

Union Calendar No. 474

117TH CONGRESS
2D SESSION

H. R. 8770

[Report No. 117–654, Part I]

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. RUIZ, Ms. DAVIDS of Kansas, Mr. VEASEY, Ms. SEWELL, Mr. SCOTT of Virginia, Mr. COOPER, Mr. CARTER of Louisiana, Mr. JOHNSON of Georgia, Mr. KHANNA, 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. BLUMENAUER, 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. MATSUI, Ms. JAYAPAL, Mr. HORSFORD, Ms. LEGER FERNANDEZ, Mr. LIEU, Mrs. 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, Mrs. LAWRENCE, Mr. SARBANES, Mr. TAKANO, Mr. GRIJALVA, Mr. LEVIN of Michigan, Mr. MEEKS, Mr. RUPPERSBERGER, Ms. BONAMICI, Mr. EVANS, Mr. MFUME, Mr. BUTTERFIELD, Mr. CÁRDENAS, Mr. QUIGLEY, Mr. CASTEN, Ms. WASSERMAN SCHULTZ, Ms. TITUS, Ms. GARCIA 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. SABLAN, 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

DECEMBER 21, 2022

Additional sponsors: Mr. RUSH, Mr. HIGGINS of New York, Mr. SMITH of Washington, Ms. CLARK of Massachusetts, Mr. GALLEG0, Mr. GOTTHEIMER, Ms. UNDERWOOD, Mr. YARMUTH, Mrs. CAROLYN B. MALONEY of New York, Mr. POCAN, Mr. COSTA, Mr. DESAULNIER, Mr. GREEN of Texas, Ms. DELBENE, Mrs. FLETCHER, Ms. BROWNLEY, Ms. SCANLON, Mr. JONES, Ms. WILD, Mr. JEFFRIES, Mr. MCGOVERN, Mr. CORREA, Mr. DOGGETT, Mr. RASKIN, Mr. CARTWRIGHT, Ms. PLASKETT, Mr. FOSTER, Mr. AGUILAR, Ms. BLUNT ROCHESTER, Mr. KILDEE, Mr. TORRES of New York, Mr. BISHOP of Georgia, Ms. ESCOBAR, Ms. STRICKLAND, Mrs. TORRES of California, and Mrs. TRAHAN

DECEMBER 21, 2022

Reported from the Committee on the Judiciary with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

DECEMBER 21, 2022

Committee on House Administration discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 2, 2022]

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

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

7 **SEC. 2. LANGUAGE MINORITY NOTICE REQUIREMENTS.**

8 *Section 203 of the Voting Rights Act of 1965 (52*
 9 *U.S.C. 10503) is amended—*

10 *(1) by redesignating subsection (e) as subsection*
 11 *(g); and*

12 *(2) by inserting after subsection (d) the following*
 13 *new subsections:*

14 *“(e) RESPONSIBILITY OF STATES PROVIDING VOTING*
 15 *MATERIALS IN COVERED POLITICAL SUBDIVISIONS.—The*
 16 *prohibition under subsection (b) shall apply to any State*
 17 *that provides voting materials to a political subdivision*
 18 *subject to such prohibition.*

19 *“(f) NOTICE.—The Attorney General shall submit a*
 20 *notice of the prohibition of subsection (b), and the threshold*
 21 *at which such prohibition applies, to each State or political*
 22 *subdivision that is—*

23 *“(1) below the threshold requirement under sub-*
 24 *clause (II) of subsection (b)(2)(A)(i) by not more than*
 25 *1,000; or*

1 “(2) below the threshold requirement under sub-
 2 clause (I) or (III) of subsection (b)(2)(A)(i) by not
 3 more than 0.5 percent.”.

4 **SEC. 3. PROVISIONS RELATED TO AMERICAN INDIAN AND**
 5 **ALASKA NATIVE LANGUAGES.**

6 Section 203 of the Voting Rights Act of 1965 (52
 7 U.S.C. 10503), as amended by section 2, is further amend-
 8 ed—

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

11 (2) by striking subsection (c) and inserting the
 12 following:

13 “(c) *PROVISION OF VOTING MATERIALS IN THE LAN-*
 14 *GUAGE OF A MINORITY GROUP.—*

15 “(1) *IN GENERAL.—*Subject to paragraph (2),
 16 *whenever any State or political subdivision subject to*
 17 *the prohibition of subsection (b) provides any reg-*
 18 *istration or voting notices, forms, instructions, assist-*
 19 *ance, or other materials or information relating to the*
 20 *electoral process, including ballots, it shall provide*
 21 *them in the language of the applicable minority*
 22 *group as well as in the English language.*

