The original documents are located in Box D5, folder "Joint Press Releases Ford and Other Members of Congress, 1965-1972" of the Ford Congressional Papers: Press Secretary and Speech File at the Gerald R. Ford Presidential Library.

PRESS RELEASE -- FEBRUARY 3, 1965

JOINT ANNOUNCEMENT BY: GERALD R. FORD, HOUSE REPUBLICAN LEADER,
MELVIN R. LAIRD, CHAIRMAN, HOUSE REPUBLICAN CONFERENCE,
AND LESLIE C. ARENDS, HOUSE REPUBLICAN WHIP

House Republican Leaders announced today the formation of a new House Republican Conference Committee. It will be called the Planning and Research Committee, and the Chairman will be Representative Charles E. Goodell, Republican of New York.

The announcement was made at a joint press conference held by House Republican Leader Gerald R. Ford, Republican Conference Chairman Melvin R. Laird and House Republican Whip Leslie C. Arends.

Ford described the new Planning Committee as a "major innovation that will help mobilize constructive Republican activity in developing long-term solutions to national problems. We in the leadership are unanimous in feeling that Charlie Goodell is the man to handle this important job," Ford said.

Congressman Laird said the Planning Committee will combine the old House Republican Policy Committee - - - - Task Force Operation with a research team under the direction of Dr. William Prendergast, former research director of the Republican National Committee. The membership of this new Conference committee will be announced in the next few days.

Congressman Ford made the following statement on behalf of the Republican leadership:

"House Republicans have a major responsibility as the representatives of approximately 43 per cent of the electorate who voted for a Republican House of Representatives in 1964. That duty, as we conceive it, is to exert whatever influence we can to guide the Nation toward the goals of freedom, security, peace, and well-being with fiscal responsibility.

"We cannot accept the statement, 'The duty of the opposition party is to oppose.' This is too narrow and too negative a formulation of our responsibility.

"We must do more than respond to the initiatives of the Administration. We must take the initiative ourselves in two ways.

"First, we must offer alternative measures to cope with national problems when the Administration's proposals are unwise. This we are doing, for example, in the matter of lightening the burden of the costs of health care for older people.

"Secondly, we must press for action to deal with the problems to which the Administration is blind or indifferent.

"The leadership will rely principally upon the Planning and Research Committee to generate and formulate approaches developed through the separate task forces operating under the supervision of Chairman Goodell's Committee."

Joint Statement of the Hon. Gerald R. Ford, House Minority Leader,
and the Hon. Melvin R. Laird, Chairman, Republican Conference

San Francisco, California
March 5, 1965

FOR IMMEDIATE RELEASE

Unity in the Republican Party has been demonstrated by the activities of recent weeks.

It has been evident in the votes we have had since the start of the 89th Congress.

It is evident in the agreement of Party leaders on the establishment of the Republican Coordinating Committee, which will hold its first meeting next Wednesday in Washington, D. C.

This unity in the Republican Party provides some counter-weight to the imbalance of power between the executive and legislative branches of our government--both of which are overwhelmingly dominated by the same party.

There is need to redress this imbalance. This can only come about through the re-establishment of a strong two-party system, without which our Constitutional checks and balances cannot function properly.

Although Republicans in this 89th Congress are vastly outnumbered, we can still speak with the voice of a moral majority.

Republicans do not intend to oppose Administration proposals merely for the sake of opposition. As a matter of fact, in recent weeks the Johnson Administration has received greater support from Republicans for its actions in Southeast Asia than it has from members of the President's own party.

Republicans will continue to support the Administration when it is right and oppose it when it is wrong.

It is our firm belief that the record the minority party will write in the 89th Congress will result in widespread Republican gains in 1966.

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FOR IMMEDIATE RELEASE April 5, 1965

JOINT STATEMENT BY: GERALD R. FORD, HOUSE REPUBLICAN LEADER,
MELVIN R. LAIRD, CHAIRMAN, HOUSE REPUBLICAN CONFERENCE,
CHARLES E. GOODELL, CHAIRMAN, PLANNING AND RESEARCH COMMITTEE,
AND CLARK MACGREGOR, CHAIRMAN, TASK FORCE ON URBAN & SUBURBAN AFFAIRS

Representative Gerald R. Ford, Minority Leader of the House of Representatives, Representative Melvin R. Laird, Chairman of the House Republican Conference, and Representative Charles E. Goodell, Chairman of the Republican Planning and Research Committee of the House of Representatives, today announced that a Republican Task Force on Urban and Suburban Affairs will begin this month to conduct a series of Citizens' Forums throughout the United States.

The purpose of these fact-finding Forums is to gather information on significant domestic problems - particularly those of urban areas - by hearings, inspections, and other means.

The first in the series will be a public hearing in Minneapolis on April 16, on the problems of transportation and pollution in the Twin Cities metropolitan area. This will be conducted by Representative Clark MacGregor, Chairman, and other members of the Task Force on Urban and Suburban Affairs.

A statement jointly released by Representatives Ford, Laird, and Goodell follows:

"We are delighted that Congressman Clark MacGregor, one of our ablest and most articulate Members of Congress, has been willing to take on the vital task of exploring in depth urban problems. His Task Force represents a cross-section of the finest Republican experts in Congress from many different committee jurisdictions.

"The Task Force will visit many areas in the U.S. between April and August, 1966, to conduct Citizens' Forums. Emphasis will be placed on the complex and interrelated problems of urban areas - transportation, pollution, housing, schools, job opportunities, and others. The people in urban areas are astir because of past failures by urban political machines to meet their problems honestly and effectively.

