

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS-CONSENT AGREEMENT FOR TIME LIMITATION ON H.R. 8152, THE OMNIBUS CRIME CONTROL AND SAFE STREETS BILL

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that at such time as H.R. 8152, the so-called omnibus crime control and safe streets bill, is called up and made the pending business before the Senate, there be a time limitation thereon as follows:

Three hours on the bill and a substitute to be offered by the distinguished Senator from Arkansas (Mr. McCLELLAN);

One hour on any amendment in the first degree;

One-half hour on any amendment in the second degree, debatable motion, or appeal;

I further ask unanimous consent that the agreement be in the usual form.

I ask unanimous consent also that the time for debate on the bill and the substitute be equally divided between the Senator from Arkansas (Mr. McCLELLAN) and the Senator from Nebraska (Mr. HRUSKA).

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

ORDER FOR EXECUTIVE SESSION TOMORROW

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that on tomorrow, after the orders for recognition of Senators have been consummated, the Senate go into executive session to consider the nomination of Mr. Kelley to be Director of the FBI.

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

ORDER FOR RESUMPTION OF THE UNFINISHED BUSINESS TOMORROW

Mr. ROBERT C. BYRD. I ask unanimous consent that upon the disposition of the nomination of Mr. Kelley tomorrow, the Senate return to the consideration of legislative business and resume the consideration of the unfinished business, the debt limit.

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

QUORUM CALL

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The second assistant legislative clerk proceeded to call the roll.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

PROGRAM

Mr. ROBERT C. BYRD. Mr. President, the program for tomorrow is as follows:

The Senate will convene at a very early hour, 9 o'clock a.m., following a recess.

After the two leaders or their designees have been recognized under the standing order, the following Senators will be recognized, each for not to exceed 15 minutes and in the order stated: Mr. NUNN, Mr. TOWER, Mr. ROBERT C. BYRD, and Mr. MCINTYRE.

There will be no morning business. Upon the conclusion of the orders aforementioned, the Senate will go into executive session to consider the nomination of Mr. Kelley to be Director of the Federal Bureau of Investigation, with a time limit thereon of 30 minutes. It is anticipated that a yea-and-nay vote will occur on the nomination.

Upon the disposition of the Kelley nomination, the Senate will return to the consideration of legislative business and resume consideration of the unfinished

business which is H.R. 8410, the extension of the debt limit. Yea-and-nay votes will occur on that bill tomorrow.

It will be a busy day. Senators are alerted to the fact that the leadership may wish to proceed on a multiple track if the situation requires, from time to time.

As to what items may be called up on Wednesday, Senators will want to be prepared for any one or more of the following, in addition to those already mentioned:

The nomination for Secretary of Defense. S. 343, the Federal elections bill. H.R. 7445, the Renegotiation Act. H.R. 8152, the omnibus crime bill. S. 1435, the D.C. home rule. The agriculture appropriation bill. Various and sundry conference reports.

As to the schedule for Thursday, Friday, and Saturday, Senators will want to be prepared for any of the foregoing items not completed on Wednesday:

The continuing resolution, and the HUD appropriation bill.

RECESS TO 9 A.M.

Mr. ROBERT C. BYRD. Mr. President, if there be no further business to come before the Senate, I move, in accordance with the previous order, that the Senate stand in recess until 9 a.m. tomorrow.

The motion was agreed to; and, at 8:01 p.m., the Senate recessed until tomorrow, Wednesday, June 27, 1973, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate June 26 (legislative day of June 25), 1973:

DIPLOMATIC AND FOREIGN SERVICE

William D. Brewer, of Connecticut, a Foreign Service Officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Democratic Republic of the Sudan.

Richard F. Pedersen, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Hungary.

OFFICE OF ECONOMIC OPPORTUNITY

Alvin J. Arnett, of Maryland, to be Director of the Office of Economic Opportunity.

EXTENSIONS OF REMARKS

TRUTH IN HOUSING ACT

HON. DONALD W. RIEGLE, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1973

Mr. RIEGLE. Mr. Speaker, today I am introducing the Truth in Housing Act; Senator HART has introduced an identical bill in the Senate. The purpose of the bill is to ensure that the American home buyer has all the facts at hand before entering into the actual purchase of a home.

