

# Designing P.L. 94-171 Redistricting Data for the Year 2010 Census

Issued September 2004

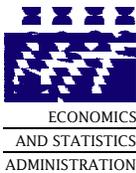
*The View From the States*



# Acknowledgements



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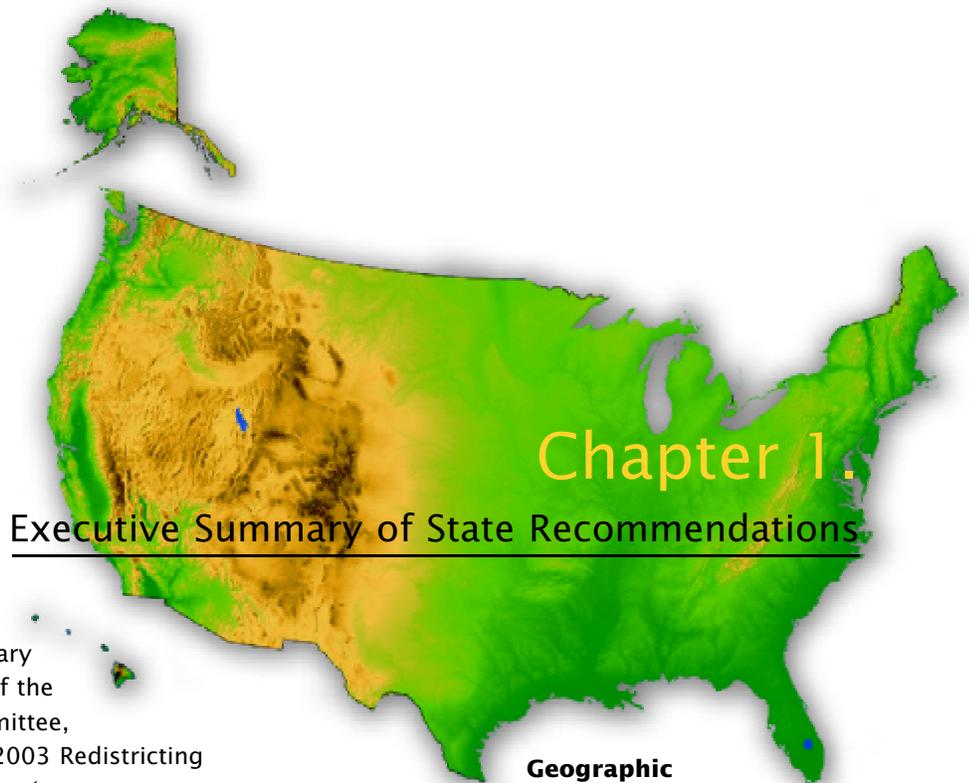
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Designing P.L. 94-171 Redistricting Data for the Year 2010 Census:

## **THE VIEW FROM THE STATES**

### **Report of the Census 2000 Public Law (P.L.) 94-171 Program Evaluation**

After the passage of P.L. 94-171 in 1975, the states and the U.S. Census Bureau came together in a unique partnership aimed at compliance with the new law. For more than 30 years, the U.S. Census Bureau, in cooperation with the National Conference of State Legislatures, has worked with the states to improve this partnership. Part of the partnership is evaluating the program each decade. The U.S. Census Bureau has used the states' evaluations to build upon the program's successes and to make changes when necessary. These evaluations have been documented following the 1980 and 1990 censuses. This report constitutes the final chapter in the evaluation of the Census 2000 effort.



## Chapter 1. Executive Summary of State Recommendations

This chapter consists of a summary of the major recommendations of the Elections and Redistricting Committee, which states made at the 2002/2003 Redistricting and Elections Committee meetings (see appendixes E and F for attendees). Chapter 4 presents more detailed comments in support of their recommendations.

**Policy Matters** – The Census Bureau announced after Census 2000 it would not plan for an adjustment of the official 2010 Census Redistricting Data (P.L. 94-171). States requested that they be notified in advance of any change in this decision. The states also requested assurance that there would be only “one” set of official redistricting and apportionment numbers.

**Census Data Items** – Continue to provide 100-percent counts of total persons by race, Hispanic origin, and voting age for each state-defined legislative district and voting district (VTD). Continue to provide census block-level summaries. Continue to update the state liaisons and the NCSL Redistricting and Elections Committee about any potential changes to definitions or data items included in 2010 Census.

**Census 2000 Redistricting (P.L. 94-171) Data Products** – Retain P.L. 94-171 data distribution plans used in Census 2000. Add state legislative districts as an ongoing geographic area similar to congressional districts. In addition, include school districts in the geographic summaries for the P.L. 94-171 data.

### **Geographic**

#### **Programs**

– Retain the geographic programs provided in support of the Census Bureau’s Redistricting Data Program. Develop reasonable schedules and adhere to them.

**Enumeration Overseas** – With reference to apportionment and redistricting, states request that the Census Bureau communicate to the states the status of the Census Bureau’s test enumeration of Americans residing overseas. Schedule public hearings to discuss the merit of including or excluding Americans overseas. In addition, the Census Bureau should explain to the states the impact on residency rules as they now exist and what changes states should anticipate in counting military personnel overseas.

**Census/State Communications** – The states strongly recommend that the Census Bureau make a better effort to communicate to the states the economic benefit of having a good census count. The Census Bureau should put together, four to five years before the census, a schedule of census programs to budget for advertising and other targeted needs for state and local dollars (e.g., the Local Update of Census Addresses [LUCA], promotion, participation in geographic partnership programs, etc.). Because of the constantly high turnover in state legislatures, the Census Bureau

should begin these communications in the 2005-2006 time period and continue thereafter.

**Paid Advertising** – Allow states to piggyback on the efforts of the Census Bureau’s paid advertising campaign during the negotiations for the 2010 advertising contract so that the states may use the advertising materials prepared for census promotion.

**Partnership Programs** – Work with each state liaison to develop a reliable list of local contacts.

The states also recommended continuation of the LUCA program, but, they added, more time should be allowed for participation in the program than was afforded in Census 2000.

**Count Question Resolution (CQR) Program** – Encourage the Census Bureau to continue the CQR program after the 2010 Census. States would like the Census Bureau to provide block-level data

(such as total population and housing units) as part of the response to local officials. Without block-level information, data were not usable for redistricting purposes. The CQR program should begin with the release of the P.L. 94-171 data so corrections are available as soon as possible.

**Special Place/Groups Quarters** – Take the necessary steps to ensure that the location of group quarters be reviewed before the census by local officials.

**Count Review Program** – Resume the Count Review Program for Census 2010. It should be scheduled so that corrections can be made before the release of the P.L. 94-171 data. If this is not feasible, states recommend that the Count Question Resolution Program begin immediately after the release of the P.L. 94-171 data. The first cases to be reviewed would be those submitted by states during count review.

As Utah Senate Majority Leader Michael Waddoups looks on, U.S. Census Bureau Director, Charles Louis Kincannon, discusses the testing of all U.S. citizens overseas at the 2004 NCSL Annual Meeting.



## Chapter 2.

### Understanding the Partnership Requires a Little History — The Early Days

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The taking of the census every 10 years and the resulting data tabulations have been the measure for fine-tuning our representative democracy since its birth in 1776.

While the data are rich in historical information documenting the arrival of immigrants in the 1800s from Europe, the existing American Indian population, the westward migration of settlers, and the arrival of more immigrants from other parts of the world, the data collection is actually mandated by the U.S. Constitution to ensure fair and equal representation in our state legislatures and Congress. A decennial census is enshrined in the Constitution for the primary purpose of providing data for the reapportionment of the Congress. For more than 200 years the decennial census has performed the most basic yet important function in support of our democratic process. By providing the count of the population used to apportion the number of seats in Congress among the states and providing our state and local governments with the population counts necessary to redraw their legislative districts, the census has become the foundation of our democracy, as well as the nation's factfinder.

In 1962, the U.S. Supreme Court ruled in *Baker v. Carr* that malapportioned legislatures are justiciable issues. In 1963, in *Gray v. Sanders*, the court struck down a redistricting plan with districts that were not equal in population.

In 1964, in *Wesberry v. Sanders*, the court held that Article 1, Section 2 of the Constitution required that “...as nearly as is practicable one person’s vote in a congressional district is to be worth as much as another’s.” Again, in 1964, the court held in *Reynolds v. Simms* that state legislative districts must be “...as nearly of equal population as is practicable.” Following the enactment of the 1965 Voting Rights Act, the courts ruled that the use of racial criteria in drawing districts was constitutional.

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*“... as nearly as is practicable one person’s vote in a congressional district is to be worth as much as another’s.”*

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By 1966, state officials had approached the Census Bureau to express their need for small-area data. As state and local officials began to use the 1970 census data, they found that the data themselves often did not match the maps or vice-versa. Because political control was at stake, congressional and gubernatorial demands to investigate and correct these problems abounded. In 1971, the Census Bureau had not met the needs of the states.

In 1974, the National Legislative Conference (NLC)—until 1975 a part of the Council of State Governments when it merged with other national legislative groups to form the National Conference of State Legislatures (NCSL)—made the needs of states clear to Congress. With the passage of the

1965 Voting Rights Act, which required that redistricting not have the effect of diluting minority voting rights, the states were hard-pressed to comply using the census data as they were summarized in the 1970 census. This discovery led the states to issue, through the NCSL, an urgent call to Congress. In “Improving the 1980 Census,” they said: “Let State governments define small census tabulation areas to coincide with the boundaries of local election precincts (e.g., voting districts [VTDs], polling areas or precincts). Pass legislation requiring the Census Bureau to give us a role in this process.”

The Reapportionment Committee of the NCSL and state officials issued a report that recommended:

- Development of congressional legislation requiring the Census Bureau to provide state officials with census population counts according to the geographic areas that the states designed to meet their redistricting needs.
- Nationwide block level statistics (it should be noted the Census Bureau could not comply with this recommendation until the completion of the Topologically Integrated Geographic Encoding and Referencing system, [TIGER®] database); became a reality in the 1990 census.
- Census Bureau recognition of the needs of those states with early redistricting deadlines.

In 1975, during the congressional hearings before the Committee on Post Office and Civil Service, Subcommittee on the Census and Statistics, House of Representatives, the state legislatures stressed their need for a 100-percent count of the population for individual VTDs and other small geographic areas. These small-area counts were

required in order to create new state legislative districts, as well as the new congressional districts early in the year following the census.

Redistricting officials pointed out during the hearings that they must be able to “trade” individual blocks and precincts among the proposed legislative districts to balance population, achieve legally required racial and ethnic balance, and make political compromises to ensure enactment of plans in time for statewide elections.



*Tim Storey, NCSL Fellow and national redistricting expert, listens to Census updates presented to the Elections and Redistricting Committee at the NCSL Winter Forum in December 2003.*

The Census Bureau began its work with the NLC’s Reapportionment Committee and State officials before Congress passed House Resolution 1753 and President Gerald Ford signed Public Law (P.L.) 94-171 in late 1975 (see Appendix A). The Census Bureau had much to do before the 1980 census, the first census in which P.L. 94-171 was in effect. It was at this point that the long-standing partnership between the Census Bureau, the states and the NCSL took true and lasting shape.

States asked to receive population counts for census blocks

and VTDs. Census blocks provided the much-needed flexibility that state legislators required to comply with the one-person, one-vote mandate. VTDs can range in size from a single city block to several contiguous census “blocks.” Multiple plans could be developed at this geographic level allowing state legislators to determine the “one plan” that was politically acceptable. In addition, this flexibility gave the states the ability to meet the standards of the U.S. Supreme Court requiring population equity across state legislative and congressional districts.

Most states have constitutional or court-imposed deadlines to complete this sensitive and technically complex task within the year following the year of Census Day (April 1). Two-thirds of the

states were required to redistrict their legislatures within 12 months of receipt of the census data, which was delivered to them no later than April 1, 1981, 1991, and 2001. In addition to the detailed geographic summaries, states requested race and voting-age census counts for all geographic summaries. These data items supported the requirement to achieve a racial and ethnic balance consistent with the provisions of the Voting Rights Act (Sections 2 and 5).

While the partnership between the states and the Census Bureau had begun, it was apparent that it needed strengthening. After the 1980 census, the need for nationwide census blocks became even more evident. With only half the states participating in the 1980 P.L. 94-171 program, the Census Bureau realized it must make rapid gains in supporting the needs of the states to meet the spirit of the law. Fortunately, during the 1980s, technology had taken on a new role in census planning, particularly in its geographic programs. In cooperation with the U.S.

Geological Survey, the Census Bureau developed an automated geographic file – the first computerized map of the United States – called TIGER®. For the first time, the Census Bureau was able to produce paper maps and digital products consistent with the data tabulations at all geographic levels, including census blocks. This resulted in the tabulation of more than 7 million census blocks in the 1990 census.

In addition to nationwide block-coverage for the 1990 census, the states recommended that:

- The Census Bureau provide preliminary maps in 1989 and preliminary small-area figures in the summer of 1990 so that the states could evaluate preliminary redistricting plans.

- The Census Bureau not adjust the 1990 results for possible “over- or undercounting” unless the procedure could be carried down to block and VTD levels and cover counts for the major race groups. Such adjustments also must not jeopardize delivery of data to all states by April 1, 1991.

- The Census Bureau did not attempt to identify “non-documented” immigrants in the 1990 census.

- Census residence rules for college students not be changed.

The 1990 Redistricting Data Program gave states an opportunity to define the boundaries of census blocks – since census blocks could serve as the building unit in the redistricting process. For the first time, the Redistricting Data Program was divided into three phases:

- Phase 1 (1985) — The Block Boundary Suggestion Project (BBSP). States suggested visible features be used as 1990 census block boundaries and ultimately as voting district boundaries. (Thirty-eight states participated.)

