

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**DAWN CURRY PAGE, *et al.*,**

**Plaintiffs,**

**v.**

**VIRGINIA STATE BOARD  
OF ELECTIONS, *et al.*,**

**Defendants.**

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**Civil Action No. 3:13cv678**

**MEMORANDUM IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

Defendants Charlie Judd, in his capacity as Chairman of the Virginia State Board of Elections, Kimberly Bowers, in her capacity as Vice-Chair of the Virginia State Board of Elections, and Don Palmer, in his capacity as Secretary of the Virginia State Board of Elections (collectively “the SBE defendants”), by counsel, and pursuant to this Court’s December 6, 2013 Order, state as follows for their Memorandum In Support Of Motion For Summary Judgment.

**I. INTRODUCTION**

On January 25, 2012, the Virginia General Assembly enacted new congressional district boundaries, a result of the redistricting process required by the U.S. and Virginia Constitutions. At that time, and during the entirety of the redistricting process, Virginia was a covered jurisdiction pursuant to Section 4 of the Voting Rights Act of 1965. Federal law required Virginia to comply with Section 5 of the Voting Rights Act by ensuring that Virginia’s redrawn districts did not result in any retrogression in the ability of minority voters to elect a candidate of choice. As a result, federal law required Virginia’s Third Congressional District - the sole majority-minority congressional district in Virginia - to remain a majority-minority district. In compliance with federal law as it applied to Virginia at that time, Virginia did just that.

Now, the plaintiffs argue that *Shelby County v. Holder*, 133 S. Ct. 2612 (2013), retroactively renders unconstitutional Virginia's drawing of lines to maintain its only majority-minority district in compliance with Section 5 of the Voting Rights Act. But *Shelby County* has no retroactive effect and it does not render unconstitutional any earlier actions taken by the General Assembly to ensure compliance with the preclearance and non-retrogression requirements of Section 5. Thus, because Virginia drew the Third District's boundaries in a manner required by applicable federal law *at that time*, the plaintiffs cannot prevail.

Even assuming that the plaintiffs can somehow base their racial gerrymander claim on *Shelby County*, the plaintiffs still must meet their demanding burden of establishing that race was the "predominant motivation" of the General Assembly in drawing the 2012 plan and that the General Assembly ignored traditional redistricting principles. To meet this burden, the plaintiffs must exclude factors other than race that would explain the General Assembly's changes to district lines. But, based on the undisputed legislative facts, the plaintiffs cannot meet their burden because the General Assembly did not make race the predominant motivation in redistricting to the exclusion of traditional redistricting principles. And the plaintiffs' attempt to rely on *Moon v. Meadows*, 952 F. Supp. 1141 (E.D. Va. 1997) in support of their racial gerrymander claim must fail due to the inherent differences between the Third District as it existed in 1997 and the current Third District.

## **II. STATEMENT OF UNDISPUTED LEGISLATIVE FACTS**

1. Virginia's Third Congressional District was created as a majority African-American district in 1991. *See* Va. Code §§ 24.1-17.303 (1991); 24.1-17.303 (1992); 24.2-302 (1993); 1991 3rd Congressional District map as amended in 1992 and 1993 (collectively attached

as Ex. A). Virginia created the Third District with an African-American population of 63.98% and a black voting age population (“BVAP”) of 61.17%. *Moon*, 952 F. Supp. at 1143-44.

2. In 1992, the Third District elected Virginia’s first African-American Congressman since Reconstruction - and second African-American Congressman in Virginia’s history - to office. *See* Congressman Bobby Scott - Biography, <http://bobbyscott.house.gov/biography/> (last visited Dec. 18, 2013). Congressman Scott remains the incumbent in the Third District.

3. In 1997, a three-judge court ruled that the Third District, as it existed at that time, was racially gerrymandered in violation of the Equal Protection Clause of the Fourteenth Amendment. The court enjoined the holding of a congressional election in the Third District pending Virginia’s enactment of a new redistricting plan. *Moon*, 952 F. Supp. at 1151.

4. In 1998, Virginia adopted a new redistricting plan in response to the *Moon* decision. *See* Va. Code § 24.2-302 (1998); 1998 Third Congressional District map (collectively attached as Ex. B).

5. In 2001, Virginia adopted a new redistricting plan based on the 2000 census. *See* Va. Code § 24.2-302.1 (2001); 2001-2011 Third Congressional District map (collectively attached as Ex. C).

6. In 2012, Virginia adopted the current, 2012 redistricting plan based on the 2010 census. *See* Va. Code § 24.2-302.2 (2013); 2012 Third Congressional District map (collectively attached as Ex. D).

7. To guide legislative deliberations for the 2012 redistricting plan, on March 25, 2011, the Senate Committee on Privileges and Elections adopted Committee Resolution No. 2, establishing goals and criteria concerning applicable legal requirements and policy objectives for

redrawing of Congressional districts. The adopted criteria included: 1) population equality among districts; 2) compliance with the laws of the United States and Virginia, including protections against the unwarranted retrogression or dilution of racial or ethnic minority voting strength; 3) contiguous and compact districts; 4) single member districts; and, 5) consideration of communities of interest as determined based on multiple factors. Population equality among districts and compliance with federal and state constitutional requirements and the Voting Rights Act of 1965 were given priority in the event of conflict among the criteria. *See* DOJ Submission Excerpts - Att. 4. (collectively attached as Ex. E).<sup>1</sup>

8. Virginia's population grew 13 percent, from 7,079,030 to 8,001,024, between 2000 and 2010. The pattern of growth was uneven across the Commonwealth. Thus, each of Virginia's congressional districts was altered both to bring each district into conformity with population criteria and to facilitate necessary changes in adjoining districts. *See* DOJ Submission Excerpts - Att. 3, at 1 (Ex. E). The ideal population for a congressional district based on the 2010 Census is 727,366. But deviations in seven of Virginia's eleven districts exceeded five percent. *Id.* at 3.

9. Prior to the 2012 redistricting, the Third District was 63,976 below the ideal population. *Id.* at 5. The neighboring Second District was the most underpopulated of the state's districts at 81,282 below the ideal size. *Id.* Some population was exchanged between the First, Second, and Third Districts to add population to the Third District, but most of the population required to erase the Third District deficit came from transferring 35,000 in Richmond and

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<sup>1</sup> In addition to being a public record documenting legislative action, excerpts of Virginia's submission to the U.S. Department of Justice seeking preclearance of the 2012 redistricting plan under Section 5 are included in the plaintiffs' Complaint. Specifically, the Summary; Attachment 3: Statement of Change; Attachment 5: Statement of Anticipated Minority Impact; and Attachment 17: Legislative History of 2012 Virginia Congressional District Plan are all attached as Exhibit A to the plaintiffs' Complaint.

Henrico from the Seventh District, and transferring the City of Petersburg (39,000) from the Fourth District. *Id.* at 6. The shortfall in population in the Third District is offset by shifting the whole City of Petersburg from the Fourth to the Third district. Additional population from the Cities of Hampton, Norfolk, and Richmond and the County of Henrico also shifted to the Third. New Kent County was shifted from the Third District to the Seventh and fewer people from the City of Newport News and the Counties of New Kent and Prince George are assigned to the Third District. *See* DOJ Submission Excerpts - Att. 5, at 2 (Ex. E).

10. Regarding population equality, Virginia's congressional districts all are at 0.00 percent deviation. The Third District is one of 9 districts that have exactly the ideal population (727,366). *See* DOJ Submission Excerpts - Att. 3, at 9 (Ex. E).

11. Regarding compactness, the Supreme Court of Virginia has given "proper deference to the wide discretion accorded the General Assembly in its value judgment of the relative degree of compactness required when reconciling the multiple concerns of apportionment." *Jamerson v. Womack*, 244 Va. 506, 517 (1992). Thus, while statistical measures of compactness scores are not determinative as to Virginia's redistricting plans, the compactness scores for Virginia's 2012 redistricting plan are nearly identical to those of the prior, benchmark plan. *See* DOJ Submission Excerpts - Att. 3, at 10-11 (Ex. E).

12. Regarding locality splits, Virginia's 2012 plan split 14 localities, a reduction from the 19 localities split by the benchmark congressional plan.<sup>2</sup> All of the localities split by Virginia's 2012 plan were already split in the benchmark plan, including eight large localities with populations exceeding 100,000 (Chesterfield, Henrico, Fairfax and Prince William Counties

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<sup>2</sup> These totals exclude three localities in each plan that technically are split but in which the entire locality population is in one district while one or more water blocks without population are in another district.

and the Cities of Hampton, Newport News, Norfolk, and Richmond). Virginia's 2012 plan reunited four smaller localities (Alleghany, Brunswick, and Caroline Counties and the City of Covington) and York County, which were split in the benchmark plan. *Id.* at 11.

13. Regarding precinct splits, the 2012 plan split 10 precincts across the state, a significant reduction from the 26 split precincts in the benchmark plan.<sup>3</sup> *Id.*

14. Regarding communities of interest beyond those reflected in localities and precincts, the General Assembly heard, considered, and balanced many points of view. Multiple House and Senate committee meetings and hearings were held throughout the state, allowing public input on Virginia's congressional and state plans. *See, e.g.,* Commonwealth of Virginia Division of Legislative Services, Redistricting 2010 - Redistricting Hearings and Meetings (Ex. F). Testimony and debates pointed out the wide variety of competing communities of interest, including those defined by geographic features such as mountain ranges and valleys, by economic character, by social and cultural attributes, and by services. *See* DOJ Submission Excerpts - Att. 3, at 11-12 (Ex. E).

15. Regarding partisan and incumbency considerations, no incumbents were placed in the same district and, with two exceptions that do not include the Third District, the 2012 plan retained 80 percent or more of the benchmark districts' core constituency population. *Id.* at 12, 15-16 (Tables 1 and 2) (Ex. E).

16. The election history reports for the benchmark plan and the 2012 plan show that the vote in Virginia's congressional districts aligns strongly with one or the other major political

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<sup>3</sup> As in the case of split localities, these numbers exclude technically split precincts where all of the precinct's population is in one district and there is no population in the other district. Five such technically split precincts that do not affect any voters now exist along the James River, off Isle of Wight County and Chesapeake, in the Third District. *See* 2012 Third Congressional District map (Ex. D).

party. Alterations to the districts in the 2012 plan caused little or no change in the projected vote in about half the districts. The vote projection for the traditionally Democratic Third District reduced the Republican vote by three percent. The Republican vote is projected to increase by one to two percent in the traditionally Republican Fourth and Seventh Districts, both of which border the Third District. *Id.* at 12, 19 (Table 3) (Ex. E).

17. Population statistics based on congressional district boundaries under the benchmark plan reflected the need to add territory to the Third District so as to meet equal population requirements and the non-retrogression requirements of Section 5. Other factors came into play in the shaping of the district, including communities of interest, incumbency, and political considerations. The 2012 plan resulted in an increase in the Third District's BVAP from 53.1% to 56.3%. *See* DOJ Submission Excerpts - Att. 5, at 2 and Table 5.1 (Ex. E).

18. The U.S. Department of Justice determined that the 2012 plan does not effect any retrogression in the ability of minorities to elect candidates of choice under Section 5, granted Virginia preclearance, and allowed Virginia to proceed with the 2012 plan. Virginia obtained preclearance on March 14, 2012. *See* March 14, 2012 Preclearance Letter (Ex. G).

### **III. ARGUMENT**

#### **A. Standard Of Review.**

Summary judgment is appropriate in the absence of any genuine issue of material fact where the movant is entitled to judgment as a matter of law. Fed. R. Civ. P. 56; *see Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986). In such a motion, a defendant need not present evidence; it is sufficient to point to the lack of any genuine dispute as to material fact. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323-25 (1986). Where plaintiffs fail to establish an essential element of their case, all other facts are rendered immaterial, and entry of summary

judgment is required as a matter of law. *Id.*; see *Laing v. Federal Express Corp.*, 703 F.3d 713, 722-23 (4th Cir. 2012) (holding that plaintiff's failure to present proof of racially discriminatory motive for plaintiff's termination entitled defendant employer to summary judgment).

In considering motions for summary judgment, a court may consider the motion and grant relief on the basis of legislative facts, legislative history, and other evidence subject to judicial notice. See Fed. R. Civ. P. 56(c)(1)(A) & (B); Fed. R. Evid. 201; *Clatterbuck v. City of Charlottesville*, 708 F.3d 549, 557-58 (4th Cir. 2013) (“[T]he government's purpose as stated in a legislative record may constitute a fact obtained from public record and subject to judicial notice” and a challenged law “and its legislative history [a]re legislative facts, the substance of which cannot be trumped upon judicial review” (quotation marks and citations omitted)); see also *Heublein, Inc. v. United States*, 996 F.2d 1455, 1461 (2d Cir. 1993) (“Questions of . . . legislative history present legal issues that may be resolved by summary judgment”).

#### **B. The Plaintiffs Must Meet A Demanding Burden Of Proof.**

In order for the plaintiffs to prevail, they must first establish that race was not just a factor, but “*the predominant factor*” motivating the General Assembly in drawing the 2012 plan and that the General Assembly ignored traditional redistricting principles. *Easley v. Cromartie*, 532 U.S. 234, 241 (2001) (“*Cromartie II*”). The burden is on the plaintiffs to exclude factors other than race that would explain the changes made by the General Assembly to Virginia’s congressional districts. *Id.* (“*Plaintiffs must show that a facially neutral law is unexplainable on grounds other than race.*”) (emphasis added, quotations and citations omitted). This burden on plaintiffs who attack the constitutionality of a district is a “demanding one.” *Id.* (quoting *Miller v. Johnson*, 515 U.S. 900, 928 (1995) (O’Connor, J., concurring)).



Moreover, plaintiffs cannot seek to invoke strict scrutiny without first carrying their threshold burden. A court deciding a racial gerrymandering claim does not even begin to apply strict scrutiny unless the plaintiffs first establish that race is the “dominant and controlling” consideration in drawing district lines. *Backus v. South Carolina*, 857 F. Supp. 2d 553, 559 (D.S.C. 2012), *aff’d* 133 S.Ct. 156 (2012) (three judge court) (citing *Shaw v. Hunt*, 517 U.S. 899, 905 (1996)); *see also* *Chen v. City of Houston*, 206 F.3d 502, 506 (5th Cir. 2000) (“To invoke strict scrutiny, [plaintiffs] must show that the State has relied on race in *substantial* disregard of customary and traditional redistricting practices.” (citing *Miller*, 515 U.S. at 928 (O’Connor, J. concurring))).

The demanding burden placed on the plaintiffs arises from longstanding judicial deference to the legislative branch as to redistricting, and recognition that the task of drawing district lines falls within a legislature’s sphere of competence. *Cromartie II*, 532 U.S. at 243 (citing *Miller*, 515 U.S. at 915.) The legislature is presumed to have acted in good faith. *Miller*, 515 U.S. at 916. And courts traditionally are reluctant “to interfere with the delicate and politically charged area of legislative redistricting.” *Chen*, 206 F.3d at 505 (citing *Reynolds v. Sims*, 377 U.S. 533 (1964); *Hunt v. Cromartie*, 526 U.S. 541 (1999) (“*Cromartie I*”). “Hence, the legislature must have discretion to exercise the political judgment necessary to balance competing interests and courts must exercise *extraordinary caution* in adjudicating claims that a State has drawn district lines on the basis of race.” *Cromartie II*, 532 U.S. at 242 (internal quotations and citations omitted) (emphasis added by *Cromartie II*).

Finally, it is critical to note that legislatures are not only permitted, but also often *required by law* to consider race as a factor in the drawing of district lines. *Id.* at 241; *Backus*, 857 F. Supp. 2d at 565 (“[R]ace can be - and often must be - a factor in redistricting. For South

Carolina, a covered jurisdiction under the Voting Rights Act, federal law requires that race be a consideration.”). And courts that have taken on the task of redrawing districts have specifically acknowledged the need to consider race in their own efforts at drawing lines:

[W]here the Voting Rights Act requires that a majority-minority district be drawn or maintained, there are points in the drawing of the district *where race must predominate*, in the sense that we choose to draw the line in one particular direction over another because of race, though either direction would be consistent with traditional districting principles.

*Colleton v. McConnell*, 201 F. Supp. 2d 618, 640 (D.S.C. 2002)) (emphasis added).

**C. *Shelby County* Does Not Retroactively Render Unconstitutional Acts Taken By The General Assembly To Ensure Compliance With Section 5 Of The Voting Rights Act As It Applied To Virginia At That Time.**

The plaintiffs allege that, as of the Supreme Court’s decision in *Shelby County*, Virginia’s Third District - the current boundaries of which were formally enacted into law a year and six months before *Shelby County* was decided - became unconstitutional because Virginia is no longer a covered jurisdiction under Section 5 of the Voting Rights Act, 42 U.S.C. § 1973c. The plaintiffs concede that, when Virginia enacted its Congressional Plan, Virginia was a covered jurisdiction under Section 5 and the Congressional Plan was subject to preclearance requirements before it could take effect. Compl. ¶¶ 2, 35. The plaintiffs further concede that, to obtain preclearance, Virginia was required to demonstrate that its Congressional Plan avoided retrogression in the ability of minorities to elect candidates of choice. *Id.* ¶ 3, 5.<sup>4</sup> Accordingly, only as a result of *Shelby County* did the plaintiffs bring this gerrymander claim three months

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<sup>4</sup> The defendants dispute the characterizations in paragraph 3 that “Virginia has used Section 5 as a justification to racially gerrymander congressional districts” and in paragraph 5 that, because Virginia is no longer a covered jurisdiction, “Virginia can no longer seek refuge in Section 5 as an excuse to racially gerrymander Congressional District 3.” But, by these allegations, as well as the plaintiffs’ representations through counsel, the plaintiffs have acknowledged that Section 5 expressly required Virginia to consider race in the drawing of district lines.

after the Court's decision. But *Shelby County* has no retroactive effect and it does not render unconstitutional any earlier actions taken by the General Assembly to ensure compliance with the preclearance and non-retrogression requirements of Section 5. Thus, because Virginia drew the Third District's boundaries in a manner required by applicable federal law *at that time*, the plaintiffs cannot prevail.

1. Section 5 required Virginia to seek preclearance, ensuring non-retrogression in the ability of minorities to elect candidates of choice.

Section 5 requires certain States, deemed to be covered jurisdictions under Section 4, to obtain federal permission before enacting any law related to voting - including changes to district lines. 42 U.S.C. § 1973c(a); *Shelby County*, 133 S. Ct. at 2618. Virginia was deemed to be a covered jurisdiction. Thus, prior to enactment of Virginia's Congressional Plan in 2012, Virginia was required to seek "preclearance" by way of either a declaratory judgment from the United States District Court for the District of Columbia or a submission to the Attorney General of the United States. *See* 42 U.S.C. 1973c(a). *See also South Carolina v. Katzenbach*, 383 U.S. 301 (1966) (holding that the Voting Rights Act represents a valid exercise of congressional authority with which covered jurisdictions must comply).

The purpose of preclearance was to ensure that any new law related to voting "neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2) [regarding language minority groups]." 42 U.S.C. 1973c(a). Section 5 further provides that:

[a]ny . . . procedure with respect to voting that has the purpose of or will have the effect of diminishing the ability of any citizens of the United States on account of race or color, or in contravention of the guarantees set forth in section 4(f)(2) [regarding language minority groups] to elect their preferred candidates of choice denies or abridges the right to vote within the meaning of subsection (a) of this section.

42 U.S.C. 1973c(b). Thus, any “retrogression” in the ability of minorities to elect their preferred candidates of choice will not be granted preclearance and cannot be enacted. A new districting plan that has the effect of reducing the number of minority group representatives would be considered retrogressive. *See, e.g., Ketchum v. Byrne*, 740 F.2d 1398, 1402 n.2 (7th Cir. 1984) (“‘Retrogression’ may be defined as a decrease in the new districting plan or other voting scheme from the previous plan or scheme in the absolute number of representatives which a minority group has a fair chance to elect.”) (citing *Beer v. United States*, 425 U.S. 130, 141 (1976); *Rybicki v. State Board of Elections of the State of Illinois*, 574 F. Supp. 1082, 1108-09 and nn.74 & 75 (N.D. Ill. 1982)).

2. Virginia complied with Section 5 by maintaining the Third District as a majority-minority district.

After population equality, the second criterion Virginia adopted for drawing district lines was compliance with applicable federal and state laws, expressly including the Voting Rights Act. *See* DOJ Submission Excerpts - Att. 4 (Ex. E). And to the extent there was a conflict in criteria, population equality and compliance with the Voting Rights Act were given priority. *Id.* As noted above, courts have acknowledged that compliance with Section 5 requires both states - and even courts themselves - to consider race in drawing district lines. *See Cromartie II*, 532 U.S. at 241; *Backus*, 857 F. Supp. 2d at 565; *Colleton*, 201 F. Supp. 2d at 640.

Section 5 compliance is determined by comparing proposed new districts to the existing benchmark districts. *Riley v. Kennedy*, 553 U.S. 406 (2008). Virginia’s 2012 plan complied with the requirements of Section 5 by maintaining Virginia’s only majority-minority district. Virginia further ensured that it did not retrogress under Section 5 by retaining minority strength in the redrawn Third District comparable to the minority strength of the previous Third District

under the 2010 Census. *See* DOJ Submission Excerpts - Att. 5, at 1 (Ex. E). As a result of these efforts, Virginia obtained preclearance from the U.S. Department of Justice on March 14, 2012. *See* March 14, 2012 Preclearance Letter (Ex. G).

3. *Shelby County* has no retroactive effect on Virginia's compliance with Section 5.

With regard to redistricting, *Shelby County's* effect is prospective not retroactive. In other words, during the next redistricting process, Virginia will no longer be required to seek preclearance under Section 5 because the Supreme Court struck down the coverage formula in Section 4 and Virginia is no longer a covered jurisdiction. Virginia's new lines will be effective upon enactment of a redistricting plan. *Shelby County* has no effect on the constitutionality of Virginia's compliance with Section 5 in 2012, when Section 5 applied to Virginia because it was a covered jurisdiction.

It is dispositive that, at the time Virginia redrew the boundaries of the Third District and enacted them into law on January 25, 2012, Virginia was required to maintain the Third District as an existing majority-minority district such that there was no retrogression in the ability of minorities to elect a candidate of their choice. In redrawing Virginia's congressional districts, the General Assembly ensured compliance with federal law as it applied at that time, prior to *Shelby County*. Thus, there can be no constitutional violation and the plaintiffs cannot prevail on their theory that *Shelby County* provides a basis for a racial gerrymander claim.

**D. The Plaintiffs Cannot Meet Their Demanding Burden Of Proof Because The Undisputed Legislative Facts Establish That The General Assembly Considered Traditional Districting Principles When Establishing Virginia's 2012 Congressional District Plan And The Third District In Particular.**

Even assuming that the plaintiffs can somehow base their racial gerrymander claim on *Shelby County*, the plaintiffs still must meet their demanding burden of establishing that race was the "predominant factor" motivating the General Assembly in drawing the 2012 plan and that the

General Assembly ignored traditional redistricting principles. *Cromartie II*, 532 U.S. at 241. To meet this burden, the plaintiffs must exclude factors other than race that would explain the General Assembly's changes to district lines. *Id.* But, based on the undisputed legislative facts, the plaintiffs cannot meet their burden because the General Assembly did not make race the predominant motivation in redistricting to the exclusion of traditional redistricting principles. Instead, the undisputed legislative facts demonstrate the General Assembly's consideration of such principles, including but not limited to, the following examples.

Congressional districts must have equal populations. *See Kirkpatrick v. Preisler*, 394 U.S. 526, 530-31 (1969); *Wesberry v. Sanders*, 376 U.S. 1, 7-8 (1964). As a result of uneven population growth across the state, each of Virginia's congressional districts was altered both to bring each district into conformity with equal population criteria and to facilitate necessary changes in adjoining districts. *See* DOJ Submission Excerpts - Att. 3, at 1 (Ex. E). The ideal population for a congressional district based on the 2010 Census was 727,366. *Id.* at 3. After redistricting, Virginia's congressional districts are all at 0.00 percent deviation, demonstrating Virginia's consideration of this traditional redistricting principle and compliance with applicable law. Prior to redistricting, the Third District was 63,976 below the required population. *Id.* at 5. Now it has exactly the ideal population (727,366). *Id.* at 9. The primary source for the Third District's added population for purposes of equality was the entire city of Petersburg, in and of itself a community of interest.

Regarding its shape and geographic features, the Third District maintains contiguity by land, by water (primarily along the James River) and by bridges across the James. *See* 2012 Third Congressional District map (Ex. D). And it maintains substantially the same core jurisdictions as both the benchmark plan and Virginia's 1998 plan. *Compare* 2012 Third

Congressional District map (Ex. D), 2001-2011 Third Congressional District map (Ex. C), and 1998 Third Congressional District map (Ex. B).

As for compactness, the Supreme Court of Virginia has given “proper deference to the wide discretion accorded the General Assembly in its value judgment of the relative degree of compactness required when reconciling the multiple concerns of apportionment.” *Jamerson v. Womack*, 244 Va. 506, 517 (1992). Thus, while statistical measures of compactness scores are not determinative as to Virginia’s redistricting plans, the compactness scores for Virginia’s 2012 redistricting plan are nearly identical to those of the prior, benchmark plan. *See* DOJ Submission Excerpts - Att. 3, at 10-11. Visually, the Third District now appears at least as compact as its benchmark, if not more so with the loss of New Kent County, thereby establishing a smoother line along the western side of the district’s northern boundary. *Compare* 2001-2011 Third Congressional District map (Ex. C) to 2012 Third Congressional District map (Ex. D).

Regarding locality and precinct splits, Virginia’s 2012 plan split 14 localities, a reduction from the 19 localities split by the benchmark congressional plan.<sup>5</sup> All of the localities split by Virginia’s 2012 plan were already split in the benchmark plan and Virginia’s 2012 plan reunited some localities that were split in the benchmark plan. *See* DOJ Submission Excerpts - Att. 3, at 11. The 2012 plan split 10 precincts across the state, a significant reduction from the 26 split precincts in the benchmark plan.<sup>6</sup> *Id.*

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<sup>5</sup> These totals exclude three localities in each plan that technically are split but in which the entire locality population is in one district while one or more water blocks without population are in another district.

<sup>6</sup> As in the case of split localities, these numbers exclude technically split precincts where all of the precinct’s population is in one district and there is no population in the other district. Five such technically split precincts that do not affect any voters now exist along the James River, off Isle of Wight County and Chesapeake, in the Third District. *See* 2012 Third Congressional District map (Ex. D).

As for communities of interest beyond those reflected in localities and precincts, the General Assembly heard, considered, and balanced many points of view. Multiple House and Senate committee meetings and hearings were held throughout the state, allowing public input on Virginia's congressional and state plans. *See, e.g.*, Commonwealth of Virginia Division of Legislative Services, Redistricting 2010 - Redistricting Hearings and Meetings (Ex. F). Communities of interest considerations for the Third District included the commonalities in urban areas such as the cities of Richmond, Petersburg, Hampton, Newport News, Portsmouth and Norfolk, as well as communities of interest with regard to the James River. *See* 2012 Third Congressional District map (Ex. D).

Regarding partisan and incumbency considerations, no incumbents were placed in the same district and, with two exceptions that do not include the Third District, the 2012 plan retained 80 percent or more of the benchmark districts' core constituency population - the Third District retained 83%. *See* DOJ Submission - Att. 3, at 12, 15-16 (Tables 1 and 2) (Ex. E). The election history reports for the benchmark plan and the 2012 plan show that the vote in Virginia's congressional districts aligns strongly with one or the other major political party. Alterations to the districts in the 2012 plan caused little or no change in the projected vote in about half the districts. The vote projection for the traditionally Democratic Third District reduced the Republican vote by three percent. The Republican vote is projected to increase by one to two percent in the traditionally Republican Fourth and Seventh Districts, both of which border the Third District. *Id.* at 12, 19 (Table 3) (Ex. E).



**E. The Plaintiffs' Reliance On *Moon v. Meadows* Is Misplaced Because The Current Third District Is Substantially Different Than The 1993 Third District.**

In an effort to support their racial gerrymander claim, the plaintiffs assert that “[t]he current Congressional District 3 contains only slight variations from Congressional District 3 drawn in 1991 and 2001 and found to be an unconstitutional gerrymander in 1997 [by *Moon v. Meadows*].” Compl. ¶ 30. The undisputed legislative facts demonstrate that the plaintiffs are wrong, and their reliance on *Moon v. Meadows* is misplaced. The Third District as it existed when the *Moon* court examined it had a BVAP of 61.17%. *Moon*, 952 F. Supp. at 1143-44. The current Third District’s BVAP is 56.3%. See DOJ Submission - Attachment 5: Statement of Anticipated Minority Impact, at 2 and Table 5.1. Moreover, the Third District examined by the *Moon* court had a much more irregular shape than the current Third District. Compare 1991 3rd Congressional District map (Ex. A) to 2012 Third Congressional District map (Ex. D). In 1997, the largest geographic portion of the Third District stretched from Essex County in the north to Charles City County in the south, with tentacles stretching from Charles City County in a northwest direction into Richmond, a southwest direction into Petersburg, a southern direction into Surry County, and a southeast direction into Norfolk. Today, the Third Congressional District essentially follows the James River from Richmond in the northwest and Petersburg in the southwest to Norfolk in the southeast. Moreover, the Third District considered by the *Moon* court had no existing majority-minority district as a benchmark to determine retrogression under Section 5. *Moon*, 952 F.Supp. at 1144. The current Third District does. Thus, as a result of the obvious differences between the Third District as it existed in *Moon* and the current Third District, the *Moon* decision is inapposite and the plaintiffs’ reliance on it is misplaced.

