

118TH CONGRESS  
1ST SESSION

# H. R. 14

To amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 19, 2023

Ms. SEWELL (for herself, Mr. JEFFRIES, Ms. CLARK of Massachusetts, Mr. AGUILAR, Mr. CLYBURN, Mr. HORSFORD, Ms. BARRAGÁN, Ms. CHU, Mr. NADLER, Mr. MORELLE, Mr. VEASEY, Mr. SCOTT of Virginia, Ms. WILLIAMS of Georgia, Ms. JACKSON LEE, Mr. LARSEN of Washington, Ms. ADAMS, Mrs. BEATTY, Mr. CARTWRIGHT, Mr. CASTRO of Texas, Mr. BISHOP of Georgia, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. JOHNSON of Georgia, Ms. LEE of California, Ms. BONAMICI, Mr. CARBAJAL, Mr. CARSON, Ms. CASTOR of Florida, Ms. CLARKE of New York, Mrs. DINGELL, Mr. FOSTER, Mr. GALLEGRO, Mr. HIGGINS of New York, Ms. WATERS, Mr. LARSON of Connecticut, Mr. LIEU, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE of Wisconsin, Ms. NORTON, Mr. PALLONE, Mr. PAYNE, Mr. POCAN, Mr. RASKIN, Mr. SMITH of Washington, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. TONKO, Mr. VARGAS, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. ALLRED, Mr. AUCHINCLOSS, Ms. BALINT, Mr. BERA, Mr. BEYER, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Mr. BOWMAN, Mr. BOYLE of Pennsylvania, Ms. BROWN, Ms. BROWNLEY, Ms. BUDZINSKI, Ms. BUSH, Ms. CARAVEO, Mr. CÁRDENAS, Mr. CARTER of Louisiana, Mr. CASAR, Mr. CASE, Mr. CASTEN, Mrs. CHERFILUS-McCORMICK, Mr. CLEAVER, Mr. COHEN, Mr. CONNOLLY, Mr. CORREA, Mr. COSTA, Mr. COURTNEY, Ms. CRAIG, Ms. CROCKETT, Mr. CROW, Mr. CUELLAR, Ms. DAVIDS of Kansas, Mr. DAVIS of Illinois, Mr. DAVIS of North Carolina, Ms. DEAN of Pennsylvania, Ms. DEGETTE, Ms. DELAURO, Ms. DELBENE, Mr. DELUZIO, Mr. DESAULNIER, Mr. DOGGETT, Ms. ESCOBAR, Ms. ESHOO, Mr. ESPAILLAT, Mr. EVANS, Mrs. FLETCHER, Mrs. FOUSHEE, Ms. LOIS FRANKEL of Florida, Mr. FROST, Mr. GARAMENDI, Mr. ROBERT GARCIA of California, Ms. GARCIA of Texas, Mr. GARCÍA of Illinois, Mr. GOLDEN of Maine, Mr. GOLDMAN of New York, Mr. GOMEZ, Mr. VICENTE GONZALEZ of Texas, Mr. GOTTHEIMER, Mrs. HAYES, Ms. HOULAHAN, Mr. HOYER, Ms. HOYLE of Oregon, Mr. IVEY, Mr. JACKSON of North Carolina, Mr. JACKSON of Illinois, Ms. JACOBS, Ms. JAYAPAL, Ms. KAMLAGER-DOVE, Ms. KAPTUR,

Mr. KEATING, Ms. KELLY of Illinois, Mr. KILDEE, Mr. KILMER, Mr. KIM of New Jersey, Ms. KUSTER, Mr. LANDSMAN, Ms. LEE of Pennsylvania, Ms. LEE of Nevada, Ms. LEGER FERNANDEZ, Mr. LEVIN, Ms. LOFGREN, Mr. LYNCH, Mr. MAGAZINER, Ms. MANNING, Mrs. MCBATH, Ms. MCCLELLAN, Ms. MCCOLLUM, Mr. MCGARVEY, Mr. MENENDEZ, Ms. MENG, Mr. MFUME, Mr. MOSKOWITZ, Mr. MRVAN, Mr. MULLIN, Mr. HARDER of California, Mr. HUFFMAN, Mr. KHANNA, Mr. KRISHNAMOORTHY, Mrs. NAPOLITANO, Mr. NEAL, Mr. NEGUSE, Mr. NICKEL, Mr. NORCROSS, Ms. OMAR, Mr. PANETTA, Mr. PAPPAS, Mr. PASCRELL, Ms. PELOSI, Mrs. PELTOLA, Ms. PEREZ, Mr. PETERS, Ms. PETERSEN, Mr. PHILLIPS, Ms. PINGREE, Ms. PLASKETT, Ms. PORTER, Ms. PRESSLEY, Mr. QUIGLEY, Mrs. RAMIREZ, Ms. ROSS, Mr. RUPPERSBERGER, Mr. RYAN, Mr. SABLAN, Ms. SALINAS, Ms. SÁNCHEZ, Mr. SARBANES, Ms. SCANLON, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCHNEIDER, Ms. SCHOLTEN, Ms. SCHRIER, Mr. DAVID SCOTT of Georgia, Mr. SHERMAN, Ms. SHERRILL, Ms. SLOTKIN, Mr. SORENSEN, Mr. SOTO, Ms. SPANBERGER, Ms. STANSBURY, Mr. STANTON, Ms. STEVENS, Ms. STRICKLAND, Mr. SWALWELL, Mrs. SYKES, Mr. THOMPSON of California, Ms. TITUS, Ms. TLAIB, Ms. TOKUDA, Mrs. TORRES of California, Mr. TORRES of New York, Mrs. TRAHAN, Mr. TRONE, Ms. UNDERWOOD, Mr. VASQUEZ, Ms. WEXTON, Ms. WILD, Mr. HIMES, Ms. MATSUI, Mr. MOULTON, Mr. RUIZ, Mr. THANEDAR, and Ms. OCASIO-CORTEZ) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
 2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “John R. Lewis Voting  
 5 Rights Advancement Act of 2023”.

1 **SEC. 2. VOTE DILUTION, DENIAL, AND ABRIDGMENT**  
2 **CLAIMS.**

3 (a) **IN GENERAL.**—Section 2(a) of the Voting Rights  
4 Act of 1965 (52 U.S.C. 10301(a)) is amended—

5 (1) by inserting after “applied by any State or  
6 political subdivision” the following: “for the purpose  
7 of, or”; and

8 (2) by striking “as provided in subsection (b)”  
9 and inserting “as provided in subsection (b), (c), (d),  
10 or (f)”.

11 (b) **VOTE DILUTION.**—Section 2(b) of such Act (52  
12 U.S.C. 10301(b)) is amended—

13 (1) by inserting after “A violation of subsection  
14 (a)” the following: “for vote dilution”;

15 (2) by inserting after the period at the end the  
16 following: “For the purposes of this subsection.”;

17 (3) by adding at the end the following new  
18 paragraphs:

19 “(1) To prevail in demonstrating that a rep-  
20 resentational, districting, or apportionment scheme  
21 results in vote dilution, a plaintiff shall, as a thresh-  
22 old matter, establish that—

23 “(A) the members of the protected class  
24 are sufficiently numerous and geographically  
25 compact to constitute a majority in a single-  
26 member district;

1           “(B) the members of the protected class  
2           are politically cohesive; and

3           “(C) the residents of that district who are  
4           not the members of the protected class usually  
5           vote sufficiently as a bloc to enable them to de-  
6           feat the preferred candidates of the members of  
7           the protected class.

8           “(2) Upon a plaintiff establishing the required  
9           threshold showing under paragraph (1), a court shall  
10          conduct a totality of the circumstances analysis with  
11          respect to a claim of vote dilution to determine  
12          whether there was a violation of subsection (a),  
13          which shall include the following factors:

14                 “(A) The extent of any history of official  
15                 voting discrimination in the State or political  
16                 subdivision that affected the right of members  
17                 of the protected class to register, to vote, or  
18                 otherwise to participate in the political process.

19                 “(B) The extent to which voting in the  
20                 elections of the State or political subdivision is  
21                 racially polarized.

22                 “(C) The extent to which the State or po-  
23                 litical subdivision has used voting practices or  
24                 procedures that tend to enhance the oppor-  
25                 tunity for discrimination against the members

1 of the protected class, such as unusually large  
2 election districts, majority vote requirements,  
3 anti-single shot provisions, or other qualifica-  
4 tions, prerequisites, standards, practices, or  
5 procedures that may enhance the opportunity  
6 for discrimination against the members of the  
7 protected class.

8 “(D) If there is a candidate slating proc-  
9 ess, whether the members of the protected class  
10 have been denied access to that process.

11 “(E) The extent to which members of the  
12 protected class in the State or political subdivi-  
13 sion bear the effects of discrimination, both  
14 public or private, in such areas as education,  
15 employment, health, housing, and transpor-  
16 tation, which hinder their ability to participate  
17 effectively in the political process.

18 “(F) Whether political campaigns have  
19 been characterized by overt or subtle racial ap-  
20 peals.

21 “(G) The extent to which members of the  
22 protected class have been elected to public office  
23 in the jurisdiction.

24 “(3) In conducting a totality of the cir-  
25 cumstances analysis under paragraph (2), a court

1 may consider such other factors as the court may  
2 determine to be relevant, including—

3 “(A) whether there is a significant lack of  
4 responsiveness on the part of elected officials to  
5 the particularized needs of the members of the  
6 protected class, including a lack of concern for  
7 or responsiveness to the requests and proposals  
8 of the members of the protected class, except  
9 that compliance with a court order may not be  
10 considered evidence of responsiveness on the  
11 part of the jurisdiction; and

12 “(B) whether the policy underlying the  
13 State or political subdivision’s use of such vot-  
14 ing qualification, prerequisite to voting, or  
15 standard, practice or procedure is tenuous.

16 In making this determination, a court shall consider  
17 whether the qualification, prerequisite, standard,  
18 practice, or procedure in question was designed to  
19 advance and materially advances a valid and sub-  
20 stantiated State interest.

21 “(4) A class of citizens protected by subsection  
22 (a) may include a cohesive coalition of members of  
23 different racial or language minority groups.”; and

24 (4) VOTE DENIAL OR ABRIDGEMENT.—Section  
25 2 of such Act (52 U.S.C. 10301), as amended by

1 subsections (a) and (b), is further amended by add-  
2 ing at the end the following:

3 “(c)(1) A violation of subsection (a) resulting in vote  
4 denial or abridgment is established if the challenged quali-  
5 fication, prerequisite, standard, practice, or procedure—

6 “(A) results or will result in members of a pro-  
7 tected class facing greater costs or burdens in par-  
8 ticipating in the political process than other voters;  
9 and

10 “(B) the greater costs or burdens are, at least  
11 in part, caused by or linked to social and historical  
12 conditions that have produced or produce on the  
13 date of such challenge discrimination against mem-  
14 bers of the protected class.

15 In determining the existence of a burden for pur-  
16 poses of subparagraph (A), the absolute number or  
17 the percent of voters affected or the presence of vot-  
18 ers who are not members of a protected class in the  
19 affected area shall not be dispositive, and the af-  
20 fected area may be smaller than the jurisdiction to  
21 which the qualification, prerequisite, standard, prac-  
22 tice, or procedure applies.

