

To: Professor Justin Levitt and the Evelyn and Walter Haas, Jr. Fund

From: Madeleine Cale, Loyola Law School

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Re: California and Section 203's Origins

Section 203, part of the 1975 amendment to the Voting Rights Act of 1965 (VRA), provided language minority groups who experienced a long history of voting and education discrimination in the United States the opportunity to receive election materials in their preferred languages. During the House and Senate Judiciary Subcommittee hearings on extending the VRA, California was influential in the formation of what would become Section 203 because of the discrimination faced by its substantial Spanish-speaking population. Congressman Edward R. Roybal of Los Angeles, a particularly singular leader in the fight, introduced bills that would later contain the Section 203 amendment and fiercely advocated on behalf of Spanish-speaking Californians during his testimonies before the House and Senate Subcommittees.

The debate over Section 203 at that time is instructive in our modern moment. Many of the arguments wielded by those opposed to language access in elections in 1975 remain in use today. While language access advocates today still face headwinds, there is comfort to be had in the knowledge that it is the same recycled myths used to oppose such advancements yet again -- and in the knowledge victory over these arguments and myths has been secured once before, thus providing lessons for doing so again.

I. Contextual History of Section 203

In 1975, Congress amended the Voting Rights Act of 1965 (VRA) to include Section 203, a provision enacted to protect many language minorities who had been “effectively

excluded from participation in the electoral process.”¹ The term “language minorities” had previously been used by Congressman Edward R. Roybal of California in his support of his unsuccessful Bilingual Court Act in 1973 and by Arthur S. Flemming, Chair of the U.S. Commission on Civil Rights, at the start of House Judiciary Subcommittee hearings on the extension of the VRA.²

Not all language minorities enjoy the protections of Section 203, however. Section 203 defines language minorities as “persons who are American Indian, Asian American, Alaskan Natives or of Spanish heritage,”³ as these were the language groups for which there was historical evidence of discrimination in voting and education in the United States at the time.⁴ This definition came from the recommendation of Assistant Attorney General J. Stanley Pottinger, the head of the Justice Department’s Civil Rights Division, who testified that his “Division had participated in 97 civil suits and 14 criminal prosecutions on behalf of Spanish-speaking voters, American Indians, and Asian Americans.”⁵ While Congress contemplated making all languages eligible for coverage under Section 203, fear of constitutional challenges led Congress to ultimately decide to include just those language minorities for which there was a

¹ 52 U.S.C. § 10503(a).

² Rosina Lozano, *Vote Aquí Hoy: The 1975 Extension of the Voting Rights Act and the Creation of Language Minorities*, J. Pol’y Hist., Jan. 2023, at 68, 76 & 87 n.57, https://www.cambridge.org/core/services/aop-cambridge-core/content/view/9F9CC8C279BF7D922041AFCDFD8E3CFF/S0898030622000367a.pdf/vote_aqui_hoy_the_1975_extension_of_the_voting_rights_act_and_the_creation_of_language_minorities.pdf.

³ 52 U.S.C. § 10503(e).

⁴ Hansi Lo Wang, *A Federal Law Requires Translated Voting Ballots, but Not in Arabic or Haitian Creole*, NPR (June 26, 2022, 3:16 PM), <https://www.npr.org/2022/06/24/1083848846/bilingual-ballots-voting-rights-act-section-203-explained>.

⁵ JAMES THOMAS TUCKER, *THE BATTLE OVER BILINGUAL BALLOTS: LANGUAGE MINORITIES AND POLITICAL ACCESS UNDER THE VOTING RIGHTS ACT 58* (2009).

record of discrimination, as it would be squarely in Congress’s power under the Fourteenth and Fifteenth Amendments to enact this law to eliminate such discrimination.⁶