#### IV. CONCLUSION

For the foregoing reasons, the defendants respectfully request that their Motion for Summary Judgment be granted and that the plaintiffs' Complaint be dismissed with prejudice.

Respectfully submitted,

By: /s/ Mike F. Melis  
Mike F. Melis (VSB No. 43021)  
Assistant Attorney General  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-2071  
Fax: (804) 371-2087  
mmelis@oag.state.va.us  
*Counsel for Defendants*

Kenneth T. Cuccinelli, II  
Attorney General of Virginia

Patricia L. West  
Chief Deputy Attorney General

Wesley G. Russell, Jr.  
Deputy Attorney General

\*Joshua N. Lief (VSB No. 37094)  
Senior Assistant Attorney General

\*Mike F. Melis (VSB No. 43021)  
Assistant Attorney General

*\*Counsel of Record*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of December, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing (NEF) to the following:

John K. Roche, Esq.  
Mark Erik Elias, Esq.  
John Devaney, Esq.  
Perkins Coie, LLP  
700 13th St. N.W., Suite 600  
Washington, DC 20005-3960  
Phone: (202) 434-1627  
Fax: (202) 654-9106  
JRoche@perkinscoie.com  
MElias@perkinscoie.com  
JDevaney@perkinscoie.com

Kevin J. Hamilton, Esq.  
Perkins Coie, LLP  
1201 Third Avenue, Ste. 4800  
Seattle, WA 98101-3099  
Phone: (206) 359-8000  
Fax: (206) 359-9000  
KHamilton@perkinscoie.com

*Counsel for Plaintiffs*

Michael Anthony Carvin, Esq.  
John Matthew Gore, Esq.  
Jonathan Andrew Berry, Esq.  
Jones Day  
51 Louisiana Avenue, N.W.  
Washington, DC 20001  
Phone: (202) 879-3939  
Fax: (202) 626-1700  
macarvin@jonesday.com  
jmgore@jonesday.com  
jberry@jonesday.com

*Counsel for Intervenor-Defendants*

/s/ Mike F. Melis  
Mike F. Melis (VSB No. 43021)  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-2071  
Fax: (804) 371-2087  
mmelis@oag.state.va.us  
*Counsel for Defendants*



25 of 27 DOCUMENTS

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\*\*\* (1991 REGULAR AND SPECIAL SESSIONS) \*\*\*

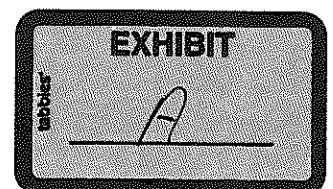
TITLE 24.1. ELECTIONS  
CHAPTER 1.3. CONGRESSIONAL DISTRICTS OF VIRGINIA

*Va. Code Ann. § 24.1-17.303 (1991)*

§ 24.1-17.303. Third District

The Third Congressional District shall consist of the Counties of Charles City, Essex, King and Queen, King William, New Kent, Richmond, and Surry; the following Henrico County precincts: Azalea, Brookland, Cedar Fork, Chamberlayne, Eanes, East Highland Park, Glen Echo, Glenwood, Highland Gardens, Montrose, Ratcliffe, and Sullivans; the Roberts Precinct of James City County; the following City of Hampton precincts: Aberdeen, Bassett, Cooper, Lee, Mallory, Pembroke, Phenix, and Smith; the following City of Newport News precincts: Briarfield, Carver, Chestnut, Denbigh, Downtown, Dunbar, Epes, Huntington, Jefferson, Lee, Magruder, Marshall, Nelson, Newmarket, Newsome Park, Reed, River, Washington, Wilson, and Zed-Fort Eustis; the following City of Norfolk precincts: Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 28, 29, 30, 31, 36, 37, and 42; the following City of Petersburg precincts: Ward I-Precinct 1, Ward I-Precinct 2, Ward IV-Precinct 2, Ward V-Precinct 1, Ward V-Precinct 2, Ward VI-Precinct 1, Ward VI-Precinct 2, and Ward VII-Precinct 1; the following City of Portsmouth precincts: Numbers 7, 9, 11, 13, 14, 20, 21, 26, 27, and 28; the following City of Richmond precincts: Numbers 301, 302, 303, 304, 305, 306, 307, 310, 403, 405, 406, 407, 501, 502, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 801, 802, 803, 804, 805, 806, 807, 901, 902, 903, 904, 905, 906, and 907; a part of the following Henrico County precincts: Brook Hill, Glen Lea, Highland Springs, Longdale, Town Hall, and Whitlocks; a part of the following Prince George County precincts: Election District 1-Number 4 and Election District 2-Number 1; a part of the following City of Hampton precincts: Buckroe, Kraft, Phoebus, River, Tyler, and Wythe; a part of the Ward Two Precinct of the City of Hopewell; a part of the following City of Newport News precincts: Charles, Deep Creek, Hidenwood, James Brandon, Reservoir, Riverside, Sanford, and Warwick; a part of the Number 39 Precinct of the City of Norfolk; a part of Ward IV-Precinct 1 of the City of Petersburg; a part of the following City of Portsmouth precincts: Numbers 10, 36, 37, and 38; a part of the following City of Richmond precincts: Numbers 203 and 404; and a part of the Yeates Precinct of the City of Suffolk.

**HISTORY:** (1991, 2nd Sp. Sess., c. 6.)





5 of 8 DOCUMENTS

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\*\*\* THIS SECTION IS CURRENT THROUGH THE 1992 SUPPLEMENT \*\*\*  
\*\*\* (1992 REGULAR SESSION) \*\*\*

TITLE 24.1. ELECTIONS  
CHAPTER 1.3. CONGRESSIONAL DISTRICTS OF VIRGINIA

*Va. Code Ann. § 24.1-17.303 (1992)*

§ 24.1-17.303. Third District

The Third Congressional District shall consist of the Counties of Charles City, Essex, King and Queen, King William, New Kent, Richmond, and Surry; the following Henrico County precincts: Azalea, Brookland, Cedar Fork, Chamberlayne, Eanes, East Highland Park, Glen Echo, Glenwood, Highland Gardens, Montrose, and Ratcliffe; the Jamestown B Precinct of James City County; the following City of Hampton precincts: Aberdeen, Bassett, Cooper, Lee, Mallory, Pembroke, Phenix, and Smith; the following City of Newport News precincts: Briarfield, Carver, Chestnut, Denbigh, Downtown, Dunbar, Epes, Huntington, Jefferson, Lee, Magruder, Marshall, Nelson, Newmarket, Newsome Park, Reed, River, Washington, Wilson, and Zed-Fort Eustis; the following City of Norfolk precincts: Numbers 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 28, 29, 30, 31, 36, 37, and 42; the following City of Petersburg precincts: Ward I-Precinct 1, Ward I-Precinct 2, Ward IV-Precinct 2, Ward V-Precinct 1, Ward V-Precinct 2, Ward VI-Precinct 1, Ward VI-Precinct 2, and Ward VII-Precinct 1; the following City of Portsmouth precincts: Numbers 7, 9, 11, 13, 14, 20, 21, 26, 27, and 28; the following City of Richmond precincts: Numbers 301, 302, 303, 304, 305, 306, 307, 310, 403, 405, 406, 407, 501, 503, 504, 505, 506, 507, 601, 602, 603, 604, 605, 606, 607, 608, 701, 702, 703, 704, 705, 706, 707, 801, 802, 803, 804, 805, 806, 807, 901, 902, 903, 904, 905, 906, and 907; a part of the following Henrico County precincts: Brook Hill, Glen Lea, Highland Springs, Longdale, Sullivans, Town Hall, and Whitlocks; a part of the Roberts Precinct of James City County; a part of the following Prince George County precincts: Election District 1-Number 4 and Election District 2-Number 1; a part of the following City of Hampton precincts: Buckroe, Kraft, Phoebus, River, Tyler, and Wythe; a part of the Ward Two Precinct of the City of Hopewell; a part of the following City of Newport News precincts: Charles, Deep Creek, Hidenwood, James Brandon, Reservoir, Riverside, Sanford, and Warwick; a part of the following City of Norfolk precincts: 13, 39, and 44; a part of Ward IV-Precinct 1 of the City of Petersburg; a part of the following City of Portsmouth precincts: Numbers 10, 36, 37, and 38; a part of the following City of Richmond precincts: Numbers 203, 404, and 502; and a part of the Yeates Precinct of the City of Suffolk.

**HISTORY:** 1991, 2nd Sp. Sess., c. 6; 1992, c. 874.

**NOTES:** EDITOR'S NOTE. --Acts 1992, c. 874, cl. 3, provides: "That any primary candidate petition or filing which was valid for the purposes of Chapter 6 of the 1991 Acts of Assembly, Special Session II, shall be valid for the purposes of this act."

THE 1992 AMENDMENT, effective April 15, 1992, substituted "and Ratcliffe" for "Ratcliffe, and Sullivans" near the beginning of the section, substituted the Jamestown B Precinct for the Roberts Precinct of James City County near the beginning of the section, deleted "502" preceding "503" in the list of City of Richmond precincts near the middle of the section, added Sullivans and a part of the Roberts Precinct of James City County near the middle of the section, substituted "a part of the following City of Norfolk precincts: 13, 39, and 44" for "a part of the Number 39 Precinct of the City of Norfolk," and added number 502 to the list of numbers in the City of Richmond precincts near the end of the section.



3 of 3 DOCUMENTS

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\*\*\* ARCHIVE MATERIAL \*\*\*

\*\*\* THIS SECTION IS CURRENT THROUGH THE 1993 SUPPLEMENT \*\*\*  
\*\*\* (CURRENT THROUGH THE 1993 REGULAR SESSION AND CH. 2, 1993 1ST SPECIAL SESSION) \*\*\*

TITLE 24.2. ELECTIONS  
CHAPTER 3. ELECTION DISTRICTS, PRECINCTS, AND POLLING PLACES  
ARTICLE 2. CONGRESSIONAL, SENATORIAL, AND HOUSE OF DELEGATES DISTRICTS

*Va. Code Ann. § 24.2-302 (1993)*

§ 24.2-302. Congressional districts

A. There shall be eleven Virginia members of the United States House of Representatives elected from eleven congressional districts and each district is entitled to representation by one representative.

B. The eleven congressional districts are:

First. All of Accomack, Caroline, Gloucester, James City, King George, Lancaster, Mathews, Middlesex, Northampton, Northumberland, Richmond, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; part of Hanover, and Spotsylvania Counties; and part of the Cities of Hampton and Newport News.

Second. Part of the Cities of Norfolk and Virginia Beach.

Third. All of Charles City, Essex, King and Queen, King William, New Kent, and Surry Counties; part of Henrico, and Prince George Counties; and part of the Cities of Hampton, Hopewell, Newport News, Norfolk, Petersburg, Portsmouth, Richmond, and Suffolk.

Fourth. All of Amelia, Brunswick, Dinwiddie, Goochland, Greensville, Isle of Wight, Louisa, Nottoway, Powhatan, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, and Franklin; part of Chesterfield and Prince George Counties; and part of the Cities of Hopewell, Petersburg, Portsmouth, Suffolk, and Virginia Beach.

Fifth. All of Appomattox, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nelson, Patrick, Pittsylvania, and Prince Edward Counties; all of the Cities of Bedford, Charlottesville, Danville, Martinsville, and South Boston; and part of Albemarle and Bedford Counties.

## Va. Code Ann. § 24.2-302

Sixth. All of Alleghany, Amherst, Augusta, Bath, Botetourt, Highland, and Rockbridge Counties; all of the Cities of Buena Vista, Clifton Forge, Covington, Harrisonburg, Lexington, Lynchburg, Roanoke, Salem, Staunton, and Waynesboro; and part of Bedford, Roanoke, and Rockingham Counties.

Seventh. All of Culpeper, Greene, Madison, and Orange Counties; part of Albemarle, Chesterfield, Hanover, Henrico, and Spotsylvania Counties; and part of the City of Richmond.

Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; and part of Fairfax County.

Ninth. All of Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties; all of the Cities of Bristol, Galax, Norton, and Radford; and part of Roanoke County.

Tenth. All of Clarke, Fauquier, Frederick, Loudoun, Page, Rappahannock, Shenandoah, and Warren Counties; all of the Cities of Manassas, Manassas Park, and Winchester; and part of Fairfax, Prince William, and Rockingham Counties.

Eleventh. All of the City of Fairfax; and part of Fairfax and Prince William Counties.

C. All references to boundaries of counties and cities shall be interpreted to refer to those in existence on April 1, 1991, and as reported by the United States Bureau of the Census in the 1990 census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes therefore made final.

D. Parts of counties and cities listed in subsection B are defined by reference to the United States 1990 Census precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report (C0830452) on file with the Clerk of the Senate of Virginia pursuant to Chapter 983 of the 1993 Acts of Assembly. Notwithstanding the Statistical Report (C0830452), that part of Timberville Precinct of Rockingham County included in the Sixth District shall be only that part of the 1990 census precinct situated within the corporate limits of the Town of Broadway as of January 1, 1992. That part of Timberville Precinct not within such 1992 corporate limits shall be included in the Tenth District.

**HISTORY:** 1991, 2nd Sp. Sess., c. 6, §§ 24.1-17.300 through 24.1-17.313; 1992, c. 874; 1993, cc. 641, 983.

**NOTES: CROSS REFERENCES.** --For constitutional provisions as to apportionment of State into congressional districts, see Va. Const., Art. II, § 6.

**EDITOR'S NOTE.** --Acts 1993, c. 983, amended former § 24.1-17.313, from which this section is derived. Pursuant to § 9-77.11 and Acts 1993, c. 641, cl. 6, effect has been given in this section, as set out above. In accordance with c. 983, "(C0830452)" was substituted for "(C0786555)" in the first and second sentences of subsection D.

**LAW REVIEW.** --For article, "The Virginia Legislative Reapportionment Case: Reapportionment Issues Of The 1980's," see 5 *Geo. Mason L. Rev.* 1 (1982).

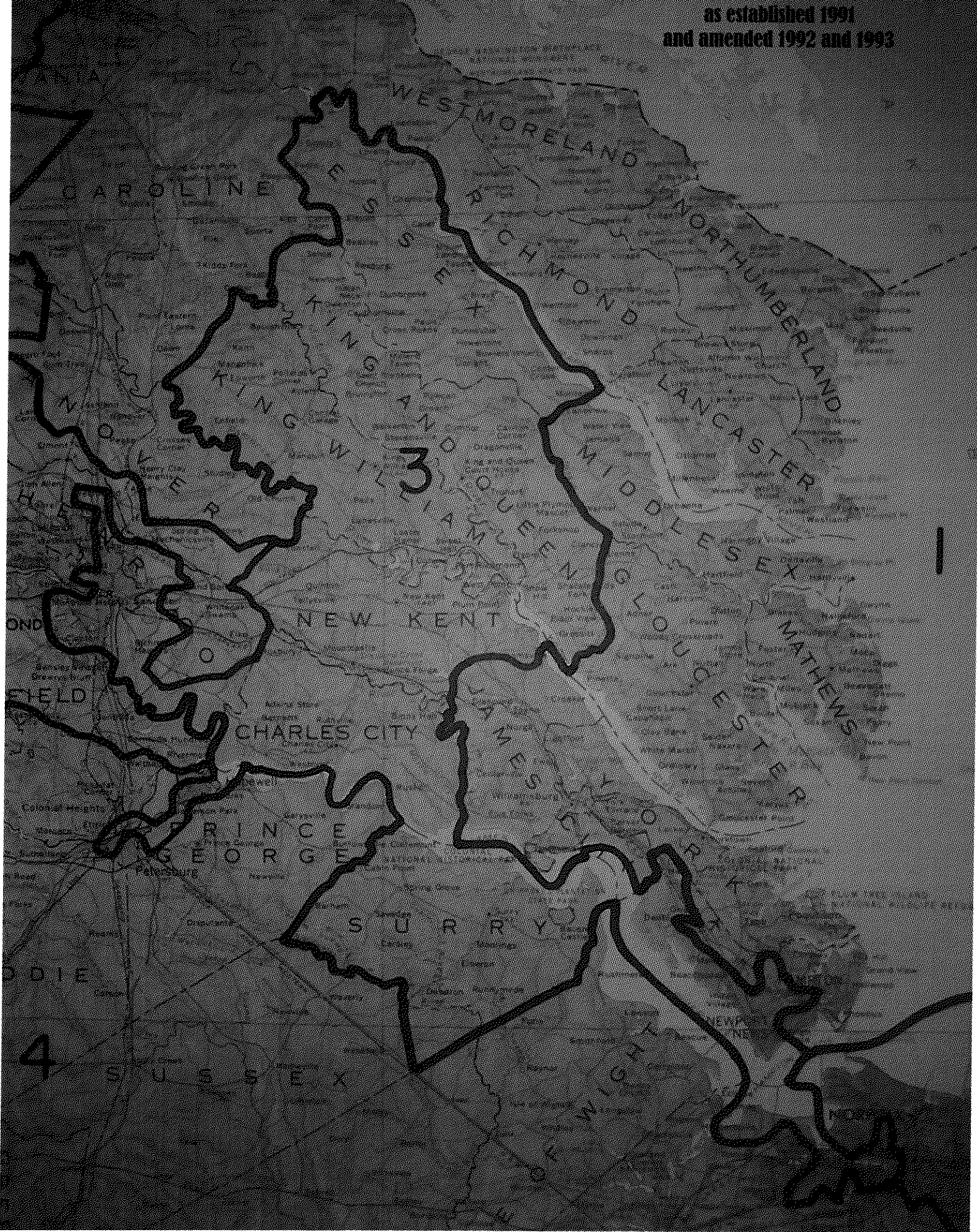
**EDITOR'S NOTE.** --The cases cited below were decided under a former law corresponding to this section.

IT IS THE DUTY OF THE GENERAL ASSEMBLY TO REAPPORTION THE CONGRESSIONAL DISTRICTS of Virginia so that each district shall be composed of contiguous and compact territory, containing as nearly as practicable an equal number of inhabitants, and, so far as can be done without impairing the essential requirement of substantial equality in the number of inhabitants among the districts, give effect to the community of interest within the districts. *Wilkins v. Davis*, 205 Va. 803, 139 S.E.2d 849 (1965).



ANY PLAN OF DISTRICTING WHICH IS NOT BASED UPON APPROXIMATE EQUALITY OF INHABITANTS WILL WORK INEQUALITY in right of suffrage and of power in elections of the representatives in Congress. *Wilkins v. Davis*, 205 Va. 803, 139 S.E.2d 849 (1965).

CERTIFICATION OF CONGRESSIONAL CANDIDATES ONLY FOR ELECTION AT LARGE FROM STATE.  
--Because 2 U.S.C. § 2c requires that each state establish a number of districts equal to the number of congressional representatives to which such state is entitled, and that "Representatives shall be elected only from districts so established ...," the Supreme Court cannot legally issue a peremptory writ of mandamus requiring the State Board of Elections to certify congressional candidates only for election at large from the State. *Simpson v. Mahan*, 212 Va. 416, 185 S.E.2d 47 (1971).





19 of 27 DOCUMENTS

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\*\*\* ARCHIVE \*\*\*

\*\*\* THIS SECTION IS CURRENT THROUGH THE 1998 SUPPLEMENT \*\*\*  
\*\*\* (1998 SPECIAL SESSION I) \*\*\*

TITLE 24.2. ELECTIONS

CHAPTER 3. ELECTION DISTRICTS, PRECINCTS, AND POLLING PLACES

ARTICLE 2. CONGRESSIONAL, SENATORIAL, AND HOUSE OF DELEGATES DISTRICTS

*Va. Code Ann. § 24.2-302 (1998)*

§ 24.2-302. Congressional districts

A. There shall be eleven Virginia members of the United States House of Representatives elected from eleven congressional districts and each district is entitled to representation by one representative.

B. The eleven congressional districts are:

First. All of Accomack, Caroline, Essex, Gloucester, James City, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northampton, Northumberland, Richmond, Spotsylvania, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; and part of the Cities of Hampton and Newport News.

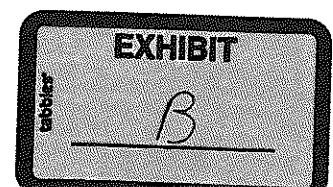
Second. All of the City of Virginia Beach; and part of the City of Norfolk.

Third. All of Charles City, New Kent, and Surry Counties; part of Henrico and Isle of Wight Counties; and part of the Cities of Hampton, Newport News, Norfolk, and Richmond.

Fourth. All of Amelia, Brunswick, Dinwiddie, Greensville, Nottoway, Prince George, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, Hopewell, Petersburg, Portsmouth, and Suffolk; and part of Chesterfield and Isle of Wight Counties.

Fifth. All of Appomattox, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Halifax, Henry, Lunenburg, Mecklenburg, Nelson, Patrick, Pittsylvania, and Prince Edward Counties; all of the Cities of Bedford, Charlottesville, Danville, Martinsville, and South Boston; and part of Albemarle and Bedford Counties.

Sixth. All of Alleghany, Amherst, Augusta, Bath, Botetourt, Highland, and Rockbridge Counties; all of the Cities



## Va. Code Ann. § 24.2-302

of Buena Vista, Clifton Forge, Covington, Harrisonburg, Lexington, Lynchburg, Roanoke, Salem, Staunton, and Waynesboro; and part of Bedford, Roanoke, and Rockingham Counties.

Seventh. All of Culpeper, Goochland, Greene, Hanover, Louisa, Madison, Orange, and Powhatan Counties; part of Albemarle, Chesterfield, and Henrico Counties; and part of the City of Richmond.

Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; and part of Fairfax County.

Ninth. All of Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties; all of the Cities of Bristol, Galax, Norton, and Radford; and part of Roanoke County.

Tenth. All of Clarke, Fauquier, Frederick, Loudoun, Page, Rappahannock, Shenandoah, and Warren Counties; all of the Cities of Manassas, Manassas Park, and Winchester; and part of Fairfax, Prince William, and Rockingham Counties.

Eleventh. All of the City of Fairfax; and part of Fairfax and Prince William Counties.

C. All references to boundaries of counties and cities shall be interpreted to refer to those in existence on April 1, 1991, and as reported by the United States Bureau of the Census in the 1990 census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes therefore made final.

D. Parts of counties and cities listed in subsection B for the Fifth, Sixth, Eighth, Ninth, Tenth, and Eleventh Congressional Districts are defined by reference to the United States 1990 Census precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report (C0830452) on file with the Clerk of the Senate of Virginia pursuant to Chapter 983 of the 1993 Acts of Assembly. Notwithstanding the Statistical Report (C0830452), that part of Timberville Precinct of Rockingham County included in the Sixth District shall be only that part of the 1990 census precinct situated within the corporate limits of the Town of Broadway as of January 1, 1992. That part of Timberville Precinct not within such 1992 corporate limits shall be included in the Tenth District.

E. Parts of counties and cities listed in subsection B for the First, Second, Third, Fourth, and Seventh Congressional Districts are defined by reference to the precincts and to the United States 1990 Census blocks listed for each congressional district in the Statistical Report (C0926750 -- Dominion File) on file with the Clerk of the Senate of Virginia pursuant to this act.

**HISTORY:** 1991, 2nd Sp. Sess., c. 6, §§ 24.1-17.300 through 24.1-17.313; 1992, c. 874; 1993, cc. 641, 983; 1998, c. 1.

**NOTES: CROSS REFERENCES.** --For constitutional provisions as to apportionment of State into congressional districts, see Va. Const., Art. II, § 6.

**EDITOR'S NOTE.** --Acts 1993, c. 983, amended former § 24.1-17.313, from which this section is derived. Pursuant to § 9-77.11 and Acts 1993, c. 641, cl. 6, effect has been given in this section, as set out above. In accordance with c. 983, "(C0830452)" was substituted for "(C0786555)" in the first and second sentences of subsection D.

Acts 1998, c. 1, cl. 2 provides: "That the parts of the counties and cities listed in subsection B for the First, Second, Third, Fourth, and Seventh Congressional Districts shall be defined by reference to precincts listed in Statistical Report C0926750 -- Dominion File. That report incorporates, to the extent practical, locally enacted precincts in effect November 1, 1997. Congressional district lines conform to United States 1990 Census block boundaries. If a locally enacted precinct boundary divides a United States 1990 Census block, the congressional district boundary shall follow the 1990 Census block boundary as shown in the data files and maps supporting Statistical Report C0926750.

"The counties and cities divided in the First, Second, Third, Fourth, and Seventh Congressional Districts are divided as follows:



"Albemarle County: The line dividing Albemarle County between the Fifth and Seventh Congressional Districts is not changed by the provisions of this act.

"Chesterfield County: The Beach, Branches, Dutch Gap, Enon, Ettrick, Harrowgate, Matoaca, Point of Rocks, Walthall, Wells, and Winfrees Store Precincts are in the Fourth Congressional District. The balance of Chesterfield County is in the Seventh Congressional District.

"Henrico County: The Byrd, Cardinal, Causeway, Cedarfield, Coalpit, Crestview, Derbyshire, Dumbarton, Freeman, Gayton, Glen Allen, Glenside, Godwin, Greendale, Hermitage, Hilliard, Innsbrook, Jackson Davis, Johnson, Lakeside, Lakewood, Lauderdale, Longan, Maude Trevvett, Maybeury, Monument Hills, Mooreland, Pemberton, Pinchbeck, Ridge, Ridgefield, Rollingwood, Sadler, Skipwith, Spottswood, Staples Mill, Stoney Run, Summit Court, Three Chopt, Tuckahoe, Tucker, West End, and Westwood Precincts are in the Seventh Congressional District. The balance of Henrico County is in the Third Congressional District.

"Isle of Wight County: The Camps Mill, Carrsville, Orbit, Walters, and Windsor Precincts are in the Fourth Congressional District. The balance of Isle of Wight County is in the Third Congressional District.

"City of Hampton: The Booker, Burbank, Forrest, Fox Hill, Kecoughtan, Kraft, Langley, Northampton, Phillips, Syms, and Tucker Capps Precincts are in the First Congressional District. The balance of the City of Hampton is in the Third Congressional District.

"City of Newport News: The Beaconsdale, Bland, Boulevard, Charles, Christopher Newport, Deep Creek, Hiddenwood, Hilton, Jenkins, Oyster Point, Palmer, Richneck, Riverside, Riverview, Sanford, Saunders, Sedgefield, South Morrison, Warwick, Watkins, and Yates Precincts are in the First Congressional District. The balance of the City of Newport News is in the Third Congressional District.

"City of Norfolk: The Ballentine, Bowling Park, Brambleton, Coleman Place School, Crossroads, Hunton Y, Immanuel, Lafayette Library, Lafayette Presbyterian, Lafayette-Winona, Lindenwood, Maury, Monroe, Northside, Norview Methodist, Norview Recreation Center, Ocean View School, Park Place, Rosemont, Sherwood School, Stuart, Therapeutic Center, Union Chapel, and Young Park Precincts are in the Third Congressional District. The balance of the City of Norfolk is in the Second Congressional District.

"City of Richmond: Precincts 101, 102, 103, 104, 105, 106, 111, 112, 404, 409, 410, 411, 412, and 413 are in the Seventh Congressional District. The balance of the City of Richmond is in the Third Congressional District."

Acts 1998, c. 1, cl. 3 provides: "That this act implements the General Assembly's responsibilities for decennial redistricting and is in force from its passage [February 11, 1998] pursuant to Article II, Section 6, of the Constitution of Virginia."

THE 1998 AMENDMENTS. --The 1998 amendment by c. 1, in subsection B, in the First Congressional District, inserted the counties of Essex, King and Queen, King William, and Spotsylvania, and deleted "part of Hanover, and Spotsylvania Counties" following "Williamsburg," and rewrote the Second, Third, Fourth, and Seventh Congressional Districts; in subsection D, in the first sentence inserted "for the Fifth, Sixth, Eighth, Ninth, Tenth, and Eleventh Congressional Districts"; and added subsection E.

LAW REVIEW. --For article, "The Virginia Legislative Reapportionment Case: Reapportionment Issues Of The 1980's," see 5 *Geo. Mason L. Rev.* 1 (1982).

EDITOR'S NOTE. --The cases cited below were decided under a former law corresponding to this section.

IT IS THE DUTY OF THE GENERAL ASSEMBLY TO REAPPORTION THE CONGRESSIONAL DISTRICTS of Virginia so that each district shall be composed of contiguous and compact territory, containing as nearly as practicable an equal number of inhabitants, and, so far as can be done without impairing the essential requirement of substantial equality in the number of inhabitants among the districts, give effect to the community of interest within the districts. *Wilkins v. Davis*, 205 Va. 803, 139 S.E.2d 849 (1965).