23 “(2) The challenged qualification, prerequisite, stand-  
24 ard, practice, or procedure need only be a but-for cause

1 of the discriminatory result described in paragraph (1) or  
2 perpetuate a pre-existing burdens or costs.

3 “(3)(A) The factors that are relevant to a totality of  
4 the circumstances analysis with respect to a claim of vote  
5 denial or abridgement pursuant to this subsection include  
6 the following:

7 “(i) The extent of any history of official voting-  
8 related discrimination in the State or political sub-  
9 division that affected the right of members of the  
10 protected class to register, to vote, or otherwise to  
11 participate in the political process.

12 “(ii) The extent to which voting in the elections  
13 of the State or political subdivision is racially polar-  
14 ized.

15 “(iii) The extent to which the State or political  
16 subdivision has used photographic voter identifica-  
17 tion requirements, documentary proof of citizenship  
18 requirements, documentary proof of residence re-  
19 quirements, or other voting practices or procedures,  
20 beyond those required by Federal law, that impair  
21 the ability of members of the minority group to par-  
22 ticipate fully in the political process.

23 “(iv) The extent to which minority group mem-  
24 bers bear the effects of discrimination, both public  
25 or private, in areas such as education, employment,



1 health, housing, and transportation, which hinder  
2 their ability to participate effectively in the political  
3 process.

4 “(v) The use of overt or subtle racial appeals ei-  
5 ther in political campaigns or surrounding adoption  
6 or maintenance of the challenged practice.

7 “(vi) The extent to which members of the mi-  
8 nority group have been elected to public office in the  
9 jurisdiction, provided that the fact that the minority  
10 group is too small to elect candidates of its choice  
11 shall not defeat a claim of vote denial or abridgment.

12 “(vii) Whether there is a lack of responsiveness  
13 on the part of elected officials to the particularized  
14 needs of minority group members, including a lack  
15 of concern for or responsiveness to the requests and  
16 proposals of the group, except that compliance with  
17 a court order may not be considered evidence of re-  
18 sponsiveness on the part of the jurisdiction.

19 “(viii) Whether the policy underlying the State  
20 or political subdivision’s use of the challenged quali-  
21 fication, prerequisite, standard, practice, or proce-  
22 dure is tenuous. In making a determination under  
23 this clause, a court shall consider whether the quali-  
24 fication, prerequisite, standard, practice, or proce-  
25 dure in question was designed to advance and mate-

1 rially advances a valid and substantiated State inter-  
2 est.

3 “(ix) Subject to paragraph (4), such other fac-  
4 tors as the court may determine to be relevant.

5 “(B) The factors described in subparagraph (A), indi-  
6 vidually and collectively, shall be considered as a means  
7 of establishing that a voting practice amplifies the effects  
8 of past or present discrimination in violation in subsection  
9 (a).

10 “(C) A plaintiff need not show any particular com-  
11 bination or number of factors to establish a violation of  
12 subsection (a).

13 “(4) The factors that are relevant to a totality of the  
14 circumstances analysis with respect to a claim of vote de-  
15 nial or abridgement do not include the following:

16 “(A) The degree to which the challenged quali-  
17 fication, prerequisite, standard, practice, or proce-  
18 dure has a long pedigree or was in widespread use  
19 at some earlier date.

20 “(B) The use of an identical or similar quali-  
21 fication, prerequisite, standard, practice, or proce-  
22 dure in other States or jurisdictions.

23 “(C) The availability of other forms of voting  
24 unimpacted by the challenged qualification, pre-  
25 requisite, standard, practice, or procedure to all

1 members of the electorate, including members of the  
2 protected class, unless the jurisdiction is simulta-  
3 neously expanding such other practices to eliminate  
4 any disproportionate burden imposed by the chal-  
5 lenged qualification, prerequisite, standard, practice,  
6 or procedure.

7 “(D) Unsubstantiated defenses that the quali-  
8 fication, prerequisite, standard, practice, or proce-  
9 dure is necessary to address criminal activity.

10 “(d)(1) A violation of subsection (a) for the purpose  
11 of vote denial or abridgement is established if the chal-  
12 lenged qualification, prerequisite, standard, practice, or  
13 procedure is intended, at least in part, to dilute minority  
14 voting strength or to deny or abridge the right of any cit-  
15 izen of the United States to vote on account of race, color,  
16 or in contravention of the guarantees set forth in section  
17 4(f)(2).

18 “(2) Discrimination on account of race, color, or in  
19 contravention of the guarantees set forth in section 4(f)(2)  
20 need only be one purpose of a qualification, prerequisite,  
21 standard, practice, or procedure to demonstrate a violation  
22 of subsection (a).

23 “(3) A qualification, prerequisite, standard, practice,  
24 or procedure intended to dilute minority voting strength  
25 or to make it more difficult for minority voters to cast

1 a ballot that will be counted violates this subsection even  
2 if an additional purpose of the qualification, prerequisite,  
3 standard, practice, or procedure is to benefit a particular  
4 political party or group.

5 “(4) The context for the adoption of the challenged  
6 qualification, prerequisite, standard, practice, or proce-  
7 dure, including actions by official decisionmakers before  
8 the challenged qualification, prerequisite, standard, prac-  
9 tice, or procedure, may be relevant to a violation of this  
10 subsection.

11 “(5) Claims under this subsection require proof of a  
12 discriminatory impact but do not require proof of a viola-  
13 tion pursuant to subsection (b) or (c).

14 “(e) For purposes of this section, the term ‘affected  
15 area’ means any geographic area, in which members of  
16 a protected class are affected by a qualification, pre-  
17 requisite, standard, practice, or procedure allegedly in vio-  
18 lation of this section, within a State (including any Indian  
19 lands).”.

20 **SEC. 3. RETROGRESSION.**

21 Section 2 of the Voting Rights Act of 1965 (52  
22 U.S.C. 10301 et seq.), as amended by section 2 of this  
23 Act, is further amended by adding at the end the fol-  
24 lowing:

1       “(f) A violation of subsection (a) is established when  
2 a State or political subdivision enacts or seeks to admin-  
3 ister any qualification or prerequisite to voting or stand-  
4 ard, practice, or procedure with respect to voting in any  
5 election that has the purpose of or will have the effect  
6 of diminishing the ability of any citizens of the United  
7 States on account of race or color, or in contravention of  
8 the guarantees set forth in section 4(f)(2), to participate  
9 in the electoral process or elect their preferred candidates  
10 of choice. This subsection applies to any action taken on  
11 or after January 1, 2021, by a State or political subdivi-  
12 sion to enact or seek to administer any such qualification  
13 or prerequisite to voting or standard, practice or proce-  
14 dure.

15       “(g) Notwithstanding the provisions of subsection (f),  
16 final decisions of the United States District Court of the  
17 District of Columbia on applications or petitions by States  
18 or political subdivisions for preclearance under section 5  
19 of any changes in voting prerequisites, standards, prac-  
20 tices, or procedures, supersede the provisions of subsection  
21 (f).”.

22 **SEC. 4. VIOLATIONS TRIGGERING AUTHORITY OF COURT**  
23 **TO RETAIN JURISDICTION.**

24       (a) TYPES OF VIOLATIONS.—Section 3(c) of the Vot-  
25 ing Rights Act of 1965 (52 U.S.C. 10302(c)) is amended

1 by striking “violations of the fourteenth or fifteenth  
 2 amendment” and inserting “violations of the 14th or 15th  
 3 Amendment, violations of this Act, or violations of any  
 4 Federal law that prohibits discrimination in voting on the  
 5 basis of race, color, or membership in a language minority  
 6 group,”.

7 (b) CONFORMING AMENDMENT.—Section 3(a) of  
 8 such Act (52 U.S.C. 10302(a)) is amended by striking  
 9 “violations of the fourteenth or fifteenth amendment” and  
 10 inserting “violations of the 14th or 15th Amendment, vio-  
 11 lations of this Act, or violations of any Federal law that  
 12 prohibits discrimination in voting on the basis of race,  
 13 color, or membership in a language minority group,”.

14 **SEC. 5. CRITERIA FOR COVERAGE OF STATES AND POLIT-**  
 15 **ICAL SUBDIVISIONS.**

16 (a) DETERMINATION OF STATES AND POLITICAL  
 17 SUBDIVISIONS SUBJECT TO SECTION 4(a).—

18 (1) IN GENERAL.—Section 4(b) of the Voting  
 19 Rights Act of 1965 (52 U.S.C. 10303(b)) is amend-  
 20 ed to read as follows:

21 “(b) DETERMINATION OF STATES AND POLITICAL  
 22 SUBDIVISIONS SUBJECT TO REQUIREMENTS.—

23 “(1) EXISTENCE OF VOTING RIGHTS VIOLA-  
 24 TIONS DURING PREVIOUS 25 YEARS.—

1           “(A) STATEWIDE APPLICATION.—Sub-  
2 section (a) applies with respect to a State and  
3 all political subdivisions within the State during  
4 a calendar year if—

5           “(i) fifteen or more voting rights vio-  
6 lations occurred in the State during the  
7 previous 25 calendar years;

8           “(ii) ten or more voting rights viola-  
9 tions occurred in the State during the pre-  
10 vious 25 calendar years, at least one of  
11 which was committed by the State itself  
12 (as opposed to a political subdivision with-  
13 in the State); or

14           “(iii) three or more voting rights vio-  
15 lations occurred in the State during the  
16 previous 25 calendar years and the State  
17 itself administers the elections in the State  
18 or political subdivisions in which the voting  
19 rights violations occurred.

20           “(B) APPLICATION TO SPECIFIC POLITICAL  
21 SUBDIVISIONS.—Subsection (a) applies with re-  
22 spect to a political subdivision as a separate  
23 unit during a calendar year if three or more  
24 voting rights violations occurred in the subdivi-  
25 sion during the previous 25 calendar years.

1           “(2) PERIOD OF APPLICATION.—

2                   “(A) IN GENERAL.—Except as provided in  
3           subparagraph (B), if, pursuant to paragraph  
4           (1), subsection (a) applies with respect to a  
5           State or political subdivision during a calendar  
6           year, subsection (a) shall apply with respect to  
7           such State or political subdivision for the pe-  
8           riod—

9                   “(i) that begins on January 1 of the  
10           year in which subsection (a) applies; and

11                   “(ii) that ends on the date which is 10  
12           years after the date described in clause (i).

13           “(B) NO FURTHER APPLICATION AFTER  
14           DECLARATORY JUDGMENT.—

15                   “(i) STATES.—If a State obtains a de-  
16           claratory judgment under subsection (a),  
17           and the judgment remains in effect, sub-  
18           section (a) shall no longer apply to such  
19           State pursuant to paragraph (1)(A) unless,  
20           after the issuance of the declaratory judg-  
21           ment, paragraph (1)(A) applies to the  
22           State solely on the basis of voting rights  
23           violations occurring after the issuance of  
24           the declaratory judgment.



1           “(ii) POLITICAL SUBDIVISIONS.—If a  
2           political subdivision obtains a declaratory  
3           judgment under subsection (a), and the  
4           judgment remains in effect, subsection (a)  
5           shall no longer apply to such political sub-  
6           division pursuant to paragraph (1), includ-  
7           ing pursuant to paragraph (1)(A) (relating  
8           to the statewide application of subsection  
9           (a)), unless, after the issuance of the de-  
10          claratory judgment, paragraph (1)(B) ap-  
11          plies to the political subdivision solely on  
12          the basis of voting rights violations occur-  
13          ring after the issuance of the declaratory  
14          judgment.

