

retained and preserved shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(Pub. L. 86-449, title III, §302, May 6, 1960, 74 Stat. 88.)

**§ 1974b. Demand for records or papers by Attorney General or representative; statement of basis and purpose**

Any record or paper required by section 1974 of this title to be retained and preserved shall, upon demand in writing by the Attorney General or his representative directed to the person having custody, possession, or control of such record or paper, be made available for inspection, reproduction, and copying at the principal office of such custodian by the Attorney General or his representative. This demand shall contain a statement of the basis and the purpose therefor.

(Pub. L. 86-449, title III, §303, May 6, 1960, 74 Stat. 88.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1974d of this title.

**§ 1974c. Disclosure of records or papers**

Unless otherwise ordered by a court of the United States, neither the Attorney General nor any employee of the Department of Justice, nor any other representative of the Attorney General, shall disclose any record or paper produced pursuant to this subchapter, or any reproduction or copy, except to Congress and any committee thereof, governmental agencies, and in the presentation of any case or proceeding before any court or grand jury.

(Pub. L. 86-449, title III, §304, May 6, 1960, 74 Stat. 88.)

**§ 1974d. Jurisdiction to compel production of records or papers**

The United States district court for the district in which a demand is made pursuant to section 1974b of this title, or in which a record or paper so demanded is located, shall have jurisdiction by appropriate process to compel the production of such record or paper.

(Pub. L. 86-449, title III, §305, May 6, 1960, 74 Stat. 88.)

**§ 1974e. "Officer of election" defined**

As used in this subchapter, the term "officer of election" means any person who, under color of any Federal, State, Commonwealth, or local law, statute, ordinance, regulation, authority, custom, or usage, performs or is authorized to perform any function, duty, or task in connection with any application, registration, payment of poll tax, or other act requisite to voting in any general, special, or primary election at which votes are cast for candidates for the office of President, Vice President, presidential elector, Member of the Senate, Member of the House of Representatives, or Resident Commissioner from the Commonwealth of Puerto Rico.

(Pub. L. 86-449, title III, §306, May 6, 1960, 74 Stat. 88.)

**CHAPTER 20A—CIVIL RIGHTS COMMISSION**

Sec.  
1975. Establishment of Commission.  
    (a) Generally.  
    (b) Membership.  
    (c) Terms.  
    (d) Chairperson.  
    (e) Removal of members.  
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1975a. Duties of Commission.  
    (a) Generally.  
    (b) Limitations on investigatory duties.  
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    (b) Compensation of members.  
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    (d) Rules.  
    (e) Cooperation.  
1975c. Authorization of appropriations.  
1975d. Termination.  
1975e, 1975f. Omitted.

CODIFICATION

A prior chapter 20A, which provided for the establishment of a Commission on Civil Rights in the executive branch, was comprised of part I (§§101-106) of Pub. L. 85-315, Sept. 9, 1957, 71 Stat. 634, and was omitted from the Code in view of the termination of the Commission 60 days after the submission of the Commission's final report which was due not later than Sept. 30, 1983.

**§ 1975. Establishment of Commission**

**(a) Generally**

There is established the United States Commission on Civil Rights (hereinafter in this chapter referred to as the "Commission").

**(b) Membership**

The Commission shall be composed of 8 members. Not more than 4 of the members shall at any one time be of the same political party. The initial membership of the Commission shall be the members of the United States Commission on Civil Rights on September 30, 1994. Thereafter vacancies in the membership of the Commission shall continue to be appointed as follows:

(1) 4 members of the Commission shall be appointed by the President.

(2) 2 members of the Commission shall be appointed by the President pro tempore of the Senate, upon the recommendations of the majority leader and the minority leader, and of the members appointed not more than one shall be appointed from the same political party.

(3) 2 members of the Commission shall be appointed by the Speaker of the House of Representatives upon the recommendations of the majority leader and the minority leader, and of the members appointed not more than one shall be appointed from the same political party.

**(c) Terms**

The term of office of each member of the Commission shall be 6 years. The term of each member of the Commission in the initial membership of the Commission shall expire on the date such

term would have expired as of September 30, 1994.

**(d) Chairperson**

(1) Except as provided in paragraphs (2) and (3), the individuals serving as Chairperson and Vice Chairperson of the United States Commission on Civil Rights on September 30, 1994 shall initially fill those roles on the Commission.

(2) Thereafter the President may, with the concurrence of a majority of the Commission's members, designate a Chairperson or Vice Chairperson, as the case may be, from among the Commission's members.

(3) The President shall, with the concurrence of a majority of the Commission's members, fill a vacancy by designating a Chairperson or Vice Chairperson, as the case may be, from among the Commission's members.

(4) The Vice Chairperson shall act in place of the Chairperson in the absence of the Chairperson.