"As a distinguished national columnist, noted for his independence, commented last fall, 'The big city political machines have not been equal to the demands of growing urbanization. They thrive on poverty, unabsorbed minorities, and religiosity.'

"Citizens' Forums are being scheduled in the belief that the most effective way to secure the information which the Congress needs is by firsthand, on-the-spot study and by consultatation with the people who most directly feel the pinch of pressing, current problems. Too often Congress deliberates and legislates in a near-vacuum. The Minority is subject to additional handicaps in securing information because of lack of staff and the tendency of the Majority to legislate without adequate study.

"The full schedule of activity is now being prepared. We hope to visit every major region of the nation."

Representative MacGregor announced that the Task Force on Urban and Suburban Affairs will hold its first hearing in the U.S. Courthouse in Minneapolis on April 16. Mr. McGregor said:

"We are becoming more and more concerned that the people most affected by developing and continuing programs directed at urban-suburban areas are not being consulted as to the actual needs and desires. Our Task Force on Urban-Suburban Affairs has decided that the best way of getting at the heart of the problem - of determining what those most concerned want - is to conduct open hearings throughout the nation.

"At Minneapolis we shall begin our work, hearing approximately 25 witnesses who are experts particularly in the fields of transportation and water pollution. We will also consult privately with governmental and civic leaders about metropolitan area problems."

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FOR IMMEDIATE RELEASE WASHINGTON, D. C. - APRIL 5, 1965

JOINT STATEMENT BY
HONORABLE GERALD M. FORD, AND
HONORABLE WILLIAM M. McCULLOCH

Later today we shall introduce a voting rights bill which is the product of the effort of many Republicans in the House of Representatives.

This bill offers a comprehensive and effective remedy for the evil of disfranchisement of citizens because of race.

The voting rights bill which is written into law this year should

(1) effectively and speedily end the unconstitutional denial of the right to vote anywhere in the United States

(2) terminate unreasonable standards for registration and voting without interfering with the reasonable requirements established by the states

(3) terminate any discriminatory application of requirements for registration and voting

(4) avoid penalizing areas which are not guilty of discrimination.

Our bill accomplishes these objectives. The Administration bill does not.

We are taking this step because of the serious deficiencies of the Administration bill on this subject. The defects of the Administration bill were obvious from the beginning and they were pointed out by Republicans as soon as the President made it available to the Congress. Testimony by virtually every witness who has appeared before the Judiciary Committees of the House and Senate has brought to light a long list of shortcomings in the Administration proposal.

This Republican bill applies wherever discrimination exists. The Administration's bill applies only to a limited number of states which employ literacy and other tests. The absolute exclusion of Texas from the coverage of this bill has been widely noted.

The Republican bill does not penalize the innocent -- the states and localities where discrimination does not exist. The Administration's bill imposes undue burdens on areas such as Alaska and parts of Maine where discrimination is known not to exist.

The Republican bill is not limited by the straitjacket of an arbitrary percentage formula. The Administration bill reaches only those states and their subdivisions having literacy tests where less than 50% of its people registered or voted in the 1964 general election. States or local communities coming within this arbitrary formula may or may not be practicing discrimination. Low registration or voting may be equally credited to voter apathy -- especially in areas where one political party predominates -- or to misleading census figures which include persons who are non-residents (such as military personnel and college students).

The Republican bill is comprehensive in scope and speedy in action. A Federal examiner is appointed by the Civil Service Commission when the Attorney General receives 25 or more complaints from residents of a county alleging denial of the right to vote on account of race or color. The examiner immediately determines whether these persons are qualified to vote. Challenges by the state may be made to a Federal hearing officer, appointed by the Civil Service Commission, within 10 days, and the hearing officer must render his decision 7 days thereafter.

Determination by the hearing officer that 25 or more persons are denied suffrage because of race or color establishes a pattern or practice of discrimination. Immediately thereafter, the Civil Service Commission shall appoint such additional Federal examiners and hearing officers as necessary to register all other persons within the county who may be subject to discrimination.

Our bill provides for an appeal of the hearing officer's decision to the local Federal Court of Appeals if made within 15 days. All persons found qualified to vote by the examiners shall be entitled to vote. Those who are challenged shall vote provisionally until the appeal is decided by the hearing officer and the court. Provisional voting will encourage a prompt determination of the appeal. The Administration's bill provides exactly the same appeal procedure, except that there is no authority for provisional voting.

Our bill provides that examiners shall disregard literacy test requirements for persons who possess a sixth grade education. But, Federal examiners under this bill will apply to all other persons a state's literacy test, provided it is fair and non-discriminatory. The Administration's bill requires the complete elimination of literacy tests in a few states or their subdivisions, caught in its net, no matter how reasonable the tests or how fairly applied. At the same time, the Administration's bill permits other states to enact literacy tests in the future.

Our bill deals with the problem of physical and economic coercion and intimidation. It permits registrants in a county in which a pattern of discrimination has been established to by-pass local registrars, if they have reason to believe that they will be subjected to coercion and intimidation. In addition, our bill provides for civil and criminal penalties against those officials who engage in such coercion and intimidation. The Administration's bill contains similar provisions except that the Attorney General must take affirmative action to waive the requirement that a person first appear before a local registrar.

Our bill does not overturn constitutional principles by requiring states to establish their innocence. The Administration's bill does do this by presuming a state or a political subdivision, covered by the bill, guilty of discrimination until it receives from a Federal Court in the District of Columbia a declaratory judgment that it has not violated the Fifteenth Amendment in even one instance in the past 10 years.

