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§ 17-200. Legislative purpose and statement of public policy

In recognition of the protections for the right to vote provided by the constitution of the state of New York, which substantially exceed the protections for the right to vote provided by the constitution of the United States, and in conjunction with the constitutional guarantees of equal protection, freedom of expression, and freedom of association under the law and against the denial or abridgement of the voting rights of members of a race, color, or language-minority group, it is the public policy of the state of New York to: 1. Encourage participation in the elective franchise by all eligible voters to the maximum extent; and 2. Ensure that eligible voters who are members of racial, color, and language-minority groups shall have an equal opportunity to participate in the political processes of the state of New York, and especially to exercise the elective franchise.

§ 17-202. Interpretation of laws related to the elective franchise

In further recognition of the protections for the right to vote provided by the constitution of the state of New York, all statutes, rules and regulations, and local laws or ordinances related to the elective franchise shall be construed liberally in favor of (a) protecting the right of voters to have their ballot cast and counted; (b) ensuring that eligible voters are not impaired in registering to vote, and (c) ensuring voters of race, color, and language-minority groups have equitable access to fully participate in the electoral process in registering to vote and voting. The authority to prescribe or maintain voting or elections policies and practices cannot be so exercised as to unnecessarily deny or abridge the right to vote. Policies and practices that burden the right to vote must be narrowly tailored to promote a compelling policy justification that must be supported by substantial evidence.

§ 17-204. Definitions. For the purposes of this title:

1. **“At-large”** method of election means a method of electing members to the governing body of a political subdivision: (a) in which all of the voters of the entire political subdivision elect each of the members to the governing body; (b) in which the candidates are required to reside within given areas of the political subdivision and all

of the voters of the entire political subdivision elect each of the members to the governing body; or (c) that combines at-large elections with districtbased elections, unless the only member of the governing body of a political subdivision elected at-large holds exclusively executive responsibilities. For the purposes of this title, at-large method of election does not include ranked-choice voting, cumulative voting, and limited voting.

2. **“District-based”** method of election means a method of electing members to the governing body of a political subdivision using a districting or redistricting plan in which each member of the governing body resides within a district or ward that is a divisible part of the political subdivision and is elected only by voters residing within that district or ward, except for a member of the governing body that holds exclusively executive responsibilities.
3. **“Alternative”** method of election means a method of electing members to the governing body of a political subdivision using a method other than at-large or district-based, including, but not limited to, ranked-choice voting, cumulative voting, and limited voting.
4. **“Political subdivision”** means a geographic area of representation created for the provision of government services, including, but not limited to, a county, city, town, village, school district, or any other district organized pursuant to state or local law.
5. **“Protected class”** means a class of individuals who are members of a race, color, or language minority group, including individuals who are members of a minimum reporting category that has ever been officially recognized by the United States census bureau.
6. **“Language minorities”** or “language-minority group” means persons who are American Indian, Asian American, Alaskan Natives or of Spanish heritage.
7. **“Racially polarized voting”** means voting in which there is a divergence in the candidate, political preferences, or electoral choice of members in a protected class from the candidates, or electoral choice of the rest of the electorate.
8. **“Federal voting rights act”** means the federal Voting Rights Act of 1965, 52 U.S.C. § 10301 et seq., as amended.
9. **The “civil rights bureau”** means the civil rights bureau of the office of the attorney general.
10. **“Government enforcement action”** means a denial of administrative or judicial preclearance by the state or federal government, pending litigation filed by a federal or

state entity, a final judgment or adjudication, a consent decree, or similar formal action.

§ 17-206. Prohibitions on voter disenfranchisement

1. Prohibition against voter suppression.

(a) No voting qualification, prerequisite to voting, law, ordinance, standard, practice, procedure, regulation, or policy shall be enacted or implemented by any board of elections or political subdivision in a manner that results in a denial or abridgement of the right of members of a protected class to vote.

(b) A violation of paragraph (a) of this subdivision shall be established upon a showing that, based on the totality of the circumstances, members of a protected class have less opportunity than the rest of the electorate to elect candidates of their choice or influence the outcome of elections.

2. Prohibition against vote dilution.

(a) No board of elections or political subdivision shall use any method of election, having the effect of impairing the ability of members of a protected class to elect candidates of their choice or influence the outcome of elections, as a result of vote dilution.

(b) A violation of paragraph (a) of this subdivision shall be established upon a showing that a political subdivision:

(i) used an at-large method of election and either: (A) voting patterns of members of the protected class within the political subdivision are racially polarized; or (B) under the totality of the circumstances, the ability of members of the protected class to elect candidates of their choice or influence the outcome of elections is impaired; or

(ii) used a district-based or alternative method of election and that candidates or electoral choices preferred by members of the protected class would usually be defeated, and either: (A) voting patterns of members of the protected class within the political subdivision are racially polarized; or (B) under the totality of the

circumstances, the ability of members of the protected class to elect candidates of their choice or influence the outcome of elections is impaired.

(c) For the purposes of demonstrating that a violation of paragraph (a) of this subdivision has occurred, evidence shall be weighed and considered as follows: (i) elections conducted prior to the filing of an action pursuant to this subdivision are more probative than elections conducted after the filing of the action; (ii) evidence concerning elections for members of the governing body of the political subdivision are more probative than evidence concerning other elections; (iii) statistical evidence is more probative than non-statistical evidence; (iv) where there is evidence that more than one protected class of eligible voters are politically cohesive in the political subdivision, members of each of those protected classes may be combined; (v) evidence concerning the intent on the part of the voters, elected officials, or the political subdivision to discriminate against a protected class is not required; (vi) evidence that voting patterns and election outcomes could be explained by factors other than racially polarized voting, including but not limited to partisanship, shall not be considered; (vii) evidence that sub-groups within a protected class have different voting patterns shall not be considered; (viii) evidence concerning whether members of a protected class are geographically compact or concentrated shall not be considered, but may be a factor in determining an appropriate remedy; and (ix) evidence concerning projected changes in population or demographics shall not be considered, but may be a factor, in determining an appropriate remedy.

3. In determining whether, under the totality of the circumstances, a violation of subdivision one or two of this section has occurred, factors that may be considered shall include, but not be limited to: (a) the history of discrimination in or affecting the political subdivision; (b) the extent to which members of the protected class have been elected to office in the political subdivision; (c) the use of any voting qualification, prerequisite to voting, law, ordinance, standard, practice, procedure, regulation, or policy that may enhance the dilutive effects of the election scheme; (d) denying eligible voters or candidates who are members of the protected class to processes determining which groups of candidates receive access to the ballot, financial support, or other support in a given election; (e) the extent to which members of the protected class contribute to political campaigns at lower rates; (f) the extent to which members of a protected class in the state or political subdivision vote at lower rates than other members of the electorate; (g) the extent to which members of the protected class are disadvantaged in areas including but not limited to education, employment, health, criminal justice, housing, land use, or environmental protection; (h) the extent to which members of the protected class

are disadvantaged in other areas which may hinder their ability to participate effectively in the political process; (i) the use of overt or subtle racial appeals in political campaigns; (j) a significant lack of responsiveness on the part of elected officials to the particularized needs of members of the protected class; and (k) whether the political subdivision has a compelling policy justification that is substantiated and supported by evidence for adopting or maintaining the method of election or the voting qualification, prerequisite to voting, law, ordinance, standard, practice, procedure, regulation, or policy. Nothing in this subdivision shall preclude any additional factors from being considered, nor shall any specified number of factors be required in establishing that such a violation has occurred.

4. Standing. Any aggrieved person, organization whose membership includes aggrieved persons or members of a protected class, organization whose mission, in whole or in part, is to ensure voting access and such mission would be hindered by a violation of this section, or the attorney general may file an action against a political subdivision pursuant to this section in the supreme court of the county in which the political subdivision is located.

5. Remedies.

(a) Upon a finding of a violation of any provision of this section, the court shall implement appropriate remedies to ensure that voters of race, color, and language-minority groups have equitable access to fully participate in the electoral process, which may include, but shall not be limited to:

- (i) a district-based method of election;
- (ii) an alternative method of election;
- (iii) new or revised districting or redistricting plans; 5
- (iv) elimination of staggered elections so that all members of the governing body are elected on the same date;
- (v) reasonably increasing the size of the governing body;
- (vi) moving the dates of regular elections to be concurrent with the primary or general election dates for state, county, or city office as established in section eight of article three or section eight of article thirteen of the constitution, unless the budget in such political subdivision is subject to direct voter approval pursuant to part two of article five or article forty-one of the education law;
- (vii) transferring authority for conducting the political subdivision's elections to the

board of elections for the county in which the political subdivision is located;

- (viii) additional voting hours or days;
- (ix) additional polling locations;
- (x) additional means of voting such as voting by mail;
- (xi) ordering of special elections;
- (xii) requiring expanded opportunities for voter registration;
- (xiii) requiring additional voter education; (xiv) modifying the election calendar;
- (xv) the restoration or addition of persons to registration lists; or
- (xvi) retaining jurisdiction for such period of time on a given matter as the court may deem appropriate, during which no redistricting plan shall be enforced unless and until the court finds that such plan does not have the purpose of diluting the right to vote on the basis of protected class membership, or in contravention of the voting guarantees set forth in this title, except that the court's finding shall not bar a subsequent action to enjoin enforcement of such redistricting plan.

(b) The court shall consider proposed remedies by any parties and interested non-parties, but shall not provide deference or priority to a proposed remedy offered by the political subdivision. The court shall have the power to require a political subdivision to implement remedies that are inconsistent with any other provision of law where such inconsistent provision of law would preclude the court from ordering an otherwise appropriate remedy in such matter.

6. Procedures for implementing new or revised districting or redistricting plans. The governing body of a political subdivision with the authority under this title and all applicable state and local laws to enact and implement a new method of election that would replace the political subdivision's at-large method of election with a district-based or alternative method of election, or enact and implement a new districting or redistricting plan, shall undertake each of the steps enumerated in this subdivision, if proposed subsequent to receipt of a NYVRA notification letter, as defined in subdivision seven of this section, or the filing of a claim pursuant to this title or the federal voting rights act.

(a) Before drawing a draft districting or redistricting plan or plans of the proposed boundaries of the districts, the political subdivision shall hold at least two public hearings over a period of no more than thirty days, at which the public is invited to provide input regarding the composition of the districts. Before these hearings, the political subdivision

may conduct outreach to the public, including to non-English-speaking communities, to explain the districting or redistricting process and to encourage public participation.

(b) After all draft districting or redistricting plans are drawn, the political subdivision shall publish and make available for release at least one draft districting or redistricting plan and, if members of the governing body of the political subdivision would be elected in their districts at different times to provide for staggered terms of office, the potential sequence of such elections. The political subdivision shall also hold at least two additional hearings over a period of no more than fortyfive days, at which the public shall be invited to provide input regarding the content of the draft districting or redistricting plan or plans and the proposed sequence of elections, if applicable. The draft districting or redistricting plan or plans shall be published at least seven days before consideration at a hearing. If the draft districting or redistricting plan or plans are revised at or following a hearing, the revised versions shall be published and made available to the public for at least seven days before being adopted.

(c) In determining the final sequence of the district elections conducted in a political subdivision in which members of the governing body will be elected at different times to provide for staggered terms of office, the governing body shall give special consideration to the purposes of this title, and it shall take into account the preferences expressed by members of the districts.

7. Notification requirement and safe harbor for judicial actions. Before commencing a judicial action against a political subdivision under this section, a prospective plaintiff shall send by certified mail a written notice to the clerk of the political subdivision, or, if the political subdivision does not have a clerk, the governing body of the political subdivision, against which the action would be brought, asserting that the political subdivision may be in violation of this title. This written notice shall be referred to as a "NYVRA notification letter" in this title. The NYVRA notification letter shall specify the potential violation or violations alleged and shall contain a statement of facts to support such allegation; provided, however, that failure to so specify shall not be a basis for dismissal of such judicial action, but may affect the calculation of reimbursement pursuant to paragraph (e) of this subdivision. The prospective plaintiff shall also send by first class mail or email a copy of the NYVRA notification letter to the civil rights bureau. For actions against a school district or any other political subdivision that holds elections governed by the education law, the prospective plaintiff shall also send by certified mail a copy of the NYVRA notification letter to the commissioner of education.

