I

117TH CONGRESS
2D Session

H. R. 8770

To modify certain notice requirements, to study certain election requirements, to clarify certain election requirements, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 2, 2022

Ms. WILLIAMS of Georgia (for herself, Mr. NADLER, Ms. LOFGREN, Mrs. BEATTY, Ms. CHU, Mr. RUZ, MS. DAVIDS of Kansas, Mr. VEASEY, Ms. SEWELL, Mr. SCOTT of Virginia, Mr. COOPER, Mr. CARTER of Louisiana, Mr. JOHNSON of Georgia, Mr. KANNA, Ms. LEE of California, Ms. BUSH, Ms. NORTON, Ms. MOORE of Wisconsin, Mrs. WATSON COLEMAN, Mrs. CHERFILUS-McCORMICK, Mr. BROWN of Maryland, Mr. CLEAVER, Ms. BASS, Mr. TONKO, Ms. MCCOLLUM, Ms. SCHAKOWSKY, Ms. JACOBS of California, Mr. BLYMENAUER, Ms. PORTER, Ms. SÁNCHEZ, Mr. PAYNE, Mr. GOMEZ, Mr. DAVID SCOTT of Georgia, Ms. DEAN, Ms. CLARKE of New York, Mr. SWALWELL, Ms. SPEIER, Mr. KAHELE, Mr. CARBAJAL, Mrs. McBATH, Ms. KELLY of Illinois, Ms. JACKSON LEE, Mr. ESPAILLAT, Mr. LOWENTHAL, Ms. STEVENS, Ms. VELÁZQUEZ, Mr. GARCÍA of Illinois, Ms. NEWMAN, Ms. BARRAGÁN, Ms. ESHOO, Ms. MAS-SUI, Ms. JAYAPAL, Mr. HORSFORD, Ms. LEEGER FERNANDEZ, Mr. LIU, Ms. Dingell, Ms. LOIS FRANKEL of Florida, Mr. CONNOLLY, Ms. JOHNSON of Texas, Mr. CICILLINE, Mr. COHEN, Ms. MENG, Mr. CUELLAR, Mr. SUOZZI, Mr. SCHIFF, Mr. SOTO, Mr. MOULTON, Mr. AUCHINCLOSS, Ms. MANNING, Mrs. AXNE, Ms. BROWN of Ohio, Ms. ROSS, Ms. BOURDEAUX, Ms. PRESSLEY, Ms. WILSON of Florida, Mr. LARSEN of Washington, Mr. BOWMAN, Mr. KILMER, Mrs. NAPOLITANO, Ms. LAWRENCE, Mr. SARBANES, Mr. TAKANO, Mr. GRIJALVA, Mr. LEVIN of Michigan, Mr. MECKS, Mr. RUPPERSBERGER, Ms. BONAMICI, Mr. EVANS, Mr. McFUME, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. QUIGLEY, Mr. CASTEN, Ms. WASSERMAN SCHULTZ, Ms. TITUS, Ms. GARCÍA of Texas, Mr. TRONE, Ms. STANSBURY, Mr. LARSON of Connecticut, Mr. DEFAZIO, Mr. NEGUSE, Mr. CARSON, Mr. DANNY K. DAVIS of Illinois, Ms. TLAIB, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LEVIN of California, Mr. SABLON, Mr. PANETTA, Mr. McNERNEY, Ms. OCASIO-CORTEZ, Mr. CROW, Ms. PINGREE, Mrs. DEMINGS, Mr. MCEACHIN, Ms. ADAMS, Mr. PETERS, Mrs. HAYES, Mr. SAN NICOLAS, and Ms. DEGETTE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the
Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL
To modify certain notice requirements, to study certain election requirements, to clarify certain election requirements, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “Expanding the Vol-
untary Opportunities for Translations in Elections Act” or the “Expanding the VOTE Act”.

SEC. 2. LANGUAGE MINORITY NOTICE REQUIREMENTS.
Section 203 of the Voting Rights Act of 1965 (52 U.S.C. 10503) is amended—

(1) by redesignating subsection (e) as subsection (g); and

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

“(e) RESPONSIBILITY OF STATES PROVIDING VOT-
ING MATERIALS IN COVERED POLITICAL SUBDIVI-
sIONS.—The prohibition under subsection (b) shall apply to any State that provides voting materials to a political subdivision subject to such prohibition.
“(f) NOTICE.—The Attorney General shall submit a notice of the prohibition of subsection (b), and the threshold at which such prohibition applies, to each State or political 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 LANGUAGE 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 registration 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 mi-
nority group as well as in the English language.

“(2) EXCEPTIONS.—

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

“(B) OTHER MINORITY GROUPS WITH UN-
WRITTEN LANGUAGE.—In the case of a minor-
ity 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, assistance, 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 subsection (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 uniform.

“(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, community, component band, or component reservation, individually identified (including parenthetically) in the list published most recently as of the date of enactment of the Expanding the VOTE Act pursuant to section 104 of the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 5131).”.
SEC. 4. GRANTS TO JURISDICTIONS TO INCENTIVIZE THE
PROVISION OF VOTING MATERIALS IN LANG-
UGUAGES NOT TRIGGERING SECTION 203 COV-
ERGE 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 pro-
viding voting materials during an election cycle in
the language of a covered language minority group.

(2) Application required.—In order to re-
ceive 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 re-
quire, 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 experi-
ence of serving the relevant covered language minor-
ity 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 cov-
ered language minority group for an election cycle.

(2) CONTINUATION OF PROVISION OF MATE-
RIALS FOR GROUPS IN SUCCEEDING ELECTION CY-
CLES.—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 po-
litical subdivision will certify to the Commission that
the State or political subdivision will continue to
provide voting materials in the language of that cov-
ered language minority group for each succeeding
election cycle unless the population of the group dur-
ing 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 1065 (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-
guage that the Comptroller General determines to be
appropriate.

(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).