

Voting Rights Act Section 203 Determinations

Access the Audio:

Toll free number: 1-888-324-8115

Participant passcode: CENSUS

Webinar Presented on Oct. 11, 2011

Speakers

- **Stacy Vidal**, Public Information Office
- **Cathy McCully**, Chief, Census Redistricting Data Office
- **Rod Little**, Ph.D., Associate Director, Research and Methodology Directorate

Section 203 of the Voting Rights Act (VRA) Background

- Language minority provisions of the VRA, require:
 - certain states and political subdivisions
 - provide language assistance during elections
 - certain language minority groups who are unable to speak or understand English adequately enough to effectively participate in the electoral process.

Covered Language Minority Groups

- The language minority groups covered include:
 - Hispanic (1)
 - American Indian and Alaska Native (51)
 - Asian (16)

Section 203 of the Voting Rights Act (VRA) Historical Background

- First language provisions were published in 1975 before language proficiency was collected on the long form.
- First listing of covered jurisdictions was issued after 1980 Census using the language ability question.
- Determinations were released again following the 1990 and 2000 Census.
- The 2006 reauthorization extended the provision through 2032 and instructed the Bureau on two changes.

Changes from 2006 Reauthorization

Instructed the Census Bureau to:

- Use the American Community Survey (ACS) and other comparable Census data
 - As a result, the Census Bureau used modeled ACS 5-year estimates enhanced with 2010 Census data.
- Produce the determinations every 5 years
 - The Census Bureau will update this list in 2016.

How Determinations are Calculated

- Census Bureau uses a formula defined in U.S Code 42
- Based on same thresholds for populations and for other characteristics:
 - Language Minority Group
 - English Language Ability
 - Educational Attainment

Types of Jurisdictions Covered

- State
- County and County Equivalent
- County Subdivision
- American Indian/Alaska Native Areas (AIAN)

Types of Jurisdictions Covered, Cont.

- 8 Strong Minor Civil Division (MCD) States
 - Connecticut
 - Maine
 - Massachusetts
 - Michigan
 - New Hampshire
 - Rhode Island
 - Vermont
 - Wisconsin

Data Used in the 203 Formula

For each Jurisdiction:

Total Voting Age Citizens

For each Language Minority Group:

Total Voting Age Citizens who are Limited-English Proficient

For each Language Minority Group:

Total Voting Age Citizens who are Limited-English Proficient
and have Less Than a 5th Grade Education

Data Used in the 203 Formula

Total Population for Voting Age Citizen Minority Groups:

- Spanish/Hispanic/Latino
- AIAN (American Indian/Alaskan Native)
 - AIAN tribal group (examples include Cherokee, Iroquois, Sioux)
 - Alaskan Native group (examples include Yup'ik and Inupiat)
- Asian
 - Asian group (examples include Chinese, Filipino, Japanese)

Data Used in the 203 Formula

Determinations are then computed for each minority group based on the following criteria:

If more than 5% of voting age citizens belong to the language minority group and are limited-English proficient,

OR

If more than 10,000 voting age citizens belong to the language minority group and are limited-English proficient,

AND

Using the ACS 2005-2009 estimates, the rate of total voting age citizens that are limited-English proficient and have less than a 5th grade education is higher than the national rate.

Data Used in the 203 Formula

THEN:

The state, county, or county subdivision under consideration is covered for that specific language minority group of Section 203 of the Voting Rights Act.

Computation for American Indian and Alaska Native Areas

Note: If more than 5% of the American Indian or Alaska Native voting age citizens belonging to an American Indian/Alaska Native tribe are limited-English proficient

AND

The rate of those voting age citizens who are limited-English proficient and have less than a 5th grade education is higher than the national rate

THEN:

Any political subdivision(s) in which that AIA/ANA is located is covered under Section 203 of the Voting Rights Act.

Example

- Total Jurisdiction population = 25,000
 - Total Jurisdiction citizen voting age = 15,000
- Total Language minority group= 8,500
 - Voting Age = 6,200
 - Citizen Voting Age= 5,700
 - Speak a language other than English less than very well= 1,500

$$1,500/15,000 = 10\%$$

10% exceeds 5% trigger

Example

- Illiteracy
 - Persons unable to speak or understand English effectively enough to participate in elections = 1,500
 - Of those 1,500
 - 300 persons have not completed the 5th grade resulting in a 20% illiteracy rate which exceeds the national average
 - $300/1500 = 20\%$ illiteracy rate exceeding national average
- Therefore with **BOTH** factors triggered—this area is determined

Background on the ACS

The American Community Survey (ACS) is a large national survey that uses continuous measurement methods to produce detailed demographic, social, economic, and housing data each year

Questions once asked on the long-form census are now asked in the ACS-By law we are required to use the ACS in the 203 formula.

