

Frequently Asked Questions

Section 203: Federal Voting Rights Act

What is the purpose of Section 203 of the Federal Voting Rights Act?

In 1975, Congress permanently banned the use of literacy tests and other discriminatory registration and voting practices, including English-only materials, in any election nationwide. Congress also broadened the scope of voting rights protection to include limited English proficient voters of Asian American, Hispanic, and American Indian or Alaska Native descent. Congress found these groups had historically faced, and continued to face, discrimination based on their race and ethnicity. Based on these findings, Congress enacted Section 203 of the Voting Rights Act, which is still in place today.

What does Section 203 do?

Section 203 provides citizens who are not fluent in English the opportunity to be informed voters and participate effectively in our representative democracy by requiring covered jurisdictions to provide language assistance.

Who is covered by Section 203?

Section 203 applies to four language minority groups: American Indians, Asian Americans, Alaska Natives, and Latinos.

Why are these groups covered?

Congress has repeatedly found that these four language minority groups face discrimination based on race, ethnicity or national origin. Congress also found that discriminatory voting practices and procedures systematically denied these covered groups their voting rights.

When is a jurisdiction covered under Section 203?

A jurisdiction is covered under Section 203 where the number of limited English proficient United States citizens of voting age in a single language group within the jurisdiction who are Asian, Hispanic or Native American:

Is more than 10,000, or
Is more than five percent of all voting-age citizens, or
Exceeds five percent of all reservation residents on an Indian reservation; and
Has an illiteracy rate higher than the national illiteracy rate.

What is required under Section 203?

Any election materials provided in English must also be provided in the language of the covered minority group. Election information includes registration or voting notices, forms, instructions, ballots, and any other materials or information relating to the electoral process. In addition to providing translated election information, compliance with Section 203 requires that the information be effectively disseminated to covered language minority groups. Communication can be facilitated by posting public notices, publicizing the availability of language assistance materials through mainstream and ethnic media, and providing bilingual poll workers at polling places who can assist voters.