citizens in my district, it is not working.

I yield to the gentleman from Ohio.

Mr. CHABOT. You have mentioned the Washington Post. I have a couple of articles here. This is exact wording from the Washington Post here, and I would just like to refer to a couple of these things, what the Post has to say about the Democrats' mediscare campaign. This is an exact quote from the Washington Post:

> They have no plan. Mr. Gephardt says they can't offer one because the Republicans would simply pocket the money to finance their tax cut. It's the perfect defense. The Democrats can't do the right thing because the Republicans would then do the wrong one. But that has nothing to do with Medicare. The Democrats have fabricated the Medicare tax cut connection because it is useful politically. It allows them to attack and to duck responsibility, both at the same time. We think it is wrong.

This is the Washington Post.

Mr. JONES. Mr. Speaker, I would like to ask the gentleman from Washington because in this display of distortion by the other side, and again not talking about every individual, but talking about the—those of a very liberal nature that are not willing to address this every serious problem facing Medicare in the future. Congressman TATE, is it not true that the other side has been running some very distorted, unfair ads in your district pointed at you?

Mr. TATE. Mr. Speaker, I wish I could say that was not so, but, you know what? It is. In face, they have purchased about $85,000 over the last week or so, running ads on television, running advertising on the radio, having Medicare vans going through the district.

The amazing thing is these same organizations are also people that receive grants from the public government, which is amazing, taxpayer funding of the big lie, saying that somehow we are cutting Medicare, and I can tell you the people in my district have been calling our office, and as of last Thursday or Friday we had over 700-some calls, and only 22 have called in and said, ''You know, don't cut Medicare,'' and the vast majority of whom, or 90-some percent, said, ''RANDY, we're not going to listen to these ads. We're tired of outside groups coming in trying to scare us, trying to threaten us, saying the sky is going to fall, the Chicken Little approach,'' and I can tell you that the people in my district understand that Medicare is going broke. The trustees have come out and said that we need to save it, that we are going to increase the amount that we are going to spend on it.

Mr. Speaker, I have had town halls. I know probably all of us have had town halls, senior advisory committees. They have had 20-some hearings, Ways and Means, Commerce Committee this year, soliciting ideas. Instead of a top-down approach, we have gone out to the people in our districts and asked, ''How can we fix the plan? Here is the problem. What's your solution?''

And that is what we are trying to incorporate. The people in my district are ignoring the ads. They are saying they are tired of the lies, they are tired of it being financed by their own dollars. You know, these are same groups, the same American Families Coalition, who receive money from the Federal Government. It is outrageous and it is blatant.

Mr. CHABOT. Mr. Speaker, I have another Washington Post, and obviously these are blowups here, but what the Post has to say about the Republicans' Medicare plan—this is the Washington Post:

> Congressional Republicans have confounded the skeptics. It's incredible. It's gutsy. It addresses a genuine problem that is only going to get worse.

This is the Washington Post talking about the Republicans' Medicare plan, and I brought a couple of articles here from two of my hometown newspapers, the Cincinnati Post and the Cincinnati Enquirer. I am not going to read the entire articles, but I would just like to read a couple of quotes. This is from my district in Cincinnati. This is the Cincinnati Post talking about the Republican Medicare plan. It says:

> Will the Republican plan actually cut anything? No. It just slows the rate of growth.
>
> But it is extraordinary, in an age when political truth-telling and courage are often thought in meager supply, that the Contract-With-America crowd is following through on its pledge to balance the budget and is going about it the only way possible, by reforming an entitlement program hugely popular with middle-class voters.
>
> And the plan is, in fact, meritorious, not only because it would save billions upon billions of dollars if enacted, but chiefly because it would introduce market principles into the program, enabling the elderly to shop around for what suits them best.
>
> Democrats, carrying on as if the Republicans were caught building concentration camps, have been trying to scare the elderly into paroxysms of protest, so far to no avail.
>
> Perhaps the elderly have noticed that per capita spending under the Republican plan would rise from $4,816 this year to $8,734 in 2002. That's just a few hundred dollars less than without the proposed changes.
>
> Still, action, above all, is what's needed. Now, that is why the House Republicans' plan is such a valuable start to badly needed Medicare reform.

That is the Cincinnati Post.

Let me read briefly from the Cincinnati Enquirer.

> The quacks who have been playing doctor with Medicare for decades always prescribe the same treatment: Bleed taxpayers to keep the cash transfusions coming, but don't close the wounds—that would be painful.
>
> Finally, Republicans have dared to propose some surgery to get Medicare healthy again. And the response from the Clinton administration has been the same old faith-healing.

