

October 14, 2025

Sent via e-mail

Dr. Shirley N. Weber
California Secretary of State
1500 11th Street
Sacramento, CA 95814
secretary.weber@sos.ca.gov



Re: Section 14201 Determinations and Furthering Language Assistance in Orange County Using Discretionary Determinations

Dear Secretary of State Dr. Shirley Weber:

The Arab American Civic Council (AACC) urges you to expand language assistance coverage around the state in this year's Section 14201 language determinations. We wish to emphasize in particular the need for discretionary coverage for Arabic-speaking voters in Orange County.

The Arab American Civic Council advances community power and grassroots democracy by moving people, organizations, and policy towards justice and equity. We envision an empowered Arab American community thriving in an America that is just and equitable for all.

AACC is a community organization rooted in the Little Arabia District in West Anaheim near Stanton and Garden Grove. Little Arabia is home to more than one hundred Arabic-speaking small businesses, including ethnic grocery stores, restaurants, cafes, hair salons, halal butcher shops, and professional services. It is also home to important religious institutions, such as the West Coast Islamic Society, as well as nonprofit and social service organizations that serve the community.

As noted in a letter sent to you by the Partnership for the Advancement of New Americans (PANA), Asian Law Caucus, California Common Cause, the ACLU, and CAIR, every election tens of thousands of limited English proficient ("LEP") California voters must struggle to vote in English without assistance or forgo voting entirely because their languages are not covered in the Section 14201 determinations. This exclusion is arbitrary: immigrants from Middle Eastern and North African countries who make up AACC's communities and base are left out of the federal definition of "language minority" and, as a result, LEP voters in our communities are denied the assistance that is routinely provided to voters who speak Spanish, Asian languages, and Native American languages. There is no policy-based or moral justification for our exclusion.

Your office has the authority and the opportunity to address this coverage gap, and we urge you to do so through your upcoming Section 14201 determinations, which are required by January 1, 2026. First, we ask that you implement a statewide solution by mandating that counties offer language assistance to *all* LEP communities that meet Section 14201's three percent population threshold. Second, should that not occur, we request that you exercise your discretion to mandate coverage for Arabic-speaking communities in Orange County.

I. Request for a Statewide Solution: 2026 Section 14201 Determinations

Special tabulation data from the U.S. Census shows that, as of 2023, nearly 300,000 LEP adults in California do not currently receive in-language assistance to help them navigate the voting process. Within this population, approximately 60,000 LEP adults live in precincts where their community meets Section 14201's three percent population threshold but receive no language assistance because they fall outside of the definition of "language minority" used in federal law and by the Secretary of State's office. This includes sizable African and Middle Eastern language communities.

You have long been a champion for voting rights and language access, and demonstrated this in 2022 by reinstating prior language determinations after Census data underreported counts of LEP adults, showing that you have both the authority and the track record to address such inequities. We call on you to continue that leadership now.

State law gives you two distinct mechanisms to expand language access. First, the Secretary has a mandatory duty to designate coverage for "single language minority" communities if the number of LEP adults is three percent or more of the voting-age population (VAP) of a precinct. Elec. Code §§ 14201(a) & (b). In the past, the Office of the Secretary of State has interpreted "single language minority" to mean only those language groups that receive coverage under Section 203 of the federal Voting Rights Act, namely speakers of Spanish, Asian languages, and Native American languages. But that is not the only reasonable interpretation or definition of "single language minority." Indeed, when the Court of Appeal reviewed this statute in *AAAJ v. Padilla*, it held only that then-Secretary Alex Padilla did not "err or abuse his discretion in referring to the Voting Rights Act's definitional guidance" of "language minority." 41 Cal. App. 4th 850, 875 (2019); *see also id.* at 853 (the Secretary "acted within his discretion in looking to the [federal VRA] to inform his interpretation of 'single language minority'"). But while the Court of Appeal confirmed that the Secretary may look to the federal definition, it did not hold that she is limited to it. We therefore urge you to adopt a broader definition of "single language minority" -- one that includes all non-English speaking communities.

