

118TH CONGRESS
2D SESSION

S. _____

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.

IN THE SENATE OF THE UNITED STATES

Mr. DURBIN (for himself, Mr. WARNOCK, Mr. BOOKER, Mr. BLUMENTHAL, Ms. BUTLER, Mr. SCHUMER, Mrs. MURRAY, Mr. WYDEN, Mr. REED, Mr. CARPER, Ms. STABENOW, Ms. CANTWELL, Mr. MENENDEZ, Mr. CARDIN, Mr. SANDERS, Mr. BROWN, Mr. CASEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. TESTER, Mrs. SHAHEEN, Mr. WARNER, Mr. MERKLEY, Mr. BENNET, Mrs. GILLIBRAND, Mr. COONS, Mr. SCHATZ, Ms. BALDWIN, Mr. MURPHY, Ms. HIRONO, Mr. HEINRICH, Mr. KING, Mr. KAINE, Ms. WARREN, Mr. MARKEY, Mr. PETERS, Mr. VAN HOLLEN, Ms. DUCKWORTH, Ms. HASSAN, Ms. CORTEZ MASTO, Ms. SMITH, Ms. SINEMA, Ms. ROSEN, Mr. KELLY, Mr. LUJÁN, Mr. HICKENLOOPER, Mr. PADILLA, Mr. OSSOFF, Mr. WELCH, and Mr. FETTERMAN) introduced the following bill; which was read twice and referred to the Committee on _____

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “John R. Lewis Voting
3 Rights Advancement Act of 2024”.

4 **TITLE I—AMENDMENTS TO THE**
5 **VOTING RIGHTS ACT**

6 **SEC. 101. VOTE DILUTION, DENIAL, AND ABRIDGMENT**
7 **CLAIMS.**

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

10 (1) by inserting after “applied by any State or
11 political subdivision” the following: “for the purpose
12 of, or”; and

13 (2) by striking “as provided in subsection (b)”
14 and inserting “as provided in subsection (b), (c), (d),
15 or (e)”.

16 (b) VOTE DILUTION.—Section 2 of such Act (52
17 U.S.C. 10301), as amended by subsection (a), is further
18 amended by striking subsection (b) and inserting the fol-
19 lowing:

20 “(b) A violation of subsection (a) for vote dilution is
21 established if, based on the totality of circumstances, it
22 is shown that the political processes leading to nomination
23 or election in the State or political subdivision are not
24 equally open to participation by members of a class of citi-
25 zens protected by subsection (a) in that its members have
26 less opportunity than other members of the electorate to

1 participate in the political process and to elect representa-
2 tives of their choice. The extent to which members of a
3 protected class have been elected to office in the State or
4 political subdivision is one circumstance which may be
5 considered: *Provided*, That nothing in this section estab-
6 lishes a right to have members of a protected class elected
7 in numbers equal to their proportion in the population.
8 The legal standard articulated in *Thornburg v. Gingles*,
9 478 U.S. 30 (1986), governs claims under this subsection.
10 For purposes of this subsection a class of citizens pro-
11 tected by subsection (a) may include a cohesive coalition
12 of members of different racial or language minority
13 groups.”.

14 (c) VOTE DENIAL OR ABRIDGEMENT.—Section 2 of
15 such Act (52 U.S.C. 10301), as amended by subsections
16 (a) and (b), is further amended by adding at the end the
17 following:

18 “(c)(1) A violation of subsection (a) for vote denial
19 or abridgment is established if the challenged standard,
20 practice, or procedure imposes a discriminatory burden on
21 members of a class of citizens protected by subsection (a),
22 meaning that—

23 “(A) members of the protected class face great-
24 er difficulty in complying with the standard, prac-

1 tice, or procedure, considering the totality of the cir-
2 cumstances; and

3 “(B) such greater difficulty is, at least in part,
4 caused by or linked to social and historical condi-
5 tions that have produced or currently produce dis-
6 crimination against members of the protected class.

7 “(2) The challenged standard, practice, or procedure
8 need only be a but-for cause of the discriminatory burden
9 or perpetuate a pre-existing discriminatory burden.

10 “(3)(A) The totality of the circumstances for consid-
11 eration relative to a violation of subsection (a) for vote
12 denial or abridgment shall include the following factors,
13 which, individually and collectively, show how a voting
14 standard, practice, or procedure can function to amplify
15 the effects of past or present racial discrimination:

16 “(i) The history of official voting-related dis-
17 crimination in the State or political subdivision.

18 “(ii) The extent to which voting in the elections
19 of the State or political subdivision is racially polar-
20 ized.

21 “(iii) The extent to which the State or political
22 subdivision has used unduly burdensome photo-
23 graphic voter identification requirements, documen-
24 tary proof of citizenship requirements, documentary
25 proof of residence requirements, or other voting

1 standards, practices, or procedures beyond those re-
2 quired by Federal law that may impair the ability of
3 members of the protected class to participate fully in
4 the political process.

5 “(iv) The extent to which members of the pro-
6 tected class bear the effects of discrimination in
7 areas such as education, employment, and health,
8 which hinder the ability of those members to partici-
9 pate effectively in the political process.

10 “(v) The use of overt or subtle racial appeals ei-
11 ther in political campaigns or surrounding the adop-
12 tion or maintenance of the challenged standard,
13 practice, or procedure.

14 “(vi) The extent to which members of the pro-
15 tected class have been elected to public office in the
16 jurisdiction, except that the fact that the protected
17 class is too small to elect candidates of its choice
18 shall not defeat a claim of vote denial or abridgment
19 under this section.

20 “(vii) Whether there is a lack of responsiveness
21 on the part of elected officials to the particularized
22 needs of members of the protected class.

23 “(viii) Whether the policy underlying the State
24 or political subdivision’s use of the challenged quali-
25 fication, prerequisite, standard, practice, or proce-

1 dure has a tenuous connection to that qualification,
2 prerequisite, standard, practice, or procedure.

3 “(B) A particular combination or number of
4 factors under subparagraph (A) shall not be re-
5 quired to establish a violation of subsection (a) for
6 vote denial or abridgment.

7 “(C) The totality of the circumstances for con-
8 sideration relative to a violation of subsection (a) for
9 vote denial or abridgment shall not include the fol-
10 lowing factors:

11 “(i) The total number or share of members of
12 a protected class on whom a challenged standard,
13 practice, or procedure does not impose a material
14 burden.

15 “(ii) The degree to which the challenged stand-
16 ard, practice, or procedure has a long pedigree or
17 was in widespread use at some earlier date.

18 “(iii) The use of an identical or similar stand-
19 ard, practice, or procedure in other States or polit-
20 ical subdivisions.

21 “(iv) The availability of other forms of voting
22 unimpacted by the challenged standard, practice, or
23 procedure to all members of the electorate, including
24 members of the protected class, unless the State or
25 political subdivision is simultaneously expanding

1 those other standards, practices, or procedures to
2 eliminate any disproportionate burden imposed by
3 the challenged standard, practice, or procedure.

4 “(v) A prophylactic impact on potential criminal
5 activity by individual voters, if such crimes have not
6 occurred in the State or political subdivision in sub-
7 stantial numbers.

8 “(vi) Mere invocation of interests in voter con-
9 fidence or prevention of fraud.”.

10 (d) INTENDED VOTE DILUTION OR VOTE DENIAL OR
11 ABRIDGMENT.—Section 2 of such Act (52 U.S.C. 10301),
12 as amended by subsections (a), (b), and (c) is further
13 amended by adding at the end the following:

14 “(d)(1) A violation of subsection (a) is also estab-
15 lished if a challenged qualification, prerequisite, standard,
16 practice, or procedure is intended, at least in part, to di-
17 lute the voting strength of a protected class or to deny
18 or abridge the right of any citizen of the United States
19 to vote on account of race, color, or in contravention of
20 the guarantees set forth in section 4(f)(2).