And then they quote Donna Shalala's response to our plan. They quote Donna Shalala as saying:

> We will not go back to the days when older Americans brought bags of apples to pay for their doctor visits,'' was the panic-inducing response from Health and Human Services Secretary Donna Shalala.

And what the Enquirer says to her response, ''That's snake oil.''

''Considering the critical condition of Medicare, the Republican therapy is fairly painless.''

And then it goes into some of the details about our plan, and it says:

> Unless something is done, Medicare could go broke and double the federal deficit by 2005, soaking taxpayers and the elderly with increases measured like a runaway fever chart.
>
> It's long past time for a healthy cure before Medicare has a massive stroke. The Republican remedy is a good place to start.

That is a Cincinnati Enquirer.

Mr. JONES. Would you clarify, you or Mr. TATE, for those that might be watching that the tax cuts that have been proposed, $245 billion in tax cuts for working families are more than offset by reductions in savings in Government spending over the next 7 years excluding, excluding Medicare and Medicaid?

Mr. CHABOT. That is exactly correct. The liberals on the other side of the aisle are trying to link the two. They have absolutely nothing to do with each other. The Medicare pay cuts or, excuse me, the tax cuts, were taken care of earlier back in April, and we have a plan that does not affect Medicare at all. The two are entirely separate, but what they are trying to do is play the old political partisan game and scare senior citizens. I think that is reprehensible for them to play that game. What I wish they would do is come with us and work together with us so we can actually solve this Medicare crisis, and I hope the President ultimately will do the right thing as well.

Mr. TATE. Mr. Speaker, I know that our time is running short, very short.

The SPEAKER pro tempore. Actually the time is expired.

Mr. TATE. I just want to thank the gentleman from Ohio and the gentleman from North Carolina for letting me engage in this colloquy with you tonight, and working on the Contract With America, and preserving and protecting Medicare, and I just want to thank you for the opportunity.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair reminds Members that are going to be speaking during the remainder of tonght's activity that they should direct their remarks to the Chair and not to the television audience.

REDISTRICTING IN THE STATE OF GEORGIA

The SPEAKER pro tempore. Under the Speaker's announced policy of May 12, 1995, the gentlewoman from Georgia [Ms. MCKINNEY] is recognized for 60 minutes.

Ms. MCKINNEY. Mr. Speaker, as this legislative week begins, I would like to take an opportunity to once again

commend the members of the Georgia Legislative Black Caucus who are now preparing to have their annual conference weekend with workshops, and I am absolutely certain that the issue of redistricting will take center stage in that conference weekend.

□ 2230

The Georgia Legislative Black Caucus, under the leadership of State Senator Diane Harvey Johnson, has done a wonderful job, and can never really be commended enough for its dedication and its ability to withstand all of the trials and tribulations of the recently adjourned special session under the leadership of the redistricting task force that, with David Scott at its helm, the Georgia Legislative Black Caucus was able to wade through very treacherous waters.

While the Georgia General Assembly failed to provide the citizens of the State of Georgia with a redistricting plan, certainly the Georgia Legislative Black Caucus can be credited with preventing a horrendous plan from passing onto the desk of the Governor.

I would also like to take a moment to say a few words about one of my leaders in the Georgia Legislative Black Caucus, State Representative Tyrone Brooks. When I was elected to the Georgia House of Representatives in 1988, I began, after having been sworn in in January 1989, to serve with my father, and the two of us became the only father-daughter legislative team in the country. Of course, we were much celebrated, but even though my father had been a member of the Georgia Legislature for over 20 years, it was to State Representative Tyrone Brooks that I have turned for leadership. I am proud that he took me under his wing and made me into half the legislator and civil rights leader that he is for the residents of the State of Georgia.

Mr. Speaker, on the grounds of the Georgia State Capitol there is a statue. The name of that statue is expelled because of color. This statue commemorates the service of 33 black people who were elected, duly elected, to the Georgia legislature, but who in 1868 were expelled for no other reason than the color of their skin.

Since 1965, the Voting Rights Act has utilized the tool of redistricting to enhance equal opportunity in the area of politics, but in 1993, something happened. That something was the Shaw versus Reno case, which set a new standard in redistricting principles. That new standard is a beauty standard, the beauty standard being that districts have to look a certain way in order to be effective, and if those districts do not conform to a particular standard of beauty, then there is something inherently wrong with those districts.