(a) A prospective plaintiff shall not commence a judicial action against a political subdivision under this section within fifty days of sending to the political subdivision a NYVRA notification letter.

(b) Before receiving a NYVRA notification letter, or within fifty days of mailing of a NYVRA notification letter, the governing body of a political subdivision may pass a resolution affirming: (i) the political subdivision's intention to enact and implement a remedy for a potential violation of this title; (ii) specific steps the political subdivision will undertake to facilitate approval and implementation of such a remedy; and (iii) a schedule for enacting and implementing such a remedy. Such a resolution shall be referred to as a "NYVRA resolution" in this title. If a political subdivision passes a NYVRA resolution, such political subdivision shall have ninety days after such passage to enact and implement such remedy, during which a prospective plaintiff shall not commence an action to enforce this section against the political subdivision. For actions against a 7 school district, the commissioner of education may order the enactment of a NYVRA resolution pursuant to the commissioner's authority under section three hundred five of the education law. Within seven days of passing a NYVRA resolution, the political subdivision shall send by first class mail or email a copy of the resolution to the civil rights bureau.

(c) If the governing body of a political subdivision lacks the authority under this title or applicable state law or local laws to enact or implement a remedy identified in a NYVRA resolution, or fails to enact or implement a remedy identified in a NYVRA resolution, within ninety days after the passage of the NYVRA resolution, or if the political subdivision is a covered entity as defined under section 17-210 of this title, the governing body of the political subdivision shall undertake the steps enumerated in the following provisions:

(i) The governing body of the political subdivision may approve a proposed remedy that complies with this title and submit such a proposed remedy to the civil rights bureau no later than one hundred twenty days after the passage of the NYVRA resolution. Such a submission shall be referred to as a "NYVRA proposal" in this title.

(ii) Prior to passing a NYVRA proposal, the political subdivision shall hold at least one public hearing, at which the public shall be invited to provide input regarding the NYVRA proposal. Before this hearing, the political subdivision may conduct outreach to the public, including to non-English-speaking communities, to encourage public participation.

(iii) Within sixty days of receipt of a NYVRA proposal, the civil rights bureau shall grant or deny approval of the NYVRA proposal. The civil rights bureau may invoke an

extension of up to twenty days to review the proposal.

(iv) The civil rights bureau shall only grant approval to the NYVRA proposal if it concludes that: (A) the political subdivision may be in violation of this title; (B) the NYVRA proposal would remedy any potential violation of this title cited in the NYVRA notification letter and would not give rise to any other violation of this title; (C) the NYVRA proposal is unlikely to violate the constitution or any relevant federal law; and (D) implementation of the NYVRA proposal is feasible.

(v) If the civil rights bureau grants approval, the NYVRA proposal shall be enacted and implemented immediately, notwithstanding any other provision of law, including any other state or local law.

(vi) If the political subdivision is a covered entity as defined under section 17-210 of this title, the political subdivision shall not be required to obtain preclearance for the NYVRA proposal pursuant to such section upon approval of the NYVRA proposal by the civil rights bureau.

(vii) If the civil rights bureau denies approval, the NYVRA proposal shall not be enacted or implemented. The civil rights bureau shall explain the basis for such denial and may, in its discretion, make recommendations for an alternative remedy for which it would grant approval.

(viii) If the civil rights bureau does not respond, the NYVRA proposal shall not be enacted or implemented.

(d) A political subdivision that has passed a NYVRA resolution may enter into an agreement with the prospective plaintiff providing that such prospective plaintiff shall not commence an action pursuant to this section against the political subdivision for an additional ninety days. Such agreement shall include a requirement that either the political subdivision shall enact and implement a remedy that complies with this title or the political subdivision shall pass a NYVRA proposal and submit it to the civil rights bureau.

(e) If, pursuant to a process commenced by a NYVRA notification letter, a political subdivision enacts or implements a remedy or the civil rights bureau grants approval to a NYVRA proposal, a prospective plaintiff who sent the NYVRA notification letter may, within thirty days of the enactment or implementation of the remedy or approval of the NYVRA proposal, demand reimbursement for the cost of the work product generated to support the NYVRA notification letter. A prospective plaintiff shall make the demand in writing and shall substantiate the demand with financial documentation, such as a detailed invoice

for demography services or for the analysis of voting patterns in the political subdivision. A political subdivision may request additional documentation if the provided documentation is insufficient to corroborate the claimed costs. A political subdivision shall reimburse a prospective plaintiff for reasonable costs claimed, or in an amount to which the parties mutually agree. The cumulative amount of reimbursements to all prospective plaintiffs, except for actions brought by the attorney general, shall not exceed forty-three thousand dollars, as adjusted annually to the consumer price index for all urban consumers, United States city average, as published by the United States department of labor. To the extent a prospective plaintiff who sent the NYVRA notification letter and a political subdivision are unable to come to a mutual agreement, either party may file a declaratory judgment action to obtain a clarification of rights.

(f) Notwithstanding the provisions of this subdivision, in the event that the first day for designating petitions for a political subdivision's next regular election to select members of its governing board has begun or is scheduled to begin within thirty days, or in the event that a political subdivision is scheduled to conduct any election within one hundred twenty days, a plaintiff alleging any violation of this title may commence a judicial action against a political subdivision under this section, provided that the relief sought by such a plaintiff includes preliminary relief for that election. Prior to or concurrent with commencing such a judicial action, any such plaintiff shall also submit a NYVRA notification letter to the political subdivision. In the event that a judicial action commenced under this provision is withdrawn or dismissed for mootness because the political subdivision has enacted or implemented a remedy or the civil rights bureau has granted approval of a NYVRA proposal pursuant to a process commenced by a NYVRA notification letter, any such plaintiff may only demand reimbursement pursuant to this subdivision.

§ 17-208. Assistance for language-minority groups

1. Political subdivisions required to provide language assistance. A board of elections or a political subdivision that administers elections shall provide language-related assistance in voting and elections to a language-minority group in a political subdivision if, based on data from the American community survey, or data of comparable quality collected by a public office, that:

(a) more than two percent, but in no instance fewer than three hundred individuals, of the citizens of voting age of a political subdivision are members of a single language-minority group and are limited English proficient.

(b) more than four thousand of the citizens of voting age of such political subdivision are members of a single language-minority group and are limited English proficient.

(c) in the case of a political subdivision that contains all or any part of a Native American reservation, more than two percent of the Native American citizens of voting age within the Native American reservation are members of a single language-minority group and are limited English proficient. For the purposes of this paragraph, "Native American" is defined to include any persons recognized by the United States census bureau or New York as "American Indian" or "Alaska Native".

2. Language assistance to be provided. A board of elections or political subdivision required to provide language assistance to a particular language-minority group pursuant to this section shall provide voting materials in the covered language of an equal quality of the corresponding English language materials, including registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots. Any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, in a covered political subdivision, shall be provided in the language of the applicable language-minority group as well as in the English language, provided that where the language of the applicable language-minority group is historically oral or unwritten, the board of elections or political subdivision shall only be required to furnish oral instructions, assistance, or other information relating to registration and voting.

3. Action for declaratory judgment for English-only voting materials. A board of elections or political subdivision subject to the requirements of this section which seeks to provide Englishonly materials may file an action against the state for a declaratory judgment permitting such provision. The court shall grant the requested relief if it finds that the determination was unreasonable or an abuse of discretion.

4. Standing. Any aggrieved persons, organization whose membership includes aggrieved persons or members of a protected class, organization whose mission, in whole or in part, is to ensure voting access and such mission would be hindered by a violation of this

section, or the attorney general may file an action pursuant to this section in the supreme court of the county in which the alleged violation of this section occurred.

5. This section shall not apply to special districts as defined by section one hundred two of the real property tax law.

§ 17-210. Preclearance

1. Preclearance. To ensure that the right to vote is not denied or abridged on account of race, color, or language-minority group, the enactment or implementation of a covered policy by a covered entity, as defined in subdivisions two and three of this section respectively, shall be subject to preclearance by the civil rights bureau or by a designated court as set forth in this section.

2. Covered policies. A "covered policy" shall include any new or modified voting qualification, prerequisite to voting, law, ordinance, standard, practice, procedure, regulation, or policy concerning any of the following topics:

- (a) Method of election;
- (b) Form of government;
- (c) Annexation of a political subdivision;
- (d) Incorporation of a political subdivision;
- (e) Consolidation or division of political subdivisions;
- (f) Removal of voters from enrollment lists or other list maintenance activities;
- (g) Number, location, or hours of any election day or early voting poll site;
- (h) Dates of elections and the election calendar, except with respect to special elections;
- (i) Registration of voters;
- (j) Assignment of election districts to election day or early voting poll sites;
- (k) Assistance offered to members of a language-minority group; and
- (l) Any additional topics designated by the civil rights bureau pursuant to a rule promulgated under the state administrative procedure act, upon a determination by the civil rights bureau that a new or modified voting qualification, prerequisite to voting, law, ordinance, standard, practice, procedure, regulation, or policy concerning such topics may have the effect of denying or abridging the right to vote on account of race, color, or language-minority group.

3. Covered entity. A "covered entity" shall include: (a) any political subdivision which, within the previous twenty-five years, has become subject to a court order or government enforcement action based upon a finding of any violation of this title, the federal voting rights act, the fifteenth amendment to the United States constitution, or a voting-related violation of the fourteenth amendment to the United States constitution; (b) any political subdivision which, within the previous twenty-five years, has become subject to at least three court orders or government enforcement actions based upon a finding of any violation of any state or federal civil rights law or the fourteenth amendment to the United States constitution concerning discrimination against members of a protected class; (c) any county in which, based on data provided by the division of criminal justice services, the combined misdemeanor and felony arrest rate of voting age members of any protected class consisting of at least ten thousand citizens of voting age or whose members comprise at least ten percent of the citizen voting age population of the county, exceeds the proportion that the protected class constitutes of the citizen voting age population of the county as a whole by at least twenty percentage points at any point within the previous ten years; (d) any political subdivision in which, based on data made available by the United States census, the dissimilarity index of any protected class consisting of at least twenty-five thousand citizens of voting age or whose members comprise at least ten percent of the citizen voting age population of the political subdivision, is in excess of fifty with respect to non-Hispanic white individuals within the political subdivision at any point within the previous ten years; (e) any political subdivision in which a board of elections has been established, if such political subdivision contains a covered entity fully within its borders; or (f) any board of elections that has been established in a political subdivision that is a covered entity pursuant to paragraph (a), (b), (c), (d) or (e) of this subdivision.

4. Preclearance by the attorney general. A covered entity may obtain preclearance for a covered policy from the civil rights bureau pursuant to the following process:

(a) The covered entity shall submit the covered policy in writing to the civil rights bureau. If the covered entity is a county or city board of elections, it shall contemporaneously provide a copy of the covered policy to the state board of elections.

(b) Upon submission of a covered policy for preclearance, as soon as practicable but no later than within ten days, the civil rights bureau shall publish the submission on its website.

(c) After publication of a submission, there shall be an opportunity for members of the public to comment on the submission to the civil rights bureau within the time periods set forth below. To facilitate public comment, the civil rights bureau shall provide an opportunity for members of the public to sign up to receive notifications or alerts regarding submission of a covered policy for preclearance.

(d) Upon submission of a covered policy for preclearance, the civil rights bureau shall review the covered policy, and any public comment, and shall, within the time periods set forth below, provide a report and determination as to whether, under this title, preclearance should be granted or denied to the covered policy. Such time period shall run concurrent with the time periods for public comment. The civil rights bureau shall not make such determination until the period for public comment is closed. The civil rights bureau may request additional information from a covered entity at any time during its review to aid in developing its report and recommendation. The failure to timely comply with reasonable requests for more information may be grounds for the denial of preclearance. The civil rights bureau's reports and determination shall be posted publicly on its website.

