

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 8770
OFFERED BY MR. NADLER OF NEW YORK**

Strike all that follows after the enacting clause and
insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Expanding the Vol-
3 untary Opportunities for Translations in Elections Act”
4 or the “Expanding the VOTE Act”.

5 SEC. 2. LANGUAGE MINORITY NOTICE REQUIREMENTS.

6 Section 203 of the Voting Rights Act of 1965 (52
7 U.S.C. 10503) is amended—

8 (1) by redesignating subsection (e) as sub-
9 section (g); and

10 (2) by inserting after subsection (d) the fol-
11 lowing new subsections:

12 “(e) **RESPONSIBILITY OF STATES PROVIDING VOT-**
13 **ING MATERIALS IN COVERED POLITICAL SUBDIVI-**
14 **SIONS.**—The prohibition under subsection (b) shall apply
15 to any State that provides voting materials to a political
16 subdivision subject to such prohibition.

17 “(f) **NOTICE.**—The Attorney General shall submit a
18 notice of the prohibition of subsection (b), and the thresh-

1 old at which such prohibition applies, to each State or po-
2 litical subdivision that is—

3 “(1) below the threshold requirement under
4 subclause (II) of subsection (b)(2)(A)(i) by not more
5 than 1,000; or

6 “(2) below the threshold requirement under
7 subclause (I) or (III) of subsection (b)(2)(A)(i) by
8 not more than 0.5 percent.”.

9 **SEC. 3. PROVISIONS RELATED TO AMERICAN INDIAN AND**
10 **ALASKA NATIVE LANGUAGES.**

11 Section 203 of the Voting Rights Act of 1965 (52
12 U.S.C. 10503), as amended by section 2, is further
13 amended—

14 (1) in subsection (b)(3)(C), by striking “1990”
15 and inserting “most recent”; and

16 (2) by striking subsection (c) and inserting the
17 following:

18 “(c) PROVISION OF VOTING MATERIALS IN THE LAN-
19 GUAGE OF A MINORITY GROUP.—

20 “(1) IN GENERAL.—Subject to paragraph (2),
21 whenever any State or political subdivision subject to
22 the prohibition of subsection (b) provides any reg-
23 istration or voting notices, forms, instructions, as-
24 sistance, or other materials or information relating
25 to the electoral process, including ballots, it shall

1 provide them in the language of the applicable mi-
2 nority group as well as in the English language.

3 “(2) EXCEPTIONS.—

4 “(A) WHEN WRITTEN AMERICAN INDIAN
5 AND ALASKA NATIVE TRANSLATIONS FOR VOT-
6 ERS ARE NOT REQUIRED.—In the case of a mi-
7 nority group that is American Indian or Alaska
8 Native, if the Tribal government of that minor-
9 ity group has notified the Attorney General that
10 the language is unwritten or the Tribal govern-
11 ment does not want a written translation, a
12 State or political subdivision subject to the pro-
13 hibition of subsection (b) shall only be required
14 to furnish that minority group, in the covered
15 language, oral instructions, assistance, trans-
16 lation of voting materials, and other informa-
17 tion relating to registration and voting.

18 “(B) OTHER MINORITY GROUPS WITH UN-
19 WRITTEN LANGUAGE.—In the case of a minor-
20 ity group that is not American Indian or Alaska
21 Native, if the language of that minority group
22 is unwritten, a State or political subdivision
23 subject to the prohibition of subsection (b) shall
24 only be required to furnish that minority group,
25 in the covered language, oral instructions, as-

1 sistance, translation of voting materials, and
2 other information relating to registration and
3 voting.

4 “(3) WRITTEN TRANSLATIONS FOR ELECTION
5 WORKERS.—Notwithstanding paragraph (2), a State
6 or political division subject to the prohibition of sub-
7 section (b) shall provide written translations of all
8 voting materials, with the consent of any applicable
9 Tribal government, to election workers to ensure
10 that the translations from English to the language
11 of a minority group are complete, accurate, and uni-
12 form.

13 “(4) TRIBAL GOVERNMENT DEFINED.—In this
14 subsection, the term ‘Tribal government’ means the
15 recognized governing body of any Indian or Alaska
16 Native Tribe, band, nation, pueblo, village, commu-
17 nity, component band, or component reservation, in-
18 dividually identified (including parenthetically) in
19 the list published most recently as of the date of en-
20 actment of the Expanding the VOTE Act pursuant
21 to section 104 of the Federally Recognized Indian
22 Tribe List Act of 1994 (25 U.S.C. 5131).”.

