BRENNAN CENTER FOR JUSTICE | NALEO Educational Fund

Voting Rights and Language Access

A Resource for Constituents

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The Voting Rights Act's language access provisions help ensure that eligible voters with limited English proficiency can register to vote, understand the voting process, and cast a ballot effectively. Elected officials can play an important role in helping constituents understand and exercise their voting rights. Federal law provides several protections for voters who face language or communication barriers. This resource summarizes key language access and voting assistance protections under the Voting Rights Act and provides information about where constituents can turn to for help.

Why do the language access provisions of the Voting Rights Act matter?

Congress enacted the Voting Rights Act because it recognized that language barriers can prevent eligible voters from participating in the political process. Its language access provisions are intended to help ensure that eligible voters can register to vote, understand the electoral process, and cast a ballot.

These protections apply differently depending on the voter and jurisdiction. The three provisions highlighted below — Sections 203, 4(e), and 208 — address different circumstances.

What are the language access provisions of the Voting Rights Act?

Section 203: Language Assistance in Covered Jurisdictions

- **Who is protected by the law?** The law protects voters in covered jurisdictions who need language assistance in Spanish, Asian languages, Alaskan Native languages, and Native American languages.
- **What support must be provided?** Covered jurisdictions must provide bilingual written voting materials and voting assistance in designated minority languages.
- **Where does the law apply?** Census data determines which jurisdictions are covered. Covered jurisdictions can be found on the Federal Register.
- **How can a voter access this assistance?** Covered jurisdictions are aware of their obligations and should provide the required bilingual materials and assistance. If they do not, voters can alert their county or state election officials and should also call the Election Protection hotline (numbers below).

Section 4(e): Protection for Certain Citizens Educated in a Non-English Language

- **Who is protected by the law?** The law protects voters educated in U.S. territories where the classroom instruction is not in English.
- **What support must be provided?** Bilingual written voting materials, including registration forms and ballots, and oral assistance during all stages of the voting process must be provided.
- **Where does the law apply?** This law applies nationwide.
- **How can a voter access this assistance?** Voters can request assistance from their local elections official, supervisor of elections office, or county clerk. Additional resources can be found on vote411.org.

Section 208: Assistance from a Person of the Voter's Choice

- **Who is protected by the law?** This law applies to voters needing voting assistance due to blindness, disability, or an inability to read or write, including those needing language assistance.
- **What support must be provided?** This provision allows voters to bring an assister of their choice to help with the voting process. A voter cannot receive assistance from an employer, agent of the employer, or from the voter's union representative.
- **Where does the law apply?** This law applies nationwide.
- **How can a voter access this assistance?** Voters can enlist a helper to assist. Voters may receive more information about how to enlist a helper from their local or state elections officials.

What can language-minority voters do if their voting rights are violated?

Voters may contact the Election Protection hotline and their state and local election officials to report issues with registration or casting a ballot. Below is a nonexhaustive list of instances to report:

- someone questions a voter's right to vote
- voter intimidation (threatening, harassing, or targeting voters to discourage them from voting)
- a poll worker refuses to assist a voter with limited English proficiency
- the voter lives in a jurisdiction required to provide non-English voting materials and assistance but does not receive it from poll workers
- refusing a disability-related helper or language-access assister

Contact the Election Protection hotline, available in multiple languages, with questions about any of these provisions or for assistance.

- **English:** 1-866-OUR-VOTE
- **Spanish or English:** 1-888-VE-Y-VOTA
- **Asian languages or English:** 1-888-API-VOTE including Mandarin, Cantonese, Korean, Vietnamese, Tagalog, Urdu, Hindi, Bengali/Bangla, and Punjabi
- **Arabic or English:** 1-844-YALLA-US