



**U.S. Department of Justice**

Civil Rights Division

TCH:RSB:KR:VW:par  
DJ 166-012-3  
2011-0652

*Voting Section - NWB  
950 Pennsylvania Avenue, NW  
Washington, DC 20530*

May 9, 2011

Joel Graber, Esq.  
Special Litigation Counsel  
Office of the Attorney General  
120 Broadway  
New York, New York 10271-0332

Dear Mr. Graber:

This refers to Chapter 57, Part XX (A. 9710-D) (2010), which adds NY Legislative Law Sec. 83-m (13), NY Correction Law Sec. 71 (8), and NY Municipal Home Rule Law Sec. 10 (1) (a) (13) (a) (i) and (c) (i) to provide for counting state prison inmates, for purposes of state and local redistricting, based on their census block of origin rather than the census blocks where they are presently incarcerated, for the State of New York, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on March 8, 2011; additional information was received on March 9, 2011.

The Attorney General does not interpose any objection to the specified change. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Christian Herren, Jr.", written in a cursive style.

T. Christian Herren, Jr.  
Chief, Voting Section