



CONGRESSIONAL TESTIMONY

Statement on Congressional Reapportionment

**Committee on State Government, Pennsylvania House of
Representatives**

Grove City College

Tuesday, August 24, 2021

**By Hon. Phil English
Arent Fox LLP**

U.S. House of Representatives (1994-2008)

202.857.6031

philip.english@arentfox.com

MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to make this presentation today regarding Congressional reapportionment, with special thanks to the Committee for having this hearing locally to hear directly from the people of Northwestern Pennsylvania about their perspective on drafting new Congressional districts following the new census. I will offer my remarks and submit the attached testimony for the record.

I am Phil English, a resident of Erie and currently Co-Chairman of the Government Relations Practice Group at Arent Fox LLP. I previously represented Northwestern Pennsylvania in the U.S. House of Representatives for fourteen years (1994-2008) as a Republican elected by a diverse and closely competitive district. Prior to that I served as a senior staff member in the Pennsylvania Senate and a local elected official in an overwhelmingly Democrat city government. Currently I serve as Chairman of the Government Affairs Committee of the Erie Regional Chamber and Growth Partnership. They strongly support the inclusion of a united Erie County in a single Congressional district. Note that otherwise my comments today represent my own views.

Northwestern Pennsylvania has distinct interests in national policy reflecting its unique communities and common experiences. It has always aspired to have a distinctive voice, sometimes very different from the dominant voices of the two national parties with their urban, suburban, and regional coalitions. Our economy has undergone significant changes in the last few decades which, coinciding with a major national political realignment, have significantly changed the profile of our Congressional representation. The recent census data also highlights dramatic changes in the relative influence of leading counties, demographic groups, and interests that are important to understand in equitably drafting Congressional maps.

Our perspective also differs from that of neighboring areas, as well as those of the opposite end of the state. Those differences should be respected and incorporated into the Congressional map.

As a senior State Senate aide, then as a sitting member of Congress, I had a ringside seat for the drafting of Congressional maps in 1982, 1992, and 2002, as well as the opportunity to assess their long-term consequences for the communities and parties. In 2001 I shared my own recommendations with the members of the General Assembly, and I believe those stood the test of time. I also had the opportunity to see how an opaque reapportionment process, operating within strict federal court guidelines, and weaponized by the application of computer technology to census and voter data, has contributed to partisan maps with unintended consequences.

Recent maps have tended to split communities of interest, and disadvantage local grassroots candidates and challengers to the benefit of large-budget candidates and entrenched networks. This in turn has reduced political competition and debate, frequently disenfranchising local constituencies and swing voters. Ironically the strategies of "gerrymandering" (pursued by both parties) have frequently backfired on mapmakers seeking short-term advantages.

My experience supports the following suggestions, which I hope that you will find useful:

1. **COMMUNITIES.** Congressional districts should wherever possible reflect common communities of interest that locals recognize and identify with.
2. **COMPACTNESS.** Districts have grown in population, and accordingly more difficult to traverse especially for constituents engaging their Member of Congress. Maps should try to maintain the compactness of districts to facilitate representation.

3. COUNTIES. Wherever possible, counties should be used as the building blocks for Congressional districts. Where population differences make this impossible, county lines should be weighed against other community factors.
4. MEDIA MARKETS. Northwestern Pennsylvania has several media (television) markets, which themselves contribute to the formation of communities of interest. They include Erie, Youngstown, and Pittsburgh. Local media markets contribute to the cohesion of representation.
5. LEADERSHIP. Considerable energy has been expended locally in weighing which counties benefit with the configuration of Congressional districts. With the latest census data, it is clear that no single county or community can dominate a House seat or claim preeminence.
6. DEMOGRAPHICS. Your review of the census data will confirm that the region has experienced significant population loss which, coupled with economic change and slow growth, has produced different results than neighboring communities. This suggests that Congressional districts will be larger, more rural, older, and remain predominantly blue collar.
7. ETHNICITY. In Northwestern Pennsylvania there are rich immigrant traditions, refugee magnets, and longstanding communities of color that deserve your attention. However, given the changes in the maps in this region, these factors are unlikely to play a major role in drawing boundaries.
8. PARTISANSHIP. Although party perspectives should be expected to play a role in mapmaking, local interests should not be set aside to dictate statewide partisan outcomes – especially because partisan advantages tend to be superficial and fleeting. Well-drawn maps should accommodate party competition, which will in turn benefit both parties.
9. TRANSPARENCY. I commend the Committee for its commitment to transparency, which is essential for an effective reapportionment because it is necessary for legitimacy.
10. COLLABORATION. I encourage both parties and both chambers of the General Assembly to work together throughout the process, and include the Governor as a stakeholder. Having all parties at the table will remove the rationale for a last-minute gubernatorial veto that would invite appellate court intervention.

ADDITIONAL FINDINGS AND INFORMATION

A review of the recent census data suggests that many existing population trends have continued, even accelerated. In general they support the proposition that Congressional representation will be more decentralized in Northwestern Pennsylvania, although the area continues to merit its own distinct voice in Congress. Most of the counties experienced significant net population loss: Venango (-8.2%), Warren (-7.7%), McKean (-6.5%), Elk (-6.4%), Lawrence (-5.5%), Crawford (-5.4%), Mercer (-5.1%), Clarion (-3.9%), and Erie (-3.5%). By contrast, Butler County has experienced a modest population increase (+2.2%). Erie City has experienced a significant population loss (-7%), which has displaced its historical position within the state, depressing it in two censuses from #3 municipality to #5 (behind Bethlehem and Reading) in Pennsylvania.

With the current census data, no county will claim preeminence in the Congressional representation for the region, but instead common ties will suggest how Northwestern Pennsylvania can be aligned as a common voice. The region has a common heritage through its economy (manufacturing, energy, forest products, logistics, tourism) and common folkways. The latter includes cultural traditions from interconnected communities representing past waves of immigration: Germans, Italians, Irish, Polish, African-American,

Latinx, Asian, Russian, Greek, Portuguese, and others, coupled with more recent refugee resettlement in Erie and elsewhere. It should be noted that the region is also united by interlocking health care networks, systems of higher education, nonprofit collaboration, and especially interstate highways and supporting state infrastructure. It is worthy of consideration that a major part of American commerce passes through the I-80 Corridor, while I-79 creates a natural north-south axis for western Pennsylvania. Our region is naturally diverse.

Northwestern Pennsylvania has historically had vibrant and bipartisan Congressional representation, with communities usually trading the opportunity to send a resident to Washington. The following counties have sent a local to represent the region in Congress for multiple terms in the 20th and 21st Centuries: Allegheny, Butler, Centre, Erie, Lawrence, Mercer, Venango, and Warren. Unfortunately, with the current reapportionment process and in the last few decades all but a couple of counties have been divided between multiple Congressional districts.

I urge the Committee and the General Assembly to pursue a process that is fair, collaborative, and gives Northwestern Pennsylvania a distinctive voice in Washington, while empowering our Congressional delegation to offer a united front to defend our interests and represent our values.