It was designed to provide timely data for both large and small geographic areas

American Community Survey Multi-Year Estimates

Population Size of Area	1-year estimates	3-year estimates	5-year estimates
65,000+	X	X	X
20,000+		X	X
All Areas			X

Data Items Collected in the American Community Survey

- **Age** and sex
- Disability
- **Education**
- Veterans
- Employment
- **Language**
- Income
- **Citizenship**
- Poverty
- **Race and ethnicity**
- Relationships
- Financial characteristics of housing
- Physical characteristics of housing
- ... and more

Questions Used in the 203 Formula

- Examples of the questions used in the formula follow:

Age

4 **What is Person 1's age and what is Person 1's date of birth?**
Please report babies as age 0 when the child is less than 1 year old.
Print numbers in boxes.

Age (in years)	Month	Day	Year of birth
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Citizenship

8 Is this person a citizen of the United States?

Citizens {

- Yes, born in the United States → *SKIP to 10a*
- Yes, born in Puerto Rico, Guam, the U.S. Virgin Islands, or Northern Marianas
- Yes, born abroad of U.S. citizen parent or parents
- Yes, U.S. citizen by naturalization – *Print year of naturalization*

Not Citizens {

- No, not a U.S. citizen

Educational Attainment

11 What is the highest degree or level of school this person has **COMPLETED**? Mark (X) **ONE** box. If currently enrolled, mark the previous grade or highest degree received.

NO SCHOOLING COMPLETED

No schooling completed

NURSERY OR PRESCHOOL THROUGH GRADE 12

Nursery school

Kindergarten

Grade 1 through 11 – Specify grade 1 – 11

12th grade – **NO DIPLOMA**

HIGH SCHOOL GRADUATE

Regular high school diploma

GED or alternative credential

COLLEGE OR SOME COLLEGE

Language

14

a. Does this person speak a language other than English at home?

Yes

No → SKIP to question 15a

b. What is this language?

For example: Korean, Italian, Spanish, Vietnamese

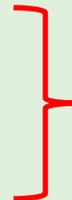
c. How well does this person speak English?

Very well

Well

Not well

Not at all



**Limited
English
proficient**

Race and Ethnicity

→ **NOTE:** Please answer **BOTH** Question 5 about Hispanic origin and Question 6 about race. For this survey, Hispanic origins are not races.

5 Is Person 1 of Hispanic, Latino, or Spanish origin?

- No, not of Hispanic, Latino, or Spanish origin
- Yes, Mexican, Mexican Am., Chicano
- Yes, Puerto Rican
- Yes, Cuban
- Yes, another Hispanic, Latino, or Spanish origin – *Print origin, for example, Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.* ↴

6 What is Person 1's race? Mark (X) one or more boxes.

- White
- Black, African Am., or Negro
- American Indian or Alaska Native – *Print name of enrolled or principal tribe.* ↴

- | | | |
|---|-------------------------------------|--|
| <input type="checkbox"/> Asian Indian | <input type="checkbox"/> Japanese | <input type="checkbox"/> Native Hawaiian |
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Korean | <input type="checkbox"/> Guamanian or Chamorro |
| <input type="checkbox"/> Filipino | <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Samoan |
| <input type="checkbox"/> Other Asian – <i>Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on.</i> ↴ | | <input type="checkbox"/> Other Pacific Islander – <i>Print race, for example, Fijian, Tongan, and so on.</i> ↴ |

- Some other race – *Print race.* ↴

The Statistical Model

- Like estimates from any sample survey, ACS estimates have sampling error
 - Estimates for small populations in small areas and from the ACS alone (called “direct” estimates) have substantial sampling error
- The Census Bureau used a statistical model to improve these direct estimates and hence get more accurate determinations

Improvements from Using the Statistical Model

- The statistical model improves the direct estimates by:
 - Using the detailed information on age and race from the 2010 Census data
 - Combining the direct estimates with so-called “regression” estimates that combine information from similar areas
 - Similarity is based on a regression model that uses characteristics of the areas to predict the minority group citizenship rate and LEP rate

Statistical Model Results

- The final estimates are a weighted combination of the direct estimates and the regression estimates
 - Final estimates for larger areas tend to rely more on (and are closer to) the direct estimates
 - Estimates for smaller areas rely more heavily on the regression estimates, resulting in much better determinations in these areas

Timing of Release

- Pre-publication and news release tomorrow morning (Oct. 12)
- Official release in Federal Register Oct. 13

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Recent News

- 2010 Census Redistricting Data [P.L. 94-171] Summary Files
- 2010 Census Redistricting Maps
- 2010 Census Redistricting [P.L. 94-171] TIGER/Line Shapefiles

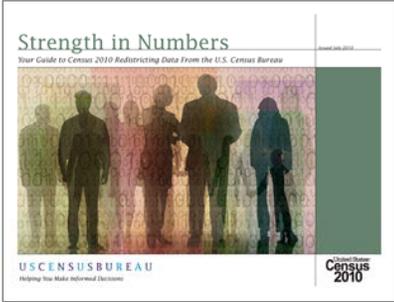
Strength in Numbers

[Your Guide to Census 2010 Redistricting Data From the U.S. Census Bureau](#) [PDF]

This booklet provides a historical record of the activities and data involved with the U.S. Census Bureau's Redistricting Data Program for the 2010 Census. In addition to providing a background of the role of the U.S. Census Bureau in redistricting and apportionment, this document goes on to detail specifics about the participation of states and the data products produced specifically for the 2010 Census. This compilation of information in a single source document gives an authoritative source of information about how the 2010 Census Redistricting Data Program was conducted.