- Phase 2 (1989) — Voting District (VTD) Project. States delineated voting district boundaries on TIGER®-generated census maps. (Forty-six states participated.)

- Phase 3 (January 14, 1991–March 8, 1991) — Census Bureau delivered P.L. 94-171 data to state officials. (All states participated.)

For the 1990 census, the Census Bureau provided 100-percent counts of population, race, Hispanic origin, and voting age for each of the 7 million blocks and approximately 150,000 voting districts to all 50 state legislatures weeks ahead of the



*Peter Wattson, MN, and Michelle Davis, MD, take notes during an Elections and Redistricting Committee meeting.*

April 1, 1991, deadline required by Census Law, Title 13, U.S. Code. As in 1980, these data were provided on computer tape and paper. For the first time, reflecting technological progress in many fields, the Census Bureau also provided the redistricting data on compact disc (CD-ROM).

The combination of data and digital spatial data nationwide led to the development of Geographic Information Systems (GIS) software. GIS would revolutionize the process of redistricting, making data easily available and easily used by all those interested in the process. With more stakeholders at the table, each with their own redistricting plan, the need to quickly and efficiently evaluate plans became the driving force for adopting advanced technologies.

### **Background – Evaluating the 1990 Census Redistricting Data Program**

In late 1991, the Census Bureau's Redistricting Data Office, with the assistance of the NCSL, asked each governor and the majority and minority leaders of each state legislature and their key staff members to provide comments on the 1990 Census Redistricting Data Program. The Census Bureau also asked for suggestions about the P.L. 94-171 Program for Census 2000. At a May 1992 meeting of the NCSL Reapportionment Task Force in Kansas City, MO, the comments and suggestions were discussed and expanded. The results of this meeting were refined at a 1992 conference by the NCSL Reapportionment Task Force in Cincinnati, OH. The program evaluation report was distributed to Task Force members and others who expressed a strong interest in its work, and the NCSL Task Force subsequently finalized their recommendations in Raleigh, NC.

Comments and recommendations made in 1992 in preparation for the Census 2000 Redistricting Data Program were:

- Continue to provide 100-percent counts of total persons by race, Hispanic origin, and voting age for all census blocks and voting districts.

- Assure states early that there would be only one set of official redistricting data.
- Continue to provide data products in electronic and paper formats.
- Continue to provide data products and geographic products to the governor and the state legislative majority and minority parties simultaneously.
- Maintain a close working relationship between the Census Bureau and the states by participating in state-by-state and regional meetings. States also recommended continuation of the NCSL's Reapportionment Task Force as a platform for state/Census relations.
- The retention of the Block Boundary Suggestion Project and the institution of a verification phase.
- The retention of the Voting District Project to submit voting districts to the Census Bureau with the addition of a verification phase.
- The addition of state legislative districts to the necessary geographic summary levels required for data tabulation.
- The continuation of technical Phase 1 and Phase 2 training sessions by Census Bureau staff. Minority organizations stressed the need for the Census Redistricting Data Office to continue past efforts to involve their members in the planning of the Census 2000 Redistricting Data Program.

### **Census 2000 Redistricting Data Program**

In April 1995, the director of the Census Bureau invited state officials to participate in the Census 2000 Redistricting Data Program. In July 1995, the Census Bureau cosponsored with the NCSL Reapportionment Task Force a training workshop on the Phase 1 guidelines. In planning for Census 2000, the Task Force passed resolutions dealing with adjustment and census block numbering on military installations.

On the issue of possible adjustment for overcounts and undercounts, the Task Force adopted the following resolution:

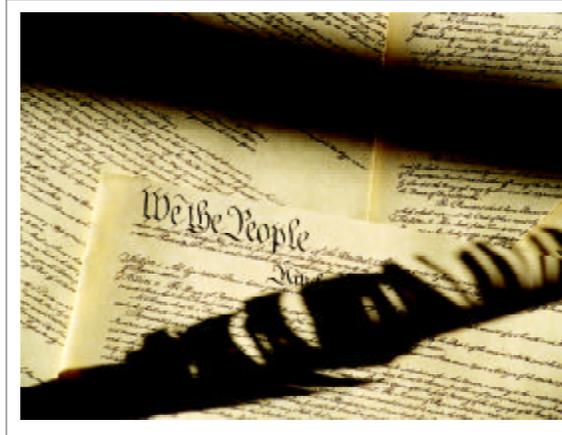
*“The Constitution requires a decennial enumeration of the population of the United States. The collection and dissemination of census data is a crucial factor in state compliance with federal law relating to reapportionment and redistricting. The integrity of the census data lies at the heart of ensuring citizen confidence in the redistricting and reapportionment processes.*

*In order to maintain the confidence of the electorate in the voting process, the statutory transmittal to the President showing the population of each state according to the 2000 census and the P.L. 94-171 counts of the 2000 census transmitted to the states should contain only one number for each item for which data is tabulated. All relevant publications of the Census Bureau should indicate that this number is the only official enumeration that fulfills the requirements of the United States Code, and specifically, P.L. 94-171. Any range or statement of accuracy should not be contained as part of the submittal to the President or the P.L. 94-171 data transmitted to the states and should not be part of those files.”*

With regard to the block numbering on military installations, the NCSL Redistricting Task Force adopted a second resolution:

*“WHEREAS state redistricting authorities must sometimes divide the resident population on military bases among two or more legislative districts or congressional districts to achieve districts that have balanced populations in accordance with court-ordered ‘one-person, one-vote’ standards; and*

*WHEREAS the U.S. Census Bureau’s guidelines for the Census 2000 Redistricting Data Program have allowed state redistricting authorities to suggest visible ground features inside military bases for defining individual blocks for tabulating the Census 2000 Redistricting Data under the provision of Public Law 94-171,*



*“one-person, one-vote”*

*BE IT RESOLVED that each state should work with the commanders of military bases in the states to ensure that Census Bureau employees will have access to the bases for Census 2000 for the purpose of locating housing and enumerating military and any civilian personnel in the specific locations where they reside on base; and*

*BE IT FURTHER RESOLVED that the Redistricting Task Force alert the Secretary of Defense to the states’ need to have census population totals on a block-by-block basis inside military bases, thereby enabling states to divide base populations among two or more legislative districts where necessary in accordance with court-ordered ‘one-person, one-vote’ decrees.”*

These resolutions were passed by the Redistricting Task Force and adopted by the full National Conference of State Legislatures as official NCSL policy positions.

Another important policy issue that states faced for Census 2000 was the matter of how federal statistical agencies collect and present data on race and Hispanic origin. Although P.L. 94-171 required the Census Bureau to provide only total population figures to state officials, the Census Bureau had provided race and Hispanic-origin data from the 1980 and 1990 censuses to assist states in complying with the Voting Rights Act.

In mid-1995, the Office of Management and Budget (OMB) officials invited the NCSL Redistricting Task Force to comment on whether or not OMB Directive 15 on federal racial and ethnic statistics should be modified to permit respondents to express multiple racial back-

grounds.

OMB created an interagency committee to assist with empirical research into the collection

of such data and to perform policy reviews of how existing agency programs (e.g., the Census Bureau's Redistricting Data Program, the Justice Department's Voting Rights Section activities) might be affected by possible revisions to the collection and presentation of racial and ethnic data. OMB also solicited public comments through the Federal Register and a series of regional hearings.

In July 1997, the Redistricting Data Office notified the states that OMB had published in the July 9 Federal Register the recommendations of the Federal Interagency Committee for the Review of Racial and Ethnic Standards concerning possible changes to the standards for classification of federal data on race and ethnicity. The Redistricting Data Office ensured that states understood that:

- These recommendations related directly to the race and Hispanic-origin questions that might be used in Census 2000 for the P.L. 94-171 redistricting data.
- This OMB Federal Register Notice and the committee's complete recommendations were published on the World Wide Web at the GPO Access Web site <[www.access.gpo.gov](http://www.access.gpo.gov)>.
- OMB planned to make a final decision on the recommendations by mid-October 1997.

The Census Bureau's Redistricting Data Office informed states that because of the need to meet operational time schedules for the Dress Rehearsal Census in April 1998, the Census Bureau would include the race and Hispanic-origin questions that reflected the Federal Interagency Committee's recommendations, including the suggestion that an instruction accompany the race question allowing the respondent to "mark one or more" of the race groups. This would be a change from past censuses when respondents could choose only one race category.

OMB announced its decision to modify Directive 15 and to adopt the recommendations of the Interagency Committee on October 30, 1997. In November 1997 and April 1998, Census Bureau officials met with the Redistricting Task Force and reviewed the proposed 1998 Dress Rehearsal P.L. 94-171 Redistricting Data file that would include 63 racial categories (cross-classified by voting age and by not Hispanic or Latino) for each census block, state-specified voting district, census tract, place, county, etc. The resulting product would contain more than 260 data items for each geographic area (e.g., county, voting district, census block). The Census Bureau described this product as the P.L. 63 Matrix.

State legislative officials expressed concern over the prospect of having to create state redistricting data bases and process many scores of alternative redistricting plans using the potential 260-plus data cells for each census block in a state—about 8 million data cells nationwide. In addition, the Census Bureau and some of its advisors had concerns about confidentiality with the presentation of such detailed information for such small geographic areas. As a result, Census Bureau staff met with members of the Voting Rights Section of the Civil Rights Division, U.S. Department of Justice, in June 1998, to review the census data state and local officials would need to comply with the Section 2 and Section 5 (preclearance) provisions of the Voting Rights Act. As a result of those discussions, the Census Bureau developed—as an alternative to the P.L. 63 Matrix—a smaller tabulation containing 20 racial categories, called the P.L. 20 Matrix.

The P.L. 20 Matrix would give redistricting officials and others single-race totals, as well as the all-inclusive totals of those persons who report one or more racial categories (i.e., alone or in combination with one or more other races). The Voting Rights Section reviewed this smaller P.L. 20 Matrix and informed the Census Bureau that this product would meet the census information needs associated with Sections 2 and 5 of the Voting Rights Act. The P.L. 20 Matrix was presented to the NCSL Redistricting Task Force, as well as the Census 2000 Redistricting Data Program liaisons appointed by each state. The Task Force and the states felt that this matrix would meet their needs.

One year after the dress rehearsal census, the Redistricting Data Office issued the CD-ROM prototype containing the P.L. 20 Matrix that presented the “single-race” tallies (for those respondents who chose only one of the six race categories) and an “all-inclusive” tally that represented counts for each of the same six races marked alone or in combination. Copies of the CD-ROM were sent to legislative officials and the redistricting community, and they were asked to provide feedback on how such data might be used in the redistricting process.

Again, officials from the Census Bureau and OMB held discussions with senior staff of the Justice Department’s Civil Rights Division aimed at determining if the P.L. 20 design would satisfy their data needs for enforcing the Voting Rights Act and other civil rights programs. In trying to use the actual data from the dress rehearsal, the Department of Justice, as well as other data users, concluded that the initial P.L. 20 design would not provide enough flexibility for the range of programs that use the data. In addition, the “all-inclusive” tabulation was confusing because it was not a count of persons that added up to 100 percent of an area’s population, but instead constituted a count of “race responses” that exceeded 100 percent.

At the request of the Department of Justice, the Census Bureau tabulated the race data for Census 2000 P.L. 94-171 Redistricting Data in complete

detail—all 63 categories, i.e., six single race categories, plus 57 possible combinations of race. The Redistricting Data Office immediately notified the state legislative officials and the NCSL Task Force. A new disclosure avoidance procedure was implemented to protect individual data responses while preserving the actual responses to the race question. The Census Bureau retabulated the dress rehearsal data using the P.L. 63 Matrix and distributed it to the states and to the NCSL so that data users most interested in redistricting data would be aware of the proliferation in the race tabulations and resulting larger data files. The OMB issued a Bulletin (00-02) on March 9, 2000, providing general guidance for selected applications of the new race data. On January 17, 2001, the Department of Justice’s Voting Section issued detailed guidance on how to use the new race data in submitting redistricting plans for review under the Voting Rights Act’s provisions. This guidance explained how the redistricting community, in particular, should “collapse and aggregate” the 63 race categories to comply with the provisions of the Voting Rights Act. State legislatures and private software vendors wrote their redistricting software to support the expanded race tabulations.

### **Phases 1 and 2 – Geographic Support**

Forty-six states, the District of Columbia and the Commonwealth of Puerto Rico participated in Phase 1 and Phase 2 of the Census 2000 Redistricting Data Program. Thirty-six states provided both voting district and state legislative district boundaries and codes, while eight states provided only voting districts, and four states provided only state legislative districts. As part of Phase 3, the data dissemination stage, all states would receive census block-level data for their state aggregated to the small-area units defined during Phases 1 and 2.

### **Phase 3 – Data Delivery**

In the spring of 2000, and again after the November 2000 elections, the Redistricting Data Office wrote to the governors and legislative leaders in

each state to identify the person to whom each official wished the Census Bureau to transmit copies of the Census 2000 Redistricting TIGER/Line® files, paper and electronic maps, and the Census 2000 P.L. 94-171 redistricting data. By early January 2001, the TIGER/Line® files were in the hands of the officially designated recipients in each state. Legislatures began merging the Census 2000 block-level geography with their local voting-district data and, in anticipation of receiving the P.L. 94-171 census redistricting data, began testing their geographic information system and redistricting software.