(e) In any determination as to preclearance, the civil rights bureau shall identify in writing whether it is approving or rejecting the covered policy; provided, however, that the civil rights bureau may, in its discretion, designate preclearance as "preliminary" in which case the civil rights bureau may deny preclearance within sixty days following the receipt of submission of the covered policy.

(i) The civil rights bureau shall grant preclearance only if it determines that the covered policy will not diminish the ability of protected class members to participate in the political process and to elect their preferred candidates to office. If the civil rights bureau grants preclearance, the covered entity may enact or implement the covered policy immediately.

(ii) If the civil rights bureau denies preclearance, the civil rights bureau shall interpose objections explaining its basis and the covered policy shall not be enacted or implemented.

(iii) If the civil rights bureau fails to respond within the required time frame as established in this section, the covered policy shall be deemed precleared and the covered entity may enact or implement such covered policy

(f) The time periods for public comment, civil rights bureau review, and the determination of the civil rights bureau to grant or deny preclearance on submission shall be as follows:

(i) For any covered policy concerning the designation or selection of poll sites or the assignment of election districts to poll sites, whether for election day or early voting, the period for public comment shall be five business days. The civil rights bureau shall review the covered policy, including any public comment, and make a determination to deny or grant preclearance for such covered policy within fifteen days following the receipt of such covered policy.

(ii) The civil rights bureau may invoke an extension of up to twenty days to make a determination pursuant to this paragraph, if the civil rights bureau determines that good cause exists for such extension.

(iii) For any other covered policy, the period for public comment shall be ten business days. The civil rights bureau shall review the covered policy, including any public comment, within fifty-five days following the receipt of such covered policy and make a determination to deny or grant preclearance for such covered policy. The civil rights bureau may invoke up to two extensions of ninety days each.

(iv) The civil rights bureau is hereby authorized to promulgate rules for an expedited, emergency preclearance process in the event of a covered policy occurring during or imminently preceding an election as a result of any disaster within the meaning of section 3-108 of this chapter or other exigent circumstances. Any preclearance granted under this provision shall be designated "preliminary" and the civil rights bureau may deny preclearance within sixty days following receipt of the covered policy.

(g) Appeal of any denial by the civil rights bureau may be heard in the supreme court for the county of New York or the county of Albany in a proceeding commenced against the civil rights bureau, pursuant to article seventy-eight of the civil practice law and rules, from which appeal may be taken according to the ordinary rules of appellate procedure. Due to the frequency and urgency of elections, actions brought pursuant to this section shall be subject to expedited pretrial and trial proceedings and receive an automatic calendar preference on appeal.

5. Preclearance by a designated court. A covered entity may obtain preclearance for a covered policy from a court pursuant to the following process:

(a) The covered entity shall submit the covered policy in writing to the following designated court in the judicial department within which the covered entity is located: (i)

first judicial department: New York county; (ii) second judicial department: Westchester county; (iii) third judicial department: Albany county; and (iv) fourth judicial department: Erie county. If the covered entity is a county or city board of elections, it shall contemporaneously provide a copy of the covered policy to the state board of elections.

(b) The covered entity shall contemporaneously provide a copy of the covered policy to the civil rights bureau. The failure of the covered entity to provide a copy of the covered policy to the civil rights bureau will result in an automatic denial of preclearance.

(c) The court shall grant or deny preclearance within sixty days following the receipt of submission of the covered policy.

(d) The court shall grant preclearance only if it determines that the covered policy will not diminish the ability of protected class members to participate in the political process and to elect their preferred candidates to office. If the court grants preclearance, the covered entity may enact or implement the covered policy immediately.

(e) If the court denies preclearance, or fails to respond within sixty days, the covered policy shall not be enacted or implemented.

(f) Appeal of any denial may be taken according to the ordinary rules of appellate procedure. Due to the frequency and urgency of elections, actions brought pursuant to this section shall be subject to expedited pretrial and trial proceedings and receive an automatic calendar preference on appeal.

6. Failure to seek or obtain preclearance. If any covered entity enacts or implements a covered policy without seeking preclearance pursuant to this section, or enacts or implements a covered policy notwithstanding the denial of preclearance, either the civil rights bureau or any other party with standing to bring an action under this title may bring an action to enjoin the covered policy and to seek sanctions against the political subdivision and officials in violation.

7. Notification.

(a) Any political subdivision that becomes subject to a court order or government enforcement action as provided in paragraph (a) or (b) of subdivision three of this section shall notify the civil rights bureau within thirty days of the issuance of such order or enforcement action.

(b) Any political subdivision that becomes involved in litigation concerning voting shall notify the civil rights bureau within thirty days of the commencement of such litigation.

(c) No more than thirty days after publication of a list of covered entities by the civil rights bureau, each covered entity included in such list shall notify the civil rights bureau of the name, email address, and telephone number of an individual with the authority to submit covered policies for preclearance on behalf of the covered entity. Each such covered entity shall notify the civil rights bureau within thirty days of any material change to the information required pursuant to this paragraph.

§ 17-212. Prohibition against voter intimidation, deception or obstruction

1. (a) No person, whether acting under color of law or otherwise, may engage in acts of intimidation, deception, or obstruction that affects the right of voters to access the elective franchise.

(b) A violation of paragraph (a) of this subdivision shall be established if:

(i) a person uses or threatens to use any force, violence, restraint, abduction or duress, or inflicts or threatens to inflict any injury, damage, harm or loss, or in any other manner practices intimidation that causes or will reasonably have the effect of causing any person to vote or refrain from voting in general or for or against any particular person or for or against any proposition submitted to voters at such election; to place or refrain from placing their name upon a registry of voters; or to request or refrain from requesting an early mail or absentee ballot; or

(ii) a person knowingly uses any deceptive or fraudulent device, contrivance or communication that (A) pertains to: (1) the time, place, or manner of any election; (2) the qualifications or restrictions on voter eligibility for such election; (3) any voter's eligibility to vote in any election; (4) the consequences for voting or failing to vote in any election; or (5) a statement of endorsement by any specifically named person, political party, or organization; and (B) impedes, prevents or otherwise interferes with the free exercise of the elective franchise by any person, or causes or will reasonably have the effect of causing any person to vote or refrain from voting in general or for or against any particular person or for or against any proposition submitted to voters at such election; to place or refrain from placing their name upon a registry of voters; or

to request or refrain from requesting an early mail or absentee ballot; or
(iii) a person obstructs, impedes, or otherwise interferes with access to any polling place or elections office, or obstructs, impedes, or otherwise interferes with any voter in any manner that causes or will reasonably have the effect of causing any delay in voting or the voting process, including the canvassing and tabulation of ballots.

2. Standing. Any aggrieved persons, organization whose membership includes aggrieved persons or members of a protected class, organization whose mission, in whole or in part, is to ensure voting access and such mission would be hindered by a violation of this section, or the attorney general may file an action pursuant to this section in the supreme court of the county in which the alleged violation of this section occurred.

3. Remedies. Upon a finding of a violation of any provision of this section, the court shall implement appropriate remedies that are tailored to remedy the violation, including but not limited to providing for additional time to cast a ballot that may be counted in the election at issue. Any party who shall violate any of the provisions of the foregoing section or who shall aid the violation of any of said provisions shall be liable to any prevailing plaintiff party for damages, including nominal damages for any violation, and compensatory or punitive damages for any intentional violation.

§ 17-214. Enforcement

1. Enforcement by the attorney general. If the civil rights bureau concludes that a submission by a political subdivision or any other party is insufficient to complete its review, the civil rights bureau may request that the party provide additional information, and the time periods for review provided in this title shall recommence upon receipt of such information. If such information is not provided, such time periods for review shall not apply.

2. Authority to issue subpoenas. In any action or investigation to enforce any provision of this title, the attorney general shall have the authority to take proof and determine relevant facts and to issue subpoenas in accordance with the civil practice law and rules.

3. Preclearance. Covered entities shall provide information relevant to preclearance to the civil rights bureau upon request.

§ 17-216. Expedited judicial proceedings and preliminary relief

Because of the frequency of elections, the severe consequences and irreparable harm of holding elections under unlawful conditions, and the expenditure to defend potentially unlawful conditions that benefit incumbent officials, actions brought pursuant to this title shall be subject to expedited pretrial and trial proceedings and receive an automatic calendar preference. In any action alleging a violation of this title in which a plaintiff party seeks preliminary relief with respect to an upcoming election, the court shall grant relief if it determines that: (a) plaintiffs are more likely than not to succeed on the merits; and (b) it is possible to implement an appropriate remedy that would resolve the alleged violation in the upcoming election.

§ 17-218. Attorneys' fees

In any action to enforce any provision of this title, the court shall allow the prevailing plaintiff party, other than the state or political subdivision thereof, a reasonable attorneys' fee, litigation expenses including, but not limited to, expert witness fees and expenses as part of the costs. A plaintiff will be deemed to have prevailed when, as a result of litigation, the defendant party yields much or all of the relief sought in the suit. Prevailing defendant parties shall not recover any costs, unless the court finds the action to be frivolous, unreasonable, or without foundation.

§ 17-219. Rules and regulations

The civil rights bureau may promulgate such rules and regulations as may be necessary to effectuate the purposes of this title.

§ 17-220. Applicability

The provisions of this title shall apply to all elections for any elected office or electoral choice within the state or any political subdivision. The provisions of this title shall apply notwithstanding any other provision of law, including any other state law or local law; provided, however, that school districts and libraries shall continue to conduct their

elections under the education law, subject to and not inconsistent with the provisions of this title, to ensure voters of race, color, and language-minority groups have equitable access to fully participate in the electoral process.

§ 17-222. Severability

If any provision of this title or its application to any person, political subdivision, or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this title which can be given effect without the invalid provision or application, and to this end the provisions of this title are severable.

Peter S. Kosinski
Co-Chair



Henry T. Berger
Co-Chair

Anthony J. Casale
Commissioner

40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109

Essma Bagnuola
Commissioner

Raymond J. Riley, III
Co-Executive Director

Phone: 518/474-8100 Fax: 518/486-4068
<http://www.elections.ny.gov>

Kristen Zebrowski Stavisky
Co-Executive Director

IDENTIFICATION OF COUNTIES REQUIRED TO PROVIDE LANGUAGE ASSISTANCE IN RELATION TO ELECTIONS HELD IN AND FOR SUCH COUNTIES – OTHER THAN SPANISH¹

Pursuant to Election Law § 17-208, boards of elections and political subdivisions that conduct elections, excluding “special districts as defined by section one hundred two of the real property tax law,” must provide election-related materials in certain languages when the jurisdiction has a population of Limited English Proficient Citizens of Voting Age meeting statutory thresholds. See Election Law § 17-208 (1).

When a language becomes a covered language for a jurisdiction, voting materials must be provided “in the covered language of an equal quality of the corresponding English language materials.” The Election Law specifies these materials include:

- ballots (to be in both the covered language and in English)
- registration or voting notices
- forms
- instructions
- assistance
- other materials or information relating to the electoral process

INCLUSION CRITERIA:

Election Law § 17-208 provides “a board of elections *or a political subdivision that administers elections* shall provide language-related assistance in voting and elections to a language-minority group *in a political subdivision* if, based on the data from the American Community Survey, or data of comparable quality...” it is determined that:

- (a) More than two percent, *but in no instance fewer than three hundred* individuals, of the citizens of voting age of a political subdivision are members of a single language-minority group and are limited English proficient.

¹ Spanish Language Assistance determinations were previously issued (revised as of May 20, 2025)

(b) More than four thousand of the citizens of voting age of such political subdivision are members of a single language-minority group and are limited English proficient.

(c) In the case of a political subdivision that contains all or any part of a Native American reservation, more than two percent of the Native American citizens of voting age within the ...reservation are members of a single language minority group and are limited English proficient....