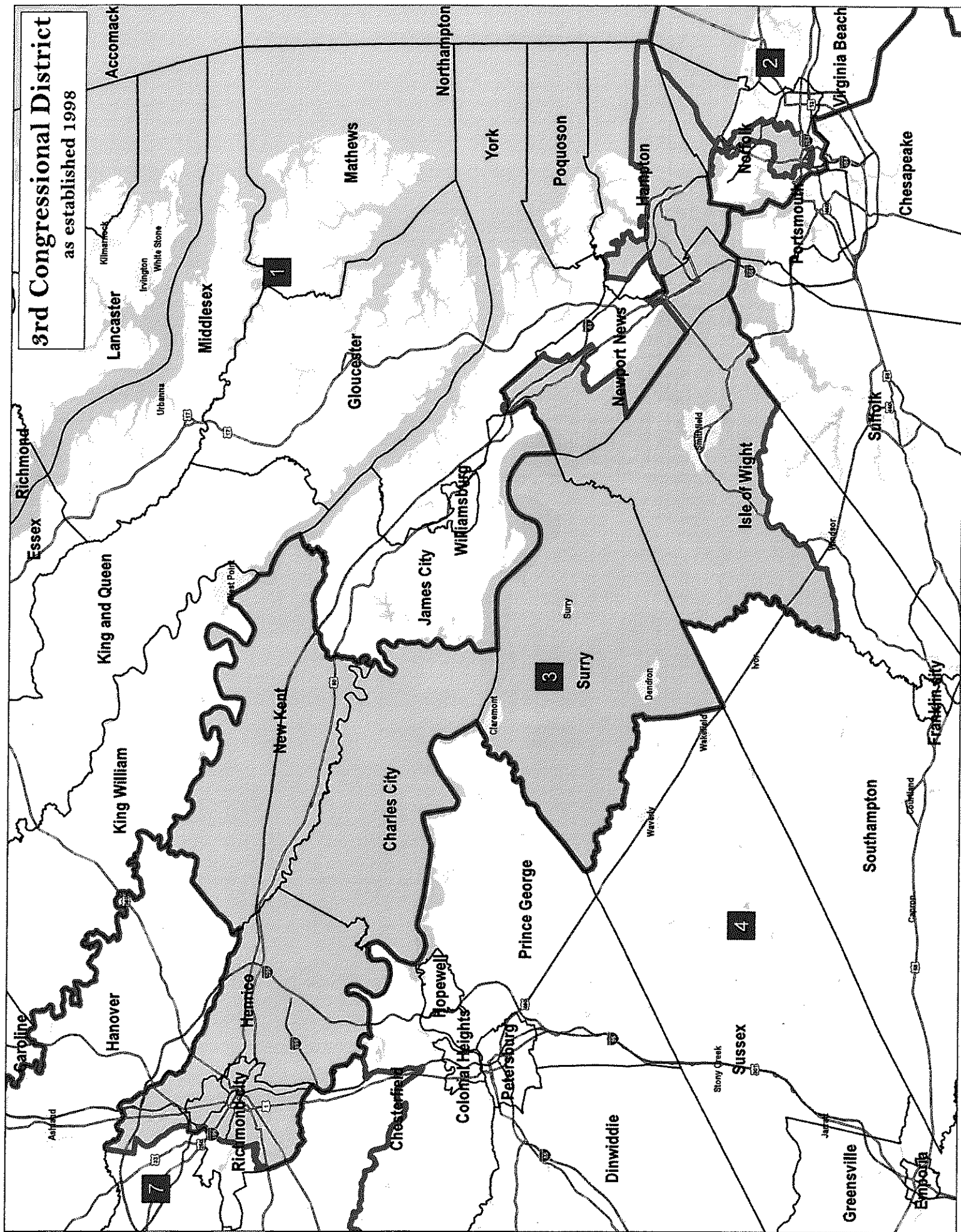
ANY PLAN OF DISTRICTING WHICH IS NOT BASED UPON APPROXIMATE EQUALITY OF INHABITANTS WILL WORK INEQUALITY in right of suffrage and of power in elections of the representatives in Congress. *Wilkins*

*v. Davis*, 205 Va. 803, 139 S.E.2d 849 (1965).

CERTIFICATION OF CONGRESSIONAL CANDIDATES ONLY FOR ELECTION AT LARGE FROM STATE.

--Because 2 U.S.C. § 2c requires that each state establish a number of districts equal to the number of congressional representatives to which such state is entitled, and that "Representatives shall be elected only from districts so established ...," the Supreme Court cannot legally issue a peremptory writ of mandamus requiring the State Board of Elections to certify congressional candidates only for election at large from the State. *Simpson v. Mahan*, 212 Va. 416, 185 S.E.2d 47 (1971).

*Moon v. Meadows*, 952 F. Supp. 1141 (E.D. Va. 1997).





2 of 27 DOCUMENTS

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\*\*\* ARCHIVE DATA \*\*\*

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TITLE 24.2. ELECTIONS  
CHAPTER 3. ELECTION DISTRICTS, PRECINCTS, AND POLLING PLACES  
ARTICLE 2. CONGRESSIONAL, SENATORIAL, AND HOUSE OF DELEGATES DISTRICTS

*Va. Code Ann. § 24.2-302.1 (2001)*

§ 24.2-302.1. Congressional districts

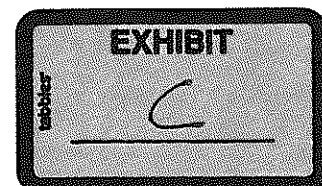
A. There shall be eleven Virginia members of the United States House of Representatives elected from eleven congressional districts and each district is entitled to representation by one representative.

B. All references in this section to counties and cities shall be interpreted to refer to those in existence on April 1, 2001, and as reported by the United States Bureau of the Census in the 2000 Census reports provided pursuant to United States Public Law § 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes theretofore made final.

C. Parts of counties and cities listed in subsection D are defined by reference to the 2000 Census reports for the precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report on file with the Clerk of the Senate for the Act of Assembly containing the final enactment of this section.

D. The eleven congressional districts are:

First. All of Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; part of Caroline County comprised of the Bowling Green, Port Royal, Woodford, and Mattaponi Precincts; part of Fauquier County comprised of the Kettle Run, Catlett, Casanova, Lois, Morrisville, Remington, Opal, and Waterloo Precincts and part of the Baldwin Ridge Precinct; part of James City County comprised of the Berkeley A, Berkeley B, Jamestown A, Jamestown B, Jamestown C, Powhatan A, Powhatan B, Stonehouse A, Stonehouse B, Roberts A Part 1, and Roberts A Part 2 Precincts and part of the Roberts B Precinct; part of Prince William County comprised of the Dumfries, Potomac, Graham Park, Quantico, Washington-Reid, and Rippon Precincts; part of Spotsylvania County comprised of the Travelers Rest, Grange Hall, Plank Road, Summit, Frazers Gate, Salem, Battlefield, and Brent's Mill Precincts and part of the Maury Precinct; part of the City of Hampton comprised of the





Kraft, Magruder, Northampton, and Tucker Capps Precincts and part of the Burbank Precinct; and part of the City of Newport News comprised of the Richneck, Windsor, Boulevard, Christopher Newport, Watkins, Hidenwood, Palmer, Saunders, Yates, Kiln Creek, Beaconsdale, Sedgefield, and South Morrison Precincts and parts of the Deep Creek, Hilton, Riverside, and Warwick Precincts.

Second. All of Accomack and Northampton Counties; all of the City of Virginia Beach; part of the City of Hampton comprised of the Lasalle, Phoebus, River, Syms, Wythe, Booker, Buckroe, Fox Hill, Kecoughtan, Langley, and Phillips Precincts and part of the Burbank Precinct; and part of the City of Norfolk comprised of the Northside, Titustown Center, Zion Grace, Canterbury, Crossroads, Larchmont Library, Larchmont Recreation Center, Therapeutic Center, Wesley, Azalea Gardens, Barron Black, Easton, Fairlawn, Houston, Bayview School, Bayview United, East Ocean View, Larrymore, Little Creek, Ocean View School, Oceanair, Tarrallton, Third Presbyterian, Ocean View Center Part 1, and Ocean View Center Part 2 Precincts and part of the St. Andrew's Precinct.

Third. All of Charles City, New Kent, and Surry Counties; all of the City of Portsmouth; part of Henrico County comprised of the Adams, Central Gardens, East Highland Park, Fairfield, Ratcliffe, Maplewood, Cedar Fork, Chickahominy, Donahoe, Eanes, Elko, Fairmount, Glen Echo, Highland Springs, Laburnum, Masonic, Town Hall, Montrose, Pleasants, Sandston, Seven Pines, Sullivans, Mehfoud, Whitlocks, Nine Mile, Dorey, and Antioch Precincts; part of Isle of Wight County comprised of part of the Rushmere Precinct; part of James City County comprised of part of the Roberts B Precinct; part of Prince George County comprised of the Blackwater, Brandon, Courts Bldg, and Bland Precincts and part of the Jefferson Park Precinct; part of the City of Hampton comprised of the Aberdeen, Bassette, City Hall, Cooper, East Hampton, Lee, Pembroke, Phenix, Smith, Tarrant, Forrest, Jones, Mallory, and Tyler Precincts; part of the City of Newport News comprised of the Denbigh, Epes, Jenkins, McIntosh, Oyster Point, Reservoir, Lee Hall, Bland, Charles, Grissom, Nelson, Sanford, Riverview, Briarfield, Carver, Chestnut, Downtown, Dunbar, Huntington, Jefferson, Magruder, Marshall, New Market, Newsome Park, Reed, River, Washington, and Wilson Precincts and parts of the Deep Creek, Hilton, Riverside, and Warwick Precincts; part of the City of Norfolk comprised of the Granby, Tucker House, Ghent Square, Immanuel, Lafayette Library, Lafayette Presbyterian, Lambert's Point, Maury, Ohel Sholom, Park Place, Stuart, Suburban Park, Willard, Ballentine, Tanner's Creek, Bowling Park, Coleman Place School, Lafayette-Winona, Lindenwood, Monroe, Norview Methodist, Norview Recreation Center, Rosemont, Sherwood School, Union Chapel, Berkley, Brambleton, Campostella, Chesterfield, Coleman Place Presbyterian, Hunton Y, Ingleside, Poplar Halls, Young Park, Sherwood Rec Center Part 1, and Sherwood Rec Center Part 2 Precincts and part of the St. Andrew's Precinct; and part of the City of Richmond comprised of the 113, 114, 203, 204, 206, 207, 208, 211, 212, 213, 303, 304, 305, 306, 309, 402, 403, 501, 502, 503, 504, 505, 508, 509, 510, 602, 603, 604, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 802, 806, 807, 810, 811, 812, 813, 902, 903, 906, and 911 Precincts and part of the 910 Precinct.

Fourth. All of Amelia, Dinwiddie, Greensville, Nottoway, Powhatan, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, Petersburg, Suffolk, and Hopewell; part of Brunswick County comprised of the Alberta, Danielstown, Elmore, and Seymour Precincts and part of the King's Store Precinct; part of Chesterfield County comprised of the Bellwood, South Chester, Enon, North Chester, Drewry's Bluff, Harrowgate, Wells, Ecoff, Point of Rocks, Dutch Gap, Iron Bridge, Gates, Beulah, Bird, Falling Creek, Meadowbrook, Salem Church, Five Forks, Ettrick, Deer Run, Matoaca, Winfrees Store, Beach, Winterpock, Walthall, Branches, Bailey Bridge, and Spring Run Precincts and parts of the Jacobs and Pocahontas 307/Crenshaw 308 Precincts; part of Isle of Wight County comprised of the Smithfield, Carrollton, Pons, Courthouse, Windsor, Orbit, Walters, Camps Mill, Carrsville, and Zuni Precincts and part of the Rushmere Precinct; and part of Prince George County comprised of the Richard Bland College, Templeton, Union Branch, and Rives Precincts and part of the Jefferson Park Precinct.

Fifth. All of Albemarle, Appomattox, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Greene, Halifax, Lunenburg, Mecklenburg, Nelson, Pittsylvania, and Prince Edward Counties; all of the Cities of Bedford, Charlottesville, Danville, and Martinsville; part of Bedford County comprised of the Stewartsville, Hardy, Chamblissburg, Staunton River, Moneta, Mountain View, Otter Hill, Walton's Store, White House, Huddleston, Shady Grove, Thaxton, Goode, Liberty High School, and Sign Rock Precincts; part of Brunswick County comprised of the

Brodnax, Rock Store, Tillman, Dromgoole, Edgerton, Fitzhugh, Sturgeon, and Lawrenceville Precincts and part of the King's Store Precinct; and part of Henry County comprised of the Axton, Irisburg, Mount Olivet, Mountain Valley, Collinsville 1, Daniels Creek, Collinsville 2, Mountain View, Figsboro, Stanleytown, Oak Level, Dyers Store, and Ridgeway Precincts and part of the Fontaine Precinct.

Sixth. All of Amherst, Augusta, Bath, Botetourt, Highland, Rockbridge, Rockingham, and Shenandoah Counties; all of the Cities of Buena Vista, Harrisonburg, Lexington, Lynchburg, Roanoke, Salem, Staunton, and Waynesboro; part of Alleghany County comprised of the Humpback Bridge, Dolly Ann, Callaghan, and Griffith Precincts; part of Bedford County comprised of the New London, Forest, Jefferson, Cove, Big Island, Sedalia, Kelso, Boonsboro, and Montvale Precincts; and part of Roanoke County comprised of the Green Hill, Plantation, Burlington, Mountain View, Bonsack, Hollins, Poages Mill, Windsor Hills, Garst Mill, Oak Grove 304/Castle Rock 305, North Vinton, South Vinton, Lindenwood, Mount Pleasant, Cotton Hill, Penn Forest, Cave Spring, Ogden, Clearbrook, Mount Vernon, and Hunting Hills Precincts and part of the Glenvar Precinct; and part of the City of Covington, comprised of the Precinct 1-1 and parts of the 2-1 and 3-1 Precincts.

Seventh. All of Culpeper, Goochland, Hanover, Louisa, Madison, Orange, Page, and Rappahannock Counties; part of Caroline County comprised of the Madison and Reedy Church Precincts; part of Chesterfield County comprised of the Belmont, Chippenham, Skinquarter, Tomahawk, Evergreen, Woolridge, Genito, Brandermill, Providence, Lyndale, Smoketree, Monacan, Reams, Manchester, Wagstaff, Davis, Harbour Pointe 401/Swift Creek 411, Huguenot, Crestwood, Midlothian, Robious, Bon Air, Greenfield, Salisbury, Cranbeck, Sycamore, Shenandoah, Beaufont, Watkins, and Belgrade 508/Black Heath 511 Precincts and parts of the Jacobs and Pocahontas 307/Crenshaw 308 Precincts; part of Henrico County comprised of the Brookland, Dumbarton, Glen Allen, Glenside, Greendale, Hermitage, Hilliard, Hunton, Johnson, Lakeside, Longan, Maude Trevvett, Moody, Staples Mill, Stratford Hall, Summit Court, Azalea, Bloomingdale, Brook Hill, Canterbury, Chamberlayne, Glen Lea, Greenwood, Highland Gardens, Hungary, Longdale, Randolph, Upham, Wilkinson, Yellow Tavern, Chipplegate, Landmark, Cardinal, Coalpit, Crestview, Freeman, Innsbrook, Jackson Davis, Lauderdale, Monument Hills, Ridge, Sadler, Cedarfield, Skipwith, Three Chopt, Tucker, Westwood, Causeway, Stoney Run, Byrd, Lakewood, Derbyshire, Gayton, Godwin, Maybeury, Mooreland, Pemberton, Pinchbeck, Ridgefield, Rollingwood, Spottswood, Tuckahoe, and West End Precincts; part of Spotsylvania County comprised of the Partlow, Blaydes Corner, Belmont, Brokenburg, Todd's Tavern, and Holbert Precincts and part of the Maury Precinct; and part of the City of Richmond comprised of the 101, 102, 103, 104, 105, 106, 111, 112, 301, 302, 307, 308, 404, 409, 410, 411, 412, 413, 908, and 909 Precincts and part of the 910 Precinct.

Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; part of Fairfax County comprised of the Reston #1, Reston #2, Westbriar, Dogwood, Hunters Woods, Reston #3, Glade, South Lakes, Terraset, Wolftrap, Sunrise Valley, North Point, Aldrin, Pimmit, Bush Hill, Cameron, Franconia, Groveton, Mount Eagle, Pioneer, Rose Hill, Virginia Hills, Beulah, Villages, Kingstowne, Van Dorn, Hayfield 406/Woodlawn 412/Fairfield 413, Baileys, Glen Forest, Lincolnia, Parklawn, Westlawn, Weyanoke, Willston, Skyline, Whittier, Walnut Hill #1, Bren Mar, Edsall, Belle Haven, Belleview, Bucknell, Hollin Hall, Huntington, Kirkside, Marlan, Sherwood, Belvoir, Grosvenor, Fort Buffalo, Graham, Greenway, Marshall, Pine Spring, Shreve, Timber Lane, Woodburn, Magarity, Walnut Hill #2, and Tysons Precincts and parts of the Holmes and Westhampton Precincts.

Ninth. All of Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties; all of the Cities of Bristol, Clifton Forge, Galax, Norton, and Radford; part of Alleghany County comprised of the Arritt, Dameron, Low Moor, Jackson Heights Part 1, Jackson Heights Part 2, Iron Gate, and Peters Switch Precincts; part of Henry County comprised of the Bassett 2, Gunville, Scott's Tanyard, Fieldale, Horsepasture, Spencer, Bassett 1, and Hillcrest Precincts and part of the Fontaine Precinct; part of Roanoke County comprised of the Catawba, Mason Valley, Northside, Peters Creek, Bennett Springs, Botetourt Springs, Woodlands, and Bent Mountain Precincts and part of the Glenvar Precinct; part of the City of Covington comprised of the 4-1 and 5-1 Precincts and parts of the 2-1 and 3-1 Precincts; and Montgomery A.

Tenth. All of Clarke, Frederick, Loudoun, and Warren Counties; all of the Cities of Winchester, Manassas and

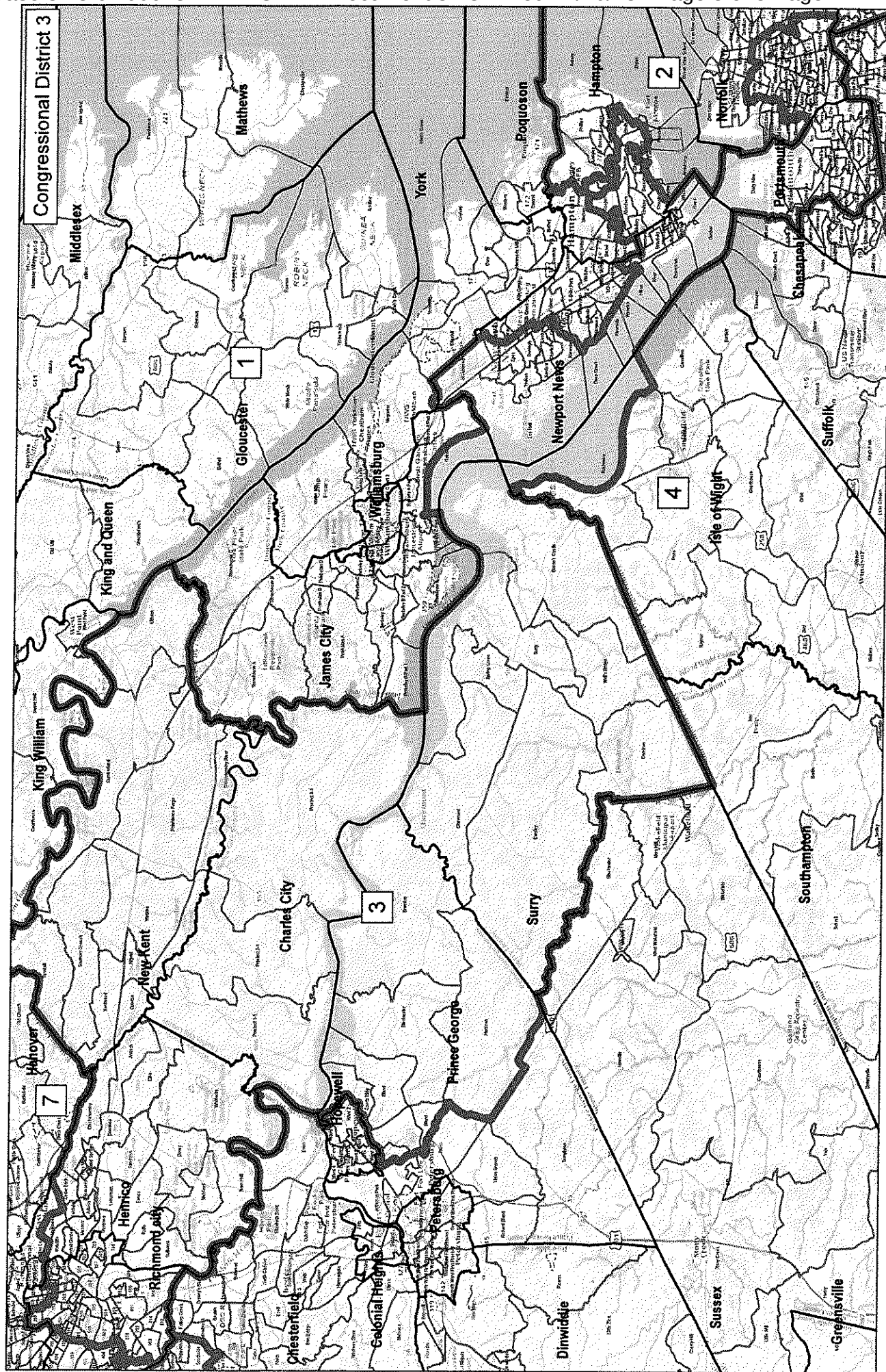
Manassas Park; part of Fairfax County comprised of the Colvin, Fox Mill, Floris 203/Frying Pan 235, Chain Bridge, Chesterbrook, Churchill, Cooper, El Nido, Great Falls, Haycock, Kenmore, Kirby, Langley, Longfellow, Mclean, Salona, Westmoreland, Herndon #1, Herndon #2, Clearview, Forestville, Shouse, Herndon #3, Hutchison, Stuart, Sugarland, Hickory, Seneca, Centre Ridge, Chantilly, Dulles, Franklin, Greenbriar East, Greenbriar West, Kinross, London Towne, Navy, Rocky Run, Virginia Run, Lees Corner, Deer Park, and Cub Run 903/Stone 917 Precincts and part of the Westhampton Precinct; part of Fauquier County comprised of the Warrenton, Marshall, Leeds, Upperville, The Plains, New Baltimore, and Broad Run Precincts and part of the Baldwin Ridge Precinct; and part of Prince William County comprised of the Buckhall, Parkside, Jackson, Evergreen, Loch Lomond, Sinclair, Stonewall, Sudley, Westgate, Catharpin, Bull Run, Plantation, and Mullen Precincts.

Eleventh. All of the City of Fairfax; part of Fairfax County comprised of the Bristow, Chapel, Fairview, Heritage, Kings Park, Olde Creek, North Springfield #1, North Springfield #2, North Springfield #3, Oak Hill, Ravensworth, Wakefield, Lake Braddock, Laurel, Sideburn, Villa, Long Branch, Robinson, Olley, Signal Hill, Bonnie Brae, Flint Hill, Vienna #1, Vienna #2, Vienna #4, Vienna #6, Crestwood, Garfield, Lynbrook, Barcroft, Belvedere, Masonville, Ravenwood, Sleepy Hollow, Saint Albans, Columbia, Hummer, Brook Hill, Camelot, Poe, Ridgelea, Fort Hunt, Stratford, Waynewood, Westgate, Whitman, Woodley, Gunston, Lorton, Newington, Delong, Pohick Run, Blake, Freedom Hill, Mantua, Mosby, Price, Walker, Pine Ridge, Stenwood, Thoreau, Merrifield, Oakton, Nottoway, Penderbrook, Oak Marr, Burke, Cardinal, Clifton, Fairfax Station, Keene Mill, Pohick, Valley, Woodyard, Orange, Cherry Run, Irving, Saratoga, Terra Centre, White Oaks, Hunt, Burke Centre, Sangster, Silverbrook, West Springfield, Popes Head, Parkway, Leehigh, Newgate, Vale, Waples Mill, Centreville, Green Trails, Willow Springs, Woodson Part 1, and Woodson Part 2 Precincts and part of the Holmes Precinct; part of Prince William County comprised of the Brentsville, Armory, Nokesville, Linton Hall, Woodbine, Park, Saunders, Enterprise, Coles, McCoart, Springwoods, King, Lodge, Westridge, Pattie, Henderson, Montclair, Haymarket, Lake Ridge, Occoquan, Old Bridge, Rockledge, Mohican, Bethel, Chinn, Dale, Neabsco, Godwin, Civic Center, Minnieville, Bel Air, Kerrydale, Belmont, Library, Lynn, Featherstone, Potomac View, and Kilby Precincts; and Fairfax A.

**HISTORY:** 2001, Sp. Sess. I, c. 7.

**NOTES:** EDITOR'S NOTE. --This section was subject to preclearance by the Department of Justice, pursuant to § 5 of the federal Voting Rights Act. Preclearance has been received.

**EFFECTIVE DATE.** --This section is effective July 19, 2001, pursuant to Va. Const., Art. II, § 6.





8 of 27 DOCUMENTS

CODE OF VIRGINIA

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\*\*\* ARCHIVE DATA \*\*\*

\*\*\* Current through the 2012 Regular Session, and 2012 Special Session I. \*\*\*  
\*\*\* Annotations Current For Cases Received by April 12, 2013. \*\*\*

TITLE 24.2. ELECTIONS

CHAPTER 3. ELECTION DISTRICTS, PRECINCTS, AND POLLING PLACES

ARTICLE 2. CONGRESSIONAL, SENATORIAL, AND HOUSE OF DELEGATES DISTRICTS

*Va. Code Ann. § 24.2-302.2 (2013)*

§ 24.2-302.2. Congressional districts

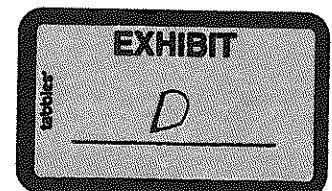
A. There shall be 11 Virginia members of the United States House of Representatives elected from 11 congressional districts and each district is entitled to one representative.

B. All references in this section to boundaries of counties and cities shall be interpreted to refer to those in existence on April 1, 2011, and as reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes theretofore made final.

C. Parts of counties and cities listed in subsection D are defined by reference to the 2010 Census reports for the precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report for this enrolled House bill on file with the Clerk of the House of Delegates. Precincts shall be interpreted to refer to those in existence on April 1, 2011, and as reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent changes made by localities.

D. The 11 congressional districts are:

First. All of Caroline, Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; part of Fauquier County comprised of the Bealeton (303), Catlett (102), Lois (104), and Morrisville (301) Precincts and part of the Remington (302) Precinct; part of James City County comprised of the Berkeley A Part 1 (101), Berkeley A Part 2 (1012), Berkeley B Part 1 (1021), Berkeley B Part 2 (1022), Berkeley C (103), Jamestown A (201), Jamestown B (202), Powhatan A (301), Powhatan B (302), Powhatan C (303), Powhatan D (304), Roberts A Part 1 (5011), Roberts A Part 2 (5012), Roberts C Part 1 (5031), Roberts C Part 2



(5032), Stonehouse A (401), Stonehouse B (402), and Stonehouse C (403) Precincts and part of the Roberts B (502) Precinct; part of Prince William County comprised of the Ashland (309), Bennett (102), Benton (203), Brentsville (101), Bristow Run (111), Cedar Point (112), Ellis (106), Forest Park (310), Glenkirk (408), Henderson (307), Lake Ridge (501), Limestone (113), Lodge (207), Marshall (202), Marsteller (107), McCoart (204), Montclair (308), Mullen (411), Nokesville (104), Park (109), Pattie (305), Penn (210), Powell (211), Quantico (304), Sinclair (404), Stonewall (405), Sudley North (409), Victory (108), Washington-Reid (306), Westgate (407), Westridge (208), and Woodbine (209) Precincts and part of the Buckland Mills (110) Precinct; part of Spotsylvania County comprised of the Battlefield (701), Brent's Mill (702), Grange Hall (303), Hazel Run (302), Plank Road (301), and Summit (401) Precincts and part of the Lee Hill (403) Precinct; and part of the City of Newport News comprised of the Greenwood (110) Precinct.

Second. All of Accomack and Northampton Counties; all of the City of Virginia Beach; part of the City of Hampton comprised of the Asbury (205), Booker (201), Bryan (202), Burbank (203), Langley (209), Phillips (213), Sandy Bottom (216), and Syms (113) Precincts and part of the Machen (210) Precinct; part of the City of Newport News comprised of the Boulevard (202), Charles (203), Deer Park (219), Hidenwood (208), Kiln Creek (218), Nelson (210), Oyster Point (105), Palmer (211), Richneck (107), Riverview (217), Sanford (213), Saunders (319), Sedgfield (315), Watkins (320), Wellesley (204), Windsor (109), and Yates (216) Precincts and parts of the Deep Creek (205), Hilton (209), Riverside (212), and Warwick (215) Precincts; and part of the City of Norfolk comprised of the Azalea Gardens (512), Barron Black (406), Bayview School (501), Crossroads (511), East Ocean View (503), Easton (408), Fairlawn (409), Lafayette (205), Larchmont Library (208), Larchmont Recreation Center (209), Larrymore (504), Little Creek (505), Northside (103), Ocean View Center (506), Ocean View School (102), Oceanair (508), Old Dominion (201), Suburban Park (215), Tarrallton (509), Third Presbyterian (510), Willard (218), and Zion Grace (106) Precincts.