23 “(2) *EXCEPTIONS.—*

24 “(A) *WHEN WRITTEN AMERICAN INDIAN*
 25 *AND ALASKA NATIVE TRANSLATIONS FOR VOTERS*

1 *ARE NOT REQUIRED.—In the case of a minority*
2 *group that is American Indian or Alaska Native,*
3 *if the Tribal government of that minority group*
4 *has notified the Attorney General that the lan-*
5 *guage is unwritten or the Tribal government*
6 *does not want a written translation, a State or*
7 *political subdivision subject to the prohibition of*
8 *subsection (b) shall only be required to furnish*
9 *that minority group, in the covered language,*
10 *oral instructions, assistance, translation of vot-*
11 *ing materials, and other information relating to*
12 *registration and voting.*

13 *“(B) OTHER MINORITY GROUPS WITH UN-*
14 *WRITTEN LANGUAGE.—In the case of a minority*
15 *group that is not American Indian or Alaska*
16 *Native, if the language of that minority group is*
17 *unwritten, a State or political subdivision sub-*
18 *ject to the prohibition of subsection (b) shall only*
19 *be required to furnish that minority group, in*
20 *the covered language, oral instructions, assist-*
21 *ance, translation of voting materials, and other*
22 *information relating to registration and voting.*

23 *“(3) WRITTEN TRANSLATIONS FOR ELECTION*
24 *WORKERS.—Notwithstanding paragraph (2), a State*
25 *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 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 LAN-
GUAGES NOT TRIGGERING SECTION 203 COV-
ERAGE 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

1 *materials during an election cycle in the language of*
2 *a covered language minority group.*

3 (2) *APPLICATION REQUIRED.—In order to receive*
4 *a grant under this section, a State or political sub-*
5 *division shall submit to the Commission, at such time*
6 *and in such form as the Commission may require, an*
7 *application containing such information and assur-*
8 *ances as the Commission may require, such as a plan*
9 *for the State or political subdivision to engage stake-*
10 *holders with a demonstrated experience of serving the*
11 *relevant covered language minority group.*

12 (b) *INCENTIVE GRANTS.—*

13 (1) *USE OF FUNDS.—The Commission shall*
14 *make an incentive grant under this subsection to a*
15 *State or political subdivision to cover the reasonable*
16 *costs incurred by the State or political subdivision in*
17 *providing voting materials in the language of a cov-*
18 *ered language minority group for an election cycle.*

19 (2) *CONTINUATION OF PROVISION OF MATERIALS*
20 *FOR GROUPS IN SUCCEEDING ELECTION CYCLES.—If a*
21 *State or political subdivision receives an incentive*
22 *grant with respect to a covered language minority*
23 *group for an election cycle, the State or political sub-*
24 *division will certify to the Commission that the State*
25 *or political subdivision will continue to provide vot-*

ing 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;

11 (4) the term “voting materials” has the meaning
12 given under section 203(b)(3)(A) of the Voting Rights
13 Act of 1965 (52 U.S.C. 10503(b)(3)(A)).

17 *SEC. 5. STUDY ON CERTAIN LANGUAGE MINORITY NOTICE*
18 *REQUIREMENTS.*

23 (1) *reducing the threshold requirement—*

•HR 8770 RH

1 (52 U.S.C. 10503(b)(2)(A)(i)) to 7,500 and
2 5,000, respectively; and

3 (B) under subclause (I) or (III) of section
4 203(b)(2)(A)(i) of the Voting Rights Act of 1965
5 (52 U.S.C. 10503(b)(2)(A)(i)) to 4 percent, 3
6 percent, 2.5 percent, and 2 percent, respectively;
7 and

8 (2) expanding the definition of the term “lan-
9 guage minorities” to include native speakers of Ara-
10 bic, French and Haitian Creole, and any other lan-
11 guage that the Comptroller General determines to be
12 appropriate.

13 (b) *REPORT*.—Not later than 1 year after the date of
14 enactment of this Act, the Comptroller General of the United
15 States shall submit to Congress a report on the findings
16 of the study conducted under subsection (a).

Union Calendar No. 474

117TH CONGRESS
2D Session

H. R. 8770

[Report No. 117-654, Part I]

A BILL

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

DECEMBER 21, 2022

Reported from the Committee on the Judiciary with an amendment

DECEMBER 21, 2022

Committee on House Administration discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed