

force twenty-sixth amendment, the jurisdiction of the district courts, and penalties for denial of rights secured by twenty-sixth amendment, for provisions relating to Congressional findings and prohibition of denial of right to vote on account of age.

§ 1973bb-1. "State" defined

As used in this subchapter, the term "State" includes the District of Columbia.

(Pub. L. 89-110, title III, §302, as added Pub. L. 91-285, §6, June 22, 1970, 84 Stat. 318; amended Pub. L. 94-73, title IV, §407, Aug. 6, 1975, 89 Stat. 405.)

AMENDMENTS

1975—Pub. L. 94-73 substituted definition of State for provisions prohibiting denial of right to vote because of age.

§§ 1973bb-2 to 1973bb-4. Repealed. Pub. L. 94-73, title IV, § 407, Aug. 6, 1975, 89 Stat. 405

Section 1973bb-2, Pub. L. 89-110, title III, §303, as added Pub. L. 91-285, §6, June 22, 1970, 84 Stat. 318, authorized the Attorney General to institute actions to enforce this subchapter, and provided for jurisdiction of district courts, appeals, and penalties for denial of rights secured by this subchapter. See section 1973bb of this title.

Section 1973bb-3, Pub. L. 89-110, title III, §304, as added Pub. L. 91-285, §6, June 22, 1970, 84 Stat. 319, defined "State". See section 1973bb-1 of this title.

Section 1973bb-4, Pub. L. 89-10, title III, §305, as added Pub. L. 91-285, §6, June 22, 1970, 84 Stat. 319, provided for effective date of this subchapter.

SUBCHAPTER I-D—FEDERAL ABSENTEE VOTING ASSISTANCE

PART I—RECOMMENDATION TO STATES

§§ 1973cc to 1973cc-3. Repealed. Pub. L. 99-410, title II, § 203, Aug. 28, 1986, 100 Stat. 930

Section 1973cc, acts Aug. 9, 1955, ch. 656, title I, §101, 69 Stat. 584; June 18, 1968, Pub. L. 90-343, §1, 82 Stat. 180; Nov. 4, 1978, Pub. L. 95-593, §7, 92 Stat. 2537, related to State enactment of absentee voting legislation and to covered persons. See section 1973ff-1 of this title.

Section 1973cc-1, acts Aug. 9, 1955, ch. 656, title I, §102, 69 Stat. 584; June 18, 1968, Pub. L. 90-344, §1(1), 82 Stat. 181; Aug. 6, 1981, Pub. L. 97-31, §12(19), 95 Stat. 154, related to balloting procedures.

Section 1973cc-2, act Aug. 9, 1955, ch. 656, title I, §103, 69 Stat. 585, related to availability of statistical data to assist Presidential designee in compiling comprehensive information of operations under this subchapter.

Section 1973cc-3, act Aug. 9, 1955, ch. 656, title I, §104, as added June 18, 1968, Pub. L. 90-344, §1(2), 82 Stat. 181, related to legal residence for voting purposes of personnel residing on military installations.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as an Effective Date note under section 1973ff of this title.

PART II—RESPONSIBILITIES OF FEDERAL GOVERNMENT

§§ 1973cc-11 to 1973cc-15. Repealed. Pub. L. 99-410, title II, § 203, Aug. 28, 1986, 100 Stat. 930

Section 1973cc-11, acts Aug. 9, 1955, ch. 656, title II, §201, 69 Stat. 585; Dec. 21, 1982, Pub. L. 97-375, title II,

§203(b), 96 Stat. 1823, provided for designation of Presidential designee to coordinate and facilitate Federal responsibilities and to report to the President and Congress. See section 1973ff(a) and (b) of this title.

Section 1973cc-12, acts Aug. 9, 1955, ch. 656, title II, §202, 69 Stat. 586; Nov. 4, 1978, Pub. L. 95-593, §8, 92 Stat. 2537, related to acquisition and distribution by Presidential designee of current absentee voting information from each State.

Section 1973cc-13, acts Aug. 9, 1955, ch. 656, title II, §203, 69 Stat. 586; June 18, 1968, Pub. L. 90-344, §1(3), 82 Stat. 181; Nov. 4, 1978, Pub. L. 95-593, §9, 92 Stat. 2538, related to cooperation of Government officials, drafts of State legislation, and printing and transmitting of post cards. See section 1973ff(c) of this title.