15           “(3) DETERMINATION OF VOTING RIGHTS VIO-  
16          LATION.—For purposes of paragraph (1), a voting  
17          rights violation occurred in a State or political sub-  
18          division if any of the following applies:

19           “(A) JUDICIAL RELIEF; VIOLATION OF  
20          THE 14TH OR 15TH AMENDMENT.—Any final  
21          judgment, or any preliminary, temporary, or de-  
22          claratory relief (that was not reversed on ap-  
23          peal), in which the plaintiff prevailed or a court  
24          of the United States found that the plaintiff  
25          demonstrated a likelihood of success on the

1 merits or raised a serious question with regard  
2 to race discrimination, in which any court of  
3 the United States determined that a denial or  
4 abridgement of the right of any citizen of the  
5 United States to vote on account of race, color,  
6 or membership in a language minority group  
7 occurred, or that a voting qualification or pre-  
8 requisite to voting or standard, practice, or pro-  
9 cedure with respect to voting created an undue  
10 burden on the right to vote in connection with  
11 a claim that the law unduly burdened voters of  
12 a particular race, color, or language minority  
13 group, in violation of the 14th or 15th Amend-  
14 ment, anywhere within the State or subdivision.

15 “(B) JUDICIAL RELIEF; VIOLATIONS OF  
16 THIS ACT.—Any final judgment, or any prelimi-  
17 nary, temporary, or declaratory relief (that was  
18 not reversed on appeal) in which the plaintiff  
19 prevailed or a court of the United States found  
20 that the plaintiff demonstrated a likelihood of  
21 success on the merits or raised a serious ques-  
22 tion with regard to race discrimination, in  
23 which any court of the United States deter-  
24 mined that a voting qualification or prerequisite  
25 to voting or standard, practice, or procedure

1 with respect to voting was imposed or applied  
2 or would have been imposed or applied any-  
3 where within the State or subdivision in a man-  
4 ner that resulted or would have resulted in a  
5 denial or abridgement of the right of any citizen  
6 of the United States to vote on account of race,  
7 color, or membership in a language minority  
8 group, in violation of subsection 4(e) or 4(f) or  
9 section 2, 201, or 203 of this Act.

10 “(C) FINAL JUDGMENT; DENIAL OF DE-  
11 CLARATORY JUDGMENT.—In a final judgment  
12 (that was not been reversed on appeal), any  
13 court of the United States has denied the re-  
14 quest of the State or subdivision for a declara-  
15 tory judgment under section 3(c) or section 5,  
16 and thereby prevented a voting qualification or  
17 prerequisite to voting or standard, practice, or  
18 procedure with respect to voting from being en-  
19 forced anywhere within the State or subdivision.

20 “(D) OBJECTION BY THE ATTORNEY GEN-  
21 ERAL.—The Attorney General has interposed  
22 an objection under section 3(c) or section 5,  
23 and thereby prevented a voting qualification or  
24 prerequisite to voting or standard, practice, or  
25 procedure with respect to voting from being en-

1 forced anywhere within the State or subdivision.  
2 A violation per this subsection has not occurred  
3 where an objection has been withdrawn by the  
4 Attorney General, unless the withdrawal was in  
5 response to a change in the law or practice that  
6 served as the basis of the objection. A violation  
7 under this subsection has not occurred where  
8 the objection is based solely on a State or polit-  
9 ical subdivision's failure to comply with a proce-  
10 dural process that would not otherwise con-  
11 stitute an independent violation of this act.

12 “(E) CONSENT DECREE, SETTLEMENT, OR  
13 OTHER AGREEMENT.—A consent decree, settle-  
14 ment, or other agreement was adopted or en-  
15 tered by a court of the United States or con-  
16 tained an admission of liability by the defend-  
17 ants, which resulted in the alteration or aban-  
18 donment of a voting practice anywhere in the  
19 territory of such State or subdivision that was  
20 challenged on the ground that the practice de-  
21 nied or abridged the right of any citizen of the  
22 United States to vote on account of race, color,  
23 or membership in a language minority group in  
24 violation of subsection 4(e) or 4(f) or section 2,  
25 201, or 203 of this Act, or the 14th or 15th

1 Amendment. An extension or modification of an  
2 agreement as defined by this subsection that  
3 has been in place for ten years or longer shall  
4 count as an independent violation. If a court of  
5 the United States finds that an agreement itself  
6 as defined by this subsection denied or abridged  
7 the right of any citizen of the United States to  
8 vote on account of race, color, or membership in  
9 a language minority group, violated subsection  
10 4(e) or 4(f) or section 2, 201, or 203 of this  
11 Act, or created an undue burden on the right  
12 to vote in connection with a claim that the con-  
13 sent decree, settlement, or other agreement un-  
14 duly burdened voters of a particular race, color,  
15 or language minority group, that finding shall  
16 count as an independent violation.

17 “(F) MULTIPLE VIOLATIONS.—Each vot-  
18 ing qualification or prerequisite to voting or  
19 standard, practice, or procedure with respect to  
20 voting, including each redistricting plan, found  
21 to be a violation by a court of the United States  
22 pursuant to subsection (a) or (b), or prevented  
23 from enforcement pursuant to subsection (c) or  
24 (d), or altered or abandoned pursuant to sub-  
25 section (e) shall count as an independent viola-

1           tion. Within a redistricting plan, each violation  
2           found to discriminate against any group of vot-  
3           ers based on race, color, or language minority  
4           group shall count as an independent violation.

5           “(4) TIMING OF DETERMINATIONS.—

6                   “(A) DETERMINATIONS OF VOTING RIGHTS  
7           VIOLATIONS.—As early as practicable during  
8           each calendar year, the Attorney General shall  
9           make the determinations required by this sub-  
10          section, including updating the list of voting  
11          rights violations occurring in each State and po-  
12          litical subdivision for the previous calendar  
13          year.

14                   “(B) EFFECTIVE UPON PUBLICATION IN  
15          FEDERAL REGISTER.—A determination or cer-  
16          tification of the Attorney General under this  
17          section or under section 8 or 13 shall be effec-  
18          tive upon publication in the Federal Register.”.

19          (2) CONFORMING AMENDMENTS.—Section 4(a)  
20          of such Act (52 U.S.C. 10303(a)) is amended—

21                   (A) in paragraph (1), in the first sentence  
22          of the matter preceding subparagraph (A), by  
23          striking “any State with respect to which” and  
24          all that follows through “unless” and inserting  
25          “any State to which this subsection applies dur-

1           ing a calendar year pursuant to determinations  
2           made under subsection (b), or in any political  
3           subdivision of such State (as such subdivision  
4           existed on the date such determinations were  
5           made with respect to such State), though such  
6           determinations were not made with respect to  
7           such subdivision as a separate unit, or in any  
8           political subdivision with respect to which this  
9           subsection applies during a calendar year pur-  
10          suant to determinations made with respect to  
11          such subdivision as a separate unit under sub-  
12          section (b), unless”;

13                 (B) in paragraph (1) in the matter pre-  
14          ceding subparagraph (A), by striking the second  
15          sentence;

16                 (C) in paragraph (1)(A), by striking “(in  
17          the case of a State or subdivision seeking a de-  
18          claratory judgment under the second sentence  
19          of this subsection)”;

20                 (D) in paragraph (1)(B), by striking “(in  
21          the case of a State or subdivision seeking a de-  
22          claratory judgment under the second sentence  
23          of this subsection)”;

24                 (E) in paragraph (3), by striking “(in the  
25          case of a State or subdivision seeking a declara-

1 tory judgment under the second sentence of this  
2 subsection)”;

3 (F) in paragraph (5), by striking “(in the  
4 case of a State or subdivision which sought a  
5 declaratory judgment under the second sentence  
6 of this subsection)”;

7 (G) by striking paragraphs (7) and (8);  
8 and

9 (H) by redesignating paragraph (9) as  
10 paragraph (7).

11 (b) CLARIFICATION OF TREATMENT OF MEMBERS OF  
12 LANGUAGE MINORITY GROUPS.—Section 4(a)(1) of such  
13 Act (52 U.S.C. 10303(a)(1)) is amended by striking “race  
14 or color,” and inserting “race, color, or in contravention  
15 of the guarantees of subsection (f)(2),”.

16 (c) ADMINISTRATIVE BAILOUT.—

17 (1) IN GENERAL.—Section 4 of the Voting  
18 Rights Act of 1965 (52 U.S.C. 10303) is amended  
19 by adding at the end the following:

20 “(g) ADMINISTRATIVE BAILOUT.—

21 “(1) DETERMINATION OF ELIGIBILITY.—

22 “(A) IN GENERAL.—After making a deter-  
23 mination under subsection (b)(1)(A) that the  
24 provisions of subsection (a) apply with respect  
25 to a State and all political subdivisions within



1 the State, the Attorney General shall determine  
2 if any political subdivision of the State is eligi-  
3 ble for an exemption under this subsection, and  
4 shall publish, in the Federal Register, a list of  
5 all such political subdivisions. Any political sub-  
6 division included on such list is not subject to  
7 any requirement under section 5 until the date  
8 on which any application under this section has  
9 been finally disposed of or no such application  
10 may be made.

11 “(B) RULE OF CONSTRUCTION.—Nothing  
12 in this subsection may be construed to pro-  
13 vide—

14 “(i) that the determinations made  
15 pursuant to the creation of the list shall  
16 have any binding or preclusive effect; or

17 “(ii) that inclusion on the list—

18 “(I) constitutes a final deter-  
19 mination by the Attorney General that  
20 the listee is eligible for an exemption  
21 pursuant to this subsection or that, in  
22 the case of the listee, the provisions of  
23 subparagraphs (A) through (F) of  
24 subsection (a)(1) are satisfied; or

1                   “(II) entitles the listee to any ex-  
2                   emption pursuant to this subsection.

