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SUMMARY AND TEXT THE VOTING RIGHTS ACT

UNITED STATES COMMISSION ON CIVIL RIGHTS
Clearinghouse Publication No. 32

September 1971

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U.S. COMMISSION ON CIVIL RIGHTS

The U.S. Commission on Civil Rights is a temporary, independent, bipartisan agency established by Congress in 1957 and directed to:

Investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, or national origin or by reason of fraudulent practices;

Study and collect information concerning legal developments constituting a denial of equal protection of the laws under the Constitution;

Appraise Federal laws and policies with respect to equal protection of the laws;

Serve as a national clearinghouse for information in respect to denials of equal protection of the laws; and

Submit reports, findings, and recommendations to the President and the Congress.

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UNITED STATES COMMISSION ON CIVIL RIGHTS

THE VOTING RIGHTS ACT

SUMMARY AND TEXT

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“A democratic system rests ultimately on the belief that each man is the best judge of his own interests and that he should have, through the ballot box, a voice in choosing those who govern him.

“Voting is the fundamental political right of citizens in a democracy. The right to vote is the right to influence officials and policy. To be denied the vote is to be denied the guarantee that one’s interest will be taken into account when policy is made. There is no justifiable test of property, race, color, national origin, religion, or education for disfranchising one class of citizens.”

*Evron M. Kirkpatrick
Member, President’s Commission on
Registration and Voting Participation*

Additional Statement: Report of the President’s Commission on Registration and Voting Participation

NOVEMBER 1963

THE VOTING RIGHTS ACT OF 1965
as amended by the
VOTING RIGHTS ACT AMENDMENTS OF 1970

- Prohibits the use for 5 years of literacy tests and other devices (found by Congress to be discriminatory) as qualifications for voting in any Federal, State, local, general, or primary election.
- Permits 18-year-olds to vote in any general or primary election for Federal office.
- Assures that residency requirements will no longer prevent citizens from voting for President and Vice President.
- Provides for the assignment of Federal examiners to conduct registration and of Federal observers to observe voting in States or counties covered by the special provisions of the act.
- Requires Federal clearance of new voting laws or procedures of States or counties covered by the special provisions of the act.
- Extends civil and criminal protection to qualified persons seeking to vote and to those who urge or aid others to vote.

This publication is issued by the U.S. Commission on Civil Rights as part of its clearinghouse function. It discusses the coverage, administration, and other subjects covered by the Voting Rights Act of 1965 and the Voting Rights Act Amendments of 1970. The text of these acts appears on pp. 11-25.

INTRODUCTION

The right to vote is a fundamental right. It is guaranteed by the 14th and 15th amendments to the Constitution. The 15th amendment provides, among other things, that:

“The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color or previous condition of servitude.”

The 14th amendment provides, among other things, that:

“No State shall make or enforce any law which shall abridge the privileges and immunities of citizens of the United States; . . . nor deny to any person within its jurisdiction the equal protection of the laws.”

Despite these constitutional protections, blacks in the South were virtually disfranchised from the end of the Reconstruction Period until 1965, and members of other minority groups have also frequently been denied the right to vote. In 1957, Congress sought to protect the voting rights of minority group members by enacting the Civil Rights Act of 1957, which gave the U.S. Attorney General the power to institute suits on behalf of persons deprived of voting rights. The Civil Rights Acts of 1960 and 1964 gave additional protection to the exercise of the right to vote.

It was not until the passage of the Voting Rights Act of 1965, however, that this right was extended to black people in the South in a meaningful way. Previous legislation had provided for the case-by-case remedying of voting rights violations. The 1965 act provided for direct Federal action to enable blacks to register and vote. It banned literacy tests and similar devices that had been used to deny blacks the right to vote. The act provided for the appointment of Federal examiners to qualify voters in those areas where tests and devices had been suspended.

In June 1970, Congress extended the life of the 1965 act and made several significant additions to it. The 1970 amendments ban the use of literacy tests in all States for a 5-year period; long-term residency requirements for voting for President and Vice President are made unlawful, and the amendments establish the right to vote for all otherwise qualified citizens 18 years of age or older. The 18-year-old vote provision was confirmed by the 26th amendment to the Constitution.

