

cited as the ‘Federal Election Campaign Act Amendments of 1976.’”

SHORT TITLE OF 1975 ACT

Pub. L. 94-203, §1, Jan. 2, 1976, 89 Stat. 1142, which provided that Pub. L. 94-203 (see Tables for classification) was to be cited as “Overseas Citizens Voting Rights Act of 1975”, was repealed by Pub.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.

SHORT TITLE OF 1974 ACT

Pub. L. 93-443, Oct. 15, 1974, 88 Stat. 1263, provided in part: “That this Act [see Tables for classification] may be cited as the ‘Federal Election Campaign Act Amendments of 1974.’”

SHORT TITLE OF 1972 ACT

Pub. L. 92-225, Feb. 7, 1972, 86 Stat. 3, provided in part: “That this Act [see Tables for classification] may be cited as the ‘Federal Election Campaign Act of 1971.’”

SHORT TITLE OF 1970 ACT

Pub. L. 91-285, §1, June 22, 1970, 84 Stat. 314, provided: “That this Act [see Tables for classification] may be cited as the ‘Voting Rights Act Amendments of 1970.’”

SHORT TITLE OF 1965 ACT

Pub. L. 89-110, §1, Aug. 6, 1965, 79 Stat. 437, provided that: “This Act [see Tables for classification] shall be known as the ‘Voting Rights Act of 1965.’”

SHORT TITLE OF 1960 ACT

Pub. L. 86-449, §1, May 6, 1960, 74 Stat. 86, provided that: “This Act [see Tables for classification] may be cited as the ‘Civil Rights Act of 1960.’”

SHORT TITLE OF 1957 ACT

Pub. L. 85-315, pt. V, §161, Sept. 9, 1957, 71 Stat. 638, provided that: “This Act [see Tables for classification] may be cited as the ‘Civil Rights Act of 1957.’”

SHORT TITLE OF 1955 ACT

Act Aug. 9, 1955, ch. 656, §1, 69 Stat. 584, which provided that such Act (see Tables for classification) was to be cited as “The Federal Voting Assistance Act of 1955”, was repealed by Pub.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.

SEPARABILITY

Pub. L. 86-449, title VII, §701, May 6, 1960, 74 Stat. 92, provided that: “If any provisions of this Act [see Short Title of 1960 Act 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).”

§ 10102. 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.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 1972 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section, and to section 32 of Title 8, Aliens and Nationality.

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

Air Force inserted to conform to act July 26, 1947, ch. 343, title II, §207(a), (f), 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 act Aug. 10, 1956, ch. 1041, §53, 70A Stat. 641. Act Aug. 10, 1956, ch. 1041, 70A Stat. 1, 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.

CHAPTER 103—ENFORCEMENT OF VOTING RIGHTS

Sec.	
10301.	Denial or abridgement of right to vote on account of race or color through voting qualifications or prerequisites; establishment of violation.
10302.	Proceeding to enforce the right to vote.
10303.	Suspension of the use of tests or devices in determining eligibility to vote.
10304.	Alteration of voting qualifications; procedure and appeal; purpose or effect of diminishing the ability of citizens to elect their preferred candidates.
10305.	Use of observers.
10306.	Poll taxes.
10307.	Prohibited acts.
10308.	Civil and criminal sanctions.
10309.	Termination of assignment of observers.
10310.	Enforcement proceedings.
10311.	Impairment of voting rights of persons holding current registration.
10312.	Authorization of appropriations.
10313.	Separability.
10314.	Construction.

§ 10301. 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 10303(f)(2) of this title, as provided in subsection (b).

(b) A violation of subsection (a) 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) 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