In 2006, there was an effort by civil rights activists to include two additional languages to the definition of language minority: Arabic and Haitian-Creole.⁷ The advocates provided evidence of voting and education discrimination and “tremendous disparity in voter participation rates,” like that experienced by the four language groups included in the 1975 amendment.⁸ They demonstrated how the “Congressional efforts in 1975 to ensure that bilingual election provisions were constitutional unintentionally excluded language groups that could later show that discrimination impaired their political participation.”⁹ Unfortunately, the efforts to include Arabic and Haitian-Creole during the 2006 reauthorization of the VRA were unsuccessful.¹⁰

If a language community is “covered” by Section 203 in a particular jurisdiction, it receives what today still stands as the gold standard for language access in elections. In its original iteration enacted in 1975, Section 203 required states and political subdivisions to provide voter registration materials, ballots, instructions, and other voting information in the language of a particular language minority. DOJ guidance has elaborated on Section 203’s requirements since that time, and makes clear that where Section 203 applies, basically everything an elections office provides in English it must also provide in the covered language.¹¹

⁶ Wang, *supra* note 4.

⁷ TUCKER, *supra* note 5, at 64.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ “The requirements of the law are straightforward: all election information that is available in English must also be available in the minority language so that all citizens will have an effective opportunity to register, learn the details of the elections, and cast a free and effective ballot.” CIVIL RIGHTS DIV., U.S. DEP’T OF JUST., *About Language Minority Voting Rights*, U.S. DEP’T OF JUST. (April 5, 2023), <https://www.justice.gov/crt/about-language-minority-voting-rights>.

But simply being one of the groups identified in Section 203's text was not and is not enough to garner coverage. The law includes size thresholds. At the time of passage, an eligible language community could receive the benefits of Section 203 "if the Director of the Census determines (i) that more than 5 percent of the citizens of voting age of such State or political subdivision are members of a single language minority and (ii) that the illiteracy rate of such persons as a group is higher than the national illiteracy rate."¹² The use of the 5 percent trigger was adopted by Congress based on court decisions and state laws that utilized the same trigger in mandating bilingual election materials.¹³ Courts ordered the use of the 5 percent trigger to "determine coverage for providing bilingual election materials in New York and Philadelphia" and in California and Connecticut, the state legislatures implemented a trigger of 5 percent or less.¹⁴

Today, due to amendments passed in 1982 and 1992,¹⁵ the population standard of Section 203 has been amended to only count citizens who are "limited-English proficient," meaning they are "unable to speak or understand English adequately enough to participate in the electoral process."¹⁶ The standard also has a second population trigger. Now, a state or political subdivision is subject to the requirements of Section 203 "if the Director of the Census determines, based on . . . American Community Survey data in 5-year increments, or comparable census data, that—(i)(I) more than 5 percent of the citizens of voting age of such State or political subdivision are members of a single language minority and are limited-English

¹² Voting Rights Act of 1965, Amendments, Pub. L. No. 94-73, title III, § 301, 89 Stat. 402-03 (1975) (current version at 52 U.S.C. § 10503).

¹³ TUCKER, *supra* note 5, at 79.

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ 52 U.S.C. § 10503(b)(3)(B).

proficient; (II) more than 10,000 of the citizens of voting age of such political subdivision are members of a single language minority and are limited-English proficient; or (III) in the case of a political subdivision that contains all or any part of an Indian reservation, more than 5 percent of the American Indian or Alaska Native citizens of voting age within the Indian reservation are members of a single language minority and are limited-English proficient; and (ii) the illiteracy rate of the citizens in the language minority as a group is higher than the national illiteracy rate” with illiteracy rate defined as “the failure to complete the 5th primary grade.”¹⁷

II. California’s Role in the Enactment of Section 203 and the Leadership of Congressman Edward R. Roybal

California played a pivotal role in the creation and enactment of Section 203 due to its large Spanish-speaking population and fierce advocate, Congressman Edward R. Roybal of Los Angeles. Roybal began his political career in 1947 when he ran for Los Angeles City Council, but lost to the incumbent.¹⁸ Roybal then regrouped and focused on building a multi-ethnic coalition and ran on issues like civil rights, social justice, and equal share of city services.¹⁹ The strategy succeeded and in 1949 Roybal became the first Latino elected to the Los Angeles City Council since 1881.²⁰ For 12 years, Roybal represented the 9th District, an area encompassing parts of Downtown and East Los Angeles, and “worked to address issues facing all his multi-ethnic constituents, such as housing and job discrimination and police brutality.”²¹ In 1962,

¹⁷ *Id.* § 10503(b).