In early March 2001, the Secretary of Commerce announced his decision not to statistically adjust the Census 2000 P.L. 94-171 redistricting data. CD-ROMs containing the official P.L. 94-171 data files were delivered beginning on March 7, 2001, to the governors and majority/minority legislative leaders in each state, with the last files being delivered on March 30, 2001. As soon as overnight delivery was confirmed in a bipartisan

manner by each state, these data were made publicly available at no charge through the Census Bureau's American FactFinder® Web site. Because of the decade long interaction between the Census Bureau and the states, the states could initiate their redistricting efforts immediately, thus satisfying their state-mandated deadlines for legislative redistricting.

### **Evaluating the Census 2000 Redistricting Data Program**

In early 2002, the Census Bureau and the NCSL began their decennial review of the Census 2000 Redistricting Data Program. As it did after the 1990 census, the Census Bureau asked the states "How well did we do in meeting your needs as required by Public Law 94-171?" This report provides the most recent response to that question from the states.



The precise definition of census geography and its attributes, such as feature names and address ranges, has always been critical to the success of the P.L. 94-171 program. Through this evaluation process, nationwide census block assignments, block numbering, and initiatives such as the Block Boundary Suggestion Project and the Voting District Project, have been developed in response to the states' recommendations. A major goal for this decade is to improve the spatial accuracy of the digital street files in the Census Bureau's geographic database and to have these files based on state/local/tribal data where these data meet or exceed the Census Bureau's spatial requirements.

### **Details**

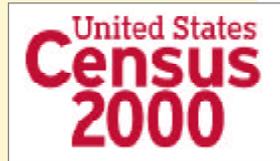
Many of the requirements for creating usable data for redistricting depend on the fine details of establishing and maintaining accurate geographic units. Accurate boundaries for census blocks, voting districts, and state legislative districts, as well as places, counties, American Indian areas, and minor civil divisions, are critical to each state's ability to compile multiple redistricting plans for analysis and final selection. This chapter will examine the successes of Census 2000 and suggest which aspects of the Census Bureau's Census 2000 geographic support should be continued. It also will examine new initiatives

required to support the ever-evolving national redistricting plans for the 2010 Census.

### ***Census 2000: What worked – What didn't.***

#### **Block Boundary Suggestion Project**

For Census 2000, the Block Boundary Suggestion Project (BBSP) was delayed because of a government-wide shutdown in 1995 and persistent delays in procuring the new equipment required by the Census Bureau to produce the color maps.



States continue to stress the need for census block data with state input. It has been long established that block-level data are critical to the needs of the states since such data give them the flexibility required to develop redistricting plans. While states still want the opportunity to help define the census blocks used to tabulate the 2010 Census P.L. 94-171 data, they do not want their efforts to be diminished during Census Bureau field operations. States recommend that the Census Bureau verify any "must hold" and "guaranteed hold" features marked for deletion by field staff so their efforts are not lost. States also would like the Census Bureau to continue to offer the "do not hold" option.

States favor combining the BBSP with the VTD effort later in the decade if this will reduce the possibility that the field staff will incorrectly undo their updates. In addition, states must retain the ability to suggest block boundaries and provide legislative and voting district boundary, name, and code information in this phase. The states recommend that the Census Bureau update the TIGER® database with “must-hold” and “do-not-hold” boundary changes later in the decade. This recommendation encourages the Census Bureau to enhance the spatial accuracy of the TIGER® street network to provide the states with the most accurate and current database possible.



*Jamie Rosenson, Linda Orsini, John Byle, and Donna Zorn of the Census Bureau's Geography Division review a congressional district map prepared for the 108<sup>th</sup> Congress.*

### *Maintain State Efforts From Previous Participation*

During the first two rounds of the BBSP in 1986 and 1996, states invested time and resources in identifying unusual census block boundaries in the form of feature extensions, ridgelines, ferry crossings, and stream crossings. States recommend that this work be retained in the TIGER® database as submitted and approved for prior censuses as block boundaries for the next census so they do not have to resubmit this information each decade.

### *Island Groupings*

For Census 2000, the state/Census Bureau partnership designed two approaches for solving the problems associated with the assignment of block numbers to islands.

1. During the BBSP, states could draw a line around those islands that they wanted to be in the same census block.
2. The Census Bureau's automated algorithm for block numbering would group unnamed islands with no roads on them into a single block if they were within one mile of each other.

The states noted that state legislative plans often placed individual grouped islands in different House and Senate districts. The states acknowledge that individual block numbering of each island is not the solution. They recommend that the Census Bureau continue to work with them to ensure that the appropriate islands are grouped together as census blocks.

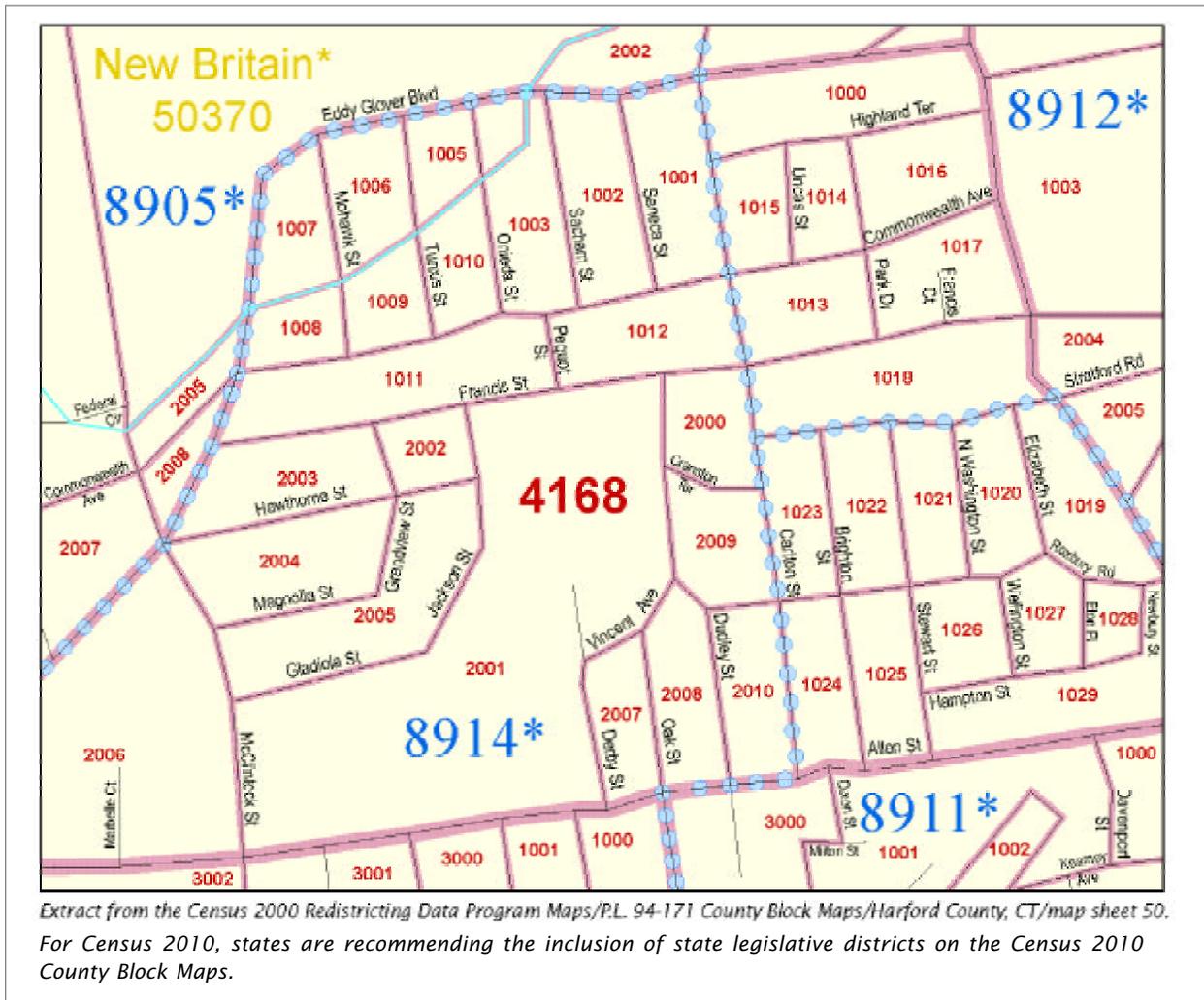
### *Summary for BBSP*

1. Combine BBSP with VTD later in the decade.
2. Verify with the state any feature flagged as a guaranteed block boundary or must-hold block boundary before deleting. Do not delete any feature designated by the state without discussing it first with the state liaison.
3. The Census Bureau and the states should work together to determine an efficient way to group islands.
4. The Census Bureau should retain previously submitted block boundary suggestions in its database from census to census.

### **Voting District Project**

#### *Involving County/Parish Governments*

In order for the program to be truly successful, states believe that county/parish local officials must understand the need to become involved with their state liaisons early in the decade. Local officials who are aware of unusual features required as voting district boundaries need to share this information with their state liaisons. If this information is not given to the state liaisons



in a timely manner, potential boundaries may be missed, causing undesirable voting district assignments and unhappy voters. States recommend a Census Bureau presence early in the decade to communicate to local officials the goals and objectives of its Redistricting Data Program so local officials become engaged.

### State Legislative Districts

At the 2002 annual meeting of the NCSL, the Redistricting and Elections Committee passed a resolution recommending that the Census Bureau collect state legislative districts on an ongoing basis and produce data products, including data summaries, for the plans that result from the use of the P.L. 94-171 data set. In addition, the states strongly recommend maintaining state legislative

districts in the TIGER® database throughout the decade, in part, so that they can be held as census tabulation blocks going into Census 2010 (as they were for Census 2000). The NCSL and the state legislatures are eager to work jointly with the Census Bureau to implement this improvement.

### Corrections/Updates

During the Census 2000 cycle, some states found that they had to make corrections and updates to the VTDs/SLDs after the phase had ended. Because of operational constraints, the Census Bureau was unable to make some of these late changes. It is the hope of the states that the Census Bureau will work with them to develop possible ways for states to provide late changes that are reflected in the P.L. 94-171 data products.

## Maintenance of Voting Districts

States explored the idea of providing changes and updates to the voting districts during the decade, but decided this may be too difficult and labor-intensive for both the Census Bureau and themselves. The difficulty for the states of keeping up with multiple changes was too problematic. Therefore, for Census 2010, no recommendation was made by the states regarding the ongoing maintenance of voting districts in TIGER®. While not in favor of a continued maintenance of voting districts at this time, states still strongly favor providing the latest voting districts during Phase 2. In addition, they favor putting an emphasis on electronic submissions and a verification phase. States recommend the acceptance of nonvisible boundaries as voting district (and, therefore, census block) boundaries. As in 1990 and 2000, states continue to want the option of designating voting districts as “actual” versus “pseudo.”

Many states reported frequent problems with the Census Bureau’s inability to “float” the voting district boundaries to the new or modified corporate limit or Minor Civil Division (MCD) boundaries. The states request that the Census Bureau maintain the relationship between municipal corporate limits and MCD boundaries to VTD boundaries where those relationships exist and are reported to the Census Bureau. States recommend providing sufficient time for a thorough verification phase. For Census 2010, states did not express any desire to expand the coding scheme.

### *Summary for VTD*

1. Assist states in involving county and parish local officials.
2. Include state legislative districts in the collection of voting districts.
3. Maintain state legislative districts.
4. Collect voting districts only once each decade.
5. Continue to develop methods for electronic submission of boundary/attribute information.