DEFINITION OF VOTING

In the Voting Rights Act, the term “voting” includes all action necessary—from the time of registration to the actual counting of the votes—to make a vote for public or party office effective.

SUMMARY

Although the Voting Rights Act is national in scope, some provisions—called here “General Provisions”—apply directly to all persons in all parts of the country, while others—“Special Provisions”—apply only if certain criteria, specified in the act, are met.

GENERAL PROVISIONS

Suspension of Literacy and Other Tests

Title II of the Voting Rights Act Amendments of 1970 prohibits the use of any literacy test or similar test or device as a prerequisite to voting in any Federal, State, or local election. This ban expires on August 6, 1975.

The term “test or device” refers to any requirement that a person must do any of the following in order to vote or register to vote:

1. Demonstrate the ability to read, write, understand, or interpret any matter.
2. Demonstrate any educational achievement or knowledge of any particular subject.
3. Prove his qualifications through a procedure in which another person (such as an individual already registered) must vouch for him.
4. Possess good moral character.

Under the 1965 act, literacy tests were already suspended in several States and counties, primarily in the southern part of the United States. The new provision applies to areas where tests are not under suspension under the 1965 act. States having tests or devices which are affected by the new suspension are Alaska, Arizona, California, Connecticut, Delaware, Idaho, Maine, Massachusetts, New Hampshire, New York, North Carolina, Oregon, Washington, and Wyoming.

Language Literacy

Under the 1965 act, if a person residing in a State where tests or devices have not been suspended had completed at least six grades in an “American-flag” school [a school in the United States or her territories], his inability to speak the English language could not be the basis for denying him the right to vote. For example, a person who had completed six grades of school in the Commonwealth of Puerto Rico but who was residing on the mainland of the United States would have satisfied literacy requirements. This provision will remain in effect after the national ban on literacy tests expires in 1975.

Poll Taxes

The 1965 act contains a congressional finding that the right to vote has been denied or abridged by the requirement of the payment of a poll tax as a condition to voting.

In 1966, a Supreme Court ruling outlawed the poll tax requirement as a condition of voter eligibility. The Court in *Harper v. Virginia in Board of Elections* held that "a State violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard."

Reduction of Voting Age to 18

Title III of the 1970 amendments prohibits the States from denying, because of age, any person 18 years of age or older the right to vote in any election. This provision was to take effect on January 1, 1971. In December 1970, in *United States v. Arizona*, the Supreme Court held this provision unconstitutional except with respect to voting for Federal officials and voting in the District of Columbia. In June 1971, however, the 26th amendment to the Constitution, which fully enfranchises persons between the ages of 18 and 21, was ratified. Thus an 18-year-old now has the same right to vote as any other person.

Residency Requirements

The 1970 Amendments to the Voting Rights Act abolish long-term residency as a precondition to voting for the President and Vice President. The amendments also establish national standards for absentee registration and absentee balloting in presidential elections.

The amendments provide that any otherwise qualified person who has resided in a State for at least 30 days prior to a presidential election must be treated as eligible to vote in that election.

The amendments also provide that any person otherwise qualified who moves to a State or to a county or other political subdivision of a State within 30 days of a presidential election, and who is not eligible to vote in his new location, must be allowed to vote for the President and Vice President in person or by absentee ballot in the State or political subdivision of his prior residence.

The amendments require that each State provide for the casting of an absentee ballot for the President and Vice President by any qualified resident who is absent on election day and who applies for an absentee ballot at least 7 days before the election and returns it by the time the polls are closed. Thus, any person who makes a timely application must be given an absentee ballot for the President and Vice President regardless of the reason for his absence from his election district on election day.

In addition, with respect to voting for the President and Vice President, the States must allow absentee registration by persons who are absent from the jurisdiction.

