

I am attaching a copy of an editorial which appeared in the Chicago Daily News under date of Wednesday, March 13, 1968, which is directed to this very point. I might add that the Chicago Daily News has always, in my memory, favored civil rights legislation as well as open occupancy legislation.

I realize that if the bill is sent to conference this provision should be corrected. In the event that it is not sent to conference it should still be corrected by the introduction of legislation designed to do away with this discriminatory feature. I intend to introduce such legislation if the bill is not sent to conference.

I favor the passage of open occupancy legislation, and I can support this Committee's recommendation whether it chooses to report favorably H.Res. 1100, the resolution to recede from one House bill and concur in the Senate amendments or a resolution by this Committee to send the bill to conference or to open it up for strictly limited amendment on the Floor. I simply want the Committee to know my opinion of this particular section which I think has to be corrected to make this particular title fair and equitable to all concerned.

[From the Chicago Daily News, Mar. 13, 1968]

FLAW IN THE HOUSING BILL

The civil rights bill passed by the Senate after agonizing weeks of debate is one of those compromises that is wholly satisfactory to very few people. But if it falls short of triumph for liberals and conservatives alike, it nevertheless marks another faltering step toward the equality of opportunity that remains this nation's goal.

The feature of the bill that stalled the Senate for weeks was its fair-housing provision. For the first time, this bill would involve the federal government in the sale or rental of individual homes, and lower racial barriers in 80 per cent of the nation's dwellings.

The compromise hammered out on the floor of the Senate contains an escape clause that may prove bigger than the lawmakers intended. And it deals unfairly, in our opinion, with the real estate agents by putting them in a position of policing fair housing.

This bill provides that an individual who owns up to three homes is exempt from restrictions—in other words he may discriminate—in renting or selling his property provided he does not use the services of a real estate agent. Predictably, this would have a double effect. It forces the real estate agent to evaluate the intentions of the owner who seeks help in finding a renter or a buyer. And it shuts him out of transactions that are legitimate for an owner acting alone, with a consequent loss of business and fees.

Given the politics of the situation, it is perhaps understandable that the Senate had to leave a loophole or see the whole effort to move toward fair housing go down the drain. But if the homeowner is given a license to discriminate, and made to bear the onus for that action, the law should require no more of the agent than that he make a conscientious effort to bring buyer and seller together, regardless of race, creed or color.

Mr. BOLLING. If it is not out of order, I understood any Member of Congress who wished to file a statement would have that privilege. I would make that statement.

The CHAIRMAN. The question is whether any other Members desire to file a statement or not. There were a number who signified their intention to appear here, but they haven't appeared. Those who have so signified may have, without objection, the privilege of filing their statements.

The committee will now go into executive session.

(Whereupon, at 11:30 a.m., the committee proceeded in executive session.)