It is through this tool of resdistricting that we have been able to perfect our democracy. I recall from a publication called ''Sister Outsider'' a quote. The quote is, ''For the master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never enable us to bring about genuine change.''

The question I pose is does my presence in this body, in the United States House of Representatives, dismantle the master's house? What is it about the presence of African-Americans, women, Latinos, other people of color, that causes discomfort to some people in this country? Could it be the things that I dare say, or is it merely just the way I look that causes some people to say, ''This is not your place''? Then, of course, that would compel the highest court in the land, the United States Supreme Court, to apply a double standard.

I have an article here written by one of the members of that community of dedicated lawyers who are out there laboring long and hard, and their only effort is to try and make this country a better place for all Americans. The title of this article is ''Gerrymander Hypocrisy: Supreme Court's Double Standard.'' It was written by Jamon B. Raskin, professor of constitutional law and associate dean at the Washington College of Law at the American University.

It begins:

Racial double standards are nothing new in American law, but the Supreme Court's voting rights jurisprudence has turned farcical. State legislators redrawing Congressional and State legislative districts in the 1990s now carry both a license and a warning from the Court. The license, granted for decades, is to draw far-flung, squiggly lines all over the map in order to guarantee the legislators' reelection or the reelection of incumbent white U.S. House Members. The warning, issued in the Court's 1993 Shaw v. Reno decision, is not to draw any such bizarre districts with the purpose of creating African-American or Latino political majorities.

These two Supreme Court positions are on a logical collision course. From the day it was decided, Shaw looked deeply suspicious, since it imposed strict scrutiny on only those oddly shaped districts where African-Americans or Latinos are in a majority. The Court had never before found that the Constitution required districts to have certain shapes, sizes, or looks. District appearance was a question for the States. Now, in the name of tidy district lines and fighting what Justice Sandra Day O'Connor called ''political apartheid,'' a term never used by the Court to describe slavery, Jim Crow, poll taxes, literacy tests, or white primaries, the court cast doubt on dozens of racially integrated districts represented by blacks and Latinos.

In the illustrative case of Vera versus Richards last August, a panel of three Republican judges threw out as racial gerrymander two majority-black congressional districts and one majority-Latino district in Texas, solemnly invoking Martin Luther King all along the way.

Meanwhile, the same panel categorically rejected challenges to majority-white districts whose perimeters looked every bit as peculiar as those of the minority districts. The panel was not disturbed that House incumbents from Texas were actively involved in the redistricting process, or that they were so influential in getting districts drawn for incumbency protection that all but one of them had been reelected in 1992. Neither were the judges troubled by the fact that minority districts appear contorted precisely because white Democratic incumbents, looking for liberal votes, took big geographic bites out of minority communities.

By blessing the entrenchment of white incumbents and wiping out black and Latino majority districts, the district court is only following the perverse logic of Supreme Court doctrine. The ''equal protection'' clause of the 14th Amendment, enacted in 1868 to dismantle white supremacy, has been twisted by the Court to mean that African-Americans and other minorities may not form a numerical majority in any district unless they are in communities that are geographically compact and residentialy isolated.

Without consciously drawn minority districts, most States would continue to have lily white House delegations. No black has ever been elected to Congress from the South in a majority-white district. Even today, with the new districts (hanging on by a thread), minorities remain underrepresented in Congress and in every State legislature.

Furthermore, these districts discriminate against no one.

On the other hand, ''incumbency protection'' districts are deeply offensive to democratic values.

By fencing out unfriendly voters and potential rivals, incumbents make districts in their own image, and turn elections into a formality. In our self-perpetuating incumbentocracy, voters don't really pick public officials on Election Day because public officials pick voters on redistricting day.

But in the Court's new racial Rorschach test, incumbent-friendly ink blot districts are lawful if the race in the majority is white.

We have, through these districts, the opportunity to elect people who would otherwise not grace these halls, and there has been a lot of misinformation about these districts. Laughlin McDonald is the voting rights litigator for the ACLU. In an effort to try and dispel some of the misinformation about these districts, he wrote two pieces, one of them entitled ''Exploding Redistricting Myths'' and the other one entitled ''Drown in a Sea of Misinformation.'' I will submit both of these pieces to the RECORD, because it is important that all of the misinformation that has been thrown out by various scholarly people be challenged and rebutted at each step along the way.