Criminal and Civil Penalties

Public officials or private individuals who deny persons the right to vote guaranteed by the Voting Rights Act of 1965 or anyone who attempts to or intimidates, threatens, or coerces a person, in order to prevent him from voting, are subject to criminal penalties. It is also a crime under the act to attempt to or to intimidate, threaten, or coerce anyone who urges or aids any person to vote. Criminal penalties are provided for applicants who give false information about their eligibility to vote or who accept payment to register or vote in a Federal election. The U.S. Attorney General is also authorized to bring legal action to restrain violations of the act.

SPECIAL PROVISIONS

Triggering Mechanism

A State or county is subject to additional provisions, or is specially covered, if it meets certain requirements set forth by the act. These additional provisions

- Suspend the use of literacy tests and other tests and devices independently of the general ban on literacy tests contained in the 1970 amendments;
- Provide for the assignment of Federal examiners to conduct registration and Federal observers to observe voting;
- Require Federal clearance of new voting laws or procedures.

A State is specially covered if it:

Maintained on November 1, 1964, any test or device as a prerequisite to registration or voting *and*

Had a total voting age population of which less than 50 percent was registered or actually voted in the 1964 presidential election.

or

Maintained on November 1, 1968, any test or device as a prerequisite to registration or voting *and*

Had a total voting age population of which less than 50 percent was registered or actually voted in the 1968 presidential election.

In a State which does not fall under these requirements, individual counties can be specially covered if they meet either of the tests.

In addition, the special provisions can be made to apply to any State or county in the country if a court so orders in a suit brought by the Attorney General to enforce the 15th amendment.

State and Counties Which Are Specially Covered

The following States and counties remain specially covered under provisions of the Voting Rights Act of 1965:

Alabama
Georgia
Louisiana
Mississippi
South Carolina

Virginia
39 counties in North Carolina
Yuma County, Arizona
Honolulu County, Hawaii

In addition, four election districts in Alaska, eight additional counties in Arizona, two counties in California, one county in Idaho, three counties in New York, and one in Wyoming are specially covered under the 1970 Amendments.

Removal from Special Coverage

A State or county may remove itself from special coverage by filing a suit in a three-judge Federal District Court in the District of Columbia. It must convince the court that voting qualification tests or devices have not been used for the purpose or with the effect of denying the right to vote because of race or color during the 10 years preceding the filing of the suit.

Federal Examiners

Once it is determined that a county is covered by the special provisions of the act, the U.S. Attorney General may direct the U.S. Civil Service Commission to appoint Federal examiners to list voters if:

1. He has received 20 meritorious written complaints alleging voter discrimination, or
2. He believes that the appointment of examiners is necessary to enforce the guarantees of the 15th amendment.

The times, places, and procedures for listing are established by the Civil Service Commission.

The Federal examiners list (that is, declare eligible and entitled to vote) those who satisfy State qualifications that have not been suspended or abolished by the Voting Rights Act. Each person listed by the examiner is issued a certificate as evidence of eligibility to vote in any Federal, State, or local election.

The list compiled by the Federal examiner of persons eligible to vote in an election must be sent to local election officials at least 45 days before that election, thereby allowing the State election machinery to run without complication.

If anyone who is properly listed or registered is not permitted to vote in any county where examiners are serving, a complaint may be made to the examiners of this denial within 48 hours after the polls close. If the examiner believes that the complaint has merit, he must inform the Attorney General immediately. The Attorney General may seek a district court order that provides for the casting of the ballot and suspends the election results until the vote is included in the final count.

Challenge of Listed Persons

A formal objection challenging the qualifications of a person listed by the Federal examiner may be filed (at a place to be designated by the Civil Service Commission) within 10 days after the list of qualified voters has been made public and must be supported by at least two affidavits. The validity of the challenge is to be determined within 15 days after filing by a hearing officer appointed by the Civil Service Commission. The U.S. Court of Appeals may review decisions of the hearing officer.

Until the final court review is completed, any person listed by the examiner is still eligible and must be permitted to vote. If a challenge is successful, the name of the registrant will be removed from the examiner's list.

Withdrawal of Federal Examiners

Examiners may be withdrawn from a county when the names of all persons listed by the examiners have been placed in the official records and when there is no reason to believe that persons in the subdivision will be prevented from voting.

