The 1960 Civil Rights Act [48] expanded on this authorization by permitting the Attorney General to seek a court finding of "pattern or practice" of discrimination in any particular jurisdiction and authorizing upon the entering of such a finding the registration of all qualified persons in the jurisdiction of the race discriminated against by court-appointed referees. This authorization moved the vindication of voting rights beyond a case-by-case process. Further amendments were added in 1964.[49]

Finally, in the Voting Rights Act of 1965,[50] Congress went substantially beyond what it had done before. It provided that if the Attorney General determined that any state or political subdivision maintained on November 1, 1964, any "test or device" and that less than 50 per cent of the voting age population in that jurisdiction was registered on November 1, 1964, or voted in the 1964 presidential election, such tests or devices were to be suspended for five years and no person should be denied the right to vote on the basis of such a test or device.[51] Aimed primarily at literacy tests,[52] the Act was considerably broadened through the Court's interpretation of § 5,[53] which requires the approval of either the Attorney General or a three-judge court in the District of Columbia before a state could put into effect any new voting qualification or prerequisite to voting or new standard, practice, or procedure with respect to voting. Thus, preclearance became required for changes such as apportionment and districting, adoption of at-large instead of district elections, candidate qualification regulations, provisions for assistance of illiterate voters, movement of polling places, adoption of appointive instead of elective positions, annexations, and public employer restrictions upon employees running for elective office.[54] A state could reinstitute such a test or device within the prescribed period only by establishing in a three-judge court in the District of Columbia that the test or device did not have a discriminatory intent or effect and the covered jurisdiction could only change its election laws

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[48] Pub. L. 86–449, 74 Stat. 86.

[49] Pub. L. 88–352, 78 Stat. 241.

[50] Pub. L. 89–110, 79 Stat. 437, 42 U.S.C. §§ 1973 *et seq.*

[51] The phrase "test or device" was defined as any requirement for (1) demonstrating the ability to read, write, understand, or interpret any matter, (2) demonstrating any educational achievement or knowledge, (3) demonstrating good moral character, (4) proving qualifications by vouching of registered voters.

[52] South Carolina v. Katzenbach, 383 U.S. 301, 333–34 (1966),

[53] 42 U.S.C. § 1973c.

[54] Allen v. State Bd. of Elections, 393 U.S. 544 (1969); Perkins v. Matthews, 400 U.S. 379 (1971); Georgia v. United States, 411 U.S. 526 (1973); Dougherty County Bd. of Educ. v. White, 439 U.S. 32 (1978). *See also* United States v. Board of Comm'rs of Sheffield, 435 U.S. 110 (1978) (pre-coverage provisions apply to all entities having power over any aspect of voting, not just "political subdivisions" as defined in Act).