Mr. Speaker, in the most recently adjourned special session of the Georgia Legislature, we had something very unfortunate happen. Of course, we understood that the 11th Congressional District had been challenged by primarily the Democratic candidate who ran against me, who lost because of an ineffective message, and so was able to find some recourse in the courts. However, something else happened. That something else was that the Second Congressional District was added into the mix, so now the lower court, the same lower court in Georgia that found the 11th Congressional District to be unconstitutional, now is going to have a hearing on the constitutionality of the Second Congressional District of Georgia, which is also a majority-minority district.

The Georgia Legislative News of August 21 chronicles what happens. The headline is ''Parks Attacks Second District,'' and it begins:

In an unexpected legal maneuver, Georgia's Second Congressional District is under attack by Lee Parks, attorney for the original plaintiffs in the Johnson v. Miller suit, which resulted in the 11th District being declared unconstitutional.

What started out as one majority-black district under attack now results in two majority-black districts being under attack. Unfortunately, in the September 26 edition of the Atlanta Constitution, the headline reads, ''Another Majority-Black District At Risk.'' First there was one, and now there are two.

It begins:

About Face: State Admits Racial Gerrymandering. The United States Justice Department has abandoned its defense of Georgia's Second Congressional District, and State attorneys on Monday admitted that race dictated the drawing of its lines, putting the future of another majority-black district in jeopardy.

Now, I know that we have at the Justice Department very young, idealistic, dedicated attorneys who have experienced 30 years of victory in the area of voting rights, and all of a sudden now, after Shaw versus Reno, we have 30 years of precedent being rapidly eroded.

□ 2245

I would just hope that the Justice Department is not losing its will, that it is not punch-drunk after the first round. Now, more than ever, we need people who are dedicated to the proposition that everybody deserves a voice in this Government, to be prepared to fight, to make sure that everyone does have a voice in this Government.

Mr. Speaker, I have been through the story of how in the Georgia legislative special session a particular special interest became so pronounced that it was impossible for the legislature to conclude with a congressional map, and that particular special interest is the kaolin industry that pervades the economy of the State of Georgia and as well the legislature of the State of Georgia. There were maps that were produced, but those maps conveniently excluded the kaolin belt from the 11th Congressional District of Georgia, which I represent.

Mr. Speaker, because it is only fair that those counties be included in the 11th Congressional District, the Georgia legislative Black Caucus fought for the opportunity of the residents of those counties to be able to elect their candidate of choice, and so by fighting, we were not able to have a map.

The whole issue of the double standard can be seen in these maps that I have. The 6th district of Illinois contains a super- majority that is white, of 95 percent, the 6th Congressional District of Illinois has not been challenged in any court.

Mr. Speaker, we also have the 6th Congressional District of Texas, which has a supermajority. That supermajority is white. This district has gone through the same scrutiny as has the 11th Congressional District of Georgia. This district, with its squiggly lines, apparently conforms to the beauty standard. It passes the beauty test. It is a beautiful district, so ruled by the courts. It is constitutional.

Yet the 11th Congressional District of Georgia, which I think is one of the most beautiful districts ever drawn by any legislature in the State of Georgia, has also a supermajority of 64 percent that happens to be black, has undergone the same kind of scrutiny as the 6th Congressional District of Texas, but Georgia's 11th Congressional District has been declared unconstitutional by the lower court and even our own U.S. Supreme Court.

So I stand today before this body as a representative without a district representing people who deserve to have their voices heard in the area of public policymaking. Of course, whatever happens will be determined by the lower court in Georgia, and we will be forced to abide by and will happily abide by the dictates of the law of the land, but of course it does not mean that the law is always right, and it certainly does not mean that the law is color blind.

In 1868 those 33 black members of the Georgia Legislature were expelled because of the color of their skin, and here I stand facing the same fate, but I do not stand alone, and that is because there too have been others, even from this body, who have preceded me. Thank goodness we have this thing called a CONGRESSIONAL RECORD, because we can go back and we can search the RECORD and find the words of other Members of Congress, others similarly situated, others who also faced expulsion for no other reason than the color of their skin.

Mr. Speaker, one such representative, the last, in fact to grace these halls in the beginning of the 20th century was Representative George White from North Carolina. I would like to read what Representative White had to say. This is in 1901:

I want to enter a plea for the colored man, the colored woman, the colored boy, and the colored girl of this country. I would not thus digress from the question at issue and detain the House in a discussion of the interests of this particular people at this time but for the constant and the persistent efforts of certain gentlemen upon this floor to mold and rivet public sentiment against us.