The removal may be accomplished by action of:

1. The Civil Service Commission after it receives notification from the U.S. Attorney General, or
2. The District Court for the District of Columbia in a suit brought by a county after the Director of the Bureau of the Census has determined that more than 50 percent of the nonwhite voting age population in the county is registered to vote.

A county may petition the U.S. Attorney General to end listing procedures and to request that the Director of the Bureau of the Census conduct a survey to determine whether more than 50 percent of the nonwhite voting age population is registered.

Federal Observers

At the request of the Attorney General, the Civil Service Commission may appoint poll watchers in counties which have been designated by the Attorney General for the appointment of Federal examiners to observe whether all eligible persons are allowed to vote and whether all ballots are accurately counted.

Changes in Voting Laws

Under Section 5 of the Voting Rights Act, when a State or county—specially covered by the act—or any of its political subdivisions seeks to change its voting qualifications or procedures, it must either obtain the approval of the U.S. Attorney General or initiate a suit in the U.S. District Court for the District of Columbia. If the Attorney General objects to the changes, they may not be enforced until the court rules that they do not have the purpose and will not have the effect of denying to any person the right to vote because of his race or color. If the Attorney General does not object, the new qualifications or procedures may be enforced 60 days after their submission. Neither the Attorney General's failure to object nor a declaratory judgment approving changes can bar a subsequent action to enjoin enforcement of the voting restrictions.

In *Allen v. State Board of Elections* (1968), the Supreme Court ruled that private individuals, and not merely the Attorney General, may seek a declaratory judgment and an injunction against the enforcement of a State's new voting statute which has not been properly subjected to the review provisions of the 1965 Voting Rights Act. In addition, the Court gave a broad interpretation to the kinds of changes in State or local voting laws or procedures which would have to be cleared with the Attorney General or the District of Columbia District Court.

VOTING RIGHTS ACT OF 1965

Public Law 89-110
89th Congress, S. 1564
August 6, 1965

An Act

To enforce the fifteenth amendment to the Constitution of the United States, and for other purposes.

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".

Voting Rights
Act of 1965.

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided*, That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

Judicial rem-
edies.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such

79 STAT. 437.
79 STAT. 438.

submission, except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

Use of tests or devices prohibited. Declaratory judgment proceedings.

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color: *Provided*, That no such declaratory judgment shall issue with respect to any plaintiff for a period of five years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff.

62 Stat. 968.

An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the five years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964.

Publication in Federal Register.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 or section 13 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

"Test or device."

(c) The phrase "test or device" 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, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

79 STAT. 438,
79 STAT. 439.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(e)(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

(2) No person who demonstrates that he has successfully completed the sixth primary grade 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 in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level 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 in which the predominant classroom language was other than English.

SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

62 Stat. 968.

SEC. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) unless a declaratory judgment has been rendered under section 4(a), the

Appointment of examiners.

Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity: *Provided*, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States, with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

53 Stat. 1148;
64 Stat. 475.

Duties of ex-
aminers.

SEC. 7. (a) The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

List of eli-
gible voters.

(b) Any person whom the examiner finds, in accordance with instructions received under section 9(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list 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 in accordance with subsection (d): *Provided*, That no person shall be entitled to vote in any election by virtue of this Act

unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

Sec. 8. Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

Observers at elections.

Sec. 9. (a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. 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 person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

Challenges to eligibility listings, hearings.

(b) The times, places, procedures, and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

Procedural regulations.

(c) Upon the request of the applicant or the challenger or on its own motion the Civil Service Commission shall have the power to require by subpoena the attendance and testimony of witnesses and the

Subpena power.

production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpoena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and nonprivileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

Poll tax.

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(d) During the pendency of such actions, and thereafter if the courts, notwithstanding this action by the Congress, should declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote

62 Stat. 968.

for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner or to the appropriate State or local official at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote. Prohibitions.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3 (a), 6, 8, 9, 10, or 12 (e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than \$10,000 or imprisoned not more than five years, or both: Penalty.