Our bill does not invalidate laws or ordinances of state and local governments in contraventions of established constitutional principles. The Administration's bill would require states and their political subdivisions, covered by the bill, to come to a Federal Court for validation of their future laws and ordinances relating to voting requirements. Such is required by the Administration's bill even though the laws and ordinances of the state or local community have never been found to be discriminatory.

The Republican bill offers a constitutional, comprehensive, effective, speedy remedy for the evil of disenfranchisement of any citizen because of race or color. The Republican bill would eliminate voter discrimination quickly and wherever it may exist.

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Congressional Record

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, FIRST SESSION

Vol. 111 WASHINGTON, MONDAY, APRIL 5, 1965 No. 60

HOUSE REPUBLICAN VOTING RIGHTS BILL

Mr. GERALD R. FORD. Mr. Speaker, today the Honorable WILLIAM MCCULLOCH of Ohio and I introduced a House voting rights bill. I want to commend BILL MCCULLOCH, the Republican member of the Judiciary Committee and the Republican Voting Rights Task Force for the magnificent job they have done in cooperation with the Republican leadership.

Mr. Speaker, this proposal is offered to dramatize the serious deficiencies in the original administration voting rights bill. The Republican bill will correct voting discrimination wherever it occurs throughout the length and breadth of this great land. It respects the traditional and constitutional rights of the States to set reasonable and nondiscriminatory standards for voting. Our bill is comprehensive, expeditious and fair. We urge the House Judiciary Committee to adopt our approach to solving this crucial problem. We will cooperate in every way to see to it that effective and fair legislation is enacted promptly so that every qualified citizen will be able to vote in this country by 1966.

Under unanimous consent I place the joint statement made by Congressman MCCULLOCH and me this morning at this point in the RECORD, along with the text of the Ford-McCulloch voting rights bill.

JOINT STATEMENT BY HON. GERALD R. FORD AND HON. WILLIAM M. MCCULLOCH

Later today we shall introduce a voting rights bill which is the product of the effort of many Republicans in the House of Representatives.

This bill offers a comprehensive and effective remedy for the evil of disfranchisement of citizens because of race.

The voting rights bill which is written into law this year should:

1. effectively and speedily end the unconstitutional denial of the right to vote anywhere in the United States;

2. terminate unreasonable standards for registration and voting without interfering with the reasonable requirements established by the States;

3. terminate any discriminatory application of requirements for registration and voting; and

4. avoid penalizing areas which are not guilty of discrimination.

Our bill accomplishes these objectives. The administration bill does not.

We are taking this step because of the serious deficiencies of the administration bill on this subject. The defects of the administration bill were obvious from the beginning and they were pointed out by Republicans as soon as the President made it available to the Congress. Testimony by virtually every witness who has appeared before the Judiciary Committees of the House and Senate has brought to light a long list of shortcomings in the administration proposal.

This Republican bill applies wherever discrimination exists. The administration's bill applies only to a limited number of States which employ literacy and other tests. The absolute exclusion of Texas from the coverage of this bill has been widely noted.

The Republican bill does not penalize the innocent—the States and localities where discrimination does not exist. The administration's bill imposes undue burdens on areas such as Alaska and parts of Maine where discrimination is known not to exist.

The Republican bill is not limited by the straitjacket of an arbitrary percentage formula. The administration bill reaches only those States and their subdivisions having literacy tests where less than 50 percent of its people registered or voted in the 1964 general election. States or local communities coming within this arbitrary formula may or may not be practicing discrimination. Low registration or voting may be equally credited to voter apathy—especially in areas where one political party predominates—or to misleading census figures which include persons who are nonresidents (such as military personnel and college students).

The Republican bill is comprehensive in scope and speedy in action. A Federal examiner is appointed by the Civil Service Commission when the Attorney General receives 25 or more complaints from residents of a county alleging denial of the right to vote on account of race or color. The examiner immediately determines whether these persons are qualified to vote. Challenges by the State may be made to a Federal hearing officer, appointed by the Civil Service Commission, within 10 days, and the hearing officer must render his decision 7 days thereafter.

Determination by the hearing officer that 25 or more persons are denied suffrage because of race or color establishes a pattern or practice of discrimination. Immediately thereafter, the Civil Service Commission shall appoint such additional Federal examiners and hearing officers as necessary to register all other persons within the county who may be subject to discrimination.

Our bill provides for an appeal of the hearing officer's decision to the local Federal Court of Appeals if made within 15 days. All persons found qualified to vote by the examiners shall be entitled to vote. Those who are challenged shall vote provisionally until the appeal is decided by the hearing officer and the court. Provisional voting will encourage a prompt determination of the appeal. The administration's bill provides exactly the same appeal procedure, except that there is no authority for provisional voting.

Our bill provides that examiners shall disregard literacy test requirements for persons who possess a 6th grade education. But, Federal examiners under this bill will apply to all other persons a State's literacy test, provided it is fair and nondiscriminatory. The administration's bill requires the complete elimination of literacy tests in a few States or their subdivisions, caught in its net, no matter how reasonable the tests or how fairly applied. At the same time, the Administration's bill permits other States to enact literacy tests in the future.

Our bill deals with the problem of physical and economic coercion and intimidation. It permits registrants in a county in which a pattern of discrimination has been established to bypass local registrars, if they have reason to believe that they will be subjected to coercion and intimidation. In addition, our bill provides for civil and criminal penalties against those officials who engage in such coercion and intimidation. The administration's bill contains similar provisons except that the Attorney General must take affirmatve action to waive the requirement that a person first appear before a local registrar.

