

**Editorial Notes**

## REFERENCES IN TEXT

This subchapter, referred to in text, was in the original “this title”, meaning title III of Pub. L. 107-252, Oct. 29, 2002, 116 Stat. 1704, which is classified principally to this subchapter. For complete classification of title III to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 15485 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## PART B—VOLUNTARY GUIDANCE

**§ 21101. Adoption of voluntary guidance by Commission****(a) In general**

To assist States in meeting the requirements of part A of this subchapter, the Commission shall adopt voluntary guidance consistent with such requirements in accordance with the procedures described in section 21102 of this title.

**(b) Deadlines**

The Commission shall adopt the recommendations under this section not later than—

- (1) in the case of the recommendations with respect to section 21081 of this title, January 1, 2004;
- (2) in the case of the recommendations with respect to section 21082 of this title, October 1, 2003; and
- (3) in the case of the recommendations with respect to section 21083 of this title, October 1, 2003.

**(c) Quadrennial update**

The Commission shall review and update recommendations adopted with respect to section 21081 of this title no less frequently than once every 4 years.

(Pub. L. 107-252, title III, §311, Oct. 29, 2002, 116 Stat. 1715.)

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## CODIFICATION

Section was formerly classified to section 15501 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

**§ 21102. Process for adoption**

The adoption of the voluntary guidance under this part shall be carried out by the Commission in a manner that provides for each of the following:

- (1) Publication of notice of the proposed recommendations in the Federal Register.
- (2) An opportunity for public comment on the proposed recommendations.
- (3) An opportunity for a public hearing on the record.
- (4) Publication of the final recommendations in the Federal Register.

(Pub. L. 107-252, title III, §312, Oct. 29, 2002, 116 Stat. 1715.)

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## CODIFICATION

Section was formerly classified to section 15502 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## SUBCHAPTER IV—ENFORCEMENT

**§ 21111. Actions by the Attorney General for declaratory and injunctive relief**

The Attorney General may bring a civil action against any State or jurisdiction in an appropriate United States District Court for such declaratory and injunctive relief (including a temporary restraining order, a permanent or temporary injunction, or other order) as may be necessary to carry out the uniform and non-discriminatory election technology and administration requirements under sections 21081, 21082, 21083, and 21083a of this title.

(Pub. L. 107-252, title IV, §401, Oct. 29, 2002, 116 Stat. 1715; Pub. L. 118-106, §2(b), Oct. 4, 2024, 138 Stat. 1593.)

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## CODIFICATION

Section was formerly classified to section 15511 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2024—Pub. L. 118-106 substituted “21083, and 21083a” for “and 21083”.

**§ 21112. Establishment of State-based administrative complaint procedures to remedy grievances****(a) Establishment of State-based administrative complaint procedures to remedy grievances****(1) Establishment of procedures as condition of receiving funds**

If a State receives any payment under a program under this chapter, the State shall be required to establish and maintain State-based administrative complaint procedures which meet the requirements of paragraph (2).

**(2) Requirements for procedures**

The requirements of this paragraph are as follows:

- (A) The procedures shall be uniform and nondiscriminatory.
- (B) Under the procedures, any person who believes that there is a violation of any provision of subchapter III (including a violation which has occurred, is occurring, or is about to occur) may file a complaint.
- (C) Any complaint filed under the procedures shall be in writing and notarized, and signed and sworn by the person filing the complaint.
- (D) The State may consolidate complaints filed under subparagraph (B).
- (E) At the request of the complainant, there shall be a hearing on the record.
- (F) If, under the procedures, the State determines that there is a violation of any provision of subchapter III, the State shall provide the appropriate remedy.
- (G) If, under the procedures, the State determines that there is no violation, the State shall dismiss the complaint and publish the results of the procedures.
- (H) The State shall make a final determination with respect to a complaint prior