At no time perhaps during the 56th Congress were these charges and countercharges containing as they do slanderous statements more persistently magnified and pressed upon the attention of the Nation than during the consideration of the recent reapportionment bill. As stated some days ago on this floor by me, I then sought diligently to obtain an opportunity to answer some of the statements made by gentlemen from different States, but the privilege was denied me, and I therefore must embrace this opportunity to say out of season, perhaps, that which I was not permitted to say in season.

Now, Mr. Chairman, before concluding my remarks, I want to submit a brief recipe for the solution of the so-called American Negro problem. He asks no special favors, but simply demands that he be given the same chance for existence, for earning a livelihood, for raising himself in the scales of manhood and womanhood, that are accorded to kindred nationalities. Treat him as a man. Go into his home and learn of his social conditions, learn of his cares, his troubles, and his hopes for the future. Gain his confidence, open the doors of industry to him.

This, Mr. Chairman, is perhaps the Negro's temporary farewell to the American Congress. But let me say phoenix-like, he will rise up someday and come again. These parting words are in behalf of an outraged, heartbroken, bruised and bleeding, but God-fearing people; faithful, industrious, loyal people, rising people, full of potential force.

Sir, I am pleading for the life of a human being. The only apology that I have to make for the earnestness with which I have spoken is that I am pleading for the life, the liberty, the future happiness, and manhood suffrage for one-eighth of the entire population of the United States.

George White did not leave Congress quietly. He fixed the record. For as long as there will be a United States of America, there will be people who can pull this CONGRESSIONAL RECORD and find his words there.

I guess you could say I am doing the same thing. For if it is the will of this country that African-Americans can no longer serve in the U.S. Congress, I guarantee you that I will fix this record. I, too, will speak on behalf of an outraged people who only want the opportunity to participate as full citizens in their Government.

The State of Georgia did not want us, three of us; the State of Georgia did not defend the congressional map that produced its most diverse congressional delegation in history, and so the State of Georgia is now prepared to say goodbye to that diversity.

I found a book entitled ''The Passion of Claude McKay.'' Claude McKay did a poem that I would like to read. The title of the poem is, ''If We Must Die.''

If we must die, let it not be like hogs, hunted and pinned in an inglorious spot. While round us bark the mad and hungry dogs, making their mock at our accursed lot. If we must die, oh, let us nobly die so that our precarious blood may not be shed in vain, then even the monsters we defy shall be constrained to honor us, though dead. Oh, kinsmen, we must meet the common foe. Though far outnumbered, let us show us brave and for their thousand blows deal one death blow, what though before us lies the open grave. Like men will face the murderous, cowardly pack, pressed to the wall, dying, but fighting back.

Mr. Speaker, I intend to carry this fight for the preservation of democracy in America, for as long and as far as we can take it. I would like to take this opportunity to thank my colleagues who have all been so kind, courteous, concerned, and committed.

I would like to thank the people from around the country who have taken the time to write letters to us, to place telephone calls to our office, to share their concern about the evil turn that this country has taken, and what it means for average, ordinary Americans, that their representation could

be yanked away from them. If it starts with the 11th Congressional District of Georgia, and then moves over to the Second Congressional District of Georgia, and then sweeps across the South and moves up to the North in Illinois and New York, where will it end?

□ 2300

In fact, we have a very renowned writer in Georgia, Bill Ship, who poses the question, ''Are the bad old days back?'' Of course we certainly hope not.

I do not want there to be a statue on the Grounds of the U.S. Capitol commemorating the service of the 40 plus African-Americans, the Latino-Americans, the Asian-Americans who may too very well be expelled if this awful page in our history is allowed to be written. I certainly do not want another statue on the grounds of the Georgia State Capitol commemorating my service in that body and my service in this body and my expulsion, either.

So I guess I would have to say that it all depends now on the will of the American people. Do we want to assure that our democracy is one that includes everybody, even people like me who do not come from wealth, who are not able to finance the tremendous amounts that it takes to run campaigns and to try and beat back the block voting that occurs in our State, along with the fact that we still have the second primary which requires a candidate to win three times when they should not really have to win but once.

I hope the bad old days are not coming back. I know that they will not come back if the American people will say enough is enough and that what we meant was certainly not this.