Third. All of Charles City and Surry Counties; all of the Cities of Petersburg and Portsmouth; part of Henrico County comprised of the Adams (201), Antioch (501), Azalea (202), Cedar Fork (502), Central Gardens (206), Chickahominy (503), Donahoe (504), Dorey (505), Eanes (506), Elko (507), Fairfield (208), Glen Lea (209), Highland Gardens (211), Highland Springs (508), Laburnum (509), Maplewood (215), Masonic (510), Mehfoud (511), Montrose (512), Nine Mile (513), Pleasants (514), Ratcliffe (220), Rolfe (519), Sandston (515), Sullivans (516), Town Hall (517), Whitlocks (518), and Wilder (222) Precincts; part of Isle of Wight County comprised of parts of the Bartlett (201), Carrollton (202), and Rushmere (301) Precincts; part of James City County comprised of part of the Roberts B (502) Precinct; part of Prince George County comprised of the Blackwater (202), Bland (201), Brandon (203), and Harrison (105) Precincts and part of the Rives (104) Precinct; part of the City of Hampton comprised of the Aberdeen (101), Armstrong (106), Bassette (102), Bethel (212), City Hall (103), Cooper (104), East Hampton (105), Forrest (204), Hampton Library (111), Jones (116), Kecoughtan (117), Kraft (208), Lindsay (107), Mallory (118), Phenix (109), Phoebus (110), Smith (112), Thomas (108), Tucker Capps (214), Tyler (215), and Wythe (115) Precincts and part of the Machen (210) Precinct; part of the City of Newport News comprised of the Bland (201), Briarfield (302), Carver (303), Chestnut (304), Denbigh (101), Downtown (305), Dunbar (306), Epes (102), Huntington (307), Jefferson (308), Jenkins (103), Lee Hall (108), Magruder (309), Marshall (310), McIntosh (104), Newmarket (311), Newsome Park (312), Reed (313), Reservoir (106), River (314), South Morrison (316), Washington (317), and Wilson (318) Precincts and parts of the Deep Creek (205), Hilton (209), Riverside (212), and Warwick (215) Precincts; part of the City of Norfolk comprised of the Ballentine (301), Berkley (402), Bowling Park (303), Brambleton (403), Campostella (404), Chesterfield (405), Chrysler Museum (211), Coleman Place School (304), Ghent Square (203), Granby (101), Hunton Y (411), Immanuel (204), Ingleside (412), Lafayette-Winona (305), Lambert's Point (207), Lindenwood (306), Maury (210), Norview Methodist (308), Norview Middle School (309), Park Place (212), Poplar Halls (413), Rosemont (310), Sherwood Rec Center (311), Sherwood School (312), Stuart (214), Tanner's Creek (302), Taylor Elementary School (213), Titustown Center (104), Tucker House (105), Union Chapel (313), United Way (415), Wesley (217), and Young Park (414) Precincts; part of the City of Richmond comprised of the 113 (113), 114 (114), 203 (203), 204 (204), 206 (206), 207 (207), 208 (208), 211 (211), 212 (212), 213 (213), 301 (301), 302 (302), 303 (303), 304 (304), 305 (305), 306 (306), 307 (307), 308 (308), 402 (402), 501 (501), 503 (503), 504 (504), 505 (505), 508 (508), 509 (509), 510 (510), 602 (602), 603 (603), 604 (604), 606 (606), 607 (607), 609 (609), 610 (610), 701 (701), 702 (702), 703 (703), 705 (705), 706 (706), 707 (707), 802 (802), 806 (806), 810 (810), 811 (811), 812 (812), 814 (814), 902 (902), 903

## Va. Code Ann. § 24.2-302.2

(903), 908 (908), 909 (909), 910 (910), and 911 (911) Precincts and part of the 404 (404) Precinct; and part of the City of Suffolk comprised of parts of the Bennetts Creek (104), Ebenezer (201), and Harbour View (103) Precincts.

Fourth. All of Amelia, Dinwiddie, Greensville, Nottoway, Powhatan, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, and Hopewell; part of Chesterfield County comprised of the Bailey Bridge (315), Beach (305), Bellwood (101), Beulah (202), Bird (203), Birkdale (317), Carver (112), Chippenham (207), Cosby (307), Crenshaw (414), Deer Run (302), Drewry's Bluff (105), Dutch Gap (110), Ecoff (108), Elizabeth Scott (109), Enon (103), Ettrick (301), Falling Creek (205), Five Forks (210), Gates (201), Harrowgate (106), Iron Bridge (111), Jacobs (204), Matoaca (303), Meadowbrook (208), Nash (211), North Chester (104), S. Manchester (308), Salem Church (209), South Chester (102), Southside (213), Spring Run (316), St. Luke's (212), Wells (107), Winfreys Store (304), and Winterpock (306) Precincts; part of Isle of Wight County comprised of the Camps Mill (502), Carrsville (503), Courthouse (401), Orbit (403), Pons (302), Raynor (505), Smithfield (101), Walters (501), Windsor (402), and Zuni (504) Precincts and parts of the Bartlett (201), Carrollton (202), and Rushmere (301) Precincts; part of Prince George County comprised of the Courts Bldg (204), Jefferson Park (205), Richard Bland (101), Templeton (102), and Union Branch (103) Precincts and part of the Rives (104) Precinct; and part of the City of Suffolk comprised of the Airport (401), Chuckatuck (202), Cypress Chapel (303), Driver (102), Elephants Fork/Westhaven (603), Holland (502), Hollywood (701), Holy Neck (503), John F. Kennedy (302), Kilby's Mill (501), King's Fork (203), Lake Cohoon (504), Lakeside (601), Nansemond River (703), Olde Towne (602), Southside (403), Whaleyville (402), White Marsh (301), and Yeates (705) Precincts and parts of the Bennetts Creek (104), Ebenezer (201), and Harbour View (103) Precincts.

Fifth. All of Albemarle, Appomattox, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Greene, Halifax, Lunenburg, Madison, Mecklenburg, Nelson, Pittsylvania, Prince Edward, and Rappahannock Counties; all of the Cities of Bedford, Charlottesville, and Danville; part of Bedford County comprised of the Bedford Christian Church (703), Bedford County PSA (302), Bethesda Methodist Church (303), Body Camp Elem School (204), Chamblissburg First Aid Bldg (103), Goode Rescue Squad (701), Goodview Elem School (101), Hardy Fire & Rescue Bldg (102), Huddleston Elem School (305), Liberty High School (702), Moneta Elem School (203), Saunders Grove Brethren Church (604), Saunders Vol Fire Dept (205), Shady Grove Baptist Church (602), Staunton River High School (202), and Thaxton Elem School (603) Precincts and part of the New London Academy (301) Precinct; part of Fauquier County comprised of the Airlie (202), Baldwin Ridge (203), Broad Run (503), Casanova (103), Courthouse (201), Kettle Run (101), Leeds (402), Marshall (401), New Baltimore (502), Opal (105), The Plains (501), Warrenton (204), and Waterloo (403) Precincts and part of the Remington (302) Precinct; and part of Henry County comprised of the Axton (302), Irisburg (303), Mountain Valley (305), Mountain View (405), and Ridgeway #1 (603) Precincts and part of the Mount Olivet (304) Precinct.

Sixth. All of Amherst, Augusta, Bath, Botetourt, Highland, Page, Rockbridge, Rockingham, Shenandoah, and Warren Counties; all of the Cities of Buena Vista, Harrisonburg, Lexington, Lynchburg, Roanoke, Staunton, and Waynesboro; part of Bedford County comprised of the Big Island Elem School (502), Boonsboro Elem School (505), Boonsboro Ruritan Club (506), Forest Elem School (401), Forest Youth Athletic Assoc. (304), Knights Of Columbus Bldg (403), Montvale Elem School (601), Odd Fellows Hall (504), Pleasant View (507), Sedalia Center (503), Suck Springs (704), and Thomas Jefferson Elem School (402) Precincts and part of the New London Academy (301) Precinct; and part of Roanoke County comprised of the Bonsack (402), Burlington (202), Castle Rock (305), Cave Spring (503), Clearbrook (505), Cotton Hill (501), Garst Mill (306), Hollins (206), Hunting Hills (507), Lindenwood (405), Mount Pleasant (406), Mount Vernon (506), Mountain View (203), North Vinton (403), Oak Grove (304), Ogden (504), Orchards (205), Penn Forest (502), Plantation (201), Poages Mill (302), South Vinton (404), and Windsor Hills (303) Precincts.

Seventh. All of Culpeper, Goochland, Hanover, Louisa, New Kent, and Orange Counties; part of Chesterfield County comprised of the Beaufont (513), Belgrade (508), Belmont (206), Black Heath (511), Bon Air (505), Brandermill (403), Cranbeck (509), Crestwood (502), Davis (515), Evergreen (312), Genito (402), Greenfield (506), Harbour Pointe (401), Huguenot (501), La Prade (405), Manchester (409), Midlothian (503), Monacan (407),



Providence (404), Reams (408), Robious (504), Salisbury (507), Shenandoah (413), Skinquarter (309), Smoketree (406), Swift Creek (411), Sycamore (510), Tomahawk (310), Wagstaff (410), Watkins (514), and Woolridge (313) Precincts; part of Henrico County comprised of the Belmont (203), Brookland (204), Byrd (401), Canterbury (205), Causeway (301), Cedarfield (302), Chamberlayne (207), Coalpit (101), Crestview (303), Derbyshire (402), Dumbarton (102), Freeman (403), Gayton (404), Glen Allen (103), Glenside (104), Godwin (405), Greendale (105), Greenwood (210), Hermitage (106), Hilliard (107), Hollybrook (212), Hungary (213), Hungary Creek (116), Hunton (108), Innsbrook (304), Jackson Davis (305), Johnson (109), Lakeside (110), Lakewood (406), Lauderdale (407), Longan (111), Longdale (214), Maude Trevvett (112), Maybeury (408), Monument Hills (306), Moody (216), Mooreland (409), Mountain (217), Nuckols Farm (307), Oakview (218), Pemberton (410), Pinchbeck (411), Pocahontas (308), Randolph (219), Ridge (309), Ridgefield (412), Rivers Edge (317), Rollingwood (413), Sadler (310), Shady Grove (311), Short Pump (318), Skipwith (312), Spottswood (414), Springfield (313), Staples Mill (113), Stoney Run (314), Stratford Hall (221), Summit Court (114), Three Chopt (315), Tuckahoe (415), Tucker (316), Wellborne (417), West End (416), Westwood (115), and Yellow Tavern (223) Precincts; part of Spotsylvania County comprised of the Belmont (501), Blaydes Corner (102), Brock (505), Brokenburg (502), Chancellor (204), Courthouse (504), Elys Ford (201), Fairview (703), Frazers Gate (402), Massaponax (104), Ni River (203), Partlow (101), Piedmont (603), Salem (601), Smith Station (602), Todd's Tavern (503), Travelers Rest (103), and Wilderness (202) Precincts and part of the Lee Hill (403) Precinct; and part of the City of Richmond comprised of the 101 (101), 102 (102), 104 (104), 105 (105), 106 (106), 111 (111), 112 (112), 309 (309), 409 (409), 410 (410), 412 (412), and 413 (413) Precincts and part of the 404 (404) Precinct.

Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; and part of Fairfax County comprised of the Alban (623), Baileys (501), Belle Haven (601), Belleview (602), Belvoir (619), Bren Mar (526), Brook Hill (521), Bucknell (604), Bush Hill (401), Cameron (402), Chesterbrook (302), Clermont (423), Crestwood (415), Edsall (527), El Nido (305), Fairfield (413), Fort Buffalo (703), Fort Hunt (605), Franconia (404), Garfield (417), Glen Forest #2 (529), Glen Forest (505), Graham (705), Greenway (706), Grosvenor (621), Groveton (405), Gunston (616), Haycock (307), Hayfield (406), Hollin Hall (606), Holmes #1 (506), Huntington (607), Huntley (424), Island Creek (427), Kingstowne (421), Kirby (310), Kirkside (608), Lane (419), Leewood (531), Lincolnia (507), Longfellow (312), Lorton (617), Lorton Center (625), Lorton Station (622), Lynbrook (418), Marlan (609), Marshall (708), Mount Eagle (408), Parklawn (510), Pimmit (315), Pine Spring (710), Pioneer (409), Poe (523), Rose Hill (410), Salona (316), Saratoga (626), Sherwood (610), Shreve (712), Skyline (520), Stratford (611), Timber Lane (713), Van Dorn (422), Villages (420), Virginia Hills (411), Walnut Hill # 1 (525), Walnut Hill # 2 (728), Waynewood (612), Westgate (613), Westhampton (317), Westlawn (515), Westmoreland (318), Weyanoke (516), Whitman (614), Whittier (524), Willston (517), Wilton (425), Woodlawn (627), and Woodley (615) Precincts and parts of the Magarity (726) and Saint Albans (513) Precincts.

Ninth. All of Alleghany, Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties; all of the Cities of Bristol, Covington, Galax, Martinsville, Norton, Radford, and Salem; part of Henry County comprised of the Bassett No. 1 (501), Bassett No. 2 (101), Collinsville Number 1 (401), Collinsville Number 2 (404), Daniel's Creek (402), Dyers Store (505), Fieldale (201), Figsboro (502), Fontaine (601), Gunville (102), Hillcrest (602), Horsepasture #1 (202), Horsepasture #2 (203), Oak Level (504), Ridgeway #2 (604), Scott's Tanyard (103), Spencer (204), and Stanleytown (503) Precincts and part of the Mount Olivet (304) Precinct; and part of Roanoke County comprised of the Bennett Springs (107), Bent Mountain (301), Botetourt Springs (204), Catawba (101), Glenvar (103), Green Hill (106), Mason Valley (102), Northside (104), Peters Creek (105), and Wildwood (108) Precincts.

Tenth. All of Clarke, Frederick, and Loudoun Counties; all of the Cities of Manassas, Manassas Park, and Winchester; part of Fairfax County comprised of the Brookfield (902), Bull Run (923), Chain Bridge (301), Churchill (303), Clearview (321), Clifton (803), Colvin (330), Cooper (304), Cub Run (903), Deer Park (921), Dulles (904), Fairfax Station (805), Forestville (322), Fountainhead (845), Fox Mill (229), Franklin (905), Great Falls (306), Greenbriar West (847), Hickory (328), Kenmore (309), Kinross (908), Langley (311), Lees Corner (920), Lees Corner



## Va. Code Ann. § 24.2-302.2

West (927), McLean (314), Navy (911), Newgate North (849), Newgate South (854), Popes Head (841), Poplar Tree (928), Rocky Run (913), Sangster (838), Seneca (329), Shouse (323), Silverbrook (839), South Run (850), Spring Hill (331), Stone (917), Sugarland (327), Vale (914), Virginia Run (915), Waples Mill (916), and Woodyard (815) Precincts and part of the Old Mill (925) Precinct; and part of Prince William County comprised of the Alvey (406), Battleground (402), Buckhall (103), Bull Run (403), Evergreen (401), Mountain View (410), Pace West (412), Parkside (105), Pr. William A (000), and Signal Hill (114) Precincts and part of the Buckland Mills (110) Precinct.

Eleventh. All of the City of Fairfax; part of Fairfax County comprised of the Aldrin (234), Barcroft (502), Belvedere (503), Blake (701), Bonnie Brae (126), Bristow (102), Burke (801), Burke Centre (127), Camelot (522), Cameron Glen (238), Cardinal (128), Centerpointe (844), Centre Ridge (901), Centreville (918), Chapel (104), Cherry Run (825), Columbia (518), Coppermine (239), Dogwood (220), Eagle View (853), Fair Oaks (848), Fairfax A (0700), Fairlakes (843), Fairview (105), Flint Hill (202), Floris (203), Freedom Hill (704), Frying Pan (235), Glade (223), Green Trails (919), Greenbriar East (846), Greenspring (426), Heritage (106), Herndon #1 (319), Herndon #2 (320), Herndon #3 (324), Holmes #2 (530), Hummer (519), Hunt (624), Hunters Woods (221), Hutchison (325), Irving (827), Keene Mill (129), Kilmer (733), Kings Park (108), Lake Braddock (118), Laurel (119), Laurel Hill (628), London Towne East (910), London Towne West (924), Long Branch (122), Mantua (707), Masonville (508), McNair (237), Merrifield (721), Monument (852), Mosby (709), Newington (618), North Point (233), North Springfield # 1 (110), North Springfield # 2 (111), Nottoway (729), Oak Hill (113), Oak Marr (732), Oakton (727), Olde Creek (109), Olley (124), Orange (824), Parkway (842), Penderbrook (730), Pine Ridge (718), Pohick (811), Powell (926), Price (711), Ravensworth (115), Ravenwood (511), Reston #1 (208), Reston #2 (209), Reston #3 (222), Ridgelea (528), Robinson (123), Sideburn (120), Signal Hill (125), Sleepy Hollow (512), South County (629), South Lakes (224), Stenwood (719), Stuart (236), Sunrise Valley (227), Terra Centre (130), Terraset (225), Thoreau (720), Tysons (731), Valley (812), Vienna #1 (213), Vienna #2 (214), Vienna #4 (216), Vienna #6 (218), Villa (121), Wakefield (116), Walker (714), West Springfield (840), Westbriar (219), White Oaks (833), Willow Springs (851), Wolftap (226), Woodburn (717), and Woodson (117) Precincts and parts of the Magarity (726), Old Mill (925), and Saint Albans (513) Precincts; and part of Prince William County comprised of the Bel Air (606), Belmont (701), Bethel (506), Beville (205), Chinn (507), Civic Center (604), Dale (601), Dumfries (301), Enterprise (608), Featherstone (704), Freedom (609), Godwin (603), Graham Park (303), Kerrydale (607), Kilby (707), King (206), Library (702), Lynn (703), Minnieville (605), Mohican (505), Neabsco (602), Occoquan (502), Old Bridge (503), Potomac (302), Potomac View (705), Rippon (706), River Oaks (708), Rockledge (504), Saunders (201), Springwoods (508), and Swans Creek (311) Precincts.

**HISTORY:** 2012, c. 1.

**NOTES:** EDITOR'S NOTE. --The enactment of this section by Acts 2012, c. 1, was subject to preclearance by the Department of Justice, pursuant to § 5 of the federal Voting Rights Act. Preclearance was received by letter dated March 14, 2012.

Acts 2012, c. 1, which enacted this section, became effective on January 25, 2012, pursuant to *Va. Const., Art. II, § 6*.

**LAW REVIEW.** --For annual survey of Virginia law article, "Election Law," see 47 *U. Rich. L. Rev.* 181 (2012).



SUBMISSION UNDER § 5 OF THE VOTING RIGHTS ACT:  
2012 VA. ACTS CH. 1  
REDISTRICTING VIRGINIA'S U.S. CONGRESSIONAL SEATS

DATE: February 1, 2012

SUMMARY: This summary outlines the information provided in this submission pursuant to 28 C.F.R. §§ 51.27 and 51.28. The summary either provides the information requested or references the appropriate attachment.

Section (a) Attested copy of Ch. 1, 2012 Va. Acts (**Attachment 1**).  
51.27

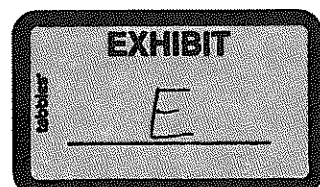
- (b) Copy of current Va. Code § 24.2-302.1 (**Attachment 2**).
- (c) Statement of the change. **Attachment 3** provides a detailed explanation of Chapter 1 redistricting Virginia's U.S. Congressional districts.
- (d) E. Duncan Getchell, Jr.  
Solicitor General  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
804-786-7140
- (e) Commonwealth of Virginia
- (f) Not applicable
- (g) Act of the Virginia General Assembly
- (h) Va. Const. art. II § 6 (1971) requires the General Assembly to reapportion the Commonwealth into electoral districts every ten years, beginning in 1971:

"Section 6. Apportionment.

"Members of the House of Representatives of the United States and members of the Senate and of the House of Delegates of the General Assembly shall be elected from electoral districts established by the General Assembly. Every electoral district shall be composed of contiguous and compact territory and shall be so constituted as to give, as nearly as is practicable, representation in proportion to the population of the district. The General Assembly shall reapportion the Commonwealth into electoral districts in accordance with this section in the year 2011 and every ten years thereafter.

"Any such decennial reapportionment law shall take effect immediately and not be subject to the limitations contained in Article IV, Section 13, of this Constitution.

"The districts delineated in the decennial reapportionment law shall be implemented for the November general election for the United States House of



Representatives, Senate, or House of Delegates, respectively, that is held immediately prior to the expiration of the term being served in the year that the reapportionment law is required to be enacted. A member in office at the time that a decennial redistricting law is enacted shall complete his term of office and shall continue to represent the district from which he was elected for the duration of such term of office so long as he does not move his residence from the district from which he was elected. Any vacancy occurring during such term shall be filled from the same district that elected the member whose vacancy is being filled.”

Pursuant to Va. Const. art. IV § 11 and art. V § 6, redistricting is accomplished by a general law adopted by a majority vote of the Virginia House of Delegates and Senate of Virginia and approved by the governor. To guide the legislative deliberations, on March 25, 2011, the Senate Committee on Privileges adopted Committee Resolution 2, establishing goals and criteria concerning applicable legal requirements and policy objectives for redrawing of Congressional districts.  
**Attachment 4.**

- (i) Chapter 1, 2012 Va. Acts was adopted by the General Assembly on January 20, 2012, presented to the governor on January 23, 2012, and thereafter signed by the governor.
- (j) Pursuant to Va. Const. art. II § 6 (1971), 2012 Va. Acts ch. 1 became effective, once enrolled, on January 25, 2012.
- (k) Chapter 1 has not yet been enforced or administered.
- (l) Chapter 1 affects all of Virginia’s Congressional districts.
- (m) A statement of the reasons for the change is included in Attachment 3. *See also* item (h) above.
- (n) A detailed statement of anticipated effect on members of racial minority groups is provided in **Attachment 5**.
- (o) Statement identifying past or pending litigation concerning the change or related voting practices. **Attachment 6**.
- (p) Virginia Code § 24.2-302.1, containing Virginia’s current Congressional districts, was last amended on August 17, 2001, and was last precleared on October 16, 2001.

As discussed in item (h) above, 2012 Va. Acts ch. 1, redistricting Virginia’s Congressional districts, was adopted pursuant to the procedure provided in Va. Const. art. II § 6, art. IV § 11, and art. V § 6. Article II § 6 was precleared on July 6, 2004. Article IV § 11 was precleared on July 11, 1980. Article V § 6 was precleared on August 23, 1994.

- (q) See items referenced under § 51.28
- (r) See items referenced under § 51.28

Section 51.28 (a) Demographic information

- (1) Total and voting age population for each district under present Va. Code § 24.2-302.1 and under Chapter 1 by race are provided in **Attachment 7** which includes demographic reports. Total and voting age population for the statewide alternative plans (referred to as HB 5004, SB 5003, and SB 5004 in the 2011 Special Session) are included in **Attachment 7**.

Total and voting age population for each district under present Va. Code § 24.2-302.1, which includes demographic reports, and total and voting age population for the alternative plans are included in **Attachment 7**.

A "Block assignment" file and a "2010 Precincts" file in two formats are included on CD in **Attachment 7**.

Total and voting age population for current and new Congressional districts and the block assignment file may also be accessed over the Internet on the Division of Legislative Services website at: <http://redistricting.dls.virginia.gov/>.

- (2) Information on the number of registered voters by race or language group is not available in Virginia. The number of registered voters by precinct as of November 2010 is provided in Attachment 7.

**Attachment 8** is a chart identifying names of Minority candidates for Congress for the years 2001-2010. This chart is anecdotal information collected by the Office of the Attorney General.

- (3) Official 2010 population information, including precinct and block data and racial and language population data, was received from the U.S. Bureau of Census on February 3, 2011, and is included in Attachment 7. The official U.S. Census data immediately became part of the public records available to individuals and groups participating in the redistricting process. This information was the sole information used in connection with the adoption of the change. **Attachment 9** is the Census 2010 Population Count Explanation.

(b) Maps

- (1) Maps showing current and new district boundaries are contained in **Attachment 10**. This information was provided by the Virginia Division of Legislative Services. Maps showing current and new Congressional districts may also be accessed over the Internet on the Division of Legislative Services website at: <http://redistricting.dls.virginia.gov/>. Maps of alternative plans are included in **Attachment 10**.
- (2) Not applicable. Chapter 1 does not change voting precincts. Changes in voting precincts are the responsibility of local governments.
- (3) The locations of concentrations of the racial minority groups by total and voting age population by precinct are shown in **Attachment 10**. This information was provided by the Virginia Division of Legislative Services.

- (4) Topographical maps of the Commonwealth of Virginia and of the Congressional Districts showing any natural boundaries or geographical features that influenced the selection of boundaries of the prior or new units are shown in **Attachment 10** and were provided by the Division of Legislative Services. The 2010-2012 Official State Transportation Map provided by the Virginia Department of Transportation is in **Attachment 10**.
- (5) & Not applicable. Chapter 1 does not change polling places or voter registration sites. Such changes are the responsibility of local government.
- (6) Not applicable
- (c) Not applicable
- (d) Election return data relating to Congressional elections for the years 2002-2010 are provided in **Attachment 11**. Election return data may also be accessed over the Internet on the State Board of Elections website at:  
[http://www.sbe.virginia.gov/cms/Election\\_Information/Election\\_Results/Index.html](http://www.sbe.virginia.gov/cms/Election_Information/Election_Results/Index.html)
- (e) Not applicable.
- (f) Publicity and participation.
  - (1) The 2011-12 Virginia legislative redistricting process received extensive statewide media coverage. **Attachment 12** provides a sampling of representative newspaper articles beginning September 7, 2010.
  - (2) Notices of Public Hearings were mailed to the media through the Commonwealth. Notices of Committee meeting and floor sessions were provided to the General Assembly and to the public through the meeting notice listings on the websites of the General Assembly and Legislative Information Systems, and through the official calendars of the House of Delegates and Senate of Virginia. A publication of the Virginia Division of Legislative Services, *Drawing the Line 2011, Redistricting in Virginia*, was mailed to the members of the General Assembly and public. Copies of the notices and *Drawing the Line 2011* are provided in **Attachment 13**.  
Information regarding redistricting was also provided on the Virginia Division of Legislative Services website at  
<http://redistricting.dls.virginia.gov/>.  
A summary of the dates upon which proposed Congressional redistricting plans were added to the website is provided in **Attachment 14**.
  - (3) Summaries of the extensive public hearings on redistricting for the Virginia Congressional seats are provided in **Attachment 15**. True copies of the full transcripts, together with statements filed at the hearings, are included in **Attachment 15**. The transcripts are also accessible on the Virginia Division of Legislative Services website at:  
<http://redistricting.dls.virginia.gov/>.
  - (4) Statements, speeches and other public communications submitted in

connection with the adoption of Chapter 1 are provided in **Attachment 16**. Included are reports of comments made by the public to the Congressional plans that were online.

- (5) **Attachments 15 and 16** include comments from the general public.
- (6) **Attachment 17** provides a summary of the legislative history of Chapter 1 along with recorded votes in committee and on the floor. DVD recordings of the floor debates in the Senate of Virginia and House of Delegates on Congressional Redistricting Plans are included, along with summaries of the floor debates.

Included is the legislative history of statewide alternate plans HB 5004, SB 5003, and SB 5004 from the 2011 Special Session, and SB 455 from the 2012 Session.

Also included are transcripts of the Senate Privileges and Elections Committee meetings, House Privileges and Elections Committee meetings, and summaries of the meetings. The transcripts are also accessible on the Virginia Division of Legislative Services website at

<http://redistricting.dls.virginia.gov/>.

(g) Availability of the submission

- (1) **Attachment 18** provides a copy of the press release announcing the submission to the United States Attorney General, informing the public of the availability of a complete duplicate copy of the submission for public inspection and inviting comments for the consideration of the Attorney General. Notice was sent to all news media and should appear in major newspapers statewide.
- (2) The portions of **Attachment 17** on DVD are available to the public for copying.

(h) Minority group contacts. The following individuals are familiar with the proposed change and were active in the political process

Members of the House of Delegates Privileges and Elections Committees in 2011 and 2012:

The Honorable Kenneth C. Alexander  
General Assembly Building, Room 412  
Capitol Square  
Richmond, Virginia 23219  
804-698-1089  
email [DelKAlexander@house.virginia.gov](mailto:DelKAlexander@house.virginia.gov)

The Honorable Algie T. Howell, Jr.  
General Assembly Building, Room 512  
Capitol Square  
Richmond, Virginia 23219  
804-698-1090

email [DelAHowell@house.virginia.gov](mailto:DelAHowell@house.virginia.gov)

The Honorable Rosalyn R. Dance  
General Assembly Building, Room 813  
Capitol Square  
Richmond, Virginia 23219  
804-698-1063  
email [DelRDance@house.virginia.gov](mailto:DelRDance@house.virginia.gov)

The Honorable Lionell Spruill, Sr.  
General Assembly Building, Room 702  
Capitol Square  
Richmond, Virginia 23219  
804-698-1077  
email [DelLSpruill@house.virginia.gov](mailto:DelLSpruill@house.virginia.gov)

Member of the Senate Privileges and Elections Committees in 2011 and 2012:

The Honorable A. Donald McEachin  
General Assembly Building, Room 318  
Capitol Square  
Richmond, Virginia 23219  
804-698-7509  
email [district09@senate.virginia.gov](mailto:district09@senate.virginia.gov)

The Commonwealth maintains a list of all who request notice of meetings related to redistricting. However, that list does not include racial identification information. More the less, a number of individuals representing groups or themselves spoke at the public hearings noted in Attachments 15 and 17.



## 2012 SESSION

ENROLLED

## VIRGINIA ACTS OF ASSEMBLY — CHAPTER 1

*An Act to amend and reenact § 2.2-508 of the Code of Virginia, to amend the Code of Virginia by adding a section numbered 24.2-302.2, and to repeal § 24.2-302.1 of the Code of Virginia, relating to congressional districts.*

Approved JAN 25 2012

[H 251]

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2.2-508 of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered 24.2-302.2 as follows:**

**§ 2.2-508. Legal service in certain redistricting proceedings.**

Upon notification by a county, city or town of a pending civil action challenging the legality of its election district boundaries as required by § 24.2-304.5, the Attorney General shall review the papers in the civil action and may represent the interests of the Commonwealth in developing an appropriate remedy that is consistent with requirements of law, including but not limited to Article VII, Section 5 of the Constitution of Virginia, Chapter 3 (§ ~~24.2-302.1~~ 24.2-302.2 et seq.) of Title 24.2, or Chapter 39 (§ 30-263 et seq.) of Title 30.

