

REMARKS OF CONGRESSMAN WILLIAM M. TUCK, DEMOCRAT, OF VIRGINIA, BEFORE
THE HOUSE RULES COMMITTEE, APRIL 4, 1968

Mr. Chairman, I am grateful to you for allowing me to appear in opposition to H.R. 2516.

On many occasions in the last 11 years I have spoken out in the hope of blocking legislation of this type. That which the Congress already has adopted has done the country tremendous damage. I cannot acquiesce in the reasoning that we should add evil to the already mischievous legislation now on the statute books and thus stir into a maelstrom the seething cauldron of social unrest that already has reached serious proportions and threatens to get worse.

I made the prediction in 1957 that the adoption of the initial so-called Civil Rights bill would be marked by countless future years of irritation and acrimony. I pointed out that, instead of relieving the tensions, it would exacerbate whatever tensions and prejudices were already in existence.

The proponents of the measure contended that the legislation was needed because it would bring peace and tranquility. Where is that peace?

Certainly not in the riots which have rocked our cities during recent years and are forecast to be even worse during the summer of 1968. The situation has become infinitely worse and has reached desperate stages. I think longingly and nostalgically of those years of peace, years free of strife, when we had no civil rights legislation.

I cannot see that the legislation of this nature which has successfully passed through the Congress and which I have constantly opposed has done us one iota of good. On the contrary, in my opinion it has done us grave harm by bringing on boundless trouble, misunderstanding, bitterness and hatred where cordiality formerly existed. And now we are considering a proposal designed to deter and punish interference by force or threat of force with activities protected by Federal law.

This bill has been in the Senate since last year. It was almost completely rewritten, making it a more punitive bill that was approved in the House where it was first considered. New provisions have been added, some not at all germane to the title of the bill, some so drastic and ill-conceived that they constitute the measure's worst features. Despite this, our leadership, with encouragement from the White House, is suggesting that we accept them en toto without further study.

I do not think we need this bill, and I am convinced we will be making a serious mistake to accept even in part the changes which the Senate has made.

My main reason for disapproving of this horrendous measure is my desire to preserve our time-honored American freedom, a goal that has been a guiding light with me throughout my long years in public life. This bill strikes a serious blow at our liberty. Its proponents say that it is aimed at eliminating discrimination, and yet couched therein are flagrant provisions that abet and condone discrimination. Moreover, they would do grave violence to individual rights, the bedrock upon which this nation was built and for which our forefathers struggled for generations to establish and preserve.

It has always been my understanding that the Constitution and the laws of this nation have as their purpose the protection of the right of its citizens to equal justice. I cite this assumption as typical of America and of her form of government. The bill we now have before us is clearly unconstitutional and out of harmony with our American way of life. It extends rights and protections to a limited group. If it is to operate for any, Federal justice should be extended to all. I need not point out to you the dangers of legislation which serves only a few, as our earlier Civil Rights bills have sought to serve.

The most objectionable feature of the bill we now have under consideration is involved in Title VIII, the so-called open housing provision. Herein lies the main reason for the controversy which has developed over this legislation. What its open-occupancy clause does in effect is say to every owner of residential property that he cannot sell or rent his residential property to the person to whom he wishes if some other private individual objects and demands that he himself be permitted to buy.

While we are told its purpose is to wipe out discrimination, this bill clearly permits discrimination in certain instances. You will see that it allows the single-family homeowner to discriminate if he owns three or fewer single-family houses, sells no more than one in any two-year period, sells without the service of a broker, and sells without any discriminating advertising. Also exempt are dwellings occupied by no more than four families living independently of one another.