

(d) Rules**(1) Generally**

The Commission may make such rules as are necessary to carry out the purposes of this chapter.

(2) Continuation of old rules

Except as inconsistent with this chapter, and until modified by the Commission, the rules of the Commission on Civil Rights in effect on September 30, 1994 shall be the initial rules of the Commission.

(e) Cooperation

All Federal agencies shall cooperate fully with the Commission to the end that it may effectively carry out its functions and duties.

(Pub. L. 98-183, § 4, Nov. 30, 1983, 97 Stat. 1304; Pub. L. 103-419, § 2, Oct. 25, 1994, 108 Stat. 4340.)

PRIOR PROVISIONS

A prior section 1975b, Pub. L. 85-315, pt. I, § 103, Sept. 9, 1957, 71 Stat. 635; Pub. L. 88-352, title V, §§ 502, 503, July 2, 1964, 78 Stat. 250, 251; Pub. L. 91-521, § 1, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92-496, § 2, Oct. 14, 1972, 86 Stat. 813; Pub. L. 95-444, § 2, Oct. 10, 1978, 92 Stat. 1067, related to compensation of members of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting administrative provisions for provisions relating to compensation of members of Commission.

§ 1975c. Authorization of appropriations

There are authorized to be appropriated,¹ to carry out this chapter \$9,500,000 for fiscal year 1995. None of the sums authorized to be appropriated for fiscal year 1995 may be used to create additional regional offices.

(Pub. L. 98-183, § 5, Nov. 30, 1983, 97 Stat. 1304; Pub. L. 102-167, § 2, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103-419, § 2, Oct. 25, 1994, 108 Stat. 4341.)

PRIOR PROVISIONS

A prior section 1975c, Pub. L. 85-315, pt. I, § 104, Sept. 9, 1957, 71 Stat. 635; Pub. L. 86-383, title IV, § 401, Sept. 28, 1959, 73 Stat. 724; Pub. L. 87-264, title IV, § 401, Sept. 21, 1961, 75 Stat. 559; Pub. L. 88-152, § 2, Oct. 17, 1963, 77 Stat. 271; Pub. L. 88-352, title V, § 504, July 2, 1964, 78 Stat. 251; Pub. L. 90-198, § 1, Dec. 14, 1967, 81 Stat. 582; Pub. L. 92-496, §§ 3, 4, Oct. 14, 1972, 86 Stat. 813, 814; Pub. L. 95-444, § 3, Oct. 10, 1978, 92 Stat. 1067; Pub. L. 96-81, § 2, Oct. 6, 1979, 93 Stat. 642, related to duties of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting provisions authorizing appropriations for fiscal year 1995 for provisions relating to duties of Commission.

1991—Subsec. (f). Pub. L. 102-167, which directed the insertion of “The Commission shall, in addition to any other reports under this section, submit at least one annual report that monitors Federal civil rights enforcement efforts in the United States to Congress and to the President.” at the end of this section, was executed by making the insertion at the end of subsec. (f).

§ 1975d. Termination

This chapter shall terminate on September 30, 1996.

¹ So in original. The comma probably should not appear.

(Pub. L. 98-183, § 6, Nov. 30, 1983, 97 Stat. 1305; Pub. L. 102-167, § 5, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103-419, § 2, Oct. 25, 1994, 108 Stat. 4342.)

PRIOR PROVISIONS

A prior section 1975d, Pub. L. 85-315, pt. I, § 105, Sept. 9, 1957, 71 Stat. 636; Pub. L. 86-449, title IV, § 401, May 6, 1960, 74 Stat. 89; Pub. L. 88-352, title V, §§ 505-507, July 2, 1964, 78 Stat. 251, 252; Pub. L. 91-521, § 2, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92-496, § 5, Oct. 14, 1972, 86 Stat. 814; Pub. L. 95-444, §§ 4-6, Oct. 10, 1978, 92 Stat. 1067, 1068, related to powers of Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting provisions terminating this chapter Sept. 30, 1996, for provisions relating to powers of Commission.

1991—Subsec. (f). Pub. L. 102-167 substituted “Chairperson” for “Chairman” in two places.

§§ 1975e, 1975f. Omitted

CODIFICATION

Sections 1975e and 1975f were omitted in the general amendment of this chapter by Pub. L. 103-419.

Section 1975e, Pub. L. 98-183, § 7, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101-180, § 2(1), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102-167, § 3, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 102-400, § 2, Oct. 7, 1992, 106 Stat. 1955, authorized appropriations to carry out this chapter. See section 1975c of this title.