21 “(2) Discrimination on account of race or color,
22 or in contravention of the guarantees set forth in
23 section 4(f)(2), need only be one purpose of a quali-
24 fication, prerequisite, standard, practice, or proce-
25 dure in order to establish a violation of subsection

1 (a), as described in this subsection. A qualification,
2 prerequisite, standard, practice, or procedure in-
3 tended to dilute the voting strength of a protected
4 class or to make it more difficult for members of a
5 protected class to cast a ballot that will be counted
6 constitutes a violation of subsection (a), as described
7 in this subsection, even if an additional purpose of
8 the qualification, prerequisite, standard, practice, or
9 procedure is to benefit a particular political party or
10 group.

11 “(3) Recent context, including actions by offi-
12 cial decisionmakers in prior years or in other con-
13 texts preceding the decision responsible for the chal-
14 lenged qualification, prerequisite, standard, practice,
15 or procedure, and including actions by predecessor
16 government actors or individual members of a deci-
17 sionmaking body, may be relevant to making a de-
18 termination about a violation of subsection (a), as
19 described under this subsection.

20 “(4) A claim that a violation of subsection (a)
21 has occurred, as described under this subsection,
22 shall require proof of a discriminatory impact but
23 shall not require proof of violation of subsection (b)
24 or (c).”.

1 **SEC. 102. RETROGRESSION.**

2 Section 2 of the Voting Rights Act of 1965 (52
3 U.S.C. 10301 et seq.), as amended by section 101 of this
4 Act, is further amended by adding at the end the fol-
5 lowing:

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

20 “(f) Notwithstanding the provisions of subsection (e),
21 final decisions of the United States District Court of the
22 District of Columbia on applications or petitions by States
23 or political subdivisions for preclearance under section 5
24 of any changes in voting prerequisites, standards, prac-
25 tices, or procedures, supersede the provisions of subsection
26 (e).”.

1 **SEC. 103. VIOLATIONS TRIGGERING AUTHORITY OF COURT**
2 **TO RETAIN JURISDICTION.**

3 (a) TYPES OF VIOLATIONS.—Section 3(c) of the Vot-
4 ing Rights Act of 1965 (52 U.S.C. 10302(c)) is amended
5 by striking “violations of the fourteenth or fifteenth
6 amendment” and inserting “violations of the 14th or 15th
7 Amendment, violations of this Act, or violations of any
8 Federal law that prohibits discrimination in voting on the
9 basis of race, color, or membership in a language minority
10 group,”.

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

18 **SEC. 104. CRITERIA FOR COVERAGE OF STATES AND POLIT-**
19 **ICAL SUBDIVISIONS.**

20 (a) DETERMINATION OF STATES AND POLITICAL
21 SUBDIVISIONS SUBJECT TO SECTION 4(a).—

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

25 “(b) DETERMINATION OF STATES AND POLITICAL
26 SUBDIVISIONS SUBJECT TO REQUIREMENTS.—

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

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

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

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

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

22 “(2) PERIOD OF APPLICATION.—

23 “(A) IN GENERAL.—Except as provided in
24 subparagraph (B), if, pursuant to paragraph
25 (1), subsection (a) applies with respect to a

1 State or political subdivision during a calendar
2 year, subsection (a) shall apply with respect to
3 such State or political subdivision for the pe-
4 riod—

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

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

9 “(B) NO FURTHER APPLICATION AFTER
10 DECLARATORY JUDGMENT.—

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

22 “(ii) POLITICAL SUBDIVISIONS.—If a
23 political subdivision obtains a declaratory
24 judgment under subsection (a), and the
25 judgment remains in effect, subsection (a)

1 shall no longer apply to such political sub-
2 division pursuant to paragraph (1), includ-
3 ing pursuant to paragraph (1)(A) (relating
4 to the statewide application of subsection
5 (a)), unless, after the issuance of the de-
6 claratory judgment, paragraph (1)(B) ap-
7 plies to the political subdivision solely on
8 the basis of voting rights violations occur-
9 ring after the issuance of the declaratory
10 judgment.

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

15 “(A) JUDICIAL RELIEF; VIOLATION OF
16 THE 14TH OR 15TH AMENDMENT.—Any final
17 judgment (that was not reversed on appeal) oc-
18 curred, in which the plaintiff prevailed and in
19 which any court of the United States deter-
20 mined that a denial or abridgement of the right
21 of any citizen of the United States to vote on
22 account of race, color, or membership in a lan-
23 guage minority group occurred, or that a voting
24 qualification or prerequisite to voting or stand-
25 ard, practice, or procedure with respect to vot-

1 ing created an undue burden on the right to
2 vote in connection with a claim that the law un-
3 duly burdened voters of a particular race, color,
4 or language minority group, in violation of the
5 14th or 15th Amendment to the Constitution of
6 the United States, anywhere within the State or
7 subdivision.

8 “(B) JUDICIAL RELIEF; VIOLATIONS OF
9 THIS ACT.—Any final judgment (that was not
10 reversed on appeal) occurred in which the plain-
11 tiff prevailed and in which any court of the
12 United States determined that a voting quali-
13 fication or prerequisite to voting or standard,
14 practice, or procedure with respect to voting
15 was imposed or applied or would have been im-
16 posed or applied anywhere within the State or
17 subdivision in a manner that resulted or would
18 have resulted in a denial or abridgement of the
19 right of any citizen of the United States to vote
20 on account of race, color, or membership in a
21 language minority group, in violation of sub-
22 section (e) or (f) or section 2, 201, or 203.

23 “(C) FINAL JUDGMENT; DENIAL OF DE-
24 CLARATORY JUDGMENT.—In a final judgment
25 (that was not been reversed on appeal), any

1 court of the United States has denied the re-
2 quest of the State or subdivision for a declara-
3 tory judgment under section 3(c) or section 5,
4 and thereby prevented a voting qualification or
5 prerequisite to voting or standard, practice, or
6 procedure with respect to voting from being en-
7 forced anywhere within the State or subdivision.

8 “(D) OBJECTION BY THE ATTORNEY GEN-
9 ERAL.—The Attorney General has interposed
10 an objection under section 3(c) or section 5,
11 and thereby prevented a voting qualification or
12 prerequisite to voting or standard, practice, or
13 procedure with respect to voting from being en-
14 forced anywhere within the State or subdivision.
15 A violation under this subparagraph has not oc-
16 curred where an objection has been withdrawn
17 by the Attorney General, unless the withdrawal
18 was in response to a change in the law or prac-
19 tice that served as the basis of the objection. A
20 violation under this subparagraph has not oc-
21 curred where the objection is based solely on a
22 State or political subdivision’s failure to comply
23 with a procedural process that would not other-
24 wise count as an independent violation of this
25 Act.

1 “(E) CONSENT DECREE, SETTLEMENT, OR
2 OTHER AGREEMENT.—

3 “(i) AGREEMENT.—A consent decree,
4 settlement, or other agreement was adopt-
5 ed or entered by a court of the United
6 States that contains an admission of liabil-
7 ity by the defendants, which resulted in the
8 alteration or abandonment of a voting
9 practice anywhere in the territory of such
10 State or subdivision that was challenged on
11 the ground that the practice denied or
12 abridged the right of any citizen of the
13 United States to vote on account of race,
14 color, or membership in a language minor-
15 ity group in violation of subsection (e) or
16 (f) or section 2, 201, or 203, or the 14th
17 or 15th Amendment.

18 “(ii) INDEPENDENT VIOLATIONS.—A
19 voluntary extension or continuation of a
20 consent decree, settlement, or agreement
21 described in clause (i) shall not count as
22 an independent violation under this sub-
23 paragraph. Any other extension or modi-
24 fication of such a consent decree, settle-
25 ment, or agreement, if the consent decree,

1 settlement, or agreement has been in place
2 for ten years or longer, shall count as an
3 independent violation under this subpara-
4 graph. If a court of the United States
5 finds that a consent decree, settlement, or
6 agreement described in clause (i) itself de-
7 nied or abridged the right of any citizen of
8 the United States to vote on account of
9 race, color, or membership in a language
10 minority group, violated subsection (e) or
11 (f) or section 2, 201, or 203, or created an
12 undue burden on the right to vote in con-
13 nection with a claim that the consent de-
14 cree, settlement, or other agreement un-
15 duly burdened voters of a particular race,
16 color, or language minority group, that
17 finding shall count as an independent vio-
18 lation under this subparagraph.

