

Public Law 102-344
102d Congress

An Act

To amend the Voting Rights Act of 1965 with respect to bilingual election requirements.

Aug. 26, 1992
[H.R. 4312]

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Voting Rights Language Assistance Act of 1992".

Voting Rights
Language
Assistance Act of
1992.
42 USC 1971
note.

SEC. 2. EXTENSION OF LANGUAGE MINORITY PROVISIONS.

Subsection (b) of section 203 of the Voting Rights Act of 1965 (42 U.S.C. 1973aa-1a(b)) is amended to read as follows:

"(b) BILINGUAL VOTING MATERIALS REQUIREMENT.—

"(1) **GENERALLY.**—Before August 6, 2007, no covered State or political subdivision shall provide voting materials only in the English language.

"(2) **COVERED STATES AND POLITICAL SUBDIVISIONS.**—

"(A) **GENERALLY.**—A State or political subdivision is a covered State or political subdivision for the purposes of this subsection if the Director of the Census determines, based on census data, that—

"(i) **(I)** more than 5 percent of the citizens of voting age of such State or political subdivision are members of a single language minority and are limited-English proficient;

"(ii) **(II)** more than 10,000 of the citizens of voting age of such political subdivision are members of a single language minority and are limited-English proficient; or

"(iii) **(III)** in the case of a political subdivision that contains all or any part of an Indian reservation, more than 5 percent of the American Indian or Alaska Native citizens of voting age within the Indian reservation are members of a single language minority and are limited-English proficient; and

"(iv) **(IV)** the illiteracy rate of the citizens in the language minority as a group is higher than the national illiteracy rate.

"(B) **EXCEPTION.**—The prohibitions of this subsection do not apply in any political subdivision that has less than 5 percent voting age limited-English proficient citizens of each language minority which comprises over 5 percent of the statewide limited-English proficient population of voting age citizens, unless the political subdivision is a covered political subdivision independently from its State.

"(3) **DEFINITIONS.**—As used in this section—

"(A) the term 'voting materials' means registration or voting notices, forms, instructions, assistance, or other

materials or information relating to the electoral process, including ballots;

“(B) the term ‘limited-English proficient’ means unable to speak or understand English adequately enough to participate in the electoral process;

“(C) the term ‘Indian reservation’ means any area that is an American Indian or Alaska Native area, as defined by the Census Bureau for the purposes of the 1990 decennial census;

“(D) the term ‘citizens’ means citizens of the United States; and

“(E) the term ‘illiteracy’ means the failure to complete the 5th primary grade.

“(4) SPECIAL RULE.—The determinations of the Director of the Census under this subsection shall be effective upon publication in the Federal Register and shall not be subject to review in any court.”.

Effective date.
Federal
Register,
publication.

Approved August 26, 1992.

LEGISLATIVE HISTORY—H.R. 4312 (S. 2236):

HOUSE REPORTS: No. 102-655 (Comm. on the Judiciary).

SENATE REPORTS: No. 102-315 accompanying S. 2236 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 23, 24, considered and passed House.

Aug. 6, 7, considered and passed Senate.