A prior section 1975e, Pub. L. 85-315, pt. I, § 106, Sept. 9, 1957, 71 Stat. 636; Pub. L. 90-198, § 2, Dec. 14, 1967, 81 Stat. 582; Pub. L. 91-521, § 3, Nov. 25, 1970, 84 Stat. 1356; Pub. L. 92-64, Aug. 4, 1971, 85 Stat. 166; Pub. L. 92-496, § 6, Oct. 14, 1972, 86 Stat. 814; Pub. L. 94-292, § 2, May 27, 1976, 90 Stat. 524; Pub. L. 95-132, § 2, Oct. 13, 1977, 91 Stat. 1157; Pub. L. 95-444, § 7, Oct. 10, 1978, 92 Stat. 1068; Pub. L. 96-81, § 3, Oct. 6, 1979, 93 Stat. 642; Pub. L. 96-447, § 2, Oct. 13, 1980, 94 Stat. 1894, related to authorization of appropriations for this chapter. See Codification note set out preceding section 1975 of this title.

Section 1975f, Pub. L. 98-183, § 8, Nov. 30, 1983, 97 Stat. 1307; Pub. L. 101-180, § 2(2), Nov. 28, 1989, 103 Stat. 1325; Pub. L. 102-167, § 4, Nov. 26, 1991, 105 Stat. 1101, provided termination date for this chapter. See section 1975d of this title.

CHAPTER 21—CIVIL RIGHTS**SUBCHAPTER I—GENERALLY**

Sec.	
1981.	Equal rights under the law.
1981a.	Damages in cases of intentional discrimination in employment.
1982.	Property rights of citizens.
1983.	Civil action for deprivation of rights.
1984.	Omitted.
1985.	Conspiracy to interfere with civil rights.
1986.	Action for neglect to prevent.
1987.	Prosecution of violation of certain laws.
1988.	Proceedings in vindication of civil rights.
1989.	United States magistrate judges; appointment of persons to execute warrants.
1990.	Marshal to obey precepts; refusing to receive or execute process.
1991.	Fees; persons appointed to execute process.
1992.	Speedy trial.
1993.	Repealed.
1994.	Peonage abolished.
1995.	Criminal contempt proceedings; penalties; trial by jury.
1996.	Protection and preservation of traditional religions of Native Americans.

Sec. 1996a.	Traditional Indian religious use of peyote.	Sec. 2000d-1.	Federal authority and financial assistance to programs or activities by way of grant, loan, or contract other than contract of insurance or guaranty; rules and regulations; approval by President; compliance with requirements; reports to Congressional committees; effective date of administrative action.
1996b.	Interethnic adoption.		
SUBCHAPTER I—INSTITUTIONALIZED PERSONS			
1997.	Definitions.		
1997a.	Initiation of civil actions.		
1997a-1.	Subpoena authority.		
1997b.	Certification requirements; Attorney General to personally sign certification.	2000d-2.	Judicial review; administrative procedure provisions.
1997c.	Intervention in actions.	2000d-3.	Construction of provisions not to authorize administrative action with respect to employment practices except where primary objective of Federal financial assistance is to provide employment.
1997d.	Prohibition of retaliation.		
1997e.	Suits by prisoners.		
1997f.	Report to Congress.		
1997g.	Priorities for use of funds.		
1997h.	Notice to Federal departments.	2000d-4.	Federal authority and financial assistance to programs or activities by way of contract of insurance or guaranty.
1997i.	Disclaimer respecting standards of care.		
1997j.	Disclaimer respecting private litigation.		
SUBCHAPTER II—PUBLIC ACCOMMODATIONS			
2000a.	Prohibition against discrimination or segregation in places of public accommodation.	2000d-4a.	“Program or activity” and “program” defined.
2000a-1.	Prohibition against discrimination or segregation required by any law, statute, ordinance, regulation, rule or order of a State or State agency.	2000d-5.	Prohibited deferral of action on applications by local educational agencies seeking Federal funds for alleged non-compliance with Civil Rights Act.
2000a-2.	Prohibition against deprivation of, interference with, and punishment for exercising rights and privileges secured by section 2000a or 2000a-1 of this title.	2000d-6.	Policy of United States as to application of nondiscrimination provisions in schools of local educational agencies.
2000a-3.	Civil actions for injunctive relief.	2000d-7.	Civil rights remedies equalization.
2000a-4.	Community Relations Service; investigations and hearings; executive session; release of testimony; duty to bring about voluntary settlements.	SUBCHAPTER VI—EQUAL EMPLOYMENT OPPORTUNITIES	
2000a-5.	Civil actions by the Attorney General.	2000e.	Definitions.
2000a-6.	Jurisdiction; exhaustion of other remedies; exclusiveness of remedies; assertion of rights based on other Federal or State laws and pursuit of remedies for enforcement of such rights.	2000e-1.	Exemption.
		2000e-2.	Unlawful employment practices.
		2000e-3.	Other unlawful employment practices.
		2000e-4.	Equal Employment Opportunity Commission.
		2000e-5.	Enforcement provisions.
		2000e-6.	Civil actions by the Attorney General.
		2000e-7.	Effect on State laws.
		2000e-8.	Investigations.
		2000e-9.	Conduct of hearings and investigations pursuant to section 161 of title 29.
		2000e-10.	Posting of notices; penalties.
		2000e-11.	Veterans’ special rights or preference.
		2000e-12.	Regulations; conformity of regulations with administrative procedure provisions; reliance on interpretations and instructions of Commission.
		2000e-13.	Application to personnel of Commission of sections 111 and 1114 of title 18; punishment for violation of section 1114 of title 18.
		2000e-14.	Equal Employment Opportunity Coordinating Council; establishment; composition; duties; report to President and Congress.
		2000e-15.	Presidential conferences; acquaintance of leadership with provisions for employment rights and obligations; plans for fair administration; membership.
		2000e-16.	Employment by Federal Government.
		2000e-16a.	Short title; purpose; definition.
		2000e-16b.	Discriminatory practices prohibited.
		2000e-16c.	Coverage of previously exempt State employees.
		2000e-17.	Procedure for denial, withholding, termination, or suspension of Government contract subsequent to acceptance by Government of affirmative action plan of employer; time of acceptance of plan.
			SUBCHAPTER VII—REGISTRATION AND VOTING STATISTICS
		2000f.	Survey for compilation of registration and voting statistics; geographical areas; scope; application of census provisions; voluntary disclosure; advising of right not to furnish information.
SUBCHAPTER III—PUBLIC FACILITIES			
2000b.	Civil actions by the Attorney General.		
2000b-1.	Liability of United States for costs and attorney’s fee.		
2000b-2.	Personal suits for relief against discrimination in public facilities.		
2000b-3.	“Complaint” defined.		
SUBCHAPTER IV—PUBLIC EDUCATION			
2000c.	Definitions.		
2000c-1.	Omitted.		
2000c-2.	Technical assistance in preparation, adoption, and implementation of plans for desegregation of public schools.		
2000c-3.	Training institutes; stipends; travel allowances.		
2000c-4.	Grants for inservice training in dealing with and for employment of specialists to advise in problems incident to desegregation; factors for consideration in making grants and fixing amounts, terms, and conditions.		
2000c-5.	Payments; adjustments; advances or reimbursement; installments.		
2000c-6.	Civil actions by the Attorney General.		
2000c-7.	Liability of United States for costs.		
2000c-8.	Personal suits for relief against discrimination in public education.		
2000c-9.	Classification and assignment.		
SUBCHAPTER V—FEDERALLY ASSISTED PROGRAMS			
2000d.	Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin.		

Sec.

SUBCHAPTER VIII—COMMUNITY RELATIONS
SERVICE

- 2000g. Establishment of Service; Director of Service; appointment, term; personnel.
- 2000g-1. Functions of Service.
- 2000g-2. Cooperation with other agencies; conciliation assistance in confidence and without publicity; information as confidential; restriction on performance of investigative or prosecuting functions; violations and penalties.
- 2000g-3. Reports to Congress.

SUBCHAPTER IX—MISCELLANEOUS PROVISIONS

- 2000h. Criminal contempt proceedings: trial by jury, criminal practice, penalties, exceptions, intent; civil contempt proceedings.
- 2000h-1. Double jeopardy; specific crimes and criminal contempts.
- 2000h-2. Intervention by Attorney General; denial of equal protection on account of race, color, religion, sex or national origin.
- 2000h-3. Construction of provisions not to affect authority of Attorney General, etc., to institute or intervene in actions or proceedings.
- 2000h-4. Construction of provisions not to exclude operation of State laws and not to invalidate consistent State laws.
- 2000h-5. Authorization of appropriations.
- 2000h-6. Separability.