Mr. Speaker, I include the two articles referred to in my special order for the RECORD, as follows:

DROWING IN A SEA OF MISINFORMATION

(By Laughlin McDonald)

The debate over majority-minority voting districts is threatened with death by drowning in a sea of misinformation and speculative assumptions. The hard facts are that the increase in the number of minority elected officials, particularly in the South, is the product of the increase in the number of majority-minority districts and not minorities being elected from majority white districts. And because of the prevalence of white bloc voting, minority populations well above 50% are generally necessary for minorities to have a realistic opportunity to elect candidates of their choice.

Of the 17 African-Americans elected to Congress in 1992 and 1994 from the states of the old Confederacy, all were elected from majority-minority districts. The only black in the 20th century to win a seat in Congress from a majority white district in one of the nine southern states targeted by the special preclearance provisions of the Voting Rights Act was Andrew Young of Georgia. He was elected in the bi-racial afterglow of the civil rights movement in 1972 from the Fifth District where blacks were 44% of the voting age population. Still, voting was racially polarized and he got just 25% of the white vote.

Those who have claimed that racial bloc voting was a relic of the past in the new South always brought up the example of Andrew Young. His election was proof that a moderate black candidate who knew how to organize a campaign could pile up white votes and win anywhere, they said. Young proved them wrong. In 1981, after serving in Congress for three terms, being ambassador to the United Nations, and raising more money than in previous campaigns, Young got only 9% of the white vote in his election as mayor of majority black Atlanta. In 1990, Young ran for governor of Georgia. In both the primary and runoff he got about a quarter of the white vote, but running statewide where blacks are 27% of the population, he was defeated. Even for a candidate with extraordinary qualifications, such as Young, racial bloc voting is a political fact of life.

A pattern of office holding similar to that in Congress exists for southern state legislatures. Approximately 90% of all southern black legislators in the 1980s were elected from majority black districts. No blacks were elected from majority white districts in Alabama, Arkansas, Louisiana, Mississippi, and South Carolina.

By 1994, there were 262 black state legislators in the southern states, 234 (89%) of whom were elected from majority black districts. Of the 1,495 majority white legislative districts, only 28 (2%) were represented by blacks, a percentage basically unchanged since the 1970s. For blacks to have a realistic change of winning, they have had to run in majority black districts.

There has also been a substantial increase in the number of minorities elected to city and county offices throughout the South. As with Congress and state legislature, the increase can be traced directly to the creation of majority-minority voting districts.

It is possible, of course, to conflate the exceptions such as Andrew Young with the general rule, but to do so requires one to rely upon anecdotal evidence and ignore the facts. One scholar has concluded based upon a recent study funded by the National Science Foundation, by far the most comprehensive study to date of the impact of the Voting Rights Act, that ''[t]he arguments that Blacks need not run in 'safe' minority districts to be elected, that White voters increasingly support Black politicians, that racial-bloc voting is now unusual—all turn out to be among the great myths currently distorting public discussion.''[1]

Numerous decisions of federal courts support these conclusions. To cite just a few, in Burke County, Georgia the court found ''overwhelming evidence of bloc voting along racial lines.'' In Chattanooga, Tennessee black and white voters ''vote differently most of the time.'' In Arkansas voting patterns were described as being ''highly racially polarized.'' In Springfield, Illinois there was ''extreme racially polarized voting.'' In northern Florida voting was not only polarized but was ''driven by racial bias.''

If whites voted freely for minorities there would be no need to include race in the redistricting calculus, and in places where significant racial bloc voting does not exist the courts have not required the creation of majority-minority districts. But because whites generally vote on racial lines, majority-minority districts are necessary to provide minorities the equal opportunity to elect representatives of their choice.

Some have argued that partisanship, not race, is the determinative factor in elections. Blacks, however, have generally been unable to win in majority white districts no matter whether they were controlled by Democrats or Republicans. The argument also ignores the fact that partisanship is inextricably bound up with race. Much of the political dealignment and realignment that has taken place in this country over the last 30 years has itself been driven by race. Conservative whites have fled the Democratic party for various reasons, but important among them have been the increased participation of blacks in party affairs and the belief that the party was too preoccupied with civil rights.

Majority-minority districts are not a form of segregation, as some have charged. The majority-minority congressional districts in the South are actually the most racially integrated districts in the country and contain substantial numbers of white voters, an average of 45%. Moreover, blacks in the South continue to be represented more often by white than by black members of Congress, 58% versus 42%. No one who has lived through it could ever confuse existing redistricting plans, with their highly integrated districts, with racial segregation under which blacks were not allowed to vote or run for office.