19 “(F) MULTIPLE VIOLATIONS.—Each in-
20 stance in which a voting qualification or pre-
21 requisite to voting or standard, practice, or pro-
22 cedure with respect to voting, including each re-
23 districting plan, is found to be a violation by a
24 court of the United States pursuant to subpara-
25 graph (A) or (B), or prevented from being en-

1 forced pursuant to subparagraph (C) or (D), or
2 altered or abandoned pursuant to subparagraph
3 (E) shall count as an independent violation
4 under this paragraph. Within a redistricting
5 plan, each violation under this paragraph found
6 to discriminate against any group of voters
7 based on race, color, or language minority
8 group shall count as an independent violation
9 under this paragraph.

10 “(4) TIMING OF DETERMINATIONS.—

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

19 “(B) EFFECTIVE UPON PUBLICATION IN
20 FEDERAL REGISTER.—A determination or cer-
21 tification of the Attorney General under this
22 section or under section 8 or 13 shall be effec-
23 tive upon publication in the Federal Register.”.

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

1 (A) in paragraph (1), in the first sentence
2 of the matter preceding subparagraph (A), by
3 striking “any State with respect to which” and
4 all that follows through “unless” and inserting
5 “any State to which this subsection applies dur-
6 ing a calendar year pursuant to determinations
7 made under subsection (b), or in any political
8 subdivision of such State (as such subdivision
9 existed on the date such determinations were
10 made with respect to such State), though such
11 determinations were not made with respect to
12 such subdivision as a separate unit, or in any
13 political subdivision with respect to which this
14 subsection applies during a calendar year pur-
15 suant to determinations made with respect to
16 such subdivision as a separate unit under sub-
17 section (b), unless”;

18 (B) in paragraph (1), in the matter pre-
19 ceding subparagraph (A), by striking the second
20 sentence;

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

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

5 (E) in paragraph (3), by striking “(in the
6 case of a State or subdivision seeking a declara-
7 tory judgment under the second sentence of this
8 subsection)”;

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

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

15 (H) by redesignating paragraph (9) as
16 paragraph (7).

17 (b) CLARIFICATION OF TREATMENT OF MEMBERS OF
18 LANGUAGE MINORITY GROUPS.—Section 4(a)(1) of such
19 Act (52 U.S.C. 10303(a)(1)), as amended by subsection
20 (a), is further amended, in the first sentence, by striking
21 “race or color,” and inserting “race or color, or in con-
22 travention of the guarantees of subsection (f)(2),”.

23 (c) FACILITATING BAILOUT.—Section 4(a) of the
24 Voting Rights Act of 1965 (52 U.S.C. 10303(a)), as
25 amended by subsection (a), is further amended—

1 (1) by striking paragraph (1)(C) and redesignig-
2 nating subparagraphs (D) through (F) as subpara-
3 graphs (C) through (E), respectively;

4 (2) by inserting at the beginning of paragraph
5 (7), as redesignated by subsection (a)(2)(H), the fol-
6 lowing: “Any plaintiff seeking a declaratory judg-
7 ment under this subsection on the grounds that the
8 plaintiff meets the requirements of paragraph (1)
9 may request that the Attorney General consent to
10 entry of judgment.”; and

11 (3) by adding at the end the following:

12 “(8) If a political subdivision is subject to the applica-
13 tion of this subsection, due to the applicability of sub-
14 section (b)(1)(A), the political subdivision may seek a de-
15 claratory judgment under this section if the subdivision
16 demonstrates that the subdivision meets the criteria estab-
17 lished by the subparagraphs of paragraph (1), for the 10
18 years preceding the date on which subsection (a) applied
19 to the political subdivision under subsection (b)(1)(A).

20 “(9) If a political subdivision was not subject to the
21 application of this subsection by reason of a declaratory
22 judgment entered prior to the date of enactment of the
23 John R. Lewis Voting Rights Advancement Act of 2024,
24 and is not, subsequent to that date of enactment, subject
25 to the application of this subsection under subsection

1 (b)(1)(B), then that political subdivision shall not be sub-
2 ject to the requirements of this subsection.”.

3 **SEC. 105. DETERMINATION OF STATES AND POLITICAL SUB-**
4 **DIVISIONS SUBJECT TO PRECLEARANCE FOR**
5 **COVERED PRACTICES.**

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

9 **“SEC. 4A. DETERMINATION OF STATES AND POLITICAL**
10 **SUBDIVISIONS SUBJECT TO PRECLEARANCE**
11 **FOR COVERED PRACTICES.**

12 “(a) PRACTICE-BASED PRECLEARANCE.—

13 “(1) IN GENERAL.—Each State and each polit-
14 ical subdivision shall—

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

21 “(B) ensure that no such covered practice
22 is implemented unless or until the State or po-
23 litical subdivision, as the case may be, complies
24 with subsection (c).

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

3 “(A) IN GENERAL.—As early as prac-
4 ticable during each calendar year, the Attorney
5 General, in consultation with the Director of
6 the Bureau of the Census and the heads of
7 other relevant offices of the government, shall
8 make the determinations required by this sec-
9 tion regarding voting-age populations and the
10 characteristics of such populations, and shall
11 publish a list of the States and political subdivi-
12 sions to which a voting-age population char-
13 acteristic described in subsection (b) applies.

14 “(B) PUBLICATION IN THE FEDERAL REG-
15 ISTER.—A determination (including a certifi-
16 cation) of the Attorney General under this
17 paragraph shall be effective upon publication in
18 the Federal Register.

19 “(b) COVERED PRACTICES.—To assure that the right
20 of citizens of the United States to vote is not denied or
21 abridged on account of race, color, or membership in a
22 language minority group as a result of the implementation
23 of certain qualifications or prerequisites to voting, or
24 standards, practices, or procedures with respect to voting,
25 newly adopted in a State or political subdivision, the fol-

1 lowing shall be covered practices subject to the require-
2 ments described in subsection (a):

3 “(1) CHANGES TO METHOD OF ELECTION.—

4 Any change to the method of election—

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

7 “(i) two or more racial groups or lan-
8 guage minority groups each represent 20
9 percent or more of the voting-age popu-
10 lation in the State or political subdivision,
11 respectively; or

12 “(ii) a single language minority group
13 represents 20 percent or more of the vot-
14 ing-age population on Indian lands located
15 in whole or in part in the State or political
16 subdivision; or

17 “(B) to convert one or more seats elected
18 from a single-member district to one or more
19 at-large seats or seats from a multi-member
20 district in a State or political subdivision
21 where—

22 “(i) two or more racial groups or lan-
23 guage minority groups each represent 20
24 percent or more of the voting-age popu-

1 lation in the State or political subdivision,
2 respectively; or

3 “(ii) a single language minority group
4 represents 20 percent or more of the vot-
5 ing-age population on Indian lands located
6 in whole or in part in the State or political
7 subdivision.

8 “(2) CHANGES TO POLITICAL SUBDIVISION
9 BOUNDARIES.—Any change or series of changes
10 within a year to the boundaries of a political subdivi-
11 sion that reduces by 3 or more percentage points the
12 percentage of the political subdivision’s voting-age
13 population that is comprised of members of a single
14 racial group or language minority group in the polit-
15 ical subdivision where—

16 “(A) two or more racial groups or lan-
17 guage minority groups each represent 20 per-
18 cent or more of the political subdivision’s vot-
19 ing-age population; or

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

24 “(3) CHANGES THROUGH REDISTRICTING.—
25 Any change to the boundaries of districts for Fed-

1 eral, State, or local elections in a State or political
2 subdivision where any racial group or language mi-
3 nority group that is not the largest racial group or
4 language minority group in the jurisdiction and that
5 represents 15 percent or more of the State or polit-
6 ical subdivision’s voting-age population experiences a
7 population increase of at least 20 percent of its vot-
8 ing-age population, over the preceding decade (as
9 calculated by the Bureau of the Census under the
10 most recent decennial census), in the jurisdiction.

