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 Voluntary Opportunities for Translations in Elections Act” or the “Expanding the VOTE Act”.

5 SEC. 2. LANGUAGE MINORITY NOTICE REQUIREMENTS.
6 Section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503) is amended—
7 (1) by redesignating subsection (e) as subsection (g); and
8 (2) by inserting after subsection (d) the following new subsections:
9 “(e) RESPONSIBILITY OF STATES PROVIDING VOTING MATERIALS IN COVERED POLITICAL SUBDIVISIONS.—The prohibition under subsection (b) shall apply to any State that provides voting materials to a political subdivision subject to such prohibition.
10 “(f) NOTICE.—The Attorney General shall submit a notice of the prohibition of subsection (b), and the thresh-
old at which such prohibition applies, to each State or po-

tical subdivision that is—

“(1) below the threshold requirement under

subclause (II) of subsection (b)(2)(A)(i) by not more

than 1,000; or

“(2) below the threshold requirement under

subclause (I) or (III) of subsection (b)(2)(A)(i) by

not more than 0.5 percent.”.

SEC. 3. PROVISIONS RELATED TO AMERICAN INDIAN AND

ALASKA NATIVE LANGUAGES.

Section 203 of the Voting Rights Act of 1965 (52

U.S.C. 10503), as amended by section 2, is further

amended—

(1) in subsection (b)(3)(C), by striking “1990”

and inserting “most recent”; and

(2) by striking subsection (c) and inserting the

following:

“(c) Provision of Voting Materials in the Lan-
guage of a Minority Group,—

“(1) In General.—Subject to paragraph (2),

whenever any State or political subdivision subject to

the prohibition of subsection (b) provides any reg-

istration or voting notices, forms, instructions, as-

sistance, or other materials or information relating

to the electoral process, including ballots, it shall
provide them in the language of the applicable minority group as well as in the English language.

“(2) EXCEPTIONS.—

“(A) WHEN WRITTEN AMERICAN INDIAN AND ALASKA NATIVE TRANSLATIONS FOR VOTERS ARE NOT REQUIRED.—In the case of a minority group that is American Indian or Alaska Native, if the Tribal government of that minority group has notified the Attorney General that the language is unwritten or the Tribal government does not want a written translation, a State or political subdivision subject to the prohibition of subsection (b) shall only be required to furnish that minority group, in the covered language, oral instructions, assistance, translation of voting materials, and other information relating to registration and voting.

“(B) OTHER MINORITY GROUPS WITH UNWRITTEN LANGUAGE.—In the case of a minority group that is not American Indian or Alaska Native, if the language of that minority group is unwritten, a State or political subdivision subject to the prohibition of subsection (b) shall only be required to furnish that minority group, in the covered language, oral instructions, as-
sistance, translation of voting materials, and
other information relating to registration and
voting.

“(3) Written translations for election
workers.—Notwithstanding paragraph (2), a State
or political division subject to the prohibition of sub-
section (b) shall provide written translations of all
voting materials, with the consent of any applicable
Tribal government, to election workers to ensure
that the translations from English to the language
of a minority group are complete, accurate, and uni-
form.

“(4) Tribal government defined.—In this
subsection, the term ‘Tribal government’ means the
recognized governing body of any Indian or Alaska
Native Tribe, band, nation, pueblo, village, commu-
nity, component band, or component reservation, in-
dividually identified (including parenthetically) in
the list published most recently as of the date of en-
actment of the Expanding the VOTE Act pursuant
to section 104 of the Federally Recognized Indian
SEC. 4. GRANTS TO JURISDICTIONS TO INCENTIVIZE THE

PROVISION OF VOTING MATERIALS IN LANGUAGES NOT TRIGGERING SECTION 203 COVERAGE IN APPLYING JURISDICTION.

(a) AVAILABILITY OF GRANTS.—

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

(2) APPLICATION REQUIRED.—In order to receive a grant under this section, a State or political subdivision shall submit to the Commission, at such time and in such form as the Commission may require, an application containing such information and assurances as the Commission may require, such as a plan for the State or political subdivision to engage stakeholders with a demonstrated experience of serving the relevant covered language minority group.

(b) INCENTIVE GRANTS.—

(1) USE OF FUNDS.—The Commission shall make an incentive grant under this subsection to a State or political subdivision to cover the reasonable
costs incurred by the State or political subdivision in providing voting materials in the language of a covered language minority group for an election cycle.

(2) Continuation of provision of materials for groups in succeeding election cycles.—If a State or political subdivision receives an incentive grant with respect to a covered language minority group for an election cycle, the State or political subdivision will certify to the Commission that the State or political subdivision will continue to provide voting materials in the language of that covered language minority group for each succeeding election cycle unless the population of the group during the succeeding cycle has dropped by 0.5 percent or more from the population of the group during the first election cycle for which the State or political subdivision received an incentive grant with respect to the group.

(3) Prohibiting multiple grants for same language minority group.—If a State or political subdivision receives an incentive grant with respect to a covered language minority group, the State or subdivision may not receive another incentive grant with respect to that same covered language minority group.
(c) DEFINITIONS.—In this section—

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

(A) means, with respect to a State or political subdivision, the members of a single language minority who do not meet the requirements of clause (i) or (ii) of section 203(b)(2)(A) of the Voting Rights Act of 1965 (52 U.S.C. 10503(b)(2)(A)); and

(B) includes the language minorities described in section 203(g) of such Act (52 U.S.C. 10503(g)) and any other language minority;

(2) the term “election cycle” means the period which begins on the day after the date of a regularly scheduled general election for Federal office and which ends on the date of the next regularly scheduled general election for Federal office;

(3) the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands; and
(4) the term “voting materials” has the meaning given under section 203(b)(3)(A) of the Voting Rights Act of 1965 (52 U.S.C. 10503(b)(3)(A)).

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

SEC. 5. STUDY ON CERTAIN LANGUAGE MINORITY NOTICE REQUIREMENTS.

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

(1) reducing the threshold requirement—

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

(B) under subclause (I) or (III) of section 203(b)(2)(A)(i) of the Voting Rights Act of 1965 (52 U.S.C. 10503(b)(2)(A)(i)) to 4 percent, 3 percent, 2.5 percent, and 2 percent, respectively; and

(2) expanding the definition of the term “language minorities” to include native speakers of Arabic, French and Haitian Creole, and any other lan-
(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the findings of the study conducted under subsection (a).