

#### XI. ADDITIONAL VIEWS OF MR. CORNYN AND MR. COBURN

We regret that these views will be filed post-enactment. The expedited process prohibited normal order, but we believe the following considerations should accompany the Act's passage.

The Voting Rights Act of 1965 is arguably the most important and effective civil rights legislation ever enacted. Indeed, when signing the landmark legislation into law, Lyndon Johnson, the President of the United States and former member of the Senate from the state of Texas, described the act's passage as "a triumph for freedom as huge as any victory that has ever been won on any battlefield."<sup>1</sup> President Johnson's words captured the importance of the act's passage and underscore that it was a hard-fought victory at a tense time in American history.

It is no secret why the Voting Rights Act was necessary. It was adopted at the height of the civil rights movement, when numerous jurisdictions throughout the United States had actively engaged in the intentional, systematic disenfranchisement of blacks and other minorities from the electoral process. As the committee report and the extensive record reflects, these jurisdictions engaged in the discriminatory use of tests and devices such as literacy, knowledge and moral character tests—tests specifically designed to be failed. Even worse, violence and brutality were commonplace. Blacks were beaten and killed simply for attempting to exercise their right to participate in the democratic process, and civil rights activists were thwarted at every turn in their attempt to enact reform. This type of bigotry and hatred at the polls, coupled with escalating violence and the murder of activists, is the backdrop against which the Voting Rights Act was adopted.

S. 2703, the legislation that has passed out of committee, is another step in our nation's long road toward equal justice under the law for all Americans. The legislation provides for the reauthorization of the expiring provisions of the Voting Rights Act—provisions that are designed to protect against discrimination at the polls. For these reasons, and because we believe that there are certain political subdivisions across the nation that would further benefit from federal oversight, we joined our colleagues in voting for this legislation.

However, we do hold some significant reservations about a number of important issues. These concerns can generally be categorized as follows: (1) the record of evidence does not appear to reasonably underscore the decision to simply reauthorize the existing Section 5 coverage formula—a formula that is based on 33 to 41 year old data, and (2) the seemingly rushed, somewhat incomplete legislative process involved in passing the legislation pre-

<sup>1</sup>Public Papers of the Presidents of the United States: Lyndon B. Johnson, 1965. Volume II, entry 394, pp. 811-815. Washington, DC: Government Printing Office, 1966.

vented the full consideration of numerous suggested improvements to the Act.

In short, while we support reauthorization generally, we reluctantly conclude that the final product is not the best product we might have produced had we engaged in a more thorough debate about possible improvements. We also conclude that it would have been beneficial if the Section 4 coverage formula had been updated in order to adhere to constitutional requirements—an update that would have preserved, strengthened and expanded the Act to ensure its future success.

#### 1. EVIDENCE IN THE RECORD CALLS FOR AN UPDATED COVERAGE FORMULA

The good news is that the Act fulfilled its promise. Today, we live in a different—albeit still imperfect—world. Today, no one can claim that the kind of systematic, invidious practices that plagued our election systems 40 years ago still exist in America. And the Act resulted in almost immediate, measurable improvements with respect to covered jurisdictions. However, simply reauthorizing the expiring provisions with the existing coverage formula—based on 33 to 41 year old data—may not have been the best approach given the evidence today in 2006.

#### *Increased Voter Registration and Turnout Rates in Covered Jurisdictions*

In 1965 when the Voting Rights Act was adopted the average registration rate for black voters in the seven original covered states was only 29.3 percent.<sup>2</sup> Today, the voter registration rate among blacks, for example, in covered jurisdictions is over 68.1 percent of the population—higher than the 62.2 percent found in non-covered jurisdictions.<sup>3</sup> As the chart below indicates, voter registration data since the Act's original passage in 1965 shows that covered jurisdictions have demonstrated equal or higher voter registration rates among black voters as non-covered jurisdictions since the mid 1970's.<sup>4</sup> Voter turnout data is equally encouraging, with 60 percent of black citizens casting votes in both covered jurisdictions and non-covered jurisdictions.<sup>5</sup>

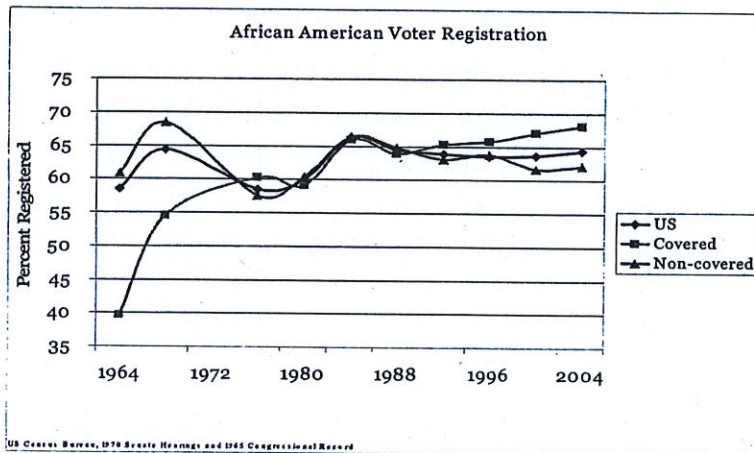
<sup>2</sup> Senate Report 162, at 44 (April 21, 1965).