11 “(4) CHANGES IN DOCUMENTATION OR QUALI-
12 FICATIONS TO VOTE.—Any change to requirements
13 for documentation or proof of identity to vote or reg-
14 ister to vote in elections for Federal, State, or local
15 offices that will exceed or be more stringent than
16 such requirements under State law on the day before
17 the date of enactment of the John R. Lewis Voting
18 Rights Advancement Act of 2024.

19 “(5) CHANGES TO MULTILINGUAL VOTING MA-
20 TERIALS.—Any change that reduces multilingual
21 voting materials or alters the manner in which such
22 materials are provided or distributed, where no simi-
23 lar reduction or alteration occurs in materials pro-
24 vided in English for such election.

1 “(6) CHANGES THAT REDUCE, CONSOLIDATE,
2 OR RELOCATE VOTING LOCATIONS, OR REDUCE VOT-
3 ING OPPORTUNITIES.—Any change that reduces,
4 consolidates, or relocates voting locations in elections
5 for Federal, State, or local office, including early,
6 absentee, and election-day voting locations, or re-
7 duces days or hours of in-person voting on any Sun-
8 day during a period occurring prior to the date of
9 an election for Federal, State, or local office during
10 which voters may cast ballots in such election, or
11 prohibits the provision of food or non-alcoholic drink
12 to persons waiting to vote in an election for Federal,
13 State, or local office, except where the provision
14 would violate prohibitions on expenditures to influ-
15 ence voting, if the location change, reduction in days
16 or hours, or prohibition applies—

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

21 “(B) on Indian lands in which 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 process for voter reg-

1 istration lists that adds a new basis for removal
2 from the list of active voters registered to vote in
3 elections for Federal, State, or local office, or that
4 incorporates new sources of information in deter-
5 mining a voter’s eligibility to vote in elections for
6 Federal, State, or local office, if such a change
7 would have a statistically significant disparate im-
8 pact, concerning the removal from voter rolls, on
9 members of racial groups or language minority
10 groups that constitute greater than 5 percent of the
11 voting-age population—

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

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

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

23 “(B) in the case of a State imposing such
24 change, if two or more racial groups or lan-

1 guage minority groups each represent 20 per-
2 cent or more of the voting-age population of—

3 “(i) the State; or

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

9 “(c) PRECLEARANCE.—

10 “(1) IN GENERAL.—

11 “(A) ACTION .—Whenever a State or polit-
12 ical subdivision with respect to which the re-
13 quirements set forth in subsection (a) are in ef-
14 fect shall enact, adopt, or seek to implement
15 any covered practice described under subsection
16 (b), such State or subdivision may institute an
17 action in the United States District Court for
18 the District of Columbia for a declaratory judg-
19 ment that such covered practice neither has the
20 purpose nor will have the effect of denying or
21 abridging the right to vote on account of race,
22 color, or membership in a language minority
23 group, and unless and until the court enters
24 such judgment such covered practice shall not
25 be implemented.

1 “(B) SUBMISSION TO ATTORNEY GEN-
2 ERAL.—

3 “(i) IN GENERAL.—Notwithstanding
4 subparagraph (A), such covered practice
5 may be implemented without such pro-
6 ceeding if the covered practice has been
7 submitted by the chief legal officer or other
8 appropriate official of such State or sub-
9 division to the Attorney General and the
10 Attorney General has not interposed an ob-
11 jection within 60 days after such submis-
12 sion, or upon good cause shown, to facili-
13 tate an expedited approval within 60 days
14 after such submission, the Attorney Gen-
15 eral has affirmatively indicated that such
16 objection will not be made. For purposes of
17 determining whether expedited consider-
18 ation of approval is required under this
19 subparagraph or section 5(a), an exigency
20 such as a natural disaster, that requires a
21 change in a voting qualification or pre-
22 requisite to voting or standard, practice, or
23 procedure with respect to voting during the
24 period of 30 days before a Federal election,

1 shall be considered to be good cause re-
2 quiring that expedited consideration.

3 “(ii) EFFECT OF INDICATION.—Nei-
4 ther an affirmative indication by the Attor-
5 ney General that no objection will be made,
6 nor the Attorney General’s failure to ob-
7 ject, nor a declaratory judgment entered
8 under this subsection shall bar a subse-
9 quent action to enjoin implementation of
10 such covered practice. In the event the At-
11 torney General affirmatively indicates that
12 no objection will be made within the 60-
13 day period following receipt of a submis-
14 sion, the Attorney General may reserve the
15 right to reexamine the submission if addi-
16 tional information comes to the Attorney
17 General’s attention during the remainder
18 of the 60-day period which would otherwise
19 require objection in accordance with this
20 subsection.

21 “(C) COURT.—Any action under this sub-
22 section shall be heard and determined by a
23 court of three judges in accordance with the
24 provisions of section 2284 of title 28, United

1 States Code, and any appeal shall lie to the Su-
2 preme Court.

3 “(2) DENYING OR ABRIDGING THE RIGHT TO
4 VOTE.—Any covered practice described in subsection
5 (b) that has the purpose of or will have the effect
6 of diminishing the ability of any citizens of the
7 United States on account of race, color, or member-
8 ship in a language minority group, to elect their pre-
9 ferred candidates of choice denies or abridges the
10 right to vote within the meaning of paragraph (1).

11 “(3) PURPOSE DEFINED.—The term ‘purpose’
12 in paragraphs (1) and (2) shall include any discrimi-
13 natory purpose.

14 “(4) PURPOSE OF PARAGRAPH (2).—The pur-
15 pose of paragraph (2) is to protect the ability of
16 such citizens to elect their preferred candidates of
17 choice.

18 “(d) ENFORCEMENT.—The Attorney General or any
19 aggrieved citizen may file an action in a district court of
20 the United States to compel any State or political subdivi-
21 sion to satisfy the obligations set forth in this section.
22 Such an action shall be heard and determined by a court
23 of three judges under section 2284 of title 28, United
24 States Code. In any such action, the court shall provide
25 as a remedy that implementation of any voting qualifica-

1 tion or prerequisite to voting, or standard, practice, or
2 procedure with respect to voting, that is the subject of the
3 action under this subsection be enjoined unless the court
4 determines that—

5 “(1) the voting qualification or prerequisite to
6 voting, or standard, practice, or procedure with re-
7 spect to voting, is not a covered practice described
8 in subsection (b); or

9 “(2) the State or political subdivision has com-
10 plied with subsection (c) with respect to the covered
11 practice at issue.

12 “(e) COUNTING OF RACIAL GROUPS AND LANGUAGE
13 MINORITY GROUPS.—For purposes of this section, the cal-
14 culation of the population of a racial group or a language
15 minority group shall be carried out using the methodology
16 in the guidance of the Department of Justice entitled
17 ‘Guidance Concerning Redistricting Under Section 5 of
18 the Voting Rights Act; Notice’ (76 Fed. Reg. 7470 (Feb-
19 ruary 9, 2011)).

20 “(f) SPECIAL RULE.—For purposes of determina-
21 tions under this section, any data provided by the Bureau
22 of the Census, whether based on estimation from a sample
23 or actual enumeration, shall not be subject to challenge
24 or review in any court.

1 subdivision and on the website of the State or polit-
2 ical subdivision, of a concise description of the
3 change, including the difference between the
4 changed qualification or prerequisite, standard, prac-
5 tice, or procedure and the qualification, prerequisite,
6 standard, practice, or procedure which was pre-
7 viously in effect. The public notice described in this
8 paragraph, in such State or political subdivision and
9 on the website of a State or political subdivision,
10 shall be in a format that is reasonably convenient
11 and accessible to persons with disabilities who are el-
12 igible to vote, including persons who have low vision
13 or are blind.