While the converse is exceptional, whites are frequently elected from majority-minority districts. During the 1970s whites won in 48% of the majority black legislative districts in the South, and in the 1980s in 27%. In Georgia in 1994 whites won in 26% of the majority black legislative districts. Given these levels of white success, racially integrated majority-minority districts cannot be dismissed simply as ''quotas'' or ''set-asides'' for minorities.

There is also no evidence that the majority-minority districts cause harm or increase racial tension. In *Miller v. Johnson* (1994) the Supreme Court invalidated Georgia's majority black Eleventh District on the grounds that race was the predominant factor in the redistricting process and the state impermissibly subordinated its traditional redistricting principles to race. The trial court, however, expressly found that the plaintiffs ''suffered no individual harm; the 1992 congressional redistricting plans had no adverse consequences for these white voters.'' The Supreme Court did not disturb these findings.

Farm from causing harm, the evidence suggests that integrated majority-minority districts have promoted the formation of biracial conditions and actually dampened racial bloc voting. In Mississippi, after the creation of the majority black Second Congressional District, Mike Espy, an African-American, was elected in 1986 with about 11% of the white vote and 52% of the vote overall. In 1988 he won re-election with 40% of the white vote and 66% of the vote overall.

In Georgia, the Second and Eleventh Congressional Districts became majority black for the first time in 1992. From 1984 to 1990, only 1% of white voters in the precincts within the Second, and 4% of the white voters in the precincts within the Eleventh, voted for minority candidates in statewide elections. A dramatic and encouraging increase in white crossover voting occurred in 1992. Twenty-nine percent of white voters in the Second and 37% of white voters in the Eleventh voted for minority candidates in statewide elections that year. Whether these trends are temporary or not, they undercut the argument that majority-minority districts have exacerbated racial bloc voting.

In *Miller* the Court stopped far short of saying that a jurisdiction couldn't take race into account in redistricting or that it couldn't draw majority-minority districts. Indeed, Justice O'Connor, who was the crucial vote for the five member majority, wrote in a concurring opinion that where a state redistricts in accordance with its ''customary districting principles'' it ''may well''

[1] Richard Pildes, ''The Politics of Race,'' 108 Harv.L.Rev. 1359, 1367 (1995).

consider race, and that judicial review was limited to ''extreme instances of gerrymandering.'' Such a view is consistent with the Voting Rights Act and the interpretation it has always been given that a jurisdiction must take race into account to avoid diluting minority voting strength.

As a practical matter it is probably impossible to avoid considering race in redistricting. Members of the Court have frequently observed that one of the purposes of redistricting is to reconcile the competing claims of political, religious, ethnic, racial, and other groups. Legislators necessarily make judgments about how racial and ethnic groups will vote. According to Justice Brennal, ''[I]t would be naive to suppose that racial considerations do not enter into apportionment decisions.''

Redistricting by its nature is fundamentally different from other forms of governmental action where, for instance, scarce employment or contractual opportunities are allocated on a race conscious basis. A contractor denied the opportunity to bid on 10% of a city's construction contracts, or a white applicant denied the chance to compete for all the openings in a medical school class, have independent claims of entitlement and injury. But a resident who has not been harmed by a redistricting plan has no legitimate grounds for complaint simply because race was one of the factors the legislature took into account.

Voting districts have traditionally been drawn to accommodate the interests of various racial or ethnic groups—Irish Catholics in San Francisco, Italian-Americans in South Philadelphia, Polish-Americans in Chicago. No court has ever held these districts to be constitutionally suspect or invalid. To apply a different standard in redistricting to African-Americans based upon speculative assumptions about segregation and harm would deny them the recognition given to others. To do so in the name of colorblindness of the Fourteenth Amendment, whose very purpose was to guarantee equal treatment for blacks, would be ironic indeed.

Integrated majority-minority districts are good for minorities because they provide them equal electoral opportunities. But they are also good for our democracy. They help break down racial isolation and polarization. They help ensure that government is less prone to bias, and is more inclusive, reliable, and legitimate. These are goals that all Americans should support.

EXPLODING REDISTRICTING MYTHS

(By Laughlin McDonald)

After the Supreme Court held Georgia's majority black Eleventh Congressional District unconstitutional as an instance of extreme gerrymandering, the governor called the legislature into special session to repair the damage. But it couldn't agree on a new map and has dumped the matter back into the lap of the federal court. As the court prepares to act, let us reconsider, and reject, two of the myths surrounding majority black districts—that they are unnecessary and that they are part of a Republican/African-American cabal that has mortally wounded the Democratic party.