Provided, however, That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions, or Resident Commissioner of the Commonwealth of Puerto Rico. Applicability.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

SEC. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11 (a) or (b), shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11 (a) or (b) shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

Injunctions, etc.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification, the Attorney General may forthwith file with the district court an application for an order providing for the marking, casting, and counting of the ballots of such persons and requiring the inclusion of their votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) 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 a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

Listing procedures, termination.

SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section, and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such

survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable.

SEC. 14. (a) All cases of 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).

Criminal con-
tempt proceed-
ings.
71 Stat. 638.

(b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 9 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or section 5 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c) (1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

"Vote" or
"voting."

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

"Political sub-
division."

(d) In any action for a declaratory judgment brought pursuant to section 4 or section 5 of this Act, subpoenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided*, That no writ of subpoena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

Subpenas.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

Repeal.

SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

Armed Forces,
voting rights
study.

Report to
Congress.

Sec. 17. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

Appropriation.

Sec. 18. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Sec. 19. 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.

Approved August 6, 1965.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 439 accompanying H. R. 6400 (Comm. on the Judiciary) and No. 711 (Comm. of Conference).
 SENATE REPORTS: No. 162, 162 pt. 2, 162 pt. 3 (Comm. on the Judiciary).
 CONGRESSIONAL RECORD, Vol. 111 (1965):
 Apr. 13, 22, 23, 26-30, May 3-7, 10-14, 17-21, 24, 25: Considered in Senate.
 May 26: Considered and passed Senate.
 July 6-8: Considered in House.
 July 9: Considered and passed House, amended, in lieu of H. R. 6400.
 Aug. 3: House agreed to conference report.
 Aug. 4: Senate agreed to conference report.

Section 103(c) of the Civil Rights Act of 1968 amended subsections (a) and (c) of section 12 of the Voting Rights Act of 1965 by striking out the words "or (b)" following the words "11(a)".



Public Law 91-285
 91st Congress, H. R. 4249
 June 22, 1970

An Act

To extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Voting Rights Act Amendments of 1970".

Voting Rights Act Amendments of 1970.

SEC. 2. The Voting Rights Act of 1965 (79 Stat. 437; 42 U.S.C. 1973 et seq.) is amended by inserting therein, immediately after the first section thereof, the following title caption:

84 STAT. 314
 84 STAT. 315

"TITLE I—VOTING RIGHTS".

SEC. 3. Section 4(a) of the Voting Rights Act of 1965 (79 Stat. 438; 42 U.S.C. 1973b) is amended by striking out the words "five years" wherever they appear in the first and third paragraphs thereof, and inserting in lieu thereof the words "ten years".

Use of tests or devices, prohibition.

SEC. 4. Section 4(b) of the Voting Rights Act of 1965 (79 Stat. 438; 42 U.S.C. 1973b) is amended by adding at the end of the first paragraph thereof the following new sentence: "On and after August 6, 1970, in addition to any State or political subdivision of a State determined to be subject to subsection (a) pursuant to the previous sentence, the provisions of subsection (a) shall apply in any State or any political subdivision of a State which (i) the Attorney General determines maintained on November 1, 1968, any test or device, and with respect to which (ii) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1968, or that less than 50 per centum of such persons voted in the presidential election of November 1968."

SEC. 5. Section 5 of the Voting Rights Act of 1965 (79 Stat. 439; 42 U.S.C. 1973c) is amended by (1) inserting after "section 4(a)" the following: "based upon determinations made under the first sentence of section 4(b)", and (2) inserting after "1964," the following: "or whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) based upon determinations made under the second sentence of section 4(b) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1968,".

SEC. 6. The Voting Rights Act of 1965 (79 Stat. 437; 42 U.S.C. 1973 et seq.) is amended by adding at the end thereof the following new titles:

"TITLE II—SUPPLEMENTAL PROVISIONS

"APPLICATION OF PROHIBITION TO OTHER STATES

"SEC. 201. (a) Prior to August 6, 1975, no citizen shall be denied, because of his failure to comply with any test or device, the right to vote in any Federal, State, or local election conducted in any State or political subdivision of a State as to which the provisions of section 4(a) of this Act are not in effect by reason of determinations made under section 4(b) of this Act.