In the past, Congress has enacted nu-

merous truth-in-packaging and truth-in-lending laws. Today, I introduce a bill to extend that approach to still another field—the field of housing.

The caveat of "let the buyer beware" has long been connected with the sale of housing.

But we are coming to realize that too many unhappy homebuyers have been given that answer after discovering an unsuspected defect in a newly purchased house.

A positive response to such situations would be a truth-in-housing law requiring that a prospective homebuyer be told the structural condition of the unit before the sale.

Recent investigations of Federal housing programs have highlighted the need for such an approach.

In one study of units sold under the 235 subsidy program, the General Accounting Office found defects in 24 percent of the new houses inspected and in 39 percent of the existing houses.

Accurate information on the structural condition of those units might have saved Government dollars by avoiding mortgage guarantees and subsidies on houses which are good candidates for abandonment.

Reliable consumer assistance would not just benefit the lower end of the economic scale. Factual information on de-

fects and estimates of possible repair costs would help a family, regardless of income, decide if it could afford to buy a particular house.

The purchase of a house is the largest financial commitment many families ever make. Whether a family is buying the once-in-a-lifetime house or a family moves often, they want and deserve value for their dollar.

To be fully effective then, a truth-in-housing program should:

Cover every type of sale involving a family unit, regardless of type of financing used and regardless of whether the sale involves private parties only, an agent or a lender;

Insure that the required information be available to a buyer far enough in advance of closing to be useful;

Require disclosure of detectable costly defects;

Offer estimates of repair costs and estimates of the remaining useful life of each major component of the house;

Provide a buyer with an opportunity to recover losses resulting from misrepresentations about the condition of the house.

The truth-in-housing bill I am introducing today attempts to meet these aims in these ways.

The law will be administered by the Federal Trade Commission, in consultation with agencies traditionally concerned with housing and lending.

Every seller, agent, or lender involved in the sale of a one- to four-family house will be responsible for having prepared a written report on any defects in the unit.

Only one report will be required, but it must be presented to the buyer prior to closing. If it is not, the buyer may void the sales contract. Further, if the report is not available more than 48 hours before closing, the buyer has 96 hours after closing to void the contract.

This provision is designed to encourage the responsible parties to prepare the report in advance of the closing date.

The report must disclose any defect which seriously affects the usefulness and livability of the unit. The report would include estimated repair or replacement costs resulting from any defect and estimates of the useful lives of the structure and its components.

The cost of any inspection would be paid by the buyer at closing.

A buyer may sue for damages and costs if the written disclosure includes a false statement or fails to report a detectable defect. The suit may be brought against any or all of the parties responsible for having the disclosure made. Those parties, in turn, may ask the court to determine who should pay and how much.

The purpose in making the seller, the agent, and the lender responsible is to better insure that the required report will be made for every type of house sale.

In conclusion, housing is too important an investment, for the individual and for the Nation, to be left to chance as is too often the case today.

Providing adequate information about the structural condition of a house is one way to reduce reliance on chance.

This approach to achieving that goal

is endorsed in the current issue of American Home magazine.

AID TO PAROCHIAL SCHOOLS

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1973

Mr. BIAGGI. Mr. Speaker, I was greatly discouraged, as were countless Americans, by yesterday's 6 to 3 Supreme Court decision which stated that income tax credits and tuition reimbursements for parents of parochial school children are in violation of the Constitution.

Local officials and school district administrators from one end of the country to the other have been searching in vain for an effective answer to a problem which threatens not only to decimate the long established parochial school system, but also to result in the intolerable overcrowding of our public school network. The Court's regrettable decision on tax credits has outlawed what appeared to be a promising solution to the school aid dilemma.

A majority of the justices were of the opinion that benefits provided to citizens by New York or Pennsylvania in order to provide indirect support for the necessary parochial school system were in opposition to the church-state separation assured by the first amendment.

A New York State plan involving financial support for the maintenance of private and parochial schoolchildren was also disallowed, and a third setback came when the Court struck down New York's plan of reimbursement for educational testing and other services which are required of the State's private schools by law.

