



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

December 28, 2021

The Honorable Bryan Cutler
Speaker
Pennsylvania House of Representatives

The Honorable Kerry Benninghoff
Majority Leader
Pennsylvania House of Representatives

Dear Speaker Cutler and Leader Benninghoff:

I write to publicly share my review of the House Bill 2146, Printer's Number 2541 map passed by the House State Government Committee on December 15 by a 14-11 vote, with one Republican member joining Democrats in opposing approval of the map. Before and after that vote, I have been asked to negotiate a map with Republicans behind the scenes. Instead of conducting negotiations in this way, I intend to provide my review of proposed maps in a public forum, so that members of the General Assembly, as well as the public, can understand my evaluation process.

Earlier this year, in preparation for the redistricting cycle now fully under way in Harrisburg, I convened a Pennsylvania Redistricting Advisory Council made up of six members with expertise in redistricting, political science and mapmaking, to establish a set of Principles to help guide my review of maps considered and ultimately passed by the General Assembly.

The Council met numerous times, and subsequently held a series of eight in-person public listening sessions across the state, as well as a virtual public listening session, to take [public feedback](#) on the Principles and the redistricting process. The [Principles](#) were finalized and made public in late November and consist of guidance for compliance with legal requirements, such as ensuring that population deviations between districts comply with the Constitution, as well as guidance to ensure that communities of interest are maintained, representation is fair, and that the public can participate meaningfully in the process.

The House Bill 2146, Printer's Number 2541 map does not comply with the Principles outlined by the Redistricting Advisory Council. First, the difference in population between the largest and smallest district in the HB 2146 map is nearly 9,000 people. While I believe that perfect population equality should be balanced with other goals such as maintaining communities of interest, the deviation in the HB 2146 map may be successfully challenged as unconstitutional.

This significant population deviation is the result of last-minute changes made to the map submitted to the House State Government Committee by Lehigh County resident Amanda Holt and selected by Chairman Grove. The deviation among districts in Holt's submitted map was 1 person.

When Republican members of the House State Government Committee objected to aspects of the Holt map, Chairman Grove quickly abandoned the pretext of a citizen-selected map and redrew lines in ways that completely undermine the principles that motivated Holt's map in the first place. The result is a highly skewed map.

Second, the revised map splits multiple communities of interest, including splits in Luzerne, Dauphin, Philadelphia and Chester counties that do not appear to be motivated by compelling legal principles, but rather by a desire to make districts more favorable to Republican candidates.

Third, the Council also recommended that I review proposed maps to determine whether their expected performance is proportional to statewide voter preference. The HB 2146 map falls short on this basic measure of partisan fairness, giving a structural advantage to Republican candidates that far exceeds the party's voter support. A comparison of the HB 2146 map to prior election results and to neutrally drawn maps, using rigorous mathematical methodology, has demonstrated that the HB 2146 map would consistently deliver a disproportionate number of seats to Republican candidates when compared with Pennsylvania voters' preferences. This appears to be the result of intentional line-drawing choices that favor Republican candidates.

Fourth, the manner in which Chairman Grove has conducted the recent steps of this crucial process has been disgraceful. Despite his promise to conduct the "most open and transparent congressional redistricting process in PA history," it is not clear that he consulted with even the Republican members of his own Committee prior to selecting the Holt map -- much less the Democratic members, who have been completely cut out of the process. And despite Chairman Grove's attempt to make up a narrative as he goes, there is no explanation for the changes that were made, beyond the fact that some of them seem to correlate with complaints aired by members of his Committee when the original map was released.

Finally, I have significant concern about the timeline for the final passage of this map. As Acting Secretary Degraffenreid noted in a June 28, 2021 letter to the leaders of the four legislative caucuses as well as the Chair of the Legislative Reapportionment Commission, the Department of State and county boards of elections have historically needed at least three weeks to prepare the Statewide Uniform Registry of Electors ("SURE") to facilitate the nomination petition process, which is statutorily mandated to begin on February 15, 2022.

As a result, the Acting Secretary urged in June that it "would be ideal for the Department to receive an approved final legislative reapportionment plan that has the force of law no later than January 24, 2022." Both the House and Senate currently have four voting session days scheduled in January 2022, including the 24th. This is an extraordinarily compressed schedule for passage of a congressional map, presentment for my review, and resolution of any legal challenges which may be brought, and further increases my concerns about the transparency with which this process is being conducted. It is not clear why the General Assembly did not move the process along more quickly despite an abundance of time to do so.

In sum, the people of Pennsylvania are looking for a fair election map drawn in an open and honest way. They neither want nor deserve a map drawn by self-serving politicians looking to feather their own nests along with those of their political friends. They deserve better and so does our democracy.

When it comes to drawing election maps, the Constitution invites us to do what we can to make sure the election process is a fair one. It is not an invitation to make cynical deals aimed at diminishing the importance of the vote. It is a recurring test of our commitment to the core principles of a healthy democracy. It is a test that HB 2146 fails.

Sincerely,



TOM WOLF
Governor

CC: The Honorable Joanna McClinton, Democratic Leader, Pennsylvania House of Representatives
The Honorable Seth Grove, Chair, House State Government Committee
The Honorable Scott Conklin, Democratic Chair, House State Government Committee