

DD 166-012-3  
A4277-4283

JUN 30 1978

Honorable William R. Vance  
County Judge  
Brazos County  
P. O. Box 3995  
Bryan, Texas 77801

Dear Judge Vance:

This is in reference to the reapportionment of Commissioner Precincts submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was completed on May 1, 1978.

On June 9, 1978 we sent you a letter informing you that the Attorney General does not interpose any objection to this change. However, Section 5 allows the Attorney General sixty days in which to make a determination with respect to submitted changes affecting voting and, as provided in the Attorney General's guidelines, (28 C.F.R. 31.22), the Attorney General may reexamine the submission if additional information comes to his attention during the remainder of the sixty-day period. This sixty-day period expires today.

Information has been brought to our attention this week that has necessitated our reconsideration of the initial determination with respect to the county's plan. Our reanalysis of the information you provided concerning your methodology in determining the population of the old and new commissioner precincts indicates that the statistics you have provided may be less accurate than it initially appeared. In addition, we note that Commissioner Precinct 4, the precinct with the greatest minority percentage prior to the redistricting, was increased in population by over 5,000 persons, although it was very close to ideal size prior to the redistricting.

Because the information that prompted our reconsideration of this submission was not received until late in the sixty-day statutory period, we have not been able to reanalyze the matter sufficiently to adhere to our previous conclusion that the plan does not have a discriminatory effect. Accordingly, on behalf of the Attorney General, I must interpose an objection to this plan. However, we will continue our reanalysis and if this reanalysis leads to the conclusion that the submitted redistricting does not have the prohibited

discriminatory effect, the objection will be withdrawn. We will notify you as soon as possible of the Attorney General's final decision in this matter.

Of course, as provided by Section 5 of the Voting Rights Act, you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that this change does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. However, until the objection is withdrawn or the judgment from the District of Columbia Court obtained, the effect of the objection by the Attorney General is to make the redistricting plan legally unenforceable.

Sincerely,

**Drew S. Days III**  
**Assistant Attorney General**  
**Civil Rights Division**