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

18 “(b) TRANSPARENCY REGARDING POLLING PLACE
19 RESOURCES.—

20 “(1) IN GENERAL.—In order to identify any
21 changes that may impact the right to vote of any
22 person, prior to the 30th day before the date of an
23 election for Federal office, each State or political
24 subdivision with responsibility for allocating reg-
25 istered voters, voting machines, and official poll

1 workers to particular precincts and polling places
2 shall provide reasonable public notice in such State
3 or political subdivision and on the website of a State
4 or political subdivision, of the information described
5 in paragraph (2) for precincts and polling places
6 within such State or political subdivision. The public
7 notice described in this paragraph, in such State or
8 political subdivision and on the website of a State or
9 political subdivision, shall be in a format that is rea-
10 sonably convenient and accessible to persons with
11 disabilities who are eligible to vote, including persons
12 who have low vision or are blind.

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

16 “(A) The name or number.

17 “(B) In the case of a polling place, the lo-
18 cation, including the street address, and wheth-
19 er such polling place is accessible to persons
20 with disabilities.

21 “(C) The voting-age population of the area
22 served by the precinct or polling place, broken
23 down by demographic group if such breakdown
24 is reasonably available to such State or political
25 subdivision.

1 “(D) The number of registered voters as-
2 signed to the precinct or polling place, broken
3 down by demographic group if such breakdown
4 is reasonably available to such State or political
5 subdivision.

6 “(E) The number of voting machines as-
7 signed, including the number of voting ma-
8 chines accessible to persons with disabilities
9 who are eligible to vote, including persons who
10 have low vision or are blind.

11 “(F) The number of official paid poll
12 workers assigned.

13 “(G) The number of official volunteer poll
14 workers assigned.

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

17 “(3) UPDATES IN INFORMATION REPORTED.—

18 If a State or political subdivision makes any change
19 in any of the information described in paragraph
20 (2), the State or political subdivision shall provide
21 reasonable public notice in such State or political
22 subdivision and on the website of a State or political
23 subdivision, of the change in the information not
24 later than 48 hours after the change occurs or, if
25 the change occurs fewer than 48 hours before the

1 date of the election for Federal office, as soon as
2 practicable after the change occurs. The public no-
3 tice described in this paragraph and published on
4 the website of a State or political subdivision shall
5 be in a format that is reasonably convenient and ac-
6 cessible to persons with disabilities who are eligible
7 to vote, including persons who have low vision or are
8 blind.

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

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

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

4 “(A) The State as a whole, if the change
5 applies statewide, or the political subdivision as
6 a whole, if the change applies across the entire
7 political subdivision.

8 “(B) If the change includes a plan to re-
9 place or eliminate voting units or electoral dis-
10 tricts, each voting unit or electoral district that
11 will be replaced or eliminated.

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

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

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

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

1 “(C)(i) If the change applies to a State,
2 the actual number of votes, or (if it is not rea-
3 sonably practicable for the State to ascertain
4 the actual number of votes) the estimated num-
5 ber of votes received by each candidate in each
6 statewide election held during the 5-year period
7 which ends on the date the change involved is
8 made; and

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

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

21 “(A) A county or parish.

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

1 “(C) A school district with a population
2 greater than 10,000, as determined by the Bu-
3 reau of the Census under the most recent de-
4 cennial census. For purposes of this subpara-
5 graph, the term ‘school district’ means the geo-
6 graphic area under the jurisdiction of a local
7 educational agency (as defined in section 8101
8 of the Elementary and Secondary Education
9 Act of 1965).

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

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

22 “(f) DEFINITIONS.—In this section—

23 “(1) the term ‘demographic group’ means each
24 group which section 2 protects from the denial or
25 abridgement of the right to vote on account of race

1 or color, or in contravention of the guarantees set
2 forth in section 4(f)(2);

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

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

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

17 **SEC. 107. AUTHORITY TO ASSIGN OBSERVERS.**

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

22 “(B) in the Attorney General’s judgment,
23 the assignment of observers is otherwise nec-
24 essary to enforce the guarantees of the 14th or
25 15th Amendment or any provision of this Act

1 or any other Federal law protecting the right of
2 citizens of the United States to vote; or”.

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

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

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

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

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

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

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

23 (c) TRANSFERRAL OF AUTHORITY OVER OBSERVERS
24 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), in the flush matter
11 at the end, by striking “Director of the Office
12 of Personnel Management shall assign as many
13 observers for such subdivision as the Director”
14 and inserting “Attorney General shall assign as
15 many observers for such subdivision as the At-
16 torney General”;

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

20 (C) in subsection (e), by adding at the end
21 the following: “The Director of the Office of
22 Personnel Management may, with the consent
23 of the Attorney General, assist in the selection,
24 recruitment, hiring, training, or deployment of
25 these or other individuals authorized by the At-

1 torney General for the purpose of observing
2 whether persons who are entitled to vote are
3 being permitted to vote and whether those votes
4 are being properly tabulated.”.

5 (3) **TERMINATION OF CERTAIN APPOINTMENTS**
6 **OF OBSERVERS.**—Section 13(a)(1) of the Voting
7 Rights Act of 1965 (52 U.S.C. 10309(a)(1)) is
8 amended by striking “notifies the Director of the Of-
9 fice of Personnel Management,” and inserting “de-
10 termines,”.

11 **SEC. 108. CLARIFICATION OF AUTHORITY TO SEEK RELIEF.**

12 (a) **POLL TAX.**—Section 10(b) of the Voting Rights
13 Act of 1965 (52 U.S.C. 10306(b)) is amended by striking
14 “the Attorney General is authorized and directed to insti-
15 tute forthwith in the name of the United States such ac-
16 tions,” and inserting “an aggrieved person or (in the name
17 of the United States) the Attorney General may institute
18 such actions”.

19 (b) **CAUSE OF ACTION.**—Section 12(d) of the Voting
20 Rights Act of 1965 (52 U.S.C. 10308(d)) is amended to
21 read as follows:

22 “(d)(1) Whenever there are reasonable grounds to be-
23 lieve that any person has engaged in, or is about to engage
24 in, any act or practice that would (1) deny any citizen
25 the right to register, to cast a ballot, or to have that ballot

1 counted properly and included in the appropriate totals
2 of votes cast in violation of the 14th, 15th, 19th, 24th,
3 or 26th Amendments to the Constitution of the United
4 States, (2) violate subsection (a) or (b) of section 11, or
5 (3) violate any other provision of this Act or any other
6 Federal voting rights law that prohibits discrimination on
7 the basis of race, color, or membership in a language mi-
8 nority group, an aggrieved person or (in the name of the
9 United States) the Attorney General may institute an ac-
10 tion for preventive relief, including an application for a
11 temporary or permanent injunction, restraining order, or
12 other appropriate order. Nothing in this subsection shall
13 be construed to create a cause of action for civil enforce-
14 ment of criminal provisions of this or any other Act.”.

15 (c) JUDICIAL RELIEF.—Section 204 of the Voting
16 Rights Act of 1965 (52 U.S.C. 10504) is amended by
17 striking the first sentence and inserting the following:
18 “Whenever there are reasonable grounds to believe that
19 a State or political subdivision has engaged or is about
20 to engage in any act or practice prohibited by a provision
21 of this title, an aggrieved person or (in the name of the
22 United States) the Attorney General may institute an ac-
23 tion in a district court of the United States, for a restrain-
24 ing order, a preliminary or permanent injunction, or such
25 other order as may be appropriate.”.

1 (d) ENFORCEMENT OF TWENTY-SIXTH AMEND-
2 MENT.—Section 301(a)(1) of the Voting Rights Act of
3 1965 (52 U.S.C. 10701(a)(1)) is amended to read as fol-
4 lows:

5 “(a)(1) An aggrieved person or (in the name of the
6 United States) the Attorney General may institute an ac-
7 tion in a district court of the United States, for a restrain-
8 ing order, a preliminary or permanent injunction, or such
9 other order as may be appropriate to implement the 26th
10 Amendment to the Constitution of the United States.”.