DESIGNATIONS

Applying the Election Law 17-208 (1) inclusion criteria, the following counties must provide language assistance in the languages specified in relation to elections held in and for such jurisdictions:

COUNTY	LANGUAGE²	Citizen Voting Age Population (Language LEP)	LEP %
Kings County	<i>Chinese (including Taiwanese) alone or in combination</i>	66,850	4.03
Kings County	Asian Indian (including Sikh) alone or in combination	5,069	0.31
Kings County	Pakistani alone or in combination	5,777	0.35
Nassau County	Asian Indian (including Sikh) alone or in combination	6,509	0.67
Nassau County	Chinese (including Taiwanese) alone or in combination	7,186	0.74
New York County	<i>Chinese (including Taiwanese) alone or in combination</i>	28,390	2.41
Queens County	<i>Chinese (including Taiwanese) alone or in combination</i>	69,290	4.95
Queens County	Filipino alone or in combination	6,185	0.44
Queens County	<i>Asian Indian (including Sikh) alone or in combination</i>	19,610	1.4
Queens County	<i>Bangladeshi alone or in combination</i>	11,150	0.8
Queens County	<i>Korean alone or in combination</i>	16,450	1.18
Richmond County	Chinese (including Taiwanese) alone or in combination	6,056	1.8

FUTURE DESIGNATIONS

When data NYSBOE has requested from the United States Census Bureau is provided, additional designations may be made, including for villages, towns and cities.

² *Bold denotes language already covered by Section 203 of the Voting Rights Act of 1965, as amended.

MECHANISM OF COMPLIANCE

Compliance with these determinations should substantially comport with the provisions of 28 CFR Part 55 (in effect at the time of this designation). See <https://www.ecfr.gov/current/title-28/chapter-I/part-55>.

NYSBOE will work with local boards of elections to identify poll sites at which ballots and voting materials must be made available in the designated languages.

DEFINITIONS AND NOTATIONS

Any jurisdiction covered by a language determination made by the United States on December 8, 2021 (Federal Register Vol. 86, No. 233, p. 69611 et seq) pursuant to Section 203 of the Voting Rights Act, and is likewise covered by the same language category under this determination, meets the requirements of this determination.

For the jurisdictions designated pursuant only to Election Law 17-208, the available Census data indicates the following:

- “Pakistani alone or in combination” shall require language services in **Urdu**.
- “Asian Indian (including Sikh) alone or in combination” shall require language services in **Bengali** (in Kings County) and in **Malayalam** (in Nassau County).
- “Filipino alone or in combination” shall require language services in **Tagalog**.

REVISION HISTORY:

None.

Peter S. Kosinski
Co-Chair



Henry T. Berger
Co-Chair

Anthony J. Casale
Commissioner

40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109

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Kristen Zebrowski Stavisky
Co-Executive Director

**IDENTIFICATION OF POLITICAL SUBDIVISIONS REQUIRED TO PROVIDE
SPANISH LANGUAGE ASSISTANCE IN RELATION TO ELECTIONS
HELD IN AND FOR SUCH POLITICAL SUBDIVISIONS
(Revised: May 20, 2025)**

Pursuant to Election Law § 17-208, boards of elections and political subdivisions that conduct elections, excluding “special districts as defined by section one hundred two of the real property tax law¹,” must provide election-related materials in certain languages when the jurisdiction has a population of Limited English Proficient Citizens of Voting Age meeting statutory thresholds. See Election Law § 17-208 (1).

When a language becomes a covered language for the jurisdiction, voting materials must be provided “in the covered language of an equal quality of the corresponding English language materials.” The Election Law specifies these materials include:

- ballots (to be in both the covered language and in English)
- registration or voting notices
- forms
- instructions
- assistance
- other materials or information relating to the electoral process

INCLUSION CRITERIA:

Election Law § 17-208 provides “a board of election or a political subdivision that administers elections shall provide language-related assistance in voting and elections to a language-minority group in a political subdivision if, based on the data from the American Community Survey, or data of comparable quality....” it is determined that:

¹ Pursuant to the Legislative Commission on State-Local Relations, *Special District Defined* (Last Modified June 2009) “[t]he types of districts included in the definition are school districts, fire districts, fire alarm districts, fire protection districts, joint fire districts, town improvement districts, county districts, business improvement districts, and districts created by Special Act of the State Legislature, including special district public libraries.”

- (a) More than two percent, *but in no instance fewer than three hundred* individuals, of the citizens of voting age of a political subdivision are members of a single language-minority group and are limited English proficient.
- (b) More than four thousand of the citizens of voting age of such political subdivision are members of a single language-minority group and are limited English proficient.
- (c) In the case of a political subdivision that contains all or any part of a Native American reservation, more than two percent of the Native American citizens of voting age within the ...reservation are members if a single language minority group and are limited English proficient....

Applying the Election Law 17-208 (1) inclusion criteria, the following political subdivisions must provide language assistance in the Spanish language in relation to elections held in and for such jurisdictions:

COUNTIES:

County	Citizen Voting Age Population	Citizen Voting Age Population (Spanish LEP)	%
Bronx County	870,358	140,460	16.14
Chautauqua County	98,910	2,108	2.13
Dutchess County	228,246	4,297	1.88
Erie County	732,274	7,304	1.00
Kings County	1,725,396	76,841	4.45
Monroe County	579,584	12,092	2.09
Montgomery County	37,502	812	2.17
Nassau County	998,842	33,486	3.35
New York County	1,199,926	74,313	6.19
Orange County	278,971	8,569	3.07
Putnam County	74,361	1,555	2.09
Queens County	1,451,193	103,562	7.14
Richmond County	349,159	7,760	2.22
Rockland County	212,658	6,115	2.88
Suffolk County	1,114,779	41,327	3.71
Sullivan County	58,402	1,527	2.61
Westchester County	689,022	38,598	5.60

CITIES:

City	Citizen Voting Age Population	Citizen Voting Age Population (Spanish LEP)	%
Amsterdam City, Montgomery County	13,401	767	5.70
Buffalo City, Erie County	203,054	5,567	2.74
Dunkirk City, Chautauqua County	10,091	1,089	10.8
Glen Cove City, Nassau County	19,168	820	4.28
Jamestown City, Chautauqua County	21,425	671	3.13
Middletown City, Orange County	18,883	1,544	8.18
Mount Vernon City, Westchester County	51,189	1,882	3.68
New Rochelle City, Westchester County	55,592	3,842	6.91
New York City	5,596,032	402,936	7.20
Newburgh City, Orange County	17,705	2,072	11.7
Peekskill City, Westchester County	17,915	1,637	9.14
Poughkeepsie City, Dutchess County	22,289	973	4.37
Rochester City, Monroe County	156,888	9,037	5.76
Utica City, Oneida County	43,428	1,304	3.00
White Plains City, Westchester County	41,272	3,685	8.93
Yonkers City, Westchester County	140,922	15,181	10.77

VILLAGES:

Village	Citizen Voting Age Population	Citizen Voting Age Population (Spanish LEP)	%
East Rockaway Village, Nassau County	7,392	312	4.20
Elmsford Village, Westchester County	3,296	324	9.80
Freeport Village, Nassau County	29,397	3,691	12.56
Haverstraw Village, Rockland County	7,078	1,222	17.30
Hempstead Village, Nassau County	33,236	3,431	10.32
Manorhaven Village, Nassau County	4,339	362	8.30
Mamaroneck Village, Westchester County	12,445	690	5.50
Monticello Village, Sullivan County	4,931	358	7.30
Lindenhurst Village, Suffolk County	19,942	677	3.39
Lynbrook Village, Nassau County	15,028	337	2.24
Mineola Village, Nassau County	15,554	428	2.75
Ossining Village, Westchester County	17,589	1,342	7.63
Pleasantville Village, Westchester County	5,170	421	8.10
Port Chester Village, Westchester County	17,779	3,001	16.88
Sleepy Hollow Village, Westchester County	6,385	1,007	15.80
Spring Valley Village, Rockland County	13,837	880	6.40
Tuckahoe Village, Westchester County	5,186	580	11.20
Valley Stream Village, Nassau County	29,652	1,553	5.24
Westbury Village, Nassau County	11,240	1,098	9.80
West Haverstraw Village, Rockland County	6,290	929	14.80

TOWNS:

Town	Citizen Voting Age Population	Citizen Voting Age Population (Spanish LEP)	%
Arcadia Town, Wayne County	10,849	344	3.22
Babylon Town, Suffolk County	158,302	7,289	4.60
Blooming Grove, Orange County	12,703	429	3.40
Brookhaven Town, Suffolk County	359,913	6,880	1.91
Carmel Town, Putnam County	25,821	506	2.00
Clarkstown Town, Rockland County	61,802	1,408	2.28
Cortlandt Town, Westchester County	31,601	713	2.26
East Fishkill Town, Dutchess County	21,970	447	2.03
East Hampton Town, Suffolk County	20,112	485	2.41
Eastchester Town, Westchester County	24,212	868	3.58
Fallsburg Town, Sullivan County	9,877	338	3.40
Gardiner Town, Ulster County	4,844	345	7.10
Greenburgh Town, Westchester County	67,430	1,842	2.73
Haverstraw Town, Rockland County	24,530	2,478	10.1
Hempstead Town, Nassau County	561,506	23,907	4.26
Huntington Town, Suffolk County	155,787	3,492	2.24
Islip Town, Suffolk County	232,084	19,678	8.48
Le Ray Town, Jefferson County	18,317	595	3.25
Liberty Town, Sullivan County	6,580	374	5.75
Mamaroneck Town, Westchester County	21,266	692	3.25
Monroe Town, Orange County	14,106	431	3.10
Mount Kisco Town, Westchester County	6,926	575	8.30
Mount Pleasant Town, Westchester County	31,962	1,619	5.07
New Windsor Town, Orange County	20,430	700	3.43
Newburgh Town, Orange County	24,547	842	3.43
North Hempstead Town, Nassau County	166,062	5,067	3.05
Ossining Town, Westchester County	27,109	1,491	5.50
Ramapo Town, Rockland County	78,123	1,598	2.05
Rye Town, Westchester County	29,434	3,138	10.66
Southeast Town, Putnam County	13,134	454	3.50
Southampton Town, Suffolk County	50,032	2,146	4.29
Thompson Town, Sullivan County	12,130	631	5.20
Walkill Town, Orange County	23,131	588	2.54

REVISION HISTORY:

5/20/2025. To reflect further analysis of applicable census tables. Municipalities added include: Cities: Amsterdam, Dunkirk. Villages: East Rockaway, Elmsford, Haverstraw, Manorhaven, Mamaroneck, Monticello, Pleasantville, Sleepy Hollow, Spring Valley, Tuckahoe, Westbury, West Haverstraw. Towns: Arcadia, Blooming Grove, Carmel, Fallsburg, Gardiner, Liberty, Monroe, Mount Kisco, Southeast, Thompson.

Notices

Federal Register

Vol. 86, No. 233

Wednesday, December 8, 2021

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the South Dakota Advisory Committee

AGENCY: Commission on Civil Rights.

ACTION: Announcement of public meetings.

SUMMARY: Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights (Commission), and the Federal Advisory Committee Act (FACA), that the South Dakota State Advisory Committee to the Commission will convene meetings on the 2nd Mondays of the following months: December 13, 2021, at 3:30 p.m. (CT) and January 10 and February 14, 2022, at 3:30 p.m. (CT). The purpose of the meetings for project planning.

DATES: Mondays: December 13, 2021; January 10, 2022; February 14, 2022; all meetings are at 3:30 p.m. (CT).

ADDRESSES:

Public Web Conference Registration Link for All Meetings (Video and Audio): <https://bit.ly/3AnTnxv>; password, if needed: USCCR

If Joining by Phone Only, Dial: 1-800-360-9505; access code: 2762 840 3606#.

FOR FURTHER INFORMATION CONTACT:

Mallory Trachtenberg at mtrachtenberg@usccr.gov or by phone at (202) 809-9618.

SUPPLEMENTARY INFORMATION: The meetings are available to the public through the web link above. If joining only via phone, callers can expect to incur charges for calls they initiate over wireless lines, and the Commission will not refund any incurred charges. Individuals who are deaf, deafblind and hard of hearing may also follow the proceedings by first calling the Federal Relay Service at 1-800-877-8339 and providing the Service with conference details found through registering at the web link above. To request other

accommodations, please email mtrachtenberg@usccr.gov at least 7 days prior to each meeting for which accommodations are requested.