¹⁸ Victoria Bernal, *What We Can Learn From Edward Roybal – California’s First Latino in Congress and a Pioneer in L.A. Latino Politics*, PBS SOCAL (Jan. 17, 2023), <https://www.pbssocal.org/shows/lost-la/what-we-can-learn-from-edward-roybal-californias-first-latino-in-congress-and-a-pioneer-in-l-a-latino-politics>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

Roybal was elected to the U.S. House of Representatives where he served for 30 years.²² Until Roybal was elected, a Latino from California had not been elected to Congress since 1879.²³

Roybal and his House colleagues, Herman Badillo of the Bronx, New York, and Barbara Jordan of Houston, Texas, first introduced legislation in 1975 to expand the VRA to protect non-English speaking voters.²⁴ Later, their bills would be consolidated and amended to include Section 203 requiring bilingual election materials.²⁵ Roybal provided moving statements in both the House and Senate hearings on the extension of the Voting Rights Act, concentrating on the voting barriers and discrimination faced by the Spanish-speaking population in California.

In the hearings before the Subcommittee on Civil and Constitutional Rights of the House Judiciary Committee, Roybal called out the exclusion of Spanish speakers in the voting process. He stated, “Despite the presence of the [F]ourteenth and [F]ifteenth [A]mendments, this country has seriously failed to protect the voting rights of our second largest minority of over 12 million Spanish speaking citizens.”²⁶ Roybal further explained that in California alone, “more than three million Mexican Americans continue to experience serious impediments to registration and

²² USC EDWARD R. ROYBAL INST. ON AGING, UNIV. S. CAL., *Congressman Edward R. Roybal*, UNIV. S. CAL. SUZANNE DWORAK-PECK SCH. OF SOC.WORK, <https://roybal.usc.edu/congressman-edward-r-roybal/> (last visited July 7, 2025).

²³ *Id.*

²⁴ Jordan introduced H.R. 3247 on February 19, 1975 and her bill was to include in the definition of test or device any practice or requirement by a State or political subdivision that provided election or registration materials only in English when more than 5% of the voting age residents in the State or political subdivision are of any mother tongue other than English. Roybal (on behalf of himself and Badillo) introduced H.R. 3501 on February 20, 1975. This bill was similar to Jordan’s, but only covered persons of Spanish origin, as the intent was to include Mexican Americans in the VRA. Neither of these bills required bilingual election materials. *See* 121 Cong. Rec. 16,257-58 (1975).

²⁵ After the House and Senate hearings on extending the VRA, Roybal, Badillo, and Jordan cosponsored H.R. 5552, which was the first bill containing Section 203’s bilingual election requirements. H.R. 5552 was then amended and reintroduced as H.R. 6219. H.R. 6219 is what ultimately passed in both houses of Congress and became the law amending the VRA. *See* 121 Cong. Rec. 16,258, 16,916-17, 24,780 (1975); Remarks by the President upon Signing H.R. 6219 into Law, 1975, 11 Weekly Comp. Pres. Doc. 837 (Aug. 6, 1975).

