . . But there wasn't a representative per se. There was no one who spoke for the Kennedy amendments in that way, other than the fact that Dick had assured us that the House would fight for these amendments. And I forget whether Neal Smith and whether Torbert Torby MacDonald. . . . It seems to me Torby MacDonald was on the committee, but he wasn't very productive. I think it was Neal Smith who was the one who was doing the fighting on the House side for the issue. Neal Smith worked closely with Ralph also. I knew Edward Ed Mezrinsky who was a legislative assistant to Neal. They were pushing it hard. Auto safety was a big issue in Iowa, so that they fought for it.

GREENE: Anything else on that issue? I just thought of one thing that occurred to me before when you were talking about meeting with Nader and the auto representatives in an effort to work out what he was going to raise at the Commerce Committee. What were the things that the auto industry was pushing for? Were they at this point resigned to the fact that somebody was going to . . .

PIGMAN: Well, they knew a bill was going to come through. They were trying to modify the bill so that it would be acceptable to them. They didn't want fines of any size. I can't recall the details now, but basically they were going to make it a weak bill just to take out the--I think there were criminal sanctions at one time, and they objected to the criminal sanctions. But I don't recall in detail what they were. I didn't pay much attention to it. I listened to them, but we weren't going to modify the bill to represent their interests. They didn't make any terribly salient quotes on it, as I recall. You know, if there had been something that stood out that was clearly a case where they had a reasonable position, then I think we would have done something. But there wasn't, so I think they were listened to politely, and that was about it. No, I can't recall any. But I'm sure I'll recall something before . . .

GREENE: Well, maybe another time on another tape.

PIGMAN: Yes. Well, I can't right now.

GREENE: Okay.