**§ 24.2-302.2. Congressional districts.**

*A. There shall be 11 Virginia members of the United States House of Representatives elected from 11 congressional districts and each district is entitled to one representative.*

*B. All references in this section to boundaries of counties and cities shall be interpreted to refer to those in existence on April 1, 2011, and as reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes theretofore made final.*

*C. Parts of counties and cities listed in subsection D are defined by reference to the 2010 Census reports for the precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report for this enrolled House bill on file with the Clerk of the House of Delegates. Precincts shall be interpreted to refer to those in existence on April 1, 2011, and as reported by the United States Bureau of the Census in the 2010 Census reports provided pursuant to United States Public Law 94-171, notwithstanding subsequent changes made by localities.*

*D. The 11 congressional districts are:*

*First. All of Caroline, Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; part of Fauquier County comprised of the Bealeton (303), Catlett (102), Lois (104), and Morrisville (301) Precincts and part of the Remington (302) Precinct; part of James City County comprised of the Berkeley A Part 1 (101), Berkeley A Part 2 (1012), Berkeley B Part 1 (1021), Berkeley B Part 2 (1022), Berkeley C (103), Jamestown A (201), Jamestown B (202), Powhatan A (301), Powhatan B (302), Powhatan C (303), Powhatan D (304), Roberts A Part 1 (5011), Roberts A Part 2 (5012), Roberts C Part 1 (5031), Roberts C Part 2 (5032), Stonehouse A (401), Stonehouse B (402), and Stonehouse C (403) Precincts and part of the Roberts B (502) Precinct; part of Prince William County comprised of the Ashland (309), Bennett (102), Benton (203), Brentsville (101), Bristow Run (111), Cedar Point (112), Ellis (106), Forest Park (310), Glenkirk (408), Henderson (307), Lake Ridge (501), Limestone (113), Lodge (207), Marshall (202), Marsteller (107), McCoart (204), Montclair (308), Mullen (411), Nokesville (104), Park (109), Pattie (305), Penn (210), Powell (211), Quantico (304), Sinclair (404), Stonewall (405), Sudley North (409), Victory (108), Washington-Reid (306), Westgate (407), Westridge (208), and Woodbine (209) Precincts and part of the Buckland Mills (110) Precinct; part of Spotsylvania County comprised of the Battlefield (701), Brent's Mill (702), Grange Hall (303), Hazel Run (302), Plank Road (301), and Summit (401) Precincts and part of the Lee Hill (403) Precinct; and part of the City of Newport News comprised of the Greenwood (110) Precinct.*

*Second. All of Accomack and Northampton Counties; all of the City of Virginia Beach; part of the City of Hampton comprised of the Asbury (205), Booker (201), Bryan (202), Burbank (203), Langley (209), Phillips (213), Sandy Bottom (216), and Syms (113) Precincts and part of the Machen (210) Precinct; part of the City of Newport News comprised of the Boulevard (202), Charles (203), Deer Park (219), Hidenwood (208), Kiln Creek (218), Nelson (210), Oyster Point (105), Palmer (211), Richneck (107), Riverview (217), Sanford (213), Saunders (319), Sedgfield (315), Watkins (320), Wellesley (204),*

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HB251ER

Windsor (109), and Yates (216) Precincts and parts of the Deep Creek (205), Hilton (209), Riverside (212), and Warwick (215) Precincts; and part of the City of Norfolk comprised of the Azalea Gardens (512), Barron Black (406), Bayview School (501), Crossroads (511), East Ocean View (503), Easton (408), Fairlawn (409), Lafayette (205), Larchmont Library (208), Larchmont Recreation Center (209), Larrymore (504), Little Creek (505), Northside (103), Ocean View Center (506), Ocean View School (102), Oceanair (508), Old Dominion (201), Suburban Park (215), Tarrallton (509), Third Presbyterian (510), Willard (218), and Zion Grace (106) Precincts.

Third. All of Charles City and Surry Counties; all of the Cities of Petersburg and Portsmouth; part of Henrico County comprised of the Adams (201), Antioch (501), Azalea (202), Cedar Fork (502), Central Gardens (206), Chickahominy (503), Donahoe (504), Dorey (505), Eanes (506), Elko (507), Fairfield (208), Glen Lea (209), Highland Gardens (211), Highland Springs (508), Laburnum (509), Maplewood (215), Masonic (510), Mehfoud (511), Montrose (512), Nine Mile (513), Pleasants (514), Ratcliffe (220), Rolfe (519), Sandston (515), Sullivans (516), Town Hall (517), Whitlocks (518), and Wilder (222) Precincts; part of Isle of Wight County comprised of parts of the Bartlett (201), Carrollton (202), and Rushmere (301) Precincts; part of James City County comprised of part of the Roberts B (502) Precinct; part of Prince George County comprised of the Blackwater (202), Bland (201), Brandon (203), and Harrison (105) Precincts and part of the Rives (104) Precinct; part of the City of Hampton comprised of the Aberdeen (101), Armstrong (106), Bassette (102), Bethel (212), City Hall (103), Cooper (104), East Hampton (105), Forrest (204), Hampton Library (111), Jones (116), Kecoughtan (117), Kraft (208), Lindsay (107), Mallory (118), Phenix (109), Phoebus (110), Smith (112), Thomas (108), Tucker Capps (214), Tyler (215), and Wythe (115) Precincts and part of the Machen (210) Precinct; part of the City of Newport News comprised of the Bland (201), Briarfield (302), Carver (303), Chestnut (304), Denbigh (101), Downtown (305), Dunbar (306), Epes (102), Huntington (307), Jefferson (308), Jenkins (103), Lee Hall (108), Magruder (309), Marshall (310), McIntosh (104), Newmarket (311), Newsome Park (312), Reed (313), Reservoir (106), River (314), South Morrison (316), Washington (317), and Wilson (318) Precincts and parts of the Deep Creek (205), Hilton (209), Riverside (212), and Warwick (215) Precincts; part of the City of Norfolk comprised of the Ballentine (301), Berkley (402), Bowling Park (303), Brambleton (403), Campostella (404), Chesterfield (405), Chrysler Museum (211), Coleman Place School (304), Ghent Square (203), Granby (101), Hunton Y (411), Immanuel (204), Ingleside (412), Lafayette-Winona (305), Lambert's Point (207), Lindenwood (306), Maury (210), Norview Methodist (308), Norview Middle School (309), Park Place (212), Poplar Halls (413), Rosemont (310), Sherwood Rec Center (311), Sherwood School (312), Stuart (214), Tanner's Creek (302), Taylor Elementary School (213), Titustown Center (104), Tucker House (105), Union Chapel (313), United Way (415), Wesley (217), and Young Park (414) Precincts; part of the City of Richmond comprised of the 113 (113), 114 (114), 203 (203), 204 (204), 206 (206), 207 (207), 208 (208), 211 (211), 212 (212), 213 (213), 301 (301), 302 (302), 303 (303), 304 (304), 305 (305), 306 (306), 307 (307), 308 (308), 402 (402), 501 (501), 503 (503), 504 (504), 505 (505), 508 (508), 509 (509), 510 (510), 602 (602), 603 (603), 604 (604), 606 (606), 607 (607), 609 (609), 610 (610), 701 (701), 702 (702), 703 (703), 705 (705), 706 (706), 707 (707), 802 (802), 806 (806), 810 (810), 811 (811), 812 (812), 814 (814), 902 (902), 903 (903), 908 (908), 909 (909), 910 (910), and 911 (911) Precincts and part of the 404 (404) Precinct; and part of the City of Suffolk comprised of parts of the Bennetts Creek (104), Ebenezer (201), and Harbour View (103) Precincts.

Fourth. All of Amelia, Dinwiddie, Greensville, Nottoway, Powhatan, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, and Hopewell; part of Chesterfield County comprised of the Bailey Bridge (315), Beach (305), Bellwood (101), Beulah (202), Bird (203), Birkdale (317), Carver (112), Chippenham (207), Cosby (307), Crenshaw (414), Deer Run (302), Drewry's Bluff (105), Dutch Gap (110), Ecoff (108), Elizabeth Scott (109), Enon (103), Ettrick (301), Falling Creek (205), Five Forks (210), Gates (201), Harrowgate (106), Iron Bridge (111), Jacobs (204), Matoaca (303), Meadowbrook (208), Nash (211), North Chester (104), S. Manchester (308), Salem Church (209), South Chester (102), Southside (213), Spring Run (316), St. Lukes (212), Wells (107), Winfrees Store (304), and Winterpock (306) Precincts; part of Isle of Wight County comprised of the Camps Mill (502), Carrsville (503), Courthouse (401), Orbit (403), Pons (302), Raynor (505), Smithfield (101), Walters (501), Windsor (402), and Zuni (504) Precincts and parts of the Bartlett (201), Carrollton (202), and Rushmere (301) Precincts; part of Prince George County comprised of the Courts Bldg (204), Jefferson Park (205), Richard Bland (101), Templeton (102), and Union Branch (103) Precincts and part of the Rives (104) Precinct; and part of the City of Suffolk comprised of the Airport (401), Chuckatuck (202), Cypress Chapel (303), Driver (102), Elephants Fork/Westhaven (603), Holland (502), Hollywood (701), Holy Neck (503), John F. Kennedy (302), Kilby's Mill (501), King's Fork (203), Lake Cohoon (504), Lakeside (601), Nansemond River (703), Olde Towne (602), Southside (403), Whaleyville (402), White Marsh (301), and Yeates (705) Precincts and parts of the Bennetts Creek (104), Ebenezer (201), and Harbour View (103) Precincts.

*Fifth. All of Albemarle, Appomattox, Brunswick, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Greene, Halifax, Lunenburg, Madison, Mecklenburg, Nelson, Pittsylvania, Prince Edward, and Rappahannock Counties; all of the Cities of Bedford, Charlottesville, and Danville; part of Bedford County comprised of the Bedford Christian Church (703), Bedford County PSA (302), Bethesda Methodist Church (303), Body Camp Elem School (204), Chamblissburg First Aid Bldg (103), Goode Rescue Squad (701), Goodview Elem School (101), Hardy Fire & Rescue Bldg (102), Huddleston Elem School (305), Liberty High School (702), Moneta Elem School (203), Saunders Grove Brethren Church (604), Saunders Vol Fire Dept (205), Shady Grove Baptist Church (602), Staunton River High School (202), and Thaxton Elem School (603) Precincts and part of the New London Academy (301) Precinct; part of Fauquier County comprised of the Airlie (202), Baldwin Ridge (203), Broad Run (503), Casanova (103), Courthouse (201), Kettle Run (101), Leeds (402), Marshall (401), New Baltimore (502), Opal (105), The Plains (501), Warrenton (204), and Waterloo (403) Precincts and part of the Remington (302) Precinct; and part of Henry County comprised of the Axton (302), Irisburg (303), Mountain Valley (305), Mountain View (405), and Ridgeway #1 (603) Precincts and part of the Mount Olivet (304) Precinct.*

*Sixth. All of Amherst, Augusta, Bath, Botetourt, Highland, Page, Rockbridge, Rockingham, Shenandoah, and Warren Counties; all of the Cities of Buena Vista, Harrisonburg, Lexington, Lynchburg, Roanoke, Staunton, and Waynesboro; part of Bedford County comprised of the Big Island Elem School (502), Boonsboro Elem School (505), Boonsboro Ruritan Club (506), Forest Elem School (401), Forest Youth Athletic Assoc. (304), Knights Of Columbus Bldg (403), Montvale Elem School (601), Odd Fellows Hall (504), Pleasant View (507), Sedalia Center (503), Suck Springs (704), and Thomas Jefferson Elem School (402) Precincts and part of the New London Academy (301) Precinct; and part of Roanoke County comprised of the Bonsack (402), Burlington (202), Castle Rock (305), Cave Spring (503), Clearbrook (505), Cotton Hill (501), Garst Mill (306), Hollins (206), Hunting Hills (507), Lindenwood (405), Mount Pleasant (406), Mount Vernon (506), Mountain View (203), North Vinton (403), Oak Grove (304), Ogden (504), Orchards (205), Penn Forest (502), Plantation (201), Poages Mill (302), South Vinton (404), and Windsor Hills (303) Precincts.*

*Seventh. All of Culpeper, Goochland, Hanover, Louisa, New Kent, and Orange Counties; part of Chesterfield County comprised of the Beaufort (513), Belgrade (508), Belmont (206), Black Heath (511), Bon Air (505), Brandermill (403), Cranbeck (509), Crestwood (502), Davis (515), Evergreen (312), Genito (402), Greenfield (506), Harbour Pointe (401), Huguenot (501), La Prade (405), Manchester (409), Midlothian (503), Monacan (407), Providence (404), Reams (408), Robious (504), Salisbury (507), Shenandoah (413), Skinquarter (309), Smoketree (406), Swift Creek (411), Sycamore (510), Tomahawk (310), Wagstaff (410), Watkins (514), and Woolridge (313) Precincts; part of Henrico County comprised of the Belmont (203), Brookland (204), Byrd (401), Canterbury (205), Causeway (301), Cedarfield (302), Chamberlayne (207), Coalpit (101), Crestview (303), Derbyshire (402), Dumbarton (102), Freeman (403), Gayton (404), Glen Allen (103), Glenside (104), Godwin (405), Greendale (105), Greenwood (210), Hermitage (106), Hilliard (107), Hollybrook (212), Hungary (213), Hungary Creek (116), Hunton (108), Innsbrook (304), Jackson Davis (305), Johnson (109), Lakeside (110), Lakewood (406), Lauderdale (407), Longan (111), Longdale (214), Maude Trevvett (112), Maybeury (408), Monument Hills (306), Moody (216), Mooreland (409), Mountain (217), Nuckols Farm (307), Oakview (218), Pemberton (410), Pinchbeck (411), Pocahontas (308), Randolph (219), Ridge (309), Ridgefield (412), Rivers Edge (317), Rollingwood (413), Sadler (310), Shady Grove (311), Short Pump (318), Skipwith (312), Spottswood (414), Springfield (313), Staples Mill (113), Stoney Run (314), Stratford Hall (221), Summit Court (114), Three Chopt (315), Tuckahoe (415), Tucker (316), Wellborne (417), West End (416), Westwood (115), and Yellow Tavern (223) Precincts; part of Spotsylvania County comprised of the Belmont (501), Blaydes Corner (102), Brock (505), Brokenburg (502), Chancellor (204), Courthouse (504), Elys Ford (201), Fairview (703), Frazers Gate (402), Massaponax (104), Ni River (203), Partlow (101), Piedmont (603), Salem (601), Smith Station (602), Todd's Tavern (503), Travelers Rest (103), and Wilderness (202) Precincts and part of the Lee Hill (403) Precinct; and part of the City of Richmond comprised of the 101 (101), 102 (102), 104 (104), 105 (105), 106 (106), 111 (111), 112 (112), 309 (309), 409 (409), 410 (410), 412 (412), and 413 (413) Precincts and part of the 404 (404) Precinct.*

*Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; and part of Fairfax County comprised of the Alban (623), Baileys (501), Belle Haven (601), Bellevue (602), Belvoir (619), Bren Mar (526), Brook Hill (521), Bucknell (604), Bush Hill (401), Cameron (402), Chesterbrook (302), Clermont (423), Crestwood (415), Edsall (527), El Nido (305), Fairfield (413), Fort Buffalo (703), Fort Hunt (605), Franconia (404), Garfield (417), Glen Forest #2 (529), Glen Forest (505), Graham (705), Greenway (706), Grosvenor (621), Groveton (405), Gunston (616), Haycock (307), Hayfield (406), Hollin Hall (606), Holmes #1 (506), Huntington (607), Huntley (424), Island Creek (427), Kingstowne (421), Kirby (310), Kirkside (608), Lane (419), Leewood (531), Lincolnia (507),*

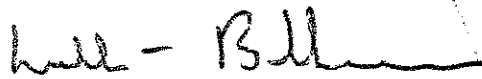
179 Longfellow (312), Lorton (617), Lorton Center (625), Lorton Station (622), Lynbrook (418), Marlan  
 180 (609), Marshall (708), Mount Eagle (408), Parklawn (510), Pimmit (315), Pine Spring (710), Pioneer  
 181 (409), Poe (523), Rose Hill (410), Salona (316), Saratoga (626), Sherwood (610), Shreve (712), Skyline  
 182 (520), Stratford (611), Timber Lane (713), Van Dorn (422), Villages (420), Virginia Hills (411), Walnut  
 183 Hill # 1 (525), Walnut Hill # 2 (728), Waynewood (612), Westgate (613), Westhampton (317), Westlawn  
 184 (515), Westmoreland (318), Weyanoke (516), Whitman (614), Whittier (524), Willston (517), Wilton  
 185 (425), Woodlawn (627), and Woodley (615) Precincts and parts of the Magarity (726) and Saint Albans  
 186 (513) Precincts.

187 Ninth. All of Alleghany, Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee,  
 188 Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties;  
 189 all of the Cities of Bristol, Covington, Galax, Martinsville, Norton, Radford, and Salem; part of Henry  
 190 County comprised of the Bassett No. 1 (501), Bassett No. 2 (101), Collinsville Number 1 (401),  
 191 Collinsville Number 2 (404), Daniel's Creek (402), Dyers Store (505), Fieldale (201), Figsboro (502),  
 192 Fontaine (601), Gunville (102), Hillcrest (602), Horsepasture #1 (202), Horsepasture #2 (203), Oak  
 193 Level (504), Ridgeway #2 (604), Scott's Tanyard (103), Spencer (204), and Stanleytown (503) Precincts  
 194 and part of the Mount Olivet (304) Precinct; and part of Roanoke County comprised of the Bennett  
 195 Springs (107), Bent Mountain (301), Botetourt Springs (204), Catawba (101), Glenvar (103), Green Hill  
 196 (106), Mason Valley (102), Northside (104), Peters Creek (105), and Wildwood (108) Precincts.

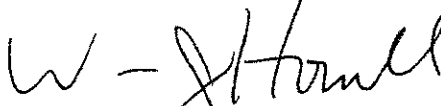
197 Tenth. All of Clarke, Frederick, and Loudoun Counties; all of the Cities of Manassas, Manassas  
 198 Park, and Winchester; part of Fairfax County comprised of the Brookfield (902), Bull Run (923), Chain  
 199 Bridge (301), Churchill (303), Clearview (321), Clifton (803), Colvin (330), Cooper (304), Cub Run  
 200 (903), Deer Park (921), Dulles (904), Fairfax Station (805), Forestville (322), Fountainhead (845), Fox  
 201 Mill (229), Franklin (905), Great Falls (306), Greenbriar West (847), Hickory (328), Kenmore (309),  
 202 Kinross (908), Langley (311), Lees Corner (920), Lees Corner West (927), McLean (314), Navy (911),  
 203 Newgate North (849), Newgate South (854), Popes Head (841), Poplar Tree (928), Rocky Run (913),  
 204 Sangster (838), Seneca (329), Shouse (323), Silverbrook (839), South Run (850), Spring Hill (331),  
 205 Stone (917), Sugarland (327), Vale (914), Virginia Run (915), Waples Mill (916), and Woodyard (815)  
 206 Precincts and part of the Old Mill (925) Precinct; and part of Prince William County comprised of the  
 207 Alvey (406), Battlefield (402), Buckhall (103), Bull Run (403), Evergreen (401), Mountain View (410),  
 208 Pace West (412), Parkside (105), Pr. William A (000), and Signal Hill (114) Precincts and part of the  
 209 Buckland Mills (110) Precinct.

210 Eleventh. All of the City of Fairfax; part of Fairfax County comprised of the Aldrin (234), Barcroft  
 211 (502), Belvedere (503), Blake (701), Bonnie Brae (126), Bristow (102), Burke (801), Burke Centre (127),  
 212 Camelot (522), Cameron Glen (238), Cardinal (128), Centerpointe (844), Centre Ridge (901),  
 213 Centreville (918), Chapel (104), Cherry Run (825), Columbia (518), Coppermine (239), Dogwood (220),  
 214 Eagle View (853), Fair Oaks (848), Fairfax A (0700), Fairlakes (843), Fairview (105), Flint Hill (202),  
 215 Floris (203), Freedom Hill (704), Frying Pan (235), Glade (223), Green Trails (919), Greenbriar East  
 216 (846), Greenspring (426), Heritage (106), Herndon #1 (319), Herndon #2 (320), Herndon #3 (324),  
 217 Holmes #2 (530), Hummer (519), Hunt (624), Hunters Woods (221), Hutchison (325), Irving (827),  
 218 Keene Mill (129), Kilmer (733), Kings Park (108), Lake Braddock (118), Laurel (119), Laurel Hill  
 219 (628), London Towne East (910), London Towne West (924), Long Branch (122), Mantua (707),  
 220 Masonville (508), McNair (237), Merrifield (721), Monument (852), Mosby (709), Newington (618),  
 221 North Point (233), North Springfield # 1 (110), North Springfield # 2 (111), Nottoway (729), Oak Hill  
 222 (113), Oak Marr (732), Oakton (727), Olde Creek (109), Olley (124), Orange (824), Parkway (842),  
 223 Penderbrook (730), Pine Ridge (718), Pohick (811), Powell (926), Price (711), Ravensworth (115),  
 224 Ravenwood (511), Reston #1 (208), Reston #2 (209), Reston #3 (222), Ridgelea (528), Robinson (123),  
 225 Sideburn (120), Signal Hill (125), Sleepy Hollow (512), South County (629), South Lakes (224),  
 226 Stenwood (719), Stuart (236), Sunrise Valley (227), Terra Centre (130), Terraset (225), Thoreau (720),  
 227 Tysons (731), Valley (812), Vienna #1 (213), Vienna #2 (214), Vienna #4 (216), Vienna #6 (218), Villa  
 228 (121), Wakefield (116), Walker (714), West Springfield (840), Westbriar (219), White Oaks (833),  
 229 Willow Springs (851), Wolftrap (226), Woodburn (717), and Woodson (117) Precincts and parts of the  
 230 Magarity (726), Old Mill (925), and Saint Albans (513) Precincts; and part of Prince William County  
 231 comprised of the Bel Air (606), Belmont (701), Bethel (506), Beville (205), Chinn (507), Civic Center  
 232 (604), Dale (601), Dumfries (301), Enterprise (608), Featherstone (704), Freedom (609), Godwin (603),  
 233 Graham Park (303), Kerrydale (607), Kilby (707), King (206), Library (702), Lynn (703), Minnieville  
 234 (605), Mohican (505), Neabsco (602), Occoquan (502), Old Bridge (503), Potomac (302), Potomac View  
 235 (705), Rippon (706), River Oaks (708), Rockledge (504), Saunders (201), Springwoods (508), and Swans  
 236 Creek (311) Precincts.

237 2. That § 24.2-302.1 of the Code of Virginia is repealed.



President of the Senate



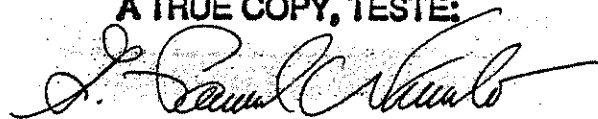
Speaker of the House of Delegates

Approved:



Governor

The General Assembly of Virginia  
A TRUE COPY, TESTE:



Clerk of the House of Delegates and  
Keeper of the Rolls of the Commonwealth

Attachment 2

§ 24.2-302.1. Congressional districts.

A. There shall be eleven Virginia members of the United States House of Representatives elected from eleven congressional districts and each district is entitled to representation by one representative.

B. All references in this section to counties and cities shall be interpreted to refer to those in existence on April 1, 2001, and as reported by the United States Bureau of the Census in the 2000 Census reports provided pursuant to United States Public Law § 94-171, notwithstanding subsequent boundary changes by law, annexation, merger, consolidation, or the voiding of boundary changes theretofore made final.

C. Parts of counties and cities listed in subsection D are defined by reference to the 2000 Census reports for the precincts, parts of precincts, and blocks listed for each congressional district in the Statistical Report on file with the Clerk of the Senate for the Act of Assembly containing the final enactment of this section.

D. The eleven congressional districts are:

First. All of Essex, Gloucester, King and Queen, King George, King William, Lancaster, Mathews, Middlesex, Northumberland, Richmond, Stafford, Westmoreland, and York Counties; all of the Cities of Fredericksburg, Poquoson, and Williamsburg; part of Caroline County comprised of the Bowling Green, Port Royal, Woodford, and Mattaponi Precincts; part of Fauquier County comprised of the Kettle Run, Catlett, Casanova, Lois, Morrisville, Remington, Opal, and Waterloo Precincts and part of the Baldwin Ridge Precinct; part of James City County comprised of the Berkeley A, Berkeley B, Jamestown A, Jamestown B, Jamestown C, Powhatan A, Powhatan B, Stonehouse A, Stonehouse B, Roberts A Part 1, and Roberts A Part 2 Precincts and part of the Roberts B Precinct; part of Prince William County comprised of the Dumfries, Potomac, Graham Park, Quantico, Washington-Reid, and Rippon Precincts; part of Spotsylvania County comprised of the Travelers Rest, Grange Hall, Plank Road, Summit, Frazers Gate, Salem, Battlefield, and Brent's Mill Precincts and part of the Maury Precinct; part of the City of Hampton comprised of the Kraft, Magruder, Northampton, and Tucker Capps Precincts and part of the Burbank Precinct; and part of the City of Newport News comprised of the Richneck, Windsor, Boulevard, Christopher Newport, Watkins, Hidenwood, Palmer, Saunders, Yates, Kiln Creek, Beaconsdale, Sedgefield, and South Morrison Precincts and parts of the Deep Creek, Hilton, Riverside, and Warwick Precincts.

Second. All of Accomack and Northampton Counties; all of the City of Virginia Beach; part of the City of Hampton comprised of the Lasalle, Phoebus, River, Syms, Wythe, Booker, Buckroe, Fox Hill, Kecoughtan, Langley, and Phillips Precincts and part of the Burbank Precinct; and part of the City of Norfolk comprised of the Northside, Titustown Center, Zion Grace, Canterbury, Crossroads, Larchmont Library, Larchmont Recreation Center, Therapeutic Center, Wesley, Azalea Gardens, Barron Black, Easton, Fairlawn, Houston, Bayview School, Bayview United, East Ocean View, Larrymore, Little Creek, Ocean View School, Oceanair, Tarrallton, Third Presbyterian, Ocean View Center Part 1, and Ocean View Center Part 2 Precincts and part of the St. Andrew's Precinct.

## Attachment 2

Third. All of Charles City, New Kent, and Surry Counties; all of the City of Portsmouth; part of Henrico County comprised of the Adams, Central Gardens, East Highland Park, Fairfield, Ratcliffe, Maplewood, Cedar Fork, Chickahominy, Donahoe, Eanes, Elko, Fairmount, Glen Echo, Highland Springs, Laburnum, Masonic, Town Hall, Montrose, Pleasants, Sandston, Seven Pines, Sullivans, Mehfoud, Whitlocks, Nine Mile, Dorey, and Antioch Precincts; part of Isle of Wight County comprised of part of the Rushmere Precinct; part of James City County comprised of part of the Roberts B Precinct; part of Prince George County comprised of the Blackwater, Brandon, Courts Bldg, and Bland Precincts and part of the Jefferson Park Precinct; part of the City of Hampton comprised of the Aberdeen, Bassette, City Hall, Cooper, East Hampton, Lee, Pembroke, Phenix, Smith, Tarrant, Forrest, Jones, Mallory, and Tyler Precincts; part of the City of Newport News comprised of the Denbigh, Epes, Jenkins, McIntosh, Oyster Point, Reservoir, Lee Hall, Bland, Charles, Grissom, Nelson, Sanford, Riverview, Briarfield, Carver, Chestnut, Downtown, Dunbar, Huntington, Jefferson, Magruder, Marshall, New Market, Newsome Park, Reed, River, Washington, and Wilson Precincts and parts of the Deep Creek, Hilton, Riverside, and Warwick Precincts; part of the City of Norfolk comprised of the Granby, Tucker House, Ghent Square, Immanuel, Lafayette Library, Lafayette Presbyterian, Lambert's Point, Maury, Ohel Sholom, Park Place, Stuart, Suburban Park, Willard, Ballentine, Tanner's Creek, Bowling Park, Coleman Place School, Lafayette-Winona, Lindenwood, Monroe, Norview Methodist, Norview Recreation Center, Rosemont, Sherwood School, Union Chapel, Berkley, Brambleton, Campostella, Chesterfield, Coleman Place Presbyterian, Hunton Y, Ingleside, Poplar Halls, Young Park, Sherwood Rec Center Part 1, and Sherwood Rec Center Part 2 Precincts and part of the St. Andrew's Precinct; and part of the City of Richmond comprised of the 113, 114, 203, 204, 206, 207, 208, 211, 212, 213, 303, 304, 305, 306, 309, 402, 403, 501, 502, 503, 504, 505, 508, 509, 510, 602, 603, 604, 606, 607, 608, 609, 610, 701, 702, 703, 704, 705, 706, 707, 802, 806, 807, 810, 811, 812, 813, 902, 903, 906, and 911 Precincts and part of the 910 Precinct.