²⁶ *Extension of the Voting Rights Act: Hearings on H.R. 939, H.R. 2148, H.R. 3247, and H.R. 3501 Before the Subcomm. on Civ. & Const. Rts. of the H. Comm. on the Judiciary*, 94th Cong. 922 (1975).

voting participation.”²⁷ One such impediment relating to language access was the “reluctance of county officials to employ bilingual registrars and election officials” with reports of county officials telling Spanish-speakers that “they were not needed.”²⁸

Roybal discussed how the lack of bilingual assistance was supposed to be alleviated by the passage of a 1973 California law that required “county clerks and registrars to take steps to recruit bilingual registration officials in precincts where 3% or more of the voting age residents lack sufficient skills in English to vote without assistance.”²⁹ However, Roybal explained that this law was not effectively executed because the “administration and enforcement of the election laws, including bilingual assistance,” was at each county’s discretion.³⁰ To show how this discretion was used to perpetuate language discrimination, Roybal cited a study conducted by the California Secretary of State in 1974 that polled 48 counties.³¹ Roybal quoted the report: “the vast majority of County Clerks and or Registrars of Voters in this state have not responded to the mandate of section 1611 [bilingual registration assistance] and have made little progress in assisting voters who have difficulty in voting in English.”³²

The study found there was a disturbing lack of response to the poll from counties that had Spanish-speakers accounting for 10 percent or more of the population, such as Imperial (46%), San Benito (45%), Tulare (26%), Fresno (25%), Merced (23%), Monterey (21%), and Ventura (20%).³³ While other counties did respond to the poll, many of them made clear they had failed

²⁷ *Id.* at 923.

²⁸ *Id.*

²⁹ *Id.* at 924.

³⁰ *Id.*

³¹ *Id.*

³² *Id.*

³³ *Id.*

to identify “precinct areas needing bilingual assistance.”³⁴ Roybal explained that what this data shows is “the subtle manner in which people are ignored by those in positions of power.”³⁵

Roybal’s testimonies were made even more powerful by the specific examples of discrimination and language barriers faced by Spanish-speaking voters that he shared. Roybal utilized reports from and interviews conducted by the California Rural Legal Assistance (CRLA), a legal aid organization providing services to low-income people in rural California, to supplement his testimony. CRLA supplied Roybal accounts from the field, as staff members acted as poll watchers, documenting instances of the barriers faced by Spanish-speaking voters. In his prepared statement for the House Judiciary Subcommittee, Roybal told the story of a Spanish-speaking voter in San Ysidro, California, who obtained assistance operating the voting machine from another voter, since none of the election officials spoke Spanish.³⁶ When the assisting voter asked the officials why they failed to provide bilingual officials, she was told, “this is America, and if the woman wanted to vote, she should know how to speak English.”³⁷ Further, Roybal discussed the long lines and wait times incurred when bilingual assistance was lacking.³⁸ For example, a CRLA staff member “witnessed instances in which several voters decided not to wait and left” when Anglo election officials were unable to “quickly process the Spanish surnames and communicate in Spanish.”³⁹ Such blatant instances of language discrimination were just a few of many used to illustrate to Congress the voting impediments faced by Spanish-speaking citizens.

³⁴ *Id.*

³⁵ *Id.* at 931.

³⁶ *Id.* at 923.

³⁷ *Id.*

³⁸ *Id.* at 924.

³⁹ *Id.*

When Roybal testified during the VRA reauthorization hearings before the Subcommittee on Constitutional Rights of the Senate Judiciary Committee, he provided specific occurrences of bigotry encountered by voters and attempts by poll workers to prevent Spanish-speakers from voting. Announcing the focus of his testimony, Roybal stated, “I would like to concentrate on the State of California because many believe there is no discrimination in that State. The truth of the matter is that there is.”⁴⁰ Roybal described an instance in Herber, where 80% of the population spoke Spanish, but where a CRLA staff member reported a bilingual election official being “instructed by the county clerk not to speak Spanish because it was against the law to do so.”⁴¹ Roybal provided a quote from an election official in Niland who “insisted that ‘the Spanish people who do not speak English should not have a right to vote,’” and “[i]f the Spanish people do not speak English they should be kicked back into Mexico and not be allowed to come back.”⁴² Next, in Arvin, a Spanish-speaking woman was denied voter registration because she could not speak English.⁴³ CRLA reported “that many Spanish speaking voters will not risk going to the polls unless accompanied by friends” as “they believe there is less likelihood of being embarrassed or harassed.”⁴⁴ In one of his most poignant statements summarizing these occurrences, Roybal decried:

The intentional failure to provide bilingual assistance has serious repercussions in voter turnout among Mexican Americans and other Spanish speaking citizens. It creates a negative and hostile setting—one of embarrassment and discouragement for Spanish

⁴⁰ *Extension of the Voting Rights Act of 1965: Hearings on S. 407, S. 903, S. 1297, and S. 1443 Before the Subcomm. on Const. Rts. of the S. Comm. on the Judiciary*, 94th Cong. 257 (1975).

⁴¹ *Id.* at 262.

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

speaking voters. But why should they suffer embarrassment and harassment because they only speak Spanish or very little English? Why should these voters be turned away because Anglo officials are unable to speak Spanish...?⁴⁵

Altogether, in Roybal's testimonies before the House and Senate Judiciary Subcommittees, he utilized CRLA reports, statistics, personal experiences of Spanish-speaking voters, and more to create a compelling narrative that demonstrated the necessity of extending and amending the VRA to include language minorities.

In the end, Roybal's arguments won the day. After the hearings, H.R. 6219 emerged as the product of the bills introduced by Roybal, Badillo, and Jordan and included amendments by the subcommittees to create the version of the VRA extensions that would ultimately be voted on by both houses of Congress.⁴⁶ H.R. 6219 overwhelmingly passed in the House (341-70) on June 4, 1975⁴⁷ and in the Senate (77-12) on July 24, 1975.⁴⁸ On August 6, 1975, President Ford signed the bill into law,⁴⁹ marking another groundbreaking achievement for the VRA, with Section 203 becoming the paragon of election language access.

III. Combating Arguments Against Language Access From 1975 to Present

Many of the arguments against language access used today are strikingly similar to those made in 1975. In 1975, arguments against extending and amending the VRA included not

⁴⁵ *Id.*

⁴⁶ 121 Cong. Rec. 16,257-58 (1975).

⁴⁷ 121 Cong. Rec. 16,916-17 (1975).

⁴⁸ 121 Cong. Rec. 24,780 (1975).

⁴⁹ Remarks by the President upon Signing H.R. 6219 into Law, 1975, 11 Weekly Comp. Pres. Doc. 837 (Aug. 6, 1975).

wanting to encourage multilingualism,⁵⁰ not wanting federal interference with state matters,⁵¹ not believing that discrimination causes low voter turnout,⁵² fear of punitive sanctions,⁵³ belief that the 1965 iteration of the VRA accomplished everything it set out to achieve,⁵⁴ belief that it would be too costly,⁵⁵ and not wanting to undercut prior civil rights wins (particularly for Black Americans).⁵⁶

In his book, *The Battle Over Bilingual Ballots*, James T. Tucker lays out the most pervasive myths surrounding language access, with many of these myths being the same arguments used against both the 1975 and 2006 extensions of the VRA. Several such myths try to assert that language assistance is simply not necessary, such as: language assistance is unnecessary because English is a requirement for citizenship,⁵⁷ bilingual election materials go unused where they are provided,⁵⁸ limited-English voters can receive private assistance by voting with an English-speaking friend or family member,⁵⁹ and voter registration and turnout among language minorities is not increased by language assistance.⁶⁰ These myths ignore the evidence that language assistance is “in demand wherever offered,”⁶¹ and the dramatic increase in voter participation among the language minorities covered by Section 203.⁶² Also, the argument that

⁵⁰ ARI BERMAN, *GIVE US THE BALLOT: THE MODERN STRUGGLE FOR VOTING RIGHTS IN AMERICA* 112 (2016).

⁵¹ S. Rep. No. 94-295, at 70 (1975).

⁵² *Id.* at 71.

⁵³ *Id.* at 73-4.

⁵⁴ *Id.* at 70.