3                   “(2) ELIGIBILITY.—A political subdivision that  
4                   submits an application under paragraph (3) shall be  
5                   eligible for an exemption under this subsection only  
6                   if, during the ten years preceding the filing of the  
7                   application, and during the pendency of such appli-  
8                   cation—

9                   “(A) no test or device referred to in sub-  
10                  section (a)(1) has been used within such polit-  
11                  ical subdivision for the purpose or with the ef-  
12                  fect of denying or abridging the right to vote on  
13                  account of race or color or in contravention of  
14                  the guarantees of subsection (f)(2);

15                  “(B) no final judgment of any court of the  
16                  United States, other than the denial of declara-  
17                  tory judgment under this section, has deter-  
18                  mined that denials or abridgements of the right  
19                  to vote on account of race or color have oc-  
20                  curred anywhere in the territory of such polit-  
21                  ical subdivision or that denials or abridgements  
22                  of the right to vote in contravention of the  
23                  guarantees of subsection (f)(2) have occurred  
24                  anywhere in the territory of such subdivision  
25                  and no consent decree, settlement, or agreement

1 has been entered into resulting in any abandon-  
2 ment of a voting practice challenged on such  
3 grounds; and no declaratory judgment under  
4 this section shall be entered during the pend-  
5 ency of an action commenced before the filing  
6 of an action under this section and alleging  
7 such denials or abridgements of the right to  
8 vote;

9 “(C) no Federal examiners or observers  
10 under this Act have been assigned to such polit-  
11 ical subdivision;

12 “(D) such political subdivision and all gov-  
13 ernmental units within its territory have com-  
14 plied with section 5 of this Act, including com-  
15 pliance with the requirement that no change  
16 covered by section 5 has been enforced without  
17 preclearance under section 5, and have repealed  
18 all changes covered by section 5 to which the  
19 Attorney General has successfully objected or as  
20 to which the United States District Court for  
21 the District of Columbia has denied a declara-  
22 tory judgment;

23 “(E) the Attorney General has not inter-  
24 posed any objection (that has not been over-  
25 turned by a final judgment of a court) and no

1 declaratory judgment has been denied under  
2 section 5, with respect to any submission by or  
3 on behalf of the plaintiff or any governmental  
4 unit within its territory under section 5, and no  
5 such submissions or declaratory judgment ac-  
6 tions are pending; and

7 “(F) such political subdivision and all gov-  
8 ernmental units within its territory—

9 “(i) have eliminated voting procedures  
10 and methods of election which inhibit or  
11 dilute equal access to the electoral process;

12 “(ii) have engaged in constructive ef-  
13 forts to eliminate intimidation and harass-  
14 ment of persons exercising rights protected  
15 under this Act; and

16 “(iii) have engaged in other construc-  
17 tive efforts, such as expanded opportunity  
18 for convenient registration and voting for  
19 every person of voting age and the appoint-  
20 ment of minority persons as election offi-  
21 cials throughout the jurisdiction and at all  
22 stages of the election and registration  
23 process.

24 “(3) APPLICATION PERIOD.—Not later than 90  
25 days after the publication of the list under para-

1 graph (1), a political subdivision included on such  
2 list may submit an application, containing such in-  
3 formation as the Attorney General may require, for  
4 an exemption under this subsection. The Attorney  
5 General shall provide notice in the Federal Register  
6 of such application.

7 “(4) COMMENT PERIOD.—During the 90-day  
8 period beginning on the date that notice is published  
9 under paragraph (3), the Attorney General shall give  
10 interested persons an opportunity to submit objec-  
11 tions to the issuance of an exemption under this  
12 subsection to a political subdivision on the basis that  
13 the political subdivision is not eligible under para-  
14 graph (2) to the Attorney General. During the 1  
15 year period beginning on the effective date of this  
16 subsection, such 90-day period shall be extended by  
17 an additional 30 days. The Attorney General shall  
18 notify the political subdivision of each objection sub-  
19 mitted and afford the political subdivision an oppor-  
20 tunity to respond.

21 “(5) DETERMINATION AS TO OBJECTIONS.—In  
22 the case of a political subdivision with respect to  
23 which an objection has been submitted under para-  
24 graph (4), the following shall apply:

1           “(A) CONSIDERATION OF OBJECTIONS.—  
2           The Attorney General shall consider and re-  
3           spond to each such objection (and any response  
4           of the political subdivision thereto) during the  
5           60-day period beginning on the day after the  
6           comment period under paragraph (4) concludes.

7           “(B) JUSTIFIED OBJECTIONS.—If the At-  
8           torney General determines that any such objec-  
9           tion is justified, the Attorney General shall pub-  
10          lish notice in the Federal Register denying the  
11          application for an exemption under this sub-  
12          section.

13          “(C) UNJUSTIFIED OBJECTIONS.—If the  
14          Attorney General determines that no objection  
15          submitted is justified, each person that sub-  
16          mitted such an objection may, not later than 90  
17          days after the end of the period established  
18          under subparagraph (A), file, in the District  
19          Court of the District of Columbia, an action for  
20          judicial review of such determination in accord-  
21          ance with chapter 7 of title 5, United States  
22          Code.

23          “(6) EXEMPTION.—The Attorney General may  
24          issue an exemption, by publication in the Federal  
25          Register, from the application of the provisions of

1 subsection (a) with respect to a political subdivision  
2 that—

3 “(A) is eligible under paragraph (2); and

4 “(B) with respect to which no objection  
5 under was submitted under paragraph (4) or  
6 determined to be justified under paragraph (5).

7 “(7) JUDICIAL REVIEW.—Except as otherwise  
8 explicitly provided in this subsection, no determina-  
9 tion under this subsection shall be subject to review  
10 by any court, and all determinations under this sub-  
11 section are committed to the discretion of the Attor-  
12 ney General.

13 “(8) SAVINGS CLAUSE.—If a political subdivi-  
14 sion was not subject to the application of the provi-  
15 sions of subsection (a) by reason of a declaratory  
16 judgment entered prior to the effective date of this  
17 subsection, and such political subdivision has not  
18 violated any eligibility requirement set forth in para-  
19 graph (2) at any time thereafter, then that political  
20 subdivision shall not be subject to the requirements  
21 of subsection (a).”.

22 (2) CONFORMING AMENDMENT.—

23 (A) IN GENERAL.—Section 4(a)(1) of the  
24 Voting Rights Act of 1965 (52 U.S.C.  
25 10303(a)(1)), as amended by this Act, is fur-

1 ther amended by inserting after “the United  
2 States District Court for the District of Colum-  
3 bia issues a declaratory judgment under this  
4 section” the following: “, or, in the case of a  
5 political subdivision, the Attorney General  
6 issues an exemption under subsection (g)”.

7 (B) EXPIRATION OF TIME LIMIT.—On the  
8 date that is 1 year after the effective date of  
9 this subsection, section 4(g)(3) of the Voting  
10 Rights Act of 1965 (52 U.S.C. 10303(g)(3)) is  
11 amended by striking “During the 1 year period  
12 beginning on the effective date of this sub-  
13 section, such 90-day period shall be extended by  
14 an additional 30 days.”. For purposes of any  
15 periods under such section commenced as of  
16 such date, the 90-day period shall remain ex-  
17 tended by an additional 30 days.

18 **SEC. 6. DETERMINATION OF STATES AND POLITICAL SUB-**  
19 **DIVISIONS SUBJECT TO PRECLEARANCE FOR**  
20 **COVERED PRACTICES.**

21 The Voting Rights Act of 1965 (52 U.S.C. 10301 et  
22 seq.) is further amended by inserting after section 4 the  
23 following:



1 **“SEC. 4A. DETERMINATION OF STATES AND POLITICAL**  
2 **SUBDIVISIONS SUBJECT TO PRECLEARANCE**  
3 **FOR COVERED PRACTICES.**

4 **“(a) PRACTICE-BASED PRECLEARANCE.—**

5 **“(1) IN GENERAL.—**Each State and each political subdivision shall—

7 **“(A)** identify any newly enacted or adopted law, regulation, or policy that includes a voting qualification or prerequisite to voting, or a standard, practice, or procedure with respect to voting, that is a covered practice described in subsection (b); and

13 **“(B)** ensure that no such covered practice is implemented unless or until the State or political subdivision, as the case may be, complies with subsection (c).

17 **“(2) DETERMINATIONS OF CHARACTERISTICS OF VOTING-AGE POPULATION.—**

19 **“(A) IN GENERAL.—**As early as practicable during each calendar year, the Attorney General, in consultation with the Director of the Bureau of the Census and the heads of other relevant offices of the government, shall make the determinations required by this section regarding voting-age populations and the characteristics of such populations, and shall

1 publish a list of the States and political subdivi-  
2 sions to which a voting-age population char-  
3 acteristic described in subsection (b) applies.

4 “(B) PUBLICATION IN THE FEDERAL REG-  
5 ISTER.—A determination or certification of the  
6 Attorney General under this paragraph shall be  
7 effective upon publication in the Federal Reg-  
8 ister.

9 “(b) COVERED PRACTICES.—To assure that the right  
10 of citizens of the United States to vote is not denied or  
11 abridged on account of race, color, or membership in a  
12 language minority group as a result of the implementation  
13 of certain qualifications or prerequisites to voting, or  
14 standards, practices, or procedures with respect to voting  
15 newly adopted in a State or political subdivision, the fol-  
16 lowing shall be covered practices subject to the require-  
17 ments described in subsection (a):

18 “(1) CHANGES TO METHOD OF ELECTION.—  
19 Any change to the method of election—

20 “(A) to add seats elected at-large in a  
21 State or political subdivision where—

22 “(i) two or more racial groups or lan-  
23 guage minority groups each represent 20  
24 percent or more of the political subdivi-  
25 sion’s voting-age population; or

1                   “(ii) a single language minority group  
2                   represents 20 percent or more of the vot-  
3                   ing-age population on Indian lands located  
4                   in whole or in part in the political subdivi-  
5                   sion; or

6                   “(B) to convert one or more seats elected  
7                   from a single-member district to one or more  
8                   at-large seats or seats from a multi-member  
9                   district in a State or political subdivision  
10                  where—

11                  “(i) two or more racial groups or lan-  
12                  guage minority groups each represent 20  
13                  percent or more of the political subdivi-  
14                  sion’s voting-age population; or

15                  “(ii) a single language minority group  
16                  represents 20 percent or more of the vot-  
17                  ing-age population on Indian lands located  
18                  in whole or in part in the political subdivi-  
19                  sion.

20                  “(2) CHANGES TO JURISDICTION BOUND-  
21                  ARIES.—Any change or series of changes within a  
22                  year to the boundaries of a jurisdiction that reduces  
23                  by 3 or more percentage points the proportion of the  
24                  jurisdiction’s voting-age population that is comprised  
25                  of members of a single racial group or language mi-

1       nosity group in a State or political subdivision  
2       where—

3               “(A) two or more racial groups or lan-  
4               guage minority groups each represent 20 per-  
5               cent or more of the political subdivision’s vot-  
6               ing-age population; or

7               “(B) a single language minority group rep-  
8               resents 20 percent or more of the voting-age  
9               population on Indian lands located in whole or  
10              in part in the political subdivision.

11             “(3) CHANGES THROUGH REDISTRICTING.—  
12             Any change to the boundaries of election districts in  
13             a State or political subdivision where any racial  
14             group or language minority group that is not the  
15             largest racial group or language minority group in  
16             the jurisdiction and that represents 15 percent or  
17             more of the State or political subdivision’s voting-  
18             age population experiences a population increase of  
19             at least 20 percent of its voting-age population, over  
20             the preceding decade (as calculated by the Bureau  
21             of the Census under the most recent decennial cen-  
22             sus), in the jurisdiction.

23             “(4) CHANGES IN DOCUMENTATION OR QUALI-  
24             FICATIONS TO VOTE.—Any change to requirements  
25             for documentation or proof of identity to vote or reg-

1       ister to vote that will exceed or be more stringent  
2       than such requirements under State law on the day  
3       before the date of enactment of the John R. Lewis  
4       Voting Rights Advancement Act of 2023; and fur-  
5       ther, if a State has in effect a requirement that an  
6       individual present identification as a condition of re-  
7       ceiving and casting a ballot in an election for Fed-  
8       eral office, if the State does not permit the indi-  
9       vidual to meet the requirement and cast a ballot in  
10      the election in the same manner as an individual  
11      who presents identification—

12               “(A) in the case of an individual who de-  
13               sires to vote in person, by presenting the appro-  
14               priate State or local election official with a  
15               sworn written statement, signed by the indi-  
16               vidual under penalty of perjury, attesting to the  
17               individual’s identity and attesting that the indi-  
18               vidual is eligible to vote in the election; and

19               “(B) in the case of an individual who de-  
20               sires to vote by mail, by submitting with the  
21               ballot the statement described in subparagraph  
22               (A).

