

and I-C of this chapter, and amending sections 1973b and 1973c of this title] may be cited as the 'Voting Rights Act Amendments of 1970.'

SHORT TITLE OF 1960 AMENDMENT

Pub. L. 86-449, §1, May 6, 1960, 74 Stat. 86, provided that: "This Act [enacting subchapter II of this chapter and sections 837, 1074, and 1509 of Title 18, Crimes and Criminal Procedure, and amending this section and sections 241 and 640 of Title 20, Education] may be cited as the 'Civil Rights Act of 1960.'

SHORT TITLE OF 1957 AMENDMENT

Pub. L. 85-315, pt. V, §161, Sept. 9, 1957, 71 Stat. 638, provided that: "This Act [enacting former chapter 20A of this title and section 1995 of this title and section 295-1 of former Title 5, Executive Departments and Government Officers and Employees, amending this section and sections 1343 and 1861 of Title 28, Judiciary and Judicial Procedure, and repealing section 1993 of this title] may be cited as the 'Civil Rights Act of 1957.'

SHORT TITLE

Pub. L. 89-110, §1, Aug. 6, 1965, 79 Stat. 437, provided that: "This Act [enacting subchapters I-A, I-B, and I-C of this chapter and amending this section] shall be known as the 'Voting Rights Act of 1965.'

Act Aug. 9, 1955, ch. 656, §1, 69 Stat. 584, which provided that such Act, which enacted subchapter I-D of this chapter and repealed sections 301 to 303, 321 to 331, 341, and 351 to 355 of Title 50, War and National Defense, was to be cited as "The Federal Voting Assistance Act of 1955", was repealed by Pub. L. 99-410, title II, §203, Aug. 28, 1986, 100 Stat. 930.

Pub. L. 94-203, §1, Jan. 2, 1976, 89 Stat. 1142, which provided that Pub. L. 94-203, which enacted subchapter I-E of this chapter, was to be cited as "Overseas Citizens Voting Rights Act of 1975", was repealed by Pub. L. 99-410, title II, §203, Aug. 28, 1986, 100 Stat. 930.

Pub. L. 98-435, §1, Sept. 28, 1984, 98 Stat. 1678, provided that: "This Act [enacting subchapter I-F of this chapter] may be cited as the 'Voting Accessibility for the Elderly and Handicapped Act.'

Pub. L. 103-31, §1, May 20, 1993, 107 Stat. 77, provided that: "This Act [enacting subchapter I-H of this chapter and section 3629 of Title 39, Postal Service, and amending sections 2401 and 3627 of Title 39] may be cited as the 'National Voter Registration Act of 1993.'

SEPARABILITY

Section 701 of Pub. L. 86-449 provided that: "If any provisions of this Act [see Short Title note above] is held invalid, the remainder of this Act shall not be affected thereby."

VOTER REGISTRATION DRIVES

Pub. L. 98-473, title I, §101(j), Oct. 12, 1984, 98 Stat. 1963, provided that: "It is the sense of the Congress that—

"(1) voter registration drives should be encouraged by governmental entities at all levels; and

"(2) voter registration drives conducted by State governments on a nonpartisan basis do not violate the provisions of the Intergovernmental Personnel Act (42 U.S.C. 4728, 4763)."

§ 1972. Interference with freedom of elections

No officer of the Army, Navy, or Air Force of the United States shall prescribe or fix, or attempt to prescribe or fix, by proclamation, order, or otherwise, the qualifications of voters in any State, or in any manner interfere with the freedom of any election in any State, or with the exercise of the free right of suffrage in any State.

(R.S. §2003.)

CODIFICATION

R.S. §2003 derived from act Feb. 25, 1865, ch. 52, §1, 13 Stat. 437.

Air Force inserted to conform to section 207(a), (f) of act July 26, 1947, ch. 343, title II, 61 Stat. 502, which established a separate Department of the Air Force, and Secretary of Defense Transfer Order No. 40 [App. A(10)], July 22, 1949, which transferred certain functions to the Air Force. Section 207(a), (f) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces", which in sections 8010 to 8013 continued Department of the Air Force under administrative supervision of Secretary of the Air Force.

Section was formerly classified to section 32 of Title 8, Aliens and Nationality.

SUBCHAPTER I-A—ENFORCEMENT OF VOTING RIGHTS

§ 1973. Denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation

(a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title, as provided in subsection (b) of this section.

(b) A violation of subsection (a) of this section is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) of this section in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: *Provided*, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

(Pub. L. 89-110, title I, §2, Aug. 6, 1965, 79 Stat. 437; renumbered title I, Pub. L. 91-285, §2, June 22, 1970, 84 Stat. 314; amended Pub. L. 94-73, title II, §206, Aug. 6, 1975, 89 Stat. 402; Pub. L. 97-205, §3, June 29, 1982, 96 Stat. 134.)

AMENDMENTS

1982—Pub. L. 97-205 redesignated existing provisions as subsec. (a), struck out the comma after "voting", substituted "in a manner which results in a denial or abridgement of" for "to deny or abridge", inserted "as provided in subsection (b) of this section" after "in contravention of the guarantees set forth in section 1973b(f)(2) of this title", and added subsec. (b).

1975—Pub. L. 94-73 substituted "race or color, or in contravention of the guarantees set forth in section 1973b(f)(2) of this title" for "race or color".

EFFECTIVE DATE OF 1982 AMENDMENT

Section 6 of Pub. L. 97-205 provided that: "Except as otherwise provided in this Act, the amendments made by this Act [see Short Title of 1982 Amendment note