

suburbs. But it would offer the prisoner the hope that if he tried to climb the economic ladder, society would not forever be stamping on his hands.

If that could be done, it would eliminate the posts and cross-beams of despair on which the ghetto-prison is built.

If the prisoner were given access to a better home, he would then have access to a better education for his children. Then his better-educated children would have access to better jobs. And then, like all other minority groups, the Negro would have won his equality through economic power. The great American dream would, for him, in part come true.

I supported such a bill in the last Congress, and I now support the recommendation of the Commission on Civil Disorders for such legislation.

I have listened to testimony for a long, long time on the plight of those in the ghetto, and I am convinced of the necessity for open-housing legislation, without unnecessary delay.

On the other hand, when, in 1964 we were similarly faced with a March on Washington, I said at that time,

"There is considerable pressure for civil rights legislation from certain quarters on the ground that unless legislation is enacted there will be rioting in the streets, heightened racial unrest, and the further shedding of blood. This kind of activity, in my mind, is highly improper and could do much to retard the enactment of effective civil rights legislation.

"No people can gain lasting liberty and equality by riot and unlawful demonstration. Legislation under such threat is basically not legislation at all. In the long run, behavior of this type will lead to a total undermining of society where equality and civil rights will mean nothing.

"Behavior of this type also creates the false sense of hope that once legislation is enacted, all burdens of life will dissolve. No statutory law can completely end discrimination, under attack by this legislation. Intelligent work and vigilance by members of all races will be required, for many years, before discrimination completely disappears. To create hope of immediate and complete success can only promote conflict and result in brooding despair.

"Not force or fear, then, but belief in the inherent equality of man induces me to support this legislation."

It is said that H.R. 2516 is not perfect. Having served a long time in the Congress, I would not expect a bill of fifty pages in length to be perfect.

If the entire matter were in my control, I would amend the legislation where needed and enact the bill. But, of course, that is not the situation. There are many in both Houses who are opposed to the substance of this legislation.

I am fearful that if this legislation is sent back to the other body for any reason, the bill's fragile chances of becoming law will be seriously impaired.

Thus our real choice may not be between imperfect legislation and perfect legislation, but between imperfect legislation and no legislation at all.

If that is the choice we must make, then we must decide whether the defects outweigh the good that may flow from passing this legislation without further amendment.

I do not believe that the defects outweigh the good. I know that in the protection provisions of Title I, there are some overlapping provisions that may be confusing to the reader. Even so, the question is whether they do the job. In my opinion, they do.

I know that the anti-riot provisions of Title I may well contain a rule of evidence that simply does not make sense; and if it doesn't, can anyone show how that provision would impede enforcement of such a law? That is the real question. I don't see how that section hurts anybody.

I know that the Indian provisions in Titles II through VII have not been aired in the House. But the questions raised thereunder have been discussed and resolved in the other body. There have been hearings. There is a committee report. There is a legislative history on the passage of the bill. All these are a matter of public record. Those who are concerned about these provisions are referred to that record. It is not now necessary to duplicate the other body's efforts.

The open-housing provisions are among the most important in the bill. Compared to the 1966 House-passed bill, the Dirksen substitute is broader in coverage but softer in enforcement. I consider the Dirksen substitute an improvement.

It is necessary that an open housing law be effective. Half-way measures will not do. Many of the State open-housing laws fail to cure the problem because exemptions are too broad and effective enforcement is often neglected.