SUBCHAPTER I—GENERALLY

§ 1981. Equal rights under the law

(a) Statement of equal rights

All persons within the jurisdiction of the United States shall have the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) "Make and enforce contracts" defined

For purposes of this section, the term "make and enforce contracts" includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) Protection against impairment

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

(R.S. § 1977; Pub. L. 102-166, title I, § 101, Nov. 21, 1991, 105 Stat. 1071.)

CODIFICATION

R.S. § 1977 derived from act May 31, 1870, ch. 114, § 16, 16 Stat. 144.

Section was formerly classified to section 41 of Title 8, Aliens and Nationality.

AMENDMENTS

1991—Pub. L. 102-166 designated existing provisions as subsec. (a) and added subsecs. (b) and (c).

EFFECTIVE DATE OF 1991 AMENDMENT

Pub. L. 102-166, title IV, § 402, Nov. 21, 1991, 105 Stat. 1099, provided that:

"(a) IN GENERAL.—Except as otherwise specifically provided, this Act [see Short Title of 1991 Amendment note below] and the amendments made by this Act shall take effect upon enactment [Nov. 21, 1991].

"(b) CERTAIN DISPARATE IMPACT CASES.—Notwithstanding any other provision of this Act, nothing in this Act shall apply to any disparate impact case for which a complaint was filed before March 1, 1975, and for which an initial decision was rendered after October 30, 1983."

SHORT TITLE OF 1991 AMENDMENT

Pub. L. 102-166, § 1, Nov. 21, 1991, 105 Stat. 1071, provided that: "This Act [enacting section 1981a of this title and sections 601 and 1201 to 1224 of Title 2, The Congress, amending this section and sections 1988, 2000e, 2000e-1, 2000e-2, 2000e-4, 2000e-5, 2000e-16, 12111, 12112, and 12209 of this title, and section 626 of Title 29, Labor, and enacting provisions set out as notes under this section and sections 2000e and 2000e-4 of this title, and section 1a-5 of Title 16, Conservation] may be cited as the 'Civil Rights Act of 1991'."

SHORT TITLE OF 1976 AMENDMENT

Pub. L. 94-559, which amended section 1988 of this title, is known as "The Civil Rights Attorney's Fees Awards Act of 1976", see note set out under section 1988 of this title.

SEVERABILITY

Pub. L. 102-166, title IV, § 401, Nov. 21, 1991, 105 Stat. 1099, provided that: "If any provision of this Act [see Short Title of 1991 Amendment note above], or an amendment made by this Act, or the application of such provision to any person or circumstances is held to be invalid, the remainder of this Act and the amendments made by this Act, and the application of such provision to other persons and circumstances, shall not be affected."

CONGRESSIONAL FINDINGS

Pub. L. 102-166, § 2, Nov. 21, 1991, 105 Stat. 1071, provided that: "The Congress finds that—

"(1) additional remedies under Federal law are needed to deter unlawful harassment and intentional discrimination in the workplace;

"(2) the decision of the Supreme Court in *Wards Cove Packing Co. v. Atonio*, 490 U.S. 642 (1989) has weakened the scope and effectiveness of Federal civil rights protections; and

"(3) legislation is necessary to provide additional protections against unlawful discrimination in employment."

PURPOSES OF 1991 AMENDMENT

Pub. L. 102-166, § 3, Nov. 21, 1991, 105 Stat. 1071, provided that: "The purposes of this Act [see Short Title of 1991 Amendment note above] are—

"(1) to provide appropriate remedies for intentional discrimination and unlawful harassment in the workplace;

"(2) to codify the concepts of 'business necessity' and 'job related' enunciated by the Supreme Court in *Griggs v. Duke Power Co.*, 401 U.S. 424 (1971), and in the other Supreme Court decisions prior to *Wards Cove Packing Co. v. Atonio*, 490 U.S. 642 (1989);

"(3) to confirm statutory authority and provide statutory guidelines for the adjudication of disparate impact suits under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.); and

"(4) to respond to recent decisions of the Supreme Court by expanding the scope of relevant civil rights statutes in order to provide adequate protection to victims of discrimination."

LEGISLATIVE HISTORY FOR 1991 AMENDMENT

Pub. L. 102-166, title I, § 105(b), Nov. 21, 1991, 105 Stat. 1075, provided that: "No statements other than the in-