



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

February 17, 2016

Senator Phil Berger
President Pro Tempore, NC Senate
16 West Jones Street – Suite 2007
Raleigh, North Carolina 27601-2808

Representative Tim Moore
Speaker, NC House of Representatives
16 West Jones Street – Suite 2304
Raleigh, North Carolina 27601-1096

Dear President Pro Tempore Berger and Speaker Moore:

I take strong exception to several of the criteria adopted by the Joint Select Committee on Congressional Redistricting to be used in drawing a 2016 Congressional Plan in response to the February 5, 2016 decision in *Harris v. McCrory*. The enacted criteria do not comply with the U.S. Constitution, the Voting Rights Act of 1965, or basic fairness. My objections include, but are not limited to, the following criteria:

1. *“...data identifying the race of individuals or voters shall not be used in the construction or consideration of districts...”*

It is a clear violation of Section 2 of the Voting Rights Act of 1965 to draw districts that do not protect the voting interest of African American communities. To concentrate black voters into districts that dilute their voting strength is a violation of the law. In *Harris v. McCrory*, the court stated that race should not be the predominant factor in drawing the districts. However, the court did not say that race should not be a factor at all.

2. *“... the Committee shall construct districts in the 2016 Contingent Congressional Plan that eliminate the current configuration of the Twelfth District.”*

It is inconsistent with the law for you to eliminate a voting rights district that the court has previously held to be constitutional prior to the 2011 congressional redistricting. Any new configuration of the 12th congressional district should not dilute African American voting strength.

3. *“The Committee shall make reasonable efforts to construct districts...to maintain the current partisan makeup of North Carolina’s congressional delegation.”*

The courts have held that there are limits to political gerrymandering and the current Republican gerrymandering of congressional districts does not account for the fact that there are more registered Democrats than Republicans in the state. Therefore, the current 10 Republican to 3 Democrat composition of the NC congressional delegation should not be maintained.

The above criteria are inconsistent with the law and the committee should immediately adopt new standards for redrawing the maps.

Very truly yours,

G. K. Butterfield
Member of Congress

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