

George Wikoff, Esq.
City Attorney
City of Fort Arthur
Post Office Box 1989
Fort Arthur, Texas 77640

15 JAN 1980

Dear Mr. Wikoff:

This is in reference to Ordinance No. 79-119, which calls for a referendum election on collective bargaining scheduled for January 19, 1980, in the City of Fort Arthur, Jefferson County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was received on December 27, 1979.

According to your letter of submission, Ordinance No. 79-119 was enacted to repeal and supersede Ordinance No. 79-108 which, like Ordinance No. 79-119, provided for the referendum election on collective bargaining scheduled for January 19, 1980. However, on December 21, 1979, prior to our receipt of your present submission, an objection was interposed to the January 19, 1980, referendum election provided for in Ordinance No. 79-108. The purpose of this letter is to advise you that, for the reasons set forth in our letter of December 21, 1979, relating to Ordinance No. 79-108 the Attorney General also objects to the referendum election set forth in Ordinance No. 79-119.

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 these changes have neither the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. In addition, the Procedures for the Administration of Section 5 (28 C.F.R. 51.21(b) and (c), 51.23, and 51.24) permit you to request the Attorney General to reconsider

JAMES P. TURNER
Acting Assistant Attorney General
Civil Rights Division

Sincerely,

To enable this Department to meet its responsibility to enforce the Voting Rights Act, please inform us immediately upon receipt of this letter as to what course of action the City of Fort Worth plans to take with respect to this matter. If you have any questions concerning this letter, please feel free to call Mr. Jess A. Hill (202-724-6714) of our staff, who has been assigned to handle this subdivision. Please refer to File Nos. 68361 and C763 in any written response to this letter so that your correspondence will be properly handled.

the objection. However, until the objection is withdrawn or the judgment from the District of Columbia Court obtained, the effect of the objection by the Attorney General is to make the referendum election legally unenforceable.