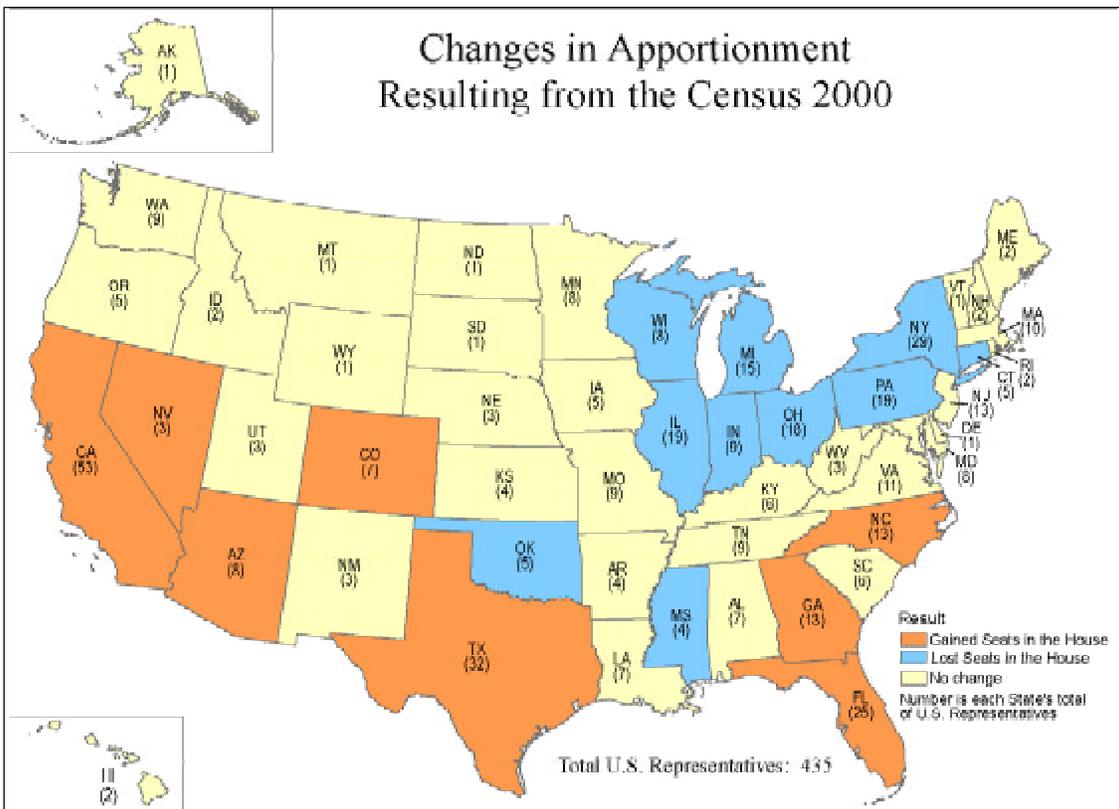
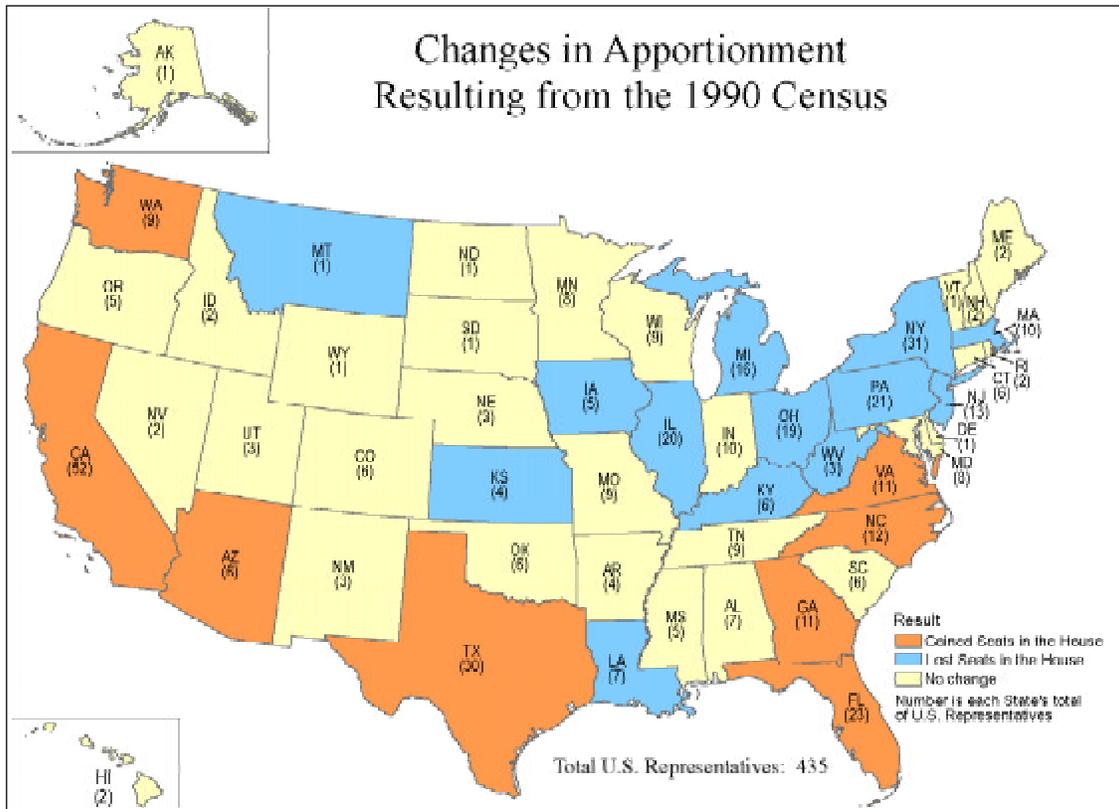
6. Continue to include a verification phase and give states enough time to thoroughly review their submissions.
7. Accept nonvisible boundaries as voting district (and, consequently, census block) boundaries.
8. Accept “pseudo” and “actual” designations for voting districts.
9. Improve the system by which relationships between corporate limits and MCDs to voting districts are managed.
10. No changes are recommended to the coding schemes for voting districts or state legislative districts.
11. The Census Bureau should make every effort to incorporate corrections and changes to the voting districts and state legislative districts submitted by the states as long as these do not jeopardize legally-mandated deadlines.

## TIGER® Database

States recommend that the TIGER® system improve its spatial and positional accuracy and support the Census Bureau’s program for enhancing its geographic database. States also recommend that primary and alternate names for a feature are consistent. The states and NCSL stand ready to assist with any enhancements.

## Electronic and Paper Media

States request that the Census Bureau continue the option allowing participants to receive paper and/or electronic files for viewing/printing VTD/SLD and census tract outline maps, as well as the county block maps. States did indicate they only use the .pdf format, and the Census Bureau should continue to provide .pdf format for the 2010 Census. States also recommend that the county block maps include the SLD boundaries and their codes. While all map types were used, states suggested a better job of scaling would have resulted in fewer map sheets and recommended that the Census Bureau review its scaling algorithms.



## **Boundary and Annexation Survey (BAS)**

States recommend that they be given a role in coordinating updates within their states. States suggested an improved, user-friendly convenient system to identify entity updates and boundary changes as recorded in the BAS. States can be a source for local contact information associated with updates. The states also recommended that the state liaison work with the Census Bureau to improve the methodology for state certification.

## Chapter 4.

### Specific Comments From the 2002/2003 Redistricting Conferences: “State Feedback for the Census 2000 Redistricting Data Programs”

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At NCSL’s annual conferences in Denver in 2002, and San Francisco in 2003, as well as at the organization’s spring forum in 2004, participants reviewed the draft presentation of their recommendations and summarized their thoughts in their final recommendations for the Census 2010 Redistricting Data Program. This interactive participation combined with the nationwide response to the “State Feedback for the Census Redistricting Data Programs,” issued in January 2002, comprise the core recommendations.

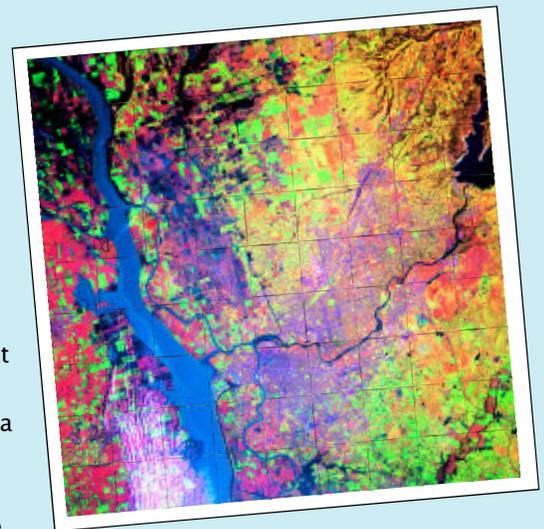
This chapter provides a summary of the topics considered by conference attendees and respondents to the “State Feedback for the Census Redistricting Data Programs.” (Appendixes D-E list the attendees.)

#### **1. Policy Matters**

##### *A One-Number Census*

Following the release of Census 2000 P.L. 94-171 data, the Census Bureau announced it would not plan for a potential adjustment of the 2010 Census P.L. 94-171 data. Executive staff stated that the Census Bureau had spent a considerable amount of time and energy conducting extensive research directed at examining demographic analysis data, the Accuracy and Coverage Evaluation (A.C.E.) results, and Census 2000 information.

After wide-ranging and exhaustive efforts on the part of the Census Bureau staff, the Census Bureau determined that it could not adjust census data at the levels of geography required by the



legally-specified date of April 1, 2010, for delivering population counts to the states as required under Section 141 (C) of Title 13, U.S.C. Improving and measuring census coverage is one of the primary goals of the 2010 Census. The Census Bureau will maintain its strong commitment to improving coverage measurement for the 2010 Census by continuing its research in this area. Any reversal of the decision not to plan for a potential adjustment of the 2010 Census should be communicated to the states immediately.

##### *Enumerating Americans Overseas*

States are very interested in the 2004 Overseas Enumeration Test. Enumeration of the civilian overseas American population may have an impact

on states from both an apportionment and a redistricting perspective. In addition, an overseas enumeration may affect residence rules and the enumeration of overseas military. States strongly urge the Census Bureau to provide them feedback through the decade via the Census Bureau's Redistricting Data Office so that they are up to date on the Census Bureau's plans and have a chance to respond.

## 2. Data Items

Law mandates that the Census Bureau provide the states with total population counts for various geographic areas. In addition, the Census Bureau provided race and Hispanic/Latino-origin and voting-age data.

### ***The states strongly recommend the retention of the Census 2000 P.L. 94-171 data items for the 2010 Census Redistricting Data Program.***

The attendees noted that the Department of Justice as well as state and federal courts use and require these data items in their review for compliance with the Voting Rights Act. Voting-age population is used to process voter and enrollment data from the local boards of elections. Race and ethnicity characteristics are used to examine plans for possible retrogression.

***The Census Bureau, prior to implementation of the 2010 Dress Rehearsal Census and the 2010 Census, should test any changes to the collection or tabulation of the race tabulation categories used in Census 2000.*** The results of this testing should be shared with the states. States should have time to respond to the results of the testing before a final decision is made by the Census Bureau on potential changes to the collection or tabulation of the race tabulation categories.

While states are not requesting the inclusion of housing unit totals in the P.L. 94-171 file, they do not want to wait for Summary File 1 data to question block-level population counts. Therefore, they recommend an accelerated schedule for both the count review and the count question resolution programs.

## 3. P.L. 94-171 Data Products

### *State Legislative Districts*

The following resolution was passed at the 2002 annual meeting of the NCSL:

The Redistricting and Elections Committee of the National Conference of State Legislatures strongly supports the collection of the post-Census 2000 state legislative redistricting plans for the purpose of:

- a) *Retabulating data from the Census 2000 long form (SF3/SF4 data); and*
- b) *Maintaining current state legislative district boundaries in TIGER®.*

*If a state legislative plan is revised as a result of action by a legislature or commission, or by a court order, the committee recommends that data relative to new state legislative plan be retabulated by the Bureau through the course of the decade, as is done currently with new Congressional plans.*

Adopted by the Committee on July 24, 2002  
Denver, CO

Historically, the Census Bureau retabulates census data from both the short form and the long form for each redistricted Congress following the decennial census. For example, after the 1990 census, the state of North Carolina was retabulated for the 103<sup>rd</sup>, 104<sup>th</sup>, and 105<sup>th</sup> congresses. States strongly encourage the Census Bureau to maintain this policy, but also support the retabulation of state legislative districts following the census data release. States have expressed a strong desire to provide their state legislative district boundaries and codes to the Census Bureau on an ongoing basis for the purpose of maintaining this geographic area in TIGER®, and in order to receive census data tabulations by SLD through the decade.

### *School Districts*

States recommend that the U.S. Census Bureau attempt to include school districts as a summary level in the P.L. 94-171 data file. For Census 2000, school district boundaries were held as Census 2000 tabulation blocks, and the school district codes were provided in the geographic header for each census block, but the Census 2000 data were not summarized by school district. For the 2010 Census, states would like to see school districts added to the geographic summary levels.

### *American Community Survey – The Long-Form Replacement for the 2010 Census*

The Census Bureau is changing the way it will conduct future censuses. Starting with 2010 Census, all households will receive a short form, as in the past. However, detailed demographic, housing, and economic information previously collected by the decennial census long form will be collected by the American Community Survey (ACS). The ACS will be conducted on an ongoing basis, with the sample spread across the decade. By April 1, 2011, the ACS will produce the same kind of detailed information that was previously not available until several years following the census. This means that a wealth of detailed ACS data will be available in time to complement the release of the 2010 Census redistricting data set. An added benefit of replacing the long form with the ACS is that it will simplify Census 2010—improving the response by reducing the operational complexities of taking the census. The ACS also will provide demographic data for congressional and state legislative districts. Following the release of the 2010 Census redistricting data, the ACS will take the place of the long form by supplying the demographic data that are associated with the newly drawn plans. Also, as we move through the decade, states will no longer have to wait for the arrival of the Summary File 3 data to have relevant data on citizenship by race and voting age.

States strongly recommend that if a state legislative plan is revised as a result of action by a legislature or commission or by a court order, the Census Bureau will retabulate the short-form data



*Cathy McCully, Chief of the Census Redistricting Data Office introduces Debbie Griffin, Special Assistant from the American Community Survey Staff. Ms. Griffin updated the Elections and Redistricting Committee on Census Bureau plans to replace the census long-form with a more timely and less burdensome survey.*

and tabulate the long-form data using either the decennial information available or the ACS data, as is done currently by the Census Bureau with new congressional plans.

States suggest that any changes to the decennial census (short-form) data collection and tabulation resulting from the full implementation of the ACS be disclosed to the states before final implementation.

### *American Factfinder®/Census Redistricting Data Main Page*

States strongly support the efforts of the Census Bureau to develop the American Factfinder®, the Census Bureau's online access and dissemination system. Within 24 hours of confirmation of receipt of the Census 2000 P.L. 94-171 data by the state, the Census Bureau had loaded the data on its Web site for immediate and equal access for all public data users. Data were available via the File Transfer Protocol (FTP) system, as well as for viewing. This diversity in format allowed sophisticated data crunchers and the more casual "look-up" browsers the opportunity to work with the initial release of data from Census 2000. Many states easily downloaded both the P.L. 94-171 data files and the TIGER/Lines® files for their state. In addition, the availability of the data made it easier

for local governments and special interest groups to get involved early in the redistricting process. While states were pleased with the American Factfinder®, they requested that the Census Bureau continue to introduce changes to make the system more intuitive and develop a method for more easily printing data tables.

States also support the continued maintenance of the Census Redistricting Data page. Many states use this site to keep track of the release of their data sets. The Census Bureau has updated this site, which can be accessed at <[www.census.gov/rdo/www/](http://www.census.gov/rdo/www/)>.