Fourth. All of Amelia, Dinwiddie, Greensville, Nottoway, Powhatan, Southampton, and Sussex Counties; all of the Cities of Chesapeake, Colonial Heights, Emporia, Franklin, Petersburg, Suffolk, and Hopewell; part of Brunswick County comprised of the Alberta, Danielstown, Elmore, and Seymour Precincts and part of the King's Store Precinct; part of Chesterfield County comprised of the Bellwood, South Chester, Enon, North Chester, Drewry's Bluff, Harrowgate, Wells, Ecoff, Point of Rocks, Dutch Gap, Iron Bridge, Gates, Beulah, Bird, Falling Creek, Meadowbrook, Salem Church, Five Forks, Ettrick, Deer Run, Matoaca, Winfrees Store, Beach, Winterpock, Walthall, Branches, Bailey Bridge, and Spring Run Precincts and parts of the Jacobs and Pocahontas 307/Crenshaw 308 Precincts; part of Isle of Wight County comprised of the Smithfield, Carrollton, Pons, Courthouse, Windsor, Orbit, Walters, Camps Mill, Carrsville, and Zuni Precincts and part of the Rushmere Precinct; and part of Prince George County comprised of the Richard Bland College, Templeton, Union Branch, and Rives Precincts and part of the Jefferson Park Precinct.

Fifth. All of Albemarle, Appomattox, Buckingham, Campbell, Charlotte, Cumberland, Fluvanna, Franklin, Greene, Halifax, Lunenburg, Mecklenburg, Nelson, Pittsylvania, and Prince Edward Counties; all of the Cities of Bedford, Charlottesville, Danville, and Martinsville; part of Bedford County comprised of the Stewartsville, Hardy, Chamblissburg, Staunton River, Moneta, Mountain View, Otter Hill, Walton's Store, White House, Huddleston, Shady Grove, Thaxton, Goode, Liberty High School, and Sign Rock Precincts; part of Brunswick County comprised of



## Attachment 2

the Brodnax, Rock Store, Tillman, Dromgoole, Edgerton, Fitzhugh, Sturgeon, and Lawrenceville Precincts and part of the King's Store Precinct; and part of Henry County comprised of the Axton, Irisburg, Mount Olivet, Mountain Valley, Collinsville 1, Daniels Creek, Collinsville 2, Mountain View, Figsboro, Stanleytown, Oak Level, Dyers Store, and Ridgeway Precincts and part of the Fontaine Precinct.

Sixth. All of Amherst, Augusta, Bath, Botetourt, Highland, Rockbridge, Rockingham, and Shenandoah Counties; all of the Cities of Buena Vista, Harrisonburg, Lexington, Lynchburg, Roanoke, Salem, Staunton, and Waynesboro; part of Alleghany County comprised of the Humpback Bridge, Dolly Ann, Callaghan, and Griffith Precincts; part of Bedford County comprised of the New London, Forest, Jefferson, Cove, Big Island, Sedalia, Kelso, Boonsboro, and Montvale Precincts; and part of Roanoke County comprised of the Green Hill, Plantation, Burlington, Mountain View, Bonsack, Hollins, Poages Mill, Windsor Hills, Garst Mill, Oak Grove 304/Castle Rock 305, North Vinton, South Vinton, Lindenwood, Mount Pleasant, Cotton Hill, Penn Forest, Cave Spring, Ogden, Clearbrook, Mount Vernon, and Hunting Hills Precincts and part of the Glenvar Precinct; and part of the City of Covington, comprised of the Precinct 1-1 and parts of the 2-1 and 3-1 Precincts.

Seventh. All of Culpeper, Goochland, Hanover, Louisa, Madison, Orange, Page, and Rappahannock Counties; part of Caroline County comprised of the Madison and Reedy Church Precincts; part of Chesterfield County comprised of the Belmont, Chippenham, Skinquarter, Tomahawk, Evergreen, Woolridge, Genito, Brandermill, Providence, Lyndale, Smoketree, Monacan, Reams, Manchester, Wagstaff, Davis, Harbour Pointe 401/Swift Creek 411, Huguenot, Crestwood, Midlothian, Robious, Bon Air, Greenfield, Salisbury, Cranbeck, Sycamore, Shenandoah, Beaufont, Watkins, and Belgrade 508/Black Heath 511 Precincts and parts of the Jacobs and Pocahontas 307/Crenshaw 308 Precincts; part of Henrico County comprised of the Brookland, Dumbarton, Glen Allen, Glenside, Greendale, Hermitage, Hilliard, Hunton, Johnson, Lakeside, Longan, Maude Trevvett, Moody, Staples Mill, Stratford Hall, Summit Court, Azalea, Bloomingdale, Brook Hill, Canterbury, Chamberlayne, Glen Lea, Greenwood, Highland Gardens, Hungary, Longdale, Randolph, Upham, Wilkinson, Yellow Tavern, Chipplegate, Landmark, Cardinal, Coalpit, Crestview, Freeman, Innsbrook, Jackson Davis, Lauderdale, Monument Hills, Ridge, Sadler, Cedarfield, Skipwith, Three Chopt, Tucker, Westwood, Causeway, Stoney Run, Byrd, Lakewood, Derbyshire, Gayton, Godwin, Maybeury, Mooreland, Pemberton, Pinchbeck, Ridgefield, Rollingwood, Spottswood, Tuckahoe, and West End Precincts; part of Spotsylvania County comprised of the Partlow, Blaydes Corner, Belmont, Brokenburg, Todd's Tavern, and Holbert Precincts and part of the Maury Precinct; and part of the City of Richmond comprised of the 101, 102, 103, 104, 105, 106, 111, 112, 301, 302, 307, 308, 404, 409, 410, 411, 412, 413, 908, and 909 Precincts and part of the 910 Precinct.

Eighth. All of Arlington County; all of the Cities of Alexandria and Falls Church; part of Fairfax County comprised of the Reston #1, Reston #2, Westbriar, Dogwood, Hunters Woods, Reston #3, Glade, South Lakes, Terraset, Wolftrap, Sunrise Valley, North Point, Aldrin, Pimmit, Bush Hill, Cameron, Franconia, Groveton, Mount Eagle, Pioneer, Rose Hill, Virginia Hills, Beulah, Villages, Kingstowne, Van Dorn, Hayfield 406/Woodlawn 412/Fairfield 413, Baileys, Glen Forest, Lincolnia, Parklawn, Westlawn, Weyanoke, Willston, Skyline, Whittier, Walnut Hill #1, Bren Mar, Edsall, Belle Haven, Belleview, Bucknell, Hollin Hall, Huntington, Kirkside, Marlan,



## Attachment 2

Sherwood, Belvoir, Grosvenor, Fort Buffalo, Graham, Greenway, Marshall, Pine Spring, Shreve, Timber Lane, Woodburn, Magarity, Walnut Hill #2, and Tysons Precincts and parts of the Holmes and Westhampton Precincts.

Ninth. All of Bland, Buchanan, Carroll, Craig, Dickenson, Floyd, Giles, Grayson, Lee, Montgomery, Patrick, Pulaski, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties; all of the Cities of Bristol, Clifton Forge, Galax, Norton, and Radford; part of Alleghany County comprised of the Arritt, Dameron, Low Moor, Jackson Heights Part 1, Jackson Heights Part 2, Iron Gate, and Peters Switch Precincts; part of Henry County comprised of the Bassett 2, Gunville, Scott's Tanyard, Fieldale, Horsepasture, Spencer, Bassett 1, and Hillcrest Precincts and part of the Fontaine Precinct; part of Roanoke County comprised of the Catawba, Mason Valley, Northside, Peters Creek, Bennett Springs, Botetourt Springs, Woodlands, and Bent Mountain Precincts and part of the Glenvar Precinct; part of the City of Covington comprised of the 4-1 and 5-1 Precincts and parts of the 2-1 and 3-1 Precincts; and Montgomery A.

Tenth. All of Clarke, Frederick, Loudoun, and Warren Counties; all of the Cities of Winchester, Manassas and Manassas Park; part of Fairfax County comprised of the Colvin, Fox Mill, Floris 203/Frying Pan 235, Chain Bridge, Chesterbrook, Churchill, Cooper, El Nido, Great Falls, Haycock, Kenmore, Kirby, Langley, Longfellow, Mclean, Salona, Westmoreland, Herndon #1, Herndon #2, Clearview, Forestville, Shouse, Herndon #3, Hutchison, Stuart, Sugarland, Hickory, Seneca, Centre Ridge, Chantilly, Dulles, Franklin, Greenbriar East, Greenbriar West, Kinross, London Towne, Navy, Rocky Run, Virginia Run, Lees Corner, Deer Park, and Cub Run 903/Stone 917 Precincts and part of the Westhampton Precinct; part of Fauquier County comprised of the Warrenton, Marshall, Leeds, Upperville, The Plains, New Baltimore, and Broad Run Precincts and part of the Baldwin Ridge Precinct; and part of Prince William County comprised of the Buckhall, Parkside, Jackson, Evergreen, Loch Lomond, Sinclair, Stonewall, Sudley, Westgate, Catharpin, Bull Run, Plantation, and Mullen Precincts.

Eleventh. All of the City of Fairfax; part of Fairfax County comprised of the Bristow, Chapel, Fairview, Heritage, Kings Park, Olde Creek, North Springfield #1, North Springfield #2, North Springfield #3, Oak Hill, Ravensworth, Wakefield, Lake Braddock, Laurel, Sideburn, Villa, Long Branch, Robinson, Olley, Signal Hill, Bonnie Brae, Flint Hill, Vienna #1, Vienna #2, Vienna #4, Vienna #6, Crestwood, Garfield, Lynbrook, Barcroft, Belvedere, Masonville, Ravenwood, Sleepy Hollow, Saint Albans, Columbia, Hummer, Brook Hill, Camelot, Poe, Ridgelea, Fort Hunt, Stratford, Waynewood, Westgate, Whitman, Woodley, Gunston, Lorton, Newington, DeLong, Pohick Run, Blake, Freedom Hill, Mantua, Mosby, Price, Walker, Pine Ridge, Stenwood, Thoreau, Merrifield, Oakton, Nottoway, Penderbrook, Oak Marr, Burke, Cardinal, Clifton, Fairfax Station, Keene Mill, Pohick, Valley, Woodyard, Orange, Cherry Run, Irving, Saratoga, Terra Centre, White Oaks, Hunt, Burke Centre, Sangster, Silverbrook, West Springfield, Popes Head, Parkway, Leehigh, Newgate, Vale, Waples Mill, Centreville, Green Trails, Willow Springs, Woodson Part 1, and Woodson Part 2 Precincts and part of the Holmes Precinct; part of Prince William County comprised of the Brentsville, Armory, Nokesville, Linton Hall, Woodbine, Park, Saunders, Enterprise, Coles, McCoart, Springwoods, King, Lodge, Westridge, Pattie, Henderson, Montclair, Haymarket, Lake Ridge, Occoquan, Old Bridge, Rockledge, Mohican, Bethel, Chinn, Dale, Neabsco, Godwin, Civic Center, Minnieville, Bel Air,

Attachment 2

Kerrydale, Belmont, Library, Lynn, Featherstone, Potomac View, and Kilby Precincts; and Fairfax A.

(2001, Sp. Sess. I, c. 7.)

## Attachment 3

**STATEMENT OF CHANGE**

Chapter 1 of the Acts of Assembly of 2012 (hereafter Chapter 1) revises Virginia's 11 congressional districts. Virginia's population grew at a rate of 13 percent, from 7,079,030 to 8,001,024, between 2000 and 2010. The pattern of growth was uneven across the Commonwealth, as illustrated in the attached map (Exhibit A) showing percent change in population by locality between 2000 and 2010.

Chapter 1 accommodates these population shifts and takes into account the variety of criteria and factors that traditionally shape the legislature's redistricting decisions. Each congressional district was altered both to bring the district itself into conformity with population criteria and to facilitate necessary changes in adjoining districts.

**POPULATION CHANGE BY REGION**

Virginia's population increase of 921,994 was concentrated in the outer suburban and exurban rings of Northern Virginia and, secondarily, along the Interstate 64 corridor running from the suburban Hampton Peninsula to the Charlottesville area. These areas account for an increase of 741,158, or 80 percent, of the overall state growth.

The largest increases in population are found in the suburban arc around the older Northern Virginia metropolitan core. Loudoun, Prince William, and Stafford Counties, along with the smaller Cities of Manassas and Manassas Park surrounded by Prince William, experienced an overall 52 percent growth rate. The increase of 307,085 accounts for one-third of the state's total population

## Attachment 3

growth. The older core of the Northern Virginia region (Arlington County, City of Alexandria, and Fairfax County and the small Cities of Fairfax and Falls Church that it surrounds) continued to gain population (144,866), but its rate of growth, 11 percent, lagged slightly behind the state's overall growth rate.

As population continued to push out from the Northern Virginia core, the next adjoining set of "exurban" localities likewise experienced heavy growth. An overall growth rate of almost 30 percent (28.8 percent) increased the state's population by 103,401 in, from north to south, Frederick, Clarke, Fauquier, Culpeper, Orange, Spotsylvania, Caroline, and King George Counties and including the Cities of Fredericksburg and Winchester.

The corridor along Interstate 64 from the North Hampton Roads suburbs to Charlottesville, skirting the Richmond metropolitan core, with a 21.1 percent overall growth rate, likewise added 84,838 to the state's total growth. (This corridor includes, from east to west, York, James City, New Kent, Hanover, Goochland, Louisa, Fluvanna, and Albemarle Counties and the Cities of Charlottesville and Williamsburg.) One additional area of growth to be noted consists of the two large counties encircling the City of Richmond. Chesterfield and Henrico Counties combined to add 100,968 in population, a growth rate of 19.3 percent.

The situation for the major cities of Hampton Roads is in contrast with the growth of the Northern Virginia and Richmond metropolitan regions. Chesapeake, Norfolk, Portsmouth, and Virginia Beach in South Hampton Roads and Hampton and Newport News in North Hampton Roads combined for a

## Attachment 3

growth rate of only 2.3 percent. Portsmouth and Hampton actually lost population over the last decade. Above average growth in the adjoining suburban jurisdictions (James City and York Counties and the City of Williamsburg in the North and the City of Suffolk and Isle of Wight County in the South) could not offset the overall lag for the entire metropolitan region.

As can be seen on the Exhibit A map, most rural localities and smaller metropolitan areas in the rest of the state grew at rates below the state average, or in some instances actually lost population, over the last decade. The populations of most of the state's 39 cities increased between 2000 and 2010, but only seven experienced growth exceeding the state average. In addition to the smaller cities cited above in the high growth areas, Harrisonburg and Lynchburg had moderately higher growth and the suburban Hampton Roads City of Suffolk grew at a rate of 32.8 percent.

#### IMPACT OF POPULATION SHIFTS ON DISTRICTS

The ideal population for a congressional district based on the 2010 Census is 727,366. The range of deviations from the ideal for the current, pre-Chapter 1 districts was extensive – from a plus 19.5 percent deviation (Tenth District) to a minus 11.2 percent deviation (Second District). No district is within one percent of ideal, and deviations in seven of the 11 districts exceed five percent. Adjustments were made to each district to eliminate the disparities in populations between the districts. A review of major regions of the Commonwealth illustrates the impact of the 2010 Census population shifts.

## Attachment 3

Northern Virginia

As used here, Northern Virginia consists of an older central core and suburban and exurban rings. Arlington County, the City of Alexandria, and Fairfax County and the Cities of Fairfax and Falls Church are the oldest, "central" part of the greater Northern Virginia region. The components of the rapidly growing grouping of suburban and exurban localities have been listed above (see page 2.) Northern Virginia is home to three congressional districts (Eighth, Tenth, and Eleventh), and the outer suburban-exurban localities also add population to districts that stretch south and southeast to Hampton Roads (First) and the Richmond (Seventh) area.

The current Eighth, Tenth, and Eleventh Districts are, in round numbers, collectively 180,000 over the total population for three districts. Chapter 1 first equalizes population among the three districts and then moves this excess population "downstate" to underpopulated districts centered in the Hampton Roads area and in rural western and southern Virginia. The current Eighth District, primarily an inside-the-Beltway district, was 26,356 below the ideal population in 2010. Population exchanges in Fairfax County, primarily with the current Eleventh District, add the population to bring the Eighth to the ideal number in Chapter 1.

Chapter 1 moves the largest part of the excess 180,000 directly from Prince William into the First District. The Prince William component of the First District increases from 55,000 to 167,000, a net shift of 112,000 population. Most of this population is destined for the Second-Third-Fourth District area

## Attachment 3

through Hampton and Newport News, primarily to make up the Second District's population deficit.

Chapter 1 completes the downstate transfer of population in the northwest part of Northern Virginia. Warren County moves to the Sixth District and the northwest part of Fauquier County moves to the Fifth District, for a total transfer of 68,000.

### Hampton Roads

The urban southeastern corner of the state is the second largest of its metropolitan regions. It includes the South Hampton Roads Cities of Chesapeake, Norfolk, Portsmouth, Suffolk, and Virginia Beach and North Hampton Roads Cities of Hampton and Newport News, bordered by several less populous counties and small cities. As noted above, this area for the second straight decade lagged dramatically behind the state's overall growth rate.

The current Second District almost exclusively is contained in this region and is the most underpopulated of the state's districts at 81,182 below the ideal size. Almost 60 percent of the Third District also is in this area. This district, the Virginia district that has an African American majority, is 63,976 below the required population. Hampton Roads also has a share of two additional districts. Almost one-half (45 percent) of the population in the Fourth District is in Hampton Roads. This district stretches west into Southside Virginia and includes African Americans as 34 percent of its population. Its 2010 population was slightly (11,273) above ideal. Finally, the First District stretches from the Northern Virginia suburban area southeast through the rural peninsulas and into North

## Attachment 3

Hampton Roads, where it picks up approximately a third of the district's population. The First covers areas of above average growth and is 58,871 over the required population. Since Chapter 1 also moves almost 112,000 from the Northern Virginia area into the First District, that district has a significant excess population to be redistributed.

Chapter 1 uses population from the First District in the Newport News-Hampton area to make up the Second District's population deficit. In round numbers, 88,000 in Newport News is shifted from the First to the Second District. Some population is exchanged between First, Second, and Third Districts to add population to the Third District, but Chapter 1 finds most of the population required to erase the Third District deficit at the western end of the district. About 35,000 in Richmond and Henrico County transfer from the Seventh District, and the City of Petersburg (39,000) moves from the Fourth to the Third District. The Fourth District is compensated primarily by the addition of 22,000 of the population of Chesterfield County from the current Seventh District.

Rural Southern and Western Virginia

The predominantly rural Fifth (southern and central Virginia), Sixth (bordering West Virginia), and Ninth (Southwest Virginia) Districts are contiguous and all are underpopulated, the total deficit being almost 136,000. The situation of the Ninth District is most immediate, since its population deficit in 2010 was 71,166 and its geographical location demands that it add population from either the Fifth or Sixth, or both.



## Attachment 3

As noted in describing Northern Virginia, the western part of that area had excess population of approximately 68,000 that could be transferred downstate. In addition, the First District, overpopulated to begin with and boosted by the initial addition of population from Northern Virginia (Prince William) had excess population available for transfer even after providing the underpopulated Hampton Roads districts the population they required.

Chapter 1 brings the three districts under discussion up to population equality initially by extending the Fifth and Sixth Districts north to the upper Piedmont and outer Northern Virginia area for additional population, contracting the Seventh District southeast in the process. The Fifth District adds 71,000 by picking up Madison and Rappahannock Counties from the Seventh District and most (50,000) of Fauquier County from the Tenth and First Districts. The Sixth District adds Page (Seventh) and Warren (Tenth) Counties for a gain of almost 62,000. The two districts then have enough combined excess population to bring the Ninth District to the required population count. The Fifth District provides almost 33,000 by transferring the City of Martinsville and a greater part of Henry County to the Ninth. The Sixth District provides almost 37,000 by transferring the City of Salem, a larger part of Roanoke County, and the part of Alleghany County now in the Sixth to the Ninth District.

A series of smaller adjustments along the First District-Seventh District boundary from Fauquier County to New Kent County result in a net shift of population to the Seventh and reduce the First to the ideal population.

Attachment 3

Richmond Area

The City of Richmond and surrounding Chesterfield, Hanover, and Henrico Counties have a combined population of more than 900,000. Almost 60 percent of that population currently is in the Seventh District, with significant components included in the Third District (25 percent) and Fourth District (17 percent). Chapter 1 reduces the Seventh District component by 56,000, although the Richmond area retains a slim majority (52 percent) of the district. As described above, the population taken from the Richmond area Seventh District was used to help bring the Third District and Fourth District populations up to the required district total. Approximately 34,000 of the population in Richmond City and Henrico County is shifted to the Third District; almost 22,000 of the population of Chesterfield County is moved to the Fourth District.

APPLICATION OF TRADITIONAL REDISTRICTING CRITERIA

The Privileges and Elections Committee of the Senate (the Committee) on March 25, 2011, adopted criteria that identify the standards applied in drawing new congressional districts.

Population Equality

The Committee emphasized adherence to population equality among congressional districts. Its first redistricting criterion mirrors the Virginia Constitution's statement on population equality among districts and provides:

Attachment 3

***I. Population Equality***

*The population of legislative districts shall be determined solely according to the enumeration established by the 2010 federal census. The population of each district shall be as nearly equal to the population of every other district as practicable. (Senate Privileges and Elections Committee, Committee Resolution No. 2. Adopted March 25, 2011).*

Chapter 1 congressional districts all are at 0.00 percent deviation. Nine of the 11 districts have exactly the ideal population; two districts have an absolute deviation of one (1) person.

Equal Protection Clause and Voting Rights Act Considerations

The Committee adopted the following criterion on compliance with the United States Constitution and Voting Rights Act:

***II. Voting Rights Act***

*Districts shall be drawn in accordance with the laws of the United States and the Commonwealth of Virginia including compliance with protections against the unwarranted retrogression or dilution of racial or ethnic minority voting strength. Nothing in these guidelines shall be construed to require or permit any districting policy or action that is contrary to the United States Constitution or the Voting Rights Act of 1965. (Senate Committee on Privileges and Elections, Committee Resolution No. 2 Adopted March 25, 2011).*

The impact of Chapter 1 on racial minority groups is discussed in detail in Attachment 5. There is one district with African American total and voting age majorities in the current plan and Chapter 1 likewise includes one majority-minority district, the Third District in both cases.

Contiguity and Compactness

The third criterion adopted by the Committee incorporated Virginia's constitutional requirement for contiguity and compactness with reference to the

## Attachment 3

1992 and 2002 cases in which the Virginia Supreme Court interpreted these constitutional standards.

### **III. Contiguity and Compactness**

*Districts shall be based on legislative consideration of the varied factors that can create or contribute to communities of interest. These factors may include, among others, economic factors, social factors, cultural factors, geographic features, governmental jurisdictions and service delivery areas, political beliefs, voting trends, and incumbency considerations. Public comment has been invited, has been and continues to be received, and will be considered. It is inevitable that some interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people. Local government jurisdiction and precinct lines may reflect communities of interest to be balanced, but they are entitled to no greater weight as a matter of state policy than other identifiable communities of interest. (Senate Committee on Privileges and Elections, Committee Resolution No. 2. Adopted March 25, 2011).*

The Court in *Jamerson* gave "proper deference to the wide discretion accorded the General Assembly in its value judgment of the relative degree of compactness required when reconciling the multiple concerns of apportionment." (*Jamerson v. Womack*, 244 Va. 506, 517 (1992)). Statistical measures of compactness thus are not determinative in the Virginia context; Chapter 1 compactness scores by standard measures are nearly identical to those of the current set of districts.

#### **Average Compactness Scores**

<u>Measure</u>	<u>Current Plan</u>	<u>Chapter 1</u>
Roeck	0.21	0.21
Polsby-Popper	0.17	0.15

## Attachment 3

Schwartzberg

0.66

0.66

Localities, Precincts, and Communities of Interest

Chapter 1 splits 14 localities to meet the criteria adopted by the Committee, a reduction from the 19 localities split by the current congressional plan. (These totals exclude three localities in each plan that technically are split but in which the entire locality population is in one district while one or more water blocks without population are in another district.) All of the localities split by Chapter 1 are already split in the current plan, including eight large localities with populations exceeding 100,000 (Chesterfield, Henrico, Fairfax and Prince William Counties and the Cities of Hampton, Newport News, Norfolk, and Richmond). Chapter 1 reunites four smaller localities (Alleghany, Brunswick, and Caroline Counties and the City of Covington) and York County, which were split in the current plan.

Chapter 1 splits 10 precincts across the state to meet the criteria adopted by the Committee, a significant reduction from the 26 split precincts in the current plan. (As in the case of split localities, these numbers exclude technically split precincts where all of the precinct's population is in one district and there is no population in the other district.)

The General Assembly heard, considered, and balanced many points of view on communities of interest beyond those reflected in the communities contained in localities and precincts. Testimony and debates point out the wide variety of competing communities of interest, including those defined by

## Attachment 3

geographic features such as mountain ranges and valleys, by economic character, by social and cultural attributes, and by services.

Partisan and Incumbency Considerations

As the 2011 and 2012 committee and floor transcripts reflect, respect for incumbency was taken into account in the development of Chapter 1 districts. No incumbents were placed in the same district and, with two exceptions, Chapter 1 retains 80 percent or more of the current district's core constituency population (see Tables 1 and 2). The exceptions are the Eleventh District with 29 percent new population and the First District with 24 percent new population.

The election history reports for the current plan and Chapter 1 show that the vote in Virginia's congressional districts aligns strongly with one or the other major political party (See Table 3). Chapter 1 alterations to the districts caused little or no change in the projected vote in about half the districts. Where the vote projects do change at least somewhat measurably, notable is the reduced Republican vote in the Eleventh (by five to six percent) and Third (by three percent) Districts. On the other hand, the Republican vote is projected to increase by one to two percent in Fourth, Seventh, and Tenth Districts and one percent in the Eighth District.

Chapter 1 was reported from the Privileges and Elections Committee by a 19 to 3 vote. All 14 Republicans, joined by an Independent who caucuses with the Republicans, voted to report. The votes of the seven Democratic members were split, four voting for and three against reporting HB 251. The ensuing floor

Attachment 3

vote on passage of the bill showed the same pattern. All 64 Republicans who voted favored passage, as did the lone Independent member. Democrats were divided. Nine voted in favor of passage, while a majority (twenty-one members) of the caucus voted against the bill. Two Democrats did not vote.

Votes in the Senate followed party lines. Eight Republicans voted in favor and seven Democrats opposed the motion to report the bill from the Senate Privileges and Elections Committee. The floor vote on final passage showed all 20 Republicans in favor, all 19 Democrats who voted were opposed, and one Democrat did not vote.

The 2012 voting patterns followed those on congressional measures during the 2011 Special Session of the General Assembly. House Bill 251 in 2012 was identical to the version of House Bill 5004 that passed the House of Delegates at the 2011 Special Session. (The bill as passed by the House was identical to the introduced version except for a minor adjustment to unsplit one voting precinct.) The House Privileges and Elections Committee reported House Bill 5004 by a 17 to 2 vote, with three members not voting. All 11 Republicans who voted favored the bill; two did not vote. Five Democrats voted in the affirmative, while two were opposed and one did not vote. The floor vote on passage, 71 to 23 with six members not voting, reflected a similar pattern. All but four Republicans voted to pass the bill; two voted against passage and two did not vote. The two Independents, who caucused with the Republicans, also voted in favor of the bill. A majority (21) of Democrats opposed the bill, while 14 voted in the affirmative and four did not vote.

Attachment 3

The Senate Privileges and Elections Committee replaced the House redistricting plan with the plan of Senate Bill 5004 (Locke) by removing the House language in House Bill 5004 and inserting the Locke bill's language in its place. The bill was reported from committee, rereferred to committee from the floor, and reported again by the committee as a substitute with some additional changes. All nine Democrats voted to report the bill on both votes. No Republicans supported either version: All six voted against on the first vote; two did not vote on the second occasion while the other four were recorded in opposition. The floor vote on the Senate version of House Bill 5004 was divided by party. All 22 Democrats voted in favor of passage, while, among Republicans, 15 opposed it and three did not vote. The House of Delegates rejected the Senate version of the bill, effectively ending 2011 consideration of redistricting. No House Republican supported the Senate version; 51 voted against and eight did not vote. One of the two Independents likewise opposed the measure and one did not vote. Among Democrats, 30 voted for the Senate version, four opposed it, and five did not vote.