Mr. Speaker, I am not of the opinion that these defeats have put an end to this battle. The problems still remain. In my home city, for example, one parochial school after another is being forced to close its doors for financial reasons—and this after 20, 30, 40 or more years of high quality service to the community. Where will the children go? Where are they going now? Quite simply, they are being packed into already overcrowded classrooms; into public schools marked by a lamentable shortage of everything from qualified teachers to safe recreational facilities.

The next skirmish will probably be over such mechanisms as reimbursement for auxiliary services—guidance counseling, remedial reading, advanced studies, and so forth—or Federal- and State-supported voucher systems which would permit parents more leeway to pay for educating their children at the school of their choice.

Mr. Speaker, every taxpayer and every child in America will be affected adversely if we fail. I am convinced that the day this Nation finds a constitutional way to prevent the demise of its parochial school system is the day we will win the battle against education chaos.

SHEPAUG VALLEY WINS STATE TOURNEY

HON. ELLA T. GRASSO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1973

Mr. GRASSO. Mr. Speaker, I wish to salute the Shepaug Valley Regional High School baseball team, which won the Connecticut State championship June 8. Shepaug Valley, which includes the towns of Washington, Roxburg, and Bridgewater, defeated Northwestern Regional of Winsted in the final game of the State tournament, 6 to 1.

Led by veteran coach Tex Alex, the Spartans of Shepaug compiled a 19 to 1 overall record. Dave Showalter, the team's leading hitter, also topped the pitching corps with an 8 to 0 record. Steve Pickett was 5 to 0, and hurled the victory in the championship game. Bob Alex, Mike Temple and Ed Collins added offensive punch, and Tim Cook and Pete Krawieck stood out defensively all season long.

The tourney runner-up, Northwestern Regional, ended the year with a 16 to 5 mark. Ranked only No. 8 at the start of the tournament, the team defeated both the defending champion and the No. 1 ranked team to advance to the finals.

In the championship game, Northwestern Coach Don Titus sent his star pitcher Mike Smith against Shepaug. But in the very first inning, the Spartans erupted for four runs, and were never threatened as they coasted to victory. As one area newspaper reported the big inning:

Smith had control trouble and walked Pete Krawiecki and Bob Alex. Dave Showalter, Shepaug's leading hitter, lashed a single through the infield to send Krawiecki home from second. Alex was thrown out trying to go to third. Mike Temple hit a Texas Leaguer to center, and Ed Collins followed with another soft hit to center to load the bases. Joe Fredlund then blasted a triple to deep centerfield . . .

Mr. Speaker, I would like to add my voice to the many who cheered on both of these teams. Congratulations are clearly in order for the players and coaches. They richly deserve recognition for their fine efforts this season.

TRIBUTE TO JAMES V. SMITH

HON. JOE L. EVINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, June 26, 1973

Mr. EVINS of Tennessee. Mr. Speaker, I was shocked and saddened to learn of the tragic news of the passing of our former colleague, Representative James V. Smith of Oklahoma, who was killed in a freak accident on his farm at Chickasha, Okla., last week.

I was advised that Jim was welding a wheat combine when the sparks from

his torch caught the grain on fire—and he died as a result of flame inhalation while attempting to extinguish the fire.

Jim was a Christian gentleman and a talented man who served in the House in the 90th Congress and subsequently

was appointed Administrator of the Farmers Home Administration. He served his district, State, and Nation faithfully and well and his family can reflect with pride on his fine record of public service.

I want to take this means of extending to his wife, Mary Belle, and the children this expression of my deepest and most heartfelt sympathy. My wife Ann joins me in an expression of these sentiments.

SENATE—Wednesday, June 27, 1973

(Legislative day of Monday, June 25, 1973)

The Senate met at 9 a.m., on the expiration of the recess, and was called to order by the President pro tempore (Mr. EASTLAND).

PRAYER

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O God, our Father, help us to live through this day as befits those who now begin the day with Thee. Bless us and make us a blessing to this Nation and the world. Help us to think aright, to speak aright, and to come to right conclusions. Help us to listen with respect and discrimination. Preserve us alike from too hasty speech and from cowardly silence. Amid tedious and vexatious hours, keep us serene and strong, firm and faithful. When we go to rest, grant us the peace of those who have cast their burdens upon Thee, and know that their times are in Thy hand.