Members of the public are entitled to make comments during the open period at the end of each meeting. Members of the public may also submit written comments; the comments must be received in the Regional Programs Unit within 30 days following the meetings. Written comments may be emailed to Mallory Trachtenberg at mtrachtenberg@usccr.gov. Persons who desire additional information may contact the Regional Programs Unit at (202) 809-9618. Records and documents discussed during the meeting will be available for public viewing as they become available at www.facadata.gov. Persons interested in the work of this advisory committee are advised to go to the Commission's website, www.usccr.gov, or to contact the Regional Programs Unit at the above phone number or email address.

Agenda: Mondays: December 13, 2021; January 10, 2022; February 14, 2022; at 3:30 p.m. (CT).

- I. Welcome and Roll Call
- II. Announcements and Updates
- III. Approval of Minutes
- IV. Discussion: Project Planning
- V. Public Comment
- VI. Next Steps
- VII. Adjournment

Dated: December 2, 2021.

David Mussatt,

Supervisory Chief, Regional Programs Unit.

[FR Doc. 2021-26532 Filed 12-7-21; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

Census Bureau

[Docket Number 211029-0221]

Voting Rights Act Amendments of 2006, Determinations Under Section 203

AGENCY: Census Bureau, Department of Commerce.

ACTION: Notice of determination.

SUMMARY: As required by Section 203 of the Voting Rights Act of 1965 (Act), as amended, this notice publishes the U.S. Census Bureau's Director's determinations as to which political

subdivisions are subject to the minority language assistance provisions of the Act. As of this date, those jurisdictions that are listed in this Notice as covered by Section 203 have a legal obligation to provide the minority language assistance prescribed by the Act.

DATES: This notice is applicable on December 8, 2021.

FOR FURTHER INFORMATION CONTACT: For information regarding this notice, please contact Mr. James Whitehorne, Chief, Census Redistricting and Voting Rights Data Office, Census Bureau, United States Department of Commerce, by telephone at 301-763-4039, by email at rdo@census.gov or james.whitehorne@census.gov, or visit the Redistricting & Voting Rights Data Office internet site at <https://www.census.gov/rdo/>.

For information regarding the applicable provisions of the Act, please contact T. Christian Herren, Jr., Chief, Voting Section, Civil Rights Division, United States Department of Justice, 4CON 8th Floor, 950 Pennsylvania Avenue NW, Washington, DC 20530, by telephone at (800) 253-3931 or visit the Voting Section internet site at <https://www.justice.gov/crt/voting-section>.

SUPPLEMENTARY INFORMATION: In July 2006, Congress amended the Voting Rights Act of 1965, now codified at title 52, United States Code (U.S.C.), 10301 *et seq.* (See Pub. L. 109-246, 120 Stat. 577 (2006)). Among other changes, the sunset date for minority language assistance provisions set forth in section 203 of the Act was extended to August 5, 2032.

Section 203 mandates that a state or political subdivision must provide language assistance to voters if more than five (5) percent of voting-age citizens are members of a single-language minority group and do not "speak or understand English adequately enough to participate in the electoral process," and if the rate of those citizens who have not completed the fifth grade is higher than the national rate of voting-age citizens who have not completed the fifth grade. When a state is covered for a particular language minority group, an exception is made for any political subdivision in which less than five (5) percent of the voting-age citizens are members of the minority group and are limited in English proficiency, unless the political subdivision is covered independently. A political subdivision is also covered if

more than 10,000 of the voting-age citizens are members of a single-language minority group, do not “speak or understand English adequately enough to participate in the electoral process,” and the rate of those citizens who have not completed the fifth grade is higher than the national rate of voting-age citizens who have not completed the fifth grade.

Finally, if more than five (5) percent of the American Indian or Alaska Native voting-age citizens residing within an American Indian Area, as defined for the purposes of the decennial census, are members of a single language minority group, do not “speak or understand English adequately enough to participate in the electoral process,” and the rate of those citizens who have not completed the fifth grade is higher than the national rate of voting-age citizens who have not completed the fifth grade, any political subdivision, such as a county, which contains all or any part of that American Indian Area, is covered by the minority language assistance provision set forth in Section 203. For the 2020 Census, American Indian areas and Alaska Native Regional Corporations were identified by the

federally recognized tribal governments, Bureau of Indian Affairs, and state governments. The Census Bureau worked with American Indians and Alaska Natives to identify statistical areas, such as Oklahoma Tribal Statistical Areas (OTSA), Tribal Designated Statistical Areas (TDSA), State Designated Tribal Statistical Areas (SDTSA), and Alaska Native Village Statistical Areas (ANVSA).

Pursuant to Section 203, the Census Bureau Director has the responsibility to determine which states and political subdivisions are subject to the minority language assistance provisions of Section 203. The Section 203 determinations are generated using data from the American Community Survey, or comparable census data, as directed by the Act. To find more detailed information, please see the documentation on the 2021 tab of the Section 203 Language Determinations internet site at <https://www.census.gov/programs-surveys/decennial-census/about/voting-rights/voting-rights-determination-file.html>. The state and political subdivisions obligated to comply with the requirements are listed in this Notice.

Section 203 also provides that 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.” Therefore, as of this date, those jurisdictions that are listed as covered by Section 203 have a legal obligation to provide the minority language assistance prescribed in Section 203 of the Act. In the cases where a state is covered, those counties or county equivalents not displayed in the attachment are exempt from the obligation. Those jurisdictions subject to Section 203 of the Act previously, but not included on the list in this Notice, are no longer obligated to comply with Section 203.

Ron S. Jarmin, Acting Director, Census Bureau, approved the publication of this Notice in the **Federal Register**.

Dated: December 2, 2021.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020

State and political subdivision	Language minority group
Alaska:	
Aleutians East Borough	Yup'ik.
Aleutians West Census Area	Filipino.
Bethel Census Area	Yup'ik.
Bristol Bay Borough	Yup'ik.
Dillingham Census Area	Yup'ik.
Kenai Peninsula Borough	Yup'ik.
Kodiak Island Borough	Yup'ik.
Kodiak Island Borough	Filipino.
Kusilvak Census Area	Yup'ik.
Lake and Peninsula Borough	Aleut.
Lake and Peninsula Borough	Yup'ik.
Nome Census Area	Yup'ik.
North Slope Borough	Inupiat.
Northwest Arctic Borough	Inupiat.
Yukon-Koyukuk Census Area	Inupiat.
Arizona:	
Apache County	Navajo.
Apache County	Pueblo.
Coconino County	Hopi.
Coconino County	Navajo.
Coconino County	Paiute.
Gila County	Apache.
Graham County	Apache.
Maricopa County	Hispanic.
Mohave County	Paiute.
Navajo County	Hopi.
Navajo County	Navajo.
Pima County	Hispanic.
Pinal County	Apache.
Santa Cruz County	Hispanic.
Yuma County	Hispanic.
California:	
State Coverage	Hispanic.
Alameda County	Hispanic.
Alameda County	Chinese (including Taiwanese).
Alameda County	Filipino.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
Alameda County	Vietnamese.
Colusa County	Hispanic.
Contra Costa County	Hispanic.
Contra Costa County	Chinese (including Taiwanese).
Fresno County	Hispanic.
Glenn County	Hispanic.
Imperial County	Hispanic.
Kern County	Hispanic.
Kings County	Hispanic.
Los Angeles County	Hispanic.
Los Angeles County	Cambodian.
Los Angeles County	Chinese (including Taiwanese).
Los Angeles County	Filipino.
Los Angeles County	Korean.
Los Angeles County	Vietnamese.
Madera County	Hispanic.
Merced County	Hispanic.
Monterey County	Hispanic.
Napa County	Hispanic.
Orange County	Hispanic.
Orange County	Chinese (including Taiwanese).
Orange County	Korean.
Orange County	Vietnamese.
Riverside County	Hispanic.
Sacramento County	Hispanic.
Sacramento County	Chinese (including Taiwanese).
Sacramento County	Vietnamese.
San Benito County	Hispanic.
San Bernardino County	Hispanic.
San Diego County	Hispanic.
San Diego County	Chinese (including Taiwanese).
San Diego County	Filipino.
San Diego County	Vietnamese.
San Francisco County	Hispanic.
San Francisco County	Chinese (including Taiwanese).
San Joaquin County	Hispanic.
San Mateo County	Hispanic.
San Mateo County	Chinese (including Taiwanese).
San Mateo County	Filipino.
Santa Barbara County	Hispanic.
Santa Clara County	Hispanic.
Santa Clara County	Chinese (including Taiwanese).
Santa Clara County	Filipino.
Santa Clara County	Vietnamese.
Sonoma County	Hispanic.
Stanislaus County	Hispanic.
Tulare County	Hispanic.
Ventura County	Hispanic.
Colorado:	
Adams County	Hispanic.
Alamosa County	Hispanic.
Conejos County	Hispanic.
Costilla County	Hispanic.
Denver County	Hispanic.
La Plata County	Ute.
Montezuma County	Ute.
Saguache County	Hispanic.
Connecticut:	
Bridgeport town	Hispanic.
East Hartford town	Hispanic.
Hartford town	Hispanic.
Meriden town	Hispanic.
New Britain town	Hispanic.
New Haven town	Hispanic.
New London town	Hispanic.
Norwalk town	Hispanic.
Waterbury town	Hispanic.
Windham town	Hispanic.
Florida:	
State Coverage	Hispanic.
Broward County	Hispanic.
Collier County	Hispanic.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
DeSoto County	Hispanic.
Glades County	Seminole.
Hardee County	Hispanic.
Hendry County	Hispanic.
Hillsborough County	Hispanic.
Lee County	Hispanic.
Miami-Dade County	Hispanic.
Orange County	Hispanic.
Osceola County	Hispanic.
Palm Beach County	Hispanic.
Pinellas County	Hispanic.
Polk County	Hispanic.
Seminole County	Hispanic.
Georgia:	
Gwinnett County	Hispanic.
Hawaii:	
Honolulu County	Chinese (including Taiwanese).
Honolulu County	Filipino.
Maui County	Filipino.
Idaho:	
Clark County	Hispanic.
Clearwater County	All other American Indian tribes.
Idaho County	All other American Indian tribes.
Lewis County	All other American Indian tribes.
Nez Perce County	All other American Indian tribes.
Illinois:	
Cook County	Hispanic.
Cook County	Asian Indian (including Sikh).
Cook County	Chinese (including Taiwanese).
DuPage County	Hispanic.
Kane County	Hispanic.
Lake County	Hispanic.
Will County	Hispanic.
Kansas:	
Finney County	Hispanic.
Ford County	Hispanic.
Grant County	Hispanic.
Haskell County	Hispanic.
Seward County	Hispanic.
Stevens County	Hispanic.
Maryland:	
Montgomery County	Hispanic.
Prince George's County	Hispanic.
Massachusetts:	
Boston city	Hispanic.
Chelsea city	Hispanic.
Clinton town	Hispanic.
Everett city	Hispanic.
Fitchburg city	Hispanic.
Holyoke city	Hispanic.
Lawrence city	Hispanic.
Leominster city	Hispanic.
Lowell city	Hispanic.
Lowell city	Cambodian.
Lynn city	Hispanic.
Malden city	Chinese (including Taiwanese).
Methuen Town city	Hispanic.
Quincy city	Chinese (including Taiwanese).
Randolph Town city	Vietnamese.
Revere city	Hispanic.
Salem city	Hispanic.
Southbridge Town city	Hispanic.
Springfield city	Hispanic.
Worcester city	Hispanic.
Michigan:	
Clyde township	Hispanic.
Covert township	Hispanic.
Fennville city	Hispanic.
Hamtramck city	Bangladeshi.
Minnesota:	
Houston County	All other American Indian tribes.
Ramsey County	Hmong.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
Mississippi:	
Attala County	Choctaw.
Carroll County	Choctaw.
Jackson County	Choctaw.
Jones County	Choctaw.
Kemper County	Choctaw.
Leake County	Choctaw.
Neshoba County	Choctaw.
Newton County	Choctaw.
Noxubee County	Choctaw.
Scott County	Choctaw.
Winston County	Choctaw.
Nebraska:	
Colfax County	Hispanic.
Dakota County	Hispanic.
Dawson County	Hispanic.
Nevada:	
Clark County	Hispanic.
Clark County	Filipino.
Nye County	Shoshone.
New Jersey:	
Bergen County	Hispanic.
Bergen County	Korean.
Camden County	Hispanic.
Cumberland County	Hispanic.
Essex County	Hispanic.
Hudson County	Hispanic.
Middlesex County	Hispanic.
Middlesex County	Asian Indian (including Sikh).
Passaic County	Hispanic.
Union County	Hispanic.
New Mexico:	
Bernalillo County	Hispanic.
Bernalillo County	Navajo.
Catron County	Pueblo.
Chaves County	Hispanic.
Cibola County	Navajo.
Cibola County	Pueblo.
Doña Ana County	Hispanic.
Guadalupe County	Hispanic.
Hidalgo County	Hispanic.
Lea County	Hispanic.
Luna County	Hispanic.
McKinley County	Navajo.
McKinley County	Pueblo.
Mora County	Hispanic.
Rio Arriba County	Navajo.
Sandoval County	Navajo.
San Juan County	Navajo.
San Juan County	Ute.
San Miguel County	Hispanic.
Socorro County	Hispanic.
Socorro County	Navajo.
Taos County	Hispanic.
New York:	
Bronx County	Hispanic.
Kings County	Hispanic.
Kings County	Chinese (including Taiwanese).
Monroe County	Hispanic.
Nassau County	Hispanic.
New York County	Hispanic.
New York County	Chinese (including Taiwanese).
Queens County	Hispanic.
Queens County	Asian Indian (including Sikh).
Queens County	Bangladeshi.
Queens County	Chinese (including Taiwanese).
Queens County	Korean.
Suffolk County	Hispanic.
Westchester County	Hispanic.
Ohio:	
Cuyahoga County	Hispanic.
Oklahoma:	