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## Attachment 3

**Table 1**  
**Chapter One Districts**  
**Components of Population Adjustments**

<b>District</b>	<b>2010 Total</b>	<b>Retained</b>	<b>%</b>	<b>Transferred</b>	<b>Added</b>	<b>Ch. 1 Total</b>
1	786,327	556,094	76%	230,143	171,272	727,366
2	646,184	618,267	85%	27,917	109,099	727,366
3	663,390	604,608	83%	58,782	122,758	727,366
4	738,639	699,949	96%	38,690	22,417	727,366
5	685,859	652,915	90%	32,944	74,450	727,365
6	704,056	665,671	92%	38,385	61,695	727,366
7	757,917	640,903	88%	117,014	86,463	727,366
8	701,010	621,050	85%	79,960	106,316	727,366
9	656,200	656,122	90%	78	71,244	727,366
10	869,437	648,661	89%	220,776	78,704	727,366
11	792,095	518,160	71%	273,935	209,206	727,365

## Attachment 3

**Table 2**  
**Chapter One Districts**  
**Core Constituency Report**

<b>District: 1</b>	Total Population:	727,366	Voting Age Population:	543,139
Unchanged Area				
Population from District 1		556,094		422,033
Total Unchanged Area		556,094		422,033
From Other Districts				
Population from District 3		7,351		5,106
Population from District 7		14,481		10,797
Population from District 10		38,187		28,023
Population from District 11		111,253		77,180
Total From Other Districts		171,272		121,106
<b>Total for District: 1</b>		<b>727,366</b>		<b>543,139</b>
<b>District: 2</b>	Total Population:	727,366	Voting Age Population:	565,464
Unchanged Area				
Population from District 2		618,267		479,697
Total Unchanged Area		618,267		479,697
From Other Districts				
Population from District 1		83,598		65,718
Population from District 3		25,501		20,049
Total From Other Districts		109,099		85,767
<b>Total for District: 2</b>		<b>727,366</b>		<b>565,464</b>
<b>District: 3</b>	Total Population:	727,366	Voting Age Population:	560,158
Unchanged Area				
Population from District 3		604,608		466,232
Total Unchanged Area		604,608		466,232
From Other Districts				
Population from District 1		23,288		17,805
Population from District 2		27,917		20,543
Population from District 4		35,447		27,835
Population from District 7		36,106		27,743
Total From Other Districts		122,758		93,926
<b>Total for District: 3</b>		<b>727,366</b>		<b>560,158</b>
<b>District: 4</b>	Total Population:	727,366	Voting Age Population:	547,486
Unchanged Area				
Population from District 4		699,949		527,298
Total Unchanged Area		699,949		527,298
From Other Districts				
Population from District 3		5,713		4,176
Population from District 7		21,704		16,012
Total From Other Districts		27,417		20,188
<b>Total for District: 4</b>		<b>727,366</b>		<b>547,486</b>

## Attachment 3

<b>District: 5</b>	Total Population:	727,365	Voting Age Population:	574,341
Unchanged Area				
Population from District	5	652,915		517,503
Total Unchanged Area		652,915		517,503
From Other Districts				
Population from District	1	19,595		14,600
Population from District	4	3,243		2,609
Population from District	6	85		56
Population from District	7	20,681		16,246
Population from District	10	30,846		23,327
Total From Other Districts		74,450		56,838
<b>Total for District:</b>	<b>5</b>	<b>727,365</b>		<b>574,341</b>

<b>District: 6</b>	Total Population:	727,366	Voting Age Population:	572,702
Unchanged Area				
Population from District	6	665,671		525,297
Total Unchanged Area		665,671		525,297
From Other Districts				
Population from District	5	0		0
Population from District	7	24,042		18,849
Population from District	9	78		61
Population from District	10	37,575		28,495
Total From Other Districts		61,695		47,405
<b>Total for District:</b>	<b>6</b>	<b>727,366</b>		<b>572,702</b>

<b>District: 7</b>	Total Population:	727,366	Voting Age Population:	549,562
Unchanged Area				
Population from District	7	640,903		486,679
Total Unchanged Area		640,903		486,679
From Other Districts				
Population from District	1	66,246		46,887
Population from District	3	20,217		15,996
Total From Other Districts		86,463		62,883
<b>Total for District:</b>	<b>7</b>	<b>727,366</b>		<b>549,562</b>

<b>District: 8</b>	Total Population:	727,366	Voting Age Population:	580,212
Unchanged Area				
Population from District	8	621,050		502,331
Total Unchanged Area		621,050		502,331
From Other Districts				
Population from District	10	22,338		16,217
Population from District	11	83,978		61,664
Total From Other Districts		106,316		77,881
<b>Total for District:</b>	<b>8</b>	<b>727,366</b>		<b>580,212</b>

## Attachment 3

<b>District: 9</b>	Total Population:	727,366	Voting Age Population:	584,877
Unchanged Area				
Population from District 9		656,122		528,070
Total Unchanged Area		656,122		528,070
From Other Districts				
Population from District 5		32,944		26,093
Population from District 6		38,300		30,714
Total From Other Districts		71,244		56,807
<b>Total for District: 9</b>		<b>727,366</b>		<b>584,877</b>
<b>District: 10</b>	Total Population:	727,365	Voting Age Population:	520,811
Unchanged Area				
Population from District 10		648,661		463,505
Total Unchanged Area		648,661		463,505
From Other Districts				
Population from District 8		0		0
Population from District 11		78,704		57,306
Total From Other Districts		78,704		57,306
<b>Total for District: 10</b>		<b>727,365</b>		<b>520,811</b>
<b>District: 11</b>	Total Population:	727,366	Voting Age Population:	548,595
Unchanged Area				
Population from District 11		518,160		390,215
Total Unchanged Area		518,160		390,215
From Other Districts				
Population from District 1		37,416		25,897
Population from District 8		79,960		62,763
Population from District 10		91,830		69,720
Total From Other Districts		209,206		158,380
<b>Total for District: 11</b>		<b>727,366</b>		<b>548,595</b>

## Attachment 3

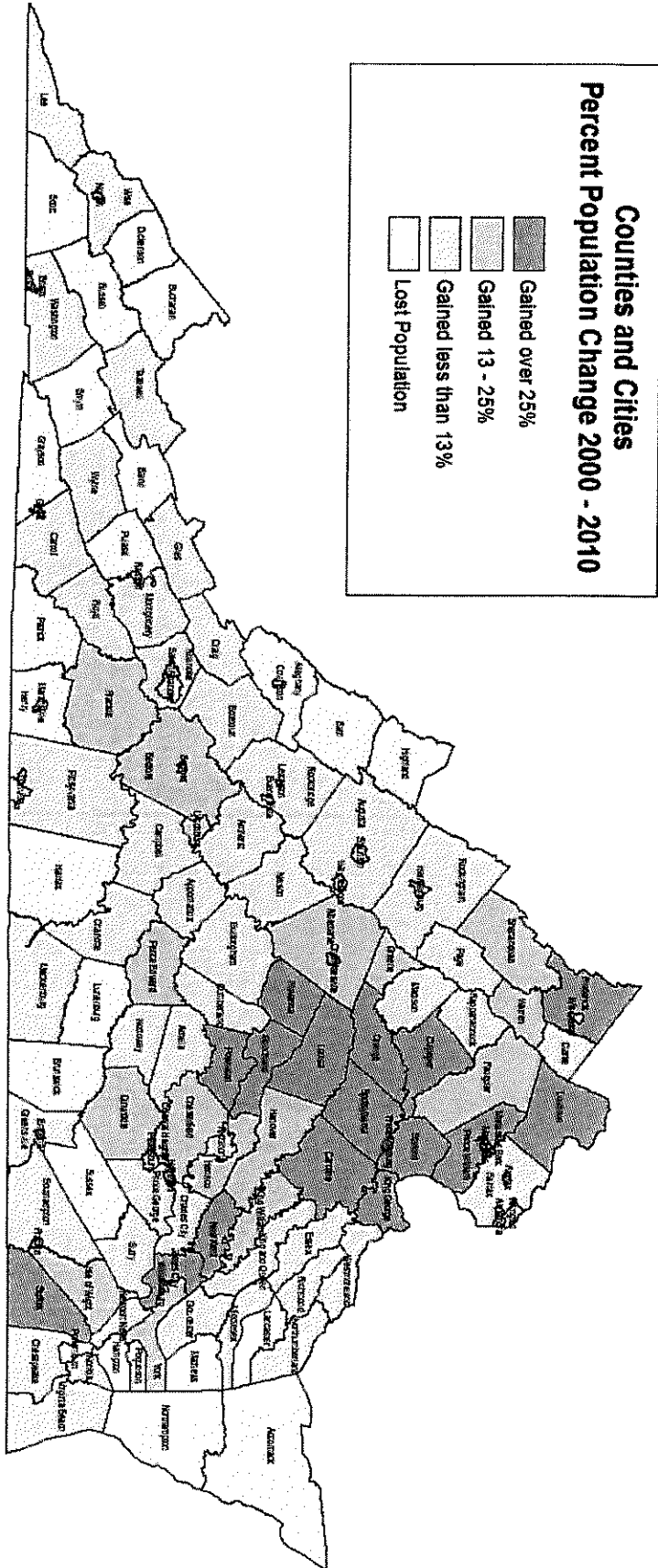
**Table 3**  
**Chapter One Districts**  
**Projected Republican Vote**

Current Districts			Chapter 1 Districts	
District	2009 Governor	2008 President	2009 Governor	2008 President
1	65%	53%	66%	53%
2	62%	50%	62%	50%
3	34%	25%	31%	22%
4	61%	50%	63%	51%
5	61%	52%	62%	52%
6	67%	58%	67%	58%
7	66%	54%	68%	56%
8	39%	32%	40%	33%
9	67%	59%	66%	59%
10	61%	48%	63%	50%
11	55%	44%	50%	38%

The vote by census block first was estimated from known precinct election returns. The values for each census block in a district then were summed to produce an estimated district vote for each candidate.

EXHIBIT A

# Commonwealth of Virginia



Attachment 4

Approved 3/25/11

**SENATE COMMITTEE ON PRIVILEGES AND ELECTIONS**

**COMMITTEE RESOLUTION NO. 2 -- Congressional District Criteria**

(Proposed by Senator Howell)

**RESOLVED**, That after consideration of legal requirements and public policy objectives, informed by public comment, the Senate Committee on Privileges and Elections adopts the following criteria for the redrawing of Virginia's Congressional districts:

**I. Population Equality**

The population of legislative districts shall be determined solely according to the enumeration established by the 2010 federal census. The population of each district shall be as nearly equal to the population of every other district as practicable.

**II. Voting Rights Act**

Districts shall be drawn in accordance with the laws of the United States and the Commonwealth of Virginia including compliance with protections against the unwarranted retrogression or dilution of racial or ethnic minority voting strength. Nothing in these guidelines shall be construed to require or permit any districting policy or action that is contrary to the United States Constitution or the Voting Rights Act of 1965.

**III. Contiguity and Compactness**

Districts shall be comprised of contiguous territory including adjoining insular territory. Contiguity by water is sufficient. Districts shall be contiguous and compact in accordance with the Constitution of Virginia as interpreted by the Virginia Supreme Court in the cases of *Jamerson v. Womack*, 244 Va. 506 (1992) and *Wilkins v. West*, 264 Va. 447 (2002).

**IV. Single-Member Districts**

All districts shall be single-member districts.

**V. Communities of Interest**

Districts shall be based on legislative consideration of the varied factors that can create or contribute to communities of interest. These factors may include, among others, economic factors, social factors, cultural factors, geographic features, governmental

Attachment 4

jurisdictions and service delivery areas, political beliefs, voting trends, and incumbency considerations. Public comment has been invited, has been and continues to be received, and will be considered. It is inevitable that some interests will be advanced more than others by the choice of particular district configurations. The discernment, weighing, and balancing of the varied factors that contribute to communities of interest is an intensely political process best carried out by elected representatives of the people. Local government jurisdiction and precinct lines may reflect communities of interest to be balanced, but they are entitled to no greater weight as a matter of state policy than other identifiable communities of interest.

**VI. Priority**

All of the foregoing criteria shall be considered in the districting process, but population equality among districts and compliance with federal and state constitutional requirements and the Voting Rights Act of 1965 shall be given priority in the event of conflict among the criteria. Where the application of any of the foregoing criteria may cause a violation of applicable federal or state law, there may be such deviation from the criteria as is necessary, but no more than is necessary, to avoid such violation.

DLS/mrs  
3/25/11



Attachment 5

**CONGRESSIONAL REDISTRICTING PLAN**

**STATEMENT OF ANTICIPATED MINORITY IMPACT**

The current congressional district plan includes the Third District in which African-Americans constitute a 56.8 percent majority of the total population and a 53.2 percent majority of the voting age population. The Fourth District includes the second highest percentage of African-Americans, who constitute 33.6 percent of the total population and 32.3 percent of the voting age population of that District.

Table 5.1 presents information relating to demographic changes in these two districts between 2000 and 2010 and the effect of Chapter 1 on the minority total and voting age percentages in these districts. Chapter 1 complies with the requirements of Section 5 of the United States Voting Rights Act by retaining minority strength in the redrawn Third District comparable to the minority strength of the current Third District under the 2010 Census.

**Minority Population Trends**

Virginia's African-American population increased from 1,390,293 to 1,551,399 between 2000 and 2010, a growth rate of 11.6 percent and a percentage change from 19.6 percent to 19.4 percent of the total population. Under the 2010 Census option of identifying oneself by more than one race, the total number who identified as African-American only or as African-American and some other combination was 1,653,563 or 20.7 percent of the total population. (The data used by the General Assembly in redistricting allocated those who included White as part of their multiple race identity to the minority race group. The data used in the following analysis are based on this allocation.)

The African-American population grew at a slower rate than the overall state average (11.6 percent compared to 13 percent). The attached analysis by the Weldon Cooper Center for Public Service of the University of Virginia succinctly summarizes the patterns of growth of the African-American population throughout the decade. Briefly, the distribution of African-Americans in Virginia has been relatively constant during the last decade, with the African-American population being concentrated in the eastern half of the state.

These patterns are reflected in the statistics for the current Congressional districts and had implications for drawing the new districts. As Table 5.1 demonstrates, below average growth left the Third District significantly below ideal district size. The Third District gained less than 20,000 persons and was short of the ideal district size by 63,976 persons.

As in 2000, the most dramatic change in Virginia's demographic base, mirroring national patterns, was the increase in Hispanic population. The Hispanic population increased from 4.7 percent of the state population in 2000 to 7.9 percent in 2010,

## Attachment 5

representing a gain of over 302,285 people and a growth rate of 91.7 percent. While virtually every locality showed some growth in Hispanic population, the majority of that population is concentrated in Northern Virginia. Over one-quarter of the total Hispanic population is in Fairfax County, with the adjoining localities also showing significant percentages of Hispanic population. Two current congressional districts (Districts 8 and 11) contain more than 15 percent Hispanic population, both of which are located in Northern Virginia. No current congressional district contains more than 20 percent Hispanic population. In Chapter 1, Districts 8 and 11 both still contain more than 15 percent Hispanic population, with the Hispanic population increasing in both districts. No congressional district in Chapter 1 contains more than 20 percent Hispanic population.

Asians make up 5.5 percent of Virginia's population, up from 3.7 percent, and increasing from 261,025 to 439,890 between 2000 and 2010 at a growth rate of 68.5 percent. The Asian population is most heavily concentrated in Northern Virginia and tends to be fairly evenly distributed throughout the region rather than concentrated. Two current congressional districts (Districts 8, and 10) contain more than 10 percent Asian population and one district (District 11) contains more than 15 percent, all of which are located in Northern Virginia. No current congressional district contains more than 20 percent Asian population. In Chapter 1, Districts 8 and 10 both still contain more than 10 percent Asian population, with the population decreasing slightly in District 10 and increasing slightly in District 8. In Chapter 1, District 11 still contains more than 15 percent Asian population, with the Asian population increasing. No current congressional district contains more than 20 percent Asian population.

#### The Majority African-American District

Chapter 1 maintains one majority minority district in Virginia. The shortfall in population in the Third District is offset by shifting the whole City of Petersburg from the Fourth to the Third district. Additional population from the Cities of Hampton, Norfolk, and Richmond and the County of Henrico also shift to the Third. New Kent County is shifted from the Third District to the Seventh and fewer people from the City of Newport News and the Counties of New Kent and Prince George are assigned to the Third District.

The Fourth District gains population primarily in Chesterfield and Prince George Counties to offset the loss of Petersburg, and it retains a significant African American population and a majority of its present component parts.

The resulting population statistics shown in Table 5.1 reflect the need to add territory so as to meet equal population requirements and the non-retrogression requirements of Section 5. Other factors came into play in the shaping of these districts, including communities of interest, incumbency, and political considerations. As Table 5.1 shows, Chapter 1 adjustments to the Third and Fourth Districts to add territory to the Third District result in an increase in the total and voting age African-American populations by 3.3 percent and 3.2 percent, respectively, and both total and voting age populations are increased to over 55 percent each. The same adjustments result in slight

## Attachment 5

reductions from the total and voting age population figures in the Fourth District of 2 percent and 2.2 percent, respectively. However, both figures remain over 30 percent and retain significant influence for African Americans in the Fourth District.

Alternative Plans

In addition to Chapter 1, four plans were presented to the General Assembly during its Special Session on redistricting held during 2011. The first plan, House Bill 5004, was introduced by William R. Janis. This plan is identical to the plan contained in Chapter 1.

There were also three alternative plans presented during the Special Session on redistricting.

The first alternative plan, Senate Bill 5003 was introduced by Senator John C. Miller. The districts in Senate Bill 5003 were drawn by students at the College of William and Mary and this plan was one of the winning plans in the Virginia College and University Redistricting Competition. Table 5.1 includes the relevant information with regard to the anticipated impact of this plan. Briefly, in Senate Bill 5003, like Chapter 1, the Third District retained a majority African-American total population; however, the configuration of the districts is different. The total and voting age African-American populations in the majority minority district are 7.1 percent and 6.2 percent less, respectively, than in Chapter 1, and the total and voting age African-American populations are both below 55 percent. In the district with the second highest percentage of African-American population, the total and voting age African-American populations are 2.5 percent and 1.5 percent higher, respectively, than in Chapter 1.

The second alternative plan, Senate Bill 5004, was introduced by Senator Mamie E. Locke. Table 5.1 includes the relevant information with regard to the anticipated impact of this plan. Briefly, this plan, like Chapter 1, contained one majority African-American district, though this district shifted from the Third District to the Fourth. The Third District, under this plan, included the second highest percentage of African-American population. The configurations of the Third and Fourth Districts in this plan are essentially a reconfiguration of the current Third and Fourth Districts. The total and voting age African-American populations in the majority minority district are 6.0 percent and 5.2 percent less, respectively, than in Chapter 1, and the total and voting age African-American populations are both below 55 percent. In the district with the second highest percentage of African-American population, the total and voting age African-American populations are 12.2 percent and 10.3 percent higher, respectively, than in Chapter 1.

The third alternative plan consists of substitute bills for Senate Bill 5004 and House Bill 5004 adopted in the Senate, which were identical. Table 5.1 includes the relevant information with regard to the anticipated impact of this plan. Briefly, this plan, like Chapter 1, contained one majority African-American district, though this district shifted from the Third District to the Fourth. The Third District, under this plan, included the second highest percentage of African-American population. The configurations of

Attachment 5

the Third and Fourth Districts in this plan are essentially a reconfiguration of the current Third and Fourth Districts. The total and voting age African-American populations in the majority minority district are 6.5 percent and 5.5 percent less, respectively, than in Chapter 1, and the total and voting age African-American populations are both below 55 percent. In the district with the second highest percentage of African-American population, the total and voting age African-American populations are 12.6 percent and 10.8 percent higher, respectively, than in Chapter 1.

Chapter 1 was introduced as House Bill 251 by Delegate Robert B. Bell during the 2012 Regular Session of the General Assembly after the General Assembly was unable to pass a plan during the 2011 Special Session on redistricting. An identical Senate bill, Senate Bill 455, introduced by Senator Jill Holtzman Vogel, was reported out of the Senate Privileges and Elections Committee. Chapter 1 passed both houses primarily with Republican support. Six of the 13 Democratic African-American Delegates voted for Chapter 1, with the remaining seven voting against it. None of the five Democratic African-American Senators voted for Chapter 1.

Attac. nt 5

## Attachment 5-C -- Table 5.1

Comparison Table: Virginia Congressional Districts--Majority Minority and Influence Districts

Current District	Current District 2000 TPOP	Current District 2000 TPOP Black Percent	Current District 2000 VAP Black Percent	Current District 2010 TPOP	Current District 2010 Actual Deviation	Current District 2010 Percent Deviation	Current District 2010 TPOP Black Percent	CH.1/ HB 5004 District TPOP Black Percent	SB 5003 TPOP Black Percent	SB 5003 VAP Black Percent	SB 5004 TPOP Black Percent	SB 5004 VAP Black Percent	HB 5004 Sub./ SB 5004 Sub. TPOP Black Percent	HB 5004 Sub./ SB 5004 Sub. VAP Black Percent
3	643,476	56.8	53.2	663,390	- 63,976	- 8.8	56.2	56.3	52.4	50.1	44.6	41.6	45.0	42.1
4	643,477	33.6	32.3	738,639	+ 11,273	1.5	34.4	32.4	***	***	53.5	51.1	53.0	50.8
5									34.9	32.8				

## Attachment 5-C -- Table 5.2

## Senate of Virginia Majority Minority District Changes

District 3 -- Additions:	more of Hampton	+ 32,941
	more of Henrico County	+ 14,550
	more of Isle of Wight County (additional split precincts with 0 population added)	+ 0
	more of Norfolk	+ 5,765
	Petersburg	+ 32,420
	more of Richmond City	+ 19,768
	part of Suffolk (split precincts with 0 population added)	+ 0
Subtractions:	New Kent County	- 18,429
	part of Newport News	- 20,090
	part of Prince George County	- 2,686
	remainder of York County	- 263
		727,366
District 4 -- Additions:	more of Chesterfield County	+ 21,704
Subtractions:	more of Prince George County	+ 2,686
	remainder of Brunswick County	- 3,243
	part of Isle of Wight County (split precincts with 0 population moved to District 3)	- 0
	part of Suffolk (split precincts with 0 population moved to District 3)	- 0
	Petersburg	- 32,420
		727,366

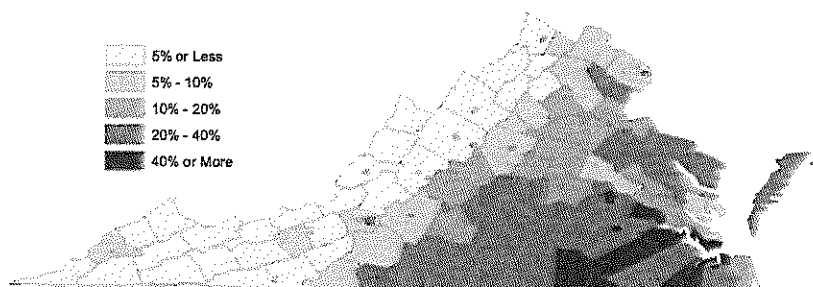
## Attachment 5

### 2010 Census Brief: Spotlight on Virginia's African American Population

February 22 – The United States Census Bureau recently released local level 2010 Census population counts, including data on race. This brief provides a snapshot of Virginia's black and African American population on April 1, 2010:

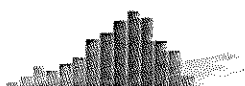
- Black/African American remains the largest minority group in Virginia. More than 1.5 million Virginia residents reported themselves to be black or African American, accounting for nearly 20 percent of the total population.
- The distribution of the black population across the commonwealth has been relatively stable over the past three decades. Blacks are concentrated in the Eastern half of the state while the Valley and Southwest regions have much smaller black populations.
- Norfolk and Richmond have the largest black populations (exceeding 100,000), while Petersburg city has the largest percentage of blacks (79 percent). Richmond lost nearly 10,000 (or 8.6 percent) of its black population between 2000 and 2010, the largest decrease in the commonwealth.

**Percent of Population That Is Black or African American, April 1, 2010**



Top Five Localities with the Largest Number of Black Residents		Top Five Localities with the Largest Percentage of Black Residents	
Norfolk City	104,672	Petersburg City	79.1%
Richmond City	103,342	Emporia City	62.5%
Fairfax County	99,218	Greensville County	59.8%
Henrico	90,669	Sussex County	58.1%
Virginia Beach City	85,935	Brunswick County	57.3%

This is one of a series of Census Briefs prepared by the Demographics & Workforce Group of the University of Virginia's Weldon Cooper Center for Public Service. For more information and related data tables, visit our website at [www.coopercenter.org/demographics](http://www.coopercenter.org/demographics).



## Attachment 5

Contact: Meredith Gunter  
434-982-5585  
msg4g@virginia.edu

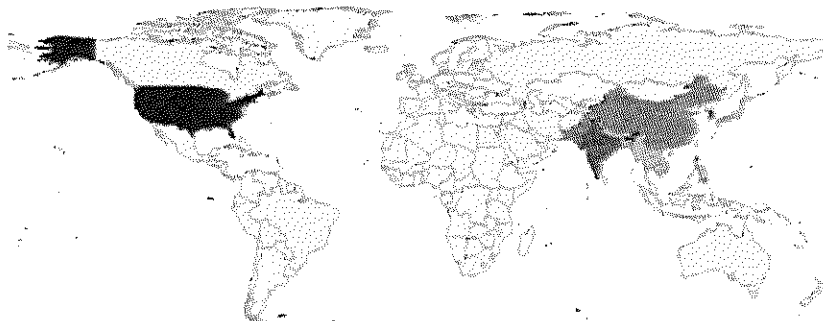
### U.Va. Assesses 2010 Census Data on Virginia's Asian Population

March 2, 2011 — The latest census brief from the University of Virginia's Weldon Cooper Center for Public Service highlights census data on people of Asian origin living in Virginia.

The center continues its efforts to make 2010 U.S. Census results, released last month, more accessible and user-friendly.

- As of April 1, 2010, almost 440,000 Virginia residents were Asian, accounting for 5.5 percent of the total population. This constitutes a 69 percent increase since 2000.
- Nine out of every 10 Asians lived in Virginia's three major metropolitan areas: Northern Virginia (71 percent), Hampton Roads (13 percent) and Richmond (9 percent). High concentrations of Asians were also found in college and university communities such as Charlottesville, Williamsburg, Harrisonburg and Lynchburg cities and York, Montgomery, Albemarle and Roanoke counties.
- More than two-thirds of Virginia's Asians were U.S. citizens: 28 percent were native citizens; 40 percent were born outside of the U.S. and naturalized; and 32 percent were foreign-born non-citizens.
- The top five birth countries of Virginia's foreign-born Asians were India, Korea, Philippines, Vietnam and China.

#### Birthplaces of Virginia's Asian Population, April 1, 2010



Localities with the Largest Number of Asian Residents		Localities with the Largest Percentage of Asian Residents	
Fairfax Co.	189,661	Fairfax Co.	17.5%
Loudoun	46,033	Fairfax city	15.2%
Prince William	30,317	Loudoun	14.7%
Virginia Beach	26,769	Arlington	9.6%
Henrico	20,052	Falls Church	9.4%

This is one of a series of Census Briefs prepared by the Demographics & Workforce Group of the Cooper Center. For information and related data tables, visit its website at [www.coopercenter.org/demographics](http://www.coopercenter.org/demographics).



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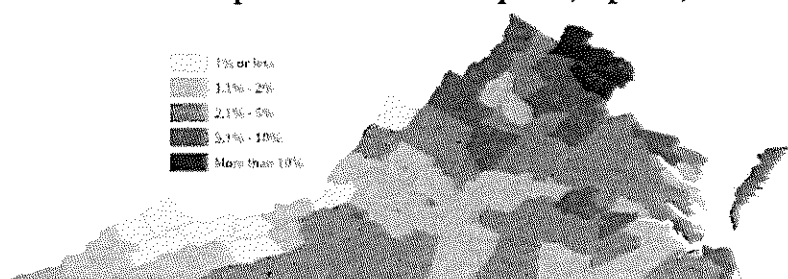
### U.Va. Assesses 2010 Census Data on Virginia's Hispanic Population

February 16, 2011 — Continuing efforts to make 2010 U.S. Census data more accessible and user-friendly, demographers at the University of Virginia's Weldon Cooper Center for Public Service have assessed the data on recently released local-level 2010 population counts, including data on people of Hispanic origin living in Virginia.

Here are highlights of Virginia's Hispanic population as of April 1, 2010:

- More than 630,000 Virginia residents were of Hispanic origin, accounting for nearly 8 percent of the total population. This constitutes a 92 percent increase since 2000.
- Sixty-two percent of the commonwealth's Hispanics live in Northern Virginia. At the same time, areas such as Culpeper, James City and Orange counties and Suffolk city, which had few Hispanics in 2000, now have sizable Hispanic populations.
- Fifty-three percent of Hispanics in Virginia are native citizens. Thirteen percent of Hispanics were born abroad and became naturalized citizens of the U.S.; and 34 percent of Hispanics are foreign-born non-citizens.
- Most of Virginia's foreign-born Hispanics were born in El Salvador, Mexico, Peru, Bolivia and Guatemala.

**Percent of Population That Is Hispanic, April 1, 2010**



Localities with the Largest Number of Hispanic Residents		Localities with the Largest Percentage of Hispanic Residents	
Fairfax Co.	168,482	Manassas Park city	32.5%
Prince William Co.	81,460	Manassas city	31.4%
Loudoun Co.	38,576	Prince William Co.	20.3%
Arlington Co.	31,382	Alexandria city	16.1%
Virginia Beach city	28,987	Fairfax city	15.8%

This is one of a series of Census Briefs prepared by the Demographics & Workforce Group of the Cooper Center. For information and related data tables, visit its website at [www.coopercenter.org/demographics](http://www.coopercenter.org/demographics).

## Attachment 5

Contact: Meredith Gunter  
434-982-5585  
msg4g@virginia.edu

### U.Va. Assesses 2010 Census Data on Virginia's Multi-Racial Population

March 9, 2011 — Continuing their efforts to make 2010 U.S. Census data more accessible and user-friendly, demographers at the University of Virginia's Weldon Cooper Center for Public Service have assessed the data on recently released local-level 2010 population counts, including data on people of two or more races living in Virginia.

"The 2010 Census data reflects increasing diversity in the country, and in Virginia," said Qian Cai, director of the Cooper Center's Demographics & Workforce group. "This year, with redistricting under way in Virginia, current information on racial and ethnic heritage is of particular importance for insuring fairness in defining districts."