Our bill does not overturn constitutional principles by requiring States to establish their innocence. The administration's bill does do this by presuming a State of a political subdivision, covered by the bill, guilty of discrimination until it receives from a Federal court in the District of Columbia a declaratory judgment that it has not violated the 15th amendment in even one instance in the past 10 years.

Our bill does not invalidate laws or ordinances of State and local governments in contraventions of established constitutional principles. The administration's bill would require States and their political subdivisions covered by the bill, to come to a Federal court for validation of their future laws and ordinances relating to voting requirements. Such is required by the administration's bill even though the laws and ordinances of the State or local community have never been found to be discriminatory.

The Republican bill offers a constitutional, comprehensive, effective, speedy remedy for the evil of disenfranchisement of any citizen because of race or color. The Republican bill would eliminate voter discrimination quickly and wherever it may exist.

H.R. 7125

A bill to guarantee the right to vote under the 15th amendment to the Constitution of the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965."

SEC. 2. (a) The phrase "literacy test" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, or (2) demonstrate an educational achievement or knowledge of any particular subject.

(b) A person is "denied or deprived of the right to register or to vote" if he is (1) not provided by persons acting under color of law with an opportunity to register to vote or to qualify to vote within two weekdays after making a good faith attempt to do so, (2) found not qualified to vote by any person acting under color of law, or (3) not notified by any person acting under color of law of the results of his application within seven days after making application therefor.

(c) The term "election" shall mean any general, special, or primary election held in any voting district solely or in part for the purpose of electing or selecting any candidate to public office or of deciding a proposition or issue of public law.

(d) The term "voting district" shall mean any county, parish, or similar political subdivision of a State in which persons, acting under color of law, administer the registration and voting laws of the State.

(e) The term "vote" shall have the same meaning as in section 2004 of the Revised Statutes (42 U.S.C. 1971(e)).

SEC. 3. (a) Congress hereby finds that large numbers of United States citizens have been and are being denied the right to register or to vote in various States on account of race or color in violation of the Fifteenth Amendment.

(b) Congress further finds that literacy tests have been and are being used in various States and political subdivisions as a means of discrimination on account of race or color. Congress further finds that persons with a sixth grade education possess reasonable literacy, comprehension and intelligence and that, in fact, persons possessing such educational achievement have been and are being denied or deprived of the right to register or to vote for failure to satisfy literacy test requirements solely or primarily because of discrimination on account of race or color.

(c) Congress further finds that the requirements that persons as a prerequisite for voting or registration for voting (1) possess good moral character unrelated to the commission of a felony, or (2) prove their qualifications by the voucher of registered voters or members of any other class, have been and are being used as a means of discrimination on account of race or color.

(d) Congress further finds that where in any voting district twenty-five or more persons have been denied or deprived of the right to register or to vote, as determined in section 6, there is established a pattern or practice of denial of the right to register or to vote on account of race or color.

SEC. 4. (a) Whenever the Attorney General certifies to the Civil Service Commission (1) that he has received complaints in writing from twenty-five or more residents of a voting district each alleging that (i) the complainant satisfies the voting qualifications of the voting district, and (ii) the complainant has been denied or deprived of the right to register or to vote on account of race or color within ninety days, and (2) that the Attorney General believes such complaints to be meritorious, the Civil Service Commission shall appoint an examiner for such voting district.

(b) A certification by the Attorney General shall be final and effective upon publication in the Federal Register.

(c) The examiner shall examine those persons who have filed complaints certified by the Attorney General to determine (1) whether they were denied or deprived of the right to register or to vote within ninety days, and (2) whether they are qualified to vote under State law. A person's statement under oath shall be prima facie evidence as to his age, residence and his prior efforts to register or otherwise qualify to vote. The examiner shall, in determining whether a person is qualified to vote under State law, disregard (1) any literacy test if such person has not been adjudged an incompetent and has completed the sixth grade of education in a public school in, or a private school accredited by, any State or Territory, the District of Columbia, or the Commonwealth of Puerto Rico, or (2) any requirement that such person, as a prerequisite for voting or registration for voting (i) possess good moral character unrelated to the Commission of a felony, or (ii) prove his qualifications by the voucher of registered voters or members of any other class.

(d) If the examiner finds that twenty-five or more of those persons within the voting district, who have filed complaints certified by the Attorney General, have been denied the right to register or to vote and are qualified to vote under State law, he shall promptly place them on a list of eligible voters, and shall certify and transmit such list to the offices of the appropriate election officials, the Attorney General, and the attorney general of the State, together with a report of his findings as to those persons whom he has found qualified to vote. For those persons, possessing less than a sixth grade education, the examiner shall administer a literacy test only in writing and the answers to such test shall be included in the examiner's report. The examiner shall issue to each person appearing on such a list a certificate evidencing his eligibility to vote.

(e) A finding by the examiner that twenty-five or more of those persons within a voting district, who have filed complaints certified by the Attorney General, have been denied or deprived of the right to register or to vote and that they are qualified to vote shall create a presumption of a pattern or practice of denial of the right to register or to vote on account of race or color.

(f) Unless challenged, according to the provisions of section 5, any person who has been placed on a list of eligible voters shall be entitled and allowed to vote in any election held within the voting district unless and until the appropriation election officials shall have been notified that such person has been removed from such list in accordance with section 10. If challenged, such person shall be entitled and allowed to vote provisionally with appropriate provision being made for the impounding of their ballots, pending final determination by the hearing officer and by the court.

(g) No person shall be entitled to vote in any election by virtue of the provisions of this Act unless his name shall have been certified and transmitted on such list to the offices of the appropriate election officials at least forty-five days prior to such election.