#### 4. Geographic Programs

##### *Respect “Must Hold” Boundaries*

States strongly recommend that boundaries identified as “must hold” not be deleted as a result of a single update by field staff. The states requested that features identified as “must hold” by states, but marked as “not valid” by field enumerators, should be field-verified a second time. There was much dissatisfaction with features being dropped erroneously by Census Bureau field staff.

##### *Maintain Schedules*

States also recommend that the Census Bureau develop a schedule for its geographic programs and conform to that schedule. State budgets require advance planning and allocation of resources. Maintaining schedules is important to their ability to fully participate.

For the geographic phases of the 2010 Census Redistricting Data Program, states also recommend that the Census Bureau:

- Stay on schedule with the implementation of the geographic phases of the program, such as the collection of voting districts.
- Retain training workshops. Use the NCSL meetings as forums and visit state capitols to conduct training workshops for the various geographic collection phases of the Redistricting Data Program.



*Linda Meggers, Director of Reapportionment in Georgia has been an active participant in advising the Census Bureau. In 1983, Ms. Meggers suggested the Census Bureau allow states the opportunity to identify potential census block boundaries.*

- Simplify guidelines/ written communications.
- Keep legal boundaries, such as incorporated place limits and minor civil divisions, up to date.
- Improve communications with Boundary and Annexation Survey (BAS) officials.

- Retain the ability of the states to suggest census block boundaries and provide voting district and state legislative district information.
- Retain the verification phase for all changes.

##### *Strong Communication*

States feel strongly that training sessions for those phases where they are required to provide information be conducted frequently. They request that program guidelines not be changed after the program has started so that retraining is not required. Large workshop formats and individual state training are viable forums for training. The states also recommend that guidelines and other written communications be simplified.

### *Boundary and Annexation Survey*

States have indicated their desire to assist with the Boundary Annexation Survey (BAS) in order to ensure that updates are provided to the Census Bureau in a timely and accurate manner. Several state-designated liaisons already have begun working with the Census Bureau on the BAS.

## **5. Census/State Communications**

### *Census Bureau Must Ensure State Engagement*

The economic benefit of a complete census must be communicated to the states early in census planning. State legislatures understand the importance of a good census count and often are willing to support census programs through legislation and funding. For example, during the lead-up to Census 2000, several states allocated funds, primarily to their rural counties, to support their participation in the Local Update of Census Addresses (LUCA) program. Rural counties supported the conversion of rural route addresses to an E-911 type system with city-style addresses. With periodic briefings, states can better understand where they need to allocate their resources. With the full array of information, they can selectively determine which programs would benefit a good count within their state, counties, and local jurisdictions. The states recommend that the Census Bureau develop a schedule, four to five years before the census, outlining the various partnership programs that will be available to state and local officials. A dependable schedule will allow states to develop budgets and advertising that target their particular needs. In an age of budgetary belt-tightening, more assistance from the Census Bureau in keeping state officials informed is required.



## **6. Paid Advertising**

### *Piggybacking Paid-Advertising Contracts*

The states expressed strong support for the paid-advertising campaign launched for Census 2000, and hope that the Census Bureau will pursue paid advertising for the 2010 Census. Census evaluations indicate that the materials prepared to promote Census 2000, both audio/visual and print,

were very effective in generating support among various populations. The only disappointment regarding the advertising campaign expressed by the states was their inability to piggyback on census advertisements. Many states had either free airtime or some limited funding to buy airtime, but they did not have larger budgets to

develop their own promotional materials. Because of contract restrictions, states could not use the materials produced for the Census Bureau. States strongly encourage the Census Bureau to examine the possibility of sharing their materials with the states by ensuring that contracts allow such sharing.

States felt that what the Census Bureau spends on paid advertising is not enough. They emphasized the need for states to spend funds on advertising to complement the Census Bureau's efforts. In addition, states felt the Census Bureau should work with the governor and legislature to ensure that states know where their state dollars might be most effective.

## **7. Partnership Programs**

### *State Coordination*

States recognize the importance of the partnership programs and emphasize the need for the Census Bureau to work more closely with the state to

establish local contacts. Programs such as the Boundary and Annexation Survey and the State Certification Program are critical to the accuracy of the geography and, therefore, are critical to the accuracy of the redistricting data produced by each decennial census. States strongly encourage the U.S. Census Bureau to use the states where appropriate as the coordinating agency for acquisition of legal boundaries. States also recommend that they be contacted every time the Census Bureau initiates a partnership program with locally elected officials. This will positively influence participation, particularly in rural areas. Again, the states wish to work with the Census Bureau to facilitate such participation. The states also request that staff levels be consistently maintained in the Field Division's regional offices. The states reported that changes in staffing in the regional offices often affected the quality of the work done with the states.

## **8. Count Question Resolution Program**

### *Census Tabulation Blocks*

States feel strongly that corrections to census counts must be delivered at the census block level. If data users cannot allocate the corrected data to the tabulation census block, it is unusable in the redistricting process. The provision of block-level data had been part of the 1990 Count Question Resolution program following the 1990 census, so the decision not to provide block-level data after Census 2000 was not understood. States strongly recommend that block-level data be included in the 2010 Count Question Resolution Program. In addition, states recommend that

the program begin with the delivery of the P.L. 94-171 data rather than waiting for Summary File 1.

The Census Bureau needs to appreciate the strict numeric deviations permitted under state laws that require that corrections be made quickly. For example, in California, deviations must be under 200 persons per legislative district. Some states felt compelled to involve their congressional delegations in order to move corrections quickly enough for possible use in redistricting.

## **9. Count Review Program**

### *Timing is Everything*

The Count Review program was developed for Census 2000. It was intended to provide state data experts an opportunity to review the census data for gross errors and to document those errors for correction. Some data users had hoped that these corrections noted by their respective state experts would be incorporated into the census data files prior to the release of the P.L. 94-171 data set. The timing of the program did not allow this, however. Many data users felt that the Census Bureau could have begun making these corrections much sooner than it did. Therefore, the states recommend the continuation of the Count Review Program for the 2010 Census, but that its design be implemented with a timeline that would allow corrections to be made prior to the release of the P.L. 94-171 data. If this is not possible, states reiterate their recommendation that the Count Question Resolution Program begin immediately after the release of the P.L. 94-171 data, with the review of cases submitted by states during the count review.



# Chapter 5.

## Redistricting 2000 Statistics

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Census 2000 triggered the fourth redistricting cycle since the landmark one-person, one-vote decisions of the 1960s. States used state-of-the-art technology to draw new redistricting plans more rapidly than ever before and provide unprecedented public access to the redistricting process.

State legislatures had the task of drawing congressional district plans in all but 12 states. In six states—Arizona, Hawaii, Idaho, Montana, New Jersey and Washington—a commission does the congressional redistricting. Following the 2000 reapportionment, there were seven states that did not have to draw congressional plans because they qualified for only one seat in the U.S. House of Representatives. Those states were Alaska, Delaware, Montana, North Dakota, South Dakota, Vermont, and Wyoming.

In 12 states, initial authority to draw legislative district lines is given to a board commission. Legislative redistricting falls directly to the legislatures in the remaining states. Both federal and

state courts frequently become involved when legislatures are unable to agree on new redistricting plans. Thirty-seven states faced some litigation over either congressional or legislative redistricting in the 2000 redistricting cycle, including a handful of cases that wound up in the U.S. Supreme Court.

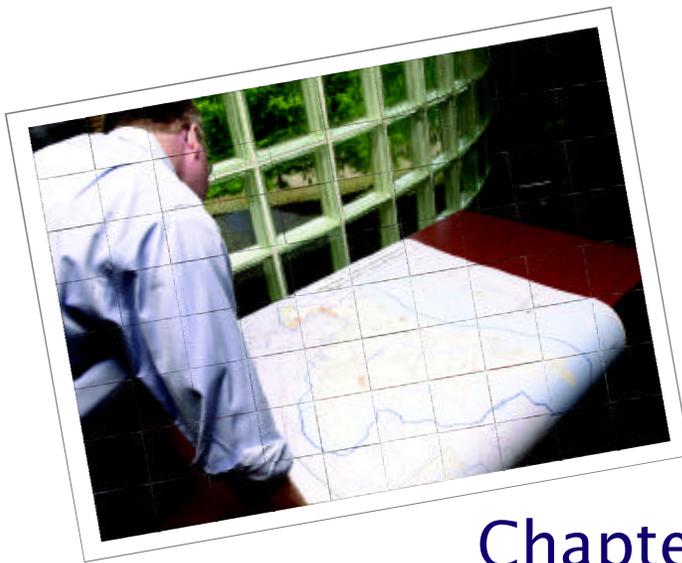
As states have accumulated experience and legal precedent in redistricting, they have worked to comply with the necessity of enacting districts that comply with the equal population mandate of the U.S. Constitution. One way to measure equal population is by looking at the overall percentage deviation of a redistricting plan. That number is essentially a measure of how far the smallest and largest districts in a plan are from the ideal district size, which is the total population divided by the number of seats. The table below shows the overall population deviations for state legislative and congressional districts adopted using 2000 census data.

### **Redistricting 2000 Population Deviation Table**

	2000 Congressional Plan			2000 State House Plan		2000 State Senate Plan	
	Ideal District Size	Percent Overall Range	Overall Range (# of people)	Ideal District Size	Percent Overall Range	Ideal District Size	Percent Overall Range
Alabama	636,300	0.00%	0	42,353	9.93%	127,060	9.73%
Alaska	N/A	N/A	N/A	15,673	9.96%	31,346	9.32%
Arizona	641,329	0.00%	0	171,021	3.79%	171,021	3.79%
Arkansas	668,350	0.04%	303	26,734	9.87%	76,383	9.81%
California	639,088	0.00%	1	423,395	0.00%	846,791	0.00%
Colorado	614,465	0.00%	2	66,173	4.88%	122,863	4.95%
Connecticut	681,113	0.00%	0	22,553	9.20%	94,599	8.03%
Delaware	N/A	N/A	N/A	19,112	9.98%	37,314	9.96%
Florida	639,295	0.00%	1	133,186	2.79%	399,559	0.03%
Georgia	629,727	0.01%	72	45,480	1.96%	146,187	1.94%
Hawaii	605,769	0.32%	1,899	22,833	20.1%	46,579	38.9%
Idaho	646,977	0.60%	3,595	36,970	9.70%	36,970	9.70%
Illinois	653,647	0.00%	0	105,248	0.00%	210,496	0.00%
Indiana	675,609	0.02%	102	60,805	1.92%	121,610	3.80%
Iowa	585,265	0.02%	134	29,263	1.89%	58,526	1.46%
Kansas	672,105	0.00%	33	21,378	9.95%	66,806	9.27%
Kentucky	673,628	0.00%	2	40,418	10.00%	106,362	9.53%
Louisiana	638,425	0.04%	240	42,561	9.88%	114,589	9.95%
Maine	637,462	0.00%	23	8,443	9.33%	36,426	3.57%
Maryland	662,061	0.00%	2	37,564	9.89%	112,691	9.91%
Massachusetts	634,910	0.39%	2,476	39,682	9.68%	158,727	9.33%
Michigan	662,563	0.00%	1	90,350	9.92%	261,538	9.92%
Minnesota	614,935	0.00%	1	36,713	1.56%	73,425	1.35%
Mississippi	711,165	0.00%	10	23,317	9.98%	54,705	9.30%
Missouri	621,690	0.00%	1	34,326	6.08%	164,565	6.81%
Montana	N/A	N/A	N/A	9,022	9.85%	18,044	9.82%
Nebraska	570,421	0.00%	0	N/A	N/A	34,924	9.21%
Nevada	666,086	0.00%	6	47,578	1.97%	95,155	9.91%
New Hampshire	617,893	0.10%	636	3,089	9.26%	51,491	9.95%
New Jersey	647,257	0.00%	1	210,359	1.83%	210,359	1.83%
New Mexico	606,349	0.03%	166	25,986	9.70%	43,311	9.60%
New York	654,360	0.00%	1	126,510	9.43%	306,072	9.78%
North Carolina	619,178	0.00%	1	67,078	9.98%	160,986	9.96%
North Dakota	N/A	N/A	N/A	13,664	10.00%	13,664	10.00%
Ohio	630,730	0.00%	0	114,678	12.46%	344,035	8.81%
Oklahoma	690,131	0.00%	1	34,165	2.05%	71,889	4.71%
Oregon	684,280	0.00%	1	57,023	1.90%	114,047	1.77%
Pennsylvania	646,371	0.00%	1	60,498	5.54%	245,621	3.98%
Rhode Island	524,160	0.00%	6	13,978	9.88%	27,587	9.91%
South Carolina	668,669	0.00%	2	32,355	4.99%	87,218	9.87%
South Dakota	N/A	N/A	N/A	21,567	9.69%	21,567	9.69%
Tennessee	632,143	0.00%	5	57,467	9.99%	172,402	9.98%
Texas	651,619	0.00%	1	139,012	9.74%	672,639	9.71%
Utah	744,390	0.00%	1	29,776	8.00%	77,006	7.02%
Vermont	N/A	N/A	N/A	4,059	18.99%	20,234	14.28%
Virginia	643,501	0.00%	38	70,785	3.90%	176,963	4.00%
Washington	654,902	0.00%	7	120,288	0.30%	120,288	0.30%
West Virginia	602,781	0.22%	1,313	18,083	9.98%	106,374	10.92%
Wisconsin	670,459	0.00%	5	54,179	1.60%	162,536	0.98%
Wyoming	N/A	N/A	N/A	8,230	9.81%	16,459	9.51%

Note: These data are for plans passed using 2000 census figures.