23               “(5) CHANGES TO MULTILINGUAL VOTING MA-  
24               TERIALS.—Any change that reduces multilingual  
25               voting materials or alters the manner in which such

1 materials are provided or distributed, where no simi-  
2 lar reduction or alteration occurs in materials pro-  
3 vided in English for such election.

4 “(6) CHANGES THAT REDUCE, CONSOLIDATE,  
5 OR RELOCATE VOTING LOCATIONS, OR REDUCE VOT-  
6 ING OPPORTUNITIES.—Any change that reduces,  
7 consolidates, or relocates voting locations, including  
8 early, absentee, and election-day voting locations, or  
9 reduces days or hours of in-person voting on any  
10 Sunday during a period occurring prior to the date  
11 of an election during which voters may cast ballots  
12 in such election, or prohibits the provision of food or  
13 non-alcoholic drink to persons waiting to vote in an  
14 election except where the provision would violate  
15 prohibitions on expenditures to influence voting—

16 “(A) in one or more census tracts wherein  
17 two or more language minority groups or racial  
18 groups each represent 20 percent or more of  
19 the voting-age population of the political sub-  
20 division; or

21 “(B) on Indian lands wherein at least 20  
22 percent of the voting-age population belongs to  
23 a single language minority group.

24 “(7) NEW LIST MAINTENANCE PROCESS.—Any  
25 change to the maintenance of voter registration lists

1 that adds a new basis for removal from the list of  
2 active registered voters or that incorporates new  
3 sources of information in determining a voter’s eligi-  
4 bility to vote, wherein such a change would have a  
5 statistically significant disparate impact on the re-  
6 moval from voter rolls of members of racial groups  
7 or language minority groups that constitute greater  
8 than 5 percent of the voting-age population—

9 “(A) in the case of a political subdivision  
10 imposing such change if—

11 “(i) two or more racial groups or lan-  
12 guage minority groups each represent 20  
13 percent or more of the voting-age popu-  
14 lation of the political subdivision; or

15 “(ii) a single language minority group  
16 represents 20 percent or more of the vot-  
17 ing-age population on Indian lands located  
18 in whole or in part in the political subdivi-  
19 sion; or

20 “(B) in the case of a State imposing such  
21 change, if two or more racial groups or lan-  
22 guage minority groups each represent 20 per-  
23 cent or more of the voting-age population of—

24 “(i) the State; or

1                   “(ii) a political subdivision in the  
2                   State, except that the requirements under  
3                   subsections (a) and (c) shall apply only  
4                   with respect to each such political subdivi-  
5                   sion.

6                   “(c) PRECLEARANCE.—

7                   “(1) IN GENERAL.—Whenever a State or polit-  
8                   ical subdivision with respect to which the require-  
9                   ments set forth in subsection (a) are in effect shall  
10                  enact, adopt, or seek to implement any covered prac-  
11                  tice described under subsection (b), such State or  
12                  subdivision may institute an action in the United  
13                  States District Court for the District of Columbia  
14                  for a declaratory judgment that such covered prac-  
15                  tice neither has the purpose nor will have the effect  
16                  of denying or abridging the right to vote on account  
17                  of race, color, or membership in a language minority  
18                  group, and unless and until the court enters such  
19                  judgment such covered practice shall not be imple-  
20                  mented. Notwithstanding the previous sentence, such  
21                  covered practice may be implemented without such  
22                  proceeding if the covered practice has been sub-  
23                  mitted by the chief legal officer or other appropriate  
24                  official of such State or subdivision to the Attorney  
25                  General and the Attorney General has not inter-



1 posed an objection within 60 days after such submis-  
2 sion, or upon good cause shown, to facilitate an ex-  
3 pedited approval within 60 days after such submis-  
4 sion, the Attorney General has affirmatively indi-  
5 cated that such objection will not be made. Neither  
6 an affirmative indication by the Attorney General  
7 that no objection will be made, nor the Attorney  
8 General's failure to object, nor a declaratory judg-  
9 ment entered under this section shall bar a subse-  
10 quent action to enjoin implementation of such cov-  
11 ered practice. In the event the Attorney General af-  
12 firmatively indicates that no objection will be made  
13 within the 60-day period following receipt of a sub-  
14 mission, the Attorney General may reserve the right  
15 to reexamine the submission if additional informa-  
16 tion comes to the Attorney General's attention dur-  
17 ing the remainder of the 60-day period which would  
18 otherwise require objection in accordance with this  
19 section. Any action under this section shall be heard  
20 and determined by a court of three judges in accord-  
21 ance with the provisions of section 2284 of title 28,  
22 United States Code, and any appeal shall lie to the  
23 Supreme Court.

24 “(2) DENYING OR ABRIDGING THE RIGHT TO  
25 VOTE.—Any covered practice described in subsection

1 (b) that has the purpose of or will have the effect  
2 of diminishing the ability of any citizens of the  
3 United States on account of race, color, or member-  
4 ship in a language minority group, to elect their pre-  
5 ferred candidates of choice denies or abridges the  
6 right to vote within the meaning of paragraph (1) of  
7 this subsection.

8 “(3) PURPOSE DEFINED.—The term ‘purpose’  
9 in paragraphs (1) and (2) of this subsection shall in-  
10 clude any discriminatory purpose.

11 “(4) PURPOSE OF PARAGRAPH (2).—The pur-  
12 pose of paragraph (2) of this subsection is to protect  
13 the ability of such citizens to elect their preferred  
14 candidates of choice.

15 “(d) ENFORCEMENT.—The Attorney General or any  
16 aggrieved citizen may file an action in a Federal district  
17 court to compel any State or political subdivision to satisfy  
18 the obligations set forth in this section. Such actions shall  
19 be heard and determined by a court of three judges under  
20 section 2284 of title 28, United States Code. In any such  
21 action, the court shall provide as a remedy that any voting  
22 qualification or prerequisite to voting, or standard, prac-  
23 tice, or procedure with respect to voting, that is the sub-  
24 ject of the action under this subsection be enjoined unless  
25 the court determines that—

1           “(1) the voting qualification or prerequisite to  
2           voting, or standard, practice, or procedure with re-  
3           spect to voting, is not a covered practice described  
4           in subsection (b); or

5           “(2) the State or political subdivision has com-  
6           plied with subsection (c) with respect to the covered  
7           practice at issue.

8           “(e) COUNTING OF RACIAL GROUPS AND LANGUAGE  
9           MINORITY GROUPS.—For purposes of this section, the cal-  
10          culation of the population of a racial group or a language  
11          minority group shall be carried out using the methodology  
12          in the guidance promulgated in the Federal Register on  
13          February 9, 2011 (76 Fed. Reg. 7470).

14          “(f) SPECIAL RULE.—For purposes of determina-  
15          tions under this section, any data provided by the Bureau  
16          of the Census, whether based on estimation from sample  
17          or actual enumeration, shall not be subject to challenge  
18          or review in any court.

19          “(g) MULTILINGUAL VOTING MATERIALS.—In this  
20          section, the term ‘multilingual voting materials’ means  
21          registration or voting notices, forms, instructions, assist-  
22          ance, or other materials or information relating to the  
23          electoral process, including ballots, provided in the lan-  
24          guage or languages of one or more language minority  
25          groups.”.

1 **SEC. 7. PROMOTING TRANSPARENCY TO ENFORCE THE**  
2 **VOTING RIGHTS ACT.**

3 (a) TRANSPARENCY.—

4 (1) IN GENERAL.—The Voting Rights Act of  
5 1965 (52 U.S.C. 10301 et seq.) is amended by in-  
6 serting after section 5 the following new section:

7 **“SEC. 6. TRANSPARENCY REGARDING CHANGES TO PRO-**  
8 **TECT VOTING RIGHTS.**

9 “(a) NOTICE OF ENACTED CHANGES.—

10 “(1) NOTICE OF CHANGES.—If a State or polit-  
11 ical subdivision makes any change in any qualifica-  
12 tion or prerequisite to voting or standard, practice,  
13 or procedure with respect to voting in any election  
14 for Federal office that will result in the qualification  
15 or prerequisite, standard, practice, or procedure  
16 being different from that which was in effect as of  
17 180 days before the date of the election for Federal  
18 office, the State or political subdivision shall provide  
19 reasonable public notice in such State or political  
20 subdivision and on the website of the State or polit-  
21 ical subdivision, of a concise description of the  
22 change, including the difference between the  
23 changed qualification or prerequisite, standard, prac-  
24 tice, or procedure and the prerequisite, standard,  
25 practice, or procedure which was previously in effect.  
26 The public notice described in this paragraph, in

1 such State or political subdivision and on the website  
2 of a State or political subdivision, shall be in a for-  
3 mat that is reasonably convenient and accessible to  
4 persons with disabilities who are eligible to vote, in-  
5 cluding persons who have low vision or are blind.

6 “(2) DEADLINE FOR NOTICE.—A State or polit-  
7 ical subdivision shall provide the public notice re-  
8 quired under paragraph (1) not later than 48 hours  
9 after making the change involved.

10 “(b) TRANSPARENCY REGARDING POLLING PLACE  
11 RESOURCES.—

12 “(1) IN GENERAL.—In order to identify any  
13 changes that may impact the right to vote of any  
14 person, prior to the 30th day before the date of an  
15 election for Federal office, each State or political  
16 subdivision with responsibility for allocating reg-  
17 istered voters, voting machines, and official poll  
18 workers to particular precincts and polling places  
19 shall provide reasonable public notice in such State  
20 or political subdivision and on the website of a State  
21 or political subdivision, of the information described  
22 in paragraph (2) for precincts and polling places  
23 within such State or political subdivision. The public  
24 notice described in this paragraph, in such State or  
25 political subdivision and on the website of a State or

1 political subdivision, shall be in a format that is rea-  
2 sonably convenient and accessible to persons with  
3 disabilities who are eligible to vote, including persons  
4 who have low vision or are blind.

5 “(2) INFORMATION DESCRIBED.—The informa-  
6 tion described in this paragraph with respect to a  
7 precinct or polling place is each of the following:

8 “(A) The name or number.

9 “(B) In the case of a polling place, the lo-  
10 cation, including the street address, and wheth-  
11 er such polling place is accessible to persons  
12 with disabilities.

13 “(C) The voting-age population of the area  
14 served by the precinct or polling place, broken  
15 down by demographic group if such breakdown  
16 is reasonably available to such State or political  
17 subdivision.

18 “(D) The number of registered voters as-  
19 signed to the precinct or polling place, broken  
20 down by demographic group if such breakdown  
21 is reasonably available to such State or political  
22 subdivision.

23 “(E) The number of voting machines as-  
24 signed, including the number of voting ma-  
25 chines accessible to persons with disabilities

1           who are eligible to vote, including persons who  
2           have low vision or are blind.

3           “(F) The number of official paid poll  
4           workers assigned.

5           “(G) The number of official volunteer poll  
6           workers assigned.

7           “(H) In the case of a polling place, the  
8           dates and hours of operation.