1 **SEC. 4. GRANTS TO JURISDICTIONS TO INCENTIVIZE THE**
2 **PROVISION OF VOTING MATERIALS IN LAN-**
3 **GUAGES NOT TRIGGERING SECTION 203 COV-**
4 **ERAGE IN APPLYING JURISDICTION.**

5 (a) AVAILABILITY OF GRANTS.—

6 (1) IN GENERAL.—The Election Assistance
7 Commission (in this section, referred to as the
8 “Commission”) shall make incentive grants under
9 subsection (b) to States and political subdivisions to
10 assist the States and political subdivisions in pro-
11 viding voting materials during an election cycle in
12 the language of a covered language minority group.

13 (2) APPLICATION REQUIRED.—In order to re-
14 ceive a grant under this section, a State or political
15 subdivision shall submit to the Commission, at such
16 time and in such form as the Commission may re-
17 quire, an application containing such information
18 and assurances as the Commission may require,
19 such as a plan for the State or political subdivision
20 to engage stakeholders with a demonstrated experi-
21 ence of serving the relevant covered language minor-
22 ity group.

23 (b) INCENTIVE GRANTS.—

24 (1) USE OF FUNDS.—The Commission shall
25 make an incentive grant under this subsection to a
26 State or political subdivision to cover the reasonable

1 costs incurred by the State or political subdivision in
2 providing voting materials in the language of a cov-
3 ered language minority group for an election cycle.

4 (2) CONTINUATION OF PROVISION OF MATE-
5 RIALS FOR GROUPS IN SUCCEEDING ELECTION CY-
6 CLES.—If a State or political subdivision receives an
7 incentive grant with respect to a covered language
8 minority group for an election cycle, the State or po-
9 litical subdivision will certify to the Commission that
10 the State or political subdivision will continue to
11 provide voting materials in the language of that cov-
12 ered language minority group for each succeeding
13 election cycle unless the population of the group dur-
14 ing the succeeding cycle has dropped by 0.5 percent
15 or more from the population of the group during the
16 first election cycle for which the State or political
17 subdivision received an incentive grant with respect
18 to the group.

19 (3) PROHIBITING MULTIPLE GRANTS FOR SAME
20 LANGUAGE MINORITY GROUP.—If a State or political
21 subdivision receives an incentive grant with respect
22 to a covered language minority group, the State or
23 subdivision may not receive another incentive grant
24 with respect to that same covered language minority
25 group.

1 (c) DEFINITIONS.—In this section—

2 (1) the term “covered language minority
3 group”—

4 (A) means, with respect to a State or polit-
5 ical subdivision, the members of a single lan-
6 guage minority who do not meet the require-
7 ments of clause (i) or (ii) of section
8 203(b)(2)(A) of the Voting Rights Act of 1965
9 (52 U.S.C. 10503(b)(2)(A)); and

10 (B) includes the language minorities de-
11 scribed in section 203(g) of such Act (52
12 U.S.C. 10503(g)) and any other language mi-
13 nority;

14 (2) the term “election cycle” means the period
15 which begins on the day after the date of a regularly
16 scheduled general election for Federal office and
17 which ends on the date of the next regularly sched-
18 uled general election for Federal office;

19 (3) the term “State” means each of the several
20 States, the District of Columbia, the Commonwealth
21 of Puerto Rico, the United States Virgin Islands,
22 American Samoa, Guam, and the Commonwealth of
23 the Northern Mariana Islands; and

1 (4) the term “voting materials” has the mean-
2 ing given under section 203(b)(3)(A) of the Voting
3 Rights Act of 1965 (52 U.S.C. 10503(b)(3)(A)).

4 (d) AUTHORIZATION OF APPROPRIATIONS.—There
5 are authorized to be appropriated to carry out this section
6 \$15,000,000, to remain available until expended.

7 **SEC. 5. STUDY ON CERTAIN LANGUAGE MINORITY NOTICE**
8 **REQUIREMENTS.**

9 (a) IN GENERAL.—The Comptroller General of the
10 United States, in consultation with the Director of the
11 Census, the Attorney General, and the Election Assistance
12 Commission, shall conduct a study on the impact of—

13 (1) reducing the threshold requirement—

14 (A) under subclause (II) of section
15 203(b)(2)(A)(i) of the Voting Rights Act of
16 1965 (52 U.S.C. 10503(b)(2)(A)(i)) to 7,500
17 and 5,000, respectively; and

18 (B) under subclause (I) or (III) of section
19 203(b)(2)(A)(i) of the Voting Rights Act of
20 1965 (52 U.S.C. 10503(b)(2)(A)(i)) to 4 per-
21 cent, 3 percent, 2.5 percent, and 2 percent, re-
22 spectively; and

23 (2) expanding the definition of the term “lan-
24 guage minorities” to include native speakers of Ara-
25 bic, French and Haitian Creole, and any other lan-

1 guage that the Comptroller General determines to be
2 appropriate.

3 (b) REPORT.—Not later than 1 year after the date
4 of enactment of this Act, the Comptroller General of the
5 United States shall submit to Congress a report on the
6 findings of the study conducted under subsection (a).