11 **SEC. 109. PREVENTIVE RELIEF.**

12 Section 12(d) of the Voting Rights Act of 1965 (52
13 U.S.C. 10308(d)), as amended by section 108, is further
14 amended by adding at the end the following:

15 “(2)(A) In considering any motion for preliminary re-
16 lief in any action for preventive relief described in this sub-
17 section, the court shall grant the relief if the court deter-
18 mines that the complainant has raised a serious question
19 as to whether the challenged voting qualification or pre-
20 requisite to voting or standard, practice, or procedure vio-
21 lates any of the provisions listed in section 111(a)(1) of
22 the John R. Lewis Voting Rights Advancement Act of
23 2024 and, on balance, the hardship imposed on the de-
24 fendant by the grant of the relief will be less than the

1 hardship which would be imposed on the plaintiff if the
2 relief were not granted.

3 “(B) In making its determination under this para-
4 graph with respect to a change in any voting qualification,
5 prerequisite to voting, or standard, practice, or procedure
6 with respect to voting, the court shall consider all relevant
7 factors and give due weight to the following factors, if they
8 are present:

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

13 “(I) discrimination on the basis of race or
14 color in violation of the 14th or 15th Amend-
15 ment to the Constitution of the United States;

16 “(II) a violation of the 19th, 24th, or 26th
17 Amendments to the Constitution of the United
18 States;

19 “(III) a violation of this Act; or

20 “(IV) voting discrimination on the basis of
21 race, color, or membership in a language minor-
22 ity group in violation of any other Federal or
23 State law.

24 “(ii) Whether the qualification, prerequisite,
25 standard, practice, or procedure in effect prior to the

1 change served as a ground for the dismissal or set-
2 tlement of a claim alleging—

3 “(I) discrimination on the basis of race or
4 color in violation of the 14th or 15th Amend-
5 ment to the Constitution of the United States;

6 “(II) a violation of the 19th, 24th, or 26th
7 Amendment to the Constitution of the United
8 States;

9 “(III) a violation of this Act; or

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

14 “(iii) Whether the change was adopted fewer
15 than 180 days before the date of the election with
16 respect to which the change is to take or takes ef-
17 fect.

18 “(iv) Whether the defendant has failed to pro-
19 vide timely or complete notice of the adoption of the
20 change as required by applicable Federal or State
21 law.

22 “(3) A jurisdiction’s inability to enforce its voting or
23 election laws, regulations, policies, or redistricting plans,
24 standing alone, shall not be deemed to constitute irrep-
25 arable harm to the public interest or to the interests of

1 a defendant in an action arising under the Constitution
2 or any Federal law that prohibits discrimination on the
3 basis of race, color, or membership in a language minority
4 group in the voting process, for the purposes of deter-
5 mining whether a stay of a court's order or an interlocu-
6 tory appeal under section 1253 of title 28, United States
7 Code, is warranted.”.

8 **SEC. 110. BILINGUAL ELECTION REQUIREMENTS.**

9 Section 203(b)(1) of the Voting Rights Act of 1965
10 (52 U.S.C. 10503(b)(1)) is amended by striking “2032”
11 and inserting “2037”.

12 **SEC. 111. RELIEF FOR VIOLATIONS OF VOTING RIGHTS**
13 **LAWS.**

14 (a) IN GENERAL.—

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

18 (A) any act or practice—

19 (i) that creates an undue burden on
20 the fundamental right to vote in violation
21 of the 14th Amendment to the Constitu-
22 tion of the United States or violates the
23 Equal Protection Clause of the 14th
24 Amendment to the Constitution of the
25 United States; or

1 (ii) that is prohibited by the 15th,
2 19th, 24th, or 26th Amendment to the
3 Constitution of the United States, section
4 2004 of the Revised Statutes (52 U.S.C.
5 10101), the Voting Rights Act of 1965 (52
6 U.S.C. 10301 et seq.), the National Voter
7 Registration Act of 1993 (52 U.S.C.
8 20501 et seq.), the Uniformed and Over-
9 seas Citizens Absentee Voting Act (52
10 U.S.C. 20301 et seq.), the Help America
11 Vote Act of 2002 (52 U.S.C. 20901 et
12 seq.), the Voting Accessibility for the El-
13 derly and Handicapped Act (52 U.S.C.
14 20101 et seq.), or section 2003 of the Re-
15 vised Statutes (52 U.S.C. 10102); and

16 (B) any act or practice in violation of any
17 Federal law that prohibits discrimination with
18 respect to voting, including the Americans with
19 Disabilities Act of 1990 (42 U.S.C. 12101 et
20 seq.).

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

1 (3) ATTORNEY’S FEES.—Section 722(b) of the
2 Revised Statutes (42 U.S.C. 1988(b)) is amended by
3 inserting “a provision described in section 111(a)(1)
4 of the John R. Lewis Voting Rights Advancement
5 Act of 2024,” after “title VI of the Civil Rights Act
6 of 1964,”.

7 (b) GROUNDS FOR EQUITABLE RELIEF.—In any ac-
8 tion for equitable relief pursuant to a law listed under sub-
9 section (a), proximity of the action to an election shall not
10 be a valid reason to deny such relief, or stay the operation
11 of or vacate the issuance of such relief, unless the party
12 opposing the issuance or continued operation of relief
13 meets the burden of proving by clear and convincing evi-
14 dence that the issuance of the relief would be so close in
15 time to the election as to cause irreparable harm to the
16 public interest or that compliance with such relief would
17 impose serious burdens on the party opposing relief.

18 (1) IN GENERAL.—In considering whether to
19 grant, deny, stay, or vacate any order of equitable
20 relief, the court shall give substantial weight to the
21 public’s interest in expanding access to the right to
22 vote. A State’s generalized interest in enforcing its
23 enacted laws shall not be a relevant consideration in
24 determining whether equitable relief is warranted.

1 (2) PRESUMPTIVE SAFE HARBOR.—Where equi-
2 table relief is sought either within 30 days of the
3 adoption or reasonable public notice of the chal-
4 lenged policy or practice, or more than 45 days be-
5 fore the date of an election to which the relief being
6 sought will apply, proximity to the election will be
7 presumed not to constitute a harm to the public in-
8 terest or a burden on the party opposing relief.

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

11 (1) PROSPECTIVE EFFECT.—In reviewing an
12 application for a stay or vacatur of equitable relief
13 granted pursuant to a law listed in subsection (a),
14 a court shall give substantial weight to the reliance
15 interests of citizens who acted pursuant to such
16 order under review. In fashioning a stay or vacatur,
17 a reviewing court shall not order relief that has the
18 effect of denying or abridging the right to vote of
19 any citizen who has acted in reliance on the order.

20 (2) WRITTEN EXPLANATION.—No stay or
21 vacatur under this subsection shall issue unless the
22 reviewing court makes specific findings that the pub-
23 lic interest, including the public’s interest in expand-
24 ing access to the ballot, will be harmed by the con-
25 tinuing operation of the equitable relief or that com-

1 pliance with such relief will impose serious burdens
2 on the party seeking such a stay or vacatur such
3 that those burdens substantially outweigh the bene-
4 fits to the public interest. In reviewing an applica-
5 tion for a stay or vacatur of equitable relief, findings
6 of fact made in issuing the order under review shall
7 not be set aside unless clearly erroneous.

