

Mr. WALSH. Very well, sir. I will limit my remarks to the bills, then, dealing with registrars and voting referees, and I will not talk to the bill which was reported our last year or which was considered last year, unless some member of the committee asks me to do so.

Going on with a brief summary of the Commission's report: it pointed out that certain States had requirements for proof of literacy and that others required an applicant for the privilege of voting to explain certain provisions of the Constitution, and that the administration of these tests showed a pattern of discrimination. They also gave illustrations in which Negroes had attempted to register and were unable to focus the attention of the State registrar to consider his application; and indeed, certain of these Negroes were thereafter approached by persons who attempted to dissuade them from registering, and indicated that it would be for their best welfare if they did not.

The result is that in certain counties where the Negro population is over 50 percent of the total population, there are no Negroes registered, and in other counties there is a disproportionately small number of Negroes registered. I believe each of you has received that report.

Confronted with this problem, the Commission addressed itself to the problem of, how do we provide for a wide-scale rectification of this disparity? Although the Commission itself did not recommend any bill or did not submit a bill to either House for consideration, its recommendations in its report were that a Federal officer in the areas concerned be designated by the President to act as a registrar of voters for Federal elections—that is, for Congressmen or U. S. Senator, or for the electors to choose the President and Vice President; that the President designate an existing Federal official to perform this function, and that this should be done by the President after receiving a complaint of nine or more voters that they had been discriminated against because of their race, and after the Civil Rights Commission had investigated these complaints and found them to be accurate.

The CHAIRMAN. Does this mean that the Civil Rights Commission would be in perpetuity?

Mr. WALSH. I do not know that they discussed, in their recommendation, the extension of the Commission, but it would be in perpetuity, or as long as this function needed to be performed.

Mr. WALTER. May I interrupt at that point?

Mr. WALSH. Yes, sir.

Mr. WALTER. Excuse me.

I am very deeply interested in the Administrative Procedure Act.

Mr. WALSH. I realize that.

Mr. WALTER. I am just wondering whether or not there is anything in the legislation that is now being considered which would have the effect of depriving anyone of a right to appeal; whether or not the Administrative Procedure Act is vitiated or its effect nullified by the legislation now under consideration.

Mr. WALSH. Congressman Walter, the registrar proposals, I believe, do raise that problem, and that is why the Department of Justice has considered this problem and come up with an alternative proposal. It seemed to the Department that the proposal to permit a Federal commission to supplant in whole or in part the function of State officers on the basis of the present procedures of the Civil Rights