Supra.

"(b) As used in this section, the term 'test or device' means any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or

"Test or device."

interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

84 STAT. 315

84 STAT. 316

“RESIDENCE REQUIREMENTS FOR VOTING

“SEC. 202. (a) The Congress hereby finds that the imposition and application of the durational residency requirement as a precondition to voting for the offices of President and Vice President, and the lack of sufficient opportunities for absentee registration and absentee balloting in presidential elections—

“(1) denies or abridges the inherent constitutional right of citizens to vote for their President and Vice President;

“(2) denies or abridges the inherent constitutional right of citizens to enjoy their free movement across State lines;

“(3) denies or abridges the privileges and immunities guaranteed to the citizens of each State under article IV, section 2, clause 1, of the Constitution;

“(4) in some instances has the impermissible purpose or effect of denying citizens the right to vote for such officers because of the way they may vote;

“(5) has the effect of denying to citizens the equality of civil rights, and due process and equal protection of the laws that are guaranteed to them under the fourteenth amendment; and

“(6) does not bear a reasonable relationship to any compelling State interest in the conduct of presidential elections.

“(b) Upon the basis of these findings, Congress declares that in order to secure and protect the above-stated rights of citizens under the Constitution, to enable citizens to better obtain the enjoyment of such rights, and to enforce the guarantees of the fourteenth amendment, it is necessary (1) to completely abolish the durational residency requirement as a precondition to voting for President and Vice President, and (2) to establish nationwide, uniform standards relative to absentee registration and absentee balloting in presidential elections.

“(c) No citizen of the United States who is otherwise qualified to vote in any election for President and Vice President shall be denied the right to vote for electors for President and Vice President, or for President and Vice President, in such election because of the failure of such citizen to comply with any durational residency requirement of such State or political subdivision; nor shall any citizen of the United States be denied the right to vote for electors for President and Vice President, or for President and Vice President, in such election because of the failure of such citizen to be physically present in such State or political subdivision at the time of such election, if such citizen shall have complied with the requirements prescribed by the law of such State or political subdivision providing for the casting of absentee ballots in such election.

“(d) For the purposes of this section, each State shall provide by law for the registration or other means of qualification of all duly qualified residents of such State who apply, not later than thirty days immediately prior to any presidential election, for registration or qualification to vote for the choice of electors for President and Vice President or for President and Vice President in such election; and each State shall provide by law for the casting of absentee ballots for the choice of electors for President and Vice President, or for President and Vice President, by all duly qualified residents

USC prec.
title 1.

Durational
residency
requirement,
abolishment.

Absentee
registration
and balloting
standards,
establishment.

Registration.

of such State who may be absent from their election district or unit in such State on the day such election is held and who have applied therefor not later than seven days immediately prior to such election and have returned such ballots to the appropriate election official of such State not later than the time of closing of the polls in such State on the day of such election.

“(e) If any citizen of the United States who is otherwise qualified to vote in any State or political subdivision in any election for President and Vice President has begun residence in such State or political subdivision after the thirtieth day next preceding such election and, for that reason, does not satisfy the registration requirements of such State or political subdivision he shall be allowed to vote for the choice of electors for President and Vice President, or for President and Vice President, in such election, (1) in person in the State or political subdivision in which he resided immediately prior to his removal if he had satisfied, as of the date of his change of residence, the requirements to vote in that State or political subdivision, or (2) by absentee ballot in the State or political subdivision in which he resided immediately prior to his removal if he satisfies, but for his nonresident status and the reason for his absence, the requirements for absentee voting in that State or political subdivision.

“(f) No citizen of the United States who is otherwise qualified to vote by absentee ballot in any State or political subdivision in any election for President and Vice President shall be denied the right to vote for the choice of electors for President and Vice President, or for President and Vice President, in such election because of any requirement of registration that does not include a provision for absentee registration.

