

Voting Protections for Language Minority Citizens Section 203 of the Voting Rights Act

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In our diverse country, English is not the primary language of many American citizens, and many have limited ability to read, speak, write, or understand English. Citizens with limited-English proficiency need information in languages other than English to be informed voters and participate effectively in our democracy. Section 203 of the Voting Rights Act (“VRA”) protects the voting rights of many of these Americans.

Section 203 of the Voting Rights Act¹

Section 203 aims to ensure that citizens have an effective opportunity to register to vote, learn the details of elections, and cast an informed ballot.

Congress amended the VRA in 1975 to include Section 203 because it found that Hispanic, Asian American, Native American, and Alaskan Native citizens (“language minorities”) had been “effectively excluded from participation in the electoral process.” To protect their constitutional rights, Congress stated, “it is necessary to eliminate such discrimination.”

What language communities are covered by Section 203?

Section 203 protects citizens of “language minorities”: Hispanics, Asian Americans, Native Americans, and Alaskan Natives.

Who must offer materials and assistance in languages other than English?

Every five years, the United States Census Bureau releases a list of jurisdictions (for example, counties and cities) that must provide election-related materials and assistance in one or more non-English languages. The Census Bureau applies a formula in Section 203 to generate this list. In some places, two or more language minority groups are present in numbers sufficient to trigger Section 203 requirements. The most recent list of covered jurisdictions, released in December 2021, is at www.justice.gov/crt/about-language-minority-voting-rights.

How does a jurisdiction know it is covered under Section 203?

Following the Census Bureau’s determinations, the United States Department of Justice (“Department”) notifies jurisdictions that they are covered under Section 203.

What does Section 203 require covered jurisdictions to do?

Covered jurisdictions that provide election-related materials and oral language assistance in English must also make those materials and assistance available in the required non-English language so that citizens can participate effectively in elections. Section 203’s requirements

¹ This guide provides information on the rights of language minority groups under Section 203 of the Voting Rights Act. The guide does not impose legal obligations and is not intended to be comprehensive.

apply to all stages of the voting process, from registering to vote to conducting elections and casting a ballot.

What elections are subject to Section 203?

The requirements of Section 203 apply to any type of federal, state, or local election within a covered jurisdiction, including general, primary, and special elections.

Accurately Translated and Effectively Distributed Bilingual Election Materials

What election-related materials must be translated?

When covered jurisdictions provide any registration or voting notices, forms, instructions, assistance, ballots, or other materials or information about the voting process or election, they must provide those materials in both English and the required minority language.

Covered jurisdictions must ensure that the written information and materials in the required non-English language are clear, complete, and accurately translated.

Translations must be accurate and meet the needs of the language minority community. Local officials should consult with members of the covered language minority group regarding the accuracy of the translated materials and any variations unique to the language minority community, such as significant differences in dialects.

For historically unwritten languages, jurisdictions should work with language minority communities to determine how best to communicate election information to eligible voters.

Bilingual Election Personnel and Poll Workers

How is oral language assistance provided to language minority voters under Section 203?

Jurisdictions covered under Section 203 must provide oral assistance to allow voters of language minority communities to participate effectively in the voting process.

They typically do this by staffing bilingual poll workers at polling places that need them. It is important that poll workers be trained on the language assistance requirements of the VRA.

To determine the number of bilingual poll workers needed at a polling place, covered jurisdictions should consider information such as how many members of the covered language minority group are registered voters in a precinct and their English proficiency.

Outreach to the community can help local election officials identify and recruit bilingual poll officials and workers.

Community Involvement and Outreach

How can election officials include members of the community and other stakeholders in the development of a bilingual election program?

Language minority community members and other advocates and stakeholders can help develop and maintain an effective bilingual election program.

To implement an effective program that meets legal requirements and language community needs, local election officials should confer with a broad range of contacts in the language minority community and organizations that work with that community.

Election officials should also consult members of their language minority communities to learn the best ways to publicize election information, recruit bilingual workers, and meet voters' needs. This publicity should include the use of minority language media, where available, and accurately translated materials on election websites.

How can community members participate in a bilingual election program?

Community members can contact local elections officials, as well as city and county officials, to make suggestions and participate actively in the minority language election program. Bilingual community members can also volunteer to serve as poll workers, provide feedback on translated materials, or assist in identifying the language needs of limited-English proficient voters.

Members of the community should report any Section 203 compliance problems to local election officials and, if those officials do not adequately address the problems, notify the Department at 1-(800) 253-3931 or at www.civilrights.justice.gov.

The Role of the United States Department of Justice

What is the Department's role in ensuring covered jurisdictions provide the necessary assistance to limited-English proficient voters?

To inform The Department notifies jurisdictions that they are covered under Section 203 and informs communities about the law and language assistance requirements.

To assist The Department provides information to jurisdictions on developing and implementing a successful language assistance program and answers questions about complying with language assistance requirements.

The Department also offers guidance to local election officials on how to comply with Section 203. These guidelines are entitled "Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups." 28 C.F.R. Part 55 (www.justice.gov/crt/page/file/927236/dl?inline).

To enforce The Department investigates alleged violations of Section 203 and takes appropriate enforcement action to stop violations.

Learning More and Contacting the United States Department of Justice

Where can I find more information about Section 203?

You can find information about Section 203, including its full text, a list of covered jurisdictions, and the United States Attorney General's Minority Language Guidelines online at www.justice.gov/crt/about-language-minority-voting-rights.

How do I contact the Department about Section 203?

You can contact the Voting Section of the Civil Rights Division of the Department by calling 1-(800) 253-3931 or by completing a form at www.civilrights.justice.gov.