SEC. 5. (a) A challenge to the factual findings of the examiner, contained in the examiner's report, may be filed by the attorney general of the State or by any other person who has received from the examiner a certified list and report of persons found qualified to vote, as provided in section 4(d). A challenge shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission. Such challenge shall be entertained only if made within ten days after the challenged person is listed, and if supported by the affidavit of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and such challenge shall be determined within seven days after it has been made. A person's fulfillment of literacy test requirements, if not disregarded by the examiner as provided for in section 4(c), shall be determined solely on the basis of answers included in the examiner's report.

(b) A petition for review of the decision of the hearing officer may be filed in the United States Court of Appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the moving party, but no decision of a hearing officer shall be overturned unless clearly erroneous. A challenge to a listing made in accordance with this section shall not be the basis for a prosecution under any provisions of this Act.

SEC. 6. Upon determination by the hearing officer that twenty-five or more of those persons within the voting district, who have been placed on the list of eligible voters by the examiners, have been denied or deprived of the right to register or to vote and are qualified to vote, such determination shall establish a pattern or practice of denial of the right to register or to vote on account of race or color. The establishment of a pattern or practice by the hearing officer shall not be stayed pending final determination by the court.

SEC. 7. (a) Upon establishment of a pattern or practice by the hearing officer, as provided in section 6, the Civil Service Commission shall appoint additional examiners within the voting district as may be necessary who shall determine whether persons within the voting district are qualified to register and to vote. In determining whether such persons are so qualified the examiners shall apply the same procedures and be subject to the same conditions imposed upon the initial examiner under section 4(c), except that a person appearing before such examiner need not have first attempted to apply to a State or local registration official if he states, under oath, that in his belief to have done so would have been futile or would have jeopardized the personal safety, employment, or economic standing of himself, his family, or his property. Such examiner shall be in the same manner as provided in section 4(d), certify and transmit lists of persons and any supplements as appropriate, at the end of each month, to the office of the appropriate election officials, the Attorney General, and the attorney general of the State, together with reports of their findings as to those persons found qualified to vote.

(b) Persons placed on lists of eligible voters by examiners shall have the right to vote in accordance with the provisions of sections 4(f) and 4(g).

(c) Challenges to the findings of the examiners shall be made in the same manner and under the same conditions as are provided in section 5.

(d) The Civil Service Commission shall appoint and make available additional hearing officers within the voting district as may be necessary to hear and determine the challenges under this section.

SEC. 8. (a) Whenever a person alleges to an examiner within twenty-four hours after the closing of the polls that notwithstanding his listing under the provisions of this Act he has not been permitted to vote or that his vote was not properly counted (or not counted subject to the impounding provision, as provided in this Act), the examiner shall notify the United States Attorney for the judicial district if such allegation, in his opinion, appears to be well founded. Upon receipt of such notification, the United States Attorney may forthwith apply to the district court for an order of contempt. Whoever, acting under color of law, fails or refuses to permit a person to vote, notwithstanding his listing under this subsection, or fails or refuses to properly count such person's vote, or intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce such person for the purpose of preventing such person from voting under the authority of this Act shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(b) Whoever, acting under color of law, within a year following an election in a voting district in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot cast in such election, or (2) alters any record of voting in such election made by a voting machine or otherwise, shall be fined not more than $5,000, or imprisoned not more than five years, or both.

(c) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether an applicant for listing under this Act shall have exhausted any administrative or other remedies that may be provided by law.

SEC. 9. Consistent with State law and the provisions of this Act, persons appearing before an examiner, shall make application in such form as the Civil Service Commission may require. Also consistant with State law and the provisions of this Act, the times, places, and procedures for application and listing pursuant to this Act and removals from eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission. The Commission shall, after consultation with the Attorney General, instruct examiners concerning the qualifications required for listing.

(b) Notwithstanding time limitations as may be established under State or local law, examiners shall make themselves available every weekday in order to determine whether persons are qualified to vote.

SEC. 10. Any person whose name appears on a list, as provided in this Act, shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list. A person whose name appears on such a list shall be removed therefrom by an examiner if (1) he has been successfully challenged in accordance with the procedure prescribed in sections 5 and 7, or (2) he has been determined by an examiner (a) not to have voted or attempted to vote at least once during four consecutive years while listed or during such longer period as is allowed by State law without requiring reregistration, or (b) to have otherwise lost his eligibility to vote: *Provided, however,* That, in a State which requires reregistration within a period of time shorter than four years, the person shall be required to reregister with an examiner who shall apply the reregistration methods and procedures of State law which are not inconsistent with the provisions of this Act.

SEC. 11. Examiners, appointed by the Civil Service Commission, shall be existing Federal officers and employees who are residents of the State in which the Attorney General has issued his certification. Examiners shall subscribe to the oath of office required by section 16 of title 5, United States Code. Examiners will serve without compensation in addition to that received for such other service, but while engaged in the work as examiners shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from their usual place of residence, in accordance with the provisions of the Travel Expense Act of 1949, as amended. Examiners shall have the power to administer oaths.

SEC. 12. The provisions of this Act shall be applied in a voting district until, within any twelve-month period, less than twenty-five persons within the voting district have been placed on lists of eligible voters by examiners.

SEC. 13. (a) All cases of civil and criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) Any statement made to an examiner may be the basis for a prosecution under section 1001 of title 18, United States Code.

SEC. 14. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 15. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

WILLIAM M. McCULLOCH
REPRESENTATIVE TO CONGRESS
FOURTH DISTRICT OF OHIO

COMMITTEE ON
THE JUDICIARY

SELECT COMMITTEE ON
SMALL BUSINESS

Congress of the United States
House of Representatives
Washington, D. C.

