

Now the remedy here is for the Federal Government to appoint a person, an agent of the Federal Government or of its court system when it believes that the States are not performing their functions honestly or correctly.

Now that to me is a novel device. So far as I know, there is no precedent that where there is any State authority which is limited by a prohibition in Federal law; that the Federal Government, if it is unhappy or dissatisfied with the manner in which the States are functioning, may, in effect, appoint a receiver to perform the State function.

But here the voting referee must pass judgment on State law. He must determine that the applicant has the proper age, proper qualifications; and that he has the residential qualifications prescribed by State law within the State and within the precinct where he desires to register.

He must find that the person is not ineligible because of a criminal record that he has the proper educational qualifications and that he is not an idiot or any of the other disqualifications that the States still have the right by legislation to prescribe for electors.

Now the remedy is to appoint a Federal official who will pass judgment on all of those matters, and since the Federal official finds that the individuals are qualified under the State requirements, then he infers as a matter of course that the only reason he is not registered is because he is a Negro.

Now to me this is a novel device. It is a remedy in the field of relationships between the States and the Federal Government which so far as I know has never been tried before and it may be tried again in other fields. I think that, as an opponent of this legislation, you ought to have some views upon that remedy and I think the committee should have the benefit of those views.

Mr. BLOCH. Mr. Meader, I don't know whether you were here this morning when I started my testimony or not.

I have some very definite views on it and, of course, your question goes to the bases of all the bills, not only the referee bill, but the registrar bills, and I said in the opening this morning that those very basic questions of constitutional law and of history which you have raised were discussed by me on the 2d of February in a hearing before the subcommittee of the Rules Committee.

Mr. MEADER. Unfortunately, I was not familiar with your testimony.

Mr. BLOCH. On those basic questions which to me, sir, go to the very heart of the problem I made a statement to the Rules Committee of the Senate.

It so happens that I have a copy of it with me here, but that statement was incorporated in the Congressional Record of February 2, by Senator Talmadge.

I said in the opening of my prepared statement here this morning that if the committee desired, I would be very glad to furnish the chairman a copy of it and it could be made a part of this record here.

You will find the reference to it on the very first page of my prepared statement, and that 40- or 45-page brief, it is a law brief, appears in the Congressional Record of February 2, beginning at page 1553 and going through page 1559.

It deals, Mr. Meader, with the very, very basic questions of law and history that you raise.