8 **SEC. 112. PROTECTION OF TABULATED VOTES.**

9 The Voting Rights Act of 1965 (52 U.S.C. 10307)
10 is amended—

11 (1) in section 11—

12 (A) by amending subsection (a) to read as
13 follows:

14 “(a) No person acting under color of law shall—

15 “(1) fail or refuse to permit any person to vote
16 who is entitled to vote under Federal law or is other-
17 wise qualified to vote;

18 “(2) willfully fail or refuse to tabulate, count,
19 and report such person’s vote; or

20 “(3) willfully fail or refuse to certify the aggre-
21 gate tabulations of such persons’ votes or certify the
22 election of the candidates receiving sufficient such
23 votes to be elected to office.”; and

24 (B) in subsection (b), by inserting “sub-
25 section (a) or” after “duties under”; and

1 (2) in section 12—

2 (A) in subsection (b)—

3 (i) by striking “a year following an
4 election in a political subdivision in which
5 an observer has been assigned” and insert-
6 ing “22 months following an election for
7 Federal office”; and

8 (ii) by adding at the end the fol-
9 lowing: “Whenever the Attorney General
10 has reasonable grounds to believe that any
11 person has engaged in or is about to en-
12 gage in an act in violation of this sub-
13 section, the Attorney General may institute
14 (in the name of the United States) a civil
15 action in Federal district court seeking ap-
16 propriate relief.”;

17 (B) in subsection (c), by inserting “or so-
18 licits a violation of” after “conspires to violate”;
19 and

20 (C) in subsection (e), by striking the first
21 and second sentences and inserting the fol-
22 lowing: “If, after the closing of the polls in an
23 election for Federal office, persons allege that
24 notwithstanding (1) their registration by an ap-
25 propriate election official and (2) their eligi-

1 eral for Civil Rights) is authorized, before com-
2 mencing a civil action, to issue a demand for inspec-
3 tion and information in writing to any State or polit-
4 ical subdivision, or other governmental representa-
5 tive or agent, with respect to any relevant documen-
6 tary material that the Attorney General has reason
7 to believe is within their possession, custody, or con-
8 trol. A demand by the Attorney General under this
9 subsection may require—

10 “(A) the production of such documentary
11 material for inspection and copying;

12 “(B) answers in writing to written ques-
13 tions with respect to such documentary mate-
14 rial; or

15 “(C) both the production described under
16 subparagraph (A) and the answers described
17 under subparagraph (B).

18 “(2) CONTENTS OF AN ATTORNEY GENERAL
19 DEMAND.—

20 “(A) IN GENERAL.—Any demand issued
21 under paragraph (1), shall include a sworn cer-
22 tificate to identify the voting qualification or
23 prerequisite to voting or standard, practice, or
24 procedure with respect to voting, or other vot-
25 ing related matter or issue, whose lawfulness

1 the Attorney General is investigating and to
2 identify the Federal law that protects the right
3 to vote under which the investigation is being
4 conducted. The demand shall be reasonably cal-
5 culated to lead to the discovery of documentary
6 material and information relevant to such inves-
7 tigation. Documentary material includes any
8 material upon which relevant information is re-
9 corded, and includes written or printed mate-
10 rials, photographs, tapes, or materials upon
11 which information is electronically or magneti-
12 cally recorded. Such demands shall be aimed at
13 the Attorney General having the ability to in-
14 spect and obtain copies of relevant materials (as
15 well as obtain information) related to voting
16 and are not aimed at the Attorney General tak-
17 ing possession of original records, particularly
18 those that are required to be retained by State
19 and local election officials under Federal or
20 State law.

21 “(B) NO REQUIREMENT FOR PRODUC-
22 TION.—Any demand issued under paragraph
23 (1) may not require the production of any docu-
24 mentary material or the submission of any an-
25 swers in writing to written questions if such

1 material or answers would be protected from
2 disclosure under the standards applicable to
3 discovery requests under the Federal Rules of
4 Civil Procedure in an action in which the Attor-
5 ney General or the United States is a party.

6 “(C) DOCUMENTARY MATERIAL.—If the
7 demand issued under paragraph (1) requires
8 the production of documentary material, it
9 shall—

10 “(i) identify the class of documentary
11 material to be produced with such definite-
12 ness and certainty as to permit such mate-
13 rial to be fairly identified; and

14 “(ii) prescribe a return date for pro-
15 duction of the documentary material at
16 least 20 days after issuance of the demand
17 to give the State or political subdivision, or
18 other governmental representative or
19 agent, a reasonable period of time for as-
20 sembling the documentary material and
21 making it available for inspection and
22 copying.

23 “(D) ANSWERS TO WRITTEN QUES-
24 TIONS.—If the demand issued under paragraph

1 (1) requires answers in writing to written ques-
2 tions, it shall—

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

5 “(ii) prescribe a date at least 20 days
6 after the issuance of the demand for sub-
7 mitting answers in writing to the written
8 questions.

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

14 “(3) RESPONSES TO AN ATTORNEY GENERAL
15 DEMAND.—A State or political subdivision, or other
16 governmental representative or agent, shall, with re-
17 spect to any documentary material or any answer in
18 writing produced under this subsection, provide a
19 sworn certificate, in such form as the demand issued
20 under paragraph (1) designates, by a person having
21 knowledge of the facts and circumstances relating to
22 such production or written answer, authorized to act
23 on behalf of the State or political subdivision, or
24 other governmental representative or agent, upon
25 which the demand was served. The certificate—

1 “(A) shall state that—

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

7 “(ii) with respect to every answer in
8 writing to a written question, all informa-
9 tion required by the question and in the
10 possession, custody, control, or knowledge
11 of the State or political subdivision, or
12 other governmental representative or
13 agent, has been submitted; or

14 “(iii) the requirements described in
15 both clause (i) and clause (ii) have been
16 met; or

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

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

24 “(4) JUDICIAL PROCEEDINGS.—

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

12 “(B) PETITION TO MODIFY.—

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

22 “(ii) PETITION TO MODIFY.—Any pe-
23 tition to modify or set aside a demand of
24 the Attorney General issued under para-
25 graph (1) must be filed within 20 days

1 after the date of service of the Attorney
2 General's demand or at any time before
3 the return date specified in the Attorney
4 General's demand, whichever date is ear-
5 lier.

6 “(iii) CONTENTS OF PETITION.—The
7 petition shall specify each ground upon
8 which the petitioner relies in seeking relief
9 under clause (i), and may be based upon
10 any failure of the Attorney General's de-
11 mand to comply with the provisions of this
12 section or upon any constitutional or other
13 legal right or privilege of the State or po-
14 litical subdivision, or other governmental
15 representative or agent. During the pend-
16 ency of the petition in the court, the court
17 may stay, as it deems proper, the running
18 of the time allowed for compliance with the
19 Attorney General's demand, in whole or in
20 part, except that the State or political sub-
21 division, or other governmental representa-
22 tive or agent, filing the petition shall com-
23 ply with any portions of the Attorney Gen-
24 eral's demand not sought to be modified or
25 set aside.”.

1 **SEC. 114. DEFINITIONS.**

2 Title I of the Voting Rights Act of 1965 (52 U.S.C.
3 10301) is amended by adding at the end the following:

4 **“SEC. 21. DEFINITIONS.**

5 “In this Act:

6 “(1) INDIAN.—The term ‘Indian’ has the mean-
7 ing given the term in section 4 of the Indian Self-
8 Determination and Education Assistance Act (25
9 U.S.C. 5304).

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

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

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

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

24 “(D) any land that is part or all of a tribal
25 designated statistical area associated with the
26 Indian tribe, or is part or all of an Alaska Na-

1 tive village statistical area associated with the
2 tribe, as defined by the Bureau of the Census
3 for the purposes of the most recent decennial
4 census.

5 “(3) INDIAN TRIBE.—The term ‘Indian tribe’ or
6 ‘tribe’ has the meaning given the term ‘Indian tribe’
7 in section 4 of the Indian Self-Determination and
8 Education Assistance Act (25 U.S.C. 5304).

9 “(4) TRIBAL GOVERNMENT.—The term ‘Tribal
10 Government’ means the recognized governing body
11 of an Indian Tribe.

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

20 **SEC. 115. ATTORNEYS’ FEES.**

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

24 “(4) The term ‘prevailing party’ means a party to an
25 action that receives at least some of the benefit sought

1 by such action, states a colorable claim, and can establish
2 that the action was a significant cause of a change to the
3 status quo.”.

