RESOLVED, That the American Bar Association urges Congress to:

(1) extend for 25 years Sections 5 (preclearance), 203 (language minority assistance), and 6-9 (federal observers) of the Voting Rights Act of 1965, as amended through 1992;

(2) amend Section 5 in order to delineate the proper legal standard for Section 5 preclearance by
   (a) prohibiting the preclearance of any voting change enacted with the discriminatory purpose of denying or abridging the right to vote on account of race, color or membership in a language minority group, and
   (b) prohibiting the preclearance of any voting change shown to have a dilutive effect in violation of Section 2 of the Voting Rights Act;

(3) clarify the legal standard for retrogression under Section 5 to interpret “discriminatory effect” as a retrogression of the political strength of a minority community and the failure to preserve the ability of minority voters to elect candidates of choice, including the elimination of majority – minority districts;

(4) amend Section 203 to clarify the definition of political subdivision to include separate election jurisdictions, such as cities or school districts of significant size, and to lower the numerical trigger for coverage from 10,000 to 5,000;

(5) clarify that Section 203 applies only to materials produced by government entities and not by citizen petitioners, until such petitions have qualified for placement on the ballot;
(6) amend Section 203 to require new coverage determinations every 5 years, instead of every 10 years, and to base such determinations on information collected via the American Community Survey;

(7) amend Section 203 to encourage the study of extending language coverage to other language minorities not covered by the Act; and

(8) amend Section 14(e) to permit the recovery of expert fees and expenses.