Alternatively, the Legislature expressly granted the Secretary of State the authority to designate coverage whenever there is "a significant and substantial need," outside of precincts covered by state law's coverage formula mentioned above. Elec. Code § 14201(a). That need exists throughout California for all language communities that are not covered by the federal definition but that nonetheless have populations of LEP voters meeting Section 14201's population thresholds. There is no meaningful difference in need between LEP voters who speak Spanish or Chinese and meet Section 14201's threshold and those who speak Arabic and also meet the same threshold. You can use your discretionary powers to cover *all* LEP language communities that reach the three percent threshold in their precinct of residence.

You can use either of these methods to ensure that LEP voters in currently excluded communities receive assistance. Doing so would close the coverage gap for tens of thousands of LEP Californians and reaffirm the state's commitment to meaningful participation for every voter.

II. Request for Discretionary Language Coverage Services in Orange County

As noted above, the California Elections Code establishes a process for designating which language groups must be provided language assistance under state law. Elec. Code § 14201. As you know, you have the power and authority to go beyond the standard coverage formula because Section 14201(b)(1) enables the Secretary of State to provide elections materials in other languages if "citizens or organizations provide the Secretary of State with information that gives the Secretary of State sufficient reason to believe a need for the furnishing of facsimile ballots ... and ballot instructions." We call upon the Secretary to use these "discretionary determinations" to designate coverage for Orange County's LEP immigrant voters who speak Arabic as a primary language.

a. Size of Orange County's Arabic-Speaking Community

Orange County is home to a large community of Arabic-speaking immigrants, all of whom fall outside of the federal definition of "language minority." According to Census Bureau data, there are roughly 30,000 Arab Americans in Orange County¹ and specifically 7,362 LEP Arabic-speaking adults, with concentrations in Anaheim (1,815) and Irvine (1,190).² Our community includes immigrant communities that originate from more than a dozen countries in the Middle East and North Africa.

b. Census Undercount of Orange County's Arabic-Speaking Community

We believe the numbers above underrepresent the size of the Middle Eastern and Arab community in Orange County. It is by now well-established that the census substantially undercounts Arab Americans. From the Arab American Institute:

There is no existing category on Census Bureau forms to collect accurate data about Arab Americans. As such, AAI research concludes the 2020 decennial census count of 2,815,469 Arab Americans is a significant undercount. In the absence of a minimum reporting category, the decennial census numbers are based on a voluntary write-in response. Similarly, the American Community Survey (ACS) identifies only a portion of the Arab population through a question on "ancestry." Additional reasons for the undercount include the placement and limitations of the ancestry question (as distinct from race and ethnicity); the effect of the ACS's sample methodology on small, unevenly distributed ethnic groups; high levels of out-marriage among the third and fourth generations; and distrust/misunderstanding of government surveys among recent immigrants. Correcting for the undercount, AAI uses the most recent census estimates, population growth models, and immigration statistics to estimate the Arab American population is approximately 3.7 million.³

Based on an extensive 2024 population analysis conducted by the South Asian, Middle Eastern, and North African (SAMENA) Collective based in Orange County, we believe the actual number of Arab Americans in Orange County to be 46,269.⁴ We would estimate that 20% percent of them are limited-English speaking adults, resulting in roughly 9,250 LEP Arabic-speaking adults in the County.

c. The Desire for an Equal Vote Among Orange County's Arabic-Speaking Community

AACC has a long track record of doing civic engagement work in our community. We routinely hear from Arab Americans about their sense of exclusion from our democratic process and our elections. Offering facsimile ballots in Arabic would go a long way in showing our community that they too have a place in California's diverse electorate.

Fatima Omar is a Sudanese refugee, US citizen, and nurse living in Anaheim. She shared her challenge voting on the English ballot with us:

¹ Hosam Elattar, "OC's Middle Eastern Community Will Finally Get Counted in Next Census," Voice of OC, Apr. 10, 2024, available at:

<https://voiceofoc.org/2024/04/ocs-middle-eastern-community-will-finally-get-counted-in-next-census/>.

² U.S. Census Bureau, Special Tabulation of the American Community Survey: Limited English Proficient Voting-Age Population (Nov. 2023), prepared for Asian Law Caucus & California Common Cause.

³ Arab American Institute, National Arab American Demographics, available at:

<https://www.aaiusa.org/demographics>.

⁴ SAMENA Survey Results, Prepared for Dissemination, July 19, 2024, available at:

<https://samenaoc.org/data-dashboard/#:~:text=The%20South%20Asian%2C%20Middle%20Eastern,serve%20the%20community's%20diverse%20needs>.