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## Chapter 6.

### The Census Bureau's Response

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**Five Phase Program** - To carry out many of the recommendations of the states, it is proposed that the 2010 Census Redistricting Data Program should become a five-phase program:

**Phase 1 - State Legislative District Project (SLDP)** – The Census Bureau will collect state legislative district boundaries and associated updates in order to tabulate legislative districts based on their actual location. This project will include a verification phase and data tabulation for legislative districts based on Census 2000 data.

During this time frame the Census Bureau's Redistricting Data Office will launch an aggressive communications plan with the states to ensure they are informed and prepared for their role in the 2010 Census. Visits to each state capital to lay out the various programs will be set up during calendar years 2005-2006.

**Phase 2 - Voting District/Block Boundary Suggestion Project (VTD/BBSP)** – The Census Bureau will collect the voting district boundaries in their actual location, as well as feature updates and updates to state legislative districts. The states will identify features to include or exclude as census block boundaries for tabulation in the 2010 Census. If necessary, the Census Bureau

will provide new data tabulations for legislative districts. A verification step will be part of this phase.

**Phase 3 - Data Delivery for the 2010 Census** – The Census Bureau will continue to deliver geographic and data products to the majority and minority leadership in the state legislatures, the governor, and the designated P.L. 94-171 liaisons. The Census Bureau's Redistricting Data Office will work closely with each state to ensure bipartisan receipt of the data products.

**Phase 4 - Collection of the Post-2010 Census Redistricting Plans** – Through the Census Bureau's Redistricting Data Office, the Census Bureau will collect the new state legislative and congressional district plans using the Phase 3 materials. The Census Bureau will produce new geographic and data products based on the new districts.

**Phase 5 - Evaluation and Recommendation for Census 2020** – Working with the National Conference of State Legislatures, the Census Bureau will conduct a historical review by the states of the successes and failures of the Census Bureau to meet the Public Law 94-171 mandate. Together, they will develop recommendations for the Census 2020 Redistricting Data Program.

# Chapter 7.

## Benchmarks for the 2010 Census Redistricting Data Program



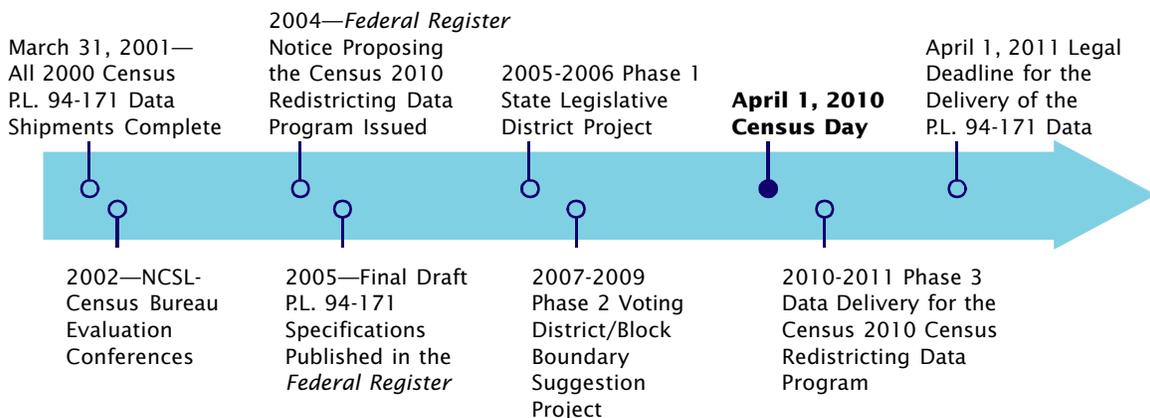
*Deirdre Bishop and Cathy McCully of the Census Redistricting Data Office will work closely with Bob LaMacchia and Linda Franz of the Geography Division over the next several years to ensure the geographic programs supporting the Redistricting Data Program are effective.*

Although the next census is six years away, the planning for the 2010 Census is well under way. Key dates for state participation in the next Census Redistricting Data Program are coming up. The timeline illustrated on this page shows the several legal deadlines and planned events.

As the Census Bureau plans to select for testing the methods to be used to collect the 2010 Census data, we must make decisions on how the Redistricting Data Program will be implemented, as the P.L. timeline shows. The Census Bureau’s goal is

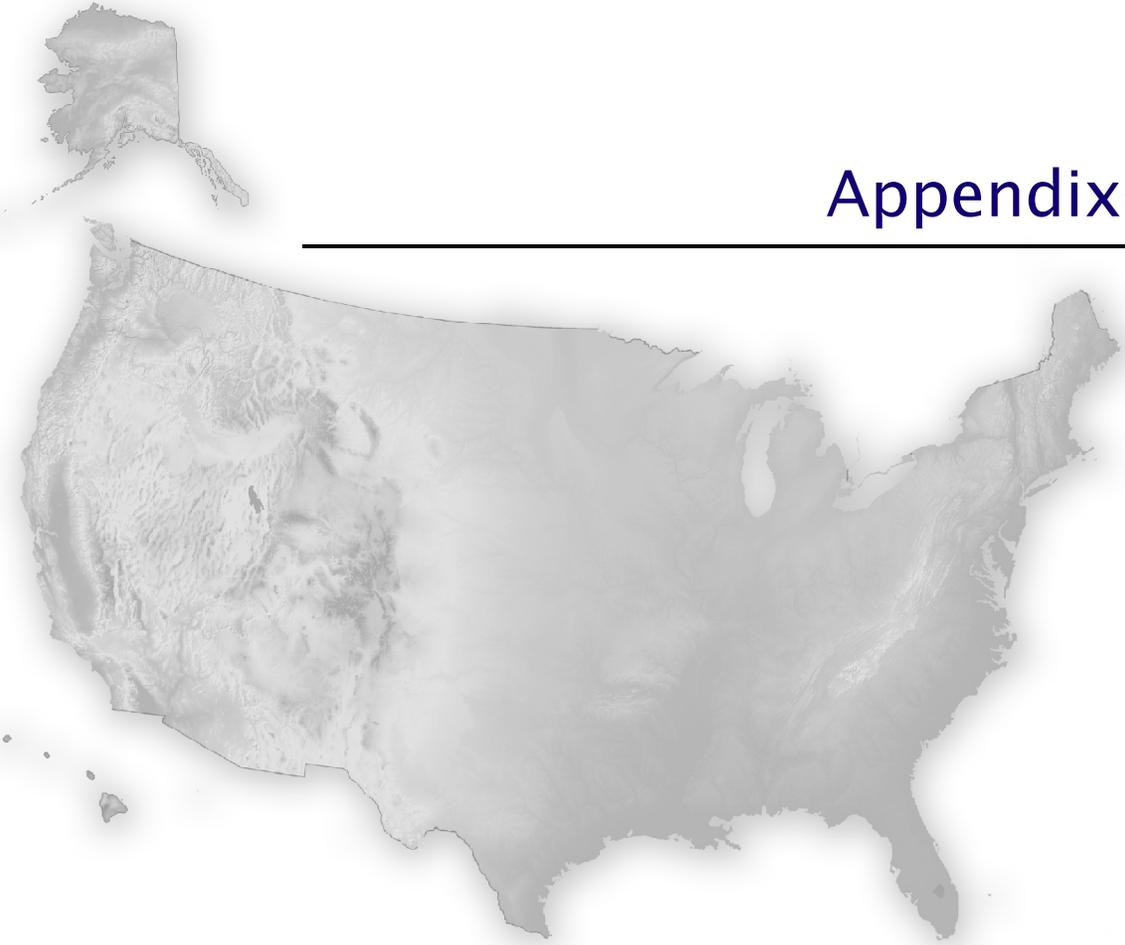
to provide state legislatures more time than was scheduled in the 1990s to plan budgets and develop technical systems that will support their redistricting needs in 2011. As the recommendations described in this report indicate, early planning by the states and the Census Bureau made for the success of the 1990 and Census 2000 Redistricting Data Programs. We intend to build on that and, with the continuing partnership of the states, that goal will be reached.

### Census 2010 P.L. 94-171 Timeline



# Appendixes

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# Appendix A.

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PUBLIC LAW 94-171—DEC. 23, 1975

89 STAT. 1023

Public Law 94-171  
94th Congress

## An Act

To amend section 141 of title 13, United States Code, to provide for the transmittal to each of the several States of the tabulation of population of that State obtained in each decennial census and desired for the apportionment or districting of the legislative body or bodies of that State, in accordance with, and subject to the approval of the Secretary of Commerce, a plan and form suggested by that officer or public body having responsibility for legislative apportionment or districting of the State being tabulated, and for other purposes.

Dec. 23, 1975

[H.R. 1753]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 141 of title 13, United States Code, is amended by adding at the end thereof the following new subsection:

Population,  
tabulation for  
State legislative  
apportionment.

“(c) The officers or public bodies having initial responsibility for the legislative apportionment or districting of each State may, not later than three years prior to the census date, submit to the Secretary a plan identifying the geographic areas for which specific tabulations of population are desired. Each such plan shall be developed in accordance with criteria established by the Secretary, which he shall furnish to such officers or public bodies not later than April 1 of the fourth year preceding the census date. Such criteria shall include requirements which assure that such plan shall be developed in a nonpartisan manner. Should the Secretary find that a plan submitted by such officers or public bodies does not meet the criteria established by him, he shall consult to the extent necessary with such officers or public bodies in order to achieve the alterations in such plan that he deems necessary to bring it into accord with such criteria. Any issues with respect to such plan remaining unresolved after such consultation shall be resolved by the Secretary, and in all cases he shall have final authority for determining the geographic format of such plan. Tabulations of population for the areas identified in any plan approved by the Secretary shall be completed by him as expeditiously as possible after the census date and reported to the Governor of the State involved and the officers or public bodies having responsibility for legislative apportionment or districting of such State, except that such tabulations of population of each State requesting a tabulation plan, and basic tabulations of population of each State, shall, in any event, be completed, reported and transmitted to each respectively State within one year after the census date.”

89 STAT. 1024 PUBLIC LAW 94-171—DEC. 23, 1975

SEC. 2. (a) The heading for section 141 of title 13, United States Code, is amended by adding at the end thereof the following: “; tabulation for legislative apportionment”.

(b) The table of sections for chapter 5 of title 13, United States Code, is amended by striking out the item relating to section 141 and inserting in lieu thereof the following:

“141. Population, unemployment, and housing; tabulation for legislative apportionment.”

Approved December 23, 1975.

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LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-456 (Comm. on Post Office and Civil Service).  
SENATE REPORT No. 94-539 (Comm. on Post Office and Civil Service).  
CONGRESSIONAL RECORD, Vol. 121 (1975):

Nov. 7, considered and passed House.

Dec. 15, considered and passed Senate.

# Appendix B.

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## Official Recipients of the 2000 Census P.L. 94-171 Population Counts

### Alabama

The Honorable Steve Windom  
Lt. Governor

The Honorable Lowell Barron  
President Pro Tem

The Honorable Tom Butler  
Senate Majority Leader

The Honorable Marcel Black  
Co-Chairman of the Reapportionment Committee

The Honorable Steve French  
Co-Chairman of the Reapportionment Committee

The Honorable Charles Langford  
Chairman, Senate Democratic Caucus

The Honorable Bill Armistead  
Senate Republican Caucus

The Honorable Chris Pringle  
Minority Leader  
House of Representatives

Mr. Larry Childers  
Office of the Governor  
Dept. of Economic and Community Affairs

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Chief of Staff for Speaker Hammett

Ms. Bonnie Shanholtzer  
Staff Director, Reapportionment Office

Ms. Monica Cooper  
Office of Senate Minority Leader

Mr. Dorman Walker  
Counsel, Joint Reapportionment Circle

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The Honorable Jeannette James  
House Majority Leader

The Honorable Joe Green  
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House of Representatives  
Counsel

Mr. Patrick Flynn  
House Minority Leader's Office

Mr. Gordon S. Harrison  
Executive Director, Redistricting Board

Mr. Mike Gutierrez  
Senate Minority Leader's Office

Ms. Annette Kreitzer  
Chief of Staff  
Senate Majority Leader's Office

### Arizona

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Governor

The Honorable Warren Whitney  
Deputy Secretary of State

The Honorable Randall Gnant  
President of the Senate

The Honorable Rusty Bowers  
Senate Majority Leader

The Honorable Jack Brown  
Senate Floor Leader

The Honorable Jim Weiers  
Speaker of the House

The Honorable Carolyn Allen  
House Majority Leader

The Honorable Ken Chevront  
House Democratic Leader

The Honorable Wes Marsh  
House of Representatives

Mr. Greg Jernigan  
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Mr. John Mills  
House of Representatives

Mr. Scott Celley  
Governor's Office

Ms. Marge Ray  
Legislative Council

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The Honorable Larry Crane  
Asst. Attorney General

The Honorable Sharon Priest  
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House Majority Leader

The Honorable Jim Magnus  
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State Data Center

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Office of Rep. Jim Hendren

Mr. Olan W. Reeves  
Chief Legal Counsel  
Office of the Governor

Mr. Shawn Womack  
Senate

Mr. Ronald Sheffield  
Secretary of State's Office

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Office of the Governor

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Office of Senate President Pro Tem

Mr. Doug Yoakum  
Redistricting Director, Assembly Republican Caucus

Ms. Susie Swatt  
Senate Republican's Office

Mr. Saeed Ali  
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Ms. Diane M. Griffiths  
Chief Counsel to the Speaker

