

NATIONAL VOTER REGISTRATION ACT

Access to Translated Materials

Do election materials need to be available in minority languages?

Yes. In 1975, Congress enacted the language provisions of the Voting Rights Act (VRA), including Section 203, because it found that certain language minorities had been effectively excluded from participation in the electoral process. **Section 203 of the Voting Rights Act** requires that in covered jurisdictions all election information available in English must also be available in certain minority languages.¹ Covered jurisdictions are determined by the Census Bureau based upon a formula in the VRA. Under the most recent determination **San Diego must provide election information in Spanish, Chinese, Filipino, and Vietnamese.**²

Does Section 203 apply to the National Voter Registration Act?

Yes. According to the Department of Justice “each State or jurisdiction covered by the language minority requirements of the VRA should consider how to ensure that National Voter Registration Act (NVRA) voter registration opportunities are conducted so as to provide language access to covered limited-English proficient language minority citizens so that they have equal access to the voter registration process.”³

What materials do voter registration agencies need to comply with Section 203 of the VRA?

- **Voter Preference Forms:** Voter registration agencies should ensure that every office has voter preference forms available in Spanish, Chinese, Filipino, and Vietnamese at all times.

The Secretary of State has translated the voter preference form into nine languages, including the four languages required under Section 203 to be offered in San Diego. These forms are available online at: <http://www.sos.ca.gov/elections/nvra/training/voter-preference-forms.htm>.

- **Voter Registration Forms:** Voter registration agencies should ensure that every office has voter registration forms available in Spanish, Chinese, Filipino, and Vietnamese at all times. A voter registration agency can **order these forms** from Barbara Carr at the San Diego Registrar of Voters office. Orders can be made by email to Barbara.Carr@sdcounty.ca.gov, or by phone at **(858) 571-4235**. It is important to order the forms directly from the Registrar of Voters office because this allows the Registrar to track the voter registration forms and to give credit to the voter registration agency when they receive the form.

When should voter registration agencies provide translated materials?

Voter registration agencies should include translated voter preference forms and voter registration forms **when an applicant or beneficiary requests services** in a Section 203 language. All voter registration offices, even those that do not normally receive applications from language minorities, should keep voter registration forms and voter preference forms for language minorities in stock. If an applicant requests assistance with filling out the voter preference form, assistance should be provided to the same degree as it is offered in completing the agency’s own application forms.⁴

¹ Department of Justice, Civil Rights Division, Voting Section. “About Language Minority Voting Rights.” Retrieved on July 30, 2012, from: http://www.justice.gov/crt/about/vot/sec_203/activ_203.php

² “Voting Rights Act Amendments of 2006, Determinations Under Section 203 (Notice of Determination).” Federal Register 76:198 (October 13, 2011) p. 63602.

³ Department of Justice, Civil Rights Division, Voting Section. “The National Voter Registration Act of 1993, Questions and Answers. Question 43.” Retrieved on July 30, 2012, from: http://www.justice.gov/crt/about/vot/nvra/nvra_faq.php

⁴ Id at Question 14



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