Section 1973cc-14, acts Aug. 9, 1955, ch. 656, title II, §204, 69 Stat. 586; June 18, 1968, Pub. L. 90-344, §2, 82 Stat. 181; June 18, 1968, Pub. L. 90-344, §1(4)-(6), 82 Stat. 182; Nov. 4, 1978, Pub. L. 95-593, §10, 92 Stat. 2538, related to form and content of post card application. See section 1973ff(b)(2) of this title.

Section 1973cc-15, act Aug. 9, 1955, ch. 656, title II, §205, 69 Stat. 588, related to use of prior post card form for election of Members of Congress.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as an Effective Date note under section 1973ff of this title.

PART III—GENERAL PROVISIONS

§§ 1973cc-21 to 1973cc-26. Repealed. Pub. L. 99-410, title II, § 203, Aug. 28, 1986, 100 Stat. 930

Section 1973cc-21, act Aug. 9, 1955, ch. 656, title III, §301, 69 Stat. 588, provided definitions of terms used in this subchapter. See section 1973ff-6 of this title.

Section 1973cc-22, act Aug. 9, 1955, ch. 656, title III, §302, 69 Stat. 588, provided free postage for official post cards, ballots, voting instructions, and envelopes. See section 3406 of Title 39, Postal Service.

Section 1973cc-23, act Aug. 9, 1955, ch. 656, title III, §303, 69 Stat. 588, related to prevention of fraud and coercion.

Section 1973cc-24, act Aug. 9, 1955, ch. 656, title III, §304, 69 Stat. 589, provided that acts done in good faith do not constitute a violation of any provision of law relating to elective franchise.

Section 1973cc-25, act Aug. 9, 1955, ch. 656, title III, §305, 69 Stat. 589, provided that no undue influence be used by any officer but that nothing in this subchapter be deemed to prohibit free discussion regarding political issues or candidates for public office. See section 609 of Title 18, Crimes and Criminal Procedure.

Section 1973cc-26, act Aug. 9, 1955, ch. 656, title III, §308, 69 Stat. 589, authorized appropriations as necessary to carry out this subchapter.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as an Effective Date note under section 1973ff of this title.

SUBCHAPTER I-E—VOTING RIGHTS OF OVERSEAS CITIZENS

§§ 1973dd to 1973dd-6. Repealed. Pub. L. 99-410, title II, § 203, Aug. 28, 1986, 100 Stat. 930

Section 1973dd, Pub. L. 94-203, §2, Jan. 2, 1976, 89 Stat. 1142; Pub. L. 95-593, §1, Nov. 4, 1978, 92 Stat. 2535, provided definitions of terms used in this subchapter. See section 1973ff-6 of this title.

Section 13973dd-1, Pub. L. 94-203, §3, Jan. 2, 1976, 89 Stat. 1142; Pub. L. 95-593, §2, Nov. 4, 1978, 92 Stat. 2535,

related to qualifications for registration and vote by absentee ballot.

Section 1973dd-2, Pub. L. 94-203, §4, Jan. 2, 1976, 89 Stat. 1143; Pub. L. 95-593, §3, Nov. 4, 1978, 92 Stat. 2535, related to State provisions concerning absentee registration or qualification and absentee ballots and to recommendations to States in carrying out the provisions of this section. See section 1973ff-1 of this title.

Section 1973dd-2a, Pub. L. 94-203, §5, as added Pub. L. 95-593, §4(2), Nov. 4, 1978, 92 Stat. 2535, related to acquisition and dissemination by Presidential designee of current absentee voting information from each State.

Section 1973dd-2b, Pub. L. 94-203, §6, as added Pub. L. 95-593, §4(2), Nov. 4, 1978, 92 Stat. 2536, related to printing and transmitting of voting material. See section 1973ff(c)(2) of this title and section 3406 of Title 39, Postal Service.

Section 1973dd-3, Pub. L. 94-203, §7, formerly §5, Jan. 2, 1976, 89 Stat. 1143; renumbered §7, Pub. L. 95-593, §4(1), Nov. 4, 1978, 92 Stat. 2535, provided for enforcement by the Attorney General, jurisdiction of courts, and penalties for depriving or attempting to deprive persons of secured rights and giving or conspiring to give false information or paying or accepting money either for registration to vote or voting. See section 1973ff-4 of this title and section 608 of Title 18, Crimes and Criminal Procedure.

