

"The Very Picture of What's Wrong in D.C.": Daniel Webster and the American Community Survey

Andrew Reamer

George Washington Institute of Public Policy
George Washington University

Association of Public Data Users Annual Conference
Washington, DC

September 13, 2012

A Self-Portrait of Rep. Webster

- “Daniel Webster has led a life of public service to the Central Florida community based up on the principles of honor, integrity, personal accountability and respect.
- As the state House Republican Leader in the 1990s, Webster engineered the successful Republican takeover of 1996, ending 122 years of Democrat control and becoming the first GOP Speaker of the House in over a century.
- Daniel Webster was elected to the Florida Senate in 1998 and served as Majority Leader his final three years [2006-2008]. Being known as a man of his word, Webster continued to gain respect and acclaim on both sides of the aisle for his solid principles and trusted leadership.”
- Mr. Webster is serving his first term in the U.S. House of Representatives, representing Florida’s 8th district.

Source: electwebster.com

Rep. Webster Aiming to Prohibit ACS Implementation—May 9, 2012

- “(T)he amendment offered . . . by myself and Mr. Langford . . . prohibits taxpayer funds from being used to conduct the intrusive, unconstitutional American Community Survey . . . , which costs \$2.4 billion to administer.*
- (I)t would seem that these questions hardly fit the scope of what was intended or required by the Constitution.
- We need to ask ourselves whether this survey is worth \$2.4 billion. Will continuation of this survey bankrupt the Nation itself? No, not hardly. But as has been said before, the old saying is a billion here and a billion there, all of a sudden we’re talking about a lot of money.
- This survey is inappropriate for taxpayer dollars. It is a definition of a breach of personal privacy. It is a picture of what’s wrong in Washington, D.C. It’s unconstitutional.”+

Source: [Congressional Record, May 9, 2012](#), pp. H2507-2508

*The FY2013 appropriations bill under consideration by the House provided \$242 million to implement the ACS. Therefore, Mr. Webster’s figure equals the ACS budget over ten years unadjusted for inflation or any future program changes.

+In 2002, the U.S. General Accounting Office prepared a memo, [“Legal Authority for the American Community Survey.”](#)

Rep. Webster's Website

Evernote Web | District | Congressman D... | www.census.gov/acs/www | www.gwu.edu/~gwipp/A... | Association of Public Dat... | About « Webster For Con... |

webster.house.gov/district/

Web Slice Gallery | Imported From IE | www.gpo.gov/fdsys... | Other bookmarks

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 **CONGRESSMAN DANIEL WEBSTER**
REPRESENTING THE 8TH DISTRICT OF FLORIDA 

HOME ABOUT DAN CONSTITUENT SERVICES NEWSROOM INITIATIVES AND ISSUES 8TH DISTRICT CONTACT

   

DISTRICT

CENSUS INFORMATION

Census data for the 8th District

COMMUNITIES OF THE 8TH DISTRICT

- Orange County
- Osceola County
- Marion County
- Lake County

Local Agencies

A list of Federal government offices in or around the district as well as Federal courts with jurisdiction over the district.

8TH DISTRICT

District Information

District Events

Interactive Map

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The Florida Senate's Pioneering Use of the ACS for Redistricting

- With Senator Webster as Majority Leader, in July 2007 the Florida Senate began development of District Builder, a web application using American Community Survey and 2010 Census data to draw Florida Senate, House, and Congressional districts
- Objectives of District Builder
 - Provide Senators and their staff with the tools and data needed to draw districts
 - Enable citizens to design their own districts and to access redistricting information used by legislators and professional staff to draw districts
 - Enable citizens to submit redistricting plans to the Senate Committee on Reapportionment for consideration
 - Provide legislators and citizens with the tools for viewing and analyzing submitted plans

The Florida Senate's Pioneering Use of the ACS for Redistricting

- The Florida Senate's District Builder prototype became nationally recognized as a leading-edge effort in redistricting software development
 - In 2009, Senate staff demonstrated the District Builder prototype at National Conference of State Legislatures meetings and to U.S. Census Bureau executive staff
 - For a series of National Redistricting Seminars for state legislators, NCLS brought in Florida Senate staff to lead redistricting simulation exercises using District Builder
- In May 2011, the Florida Senate released District Builder for public use
- In February 2012, on the basis of District Builder, the Florida legislature passed redistricting plans
- In May 2012, the Senate retired District Builder

Florida Redistricting Criteria— 2010 Constitutional Amendments

- In November 2010, 63 percent of Florida voters approved two constitutional amendments that provide criteria for drawing congressional and state legislative districts:
 - No apportionment plan or district shall be drawn with the intent to favor or disfavor a political party or an incumbent
 - Districts shall not be drawn with the intent or result of denying or abridging the equal opportunity of racial or language minorities to participate in the political process or to diminish their ability to elect representatives of their choice
 - Districts shall consist of contiguous territory
 - Districts shall be as nearly equal in population as is practicable; districts shall be compact; and districts shall, where feasible, utilize existing political and geographical boundaries

Legal Challenges to New Florida Congressional Districts

- Immediately after the Florida legislature approved new congressional districts in February 2012, [suits in state court](#) challenging the new districts' constitutionality were filed by the League Of Women Voters of Florida, The National Council of La Raza, Common Cause Florida, and others
- The trial date is set for February 11, 2013, with discovery completed by December 28, 2012

Plaintiff Allegations regarding District Plan Constitutionality

- Incumbents in the Legislature's Congressional Plan are favored by receiving districts in which they keep approximately 73% of their former districts.
- District lines were manipulated so that Republican performance in the districts of some Republican incumbents, including but not limited to Mario Diaz-Balart (District 25) and Daniel Webster (District 10), was intentionally enhanced in the map passed by the Legislature.
- Members of the Legislature were well aware of these and other types of intentional partisan and incumbent favoritism and nevertheless voted to pass the Legislature's Congressional Plan.

Plaintiff Allegations regarding District Plan Constitutionality

- Although Florida's voters have split virtually evenly between Democratic and Republican candidates in recent statewide elections for President and United States Senate, the Legislature's Congressional Plan provides one party - the Republican party - with fully double the number of "safe" seats (i.e., seats that statistics show the party is almost certain to win) as it does the other party - the Democratic party.
- Indeed, Florida's congressional districts are so strongly gerrymandered in favor of the Republican party that even if voters statewide divide nearly evenly between Democratic and Republican candidates, Democrats are likely to win only eight of Florida's 27 congressional seats.

Plaintiff Allegations regarding District Plan Constitutionality

- District 10 is visually, statistically, and unjustifiably non-compact, fails to respect political and geographical boundaries, violates Article III, Section 20's minority protection provision, was drawn to favor an incumbent, and includes the same "odd-shaped" appendage as was present in the corresponding Senate District 10 that the Florida Supreme Court invalidated for failure to meet the constitutional compactness requirement.
- District 10's non-compactness is due to the Legislature's unconstitutional minority packing in District 5. District 10 was drawn to exclude Democratic, African-American voters and to preserve a safe Republican seat. The Legislature's proposed District 10 performs at 44.3% Democratic performance, based on a four-race average (including the 2010 and 2006 gubernatorial elections and the 2008 and 2004 presidential elections).
- District 10 was drawn with the intent to favor an incumbent, Daniel Webster. A late amendment to the plan removed Democratic voters from Congressman Webster's district. This had the effect of shoring up his reelection chances. In recent elections, his district had been trending more Democratic. This last minute amendment bolstered District 10's Republican lean.

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Andrew Reamer, Research Professor
George Washington Institute of Public Policy
George Washington University

areamer@gwu.edu

(202) 994-7866