9           “(3) UPDATES IN INFORMATION REPORTED.—

10          If a State or political subdivision makes any change  
11          in any of the information described in paragraph  
12          (2), the State or political subdivision shall provide  
13          reasonable public notice in such State or political  
14          subdivision and on the website of a State or political  
15          subdivision, of the change in the information not  
16          later than 48 hours after the change occurs or, if  
17          the change occurs fewer than 48 hours before the  
18          date of the election for Federal office, as soon as  
19          practicable after the change occurs. The public no-  
20          tice described in this paragraph and published on  
21          the website of a State or political subdivision shall  
22          be in a format that is reasonably convenient and ac-  
23          cessible to persons with disabilities who are eligible  
24          to vote, including persons who have low vision or are  
25          blind.

1       “(c) TRANSPARENCY OF CHANGES RELATING TO DE-  
2 MOGRAPHICS AND ELECTORAL DISTRICTS.—

3           “(1) REQUIRING PUBLIC NOTICE OF  
4 CHANGES.—Not later than 10 days after making  
5 any change in the constituency that will participate  
6 in an election for Federal, State, or local office or  
7 the boundaries of a voting unit or electoral district  
8 in an election for Federal, State, or local office (in-  
9 cluding through redistricting, reapportionment,  
10 changing from at-large elections to district-based  
11 elections, or changing from district-based elections  
12 to at-large elections), a State or political subdivision  
13 shall provide reasonable public notice in such State  
14 or political subdivision and on the website of a State  
15 or political subdivision, of the demographic and elec-  
16 toral data described in paragraph (3) for each of the  
17 geographic areas described in paragraph (2).

18           “(2) GEOGRAPHIC AREAS DESCRIBED.—The ge-  
19 ographic areas described in this paragraph are as  
20 follows:

21           “(A) The State as a whole, if the change  
22 applies statewide, or the political subdivision as  
23 a whole, if the change applies across the entire  
24 political subdivision.



1           “(B) If the change includes a plan to re-  
2           place or eliminate voting units or electoral dis-  
3           tricts, each voting unit or electoral district that  
4           will be replaced or eliminated.

5           “(C) If the change includes a plan to es-  
6           tablish new voting units or electoral districts,  
7           each such new voting unit or electoral district.

8           “(3) DEMOGRAPHIC AND ELECTORAL DATA.—  
9           The demographic and electoral data described in this  
10          paragraph with respect to a geographic area de-  
11          scribed in paragraph (2) are each of the following:

12          “(A) The voting-age population, broken  
13          down by demographic group.

14          “(B) If it is reasonably available to the  
15          State or political subdivision involved, an esti-  
16          mate of the population of the area which con-  
17          sists of citizens of the United States who are 18  
18          years of age or older, broken down by demo-  
19          graphic group.

20          “(C) The number of registered voters, bro-  
21          ken down by demographic group if such break-  
22          down is reasonably available to the State or po-  
23          litical subdivision involved.

24          “(D)(i) If the change applies to a State,  
25          the actual number of votes, or (if it is not rea-

1 sonably practicable for the State to ascertain  
2 the actual number of votes) the estimated num-  
3 ber of votes received by each candidate in each  
4 statewide election held during the 5-year period  
5 which ends on the date the change involved is  
6 made; and

7 “(ii) if the change applies to only one polit-  
8 ical subdivision, the actual number of votes, or  
9 (if it is not reasonably practicable for the polit-  
10 ical subdivision to ascertain the actual number  
11 of votes) in each subdivision-wide election held  
12 during the 5-year period which ends on the date  
13 the change involved is made.

14 “(4) VOLUNTARY COMPLIANCE BY SMALLER JU-  
15 RISDICTIONS.—Compliance with this subsection shall  
16 be voluntary for a political subdivision of a State un-  
17 less the subdivision is one of the following:

18 “(A) A county or parish.

19 “(B) A municipality with a population  
20 greater than 10,000, as determined by the Bu-  
21 reau of the Census under the most recent de-  
22 cennial census.

23 “(C) A school district with a population  
24 greater than 10,000, as determined by the Bu-  
25 reau of the Census under the most recent de-

1           cennial census. For purposes of this subpara-  
2           graph, the term ‘school district’ means the geo-  
3           graphic area under the jurisdiction of a local  
4           educational agency (as defined in section 9101  
5           of the Elementary and Secondary Education  
6           Act of 1965).

7           “(d) RULES REGARDING FORMAT OF INFORMA-  
8           TION.—The Attorney General may issue rules specifying  
9           a reasonably convenient and accessible format that States  
10          and political subdivisions shall use to provide public notice  
11          of information under this section.

12          “(e) NO DENIAL OF RIGHT TO VOTE.—The right to  
13          vote of any person shall not be denied or abridged because  
14          the person failed to comply with any change made by a  
15          State or political subdivision to a voting qualification, pre-  
16          requisite, standard, practice, or procedure if the State or  
17          political subdivision involved did not meet the applicable  
18          requirements of this section with respect to the change.

19          “(f) DEFINITIONS.—In this section—

20                 “(1) the term ‘demographic group’ means each  
21                 group which section 2 protects from the denial or  
22                 abridgement of the right to vote on account of race  
23                 or color, or in contravention of the guarantees set  
24                 forth in section 4(f)(2);

1           “(2) the term ‘election for Federal office’ means  
2           any general, special, primary, or runoff election held  
3           solely or in part for the purpose of electing any can-  
4           didate for the office of President, Vice President,  
5           Presidential elector, Senator, Member of the House  
6           of Representatives, or Delegate or Resident Commis-  
7           sioner to the Congress; and

8           “(3) the term ‘persons with disabilities’, means  
9           individuals with a disability, as defined in section 3  
10          of the Americans with Disabilities Act of 1990.”.

11          (2) CONFORMING AMENDMENT.—Section 3(a)  
12          of such Act (52 U.S.C. 10302(a)) is amended by  
13          striking “in accordance with section 6”.

14          (b) EFFECTIVE DATE.—The amendment made by  
15          subsection (a)(1) shall apply with respect to changes which  
16          are made on or after the expiration of the 60-day period  
17          which begins on the date of the enactment of this Act.

18          **SEC. 8. AUTHORITY TO ASSIGN OBSERVERS.**

19          (a) CLARIFICATION OF AUTHORITY IN POLITICAL  
20          SUBDIVISIONS SUBJECT TO PRECLEARANCE.—Section  
21          8(a)(2)(B) of the Voting Rights Act of 1965 (52 U.S.C.  
22          10305(a)(2)(B)) is amended to read as follows:

23                         “(B) in the Attorney General’s judgment,  
24                         the assignment of observers is otherwise nec-  
25                         essary to enforce the guarantees of the 14th or

1           15th Amendment or any provision of this Act  
2           or any other Federal law protecting the right of  
3           citizens of the United States to vote; or”.

4           (b) ASSIGNMENT OF OBSERVERS TO ENFORCE BI-  
5 LINGUAL ELECTION REQUIREMENTS.—Section 8(a) of  
6 such Act (52 U.S.C. 10305(a)) is amended—

7           (1) by striking “or” at the end of paragraph  
8           (1);

9           (2) by inserting after paragraph (2) the fol-  
10          lowing:

11           “(3) the Attorney General certifies with respect  
12          to a political subdivision that—

13                   “(A) the Attorney General has received  
14                   written meritorious complaints from residents,  
15                   elected officials, or civic participation organiza-  
16                   tions that efforts to violate section 203 are like-  
17                   ly to occur; or

18                   “(B) in the Attorney General’s judgment,  
19                   the assignment of observers is necessary to en-  
20                   force the guarantees of section 203;” and

21           (3) by moving the margin for the continuation  
22          text following paragraph (3), as added by paragraph  
23          (2) of this subsection, 2 ems to the left.

24           (c) TRANSFERRAL OF AUTHORITY OVER OBSERVERS  
25          TO THE ATTORNEY GENERAL.—

1           (1) ENFORCEMENT PROCEEDINGS.—Section  
2           3(a) of the Voting Rights Act of 1965 (52 U.S.C.  
3           10302(a)) is amended by striking “United States  
4           Civil Service Commission in accordance with section  
5           6” and inserting “Attorney General in accordance  
6           with section 8”.

7           (2) OBSERVERS; APPOINTMENT AND COM-  
8           PENSATION.—Section 8 of the Voting Rights Act of  
9           1965 (52 U.S.C. 10305) is amended—

10                   (A) in subsection (a)(2), in the matter fol-  
11                   lowing subparagraph (B), by striking “Director  
12                   of the Office of Personnel Management shall as-  
13                   sign as many observers for such subdivision as  
14                   the Director” and inserting “Attorney General  
15                   shall assign as many observers for such subdivi-  
16                   sion as the Attorney General”; and

17                   (B) in subsection (c), by striking “Director  
18                   of the Office of Personnel Management” and  
19                   inserting “Attorney General”.

20           (3) TERMINATION OF CERTAIN APPOINTMENTS  
21           OF OBSERVERS.—Section 13(a)(1) of the Voting  
22           Rights Act of 1965 (52 U.S.C. 10309(a)(1)) is  
23           amended by striking “notifies the Director of the Of-  
24           fice of Personnel Management,” and inserting “de-  
25           termines,”.

1 **SEC. 9. CLARIFICATION OF AUTHORITY TO SEEK RELIEF.**

2 (a) POLL TAX.—Section 10(b) of the Voting Rights  
3 Act of 1965 (52 U.S.C. 10306(b)) is amended by striking  
4 “the Attorney General is authorized and directed to insti-  
5 tute forthwith in the name of the United States such ac-  
6 tions” and inserting “an aggrieved person or (in the name  
7 of the United States) the Attorney General may institute  
8 such actions”.

9 (b) CAUSE OF ACTION.—Section 12(d) of the Voting  
10 Rights Act of 1965 (52 U.S.C. 10308(d)) is amended—

11 (1) by striking “Whenever any person has en-  
12 gaged” and all that follows through “in the name of  
13 the United States” and inserting “(1) Whenever  
14 there are reasonable grounds to believe that any per-  
15 son has implemented or will implement any voting  
16 qualification or prerequisite to voting or standard,  
17 practice, or procedure that would (A) deny any cit-  
18 izen the right to vote in violation of the 14th, 15th,  
19 19th, 24th, or 26th Amendments, or (B) would vio-  
20 late this Act (except for section 4A) or any other  
21 Federal law that prohibits discrimination on the  
22 basis of race, color, or membership in a language  
23 minority group in the voting process, an aggrieved  
24 person or (in the name of the United States) the At-  
25 torney General may institute”; and

1           (2) by striking “, and including an order di-  
2           rected to the State and State or local election offi-  
3           cials to require them (1) to permit persons listed  
4           under chapters 103 to 107 of this title to vote and  
5           (2) to count such votes”.

6           (c) JUDICIAL RELIEF.—Section 204 of the Voting  
7 Rights Act of 1965 (52 U.S.C. 10504) is amended by  
8 striking “Whenever the Attorney General has reason to  
9 believe” and all that follows through “as he deems appro-  
10 priate” and inserting “Whenever there are reasonable  
11 grounds to believe that a State or political subdivision has  
12 engaged or is about to engage in any act or practice pro-  
13 hibited by a provision of title II, an aggrieved person or  
14 (in the name of the United States) the Attorney General  
15 may institute an action in a district court of the United  
16 States, for a restraining order, a preliminary or perma-  
17 nent injunction, or such other order as may be appro-  
18 priate”.

