

POLITICO

Tanner pushes redistricting reform

By: [Victoria McGrane](#)

July 24, 2009 04:08 AM EDT

Everyone complains that Washington has gotten too partisan, yet critics say that's exactly how the political parties want it.

After all, it's partisans who draw the boundaries that create the comfy congressional districts that send some of the most left-wing or right-wing politicians to Washington.

And it's often moderates like Rep. John Tanner (D-Tenn.) who end up sidelined.

So Tanner has once again — for the third Congress in a row — introduced legislation that would end political gerrymandering by nationalizing standards for congressional districting and taking away redistricting power from state Legislatures. Tanner's bill would require each state to establish an independent, bipartisan commission to redraw congressional district lines, with its members equally appointed by the two parties in the statehouse. The group's chairman would be elected by the original commissioners.

Tanner's is a lonely task, ignored by the heads of each political party.

"It's just not something that most people want to take up, for understandable reasons. I mean, there's a lot of power connected with the present system," Tanner told POLITICO.

Just look at the incredible effort both national parties throw into the census every 10 years. The Republican National Committee and the Democratic National Committee are already amassing their ground troops and preparing legal census strategies. Millions of dollars will be raised — some of it from members of Congress. Each party's goal is to use the demographic and population patterns to redraw districts that maximize their chances of winning more congressional seats.

Tanner believes these long-held redistricting practices amount to stealing citizens' votes.

Tanner and his supporters on and off the Hill would be happy if they could just get a hearing on the issue, but they've been shut out. There's no word yet whether House Judiciary Chairman John Conyers will grant them one this time around — or if House Speaker Nancy Pelosi will throw her support behind such a hearing, as outside activists have called on her to do.

Yet Tanner vows to continue the fight because he believes the status quo is unsustainable.

He believes redistricting has driven moderates of both parties out of the House, election cycle after election cycle. With safe seats, lawmakers worry most about the party extremes, since their biggest threat becomes not a general election loss but a primary challenger backed by a disappointed base.

"I saw the middle completely deteriorating here, and I saw the gridlock of people who may

be well-intentioned but just simply cannot afford to break out of the party mold because they'll be defeated in a party primary if they get too chummy with the other side," said Tanner, a founding member of the Blue Dog Coalition, a group of conservative Democrats.

"They're good people, but probably 300-plus seats here are responsive to the most partisan elements of our society," said Tanner.

That intense partisanship "has diminished the ability of the House, in my judgment, to come together to work in the middle with compromise and give-and-take to address some of the problems and find solutions to those problems that face us as Americans — not as Democrats or Republicans."

"If you look, the Blue Dogs are about the only group that consistently is unpredictable, in terms of party voting," Tanner said, laughing.

Tanner's bill would also establish national minimum standards on how the maps could be redrawn. For starters, redistricting could happen only once every 10 years — eliminating the mid-census redistricting made infamous by former House Speaker Tom DeLay (R-Texas) in 2003, which delivered six additional seats to Republicans and shut down the Texas Legislature. The Supreme Court upheld the move.

The national standards in Tanner's bill seek to ensure that districts reflect organic communities, rather than surgically carved out blocs of voters. The redistricting commission would aim to make districts equal in population size, adhere to traditional boundaries such as city limits and maintain contiguity and compactness.

They specifically would not be allowed to take into consideration voting history, party affiliation of voters or consequences for the incumbent.

It's not clear whether this type of redistricting would hurt districts drawn to ensure African-American representation — like North Carolina's snake-shaped 12th District — but the bill promises to follow voting rights laws.

Tanner says the bill passes constitutional muster, citing a finding by the Congressional Research Service that Article 1, Section 4 grants Congress the power to enact laws governing the time, place and manner of elections, and that this power appears to give Congress the authority to limit the number of times states can undertake redistricting and prescribe how they go about it.

Tanner believes that under the current system, politicians end up picking their voters, not the other way around. In 2006, when Democrats took control of Congress, a mere 22 incumbents lost in the general election and only 14 percent of races were decided by less than 10 percent of the vote.

"It doesn't make a damn whether you vote or whether you don't, or who you vote for. It doesn't matter," Tanner said.

This time around, Tanner has collected 21 co-sponsors since he introduced the bill at the end of June, including Republican Mike Castle of Delaware. The Blue Dog Coalition has endorsed the legislation.

But he also has plenty of skeptics.

“Redistricting is an inherently political process,” said Rep. Jeb Hensarling (R-Texas). “I see no assurance that somehow it’s going to get better by taking it from the elected to the unelected.”

Even colleagues who are sympathetic to Tanner’s effort acknowledge it’s an uphill battle.

“I could certainly live with it. I think it’s got a sound argument,” said Maryland Rep. Chris Van Hollen, the chairman of the Democratic Congressional Campaign Committee.

But Van Hollen says the legislation “depends on everyone’s perception on how it will impact their state, which is why it’s hard to pass. The states where they think that their numbers will benefit would be for it, those that think that it would work against them ...” he said, trailing off. “Which is why you can only go all in nationally.”

“Those members who represent districts that are totally uncompetitive just wish this whole issue would go away,” said Meredith McGehee, project director for Americans for Redistricting Reform, an umbrella group of organizations pushing for Congress to legislate reform. “They don’t have to work that hard. And anything that would make them actually have to run a competitive race, they’re not that interested in.”

California Republican Rep. Devin Nunes — who has pushed for reform in his home state — supports what Tanner’s doing, but he thinks the key to passage would be delaying its implementation until after the 2020 census.

Doing that “would take the politics out of it and would be better for the country in the long run,” he said. “In the short term, it’s very hard to get a bill like this done.”