Section 1973dd-4, Pub. L. 94-203, §8, formerly §6, Jan. 2, 1976, 89 Stat. 1143; renumbered §8, Pub. L. 95-593, §4(1), Nov. 4, 1978, 92 Stat. 2535, provided that if any provision of this subchapter is held invalid, the validity of the remainder of this subchapter not be affected.

Section 1973dd-5, Pub. L. 94-203, §9, formerly §7, Jan. 2, 1976, 89 Stat. 1144; renumbered §9 and amended Pub. L. 95-593, §§4(1), 5, Nov. 4, 1978, 92 Stat. 2535, 2537, related to applicability of this subchapter to State registration requirements and voting practices and provided that exercise of any right to register or vote in Federal elections by any citizen outside the United States not affect the determination of residence or domicile for tax purposes. See section 1973ff-5 of this title.

Section 1973dd-6, Pub. L. 94-203, §11, as added Pub. L. 95-593, §6, Nov. 4, 1978, 92 Stat. 2537, authorized appropriations as necessary to carry out this subchapter.

EFFECTIVE DATE OF REPEAL

Repeal applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as an Effective Date note under section 1973ff of this title.

SUBCHAPTER I-F—VOTING ACCESSIBILITY FOR THE ELDERLY AND HANDICAPPED

§ 1973ee. Congressional declaration of purpose

It is the intention of Congress in enacting this subchapter to promote the fundamental right to vote by improving access for handicapped and elderly individuals to registration facilities and polling places for Federal elections.

(Pub. L. 98-435, §2, Sept. 28, 1984, 98 Stat. 1678.)

EFFECTIVE DATE

Section 9 of Pub. L. 98-435 provided that: "This Act [enacting this subchapter] shall apply with respect to elections taking place after December 31, 1985."

SHORT TITLE

This subchapter is known as the "Voting Accessibility for the Elderly and Handicapped Act", see Short Title note set out under section 1971 of this title.

§ 1973ee-1. Selection of polling facilities

(a) Accessibility to all polling places as responsibility of each political subdivision

Within each State, except as provided in subsection (b) of this section, each political subdivi-

sion responsible for conducting elections shall assure that all polling places for Federal elections are accessible to handicapped and elderly voters.

(b) Exception

Subsection (a) of this section shall not apply to a polling place—

(1) in the case of an emergency, as determined by the chief election officer of the State; or

(2) if the chief election officer of the State—

(A) determines that all potential polling places have been surveyed and no such accessible place is available, nor is the political subdivision able to make one temporarily accessible, in the area involved; and

(B) assures that any handicapped or elderly voter assigned to an inaccessible polling place, upon advance request of such voter (pursuant to procedures established by the chief election officer of the State)—

(i) will be assigned to an accessible polling place, or

(ii) will be provided with an alternative means for casting a ballot on the day of the election.

(c) Report to Federal Election Commission

(1) Not later than December 31 of each even-numbered year, the chief election officer of each State shall report to the Federal Election Commission, in a manner to be determined by the Commission, the number of accessible and inaccessible polling places in such State on the date of the preceding general Federal election, and the reasons for any instance of inaccessibility.

(2) Not later than April 30 of each odd-numbered year, the Federal Election Commission shall compile the information reported under paragraph (1) and shall transmit that information to the Congress.

(3) The provisions of this subsection shall only be effective for a period of 10 years beginning on September 28, 1984.

(Pub. L. 98-435, §3, Sept. 28, 1984, 98 Stat. 1678.)

§ 1973ee-2. Selection of registration facilities

(a) Each State or political subdivision responsible for registration for Federal elections shall provide a reasonable number of accessible permanent registration facilities.

(b) Subsection (a) of this section does not apply to any State that has in effect a system that provides an opportunity for each potential voter to register by mail or at the residence of such voter.

(Pub. L. 98-435, §4, Sept. 28, 1984, 98 Stat. 1679.)

§ 1973ee-3. Registration and voting aids

(a) Printed instructions; telecommunications devices for the deaf

Each State shall make available registration and voting aids for Federal elections for handicapped and elderly individuals, including—

(1) instructions, printed in large type, conspicuously displayed at each permanent registration facility and each polling place; and

(2) information by telecommunications devices for the deaf.