Este documento también está disponible para [Puerto Rico](#) en español [PDF 11.7 Mb].

For further information or a hard-copy of the booklet, please call the Census Redistricting Data Office at (301) 763-4039.



The Census Bureau will make available the 2010 Census Redistricting Data [P.L. 94-171] Summary Files and the geographic support products through links on the "Data" page of this website. Products will be posted on a flow basis by state. To access these links, please select the "[Data](#)" tab at the top of this page. Each product type will be listed as a link on the left side of the "Data" page.

[PDF] or  denotes a file in Adobe's [Portable Document Format](#). To view the file, you will need the [Adobe® Reader®](#)  available free from Adobe. This symbol  indicates a link to a non-government web site. Our linking to these sites does not constitute an endorsement of any products, services or the information found on them. Once you link to another site you are subject to the policies of the new site.

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Source: U.S. Census Bureau | Redistricting Data Office | Last Revised: March 22, 2011

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Data

Also in this section:

- 2010 Census Advance Group Quarters Summary File
- 2010 Census Block Assignment Files
- 2010 Census Redistricting Data [P.L. 94-171] Summary Files
- 2010 Census Redistricting Maps
- 2010 Census Redistricting [P.L. 94-171] TIGER/Line Shapefiles
- Additional Resources
- Census 2000 Public Law 94-171 Redistricting Data
- Congressional District Data
- Federal Register Notice announcing Phase 2
- Redistricting Prototype Data from the 2008 Dress Rehearsal
- State Legislative District Data
- Voting Age Population by Citizenship and Race (CVAP)
- Voting Rights Determination File**

Voting Rights Determination File

Section 203 Determinations - Census 2000

- [Review the Federal Register Notice Vol. 67, No. 144](#) [PDF]
- [Download the data via FTP](#)

Section 203 Determinations - Census 2010

- This information has not yet been published in the Federal Register. Once this data has been published, a link to a copy of the Federal Register notice containing the new Section 203 determinations will be posted here.

Section 203 Online Press Kit

<http://2010.census.gov/news/press-kits/section-203/section-203.html>

The screenshot displays the 2010 Census website's press kit for Section 203 Determinations. The page features a dark blue header with navigation links for '2010 Census Home', 'Press & Media', and 'Partners'. A secondary navigation bar includes 'NEWS', 'PRESS KITS', 'EVENTS', 'MULTIMEDIA', and 'PRESS CONTACTS', along with a search box. The main content area is divided into a left sidebar and a central article. The sidebar lists various categories such as 'Releases', 'Read. Watch. Connect.', and 'Road Tour Blog'. The central article is titled 'Section 203 Determinations: Jurisdictions Required to Provide Language Assistance to Voters' and includes details about a webinar and an online presentation, both scheduled for Tuesday, Oct. 11, 2011, at 1 p.m. (EDT). The webinar details include a toll-free number (1-888-324-8115) and a participant passcode (CENSUS). The online presentation details include a URL (https://www.mymeetings.com/nc/join/), a conference number (PW8555041), and an audience passcode (CENSUS). The page also lists speakers: Cathy McCully, chief of the Census Redistricting Data Office, and Rod Little, associate director of the Research and Methodology Directorate. A background section provides links to the Voting Rights Determination File website, previous determinations, and a Department of Justice Federal Register notice on the implementation of the Voting Rights Act regarding language minority groups.

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Section 203 Determinations: Jurisdictions Required to Provide Language Assistance to Voters

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Media Advisory: [Census Bureau to Hold Webinar Prior to Releasing List of Jurisdictions Required to Offer Language Assistance to Voters](#)

WEBINAR

Tuesday, Oct. 11, 2011, 1 p.m. (EDT)

Audio conference — access information

Toll free number: 1-888-324-8115
Participant passcode: CENSUS
Note: Stay on the line until operator asks for the passcode. Do not key in passcode.

Online presentation — access information

Please login early, as some setup is required.
URL: <https://www.mymeetings.com/nc/join/>
Conference number: PW8555041
Audience passcode: CENSUS
Presentation slides (To be posted at 1 p.m.)

Speakers:

- Cathy McCully, chief, Census Redistricting Data Office
- Rod Little, associate director, Research and Methodology Directorate

Background:

- [Voting Rights Determination File website](#)
- [Previous Determinations](#)
- Department of Justice Federal Register notice on [Guidelines on Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups](#) [PDF]

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