<sup>3</sup> 2004 Election Data from the U.S. Census Bureau. Reflects the percentage as a percent of the population, as compared to as a percent of the Citizen Voting Age Population. Those numbers are 69.9 percent and 67.9 percent. In addition, certain assumptions were made to account for partially covered jurisdictions—North Carolina and Virginia were considered “covered” for this calculation because of their significant number of covered counties.

<sup>4</sup> Id.

<sup>5</sup> Id.





Further, statistician Keith Gaddie reported registration of black citizens in Alabama during the 2004 elections was 72.9% of the voting age population,<sup>6</sup> in Georgia, 64.2%,<sup>7</sup> in Louisiana, 71.1%,<sup>8</sup> in Mississippi, 76.1%,<sup>9</sup> in South Carolina, 71.1%,<sup>10</sup> and in Virginia, 57.4% of the voting age population. Voter turnout rates were equally improved. For example, in 2004 Alabama had a 63.9% turnout rate of registered black voters,<sup>11</sup> Georgia had a 54.4% turnout rate,<sup>12</sup> Louisiana had a 62.1% turnout rate,<sup>13</sup> Mississippi had a 66.8% turnout rate,<sup>14</sup> South Carolina had a 59.5% turnout rate,<sup>15</sup> and Virginia had a 49.6% turnout rate.<sup>16</sup>

#### *Declining Objections by the Department of Justice*

Another important indicator of the success of the Act is the continual decline of objections issued by the Department of Justice to plans submitted under section 5 for pre-clearance. The Supplemental Views submitted by the Chairman of the Committee includes a chart depicting DOJ objections since 1982. It is worth noting that both total objections and objections as a percent of submissions have declined significantly over that time, and as we understand, since the original passage of the Act.

Our review of the data indicates that the continual decline has occurred under both Republican and Democrat Presidential administrations, dropping from 67 objections out of 2848 in 1982 to only 19 objections out of 3,999 submissions in 1995. Perhaps most tell-

<sup>6</sup> Understanding the Benefits and Costs of Section 5 Pre-Clearance: Before the Senate Comm. on the Judiciary, 109th Cong. 5 (2006) (Submitted testimony by Professor Keith Gaddie on May 17, 2006: The Bullock-Gaddie Voting Rights Studies: An Analysis of Section 5 of the Voting Rights Act. See Table 2 on Alabama.)

<sup>7</sup> Id. See Table 2 on Georgia.

<sup>8</sup> Id. See Table 2 on Louisiana.

<sup>9</sup> Id. See Table 1 on Mississippi.

<sup>10</sup> Id. See Table 1 on South Carolina.

<sup>11</sup> Id. See Table 3 on Alabama.

<sup>12</sup> Id. See Table 3 on Georgia.

<sup>13</sup> Id. See Table 3 on Louisiana.

<sup>14</sup> Id. See Table 2 on Mississippi.

<sup>15</sup> Id. See Table 2 on South Carolina.

<sup>16</sup> Id. See Table 2 on Virginia.

ing is the fact that in 2005, there was only 1 objection out of 3,811 pre-clearance submissions.<sup>17</sup>

While some maintain that the analysis may be skewed since *Bossier v. Parrish II* removed “discriminatory purpose” from the equation, the fact is that the trend has been a declining number of objections in covered jurisdictions over time. We believe this is something to celebrate as an indication of the success of the Act.

*Anecdotal Accounts Submitted Implicate only a Portion of Covered Political Subdivisions*

The volume of testimony and submissions amassed during the House and Senate hearings was overwhelming. Indeed, when the Senate Judiciary Committee held its first hearing, the House Judiciary Committee Chairman said, “I am here today to present this Committee with the results of our examination, which includes almost 8,000 pages of testimony that comprise 9 of the 10 hearing records compiled by the House Judiciary Committee.” Our understanding is that ultimately the Senate received almost 10,000 pages from the House of Representatives.

Numerous witnesses suggested that the primary rationale for continued coverage based on the existing formula was over 10,000 pages of accounts of discrimination compiled. Senate Judiciary staff analyzed the report during the course of hearings seeking to find all accounts of discrimination alleged in the report. The result of that effort—a 283 page summary of examples of discrimination—is included as Appendix 3 to the Committee Report.