May 5, 1965

SUMMARY OF H.R. 7896 and H.R. 7897

The following is an analytic summary of the operation of the bill , together with brief commentary directed to the legal aspects of several of these provisions. The bill is identical in substance to H.R. 7112 with the addition of a voting frauds section (Sec. 14) and a provision for invalidating discriminatory poll taxes (Sec. 15).

1. "Triggering" Provisions - Sections 4(a), 5, 6 and 7

The Attorney General receives written complaints from voters of a particular political subdivision of a State, each of whom must allege (a) that he can satisfy the voting qualifications of his voting district and (b) he has been denied the right to register and vote on account of race or color. Upon certification by the Attorney General that he has 25 or more meritorious complaints, the Civil Service Commission appoints an examiner who determines whether each complainant is qualified to register and vote under applicable State law (as applied by the examiner). The examiner's finding that 25 or more complaints are meritorious creates the presumption of a pattern or practice of denial of the right to vote on account of race or color. This presumption becomes conclusive (and unassailable) if no challenge is made to the examiner's finding within ten days. If a challenge is made, the Civil Service Commission appoints a hearing officer who hears and determines the challenge within 7 days. A pattern or practice is deemed established if the hearing officer upholds the examiner's finding as to 25 or more complaints. In such case, appeal may be taken from the hearing officer's determination to the Federal Circuit Court of Appeals for the circuit in which the person challenged resides. But such an appeal does not stay or delay the operation of the so-called "listing" provisions of the Act, whereunder other eligible voters in the district where the pattern or practice has been established may apply to be placed on eligible voter lists by the examiner (and other examiners appointed as necessary).

2. Application of State Laws - Section 4 (c)

In assessing the qualifications under State law of both complainants and subsequent applicants for registration, the examiner disregards (1) any requirements

of good moral character unrelated to commission of a felony and (2) any requirement that an applicant prove his qualifications by the voucher of registered voters or members of any other class of citizens. If there is a literacy test requirement, the examiner disregards it as to those complainants/applicants who have completed sixth grade. As to those of below sixth grade achievement, the examiner applies the State test [1/] in writing, including the results of the test in a required report. Qualification under the test may not be reviewed on other than these written answers.

3. Listing Procedures - Sections 4(d), 8(d) and (e)

Upon ascertaining that a complainant or applicant is qualified to vote, the examiner (a) places him on a list of eligible voters which he serves upon the specified State officials and the Attorney General together with his report on listed persons' qualifications; and (b) issues the listed person a certificate evidencing eligibility to vote. At this point the person so listed is eligible to vote, and so remains unless removed from the lists under the procedures in Section 10. If a challenge follows service of the list, the person listed may still cast his vote, which is then impounded subject to resolution of the challenge.

4. Enforcement - Section 13

Upon receipt of allegations within 24 hours of the closing of the polls that a listed person has not been allowed to vote, or that his vote was not properly counted, the United States Attorney of the judicial district may apply to the District Court for injunctive relief and appropriate orders to assure an election not inconsistent with the provisions of this Act. Criminal penalties are imposed for interference at any time with persons seeking to register and vote under provisions of the Act and Federal appointees discharging their duties under the Act.

5. Interference with Elections - Section 14

Criminal penalties are provided for three classes of criminal acts: (a) failing or refusing to permit voting or to properly count and report votes; (b) intimidating or coercing persons to prevent their registry or voting, or intimidating or coercing persons to prevent their encouraging or aiding others to vote; and (c) giving false information for the purposes of establishing eligibility to register and vote, or offering to pay, paying, or accepting payment to register or to vote.

6. Poll Tax - Section 15

Where a poll tax is in effect in a State or political subdivision, the Attorney General is made a proper party to bring a suit to suspend enforcement of or to invalidate such tax, where it is used as a device to deny or abridge the right to vote on account of race or color.[2/] Section 15 requires that the action be heard by a three-judge court with appeal therefrom to the Supreme Court.

1/ Provisions of this bill allowing a limited application of an existing literacy test are not designed to interfere with the present power of the Attorney General to bring a suit to enjoin the use of the literacy test, or have such test invalidated where such test is used to deprive a person or persons of the right to vote. 42 U.S.C. 1971 (c); Louisiana v. United States, 33 L. Week 4262, March 8, 1965.

In such a suit, upon a proper showing by the Attorney General, appropriate preliminary relief would be available pendente lite. Effects of an offensive test might thus be temporarily restrained or preliminarily enjoined either to prevent irreparable injury to the voters, or to preserve the court's jurisdiction. Cf. 28 U.S.C. 1651. A court might well fashion an order that would allow voters excluded by the test to cast their ballots, the ballots then to be impounded pending resolution of the suit. See also the District Court's decree in Louisiana v. United States, supra.

2/ As the Attorney General observed in Committee, the extent of change to present law afforded by this section is largely procedural: it is designed to facilitate and expedite Supreme Court review of State poll tax laws. It is at least arguable that under present law a suit could be brought under provision of 28 U.S.C. 1971 (as in f.n. 1, supra) where the tax is employed as a device to interfere with the right to vote.

JOINT STATEMENT

by

Representative Gerald R. Ford, Republican Floor Leader, and

Representative Wm. McCulloch, Ranking Republican Member of Committee on the Judiciary

July 12, 1965

The President's political instincts got the better of his sense of fairness and his sense of history when he accused House Republicans of seeking to dilute the Voting Rights Bill.

The President is obviously sensitive to his own "Lyndon-come-lately" Congressional record on civil rights.