19           (d) ENFORCEMENT OF TWENTY-SIXTH AMEND-  
20 MENT.—Section 301(a)(1) of the Voting Rights Act of  
21 1965 (52 U.S.C. 10701) is amended by striking “The At-  
22 torney General is directed to institute” and all that follows  
23 through “Constitution of the United States” and inserting  
24 “An aggrieved person or (in the name of the United  
25 States) the Attorney General may institute an action in



1 a district court of the United States, for a restraining  
2 order, a preliminary or permanent injunction, or such  
3 other order as may be appropriate to implement the twen-  
4 ty-sixth amendment to the Constitution of the United  
5 States”.

6 **SEC. 10. PREVENTIVE RELIEF.**

7 Section 12(d) of the Voting Rights Act of 1965 (52  
8 U.S.C. 10308(d)), as amended by section 9, is further  
9 amended by adding at the end the following:

10 “(2)(A) In considering any motion for preliminary re-  
11 lief in any action for preventive relief described in this sub-  
12 section, the court shall grant the relief if the court deter-  
13 mines that the complainant has raised a serious question  
14 as to whether the challenged voting qualification or pre-  
15 requisite to voting or standard, practice, or procedure vio-  
16 lates this Act or the Constitution and, on balance, the  
17 hardship imposed on the defendant by the grant of the  
18 relief will be less than the hardship which would be im-  
19 posed on the plaintiff if the relief were not granted.

20 “(B) In making its determination under this para-  
21 graph with respect to a change in any voting qualification,  
22 prerequisite to voting, or standard, practice, or procedure  
23 with respect to voting, the court shall consider all relevant  
24 factors and give due weight to the following factors, if they  
25 are present:

1           “(i) Whether the qualification, prerequisite,  
2           standard, practice, or procedure in effect prior to the  
3           change was adopted as a remedy for a Federal court  
4           judgment, consent decree, or admission regarding—

5                   “(I) discrimination on the basis of race or  
6                   color in violation of the 14th or 15th Amend-  
7                   ment;

8                   “(II) a violation of the 19th, 24th, or 26th  
9                   Amendments;

10                   “(III) a violation of this Act; or

11                   “(IV) voting discrimination on the basis of  
12                   race, color, or membership in a language minor-  
13                   ity group in violation of any other Federal or  
14                   State law.

15           “(ii) Whether the qualification, prerequisite,  
16           standard, practice, or procedure in effect prior to the  
17           change served as a ground for the dismissal or set-  
18           tlement of a claim alleging—

19                   “(I) discrimination on the basis of race or  
20                   color in violation of the 14th or 15th Amend-  
21                   ment;

22                   “(II) a violation of the 19th, 24th, or 26th  
23                   Amendment;

24                   “(III) a violation of this Act; or

1           “(IV) voting discrimination on the basis of  
2           race, color, or membership in a language minor-  
3           ity group in violation of any other Federal or  
4           State law.

5           “(iii) Whether the change was adopted fewer  
6           than 180 days before the date of the election with  
7           respect to which the change is to take or takes ef-  
8           fect.

9           “(iv) Whether the defendant has failed to pro-  
10          vide timely or complete notice of the adoption of the  
11          change as required by applicable Federal or State  
12          law.

13          “(3) A jurisdiction’s inability to enforce its voting or  
14          election laws, regulations, policies, or redistricting plans,  
15          standing alone, shall not be deemed to constitute irrep-  
16          arable harm to the public interest or to the interests of  
17          a defendant in an action arising under the Constitution  
18          or any Federal law that prohibits discrimination on the  
19          basis of race, color, or membership in a language minority  
20          group in the voting process, for the purposes of deter-  
21          mining whether a stay of a court’s order or an interlocu-  
22          tory appeal under section 1253 of title 28, United States  
23          Code, is warranted.”.

1 **SEC. 11. RELIEF FOR VIOLATIONS OF VOTING RIGHTS**  
2 **LAWS.**

3 (a) IN GENERAL.—

4 (1) RELIEF FOR VIOLATIONS OF VOTING  
5 RIGHTS LAWS.—In this section, the term “prohibited  
6 act or practice” means—

7 (A) any act or practice—

8 (i) that creates an undue burden on  
9 the fundamental right to vote in violation  
10 of the 14th Amendment to the Constitu-  
11 tion of the United States or violates the  
12 Equal Protection Clause of the 14th  
13 Amendment to the Constitution of the  
14 United States; or

15 (ii) that is prohibited by the 15th,  
16 19th, 24th, or 26th Amendment to the  
17 Constitution of the United States, section  
18 2004 of the Revised Statutes (52 U.S.C.  
19 10101), the Voting Rights Act of 1965 (52  
20 U.S.C. 10301 et seq.), the National Voter  
21 Registration Act of 1993 (52 U.S.C.  
22 20501 et seq.), the Uniformed and Over-  
23 seas Citizens Absentee Voting Act (52  
24 U.S.C. 20301 et seq.), the Help America  
25 Vote Act of 2002 (52 U.S.C. 20901 et  
26 seq.), the Voting Accessibility for the El-

1           derly and Handicapped Act (52 U.S.C.  
2           20101 et seq.), or section 2003 of the Re-  
3           vised Statutes (52 U.S.C. 10102); and

4           (B) any act or practice in violation of any  
5           Federal law that prohibits discrimination with  
6           respect to voting, including the Americans with  
7           Disabilities Act of 1990 (42 U.S.C. 12101 et  
8           seq.).

9           (2) RULE OF CONSTRUCTION.—Nothing in this  
10          section shall be construed to diminish the authority  
11          or scope of authority of any person to bring an ac-  
12          tion under any Federal law.

13          (3) ATTORNEY’S FEES.—Section 722(b) of the  
14          Revised Statutes (42 U.S.C. 1988(b)) is amended by  
15          inserting “a provision described in section 2(a) of  
16          the John R. Lewis Voting Rights Advancement Act  
17          of 2023,” after “title VI of the Civil Rights Act of  
18          1964,”.

19          (b) GROUNDS FOR EQUITABLE RELIEF.—In any ac-  
20          tion for equitable relief pursuant to a law listed under sub-  
21          section (a), proximity of the action to an election shall not  
22          be a valid reason to deny such relief, or stay the operation  
23          of or vacate the issuance of such relief, unless the party  
24          opposing the issuance or continued operation of relief  
25          meets the burden of proving by clear and convincing evi-

1 dence that the issuance of the relief would be so close in  
2 time to the election as to cause irreparable harm to the  
3 public interest or that compliance with such relief would  
4 impose serious burdens on the party opposing relief.

5 (1) IN GENERAL.—In considering whether to  
6 grant, deny, stay, or vacate any order of equitable  
7 relief, the court shall give substantial weight to the  
8 public’s interest in expanding access to the right to  
9 vote. A State’s generalized interest in enforcing its  
10 enacted laws shall not be a relevant consideration in  
11 determining whether equitable relief is warranted.

12 (2) PRESUMPTIVE SAFE HARBOR.—Where equi-  
13 table relief is sought either within 30 days of the  
14 adoption or reasonable public notice of the chal-  
15 lenged policy or practice, or more than 45 days be-  
16 fore the date of an election to which the relief being  
17 sought will apply, proximity to the election will be  
18 presumed not to constitute a harm to the public in-  
19 terest or a burden on the party opposing relief.

20 (c) GROUNDS FOR STAY OR VACATUR IN FEDERAL  
21 CLAIMS INVOLVING VOTING RIGHTS.—

22 (1) PROSPECTIVE EFFECT.—In reviewing an  
23 application for a stay or vacatur of equitable relief  
24 granted pursuant to a law listed in subsection (a),  
25 a court shall give substantial weight to the reliance

1 interests of citizens who acted pursuant to such  
2 order under review. In fashioning a stay or vacatur,  
3 a reviewing court shall not order relief that has the  
4 effect of denying or abridging the right to vote of  
5 any citizen who has acted in reliance on the order.

6 (2) WRITTEN EXPLANATION.—No stay or  
7 vacatur under this subsection shall issue unless the  
8 reviewing court makes specific findings that the pub-  
9 lic interest, including the public’s interest in expand-  
10 ing access to the ballot, will be harmed by the con-  
11 tinuing operation of the equitable relief or that com-  
12 pliance with such relief will impose serious burdens  
13 on the party seeking such a stay or vacatur such  
14 that those burdens substantially outweigh the bene-  
15 fits to the public interest. In reviewing an applica-  
16 tion for a stay or vacatur of equitable relief, findings  
17 of fact made in issuing the order under review shall  
18 not be set aside unless clearly erroneous.

19 **SEC. 12. ENFORCEMENT OF VOTING RIGHTS BY ATTORNEY**

20 **GENERAL.**

21 Section 12 of the Voting Rights Act (52 U.S.C.  
22 10308), as amended by this Act, is further amended by  
23 adding at the end the following:

24 “(g) VOTING RIGHTS ENFORCEMENT BY ATTORNEY  
25 GENERAL.—

1           “(1) IN GENERAL.—In order to fulfill the At-  
2           torney General’s responsibility to enforce the Voting  
3           Rights Act and other Federal civil rights statutes  
4           that protect the right to vote, the Attorney General  
5           (or upon designation by the Attorney General, the  
6           Assistant Attorney General for Civil Rights) is au-  
7           thorized, before commencing a civil action, to issue  
8           a demand for inspection and information in writing  
9           to any State or political subdivision, or other govern-  
10          mental representative or agent, with respect to any  
11          relevant documentary material that he has reason to  
12          believe is within their possession, custody, or control.  
13          A demand by the Attorney General under this sec-  
14          tion may require—

15                 “(A) the production of such documentary  
16                 material for inspection and copying;

17                 “(B) answers in writing to written ques-  
18                 tions with respect to such documentary mate-  
19                 rial; or

20                 “(C) both.

21           “(2) CONTENTS OF AN ATTORNEY GENERAL  
22          DEMAND.—

23                 “(A) IN GENERAL.—Any demand issued  
24                 under paragraph (1), shall include a sworn cer-  
25                 tificate to identify the voting qualification or



1 prerequisite to voting or standard, practice, or  
2 procedure with respect to voting, or other vot-  
3 ing related matter or issue, whose lawfulness  
4 the Attorney General is investigating and to  
5 identify the civil provisions of the Federal civil  
6 rights statute that protects the right to vote  
7 under which the investigation is being con-  
8 ducted. The demand shall be reasonably cal-  
9 culated to lead to the discovery of documentary  
10 material and information relevant to such civil  
11 rights investigation. Documentary material in-  
12 cludes any material upon which relevant infor-  
13 mation is recorded, and includes written or  
14 printed materials, photographs, tapes, or mate-  
15 rials upon which information is electronically or  
16 magnetically recorded. Such demands are aimed  
17 at the Attorney General having the ability to in-  
18 spect and obtain copies of relevant materials (as  
19 well as obtain information) related to voting  
20 and are not aimed at the Attorney General tak-  
21 ing possession of original records, particularly  
22 those that are required to be retained by State  
23 and local election officials under Federal or  
24 State law.

