

DJ 166-012-3  
X1245

MAR 12 1976

Mr. Gaston Wall  
Superintendent, Dumas Independent  
School District  
Box 852  
Dumas, Texas 79029

Dear Mr. Wall:

This is in reference to the imposition of numbered post and majority vote requirements in the election of the School Board of the Dumas Independent School District, which changes were submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965. Your submission was received on January 13, 1976.

After a careful examination of the submitted changes, including consideration of demographic and geographic data, and comments from interested parties, we can not conclude as we must under the Voting Rights Act, that the use of a numbered post and majority vote requirement to elect members of the Dumas School Board, in the context of an at-large election system, will not have a discriminatory effect on the minority community in the Dumas Independent School District. Recent Supreme Court decisions, to which we feel obligated to give great weight, indicate that the combination of the above features may have the effect of abridging minority voting rights in the Dumas Independent School District. R.A. White v. Regester, 412 U.S. 755 (1973); Whitcomb v. Chavis, 403 U.S. 124 (1971).

For the foregoing reasons, I must on behalf of the Attorney General interpose an objection to the continuation of the numbered post and majority vote requirements in the context of at-large elections. Of course, Section 5 permits seeking approval of all changes affecting voting by the United States District Court for the District of Columbia irrespective of whether the changes have been previously been submitted to the Attorney General.

Sincerely,

J. Stanley Pottinger  
Assistant Attorney General  
Civil Rights Division