§ 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.


(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.

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

(a) Coverage formula. Section 4(f)(4) applies to any State or political subdivision in which
§ 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 group and are limited-English proficient; and
   ii. The illiteracy rate of such language minority citizens in the state is higher than the national illiteracy rate.

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 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.

\(^1\)Coverage is based on sections 4(b) (third sentence), 4(c), and 4(f)(3).
\(^2\)The criteria for coverage are contained in section 203(b).