### **Colorado**

Mr. Charles Brown  
Colorado Legislative Council

Mr. Marv Koleis  
Colorado Dept. of Local Affairs

Ms. Rebecca Lennahan  
Office of Legislative Legal Services

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State Data Center

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The Honorable Aaron Krauter  
Senate Minority Leader  
The Honorable LeRoy Bernstein  
Speaker of the House  
The Honorable Wesley R. Belter  
House Majority Leader  
The Honorable Merle Boucher  
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North Dakota Senate  
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Director, Legislative Council  
Mr. John Bjornson  
Legislative Council

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The Honorable Rhine L. McLin  
Ohio Senate  
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Mr. Bill Klatt  
Chief Legal Counsel to Governor  
Mr. David Kennedy  
Legislative Affairs  
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Office of the Secretary of State  
Mr. Mark Darr  
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Dr. Michael Finney, Ph.D.  
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Mr. Steven R. Kelley  
Dept. of Development  
Manager, Office of Strategic Research  
Mr. Joe Turbett  
Office of the Speaker  
Ms. Sharon Bliss  
Cleveland State University  
Levin College of Urban Affairs  
Dr. Mark Salling, Ph.D.  
Cleveland State University  
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Mr. Jim Tilling  
Attorney General's Office

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Senate Redistricting Coordinator  
Mr. Spencer Guinn  
Deputy Director of Appointments  
Office of the Governor  
Mr. Wes Glinsmann  
Legislative Assistant to the House Minority Leader  
Ms. Shirley Russell  
House of Representatives Redistricting Coordinator  
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Office of the Republican Floor Leader  
Ms. Tracy Horgan  
Caliper Corporation

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Office of the Governor  
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Chief of Staff, Office of the Senate Majority  
Ms. Annette Price  
Director, Policy and Communication  
Office of the Senate President  
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Mr. Steve Barnett  
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Mr. Paddy J. McGuire  
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Center for Community and Economic Development

Ms. Kathy Sullivan  
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House Republican Reapportionment Services

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House Democratic Office

Mr. John Memmi  
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Senate Majority Leader

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Senate Minority Leader

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Speaker of the House

The Honorable Gerard M. Martineau  
House Majority Leader

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House Minority Leader

Ms. Geri Guardino  
Office of the Governor

Mr. Elmer Cornwell  
House Majority Leader's Office

Mr. Kim Brace  
Election Data Services, Inc.

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Budget and Control Board

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Office of the Senate President

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Office of the Republican Caucus

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Office of the Republican Leader

Ms. Ashley Harwell-Beach  
Chief Counsel, House Judiciary Committee

Ms. Swati N. Shah  
Asst. Chief Counsel, Judiciary Committee

Ms. Tracy Horgan  
Caliper Corporation

Mr. Stephen Bates  
Office of the Governor

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Lt. Governor/President of the Senate

The Honorable Arnold Brown  
Senate President Pro Tem

The Honorable Barbara Everist  
Senate Majority Leader

The Honorable Jim Hutmacher  
Senate Minority Leader

The Honorable Scott Eccarius  
Speaker of the House

The Honorable Matt Michels  
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The Honorable Mel Olson  
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University of South Dakota

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Director, Legislative Information Services

Ms. Pam Mason  
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Caliper Corporation

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Chairman, House Redistricting Committee

The Honorable Mario Gallegos  
Texas Senate

The Honorable Troy Fraser  
Texas Senate

The Honorable Jeff Wentworth  
Chair, Senate Committee on Redistricting

The Honorable Mike Jackson  
Vice-Chair, Senate Committee on Redistricting

The Honorable Bob Glaze  
House Committee on Redistricting

Mr. Alan Ware  
Director, Redistricting Program

Mr. Bob Pemberton  
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Ms. Denise Davis  
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Mr. Mark Borksey  
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The Honorable Douglas Racine  
Lt. Governor

The Honorable Deborah Markowitz  
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The Honorable Peter Shumlin  
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Ms. Lynn Wisman  
Office of the Governor

Mr. J. R. Austin  
Legislative Services

Mr. Larry Robinson  
Virginia Employment Commission

Ms. Regina Payne  
Office of the Lt. Governor

**Washington**

Mr. Daryl Miller  
Asst. Redistricting Coordinator

Mr. Mike Mohrman  
Office of Financial Management  
Office of the Governor

Mr. Ethan Moreno  
Redistricting Office

Mr. Roman Daniels-Brown  
Office of the Speaker of the House

Mr. Paul Campos  
Washington State Senate

Mr. Tom Hoemann  
Senate Democratic Caucus

Mr. David Elliott  
Asst. Director of Elections  
Secretary of State's Office

Mr. Brad Jurkovich  
House Democratic Caucus

Washington State Redistricting Commission  
Digital Engineering Corporation

### **West Virginia**

The Honorable Bob Wise  
Governor

Ms. Teresa Bowe  
Redistricting Data Office

Ms. Sandy Westfall  
Office of the Senate Minority Leader

Mr. John Mullins  
Office of the House Minority Leader

Mr. Chris Marr  
Office of the House Majority Leader

Ms. Tracy Horgan  
Caliper Corporation

### **Wisconsin**

The Honorable Bonnie Ladwig  
Chair, Assembly Committee on Census  
and Redistricting

Mr. Larry Barish  
Legislative Reference Bureau

Mr. Tony J. VanDerWielen  
Legislative Technology Services

Mr. Peter Cannon  
Legislative Reference Bureau

Ms. Kathy Nickolaus  
Assembly Republican Caucus

### **Wyoming**

The Honorable Jim Geringer  
Governor

The Honorable Joe Meyer  
Secretary of State

The Honorable Hank Coe  
President of the Senate

The Honorable Grant Larson  
Vice-President of the Senate

The Honorable April Brimmer Kunz  
Senate Majority Floor Leader

The Honorable Rich Cathcart  
Senate Minority Floor Leader

The Honorable Rick Tempest  
Speaker of the House

The Honorable Randall Luthi  
Speaker Pro Tem

The Honorable Fred Parady  
House Majority Floor Leader

Chris Boswell  
House Minority Floor Leader

The Honorable Harry B. Tipton, M.D.  
Speaker Pro Tem

Mr. Rick Memmel  
A and I Computer Technology

Mr. Glenn Lang  
Legislative Service Office

### **Puerto Rico**

The Honorable José A. Andréu-García  
Chief Justice of the Supreme Court

The Honorable Sila María Calderón-Serra  
Governor of Puerto Rico and President PDP

The Honorable Leo Diaz-Urbina  
President NPP

The Honorable Rubén Berríos-Martínez  
President PIP

The Honorable Antonio Fas-Alzamora  
President of the Senate

The Honorable Carlos Vizcarrondo-Irizarry  
President, House of Representatives

The Honorable José L. Dalmau-Santiago  
PDP Senate Majority Speaker

The Honorable Kenneth McClintock-Hernández  
NPP Senate Minority Speaker

The Honorable Fernando Martín-García  
PIP Senate Minority Speaker

The Honorable Roberto Maldonado-Vélez  
PDP Majority Speaker

The Honorable Edison Mislá-Aldarondo  
NPP House Minority Speaker

The Honorable Víctor García-San Inocencio  
PIP House Minority Speaker

The Honorable Juan R. Melecio  
President, State Election Commission

LCDO. José A. Valentín  
State Election Commission

LCDA. Damaris B. Mangual-Vélez  
PIP Electoral Commission

LCDO. Carlos J. López-Feliciano  
PDP Electoral Commission

Mr. Pedro J. Figueroa-Costa  
NPP Electoral Commission

Ms. Lillian Torres-Aguirre  
Director, Office of the Census Puerto Rico  
Planning Board

# Appendix C.

## Redistricting Software Vendors

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### **Caliper Corporation**

4819 Cumberland Avenue  
Chevy Chase, MD 20815  
Tel: 301-654-4704  
Fax: 301-654-4722  
E-mail: [hsimkowitz@caliper.com](mailto:hsimkowitz@caliper.com)  
[www.caliper.com](http://www.caliper.com)  
Contact – Howard Simkowitz

*Product – Caliper Corporation is the developer of Maptitude for Redistricting, feature-rich redistricting software plus pre-built TIGER® geographic layers with P.L. 94-171 data attached. It also includes SF1, SF3 and ACS census data, a TIGER® translator, and imports and exports shapefiles. It can be deployed on a stand-alone PC or in a complex network environment permitting the sharing of data and redistricting plans. It is a proven product in use by a majority of the state legislatures. Caliper also provides software customization, data manipulation and analysis, consulting, and litigation services.*

### **Digital Engineering Corporation/ Citygate GIS, Inc.**

125 Cathedral Street  
Annapolis, MD 21401  
Tel: 410-295-3333  
Fax: 410-295-3418  
E-mail: [fhejazi@digitalcorp.com](mailto:fhejazi@digitalcorp.com)  
Contact – Fred Hejazi

*Digital Engineering Corporation is the developer of AutoBound Redistricting. AutoBound provides complete redistricting solutions from the initial data import using a built-in TIGER® import tool to the workspace management, which enables administration of hundreds of plans centrally through a networked environment. For 2010, AutoBound will be based on ESRI's ARCGIS and ARC Server technologies. Digital Engineering also provides consulting and litigation support for redistricting cases.*

### **Election Data Services, Inc.**

1401 K Street, NW, Suite 500  
Washington, DC 20005-3417  
Tel: 202-789-2004  
Fax: 202-789-2007  
E-mail: [info@electiondataservices.com](mailto:info@electiondataservices.com)  
[www.electiondataservices.com](http://www.electiondataservices.com)  
Contact – Kimball W. Brace, President

*(1) For the Census Redistricting Data Program: ArcView®-based software, databases, and consulting services for BBSP (Phase 1 Block Boundary Suggestion Project) and VTDP (Phase 2 Voting District Project), including onsite assistance for the identification of TIGER/Line® segments as proposed census block boundaries (Phase 1) and the creation of legislative district and voting district boundary files for the Census Bureau (Phase 2).*

*(2) For congressional, legislative, and local government redistricting: construction of geographic, demographic, and election databases; plan drafting assistance and strategic analysis of redistricting plans; staffing of redistricting commissions; and expert witness testimony and litigation support for redistricting court challenges.*

### **ESRI**

380 New York Street  
Redlands, CA 92373  
Tel: 703-506-9515 x8048  
Fax: 703-506-9514  
E-mail: [rayers@esri.com](mailto:rayers@esri.com)  
[www.esri.com/industries/elections](http://www.esri.com/industries/elections)  
Contact – Rick Ayers

*Product – ESRI is the world leader in the geographic information system (GIS) software industry. ESRI software helps you accomplish redistricting and precincting tasks faster, easier, and more efficiently. The ESRI network of business partners also provides a wide range of elections-related solutions, data and services. For more information on how ESRI and its partners can help your organization with political redistricting, please visit us at <[www.esri.com/industries/elections](http://www.esri.com/industries/elections)>.*

**International Computer Works, Inc.**

111 South Riverhills Drive  
Temple Terrace, FL 33617-7221  
Tel: 813-988-0434  
Fax: 813-985-5661  
E-Mail: ken@icwmaps.com  
[www.icwmaps.com](http://www.icwmaps.com)  
Contact – Ken Tozier

*GeoElections operates within the MapInfo Professional environment and includes a module that imports U.S. Census Bureau TIGER/Line® Files creating over 40 layers of map data and a module that provides an easy-to-use method with which to link Census demographics to the mapped data supporting the creation of thematic maps and redistricting functions.*

**POLIDATA®**

3112 Cave Court  
Lake Ridge, VA 22192  
Tel: 703-690-4066  
Fax: 202-318-0793  
E-Mail: clark@polidata.us  
[www.polidata.us](http://www.polidata.us)  
Contact – Clark Bensen, Principal Consultant

*POLIDATA® Demographic and Political Guides Polidata provides reference tools for demographic and political research, and publishes books for each state: the DEMOGRAPHIC GUIDE and the ELECTION HISTORY are available for most states.*

*POLIDATA® Political Data Analysis Polidata provides consulting to assist stakeholders in the development of data resources needed for map drawing; precinct-level election datasets a speciality and district-level election analysis for previous elections; litigation support as attorney and/or expert witness.*

**Public Systems Associates, Inc.**

2431 South Acadian Thruway  
Acadian Centre, Suite 570  
Baton Rouge, LA 70808  
Tel: 225-346-0618  
Fax: 225-346-0626  
[www.publicsystems.org](http://www.publicsystems.org)  
Contact – Paula Bishop, Sr. VP

*Product – Plan 2000-A custom redistricting application, integrated with Intergraph's GeoMedia, providing the ability to customize districting plans for state and municipal areas. Plan 2000 utilizes Census population and geographic data as well as the state's statistical and election data. Production of customized maps and reports of districting plans easily crafted with Plan 2000.*

**Sammamish Data Systems, Inc.**

P.O. Box 70382  
Bellevue, WA 98005-0382  
Tel: 425-867-1485  
Fax: 425-869-5262  
E-mail: bob.Schweitzer@sammdata.com  
Contact – Bob Schweitzer

*Sammamish Data Systems provides GIS software and files for Direct Mail and Political Redistricting. Sammamish Data Systems provides redistricting consulting work, primarily in the state of Washington, including drafting plans, reviewing plans, legal challenges, etc. A national company, Sammamish Data Systems has strong ties to direct mailers and resident list brokers. Since 1980, Sammamish Data Systems has provided redistricting assistance, being the first to provide a PC based GIS package.*

# Appendix D.

## Total Number of Blocks, Voting Districts and State Legislative Districts Defined for the P.L. 94-171 Redistricting Data Program for Census 2000