While we take no position on the existence of discrimination alleged in the accounts in the record, at face value the anecdotes submitted implicate only a fraction of the total number of covered political subdivisions.<sup>18</sup> For example, of the 254 counties in Texas, only 22 are implicated by the accounts of discrimination submitted in the record. This analysis admittedly excludes any accounts of statewide discrimination (e.g. a redistricting plan)—because including such examples are indicative of the state policy not the local political subdivision.

COUNTIES SPECIFICALLY IMPLICATED IN HOUSE AND SENATE RECORD ACCOUNTS OF DISCRIMINATION<sup>19</sup>

State	Number of Counties Implicated	Total Number of Counties in the State	Percentage of Counties Implicated (Percent)
Alabama .....	13	67	19.40
Alaska .....	5	27	18.52
Arizona .....	6	15	40.00
California .....	10	58	17.24
Colorado .....	2	64	3.13
Florida .....	5	67	7.46
Georgia .....	27	159	16.98
Illinois .....	8	102	7.84
Indiana .....	1	92	1.09
Kentucky .....	3	120	2.50
Louisiana .....	2	64	3.13

<sup>17</sup> Id.

<sup>18</sup> It was not possible for our staffs to investigate and verify each and every account of discrimination submitted.



COUNTIES SPECIFICALLY IMPLICATED IN HOUSE AND SENATE RECORD ACCOUNTS OF  
DISCRIMINATION<sup>19</sup>—Continued

State	Number of Counties Implicated	Total Number of Counties in the State	Percentage of Counties Implicated (Percent)
Maryland .....	1	23	4.35
Massachusetts .....	2	14	14.29
Michigan .....	5	83	6.02
Minnesota .....	2	87	2.30
Mississippi .....	8	82	9.76
Missouri .....	1	114	0.88
Montana .....	6	56	10.71
New Jersey .....	5	21	23.81
New Mexico .....	3	33	9.09
New York .....	8	62	12.90
North Carolina .....	15	100	15.00
Ohio .....	2	88	2.27
Pennsylvania .....	3	67	4.48
Rhode Island .....	1	5	20.00
South Carolina .....	23	46	50.00
South Dakota .....	14	66	21.21
Texas .....	22	254	8.66
Virginia .....	14	134	10.45
Washington .....	1	39	2.56
Wisconsin .....	3	72	4.17
Wyoming .....	1	23	4.35

<sup>19</sup> Data collected from a review of the record by Senate Judiciary Committee staff.

COUNTIES SPECIFICALLY IMPLICATED IN PARTIALLY COVERED JURISDICTIONS

State	Covered Counties Implicated	Preclearance Counties	Percentage of Preclearance Counties Implicated (Percent)
California .....	3	4	75
Florida .....	0	5	0
Michigan .....	2	2	100
New York .....	3	3	100
North Carolina .....	9	40	22.5
South Dakota .....	2	2	100
Virginia .....	14	123	11.38

Interestingly, while Florida has 5 counties that are subject to Section 5 coverage, none of these counties were implicated by the accounts of discrimination. Yet there were 5 non-covered counties in Florida that were pointed out in the list of accounts. If reauthorization of Section 5 coverage is based on the accounts in the record, it does not seem that the coverage formula in Florida as re-authorized could possibly be appropriate.

In the Senate Judiciary Committee mark-up, Senator Durbin argued in favor of reauthorization by stating that, “[w]e have gathered thousands of pages of reports and evidence.”<sup>20</sup> While there are, in fact, thousands of pages in the record—it is important to clarify that there are a limited number of examples of discrimination and that the examples offered do not implicate the majority of

<sup>20</sup> Unofficial Transcript: Special Executive Business Meeting to Consider S. 2703, Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006: Senate Committee on Judiciary, 109th Cong. 19 (2006) (Oral statement of Senator Dick Durbin on July 19, 2006).

covered political subdivisions. In all, of 893 covered counties, 139 are directly implicated in the accounts of discrimination scattered throughout those "thousands of pages."

There is no question that if those accounts are accurate, that those 139 counties are deserving of coverage under Section 5, and possibly numerous others upon review. That is precisely the reason we voted for this legislation. But it would have been advisable for the committee or the Senate as a whole to consider an updated coverage formula to ensure that the appropriate jurisdictions were covered according to constitutional requirements. That kind of deliberative process simply was not allowed to occur.

It strikes us that much of this is great news. Increased voter registration rates for African American voters in covered jurisdictions, reduced numbers of objections sustained, increased numbers of minority elected officials, fewer counties implicated with discriminatory activity, and generally a decreasing distinction, if any, between covered jurisdictions and non-covered jurisdictions means that there is strong and compelling evidence that, in fact, the Voting Rights Act has largely achieved the purposes that Congress had hoped for and that millions of people who had previously been disenfranchised had prayed for.