In the name of the Lord of all life, we pray. Amen.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Journal of the proceedings of Tuesday, June 26, 1973, be approved.

The PRESIDENT pro tempore. Without objection, it is so ordered.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees may be authorized to meet during the session today.

The PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The PRESIDENT pro tempore. Under the previous order, the distinguished Senator from Georgia (Mr. NUNN) is now recognized for not to exceed 15 minutes.

(The remarks Senator NUNN made at this point on the introduction of S. 2081, to amend the Social Security Act, are printed in the RECORD under Statements on Introduced Bills and Joint Resolutions.)

ORDER FOR RECOGNITION OF SENATOR TOWER VACATED

The PRESIDENT pro tempore. Under the previous order, the Senator from

Texas (Mr. TOWER) is recognized for not to exceed 15 minutes.

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the order for the recognition of Mr. TOWER at this time be vacated.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. I yield such time from my order as the distinguished majority leader may wish.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendars Nos. 230, 232, 235, 237, and 238.

The PRESIDENT pro tempore. Without objection, it is so ordered.

MINT BUILDINGS

The bill (S. 1901) to amend the act of August 20, 1963, as amended, relating to the construction of mint buildings, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 20, 1963, as amended (31 U.S.C. 294), is further amended to read as follows:

"Sec. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for each fiscal year which begins after June 30, 1963, and ends before July 1, 1983, such sums as may be necessary to carry out this Act, except that the aggregate of sums appropriated under this section shall not exceed \$95,000,000. Sums appropriated to the Department of the Treasury for the purposes of this Act may be available for transfer to the Administrator of General Services to remain available until expended."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (S. Rept. No. 93-243), explaining the purposes of the measure.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

HISTORY OF LEGISLATION

S. 1901 is a committee bill which was introduced on May 30, 1973. Hearings were held on June 6, 1973, by the Subcommittee on Minting and Coinage. The subcommittee met in open markup session on June 13, 1973. On June 20, 1973, the Committee on Banking, Housing and Urban Affairs met in open executive session and ordered S. 1901 to be reported favorably to the Senate without objection.

GENERAL STATEMENT

This bill would authorize an increase of \$50 million in the amount of money that can be appropriated to the Department of the Treasury for the construction of mint facilities. The present authorization of \$45 million is insufficient to meet the needs of the Bureau of the Mint. This would increase the total authorization for the construction of mint facilities to \$95 million.

This increase is needed for the construction of a new mint in Denver, Colo. These new facilities are vitally needed by the mint to keep pace with the rapidly increasing need for coins in our economy.

CORDON RULE

In the opinion of the committee, it is necessary to dispense with the requirements of subsection 4 of rule XXIX of the Standing Rules of the Senate in order to expedite the business of the Senate in connection with this report.

INTERNATIONAL VOYAGE LOAD LINE ACT OF 1973

The bill (S. 1352) to require load lines on U.S. vessels engaged in foreign voyages and foreign vessels within the jurisdiction of the United States, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Voyage Load Line Act of 1973".

SEC. 2. The Secretary of the department in which the Coast Guard is operating (hereinafter referred to as "Secretary") shall enforce the provisions of this Act and prescribe regulations to carry out its provisions. With the consent of the Secretary of the Treasury, the Secretary may utilize officers of the Bureau of Customs to enforce this Act and the regulations established hereunder.

DEFINITIONS

SEC. 3. As used in this Act—

(1) "new ship" means a vessel the keel of which is laid (or which is at a similar stage of construction) on or after July 21, 1968; and

(2) "existing ship" means a vessel which is not a "new ship".

APPLICABILITY

SEC. 4. (a) This Act applies to vessels which—

(1) arrive at any port or place within the jurisdiction of the United States from foreign ports;

(2) make voyages between foreign ports (except foreign vessels engaged in such voyages); or

(3) depart from any port or place within the jurisdiction of the United States for a foreign port.

(b) This Act does not apply to—

(1) ships of war;

(2) pleasure craft not used in trade or commerce;