Here are highlights of Virginia's multi-race population as of April 1, 2010:

- More than 233,000 Virginia residents, or 2.9 percent of the population, reported that they belong to two or more of the six race categories counted in the federal census: white; black or African-American; American Indian and Alaska native; Asian; Native Hawaiian and other Pacific Islander; or some other race. (Note: People of Hispanic origin may be of any race. Hispanic ethnicity is reported in response to a different census question.)
- This is an increase from the 2000 census – the first year in which people could identify themselves as multi-racial – when 2 percent of the population reported that they belonged to two or more races.
- Most multi-racial Virginians reported belonging to just two races; only about 19,000 people reported belonging to three or more. Of the biracial Virginians, 29 percent reported being white and black; 28 percent white and Asian; and the remainder other combinations of the six race categories.
- Multi-racial Virginians tend to live in metropolitan areas, particularly Northern Virginia and Hampton Roads. Manassas Park has the highest percentage of multi-racial residents at 5.4 percent.

Localities with the Largest Number of Multi-Race Residents		Localities with the Largest Percentage of Multi-Race Residents	
Fairfax County	43,915	Manassas Park city	5.4%
Prince William	20,500	Prince William County	5.1%
Virginia Beach	17,656	Manassas City	4.3%
Loudoun County	12,575	Newport News	4.3%
Norfolk	8,825	Fairfax County	4.1%

This is one of a series of Census Briefs prepared by the Demographics & Workforce Group of the Cooper Center. For information and related data tables, visit its website at [www.coopercenter.org/demographics](http://www.coopercenter.org/demographics).

## Attachment 7

**Current Congressional Districts  
District Population Summary**

DISTRICT	Total Population	Target	Difference	Deviation from Ideal
1	786,237	727,366	58,871	8.1%
2	646,184	727,366	-81,182	-11.2%
3	663,390	727,366	-63,976	-8.8%
4	738,639	727,366	11,273	1.5%
5	685,859	727,366	-41,507	-5.7%
6	704,056	727,366	-23,310	-3.2%
7	757,917	727,366	30,551	4.2%
8	701,010	727,366	-26,356	-3.6%
9	656,200	727,366	-71,166	-9.8%
10	869,437	727,366	142,071	19.5%
11	792,095	727,366	64,729	8.9%

## Attachment 7

2

**Current Congressional Districts  
Demographic Population Totals**

DISTRICT	Total Population	White	% White	Black	% Black	AIAN	% AIAN	Asian	% Asian	HawPI	% HawPI	Other	% Other	Multi	% Multi	Hispanic	% Hispanic
1	786,237	558,404	71.0%	164,455	20.9%	6,612	0.8%	26,452	3.4%	1,105	0.1%	22,428	2.9%	6,781	0.9%	53,012	6.7%
2	646,184	427,383	66.1%	149,285	23.1%	5,459	0.8%	39,012	6.0%	1,357	0.2%	16,213	2.5%	7,475	1.2%	45,210	7.0%
3	663,390	246,414	37.1%	373,134	56.2%	5,407	0.8%	15,449	2.3%	901	0.1%	14,355	2.2%	7,730	1.2%	32,713	4.9%
4	738,639	441,259	59.7%	254,180	34.4%	5,074	0.7%	17,637	2.4%	787	0.1%	14,724	2.0%	4,978	0.7%	33,353	4.5%
5	685,859	501,303	73.1%	155,886	22.7%	3,753	0.5%	12,312	1.8%	311	0.0%	10,204	1.5%	2,090	0.3%	20,935	3.1%
6	704,056	585,107	83.1%	84,891	12.1%	4,348	0.6%	12,311	1.7%	390	0.1%	14,700	2.1%	2,309	0.3%	30,117	4.3%
7	757,917	563,423	74.3%	135,386	17.9%	4,604	0.6%	32,784	4.3%	523	0.1%	17,198	2.3%	3,999	0.5%	36,794	4.9%
8	701,010	444,616	63.4%	99,886	14.2%	5,182	0.7%	84,581	12.1%	844	0.1%	59,460	8.5%	6,441	0.9%	127,533	18.2%
9	656,200	609,813	92.9%	28,039	4.3%	3,185	0.5%	8,764	1.3%	254	0.0%	5,114	0.8%	1,031	0.2%	11,632	1.8%
10	869,437	611,159	70.3%	71,471	8.2%	5,327	0.6%	119,178	13.7%	907	0.1%	55,074	6.3%	6,321	0.7%	117,278	13.5%
11	792,095	497,971	62.9%	96,841	12.2%	5,912	0.7%	130,333	16.5%	1,200	0.2%	52,413	6.6%	7,425	0.9%	123,248	15.6%

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## Attachment 7

3

Current Congressional Districts  
Voting Age Population Totals

DISTRICT	Voting Age Pop.	VAP White	% VAP White	VAP Black	% VAP Black	VAP AIAN	% VAP AIAN	VAP Asian	% VAP Asian	VAP HawPI	% VAP HawPI	VAP Other	% VAP Other	VAP Multi	% VAP Multi	VAP Hispanic	% VAP Hispanic
1	592,940	434,385	73.3%	116,161	19.6%	4,797	0.8%	18,735	3.2%	756	0.1%	14,488	2.4%	3,618	0.6%	33,602	5.7%
2	500,240	343,037	68.6%	107,121	21.4%	4,217	0.8%	29,285	5.9%	998	0.2%	11,259	2.3%	4,323	0.9%	30,312	6.1%
3	511,559	207,441	40.6%	271,419	53.1%	4,200	0.8%	12,758	2.5%	652	0.1%	10,357	2.0%	4,732	0.9%	22,506	4.4%
4	557,742	342,184	61.4%	186,644	33.5%	3,746	0.7%	12,349	2.2%	492	0.1%	9,614	1.7%	2,713	0.5%	21,184	3.8%
5	543,596	405,436	74.6%	117,536	21.6%	2,866	0.5%	9,685	1.8%	238	0.0%	6,529	1.2%	1,306	0.2%	13,800	2.5%
6	556,067	472,240	84.9%	60,303	10.8%	3,346	0.6%	9,008	1.6%	295	0.1%	9,455	1.7%	1,420	0.3%	19,404	3.5%
7	576,326	437,613	75.9%	98,210	17.0%	3,360	0.6%	23,110	4.0%	356	0.1%	11,362	2.0%	2,315	0.4%	24,120	4.2%
8	565,094	370,959	65.6%	75,734	13.4%	3,960	0.7%	66,225	11.7%	675	0.1%	43,128	7.6%	4,413	0.8%	93,296	16.5%
9	528,131	492,562	93.3%	21,444	4.1%	2,579	0.5%	7,287	1.4%	204	0.0%	3,343	0.6%	712	0.1%	7,810	1.5%
10	629,287	453,796	72.1%	49,016	7.8%	3,641	0.6%	82,026	13.0%	644	0.1%	36,543	5.8%	3,621	0.6%	77,158	12.3%
11	586,365	379,691	64.8%	66,660	11.4%	4,074	0.7%	95,206	16.2%	822	0.1%	35,756	6.1%	4,156	0.7%	83,965	14.3%

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## Attachment 7

**Current Congressional Districts  
Election Data**

DISTRICT	Rep. Gov '09	Dem. Gov '09	Rep. Lt. Gov '09	Dem. Lt. Gov '09	Rep. Att. Gen. '09	Dem. Att. Gen. '09	Rep. Pres. '08	Dem. Pres. '08	Other Pres. '08	Rep. U.S. Sen. '08	Dem. U.S. Sen. '08	Other U.S. Sen. '08
1	65%	35%	62%	38%	63%	37%	53%	47%	1%	38%	61%	1%
2	62%	38%	56%	44%	60%	40%	50%	50%	1%	34%	64%	1%
3	34%	66%	33%	67%	35%	65%	25%	75%	1%	18%	81%	1%
4	61%	39%	59%	41%	61%	39%	50%	49%	1%	37%	61%	1%
5	61%	39%	60%	40%	62%	38%	52%	47%	1%	35%	64%	1%
6	67%	33%	66%	34%	67%	33%	58%	41%	1%	41%	58%	1%
7	66%	34%	63%	37%	65%	35%	54%	45%	1%	39%	59%	1%
8	39%	61%	37%	63%	36%	64%	32%	67%	1%	25%	73%	1%
9	67%	33%	66%	34%	66%	34%	59%	39%	1%	36%	63%	1%
10	61%	39%	58%	42%	58%	42%	48%	51%	1%	38%	61%	1%
11	55%	45%	52%	48%	52%	48%	44%	56%	1%	35%	64%	1%

## Attachment 7

**HB 251 Introduced - Delegate Bell**  
**Population Totals**

DISTRICT	Total Pop.	Target	Difference	Deviation
1	727,366	727,366	0	0.0%
2	727,366	727,366	0	0.0%
3	727,366	727,366	0	0.0%
4	727,366	727,366	0	0.0%
5	727,365	727,366	-1	0.0%
6	727,366	727,366	0	0.0%
7	727,366	727,366	0	0.0%
8	727,366	727,366	0	0.0%
9	727,366	727,366	0	0.0%
10	727,365	727,366	-1	0.0%
11	727,366	727,366	0	0.0%

## Attachment 7

**HB 251 Introduced - Delegate Bell**  
**Racial Demographics**

DISTRICT	Total Population	White	% White	Black	% Black	AIAN	% AIAN	Asian	% Asian	HawPI	% HawPI	Other	% Other	Multi	% Multi	Total Hispanic	% Hispanic
1	727,366	527,650	72.5%	130,061	17.9%	6,435	0.9%	29,672	4.1%	1,035	0.1%	26,577	3.7%	5,936	0.8%	61,279	8.4%
2	727,366	483,615	66.5%	167,162	23.0%	5,983	0.8%	42,530	5.8%	1,489	0.2%	18,340	2.5%	8,247	1.1%	50,019	6.9%
3	727,366	246,712	33.9%	432,591	59.5%	5,554	0.8%	16,134	2.2%	967	0.1%	16,781	2.3%	8,637	1.2%	37,044	5.1%
4	727,366	447,441	61.5%	235,678	32.4%	5,098	0.7%	18,153	2.5%	782	0.1%	15,248	2.1%	4,966	0.7%	34,360	4.7%
5	727,365	542,589	74.6%	154,368	21.2%	4,149	0.6%	13,088	1.8%	371	0.1%	10,554	1.5%	2,246	0.3%	22,973	3.2%
6	727,366	607,889	83.6%	84,851	11.7%	4,609	0.6%	12,343	1.7%	407	0.1%	14,868	2.0%	2,399	0.3%	31,018	4.3%
7	727,366	556,598	76.5%	111,369	15.3%	4,698	0.6%	33,412	4.6%	559	0.1%	16,836	2.3%	3,894	0.5%	36,815	5.1%
8	727,366	454,669	62.5%	105,900	14.6%	5,554	0.8%	89,760	12.3%	962	0.1%	63,612	8.7%	6,909	0.9%	135,594	18.6%
9	727,366	666,198	91.6%	40,053	5.5%	3,526	0.5%	9,626	1.3%	272	0.0%	6,506	0.9%	1,185	0.2%	13,904	1.9%
10	727,365	527,743	72.6%	54,611	7.5%	4,011	0.6%	96,867	13.3%	778	0.1%	38,400	5.3%	4,955	0.7%	85,367	11.7%
11	727,366	425,748	58.5%	96,820	13.3%	5,246	0.7%	137,228	18.9%	957	0.1%	54,161	7.4%	7,206	1.0%	123,452	17.0%

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## Attachment 7

HB 251 Introduced - Delegate Bell  
Voting Age Population

DISTRICT	Voting Age Persons	VAP White	% VAP White	VAP Black	% VAP Black	VAP AIAN	% VAP AIAN	VAP Asian	% VAP Asian	VAP HawPI	% VAP HawPI	VAP Other	% VAP Other	VAP Multi	% VAP Multi	Voting Age Hispanic	% VAP Hispanic
1	543,139	405,154	74.6%	91,813	16.9%	4,600	0.8%	20,586	3.8%	681	0.1%	17,157	3.2%	3,148	0.6%	38,845	7.2%
2	565,464	389,929	69.0%	120,213	21.3%	4,940	0.8%	32,067	5.7%	1,102	0.2%	12,768	2.3%	4,745	0.8%	33,688	6.0%
3	560,158	208,802	37.3%	315,603	56.3%	4,358	0.8%	13,297	2.4%	687	0.1%	12,123	2.2%	5,288	0.9%	25,479	4.5%
4	547,486	346,507	63.3%	171,434	31.3%	3,750	0.7%	12,721	2.3%	493	0.1%	9,926	1.8%	2,655	0.5%	21,796	4.0%
5	574,341	436,040	75.9%	116,491	20.3%	3,156	0.5%	10,186	1.8%	283	0.0%	6,784	1.2%	1,401	0.2%	15,077	2.6%
6	572,702	488,611	85.3%	60,264	10.5%	3,520	0.6%	9,010	1.6%	305	0.1%	9,534	1.7%	1,458	0.3%	19,899	3.5%
7	549,562	428,788	78.0%	80,425	14.6%	3,398	0.6%	23,375	4.3%	373	0.1%	10,975	2.0%	2,228	0.4%	23,883	4.3%
8	580,212	375,269	64.7%	79,591	13.7%	4,213	0.7%	69,715	12.0%	738	0.1%	46,039	7.9%	4,647	0.8%	98,819	17.0%
9	584,877	538,799	92.1%	30,113	5.1%	2,853	0.5%	7,897	1.4%	219	0.0%	4,201	0.7%	795	0.1%	9,226	1.6%
10	520,811	387,308	74.4%	36,962	7.1%	2,706	0.5%	65,528	12.6%	541	0.1%	25,026	4.8%	2,740	0.5%	55,325	10.6%
11	548,595	334,137	60.9%	67,339	12.3%	3,592	0.7%	101,292	18.5%	710	0.1%	37,301	6.8%	4,224	0.8%	84,820	15.5%

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## Attachment 7

## HB 251 Introduced - Delegate Bell

## Election Data

DISTRICT	Rep Gov '08	Dem Gov '08	Rep Lt Gov '08	Dem Lt Gov '08	Rep At-L Gen '08	Dem At-L Gen '08	Rep Pres '08	Dem Pres '08	Other Pres '08	Rep. U.S. Sen. '08	Dem. U.S. Sen. '08	Other U.S. Sen. '08
1	66%	34%	63%	37%	64%	36%	53%	46%	1%	39%	60%	1%
2	62%	38%	57%	43%	60%	40%	50%	49%	1%	35%	64%	1%
3	31%	69%	29%	71%	31%	69%	22%	78%	1%	16%	83%	1%
4	63%	37%	60%	40%	62%	38%	51%	48%	1%	39%	60%	1%
5	62%	38%	61%	39%	62%	38%	52%	47%	1%	36%	63%	1%
6	67%	33%	67%	33%	68%	32%	58%	41%	1%	42%	57%	1%
7	68%	32%	65%	35%	67%	33%	56%	43%	1%	41%	58%	1%
8	40%	60%	38%	62%	38%	62%	33%	66%	1%	26%	73%	1%
9	66%	34%	66%	34%	66%	34%	59%	40%	1%	36%	63%	1%
10	63%	37%	60%	40%	60%	40%	50%	50%	1%	39%	60%	1%
11	50%	50%	47%	53%	47%	53%	38%	61%	1%	30%	68%	1%

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Attachment 17

**LEGISLATIVE HISTORY OF  
2012 VIRGINIA CONGRESSIONAL DISTRICT PLAN**

This Attachment provides a chronology that identifies the events, legislative actions, and proposals resulting in the enactment of House Bill 251 as Chapter 1 of the 2012 Acts of Assembly, signed by Governor Robert F. McDonnell on January 25, 2012, (hereafter Chapter 1). Chapter 1 contains the redistricting plan for the 11 congressional seats apportioned to Virginia under the 2010 Census results.

In 2005, the General Assembly began preparing for the decennial congressional and legislative reapportionment (commonly referred to as legislative redistricting) required by the Virginia Constitution, Article II, Section 6, with the Commonwealth's participation in Phases I and II of the Census Bureau's redistricting data program. The Division of Legislative Services was designated as the agency to coordinate with the Census Bureau and carry out the program. The Division operates under the general supervision of the Joint Reapportionment Committee. This bi-partisan committee represents the House of Delegates and Senate (Virginia Code §§ 30-263 through 30-265) and oversees preparations for redistricting. Participation in Phases I and II involved the review of census geography, the incorporation of Virginia's voting precincts in the Bureau's census geography, and the provision of 2010 Census redistricting data at the voting precinct level.

The second major step in preparing for redistricting was to build a geographic information system and acquire software to enhance the system used in 2001. A key component of the computer-based redistricting system was the website maintained by the Division of Legislative Services. The Division's redistricting website was begun in 2000 and maintained throughout the decade. This website,

## Attachment 17

<http://redistricting.dls.virginia.gov/2010/> was expanded for the 2011-2012 redistricting process to include more sophisticated mapping options and a mechanism for the public to comment on plans as they were introduced and made public. The objective of the expanded website was to provide for the broadest and promptest dissemination of redistricting information, population and election history data, interactive maps, and redistricting proposals as they were made public. Copies of public comments made on the website were routinely distributed to the Privileges and Elections Committees.

Information available through the website to legislators and the public includes data on the current and proposed districts; interactive maps; statistical reports; block, precinct, locality, and district-level population data; and shape and block-assignment files. Notices of redistricting public hearings and transcripts of the hearings and Committee meetings are published on the redistricting website. The House and Senate Privileges and Elections Committees Redistricting Criteria resolutions and *Drawing the Line*, a publication created by the Division of Legislative Services about redistricting in Virginia, are also found on the website. In addition, there is a webpage that contains 2010 Census data, an explanation of file formats, and free data downloads.

The Division's website was updated regularly. The events described in the following chronology were routinely posted on the website and available through the General Assembly's Legislative Information System (<http://lis.virginia.gov/>). The statistical reports for the congressional redistricting legislation considered by the General Assembly in its 2011 Special Session I and its 2012 Regular Session, were generated using 2010 Census population data and the precinct boundaries that were included in the 2010 Census reports.

## Attachment 17

**CHRONOLOGY****2005 through 2009**

The Division of Legislative Services, subject to oversight from the Joint Reapportionment Committee, participated in Phases I and II of the Census Bureau's redistricting program and began constructing the new computer redistricting system with funds appropriated in the state's biennial budgets.

**April 1, 2010**

Census Day.

**August through December 2010**

Delegate Mark L. Cole of Fredericksburg announced on **August 23, 2010**, that the redistricting subcommittee of the House of Delegates Committee on Privileges and Elections was scheduling a series of six public hearings throughout the Commonwealth in preparation for the 2011 redistricting process with a goal of encouraging broad public input into the redistricting process. The six different public hearings took place in September, October, and December in Roanoke, Norfolk, Fairfax, Danville, Stafford, and Richmond. Transcripts of the hearings were made available on the Division's redistricting website and may be viewed in Attachment 15.

In **August 2010**, the Division published the first issue of its redistricting newsletter, *Drawing the Line 2011*, with population estimates for the current districts and background information on the redistricting process. The newsletter was mailed to members of the Virginia General Assembly and posted on the Division's website. In

## Attachment 17

addition, all interested parties were provided notification by email with a link to the website.

On **September 16, 2010**, Senator Janet Howell, Chair of the Senate Committee on Privileges and Elections announced a schedule of four public hearings in Roanoke, Herndon, Portsmouth, and Richmond in October, November, and December. Transcripts of the hearings were made available on the Division's redistricting website and may be viewed in Attachment 15.

In the late fall of 2010, Christopher Newport University and the Public Mapping Project announced a 2011 Virginia College and University Legislative Redistricting Competition with a **December 15, 2010**, deadline to register. The Competition website was: <http://www.varedistrictingcompetition.org/>. Twelve colleges participated and 55 plans were submitted by mid-March 2011 for state legislative and congressional districts. SB 5003 is one of the competition plans and was a first place winner in the Governor's Commission Division. It is a congressional redistricting plan and created by a William and Mary Law School team. It was introduced on April 7, 2011, by request by Senator J. C. Miller.

On **December 17, 2010**, the Joint Reapportionment Committee met in Richmond and received an update from the Division of Legislative Services on its work with the Census Bureau and its preparations for the redistricting process. The Committee adopted a resolution directing staff to continue preparations for redistricting in 2011 and authorizing the Division to proceed with necessary steps to enter into contracts for a redistricting software application and the development of a website to provide public access to the process and allow public comments on proposed redistricting plans.

## Attachment 17

**January and February 2011**

The General Assembly met for the 2011 Regular Session from **January 12 to February 27, 2011**, and adopted House Bill 1507 (Ch. 3, 2011 Acts of Assembly) to move the usual June 14 primary date to August 23, 2011, and allow time for enactment and Section 5 Voting Rights Act review of the redistricting plans for the House of Delegates and Senate before the November 2011 elections for those bodies. The bill passed unanimously and took effect immediately upon passage on February 17, 2011, subject to Department of Justice review that was initiated February 24, 2011. DOJ sent their preclearance notification on March 22, 2011.

On **February 3, 2011**, Virginia received the Public Law 94-171 redistricting data from the Census Bureau, and the Division posted the data on its website along with explanatory information. The Joint Reapportionment Committee met **February 7 and 23, 2011**, for staff reports on its readiness to draw redistricting plans and provide for public access to and comments on plans.

On **February 25, 2011**, Delegate M.K. Cox introduced House Joint Resolution No. 986 applying to the Governor to call a redistricting special session to begin immediately upon adjournment of the 2011 Regular Session. Both houses agreed and the resolution took effect **February 26, 2011**. The 2011 Regular Session adjourned on Sunday, **February 27, 2011**, and on that day the Governor issued his proclamation calling for the special session. The 2011 Special Session I convened February 27 and agreed to House Joint Resolution 5002 setting the ground rules for the Special Session. The Special Session then recessed until April 4, 2011, allowing time for public hearings and the drawing of plans.

## Attachment 17

**March and April 2011**

The House and Senate Privileges and Elections Committees announced on **March 18, 2011**, that the committees would hold a series of eight joint public hearings around the Commonwealth on March 31, April 2, and April 4, 2011. Information on the public hearings and the 2010 populations of the then current House of Delegates, Senate, and congressional plans were posted on the redistricting website and covered in the issue Number 2 of *Drawing the Line 2011*. Transcripts for the hearings are available on the website and in Attachment 15.

On **March 25, 2011**, the House and Senate Committees on Privileges and Elections met separately in Richmond and each adopted a committee resolution setting out the criteria that the committee would follow in reviewing redistricting plans for the House of Delegates and Senate. The Senate Committee also adopted a resolution for criteria in reviewing congressional district plans. See attachment 4. This resolution was identical to the resolution adopted July 9, 2001, by both the House and Senate Committees on Privileges and Elections with one updated reference to court cases. The House Committee held extensive discussions on the criteria for redrawing House of Delegates districts and adjourned without taking up congressional redistricting criteria.

The General Assembly placed its primary emphasis during April on the passage of redistricting plans for the House of Delegates and Senate in advance of the November 2011 election. However, beginning **April 6, 2011**, members of the General Assembly began introducing bills to redraw congressional districts and releasing congressional district plans on the Division's redistricting website.



## Attachment 17

Here is the chronology for the plans made public and for the various legislative actions taken on the congressional district plans. The parenthetical notes show the name of the plan as shown on the Division website.

**April 6, 2011** Delegate Bill Janis introduced **HB 5004** and it was referred to the House Committee on Privileges and Elections. (HB 5004 - B. Janis); posted on website April 6, 2011.

**April 7, 2011** Senator J.C. Miller introduced **SB 5003**, by request, and it was referred to the Senate Committee on Privileges and Elections. (SB 5003 - J.Miller (William & Mary Plan)); posted April 8, 2011. No further action was taken on SB 5003.

**April 11, 2011** Senator Locke introduced **SB 5004** and it was referred to the Senate Committee on Privileges and Elections. (SB 5004 - M. Locke); posted April 11, 2011. No further action was taken on SB 5004. However, a later version of this plan was made public and subsequently placed in HB 5004 by a Senate Committee on Privileges and Elections substitute amendment for HB 5004. See, June 6 and 7, 2011, below.

**April 12, 2011** The House Committee on Privileges and Elections met, adopted one technical amendment to correct a Fairfax County precinct name, and reported HB 5004 with one amendment (17 - 2, Delegates Alexander and Howell, A.T. voting nay). The House voted 71-23 later on April 12 to report HB 5004 with the Committee amendment and two amendments offered by Delegate Janis to reunite the Taylor Elementary School Precinct (213) of the City of Norfolk in the Third Congressional District. The House communicated the engrossed HB 5004 to the Senate where it was referred to the Senate Committee on Privileges and Elections. The Senate Committee reported (9-6) a substitute for HB 5004.

Attachment 17

**April 25 and 27, 2011** The Senate met and recommitted HB 5004 to the Senate Committee on Privileges and Elections.

**May through December 2011**

**June 6 through 9, 2011** Senator Locke released a substitute for her SB 5004 (SB 5004 - M.Locke Substitute); posted June 6, 2011. On June 9, 2011, the Committee on Privileges and Elections adopted and reported (9-4) an identical substitute for HB 5004 (HB 5004 Senate Committee Substitute (6/9/11)), posted June 7, 2011. On June 9, the Senate passed the HB 5004 Committee Substitute (22-15), the House rejected the Senate substitute amendment, and HB 5004 was put into conference.

The conference committee deadlocked. There was no further action taken on HB 5004 in 2011.

**January 2012**

**January 10, 2012** Delegate Robert B. Bell prefiled HB 251, an exact duplicate of the 2011 engrossed HB 5004 as it had passed the House of Delegates (2012 HB251 - Robert B. Bell); posted January 11, 2012.

**January 11, 2012** The 2011 Special Session adjourned sine die, and the General Assembly convened the 2012 Regular Session. The House Committee on Privileges and Elections met and Delegate Bell explained that HB 251 was the same as HB 5004 (2011 Special Session I) as it had passed the House in 2011. The Committee reported HB 251 by a vote of 19 - 3 (Delegates Scott, Sickles, and Spruill voting no).

Senator Jill Vogel introduced SB 455, which was the same as HB 5004 as it had been introduced and was referred to the Senate Committee on Privileges and Elections.

**January 13, 2012** The House passed HB 251 by a vote of 74-21.

Attachment 17

**January 16, 2012** HB 251 was referred to the Senate Committee on Privileges and Elections.

**January 17, 2012** The Senate Committee on Privileges and Elections reported HB 251 by a vote of 8-7 and reported a substitute for SB 455 also by a vote of 8-7 that conformed it to HB 251.

**January 20, 2012** The Senate passed HB 251 by a vote of 20-19 and engrossed the substitute for SB 455.

**January 25, 2012** Governor McDonnell signed HB 251.

See attachments 3 and 5 for analyses of Chapter 1 of the 2012 Acts of Assembly and SB 5004 (Special Session I, 2011).

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<h2>REDISTRICTING HEARINGS AND MEETINGS</h2>							
<b>HOUSE:</b>  Hearing Transcript 9/8/10 - Roanoke  Hearing Transcript 9/22/10 - Norfolk  Hearing Transcript 10/5/10 - GMU  Hearing Transcript 10/18/10 - Danville  Hearing Transcript 12/6/10 - Mary Washington  Hearing Transcript 12/17/10 - Richmond  Hearing Transcript 4/4/11 - Richmond  8/23/10 House P & E News Release  Click here if you can't attend the House Hearing in your area				<b>SENATE:</b>  Hearing Transcript 10/27/10 - Roanoke  Hearing Transcript 11/4/10 - Herndon  Hearing Transcript 12/2/10 - Portsmouth  9/16/10 Senate P & E News Release  Click here if you can't attend the Senate Hearing in your area			
<b>COMMITTEE MEETINGS:</b>  Transcript from 12/17/10 Joint Reapportionment Committee meeting in Richmond  Transcript from 2/23/11 Joint Reapportionment Committee meeting in Richmond  Transcript from 3/25/11 House P & E Meeting  Transcript from 3/25/11 Senate P & E Meeting  Transcript from 4/5/11 Senate P & E Meeting in Richmond  Transcript from 4/7/11 Senate P & E Meeting in Richmond  Transcript from 4/11/11 House P & E Meeting in Richmond				<b>JOINT HEARINGS:</b>  Hearing Transcript 3/31/11 - Hampton University  Hearing Transcript 3/31/11 - Roanoke  Hearing Transcript 3/31/11 - Leesburg  Hearing Transcript 4/2/11 - Danville  Hearing Transcript 4/2/11 - Augusta  Hearing Transcript 4/2/11 - Abingdon			



Transcript from 4/11/11 joint meeting in Richmond

Hearing Transcript 3/31/11 - Fairfax

Transcript from 4/12/11 Senate P & E Meeting in  
Richmond

Hearing Transcript 4/4/11 - Richmond

Transcript from 4/12/11 Senate P & E Meeting in  
Richmond

Transcript from 4/18/11 House P & E Meeting

Transcript from 4/28/11 Senate P & E Meeting

Transcript from 1/11/12 House P & E Meeting

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U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

MAR 14 2012

The Honorable E. Duncan Getchell, Jr.  
Solicitor General  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219

Dear Solicitor General Getchell:

This refers to Chapter 1 (H.B. 251) (2012), which redistricts the congressional districts for the State of Virginia, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c. We received your submission on February 2, 2012; additional information was received on February 6, 2012.

The Attorney General does not interpose any objection to the specified change. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the change. Procedures for the Administration of Section 5 of the Voting Rights Act of 1965, 28 C.F.R. 51.41.

Because the Section 5 status of the redistricting plan is before the court in *Virginia v. Holder*, Civil Action No. 1:12-cv-00148 (D.D.C.), we are providing a copy of this letter to the Court and to counsel of record in that case.

Sincerely,

A handwritten signature in black ink, appearing to read "T. E. Perez", is written over a horizontal line.

Thomas E. Perez  
Assistant Attorney General