“(g) Nothing in this section shall prevent any State or political subdivision from adopting less restrictive voting practices than those that are prescribed herein.

“(h) The term ‘State’ as used in this section includes each of the several States and the District of Columbia.

“State.”

“(i) The provisions of section 11(c) shall apply to false registration, and other fraudulent acts and conspiracies, committed under this section.

“JUDICIAL RELIEF

“SEC. 203. Whenever the Attorney General has reason to believe that a State or political subdivision (a) has enacted or is seeking to administer any test or device as a prerequisite to voting in violation of the prohibition contained in section 201, or (b) undertakes to deny the right to vote in any election in violation of section 202, he may institute for the United States, or in the name of the United States, an action in a district court of the United States, in accordance with sections 1391 through 1393 of title 28, United States Code, for a restraining order, a preliminary or permanent injunction, or such other order as he deems appropriate. An action under this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2282 of title 28 of the United States Code and any appeal shall be to the Supreme Court.

62 Stat. 935.

62 Stat. 968.

“PENALTY

“SEC. 204. Whoever shall deprive or attempt to deprive any person of any right secured by section 201 or 202 of this title shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

“SEPARABILITY

“SEC. 205. If any provision of this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such determination.

“TITLE III—REDUCING VOTING AGE TO EIGHTEEN IN FEDERAL, STATE, AND LOCAL ELECTIONS

“DECLARATION AND FINDINGS

“SEC. 301. (a) The Congress finds and declares that the imposition and application of the requirement that a citizen be twenty-one years of age as a precondition to voting in any primary or in any election—

“(1) denies and abridges the inherent constitutional rights of citizens eighteen years of age but not yet twenty-one years of age to vote—a particularly unfair treatment of such citizens in view of the national defense responsibilities imposed upon such citizens;

“(2) has the effect of denying to citizens eighteen years of age but not yet twenty-one years of age the due process and equal protection of the laws that are guaranteed to them under the fourteenth amendment of the Constitution; and

“(3) does not bear a reasonable relationship to any compelling State interest.

“(b) In order to secure the constitutional rights set forth in subsection (a), the Congress declares that it is necessary to prohibit the denial of the right to vote to citizens of the United States eighteen years of age or over.

USC prec. title 1.

Denial of right to vote, prohibition.

“PROHIBITION

“SEC. 302. Except as required by the Constitution, no citizen of the United States who is otherwise qualified to vote in any State or political subdivision in any primary or in any election shall be denied the right to vote in any such primary or election on account of age if such citizen is eighteen years of age or older.

“ENFORCEMENT

“SEC. 303. (a) (1) In the exercise of the powers of the Congress under the necessary and proper clause of section 8, article I of the Constitution, and section 5 of the fourteenth amendment of the Constitution, the Attorney General is authorized and directed to institute in the name of the United States such actions against States or political subdivisions, including actions for injunctive relief, as he may determine to be necessary to implement the purposes of this title.

“(2) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title, which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code, and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing and determination thereof, and to cause the case to be in every way expedited.

Jurisdiction.

62 Stat. 968.

Penalty.

“(b) Whoever shall deny or attempt to deny any person of any right secured by this title shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

June 22, 1970

Pub. Law 91-285

84 STAT. 319

“DEFINITION

“SEC. 304. As used in this title the term ‘State’ includes the District of Columbia. “State.”

“EFFECTIVE DATE

“SEC. 305. The provisions of title III shall take effect with respect to any primary or election held on or after January 1, 1971.”

Approved June 22, 1970.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 91-397 (Comm. on the Judiciary).

CONGRESSIONAL RECORD:

Vol. 115 (1969): Dec. 10, 11, considered and passed House.

Vol. 116 (1970): Mar. 2-6, 9-13, considered and passed Senate,
amended.

Apr. 8, considered in House.

June 17, House agreed to Senate amendments.



For Further Information Contact:

Civil Rights Division
U.S. Department of Justice
Washington, D.C. 20530

or

Office of General Counsel
U.S. Commission on Civil Rights
Washington, D.C. 20425

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