1           “(B) NO REQUIREMENT FOR PRODUC-  
2           TION.—Any demand issued under paragraph  
3           (1) may not require the production of any docu-  
4           mentary material or the submission of any an-  
5           swers in writing to written questions if such  
6           material or answers would be protected from  
7           disclosure under the standards applicable to  
8           discovery requests under the Federal Rules of  
9           Civil Procedure in an action in which the Attor-  
10          ney General or the United States is a party.

11          “(C) DOCUMENTARY MATERIAL.—If the  
12          demand issued under paragraph (1) requires  
13          the production of documentary material, it  
14          shall—

15                 “(i) identify the class of documentary  
16                 material to be produced with such definite-  
17                 ness and certainty as to permit such mate-  
18                 rial to be fairly identified; and

19                 “(ii) prescribe a return date for pro-  
20                 duction of the documentary material at  
21                 least twenty days after issuance of the de-  
22                 mand to give the State or political subdivi-  
23                 sion, or other governmental representative  
24                 or agent, a reasonable period of time for  
25                 assembling the documentary material and

1 making it available for inspection and  
2 copying.

3 “(D) ANSWERS TO WRITTEN QUES-  
4 TIONS.—If the demand issued under paragraph  
5 (1) requires answers in writing to written ques-  
6 tions, it shall—

7 “(i) set forth with specificity the writ-  
8 ten question to be answered; and

9 “(ii) prescribe a date at least twenty  
10 days after the issuance of the demand for  
11 submitting answers in writing to the writ-  
12 ten questions.

13 “(E) SERVICE.—A demand issued under  
14 paragraph (1) may be served by a United  
15 States marshal or a deputy marshal, or by cer-  
16 tified mail, at any place within the territorial  
17 jurisdiction of any court of the United States.

18 “(3) RESPONSES TO AN ATTORNEY GENERAL  
19 DEMAND.—A State or political subdivision, or other  
20 governmental representative or agent, must, with re-  
21 spect to any documentary material or any answer in  
22 writing produced under this subsection, provide a  
23 sworn certificate, in such form as the demand issued  
24 under paragraph (1) designates, by a person having  
25 knowledge of the facts and circumstances relating to

1 such production or written answer, authorized to act  
2 on behalf of the State or political subdivision, or  
3 other governmental representative or agent, upon  
4 which the demand was served. The certificate—

5 “(A) shall state that—

6 “(i) all of the documentary material  
7 required by the demand and in the posses-  
8 sion, custody, or control of the State or po-  
9 litical subdivision, or other governmental  
10 representative or agent, has been produced;

11 “(ii) that with respect to every answer  
12 in writing to a written question, all infor-  
13 mation required by the question and in the  
14 possession, custody, control, or knowledge  
15 of the State or political subdivision, or  
16 other governmental representative or  
17 agent, has been submitted; or

18 “(iii) both; or

19 “(B) provide the basis for any objection to  
20 producing the documentary material or answer-  
21 ing the written question.

22 To the extent that any information is not furnished,  
23 the information shall be identified and reasons set  
24 forth with particularity regarding the reasons why  
25 the information was not furnished.

1           “(4) JUDICIAL PROCEEDINGS.—

2           “(A) PETITION FOR ENFORCEMENT.—

3           Whenever any State or political subdivision, or  
4           other governmental representative or agent,  
5           fails to comply with demand issued by the At-  
6           torney General under paragraph (1), the Attor-  
7           ney General may file, in a district court of the  
8           United States in which the State or political  
9           subdivision, or other governmental representa-  
10          tive or agent, is located, a petition for a judicial  
11          order enforcing the Attorney General demand  
12          issued under paragraph (1).

13          “(B) PETITION TO MODIFY.—

14          “(i) IN GENERAL.—Any State or po-  
15          litical subdivision, or other governmental  
16          representative or agent, that is served with  
17          a demand issued by the Attorney General  
18          under paragraph (1) may file in the United  
19          States District Court for the District of  
20          Columbia a petition for an order of the  
21          court to modify or set aside the demand of  
22          the Attorney General.

23          “(ii) PETITION TO MODIFY.—Any pe-  
24          tition to modify or set aside a demand of  
25          the Attorney General issued under para-

1 graph (1) must be filed within 20 days  
2 after the date of service of the Attorney  
3 General's demand or at any time before  
4 the return date specified in the Attorney  
5 General's demand, whichever date is ear-  
6 lier.

7 “(iii) CONTENTS OF PETITION.—The  
8 petition shall specify each ground upon  
9 which the petitioner relies in seeking relief  
10 under clause (i), and may be based upon  
11 any failure of the Attorney General's de-  
12 mand to comply with the provisions of this  
13 section or upon any constitutional or other  
14 legal right or privilege of the State or po-  
15 litical subdivision, or other governmental  
16 representative or agent. During the pend-  
17 ency of the petition in the court, the court  
18 may stay, as it deems proper, the running  
19 of the time allowed for compliance with the  
20 Attorney General's demand, in whole or in  
21 part, except that the State or political sub-  
22 division, or other governmental representa-  
23 tive or agent, filing the petition shall com-  
24 ply with any portions of the Attorney Gen-

1                   eral’s demand not sought to be modified or  
2                   set aside.”.

3 **SEC. 13. DEFINITIONS.**

4           Title I of the Voting Rights Act of 1965 (52 U.S.C.  
5 10301) is amended by adding at the end the following:

6 **“SEC. 21. DEFINITIONS.**

7           “In this Act:

8                   “(1) INDIAN.—The term ‘Indian’ has the mean-  
9                   ing given the term in section 4 of the Indian Self-  
10                   Determination and Education Assistance Act.

11                   “(2) INDIAN LANDS.—The term ‘Indian lands’  
12                   means—

13                           “(A) any Indian country of an Indian  
14                           tribe, as such term is defined in section 1151  
15                           of title 18, United States Code;

16                           “(B) any land in Alaska that is owned,  
17                           pursuant to the Alaska Native Claims Settle-  
18                           ment Act, by an Indian tribe that is a Native  
19                           village (as such term is defined in section 3 of  
20                           such Act), or by a Village Corporation that is  
21                           associated with the Indian tribe (as such term  
22                           is defined in section 3 of such Act);

23                           “(C) any land on which the seat of govern-  
24                           ment of the Indian tribe is located; and

1           “(D) any land that is part or all of a tribal  
2           designated statistical area associated with the  
3           Indian tribe, or is part or all of an Alaska Na-  
4           tive village statistical area associated with the  
5           tribe, as defined by the Bureau of the Census  
6           for the purposes of the most recent decennial  
7           census.

8           “(3) INDIAN TRIBE.—The term ‘Indian tribe’ or  
9           ‘tribe’ has the meaning given the term ‘Indian tribe’  
10          in section 4 of the Indian Self-Determination and  
11          Education Assistance Act.

12          “(4) TRIBAL GOVERNMENT.—The term ‘Tribal  
13          Government’ means the recognized governing body  
14          of an Indian Tribe.

15          “(5) VOTING-AGE POPULATION.—The term  
16          ‘voting-age population’ means the numerical size of  
17          the population within a State, within a political sub-  
18          division, or within a political subdivision that con-  
19          tains Indian lands, as the case may be, that consists  
20          of persons age 18 or older, as calculated by the Bu-  
21          reau of the Census under the most recent decennial  
22          census.”.



1 **SEC. 14. ATTORNEYS' FEES.**

2 Section 14(c) of the Voting Rights Act of 1965 (52  
3 U.S.C. 10310(c)) is amended by adding at the end the  
4 following:

5 “(4) The term ‘prevailing party’ means a party to an  
6 action that receives at least some of the benefit sought  
7 by such action, states a colorable claim, and can establish  
8 that the action was a significant cause of a change to the  
9 status quo.”.

10 **SEC. 15. OTHER TECHNICAL AND CONFORMING AMEND-**  
11 **MENTS.**

12 (a) ACTIONS COVERED UNDER SECTION 3.—Section  
13 3(c) of the Voting Rights Act of 1965 (52 U.S.C.  
14 10302(c)) is amended—

15 (1) by striking “any proceeding instituted by  
16 the Attorney General or an aggrieved person under  
17 any statute to enforce” and inserting “any action  
18 under any statute in which a party (including the  
19 Attorney General) seeks to enforce”; and

20 (2) by striking “at the time the proceeding was  
21 commenced” and inserting “at the time the action  
22 was commenced”.

23 (b) CLARIFICATION OF TREATMENT OF MEMBERS OF  
24 LANGUAGE MINORITY GROUPS.—Section 4(f) of such Act  
25 (52 U.S.C. 10303(f)) is amended—

1           (1) in paragraph (1), by striking the second  
2 sentence; and

3           (2) by striking paragraphs (3) and (4).

4           (c) PERIOD DURING WHICH CHANGES IN VOTING  
5 PRACTICES ARE SUBJECT TO PRECLEARANCE UNDER  
6 SECTION 5.—Section 5 of such Act (52 U.S.C. 10304)  
7 is amended—

8           (1) in subsection (a), by striking “based upon  
9 determinations made under the first sentence of sec-  
10 tion 4(b) are in effect” and inserting “are in effect  
11 during a calendar year”;

12           (2) in subsection (a), by striking “November 1,  
13 1964” and all that follows through “November 1,  
14 1972” and inserting “the applicable date of cov-  
15 erage”; and

16           (3) by adding at the end the following new sub-  
17 section:

18           “(e) The term ‘applicable date of coverage’ means,  
19 with respect to a State or political subdivision—

20           “(1) June 25, 2013, if the most recent deter-  
21 mination for such State or subdivision under section  
22 4(b) was made on or before December 31, 2021; or

23           “(2) the date on which the most recent deter-  
24 mination for such State or subdivision under section

1 4(b) was made, if such determination was made  
2 after December 31, 2021.”.

3 **SEC. 16. SEVERABILITY.**

4 If any provision of this Act or any amendment made  
5 by this Act, or the application of such a provision or  
6 amendment to any person or circumstance, is held to be  
7 unconstitutional or is otherwise enjoined or unenforceable,  
8 the remainder of this Act and amendments made by this  
9 Act, and the application of the provisions and amendment  
10 to any person or circumstance, and any remaining provi-  
11 sion of the Voting Rights Act of 1965, shall not be af-  
12 fected by the holding.

13 **SEC. 17. GRANTS TO ASSIST WITH NOTICE REQUIREMENTS**

14 **UNDER THE VOTING RIGHTS ACT OF 1965.**

15 (a) IN GENERAL.—The Attorney General shall make  
16 grants each fiscal year to small jurisdictions who submit  
17 applications under subsection (b) for purposes of assisting  
18 such small jurisdictions with compliance with the require-  
19 ments of the Voting Rights Act of 1965 to submit or pub-  
20 lish notice of any change to a qualification, prerequisite,  
21 standard, practice or procedure affecting voting.

22 (b) APPLICATION.—To be eligible for a grant under  
23 this section, a small jurisdiction shall submit an applica-  
24 tion to the Attorney General in such form and containing  
25 such information as the Attorney General may require re-

1   garding the compliance of such small jurisdiction with the  
2   provisions of the Voting Rights Act of 1965.

3       (c) **SMALL JURISDICTION DEFINED.**—For purposes  
4   of this section, the term “small jurisdiction” means any  
5   political subdivision of a State with a population of 10,000  
6   or less.

○