**(e) Removal of members**

The President may remove a member of the Commission only for neglect of duty or malfeasance in office.

**(f) Quorum**

5 members of the Commission constitute a quorum of the Commission.

(Pub. L. 98-183, §2, Nov. 30, 1983, 97 Stat. 1301; Pub. L. 102-167, §5, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103-419, §2, Oct. 25, 1994, 108 Stat. 4338.)

PRIOR PROVISIONS

A prior section 1975, Pub. L. 85-315, pt. I, §101, Sept. 9, 1957, 71 Stat. 634, related to establishment, membership, etc., of Commission on Civil Rights. See Codification note set out preceding this section.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting provisions relating to establishment of United States Commission on Civil Rights for provisions relating to Commission on Civil Rights.

1991—Subsec. (c). Pub. L. 102-167 substituted "Chairperson" for "Chairman" wherever appearing.

SHORT TITLE OF 1994 AMENDMENT

Section 1 of Pub. L. 103-419 provided that: "This Act [amending this section and sections 1975a to 1975d of this title, omitting former sections 1975e and 1975f of this title, and amending provisions set out as a note below] may be cited as the 'Civil Rights Commission Amendments Act of 1994'."

SHORT TITLE OF 1992 AMENDMENT

Pub. L. 102-400, §1, Oct. 7, 1992, 106 Stat. 1955, provided that: "This Act [amending section 1975e of this title] may be cited as the 'United States Commission on Civil Rights Authorization Act of 1992'."

SHORT TITLE OF 1991 AMENDMENT

Section 1 of Pub. L. 102-167 provided that: "This Act [amending this section and sections 1975a and 1975c to 1975f of this title] may be cited as the 'United States Commission on Civil Rights Reauthorization Act of 1991'."

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-180, §1, Nov. 28, 1989, 103 Stat. 1325, provided that: "This Act [amending sections 1975e and 1975f of this title] may be cited as the 'Civil Rights Commission Reauthorization Act of 1989'."

SHORT TITLE

Section 1 of Pub. L. 98-183, as amended by Pub. L. 103-419, §2, Oct. 25, 1994, 108 Stat. 4338, provided that: "This Act [enacting this chapter] may be cited as the 'Civil Rights Commission Act of 1983'."

**§ 1975a. Duties of Commission**

**(a) Generally**

The Commission—

(1) shall investigate allegations in writing under oath or affirmation relating to deprivations—

(A) because of color, race, religion, sex, age, disability, or national origin; or

(B) as a result of any pattern or practice of fraud;

of the right of citizens of the United States to vote and have votes counted; and

(2) shall—

(A) study and collect information relating to;

(B) make appraisals of the laws and policies of the Federal Government with respect to;

(C) serve as a national clearinghouse for information relating to; and

(D) prepare public service announcements and advertising campaigns to discourage;

discrimination or denials of equal protection of the laws under the Constitution of the United States because of color, race, religion, sex, age, disability, or national origin, or in the administration of justice.

**(b) Limitations on investigatory duties**

Nothing in this chapter or any other Act shall be construed as authorizing the Commission, its advisory committees, or any person under its supervision or control, to inquire into or investigate any membership practices or internal operations of any fraternal organization, any college or university fraternity or sorority, any private club, or any religious organization.

**(c) Reports**

**(1) Annual report**

The Commission shall submit to the President and Congress at least one report annually that monitors Federal civil rights enforcement efforts in the United States.

**(2) Other reports generally**

The Commission shall submit such other reports to the President and the Congress as the Commission, the Congress, or the President shall deem appropriate.

**(d) Advisory committees**

The Commission may constitute such advisory committees as it deems advisable. The Commission shall establish at least one such committee in each State and the District of Columbia composed of citizens of that State or District.

**(e) Hearings and ancillary matters**

**(1) Power to hold hearings**

The Commission, or on the authorization of the Commission, any subcommittee of two or more members of the Commission, at least one of whom shall be of each major political party, may, for the purpose of carrying out this chap-

ter, hold such hearings and act at such times and places as the Commission or such authorized subcommittee deems advisable. Each member of the Commission shall have the power to administer oaths and affirmations in connection with the proceedings of the Commission. The holding of a hearing by the Commission or the appointment of a subcommittee to hold a hearing pursuant to this paragraph must be approved by a majority of the Commission, or by a majority of the members present at a meeting when a quorum is present.

**(2) Power to issue subpoenas**

The Commission may issue subpoenas for the attendance of witnesses and the production of written or other matter. Such a subpoena may not require the presence of a witness more than 100 miles outside the place wherein the witness is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service of process. In case of contumacy or refusal to obey a subpoena, the Attorney General may in a Federal court of appropriate jurisdiction obtain an appropriate order to enforce the subpoena.