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
Texas County	Hispanic.
Pennsylvania:	
Berks County	Hispanic.
Lehigh County	Hispanic.
Philadelphia County	Hispanic.
Philadelphia County	Chinese (including Taiwanese).
Rhode Island:	
Central Falls city	Hispanic.
Pawtucket city	Hispanic.
Providence city	Hispanic.
Texas:	
State Coverage	Hispanic.
Andrews County	Hispanic.
Atascosa County	Hispanic.
Bailey County	Hispanic.
Bee County	Hispanic.
Bexar County	Hispanic.
Brewster County	Hispanic.
Brooks County	Hispanic.
Caldwell County	Hispanic.
Cameron County	Hispanic.
Castro County	Hispanic.
Cochran County	Hispanic.
Concho County	Hispanic.
Crane County	Hispanic.
Crockett County	Hispanic.
Crosby County	Hispanic.
Culberson County	Hispanic.
Dallam County	Hispanic.
Dallas County	Hispanic.
Dallas County	Vietnamese.
Dawson County	Hispanic.
Deaf Smith County	Hispanic.
Denton County	Hispanic.
Dimmit County	Hispanic.
Duval County	Hispanic.
Ector County	Hispanic.
Edwards County	Hispanic.
El Paso County	Hispanic.
Floyd County	Hispanic.
Fort Bend County	Hispanic.
Frio County	Hispanic.
Gaines County	Hispanic.
Garza County	Hispanic.
Gonzales County	Hispanic.
Hale County	Hispanic.
Hansford County	Hispanic.
Harris County	Hispanic.
Harris County	Chinese (including Taiwanese).
Harris County	Vietnamese.
Hidalgo County	Hispanic.
Hockley County	Hispanic.
Hudspeth County	Hispanic.
Jeff Davis County	Hispanic.
Jim Hogg County	Hispanic.
Jim Wells County	Hispanic.
Karnes County	Hispanic.
Kenedy County	Hispanic.
Kinney County	Hispanic.
Kleberg County	Hispanic.
Knox County	Hispanic.
Lamb County	Hispanic.
La Salle County	Hispanic.
Live Oak County	Hispanic.
Lynn County	Hispanic.
Martin County	Hispanic.
Maverick County	Hispanic.
Maverick County	All other American Indian tribes.
Medina County	Hispanic.
Menard County	Hispanic.
Moore County	Hispanic.
Nueces County	Hispanic.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
Ochiltree County	Hispanic.
Parmer County	Hispanic.
Pecos County	Hispanic.
Polk County	All other American Indian tribes.
Presidio County	Hispanic.
Reagan County	Hispanic.
Reeves County	Hispanic.
San Patricio County	Hispanic.
Schleicher County	Hispanic.
Sherman County	Hispanic.
Starr County	Hispanic.
Sterling County	Hispanic.
Sutton County	Hispanic.
Tarrant County	Hispanic.
Tarrant County	Vietnamese.
Terrell County	Hispanic.
Terry County	Hispanic.
Titus County	Hispanic.
Travis County	Hispanic.
Uvalde County	Hispanic.
Val Verde County	Hispanic.
Ward County	Hispanic.
Webb County	Hispanic.
Willacy County	Hispanic.
Winkler County	Hispanic.
Yoakum County	Hispanic.
Zapata County	Hispanic.
Zavala County	Hispanic.
Utah:	
Salt Lake County	Hispanic.
San Juan County	Navajo.
San Juan County	Ute.
Virginia:	
Fairfax County	Hispanic.
Fairfax County	Vietnamese.
Prince William County	Hispanic.
Manassas city	Hispanic.
Manassas Park city	Hispanic.
Washington:	
Adams County	Hispanic.
Franklin County	Hispanic.
King County	Hispanic.
King County	Chinese (including Taiwanese).
King County	Vietnamese.
Yakima County	Hispanic.
Wisconsin:	
Abbotsford city	Hispanic.
Adams town	All other American Indian tribes.
Albion town	All other American Indian tribes.
Arcadia city	Hispanic.
Bangor town	All other American Indian tribes.
Biramwood town	All other American Indian tribes.
Black River Falls city	All other American Indian tribes.
Brockway town	All other American Indian tribes.
Byron town	All other American Indian tribes.
Cranmoor town	All other American Indian tribes.
Curtiss village	Hispanic.
Dellona town	All other American Indian tribes.
Delton town	All other American Indian tribes.
Dewhurst town	All other American Indian tribes.
Eaton town	All other American Indian tribes.
Elderon town	All other American Indian tribes.
Ferryville village	All other American Indian tribes.
Franzen town	All other American Indian tribes.
Freeman town	All other American Indian tribes.
Friendship village	All other American Indian tribes.
Germania town	All other American Indian tribes.
Germantown town	All other American Indian tribes.
Greenfield town	All other American Indian tribes.
Holland town	All other American Indian tribes.
Komensky town	All other American Indian tribes.
La Grange town	All other American Indian tribes.

COVERED AREAS FOR VOTING RIGHTS BILINGUAL ELECTION MATERIALS—2020—Continued

State and political subdivision	Language minority group
Lemonweir town	All other American Indian tribes.
Leon town	All other American Indian tribes.
Levis town	All other American Indian tribes.
Lyndon town	All other American Indian tribes.
Madison city	All other American Indian tribes.
Manchester town	All other American Indian tribes.
Mead town	All other American Indian tribes.
Millston town	All other American Indian tribes.
Milwaukee city	Hispanic.
Oakdale town	All other American Indian tribes.
Onalaska town	All other American Indian tribes.
Port Edwards town	All other American Indian tribes.
Preston town	All other American Indian tribes.
Reid town	All other American Indian tribes.
Seneca town	All other American Indian tribes.
Seven Mile Creek town	All other American Indian tribes.
Sharon village	Hispanic.
Stark town	All other American Indian tribes.
Sumpter town	All other American Indian tribes.
West Milwaukee village	Hispanic.
Whitestown town	All other American Indian tribes.
Wilson town	All other American Indian tribes.
Wittenberg village	All other American Indian tribes.
Wittenberg town	All other American Indian tribes.

[FR Doc. 2021–26547 Filed 12–7–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; Certification of Identity (Form BC–300)

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public’s reporting burden. This notice allows 30 days for public comments.

Agency: U.S. Census Bureau, Commerce.

Title: Certification of Identity (Form BC–300).

OMB Control Number: 0607–XXXX.

Form Number(s): Form BC–300.

Type of Request: Emergency submission, New Information Collection Request.

Number of Respondents: 250.

Average Hours per Response: 6 minutes.

Burden Hours: 25 Hours.

Needs and Uses: The need for the Certification of Identity (Form BC–300) is imperative to performing accurate controls of the disbursement of personnel records to the public. This information collection is necessary to prevent unauthorized disclosure of records of individuals maintained by the U.S. Census Bureau, and allows parties who are, or were, in proceedings to disclose or release their records to an attorney, accredited representative, qualified organization, or other third party.

Affected Public: Individuals requesting the release of personnel records.

Frequency: On an as needed basis.

Respondent’s Obligation: Voluntary.

Legal Authority: In accordance with 15 CFR Section 4.24(d), the U.S. Census Bureau requires you provide us with sufficient information to identify you when you submit requests by mail or otherwise not in person under the Privacy Act of 1974, 5 U.S.C. 552a.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this

particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering the title of the collection.

Sheleen Dumas,

Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2021–26557 Filed 12–7–21; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–201–842]

Large Residential Washers From Mexico: Final Results of Antidumping Duty Administrative Review; 2019–2020; Correction

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On November 26, 2021, the Department of Commerce (Commerce) inadvertently published duplicate copies of a **Federal Register** notice. This notice serves as a notification of, and correction to, this inadvertent duplicate publication.

DATES: Applicable December 8, 2021.

FOR FURTHER INFORMATION CONTACT: Elizabeth Eastwood, AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue

This content is from the eCFR and is authoritative but unofficial.

Title 28 –Judicial Administration

Chapter I –Department of Justice

Part 55 Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups

Subpart A General Provisions

- § 55.1 Definitions.
- § 55.2 Purpose; standards for measuring compliance.
- § 55.3 Statutory requirements.

Subpart B Nature of Coverage

- § 55.4 Effective date; list of covered jurisdictions.
- § 55.5 Coverage under section 4(f)(4).
- § 55.6 Coverage under section 203(c).
- § 55.7 Termination of coverage.
- § 55.8 Relationship between section 4(f)(4) and section 203(c).
- § 55.9 Coverage of political units within a county.
- § 55.10 Types of elections covered.

Subpart C Determining the Exact Language

- § 55.11 General.
- § 55.12 Language used for written material.
- § 55.13 Language used for oral assistance and publicity.

Subpart D Minority Language Materials and Assistance

- § 55.14 General.
- § 55.15 Affected activities.
- § 55.16 Standards and proof of compliance.
- § 55.17 Targeting.
- § 55.18 Provision of minority language materials and assistance.
- § 55.19 Written materials.
- § 55.20 Oral assistance and publicity.
- § 55.21 Record keeping.

Subpart E Preclearance

- § 55.22 Requirements of section 5 of the Act.

Subpart F Sanctions

- § 55.23 Enforcement by the Attorney General.

Subpart G Comment on This Part

- § 55.24 Procedure.

Appendix to Part 55

Jurisdictions Covered Under Sections 4(f)(4) and 203(c) of the
Voting Rights Act of 1965, as Amended [Applicable language
minority group(s)]

PART 55—IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS

Authority: 5 U.S.C. 301; 28 U.S.C. 509, 510; 42 U.S.C. 1973b, 1973j(d), 1973aa-1a, 1973aa-2.

Source: Order No. 655-76, 41 FR 29998, July 20, 1976, unless otherwise noted.

Subpart A—General Provisions

§ 55.1 Definitions.