State Name	Census 2000 Tabulation Blocks	Voting Districts	State Legislative Districts Senate	State Legislative Districts House
Alabama	175,220	1,987	35	105
Alaska	21,874	467	20	40
Arizona	158,294	1,330	30	30
Arkansas	141,178	2,805	N/A	N/A
California	533,163	N/A	N/A	N/A
Colorado	141,040	2,980	35	65
Connecticut	53,835	834	37	152
Delaware	17,483	400	22	42
District of Columbia	5,674	8	N/A	N/A
Florida	362,499	N/A	N/A	N/A
Georgia	214,576	2,733	56	180
Hawaii	18,990	341	N/A	N/A
Idaho	88,452	880	35	35
Illinois	366,137	11,488	60	119
Indiana	201,321	5,034	50	100
Iowa	168,075	2,885	50	100
Kansas	173,107	3,730	40	125
Kentucky	122,141	N/A	N/A	N/A
Louisiana	139,867	3,521	40	106
Maine	56,893	287	N/A	N/A
Maryland	79,128	1,691	N/A	N/A
Massachusetts	109,997	2,108	41	161
Michigan	258,925	5,366	38	110
Minnesota	200,222	4,094	N/A	N/A
Mississippi	136,150	2,089	52	122
Missouri	241,532	3,960	34	163
Montana	99,018	N/A	N/A	N/A
Nebraska	133,692	1,888	49	0
Nevada	60,831	1,291	16	42
New Hampshire	34,728	86	25	N/A
New Jersey	141,342	6,138	41	41
New Mexico	137,055	1,346	42	70
New York	298,506	13,374	61	150
North Carolina	232,403	2,648	42	98
North Dakota	84,351	N/A	49	49
Ohio	277,807	N/A	33	99
Oklahoma	176,064	2,108	48	101
Oregon	156,232	N/A	30	60
Pennsylvania	322,424	9,407	50	204
Rhode Island	21,023	568	51	101
South Carolina	143,919	2,173	46	124
South Dakota	77,951	979	35	35
Tennessee	182,203	2,407	33	99
Texas	675,062	8,284	N/A	N/A
Utah	74,704	1,829	29	75
Vermont	24,824	38	13	109
Virginia	145,399	2,169	40	100
Washington	170,871	7,475	49	49
West Virginia	81,788	1,909	16	56
Wisconsin	200,348	N/A	33	99
Wyoming	67,264	470	30	60
Puerto Rico	56,781	1,714	N/A	N/A
<b>Totals</b>	<b>8,262,363</b>	<b>129,319</b>	<b>1,536</b>	<b>3,576</b>

Note: An "N/A" in a column indicates that the state did not submit boundaries or codes for that entity to the U.S. Census Bureau.

# Appendix E.

## NCSL Attendees

2002 Annual Meeting

Denver, CO

(July 23, 2002)

Reapportionment Task Force Members

State	Name	Organization
California	Karin McDonald	University of California
Colorado	Jeremiah Barry Tim Storey	Office of Legislative Legal Services NCSL
Connecticut	Mary Janicki Ed Maley	Office of Legislative Management Senate
District of Columbia	Robert Berman Joe Rich Jamie Rosenson Donna Zorn John Byle Bob LaMacchia Cathy McCully Kim Brace	U.S. Department of Justice U.S. Department of Justice U.S. Census Bureau U.S. Census Bureau U.S. Census Bureau U.S. Census Bureau U.S. Census Bureau U.S. Census Bureau Election Data Services
Georgia	Linda Meggers Robert Strangia	General Assembly/Reapportionment Services General Assembly/Reapportionment Services
Kentucky	Joyce Croft Tom Troth Joyce Honaker	Legislative Research Commission Legislative Research Commission Legislative Research Commission
Maryland	Nasrin Rahman Fred Hejazi	Maryland Office of Planning Digital Engineering Corp.
Michigan	Ed Sarpolus	
Mississippi	Ted Booth Thomas Reynolds	Joint Legislative Reapportionment Committee House of Representatives
New Jersey	Frank Parisi	Office of Legislative Services
Ohio	Bill Heaphy Lynda Jacobson	Legislative Services
Oklahoma	Lexa Shafer Kay Daley	State Senate/Reapportionment Staff State Legislature
Pennsylvania	John Memmi	Senate Republican Redistricting Office
Tennessee	Tom Fleming Doug Himes Ellen Tewes	Office of Local Government Legislature Office of Legal Services
Texas	Clare Dyer	Texas Legislative Council
Utah	Stewart Smith Mark Andrews	Office of Legislative Research/General Counsel
Vermont	Michael Chernick	Legislative Council
Virginia	Rick Ayers Mary Spain	ESRI Division of Legislative Services

# Appendix F.

## NCSL Attendees

2003 Annual Meeting  
San Francisco, CA  
(July 2003)

State	Name	Organization
California	Jim Wisley	California Legislature
	Karin MacDonald	State Wide Data Base-UV Berkeley
Colorado	Tim Storey	National Conference of State Legislatures
District of Columbia	Bob LaMacchia	U.S. Census Bureau
	Jamie Rosenson	U.S. Census Bureau
	Kim Brace	Election Data Services
	Donna Zorn	U.S. Census Bureau
	Frank Vitrano	U.S. Census Bureau
	Cathy McCully	U.S. Census Bureau
	Bryan Whitener	Federal Election Commission
Georgia	Linda Meggers	Legislative Redistricting Office
Indiana	Craig Fry	State Representative
Maryland	Kristen Rohanna	Digital Engineering Corp.
	Howard Simkowitz	Caliper Corp.
Minnesota	Peter Wattson	Senate Counsel
Mississippi	Ted Booth	Joint Reapportionment—PEER Committee
Montana	Susan Fox	Legislative Services
New Hampshire	Rep. R. B. "Dick" Drisko	House of Representatives
New Jersey	Frank Parisi	Office of Legislative Services
New Mexico	Ed Sandoval	House of Representatives
New York	Debra Levine	Reapportionment Office
	Jeff Wice	Counsel
North Carolina	Rep. Martha Alexander	House of Representatives
Pennsylvania	Suzanne O'Berry	Redistricting Office
	Cheri Hull	Redistricting Office
South Carolina	Paula Benson	Staff Counsel, Senate Judiciary Committee
Tennessee	Doug Himes	Legal Services
	Ellen Tewes	Legal Services
Utah	Jerry Howe	Legislative Research
Washington	Cam McIntosh	U.S. Census Bureau, Seattle Regional Office
West Virginia	Jo Vaughn	Redistricting Analyst

# Appendix G.

Agency: National Oceanic and Atmospheric Administration (NOAA).

Title: U.S.-Canada Albacore Treaty Reporting System.

Form Number(s): None.

OMB Approval Number: None.

Type of Request: Emergency submission.

Burden Hours: 928.

Number of Respondents: 700.

Average Hour Per Response: Phone call to ensure that the vessel is on the list of vessels exchanged with Canada, 5 minutes. Notification of border crossing, 5 minutes. Logbook reporting, 5 minutes per day. Vessel marking, 5 minutes per vessel.

Needs and Uses: The owners of vessels that fish out of West Coast ports for albacore tuna will be required to report their desire to be on the list of vessels provided to Canada each year indicating vessels that are eligible to fish for albacore in waters under the fisheries jurisdiction of Canada. They also report, in advance, their intention to fish in those waters prior to crossing the border, and to report prior to returning to U.S. waters; maintain and submit to NMFS catch and effort logbooks covering fishing in Canadian waters; and to mark their fishing vessels to facilitate effective enforcement of the effort limits under the Treaty.

Affected Public: Business or other for-profit organizations.

Frequency: On occasion.

Respondent's Obligation: Mandatory.

OMB Desk Officer: David Rostker, (202) 395-3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynck, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 8025, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at [dHynck@doc.gov](mailto:dHynck@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent by May 15, 2004 to David Rostker, OMB Desk Officer, FAX number 202-395-7285, or [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: May 10, 2004.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 04-10987 Filed 5-11-04; 2:50 pm]

BILLING CODE 3510-22-6

## DEPARTMENT OF COMMERCE

### Bureau of the Census

[Docket Number 040408110-4110-01]

RIN 0607-AA42

### Establishment of the 2010 Census Redistricting Data Program

AGENCY: Bureau of the Census, Department of Commerce.

ACTION: Notice of program.

SUMMARY: This notice announces and seeks comments on the establishment of the 2010 Census Redistricting Data Program. Required by law, the program provides States the opportunity to specify the small geographic areas that they wish to receive 2010 decennial census population totals for the purpose of reapportionment and redistricting.

DATES: Comments on this notice must be received by July 12, 2004. The deadline for States to notify the Bureau of the Census (Census Bureau) that they wish to participate in Phase 1, the State Legislative District Project, is August 1, 2005.

ADDRESSES: Please direct all written comments on this notice to the Director, U.S. Census Bureau, Room 2049, Federal Building 3, Washington, DC 20233.

FOR FURTHER INFORMATION CONTACT: Catherine C. McCully, Chief of the Census Redistricting Data Office, U.S. Census Bureau, Room 3631, Federal Building 3, Washington, DC 20233, telephone (301) 763-4039.

SUPPLEMENTARY INFORMATION: Under the provisions of Title 13, Section 141(c), of the United States Code (U.S.C.), the Secretary of Commerce (Secretary) is required to provide the "officers or public bodies having initial responsibility for the legislative apportionment or districting of each state \* \* \*" with the opportunity to specify geographic areas (e.g., voting districts) for which they wish to receive decennial census population counts for the purpose of reapportionment or redistricting.

By April 1 of the year following the decennial census, the Secretary is required to furnish the State officials or their designees with population counts for counties, cities, census blocks, and State-specified congressional districts, legislative districts, and voting districts that meet Census Bureau technical criteria.

In accordance with the provisions of 13 U.S.C. 141(c), the Director of the Census Bureau, on behalf of the Secretary of Commerce, announces the

establishment of the 2010 Census Redistricting Data Program (Program) and commences Phase 1, the State Legislative District Project, of the Program. An invitation to the officers or public bodies having initial responsibility for legislative reapportionment and redistricting will be issued this fall through the Census Redistricting Data Office. The deadline for States to notify the Census Bureau that they wish to participate in Phase 1, the State Legislative District Project, is August 1, 2005.

As seen in the 1990 and 2000 censuses, the 2010 Census Redistricting Data Program will be partitioned into several phases. State participation in Phase 1 and 2 of the Census 2010 Redistricting Data Program under 13 U.S.C. 141 is voluntary.

#### Phase 1: State Legislative District Project (SLDP)

Beginning in the Fall of 2004, the Census Bureau will correspond with the legislative leadership of each state to establish a Census 2010 Redistricting Data Program liaison. The Census Bureau will also formally announce, through a subsequent Federal Register notice, the commencement of Phase 1. Beginning in the winter of 2005, States that choose to participate in Phase 1 will begin to receive guidelines for providing State legislative districts for their States. This phase will include a verification step and will end with tabulations based on Census 2000 data. Ongoing changes to Congressional district plans will be collected, and new tabulations will be developed, as needed. Boundaries of legislative and Congressional districts will be 2010 tabulation census block boundaries for those participating States. Participation in Phase 1 is not a prerequisite for participation in Phase 2 or 3 of the Census 2010 Redistricting Data Program.

#### Phase 2: Voting District/Block Boundary Suggestion Project

Beginning in the fall of 2007, States that choose to participate in Phase 2 will receive on a flow basis, geographic products (maps and/or computer files) for their use in submitting to the Census Bureau the voting districts and suggestions for the Census 2010 tabulation census block inventory. A verification phase is offered to those participating States. If States choose not to participate in Phase 2, the Census Bureau cannot ensure that the decennial census 2010 tabulation geography will support the redistricting needs of each State. In mid-2007 the Census Bureau will announce the technical and other criteria for participating in Phase 2, the

Voting District/Block Boundary  
Suggestion Project.

**Phase 3: Delivery of the Decennial  
Census 2010 Redistricting Data**

By April 1, 2011, the Director of the Census Bureau will, in accordance with 13 U.S.C. 141(c), furnish the Governor and State legislative leaders, both the majority and minority, with 2010 census population counts for standard census tabulation areas (e.g., State, Congressional district, American Indian area, county, city, town, census tract, census block group, and census block) regardless of a State's participation in Phase 1 or 2. The Director of the Census Bureau also will provide 2010 population counts for those States participating in Phase 1 and/or 2, for State legislative districts. For those States participating in Phase 2, the Director of the Census Bureau will provide 2010 census population counts for standard census tabulation areas and voting districts no later than April 1, 2011.

**Phase 4: Collection of Post-Census 2010  
Redistricting Plans**

Beginning in 2011, the Census Bureau will obtain from each State the newly drawn legislative and Congressional district plans and prepare the appropriate data sets based on the new districts.

**Phase 5: Evaluation of Census 2010  
Redistricting Data Program and  
Recommendations for Census 2020  
Redistricting Data Program**

As the final phase of the Census 2010 Redistricting Data Program, the Census Bureau will work with the States to conduct a thorough review of the program. The intent of this review, and the final report that will be produced as a result, is to provide guidance to the Secretary of Commerce and the Census Bureau Director in planning for the Census 2020 Redistricting Data Program. Please address questions concerning any aspect of the Census 2010 Redistricting Data Program to the person identified in the contact section of this notice.

**Executive Order 12866**

This rule has been determined to be significant under Executive Order 12866.

Dated: May 7, 2004.

**Charles Louis Kincannon,**

*Director, Bureau of the Census.*

[FR Doc. 04-10844 Filed 5-12-04; 8:45 am]

BILLING CODE 3510-07-P