

addicted to what is known as filibustering and if there is a filibuster I do not think this bill would ever see daylight. They may amend it out of all recognition if it goes over there again. I do not know what the Judiciary Committee might do, I do not know what the House would do if we get to the floor. You said before, we would be just where we started.

Mr. SMITH. Now, getting to the question that might be unfair to you; assuming that we report House Resolution 1100 and it is voted up or down without any motion to vote down the previous question and assume it is voted down, would you then, as chairman of the committee, rise and ask that it be taken from the Speaker's table and conference be appointed?

Mr. CELLER. You have asked me a very difficult question at this time.

Mr. SMITH. I have tried to say, if you think it is an untimely or unfair question I will withdraw it. I am trying to think about what somebody has in mind.

Mr. CELLER. I take it, if the previous question is voted down—

Mr. SMITH. Let's leave the previous question. What is your position if the House voted down House Resolution 1100?

Mr. BOLLING. Will the gentleman yield?

My understanding is that before the gentleman from New York could rise and ask for a majority vote in the House to send the matter to conference, he would have to be instructed by his committee. So, there is another step involved that must be taken into consideration.

Mr. SMITH. The Speaker is going to have to recognize somebody for that purpose and if another Member decided to get up—if the Speaker does not recognize him for that purpose it could not be done.

Mr. BOLLING. The procedure requires action by the committee having jurisdiction. That is the only point that I am trying to make.

Mr. SMITH. In any event, so far as your answer to me is concerned, you do not know what you will do. In other words, I am in the position of not wanting to place any Member of the House in the position of voting down House Resolution 1100 and discovering that it will not then be sent to conference. That is where I think it ought to go, and I want to try to get some help from somebody, and I have talked to a lot of people and nobody says what they are going to do.

Mr. CELLER. I would say this, my choice, if the previous question is voted down and, therefore, we cannot recede and concur, the next choice would be to go to conference.

Mr. SMITH. There has been some discussion around the Halls that we are either going to have this bill or no bill. Some of the leaders of both bodies say, let us have this bill or we will not have any.

Mr. CELLER. I want this resolution voted so we can recede and concur.

Mr. O'NEILL. Will the gentleman yield?

Supposing it was defeated and eventually, through a motion of your committee, it got to conference. What would take place from then on?

Mr. CELLER. I am afraid it would be very, very difficult. We would have a very difficult time.

Mr. O'NEILL. That would mean it would be months and months and it would go back to the other body and there would be 40 more days in the Senate as they had before, and, chances are, you will have no civil rights bill if it gets to conference.