⁵⁵ TUCKER, *supra* note 5, at 224.

⁵⁶ Rosina Lozano, *Vote Aquí Hoy: The 1975 Extension of the Voting Rights Act and the Creation of Language Minorities*, J. Pol’y Hist., Jan. 2023, at 68, 70, https://www.cambridge.org/core/services/aop-cambridge-core/content/view/9F9CC8C279BF7D922041AFCDFD8E3CFF/S0898030622000367a.pdf/vote_aqui_hoy_the_1975_extension_of_the_voting_rights_act_and_the_creation_of_language_minorities.pdf.

⁵⁷ TUCKER, *supra* note 5, at 205.

⁵⁸ *Id.* at 213.

⁵⁹ *Id.* at 227.

⁶⁰ *Id.* at 229.

⁶¹ *Id.* at 213.

⁶² *Id.* at 229-30.

private assistance should replace public assistance ignores that some voters are linguistically isolated and “incorrectly assumes that voters have access to people” that are proficient in English.⁶³

Recent evidence of the demand for translated voting materials comes from a poll of 6,474 registered voters in California conducted by the UC Berkeley Institute of Governmental Studies.⁶⁴ The survey results, released in June 2025, “found that, among limited-English speakers who lacked access to translated election materials or were unsure if it was provided, 87% said they would be more likely to vote in future elections if they received a ballot in their preferred language. A similar number said receiving those translated ballots would make it easier for them to vote.”⁶⁵

Other myths have been created that speculate, without evidence, that language assistance is harmful, either to voters or to governments. These include: language assistance disincentivizes limited-English citizens from learning English,⁶⁶ surname analysis used to identify where language assistance is needed is racial profiling,⁶⁷ and providing language assistance is too costly on federal, state, and local governments.⁶⁸ No evidence supports the argument that providing language assistance for voters disincentivizes limited-English citizens from learning English.⁶⁹ Additionally, surname analysis is not racial profiling, is not used in determining which covered jurisdictions under Section 203, and is merely a tool among many used to determine where

⁶³ *Id.* at 227.

⁶⁴ Phil Willon, *Survey Shows Californians Want Ballots in More Languages*, LOS ANGELES TIMES (June, 23 2025, 3:00 AM), <https://www.latimes.com/california/story/2025-06-23/survey-shows-californians-want-ballots-in-more-languages>.

⁶⁵ *Id.*

⁶⁶ TUCKER, *supra* note 5, at 211.

⁶⁷ *Id.* at 221.

⁶⁸ *Id.* at 224.

⁶⁹ *Id.* at 211.

within covered jurisdictions language assistance is needed.⁷⁰ As for cost concerns, the cost of Section 203 on the federal government has been minimal, with most expenditures coming from enforcement, and the cost of compliance for state and local governments usually only comprises “a small portion of total election expenses, usually because of effective targeting.”⁷¹

Today, in 2025, we are in the midst of experiencing intense anti-immigration and white supremacist rhetoric from our nation’s government. On March 1, President Trump signed an executive order declaring English as the national language of the United States.⁷² This order revokes an executive order signed by President Clinton in 2000 that required federal agencies to provide language assistance to limited English proficient persons in their programs.⁷³ On March 17, Pew Research Center released the results of a survey that revealed 51% of American adults now “say it is extremely or very important for the U.S. to make English its official language.”⁷⁴ On March 25, President Trump signed another executive order increasing voter registration restrictions and implementing documentary proof of citizenship requirements that will create barriers to the ballot for immigrant voters and many others.⁷⁵

Meanwhile, in California, the State Legislature continues to introduce voter language access legislation but is unable to pass it. Governor Newsom vetoed a bill (AB 884) in September 2024 that would have “greatly expand[ed] translated election materials and language

⁷⁰ *Id.* at 221-22.

⁷¹ *Id.* at 224.

⁷² Exec. Order No. 14,224, 90 Fed. Reg. 11,363 (Mar. 1, 2025).