The President is embarrassed by the failure of the Johnson Administration to support the honest elections provision in either the Senate or House version of the Voting Rights Bill.

Will the President tell the people:

1) Why Texas was not covered under his initial Voting Rights Bill and is not effectively covered now?

2) Why vote frauds and dishonest elections, such as have occurred in Chicago and Texas, were not covered under his proposal?

3) Why should not the right to vote be protected equally in every state, not just in 7 states?

4) Why should any area be exempted after only 50 percent of the Negroes are permitted to vote?

5) Why should challenged votes be counted and if found invalid be used possibly to determine the outcome of an election, including the election of a President?

The Ford-McCulloch Bill effectively meets all of these problems. The President's proposal ignored all these vices and defects. The Ford-McCulloch Bill was more comprehensive, more effective, and more equitable than the Administration Bill.

From 1940 through 1960 as a member of the House and the Senate, Lyndon Johnson voted against civil rights on 78 percent of 50 meaningful roll call votes. Before 1957, he voted against civil rights 100 percent.

Lyndon Johnson's public statements were consistent with his voting record. In Austin, Texas on May 22, 1948, he said,

> This civil rights program, about which you have heard so much is a farce and a sham--an effort to set up a police state in the guise of liberty. I am opposed to that program. I fought it in Congress. It is the province of the state to run its own elections.

[more]

Republicans disagreed with him then and have consistently disagreed with that philosophy ever since.

The President embraces a form of consensus which in effect says, "I'm right. Everyone else is wrong. I'm for good; you're for evil." He tolerates no constructive differences of opinion. As such, he is a dangerous advocate of one-party government in this country.

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For Release Friday A.M.s
June 9, 1967

JOINT STATEMENT BY REPRESENTATIVES
GERALD R. FORD (R-MICH.) HOUSE MINORITY LEADER, AND
JOHN J. RHODES (R-ARIZ.) CHAIRMAN OF THE HOUSE REPUBLICAN POLICY COMMITTEE

On March 22, 1967, we introduced identical House Resolutions, (H. Res. 406 and H. Res. 407) respectfully requesting the President to reconsider his fiscal 1968 budget and to indicate where substantial reductions in spending could best be made. (See text.)

These resolutions were referred to the Committee on Appropriations which has taken no action upon them. Meanwhile the Administration's own estimates of the probable deficit under the 1968 budget have increased and the House of Representatives, by yesterday's vote of 210 to 197 rejecting the Administration's request to raise the national debt ceiling to a record $365 billion, has emphatically reflected the strong sentiment of the American people that ever-rising deficits and runaway spending must be curbed in this time of international and fiscal crisis.

We are therefore today introducing a Special House Resolution under Rule 27, Section 4 of the Rules of the House of Representatives, calling for immediate floor consideration of our earlier proposal to send the budget back to President Johnson for revision downward. Under this rule, when a public bill or resolution has remained in a standing committee 30 days or more without action, members may file a special resolution with the Rules Committee to bring the bill or resolution up for immediate consideration by the Committee of the Whole House. (See text.)

* * *

SPECIAL RESOLUTION

That upon the adoption of this resolution the House shall immediately resolve itself into the Committee of the Whole House on the State of the Union for the consideration of H. Res. 406, requesting the President to submit to the House of Representatives recommendations for budget reductions. After general debate, which shall be confined to the resolution and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations, the resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

* * *

H. RES. 406

Whereas the House of Representatives must, in the public interest, make substantial reductions in the President's budget for the fiscal year 1968: Now, therefore, be it

Resolved, That the President be respectfully requested to indicate the places and amounts in his budget for the fiscal year 1968 where he thinks substantial reductions may be made.

Resolved, That a copy of this resolution be submitted to the President.

FOR IMMEDIATE RELEASE: November 30, 1967

JOINT STATEMENT BY HOUSE MINORITY LEADER GERALD FORD AND REP. WILLIAM B. WIDNALL, RANKING MINORITY MEMBER OF THE HOUSE BANKING COMMITTEE ON HIGH INTEREST RATES

We share the concern expressed in the joint statement of November 28th by twenty-seven of our Democratic colleagues in calling this afternoon's emergency meeting on the so-called "interest rate crisis."

At the outset, we commend our colleagues for their candor in admitting that interest rates are at their highest levels of this century. We agree that the burden of high interest rates falls unevenly on the economy, in that such credit-sensitive industries as homebuilding suffer far more than others.

We wish to declare in no uncertain terms, however, that reckless and wild talk such as that offered by our Democratic colleagues and the Johnson Administration can do nothing except add further pressures to the economy.

Such needless panic terms as "monetary crisis" and "monetary disaster" serve no useful purpose other than to disturb confidence in our economy both at home and abroad. Panic talk only rewards the speculators and those who, like President DeGaulle, wish to impose either devaluation or a severe economic recession on our economy.

Moreover, those who today are urging action to lower interest rates are the very same individuals who ignored or turned aside practically every attempt during the 89th and 90th Congresses to recognize the dangers of inflationary fiscal policies while a major war was being fought. For instance, of the twenty-seven members calling today's meeting, an overwhelming majority voted for the Participation Sales Act of 1966, an act which only this week enabled Treasury guaranteed credit to be sold at a record 6.4 percent interest rate in an effort to conceal from the public additional billions in inflationary Federal spending.

We also deplore a similar tendency on the part of Treasury Secretary Fowler to join in the chorus of reckless threats in order to stampede the Congress into passage of the President's tax bill. Secretary Fowler yesterday warned of "drastic consequences" both to the nation's economy and to the international financial system if Congress does the "unthinkable" and adjourns next month without acting on a tax bill. Secretary Fowler asserted neither leadership nor financial statesmanship by reacting to what borders on international blackmail of domestic fiscal policy considerations.

