

Bilingual Ballots and Language Assistance for Asian Americans

Section 203 of the Voting Rights Act

In the early 1970s, the U.S. Congress found that Asian Americans, Latinos, Alaska Natives, and Native Americans faced significant barriers to electoral participation because many were not fully proficient in English. In response, Congress enacted the Language Assistance Provisions under Section 203 of the Voting Rights Act. These provisions were re-authorized by Congress in 2006 through 2032.

Mandates of Section 203

Under Section 203 certain local jurisdictions must translate ballots, voter registration forms, voting instructions, and all other voting materials, and provide interpreters at election districts/precincts. Section 203 encourages local election officials to work with community-based organizations to develop effective language assistance programs.

Application of Section 203

For Section 203 to apply to a jurisdiction, the Census must find 5% or more than 10,000 voting-age (over 18 years old) citizens who speak an Asian language, have limited English proficiency, and have a higher illiteracy rate than the national illiteracy rate. This chart reflects the updated list of counties and cities, and the specific languages, to be covered for translated voting materials and interpreters under Section 203, following the 2020 Census. These determinations are conducted every five years, rather than ten years, and use the American Community Survey (ACS), according to the 2006 reauthorization.

Examples of Section 203 Non-Compliance

Examples of Section 203 non-compliance for Asian language voters include:

- jurisdictions failing to provide any language assistance;
- untranslated or mistranslated election materials;
- interpreters speaking the wrong language or dialect;
- poll sites missing translated materials and signs;
- insufficient number of interpreters;
- untrained interpreters providing misleading translations.

Voluntary Language Assistance

In many U.S. counties, limited English proficient voters may be numerous but still do not meet Section 203's threshold for coverage. In these instances, community groups have worked with or urged local election officials or legislators to *voluntarily* provide translated materials and language assistance or legislate language access at the local level.

For example:

- Hamtramck – Following AALDEF's Section 203 lawsuit on behalf of it Bengali speaking voters, the city clerk provides Arab language materials at interpreters for the city's large Yemeni American population
- Boston – Following the expiration of a federal lawsuit under Section 2 of the Voting Rights Act, State law requires bilingual ballots and language assistance in Chinese and Vietnamese.

For more information, contact AALDEF at "info@aaldef.org" or 212-966-5932.

Asian Language Coverage Under Section 203, Voting Rights Act (12.08.21)

ALASKA

- Aleutians West Census Area: Filipino
- **Kodiak Island Borough: Filipino**

CALIFORNIA

- Alameda: Chinese, Filipino, Vietnamese
- Contra Costa: Chinese
- Los Angeles: Cambodian, Chinese, Filipino, Korean, Vietnamese, **Other (not specified)**
- Orange: Chinese, Korean, Vietnamese
- Sacramento: Chinese, **Vietnamese**
- San Diego: Chinese, Filipino, Vietnamese
- San Francisco: Chinese
- San Mateo: Chinese, **Filipino**
- Santa Clara: Chinese, Filipino, Vietnamese

HAWAII

- Honolulu: Chinese, Filipino
- **Mau: Filipino**

ILLINOIS

- Cook: Chinese, Indian, Sikh*

MASSACHUSETTS

- Lowell: Cambodian
- Malden: Chinese
- Quincy: Chinese
- **Randolph: Vietnamese**

MICHIGAN

- Hamtramck city: Bangladeshi

MINNESOTA

- **Ramsey: Hmong**

NEVADA

- Clark: Filipino

NEW JERSEY

- Bergen: Korean
- Middlesex: Indian, Sikh*

NEW YORK

- Kings (Brooklyn): Chinese
- New York (Manhattan): Chinese
- Queens: **Bangladeshi**, Chinese, Indian, Korean, Sikh*

PHILADELPHIA

- **Philadelphia: Chinese**

TEXAS

- **Dallas: Vietnamese**
- Harris: Chinese, Vietnamese
- Tarrant: Vietnamese

VIRGINIA

- Fairfax: Vietnamese

WASHINGTON

- King: Chinese, Vietnamese

NOTE: New counties and languages added in 2021 are **bolded**.

*Sikh's language is Punjabi.