As used in this part—

Act means the Voting Rights Act of 1965, 79 Stat. 437, Public Law 89-110, as amended by the Civil Rights Act of 1968, 82 Stat. 73, Public Law 90-284, the Voting Rights Act Amendments of 1970, 84 Stat. 314, Public Law 91-285, the District of Columbia Delegate Act, 84 Stat. 853, Public Law 91-405, the Voting Rights Act Amendments of 1975, 89 Stat. 400, Public Law 94-73, the Voting Rights Act Amendments of 1982, 96 Stat. 131, Public Law 97-205, the Voting Rights Language Assistance Act of 1992, 106 Stat. 921, Public Law 102-344, the Fannie Lou Hamer, Rosa Parks, Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006, 120 Stat. 577, Public Law 109-246, and the Act to Revise the Short Title of the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act, 122 Stat. 2428, Public Law 110-258, 42 U.S.C. 1973 *et seq.* Section numbers, such as “section 14(c)(3),” refer to sections of the Act.

Attorney General means the Attorney General of the United States.

Language minorities or language minority group is used, as defined in the Act, to refer to persons who are American Indian, Asian American, Alaskan Natives, or of Spanish heritage. (Sections 14(c)(3) and 203(e)).

Political subdivision is used, as defined in the Act, to refer to “any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.” (Section 14(c)(2)).

[Order No. 1246-87, 53 FR 735, Jan. 12, 1988, as amended by Order No. 1752-93, 58 FR 35372, July 1, 1993; Order No. 3291-2011, 76 FR 54111, Aug. 31, 2011]

§ 55.2 Purpose; standards for measuring compliance.

- (a) The purpose of this part is to set forth the Attorney General's interpretation of the provisions of the Voting Rights Act which require certain States and political subdivisions to conduct elections in the language of certain “language minority groups” in addition to English.

- (b) In the Attorney General's view the objective of the Act's provisions is to enable members of applicable language minority groups to participate effectively in the electoral process. This part establishes two basic standards by which the Attorney General will measure compliance:
 - (1) That materials and assistance should be provided in a way designed to allow members of applicable language minority groups to be effectively informed of and participate effectively in voting-connected activities; and
 - (2) That an affected jurisdiction should take all reasonable steps to achieve that goal.
- (c) The determination of what is required for compliance with section 4(f)(4) and section 203(c) is the responsibility of the affected jurisdiction. These guidelines should not be used as a substitute for analysis and decision by the affected jurisdiction.
- (d) Jurisdictions covered under section 4(f)(4) of the Act are subject to the preclearance requirements of section 5. See part 51 of this chapter. Such jurisdictions have the burden of establishing to the satisfaction of the Attorney General or to the U.S. District Court for the District of Columbia that changes made in their election laws and procedures in order to comply with the requirements of section 4(f)(4) are not discriminatory under the terms of section 5. However, section 5 expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of the changes.
- (e) Jurisdictions covered solely under section 203(c) of the Act are not subject to the preclearance requirements of section 5, nor is there a Federal apparatus available for preclearance of section 203(c) compliance activities. The Attorney General will not preclear jurisdictions' proposals for compliance with section 203(c).
- (f) Consideration by the Attorney General of a jurisdiction's compliance with the requirements of section 4(f)(4) occurs in the review pursuant to section 5 of the Act of changes with respect to voting, in the consideration of the need for litigation to enforce the requirements of section 4(f)(4), and in the defense of suits for termination of coverage under section 4(f)(4). Consideration by the Attorney General of a jurisdiction's compliance with the requirements of section 203(c) occurs in the consideration of the need for litigation to enforce the requirements of section 203(c).
- (g) In enforcing the Act—through the section 5 preclearance review process, through litigation, and through defense of suits for termination of coverage under section 4(f)(4)—the Attorney General will follow the general policies set forth in this part.
- (h) This part is not intended to preclude affected jurisdictions from taking additional steps to further the policy of the Act. By virtue of the Supremacy Clause of Art. VI of the Constitution, the provisions of the Act override any inconsistent State law.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1246-87, 53 FR 736, Jan. 12, 1988]

§ 55.3 Statutory requirements.

The Act's requirements concerning the conduct of elections in languages in addition to English are contained in section 4(f)(4) and section 203(c). These sections state that whenever a jurisdiction subject to their terms “provides any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, it shall provide them in the language of the applicable language minority group as well as in * * * English. * * *”

Subpart B—Nature of Coverage

§ 55.4 Effective date; list of covered jurisdictions.

- (a) The minority language provisions of the Voting Rights Act were added by the Voting Rights Act Amendments of 1975, and amended and extended in 1982, 1992, and 2006.
 - (1) The requirements of section 4(f)(4) take effect upon publication in the FEDERAL REGISTER of the requisite determinations of the Director of the Census and the Attorney General. Such determinations are not reviewable in any court. See section 4(b).
 - (2) The requirements of section 203(c) take effect upon publication in the FEDERAL REGISTER of the requisite determinations of the Director of the Census. Such determinations are not reviewable in any court. See section 203(b)(4).
- (b) Jurisdictions determined to be covered under section 4(f)(4) or section 203(c) are listed, together with the language minority group with respect to which coverage was determined, in the appendix to this part. Any additional determinations of coverage under either section 4(f)(4) or section 203(c) will be published in the FEDERAL REGISTER.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1246-87, 53 FR 736, Jan. 12, 1988; Order No. 3291-2011, 76 FR 54111, Aug. 31, 2011]

§ 55.5 Coverage under section 4(f)(4).

- (a) **Coverage formula.** Section 4(f)(4) applies to any State or political subdivision in which
 - (1) Over five percent of the voting-age citizens were, on November 1, 1972, members of a single language minority group,
 - (2) Registration and election materials were provided only in English on November 1, 1972, and
 - (3) Fewer than 50 percent of the voting-age citizens were registered to vote or voted in the 1972 Presidential election.All three conditions must be satisfied before coverage exists under section 4(f)(4).^[1]
- (b) Coverage may be determined with regard to section 4(f)(4) on a statewide or political subdivision basis.
 - (1) Whenever the determination is made that the bilingual requirements of section 4(f)(4) are applicable to an entire State, these requirements apply to each of the State's political subdivisions as well as to the State. In other words, each political subdivision within a covered State is subject to the same requirements as the State.
 - (2) Where an entire State is not covered under section 4(f)(4), individual political subdivisions may be covered.

^[1] Coverage is based on sections 4(b) (third sentence), 4(c), and 4(f)(3).

§ 55.6 Coverage under section 203(c).

- (a) **Coverage formula.** There are four ways in which a political subdivision can become subject to section 203(c).^[2]
- (1) **Political subdivision approach.** A political subdivision is covered if—
 - (i) More than 5 percent of its voting age citizens are members of a single language minority group and are limited-English proficient; and
 - (ii) The illiteracy rate of such language minority citizens in the political subdivision is higher than the national illiteracy rate.
 - (2) **State approach.** A political subdivision is covered if—
 - (i) It is located in a state in which more than 5 percent of the voting age citizens are members of a single language minority and are limited-English proficient;
 - (ii) The illiteracy rate of such language minority citizens in the state is higher than the national illiteracy rate; and
 - (iii) Five percent or more of the voting age citizens of the political subdivision are members of such language minority group and are limited-English proficient.
 - (3) **Numerical approach.** A political subdivision is covered if—
 - (i) More than 10,000 of its voting age citizens are members of a single language minority group and are limited-English proficient; and
 - (ii) The illiteracy rate of such language minority citizens in the political subdivision is higher than the national illiteracy rate.
 - (4) **Indian reservation approach.** A political subdivision is covered if there is located within its borders all or any part of an Indian reservation—
 - (i) In which more than 5 percent of the voting age American Indian or Alaska Native citizens are members of a single language minority group and are limited-English proficient; and
 - (ii) The illiteracy rate of such language minority citizens is higher than the national illiteracy rate.
- (b) **Definitions.** For the purpose of determinations of coverage under section 203(c), *limited-English proficient* means unable to speak or understand English adequately enough to participate in the electoral process; *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; and *illiteracy* means the failure to complete the fifth primary grade.
- (c) **Determinations.** Determinations of coverage under section 203(c) are made with regard to specific language groups of the language minorities listed in section 203(e).

[Order No. 1752-93, 58 FR 35372, July 1, 1993]

^[2] The criteria for coverage are contained in section 203(b).

§ 55.7 Termination of coverage.

- (a) **Section 4(f)(4).** The requirements of section 4(f)(4) apply for a twenty-five-year period following the effective date of the amendments made by the Fannie Lou Hamer, Rosa Parks, Coretta Scott King, César E. Chávez, Barbara C. Jordan, William C. Velásquez, and Dr. Hector P. Garcia Voting Rights Act Reauthorization and Amendments Act of 2006, which amendments became effective on July 27, 2006. See section 4(a)(8). A covered State, a political subdivision of a covered State, a separately covered political subdivision, or a political subunit of any of the above, may terminate the application of section 4(f)(4) earlier by obtaining the declaratory judgment described in section 4(a) of the Act.
- (b) **Section 203(c).** The requirements of section 203(c) apply until August 6, 2032. See section 203(b). A covered jurisdiction may terminate Section 203 coverage earlier if it can prove in a declaratory judgment action in a United States district court, that the illiteracy rate of the applicable language minority group is equal to or less than the national illiteracy rate, as described in section 203(d) of the Act.

[Order No. 3291-2011, 76 FR 54111, Aug. 31, 2011]

§ 55.8 Relationship between section 4(f)(4) and section 203(c).

- (a) The statutory requirements of section 4(f)(4) and section 203(c) regarding minority language material and assistance are essentially identical.
- (b) Jurisdictions subject to the requirements of section 4(f)(4)—but not jurisdictions subject only to the requirements of section 203(c)—are also subject to the Act's special provisions, such as section 5 (regarding preclearance of changes in voting laws) and section 8 (regarding federal observers).^[2] See part 51 of this chapter.
- (c) Although the coverage formulas applicable to section 4(f)(4) and section 203(c) are different, a political subdivision may be included within both of the coverage formulas. Under these circumstances, a judgment terminating coverage of the jurisdiction under one provision would not have the effect of terminating coverage under the other provision.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 3291-2011, 76 FR 54112, Aug. 31, 2011]

§ 55.9 Coverage of political units within a county.

Where a political subdivision (e.g., a county) is determined to be subject to section 4(f)(4) or section 203(c), all political units that hold elections within that political subdivision (e.g., cities, school districts) are subject to the same requirements as the political subdivision.

^[2] In addition, a jurisdiction covered under section 203(c) but not under section 4(f)(4) is subject to the Act's special provisions if it was covered under section 4(b) prior to the 1975 Amendments to the Act.

§ 55.10 Types of elections covered.

- (a) **General.** The language provisions of the Act apply to registration for and voting in any type of election, whether it is a primary, general or special election. Section 14(c)(1). This includes elections of officers as well as elections regarding such matters as bond issues, constitutional amendments and referendums. Federal, State and local elections are covered as are elections of special districts, such as school districts and water districts.
- (b) **Elections for statewide office.** If an election conducted by a county relates to Federal or State offices or issues as well as county offices or issues, a county subject to the bilingual requirements must insure compliance with those requirements with respect to all aspects of the election, i.e., the minority language material and assistance must deal with the Federal and State offices or issues as well as county offices or issues.
- (c) **Multi-county districts.** Regarding elections for an office representing more than one county, e.g., State legislative districts and special districts that include portions of two or more counties, the bilingual requirements are applicable on a county-by-county basis. Thus, minority language material and assistance need not be provided by the government in counties not subject to the bilingual requirements of the Act.

Subpart C—Determining the Exact Language

§ 55.11 General.

The requirements of section 4(f)(4) or section 203(c) apply with respect to the languages of language minority groups. The applicable groups are indicated in the determinations of the Attorney General or the Director of the Census. This subpart relates to the view of the Attorney General concerning the determination by covered jurisdictions of precisely the language to be employed. In enforcing the Act, the Attorney General will consider whether the languages, forms of languages, or dialects chosen by covered jurisdictions for use in the electoral process enable members of applicable language minority groups to participate effectively in the electoral process. It is the responsibility of covered jurisdictions to determine what languages, forms of languages, or dialects will be effective. For those jurisdictions covered under section 203(c), the coverage determination (indicated in the appendix) may specify the particular language minority group (in parentheses) for which the jurisdiction is covered, but does not specify the language or dialect to be used for such group.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1246-87, 53 FR 736, Jan. 12, 1988; Order No. 3291-2011, 76 FR 54112, Aug. 31, 2011]

§ 55.12 Language used for written material.