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MINORITY LEADER

United States
House of Representatives

April 30

This press statement is result of Bill Prendergrast conferring with Laird, Goodell, etc.

It may be useful this weekend in event of questioning by reporters on situation.

Jim Rudge

STATEMENT TO THE PRESS BY REPUBLICAN LEADERSHIP OF THE HOUSE

(Released AM Saturday May 1-----) (C O P Y)

The Republican Leadership of the House of Representatives recognizes that the violence now being endured by the Dominican Republic is an extension and an outgrowth of the subversive activities of the Communist movement in Cuba and elsewhere. Events in the Dominican Republic are results of failure at the Bay of Pigs.

The Dominican Republic is but one of the danger spots in Latin America. Castro Communists are carrying on a wide range of subversive activities in several other Latin American nations, notably in Guatemala, Venezuela, and Columbia. Since last November Communist guerilla forces---infiltrated into those three nations---have been engaging in violence looking toward seizure of power.

It is the responsibility of the United States, under the Cuban Resolution of the Congress of October 3, 1962, "to prevent by whatever means may be necessary, including the use of arms, the Marxist-Leninist regime in Cuba from extending its subversive activities." If this situation in the Dominican Republic is not effectively dealth with, a repetition of the events of the past week can be expected in other Latin American nations.

The Republican Leadership supports the President's action in using United States Marines in the Dominican Republic to the extent necessary to protect lives and property. Unfortunately, unilateral intervention by the United States in Latin American countries rekindles bitter memories. We do not believe that the President would have taken so extreme an action unless no other courses was open to him.

-more-

The Republican Leadership believes that the evacuation of Americans by no means solves the basic problem of the Dominican Republic. The United States armed forces should be maintained in the Dominican Republic for so long as is needed to assure fully the protection of the lives of all American citizens and the protection of American property. In protecting American property, the Marines are protecting the economy of the Dominican Republic and the source of livelihood of a large number of the Dominican people.

The United States should immediately recognize the collective responsibility of the Organization of American States. It should call upon the OAS under Article 6 of the Rio Pact and in keeping with the Declaration of Foreign Ministers at Punta del Este to approve the formation of a multi-lateral police force to assist the Dominican Republic, which is the victim of aggression, in the further establishment of law and order and in maintaining the peace and security of the continent.

With the restoration of law and order, the United States should assist in reestablishing, preserving and strengthening the free institutions of popular goverbment in the Dominican Republic, and should encourage other Democratic American Republics to do likewise. This will make possible conditions conducive to the development of responsible leadership in a nation destituted of such leadership by 30 years of tyranny. With the restoration of law and order, the United States should expand economic and technical support in the Dominican Republic to assure conditions which will make possible the Dominican Republic's eventual economic independence and will encourage other democratic nations to do likewise.

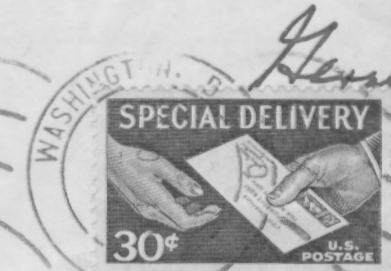
# # #

Congress of the United States

Office of the Minority Leader

House of Representatives

OFFICIAL BUSINESS



Gerald Ford

M.C.

Congressman Gerald R. Ford
c/o Yale Law School Panel
University Commons
New Haven, Conn.

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For Release at 10:30 A.M.

JOINT STATEMENT BY REPS. HALE BOGGS AND GERALD R FORD, July 8, 1972

Gentlemen, this is our first real discussion with newsmen since coming out of China.

We conferred with President Nixon in San Clemente by telephone late yesterday immediately after arriving in Washington from Yokota Air Force Base in Japan. On Wednesday and Thursday we communicated with Washington and met with U. S. Consular officials in Hong Kong, crossing the border after a train trip from the Chinese city of Canton. We met for five hours with Premier Chou En-Lai, for three hours with the Vice Minister of Foreign Affairs Ch'iao Kuan-Hua, and with numerous provincial and local leaders in Shanghai, Peking, Shen Yang, Anshan and Canton.

It has been a remarkable journey.

Only three times in nearly a quarter century has an official U. S. party been welcomed in that country. Contact between our people and the Chinese people has been practically non-existent, and the result has been a feeling of distance and tension between us. There are, therefore, few American experts in China or on the best present course for Sino-U.S. relations.

After 10 days in China we certainly do not qualify as experts. We, and nearly all other Americans, have barely begun to understand that immense and complex land. Our observations and impressions must be measured in light of the shortness of our visit and our nation's limited familiarity with the closely guarded details of Chinese foreign and domestic policy.

As soon as we arrived yesterday at Andrews Air Force Base, we telephoned President Nixon at San Clemente to report the substance of our findings and recommendations. We will shortly submit a more detailed report to him in written form. Most of the information we have given and will give to the

President we are eager to share with you today. When the House reconvenes, we will present a formal report to the Speaker and the entire membership.

Both of us hold the view that the process of normalizing State relations between the U. S. and China should continue. We hope our party conventions this month and next will help to advance this objective, and that all candidates this year will approach the matter in a spirit of bipartisanship.

After all, the combined population of China and the U. S. exceeds one billion people--one third of mankind. If our two nations can learn to live together in harmony and mutual respect, our children may better hope for a peaceful world.

We see a bright future ahead in this new relationship of our country with China, and both of us intend to do all we can to help bring that to pass.

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