4 **SEC. 116. OTHER TECHNICAL AND CONFORMING AMEND-**
5 **MENTS.**

6 (a) ACTIONS COVERED UNDER SECTION 3.—Section
7 3(c) of the Voting Rights Act of 1965 (52 U.S.C.
8 10302(c)) is amended—

9 (1) by striking “any proceeding instituted by
10 the Attorney General or an aggrieved person under
11 any statute to enforce” and inserting “any action
12 under any statute in which a party (including the
13 Attorney General) seeks to enforce”; and

14 (2) by striking “at the time the proceeding was
15 commenced” and inserting “at the time the action
16 was commenced”.

17 (b) CLARIFICATION OF TREATMENT OF MEMBERS OF
18 LANGUAGE MINORITY GROUPS.—Section 4(f) of such Act
19 (52 U.S.C. 10303(f)) is amended—

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

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

23 (c) PERIOD DURING WHICH CHANGES IN VOTING
24 PRACTICES ARE SUBJECT TO PRECLEARANCE UNDER

1 SECTION 5.—Section 5 of such Act (52 U.S.C. 10304)
2 is amended—

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

7 (2) in subsection (a), by striking “November 1,
8 1964” and all that follows through “November 1,
9 1972” and inserting “the applicable date of cov-
10 erage”; and

11 (3) by adding at the end the following new sub-
12 section:

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

15 “(1) June 25, 2013, if the most recent deter-
16 mination for such State or subdivision under section
17 4(b) was made on or before December 31, 2021; or

18 “(2) the date on which the most recent deter-
19 mination for such State or subdivision under section
20 4(b) was made, if such determination was made
21 after December 31, 2021.”.

22 (d) REVIEW OF PRECLEARANCE SUBMISSION UNDER
23 SECTION 5 DUE TO EXIGENCY.—Section 5 of such Act
24 (52 U.S.C. 10304) is amended, in subsection (a), by in-
25 serting “An exigency, including a natural disaster, inclem-

1 ent weather, or other unforeseeable event, requiring such
2 different qualification, prerequisite, standard, practice, or
3 procedure within 30 days of a Federal, State, or local elec-
4 tion shall constitute good cause requiring the Attorney
5 General to expedite consideration of the submission.” after
6 “will not be made.”.

7 **SEC. 117. SEVERABILITY.**

8 If any provision of the John R. Lewis Voting Rights
9 Advancement Act of 2024 or any amendment made by this
10 title, or the application of such a provision or amendment
11 to any person or circumstance, is held to be unconstitu-
12 tional or is otherwise enjoined or unenforceable, the re-
13 mainder of this title and amendments made by this title,
14 and the application of the provisions and amendments to
15 any other person or circumstance, and any remaining pro-
16 vision of the Voting Rights Act of 1965 (52 U.S.C. 10301
17 et seq.), shall not be affected by the holding. In addition,
18 if any provision of the Voting Rights Act of 1965 (52
19 U.S.C. 10301 et seq.), or any amendment to the Voting
20 Rights Act of 1965, or the application of such a provision
21 or amendment to any person or circumstance, is held to
22 be unconstitutional or is otherwise enjoined or unenforce-
23 able, the application of the provision and amendment to
24 any other person or circumstance, and any remaining pro-

1 visions of the Voting Rights Act of 1965, shall not be af-
2 fected by the holding.

3 **SEC. 118. GRANTS TO ASSIST WITH NOTICE REQUIREMENTS**

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

5 (a) **IN GENERAL.**—The Attorney General shall make
6 grants each fiscal year to small jurisdictions who submit
7 applications under subsection (b) for purposes of assisting
8 such small jurisdictions with compliance with the require-
9 ments of the Voting Rights Act of 1965 to submit or pub-
10 lish notice of any change to a qualification, prerequisite,
11 standard, practice or procedure affecting voting.

12 (b) **APPLICATION.**—To be eligible for a grant under
13 this section, a small jurisdiction shall submit an applica-
14 tion to the Attorney General in such form and containing
15 such information as the Attorney General may require re-
16 garding the compliance of such small jurisdiction with the
17 provisions of the Voting Rights Act of 1965.

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

1 **TITLE II—ELECTION WORKER**
2 **AND POLLING PLACE PRO-**
3 **TECTION**

4 **SEC. 201. SHORT TITLE.**

5 This title may be cited as the “Election Worker and
6 Polling Place Protection Act”.

7 **SEC. 202. PROHIBITION ON INTERFERENCE AND INTIMIDA-**
8 **TION.**

9 Section 11 of the Voting Rights Act of 1965 (52
10 U.S.C. 10307) is amended by adding at the end the fol-
11 lowing:

12 “(f)(1)(A) Whoever, whether or not acting under
13 color of law, by force or threat of force, or by violence
14 or threat of violence to any person or property, willfully
15 interferes with or attempts to interfere with, the ability
16 of any person or any class of persons to vote or qualify
17 to vote, or to qualify or act as a poll watcher or as any
18 legally authorized election official, in any primary, special,
19 or general election, or any person who is, or is employed
20 by, an agent, contractor, or vendor of a legally authorized
21 election official assisting in the administration of any pri-
22 mary, special, or general election to assist in that adminis-
23 tration, shall be fined not more than \$2,500, or impris-
24 oned not more than 6 months, or both.

1 “(B) Whoever, whether or not acting under color of
2 law, by force or threat of force, or by violence or threat
3 of violence to any person or property, willfully intimidates
4 or attempts to intimidate, any person or any class of per-
5 sons seeking to vote or qualify to vote, or to qualify or
6 act as a poll watcher or as any legally authorized election
7 official, in any primary, special, or general election, or any
8 person who is, or is employed by, an agent, contractor,
9 or vendor of a legally authorized election official assisting
10 in the administration of any primary, special, or general
11 election, shall be fined not more than \$2,500, or impris-
12 oned not more than 6 months, or both.

13 “(C) If bodily injury results from an act committed
14 in violation of this paragraph or if such act includes the
15 use, attempted use, or threatened use of a dangerous
16 weapon, an explosive, or fire, then, in lieu of the remedy
17 described in subparagraph (A) or (B), the violator shall
18 be fined not more than \$5,000 or imprisoned not more
19 than 1 year, or both.

20 “(2)(A) Whoever, whether or not acting under color
21 of law, willfully physically damages or threatens to phys-
22 ically damage any physical property being used as a poll-
23 ing place or tabulation center or other election infrastruc-
24 ture, with the intent to interfere with the administration
25 of a primary, general, or special election or the tabulation

1 or certification of votes for such an election, shall be fined
2 not more than \$2,500, or imprisoned not more than 6
3 months, or both.

4 “(B) If bodily injury results from an act committed
5 in violation of this paragraph or if such act includes the
6 use, attempted use, or threatened use of a dangerous
7 weapon, an explosive, or fire, then, in lieu of the remedy
8 described in subparagraph (A), the violator shall be fined
9 not more than \$5,000 or imprisoned not more than 1 year,
10 or both.

11 “(3) For purposes of this subsection, de minimus
12 damage or a threat of de minimus damage to physical
13 property shall not be considered a violation of this sub-
14 section.

15 “(4) For purposes of this subsection, the term ‘elec-
16 tion infrastructure’ means any office of a legally author-
17 ized election official, or a staffer, worker, or volunteer, as-
18 sisting such an election official or any physical, mechan-
19 ical, or electrical device, structure, or tangible item, used
20 in the process of creating, distributing, voting, returning,
21 counting, tabulating, auditing, storing, or other handling
22 of voter registration or ballot information.

23 “(g) No prosecution of any offense described in sub-
24 section (f) may be undertaken by the United States, ex-

1 cept under the certification in writing of the Attorney Gen-
2 eral, or a designee, that—

3 “(1) the State does not have jurisdiction;

4 “(2) the State has requested that the Federal
5 Government assume jurisdiction; or

6 “(3) a prosecution by the United States is in
7 the public interest and necessary to secure substan-
8 tial justice.”.