- (a) **Language minority groups having more than one language.** Some language minority groups, for example, Filipino Americans, have more than one language other than English. A jurisdiction required to provide election materials in the language of such a group need not provide materials in more than one language other than English. The Attorney General will consider whether the language that is used for election materials is the one most widely used by the jurisdiction's voting-age citizens who are members of the language minority group.

- (b) **Languages with more than one written form.** Some languages, for example, Japanese, have more than one written form. A jurisdiction required to provide election materials in such a language need not provide more than one version. The Attorney General will consider whether the particular version of the language that is used for election materials is the one most widely used by the jurisdiction's voting-age citizens who are members of the language minority group.
- (c) **Unwritten languages.** Many of the languages used by language minority groups, for example, by some American Indians and Alaskan Natives, are unwritten. With respect to any such language, only oral assistance and publicity are required. Even though a written form for a language may exist, a language may be considered unwritten if it is not commonly used in a written form. It is the responsibility of the covered jurisdiction to determine whether a language should be considered written or unwritten.

§ 55.13 Language used for oral assistance and publicity.

- (a) **Languages with more than one dialect.** Some languages, for example, Chinese, have several dialects. Where a jurisdiction is obligated to provide oral assistance in such a language, the jurisdiction's obligation is to ascertain the dialects that are commonly used by members of the applicable language minority group in the jurisdiction and to provide oral assistance in such dialects. (See § 55.20.)
- (b) **Language minority groups having more than one language.** In some jurisdictions members of an applicable language minority group speak more than one language other than English. Where a jurisdiction is obligated to provide oral assistance in the language of such a group, the jurisdiction's obligation is to ascertain the languages that are commonly used by members of that group in the jurisdiction and to provide oral assistance in such languages. (See § 55.20)

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1246-87, 53 FR 736, Jan. 12, 1988; Order No. 1752-93, 58 FR 35373, July 1, 1993]

Subpart D—Minority Language Materials and Assistance

§ 55.14 General.

- (a) This subpart sets forth the views of the Attorney General with respect to the requirements of section 4(f)(4) and section 203(c) concerning the provision of minority language materials and assistance and some of the factors that the Attorney General will consider in carrying out his responsibilities to enforce section 4(f)(4) and section 203(c). Through the use of his authority under section 5 and his authority to bring suits to enforce section 4(f)(4) and section 203(c), the Attorney General will seek to prevent or remedy discrimination against members of language minority groups based on the failure to use the applicable minority language in the electoral process. The Attorney General also has the responsibility to defend against suits brought for the termination of coverage under section 4(f)(4) and section 203(c).
- (b) In discharging these responsibilities the Attorney General will respond to complaints received, conduct on his own initiative inquiries and surveys concerning compliance, and undertake other enforcement activities.
- (c) It is the responsibility of the jurisdiction to determine what actions by it are required for compliance with the requirements of section 4(f)(4) and section 203(c) and to carry out these actions.

§ 55.15 Affected activities.

The requirements of sections 4(f)(4) and 203(c) apply with regard to the provision of “any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots.” The basic purpose of these requirements is to allow members of applicable language minority groups to be effectively informed of and participate effectively in voting-connected activities. Accordingly, the quoted language should be broadly construed to apply to all stages of the electoral process, from voter registration through activities related to conducting elections, including, for example the issuance, at any time during the year, of notifications, announcements, or other informational materials concerning the opportunity to register, the deadline for voter registration, the time, places and subject matters of elections, and the absentee voting process.

§ 55.16 Standards and proof of compliance.

Compliance with the requirements of section 4(f)(4) and section 203(c) is best measured by results. A jurisdiction is more likely to achieve compliance with these requirements if it has worked with the cooperation of and to the satisfaction of organizations representing members of the applicable language minority group. In planning its compliance with section 4(f)(4) or section 203(c), a jurisdiction may, where alternative methods of compliance are available, use less costly methods if they are equivalent to more costly methods in their effectiveness.

§ 55.17 Targeting.

The term “targeting” is commonly used in discussions of the requirements of section 4(f)(4) and section 203(c). “Targeting” refers to a system in which the minority language materials or assistance required by the Act are provided to fewer than all persons or registered voters. It is the view of the Attorney General that a targeting system will normally fulfill the Act's minority language requirements if it is designed and implemented in such a way that language minority group members who need minority language materials and assistance receive them.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1752-93, 58 FR 35373, July 1, 1993]

§ 55.18 Provision of minority language materials and assistance.

- (a) **Materials provided by mail.** If materials provided by mail (or by some comparable form of distribution) generally to residents or registered voters are not all provided in the applicable minority language, the Attorney General will consider whether an effective targeting system has been developed. For example, a separate mailing of materials in the minority language to persons who are likely to need them or to residents of neighborhoods in which such a need is likely to exist, supplemented by a notice of the availability of minority language materials in the general mailing (in English and in the applicable minority language) and by other publicity regarding the availability of such materials may be sufficient.
- (b) **Public notices.** The Attorney General will consider whether public notices and announcements of electoral activities are handled in a manner that provides members of the applicable language minority group an effective opportunity to be informed about electoral activities.
- (c) **Registration.** The Attorney General will consider whether the registration system is conducted in such a way that members of the applicable language minority group have an effective opportunity to register. One method of accomplishing this is to provide, in the applicable minority language, all notices, forms and other materials provided to potential registrants and to have only bilingual persons as registrars. Effective results may also be obtained, for example, through the use of deputy registrars who are members of the applicable language minority group and the use of decentralized places of registration, with minority language materials available at places where persons who need them are most likely to come to register.

- (d) **Polling place activities.** The Attorney General will consider whether polling place activities are conducted in such a way that members of the applicable language minority group have an effective opportunity to vote. One method of accomplishing this is to provide all notices, instructions, ballots, and other pertinent materials and oral assistance in the applicable minority language. If very few of the registered voters scheduled to vote at a particular polling place need minority language materials or assistance, the Attorney General will consider whether an alternative system enabling those few to cast effective ballots is available.
- (e) **Publicity.** The Attorney General will consider whether a covered jurisdiction has taken appropriate steps to publicize the availability of materials and assistance in the minority language. Such steps may include the display of appropriate notices, in the minority language, at voter registration offices, polling places, etc., the making of announcements over minority language radio or television stations, the publication of notices in minority language newspapers, and direct contact with language minority group organizations.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 733-77, 42 FR 35970, July 13, 1977]

§ 55.19 Written materials.

- (a) **Types of materials.** It is the obligation of the jurisdiction to decide what materials must be provided in a minority language. A jurisdiction required to provide minority language materials is only required to publish in the language of the applicable language minority group materials distributed to or provided for the use of the electorate generally. Such materials include, for example, ballots, sample ballots, informational materials, and petitions.
- (b) **Accuracy, completeness.** It is essential that material provided in the language of a language minority group be clear, complete and accurate. In examining whether a jurisdiction has achieved compliance with this requirement, the Attorney General will consider whether the jurisdiction has consulted with members of the applicable language minority group with respect to the translation of materials.
- (c) **Ballots.** The Attorney General will consider whether a jurisdiction provides the English and minority language versions on the same document. Lack of such bilingual preparation of ballots may give rise to the possibility, or to the appearance, that the secrecy of the ballot will be lost if a separate minority language ballot or voting machine is used.
- (d) **Voting machines.** Where voting machines that cannot mechanically accommodate a ballot in English and in the applicable minority language are used, the Attorney General will consider whether the jurisdiction provides sample ballots for use in the polling booths. Where such sample ballots are used the Attorney General will consider whether they contain a complete and accurate translation of the English ballots, and whether they contain or are accompanied by instructions in the minority language explaining the operation of the voting machine. The Attorney General will also consider whether the sample ballots are displayed so that they are clearly visible and at the same level as the machine ballot on the inside of the polling booth, whether the sample ballots are identical in layout to the machine ballots, and whether their size and typeface are the same as that appearing on the machine ballots. Where space limitations preclude affixing the translated sample ballots to the inside of polling booths, the Attorney General will consider whether language minority group voters are allowed to take the sample ballots into the voting booths.

§ 55.20 Oral assistance and publicity.

- (a) **General.** Announcements, publicity, and assistance should be given in oral form to the extent needed to enable members of the applicable language minority group to participate effectively in the electoral process.
- (b) **Assistance.** The Attorney General will consider whether a jurisdiction has given sufficient attention to the needs of language minority group members who cannot effectively read either English or the applicable minority language and to the needs of members of language minority groups whose languages are unwritten.
- (c) **Helpers.** With respect to the conduct of elections, the jurisdiction will need to determine the number of helpers (i.e., persons to provide oral assistance in the minority language) that must be provided. In evaluating the provision of assistance, the Attorney General will consider such facts as the number of a precinct's registered voters who are members of the applicable language minority group, the number of such persons who are not proficient in English, and the ability of a voter to be assisted by a person of his or her own choice. The basic standard is one of effectiveness.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 1752-93, 58 FR 35373, July 1, 1993]

§ 55.21 Record keeping.

The Attorney General's implementation of the Act's provisions concerning language minority groups would be facilitated if each covered jurisdiction would maintain such records and data as will document its actions under those provisions, including, for example, records on such matters as alternatives considered prior to taking such actions, and the reasons for choosing the actions finally taken.

Subpart E—Preclearance

§ 55.22 Requirements of section 5 of the Act.

For many jurisdictions, changes in voting laws and practices will be necessary in order to comply with section 4(f)(4) or section 203(c). If a jurisdiction is subject to the preclearance requirements of section 5 (see § 55.8(b)), such changes must either be submitted to the Attorney General or be made the subject of a declaratory judgment action in the U.S. District Court for the District of Columbia. Procedures for the administration of section 5 are set forth in part 51 of this chapter.

Subpart F—Sanctions

§ 55.23 Enforcement by the Attorney General.

- (a) The Attorney General is authorized to bring civil actions for appropriate relief against violations of the Act's provisions, including section 4 and section 203. See sections 12(d) and 204.
- (b) Also, certain violations may be subject to criminal sanctions. See sections 12(a) and (c) and 205.

[Order No. 655-76, 41 FR 29998, July 20, 1976, as amended by Order No. 3291-2011, 76 FR 54112, Aug. 31, 2011]

Subpart G—Comment on This Part

§ 55.24 Procedure.

These guidelines may be modified from time to time on the basis of experience under the Act and comments received from interested parties. The Attorney General therefore invites public comments and suggestions on these guidelines. Any party who wishes to make such suggestions or comments may do so by sending them to: Assistant Attorney General, Civil Rights Division, Department of Justice, Washington, DC 20530.

Appendix to Part 55—Jurisdictions Covered Under Sections 4(f)(4) and 203(c) of the Voting Rights Act of 1965, as Amended [Applicable language minority group(s)]

Jurisdiction	Coverage under sec. 4(f)(4) ¹	Coverage under sec. 203(c) ²
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¹ Coverage determinations for Section 4(f)(4) were published at 40 FR 43746 (Sept. 23, 1975), 40 FR 49422 (Oct. 22, 1975), 41 FR 783 (Jan. 5, 1976) (corrected at 41 FR 1503 (Jan. 8, 1976)), and 41 FR 34329 (Aug. 13, 1976). The Voting Section maintains a current list of those jurisdictions that have maintained successful declaratory judgments from the United States District Court for the District of Columbia pursuant to section 4 of the Act on its Web site at <http://www.justice.gov/crt/about/vot/>. See § 55.7 of this part.

² Coverage determinations for Section 203 based on 2000 Census data were published at 67 FR 48871 (July 26, 2002). Subsequent coverage determinations for Section 203 will be based on 2010 American Community Survey census data and subsequent American Community Survey data in 5-year increments, or comparable census data. See section 203(b)(2)(A). New coverage determinations for Section 203 by the Director of the Census Bureau are forthcoming.

[Order No. 3291-2011, 76 FR 54112, Aug. 31, 2011]