**(3) Witness fees**

A witness attending any proceeding of the Commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

**(4) Depositions and interrogatories**

The Commission may use depositions and written interrogatories to obtain information and testimony about matters that are the subject of a Commission hearing or report.

**(f) Limitation relating to abortion**

Nothing in this chapter or any other Act shall be construed as authorizing the Commission, its advisory committees, or any other person under its supervision or control to study and collect, make appraisals of, or serve as a clearinghouse for any information about laws and policies of the Federal Government or any other governmental authority in the United States, with respect to abortion.

(Pub. L. 98-183, §3, Nov. 30, 1983, 97 Stat. 1302; Pub. L. 102-167, §5, Nov. 26, 1991, 105 Stat. 1101; Pub. L. 103-419, §2, Oct. 25, 1994, 108 Stat. 4339.)

PRIOR PROVISIONS

A prior section 1975a, Pub. L. 85-315, pt. I, §102, Sept. 9, 1957, 71 Stat. 634; Pub. L. 88-352, title V, §501, July 2, 1964, 78 Stat. 249; Pub. L. 91-521, §4, Nov. 25, 1970, 84 Stat. 1357; Pub. L. 92-496, §1, Oct. 14, 1972, 86 Stat. 813, established rules of procedure for Commission. See Codification note set out preceding section 1975 of this title.

AMENDMENTS

1994—Pub. L. 103-419 amended section generally, substituting provisions relating to duties of Commission for provisions relating to rules of procedure of Commission hearings.

1991—Subsecs. (a), (d), (f). Pub. L. 102-167 substituted “Chairperson” for “Chairman” wherever appearing.

**§ 1975b. Administrative provisions**

**(a) Staff**

**(1) Director**

There shall be a full-time staff director for the Commission who shall—

(A) serve as the administrative head of the Commission; and

(B) be appointed by the President with the concurrence of a majority of the Commission.

**(2) Other personnel**

Within the limitation of its appropriations, the Commission may—

(A) appoint such other personnel as it deems advisable, under the civil service and classification laws; and

(B) procure services, as authorized in section 3109 of title 5, but at rates for individuals not in excess of the daily equivalent paid for positions at the maximum rate for GS-15 of the General Schedule under section 5332 of title 5.

**(b) Compensation of members**

**(1) Generally**

Each member of the Commission who is not otherwise in the service of the Government of the United States shall receive a sum equivalent to the compensation paid at level IV of the Executive Schedule under section 5315 of title 5, prorated on a daily basis for time spent in the work of the Commission.

**(2) Persons otherwise in Government service**

Each member of the Commission who is otherwise in the service of the Government of the United States shall serve without compensation in addition to that received for such other service, but while engaged in the work of the Commission shall be paid actual travel expenses and per diem in lieu of subsistence expenses when away from such member's usual place of residence, under subchapter I of chapter 57 of title 5.

**(c) Voluntary or uncompensated personnel**

The Commission shall not accept or use the services of voluntary or uncompensated persons. This limitation shall apply with respect to services of members of the Commission as it does with respect to services by other persons.

**(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.)

## REFERENCES IN TEXT

The civil service laws, referred to in subsec. (a)(2)(A), are set out in Title 5, Government Organization and Employees. See, particularly, section 3301 et seq. of Title 5.

The classification laws, referred to in subsec. (a)(2)(A), are classified generally to chapter 51 (§5101 et seq.) and subchapter III (§5331 et seq.) of chapter 53 of Title 5.

## 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,<sup>1</sup> 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.

(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. <ol style="list-style-type: none"> <li>(a) Statement of equal rights.</li> <li>(b) “Make and enforce contracts” defined.</li> <li>(c) Protection against impairment.</li> </ol>
1981a.	Damages in cases of intentional discrimination in employment. <ol style="list-style-type: none"> <li>(a) Right of recovery.</li> <li>(b) Compensatory and punitive damages.</li> <li>(c) Jury trial.</li> <li>(d) Definitions.</li> </ol>
1982.	Property rights of citizens.
1983.	Civil action for deprivation of rights.
1984.	Omitted.
1985.	Conspiracy to interfere with civil rights. <ol style="list-style-type: none"> <li>(1) Preventing officer from performing duties.</li> <li>(2) Obstructing justice; intimidating party, witness, or juror.</li> <li>(3) Depriving persons of rights or privileges.</li> </ol>
1986.	Action for neglect to prevent.
1987.	Prosecution of violation of certain laws.
1988.	Proceedings in vindication of civil rights. <ol style="list-style-type: none"> <li>(a) Applicability of statutory and common law.</li> <li>(b) Attorney’s fees.</li> <li>(c) Expert fees.</li> </ol>
1989.	United States magistrate judges; appointment of persons to execute warrants.

<sup>1</sup> So in original. The comma probably should not appear.