⁷³ *Id.*; *see also* Exec. Order No. 13,166, 65 Fed. Reg. 50,121 (Aug. 11, 2000).

⁷⁴ Sahana Mukherjee & Mark Hugo Lopez, *How Americans Feel About Making English the Official Language of the U.S.*, PEW RESEARCH CENTER (March 17, 2025), <https://www.pewresearch.org/short-reads/2025/03/17/how-americans-feel-about-making-english-the-official-language-of-the-us/>.

⁷⁵ Exec. Order No. 14,248, 90 Fed. Reg. 14,005-06 (March 25, 2025).

services,” citing cost concerns.⁷⁶ A similar bill (SB 266) was unveiled March 2025. The bill would have increased the number of languages for which ballots and voting instructions are available for California voters.⁷⁷ Demonstrating the impact this bill would have, Lynn La, writer for CalMatters, wrote, “If the bill becomes law, 28 more counties would be required to provide voters with ballots in Spanish (bringing the total to 56 counties) and 23 more would need to provide ballots in Tagalog (for a total of 29). Sacramento County, for example, would also be required to provide ballots in Ukrainian and Arabic for the first time.”⁷⁸ SB 266 died in the Senate Appropriations Committee of the State Legislature.⁷⁹ But with one in five Californians speaking limited English and 40% speaking a language other English at home,⁸⁰ bills seeking to make our elections more accessible to immigrant voters are likely to continue to be introduced. The real question is whether they will pass.

We can learn from both Congressman Roybal’s advocacy for the Spanish-speakers of California and the myths perpetuated by opponents of multilingual election materials to fight for greater language access in California. From Congressman Roybal, we can glean the importance of strong connections to the communities you are trying to serve, moving narratives that exemplify both the flagrant and subtle discrimination faced by limited-English speaking voters, and compelling statistics that demonstrate the scope of the problem at hand. The staff members of the California Rural Legal Assistance acted as foot soldiers in the community, interviewing Spanish-speaking voters and providing Roybal with a multitude of stories to share with the

⁷⁶ Veto Message from Governor Gavin Newsom to the Members of the California State Assembly (Sept. 22, 2024), <https://www.gov.ca.gov/wp-content/uploads/2024/09/AB-884-Veto-Message.pdf>.

⁷⁷ S. 266, 2025 Leg., Reg. Sess. (Cal. 2025).

⁷⁸ Lynn La, *Some CA Lawmakers Want Voting Materials to Reflect Language Diversity*, CALMATTERS (March 26, 2025), <https://calmatters.org/newsletter/california-language-bills-newsletter/>.

⁷⁹ Willon, *supra* note 64.

⁸⁰ La, *supra* note 78.

members of Congress. It is difficult to convince with data alone, because as humans, we need stories of human experiences for us to internalize and care about an issue. The data can then be used to show that these stories are not just mere flukes, but indicative of a systemic issue.

From the arguments and myths espoused by opponents of language access, we can take comfort in the fact that we have heard most, if not all, of these arguments before. Fiscal concerns, states' rights, immigration, nativism, etc. have all been used time and again to oppose increasing access to the electoral process through bilingual election materials. While each iteration of these arguments may have come in different forms, made by different people with different agendas, the concerns fueling such opposition are the same. James T. Tucker's debunking of the most prominent myths about language assistance is just as relevant today as it was when he published his book in 2009, and would have been just as useful in 1975. Given the current political climate nationally, our only hope for progress on immigrant inclusion in our democracy is in the halls of power in Sacramento, where hopefully Tucker's analysis can assist.

IV. Conclusion

California played an important role in the creation of Section 203. The leadership of Congressman Roybal and the evidence of ongoing discrimination faced by Spanish-speaking voters provided by CRLA demonstrated the need for language access in elections in 1975. Presently, while California advocates continue their uphill battle to expand language assistance, there is wisdom to be gleaned from past victories to achieve greater language access for our immigrant voters.