“Speaking from my experience, there were instances of voter intimidation or harassment at polling places, which can discourage people from showing up. My mother, at one point, was so uncomfortable that she decided not to go back. Limited availability of voting materials in Arabic also poses challenges for most of us Arabic speakers. Providing ballots or assistance in Arabic would make voting much easier.”

Rima Nashashibi is Palestinian American and a nonprofit executive, living in Irvine:

“The biggest challenge I see in our community is lack of information. The voter guides and materials are in English, and most of the older population don’t read or write English well. They rely on others from the community to guide them -- showing them how to vote, where to vote, and how to find polling locations.”

Kareem Essayli, a Lebanese American immigration lawyer who currently lives in Anaheim, works with immigrants every day. Kareem has voted consistently in state and federal elections for the past decade. He approaches civic engagement carefully, often verifying every piece of information he receives before casting a vote.

“I see how much language can be a barrier -- not just to services, but to civic participation. Many Arabic-speaking voters want to engage but find the process intimidating. It's tough to differentiate real news with fake news with the overload and overwhelming amount of information . . . It's very important to keep the community engaged.”

Samir Al-Alami is a Palestinian refugee and a graduate student at UC Riverside who lives in Orange County:

“I think the challenge is caring -- or seeing how our vote event translates to tangible progress . . . Sometimes it feels like my vote doesn’t matter and that there is no care for communities like mine.”

Our community members who are eligible voters want to cast their ballots and do so in a fully informed way. AACC’s communities in Orange County have a significant and substantial need for translated ballot materials in Arabic.

d. Feasibility of Meeting the Language Needs of Orange County’s Arabic-Speaking Community

We know that meeting the language needs of our community is administratively doable. The Orange County Registrar of Voters is very capable and serves the language needs of nine languages in a diversity of scripts, including in some cases languages spoken by far smaller populations than our Arabic-speaking community.⁵ And, as you know, the Office of the Secretary of State has previously used its authority to extend discretionary coverage to the Arabic-speaking community in San Diego County.⁶ We ask for the same right to an equal ballot for the Arabic-speaking community in Orange County.

⁵ For example, Orange County is required to provide facsimile ballots for the Hindi-speaking community (1,902 LEP adults), Gujarati-speaking community (2,197 LEP adults), and the Filipino/Tagalog-speaking community (3,180 LEP adults). U.S. Census Bureau, Special Tabulation of the American Community Survey: Limited English Proficient Voting-Age Population (Nov. 2023), prepared for Asian Law Caucus & California Common Cause.

⁶ “Language Requirements for Election Materials,” California Secretary of State, available at: <https://www.sos.ca.gov/elections/voting-resources/language-requirements>.

Recognizing the significance and unique needs of our community is now being reflected by other government actors. This month, Governor Gavin Newsom signed [AB 91](#) (Harabedian), which will require any state or local agency that currently collects demographic data as to the ancestry or ethnic origin of Californians to now collect data on major Middle Eastern or North African groups. Additionally, the California Department of Health Care Services (DHCS) mandates that managed care plans in Orange County translate important member information into Arabic.⁷ Our communities have been invisibilized by data collection, population studies, and policy solutions for too long -- we are happy to see that trend begin to change.

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We respectfully urge you to take action to ensure that all immigrant voters in California and particularly Arabic-speaking voters in Orange County have meaningful access to the ballot. We have seen the Arabic-speaking community in San Diego receive coverage and language communities in Orange County smaller than the Arabic-speaking community have it as well. We believe a fair and equitable next step is to provide discretionary coverage for our proud Arab American community in Orange County.

We request a meeting with your staff to more fully make the case that “a significant and substantial need” exists for our communities; please contact Amin Nash, Policy & Advocacy Coordinator at AACC, at amin@aaciviccouncil.org to discuss.

We look forward to your response and to working together to uphold the state’s commitment to equal participation for every voter.

Sincerely,

Rashad Al-Dabbagh

Rashad Al-Dabbagh, Founder/ Executive Director
Arab American Civic Council

cc:

Steve Reyes, Chief Counsel, sreyes@sos.ca.gov

State Language Accessibility Advisory Committee, laac@sos.ca.gov

⁷ DHCS, Threshold and Concentration Languages for All Counties as of March 2024.