Because of white bloc voting, minority populations well above 50% are generally necessary for minorities to have a realistic chance to electing candidates of their choice. Of the 17 African-Americans elected to Congress in 1992 and 1994 from the states of the old Confederacy, all were elected from majority-minority districts. The only black in this century to win a seat in Congress from a majority white district in one of the nine southern states targeted by the special preclearance provisions of the Voting Rights Act was Andrew Young. He was elected in the biracial afterglow of the civil rights movement in 1972 from the Fifth District where blacks were 44% of the voting age population.

It is possible to conflate the exceptions such as Young with the rule, but to do so one has to ignore the facts. The notion that racial bloc voting is rare and that minorities have an equal chance in majority white districts in the South is simply a myth that continues to cloud public debate over redistricting.

The claim that majority-minority congressional districts are the cause of the decline in fortunes of the Democratic party is also largely a bum rap. White Democrats have been elected to Congress from Georgia under the existing plan. Three were elected in 1992, along with three black Democrats. A white Democrat was also elected in 1994, Nathan Deal, but he defected to the Republican party earlier this year.

Democrats suffered a major reversal in 1992 when a Republican defeated Democratic incumbent Wyche Fowler for the U.S. Senate. Two years later, the state's long time attorney general, a Democrat, left the party and was reelected as a Republican. Neither the statewide election of Republicans nor the defection of Democrats can be laid at the feet of majority black congressional districts.

Democrats have lost ground in Georgia—statewide, in the U.S. Senate, and in the House—for a lot of reasons, including their failure to deliver on health care and campaign finance reform, not to mention the house banking scandal which helped defeat white Democrat Buddy Darden in 1994. But mainly Democrats have been hurt because conservative whites have left the party in growing numbers—a backlash that set in after passage of the major civil rights acts of the 1960s.

Some observers question whether redrawing congressional district lines in Georgia would do much to reverse Republican gains. It is possible, however, to draw constitutionally acceptable plans that protect the black incumbent and create up to three additional Democratic ''opportunity districts.'' But many white Democrats refused to join with blacks in supporting such plans during the abortive special session, either because they wanted the black incumbents out, they thought the party would damage itself further by seeming to give in to black demands, or they were on the verge of quitting the party themselves. Clearly, some of the party's redistricting wounds are self-inflicted.

Deconstructing the majority black districts, whatever its partisan impact, would surely bleach the Congress. That might suit some people just fine, but no system that treats blacks as second class voters and denies them the opportunity that others have to elect candidates of their choice, should pretend to be a real democracy.

Majority-minority districts are not only good for minorities, they are good for the country as a whole. Because they are highly integrated (45% white on average) they help break down racial isolation and encourage biracial coalition building. That has happened in Georgia where white crossover voting increased substantially in the precincts within the Eleventh District after it was created in 1992. Majority-minority districts also help insure that government is more inclusive, reliable, and legitimate. These are goals that all Americans should support.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. TUCKER (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of official business.

Mr. VOLKMER (at the request of Mr. GEPHARDT) for today and the balance of the week, on account of family illness.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. MATSUI) to revise and extend their remarks and include extraneous material:)

Mr. GIBBONS, for 5 minutes, today.

Mr. SKAGGS, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. OWENS, for 5 minutes, today.

Mr. CLAYTON, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. BROWN of Florida, for 5 minutes, today.

Mr. FARR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

(The following Members (at the request of Mr. WALKER) and to include extraneous matter:)

Mr. COBURN, for 5 minutes, on September 28.

Mr. HOEKSTRA, for 5 minutes each day, today and on September 28.

Mr. BALLENGER, for 5 minutes, on September 28.

Mr. SMITH of Washington, for 5 minutes each day, today and on September 28.

Mr. SALMON, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. FOX of Pennsylvania, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. MCINNIS, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. CONYERS on H.R. 743 in the Committee of the Whole today.

(The following Members (at the request of Mr. MATSUI) and to include extraneous matter:)

Mr. VISCLOSKY.

Mr. MORAN.

Mrs. THURMAN.

Mr. GORDON.

Mr. LAFALCE.

Mr. BONIOR.

Mr. TORRES in two instances.

Mr. MINETA.

Mr. LANTOS.

Mr. DINGELL.

Mr. HAMILTON in two instances.

Mr. STOKES.

Mr. MATSUI.

Mr. MENENDEZ in four instances.