In light of this strong indication that the act has largely achieved the purposes that Congress had intended, of course, the logical question before us was whether these provisions under section 5 should have been reauthorized.

## 2. THE LEGISLATIVE PROCESS FAILED TO PRODUCE THOROUGH DELIBERATION

### *Misunderstood Timing and Nature of Re-Authorization*

From the beginning of the reauthorization process, two critical facts were repeatedly ignored or misunderstood: (1) that the Voting Rights Act is, in fact, permanent and only certain temporary provisions are set to expire; and (2) that the expiring provisions were not set to expire until the summer of 2007—and thus there was plenty of time to work on improving the Act.

The misunderstanding about the permanence of the Voting Rights Act—particularly by the press—is perhaps most troubling. In truth, the act's core provision, section 2, prohibits the denial or abridgement of the right of any citizen to vote on account of race or color, is permanent, and applies nationwide. That provision will never expire, and it is not affected by the reauthorization language we review today.

This is an important distinction because it caused a great deal of confusion in the public. In fact, according to the Department of Justice, the agency "received numerous inquiries concerning a rumor that [was] intermittently circulating around the nation . . . According to this rumor, the Voting Rights Act will expire in 2007, and as a result African Americans are in danger of losing the right to vote in that year."<sup>21</sup> In truth, as the DOJ points out, "[t]he voting rights of African Americans are guaranteed by the United States Constitution and the Voting Rights Act, and those guaran-

<sup>21</sup> [www.usdoj.gov](http://www.usdoj.gov), U.S. Department of Justice, Civil Rights Division Voting Section, Voting Rights Act Clarification.



tees are permanent and do not expire.”<sup>22</sup> Instead, we are addressing (a) temporary provisions that were originally set to expire in 5 years, and that were adopted to subject certain jurisdictions to Federal oversight of the voting laws and procedures until the intent of the Voting Rights Act was accomplished, as well (b) certain temporary, later-added provisions designed to protect voters from discrimination based upon limited English proficiency.

We believe that this misunderstanding about the nature and timing of the expiration of certain provisions of the Voting Rights Act contributed to an unnecessarily heightened political environment that prohibited the Senate from conducting the kind of thorough debate that would have produced a superior product.

*Expedited Process Reduced Focus on the Issue*

Chairman Specter readily ceded to requests that were made to try to create a complete record. The Chairman worked hard to hold a sufficient number of fair and balanced hearings, but given our busy schedule on the Senate floor, it was not always easy for Members to attend and participate. An artificial rush to move the House version of the Voting Rights Act through the Senate on an expedited basis began more than a full year prior to the earliest expiration of any provisions of the Act.

The Senate Judiciary Committee held nine hearings with a total of forty-six witnesses. Eight of those hearings were held in nine work weeks—and during times when many Committee members had other obligations. Indeed, four hearings were held during a substantial floor debate on the issue of immigration—legislation that directly involved most Judiciary Committee members in one way or another. Two hearings were interrupted by roll-call votes on the floor.

The timing of our hearings and the expedited nature of the process was prohibitive to Senators who otherwise would have participated. Member attendance at these hearings was low. Indeed, at each of the first two hearings on Section 5, only one Senator was able to attend. Five Committee Members were unable to attend any of the hearings, while five others attended only a portion of one hearing. This is not meant as criticism to the Members that were unable to attend—indeed we unfortunately missed a number of hearings. Rather, it is meant to shed light on the process, a process that prohibited the kind of engaged discussion we would have preferred.

The only way many Senators could ask thoughtful questions of witnesses at the hearings was through written questions, and many were submitted. In fact, Senators submitted a total of 610 follow-up questions. Unfortunately, however, when the Senate marked up the legislation, we were told that 107 written questions to 10 witnesses were outstanding. Further, questions had not yet even been submitted for the final hearing—a hearing we had held just one week prior regarding the important issue of how the Supreme Court’s decision in *LULAC v. Perry* may have influenced our legislation.

<sup>22</sup> Id.

*Suggested Improvements Not Considered*

Over the course of the many hearings we held, we heard from a variety of witnesses—from across the political spectrum and across racial lines. Many witnesses, from all sides of the debate, suggested improvements to the Act.

For example, Loyola law professor Rick Hasen suggested in his testimony before the committee several specific ways to amend the Act. For example, he suggested that “Congress should make it easier for covered jurisdictions to bail out from coverage under Section 5 upon a showing that the jurisdiction has taken steps to fully enfranchise and include minority voters,” and that Congress should impose a shorter time limit, perhaps 7 to 10 years for extension. The bill includes a 25-year extension, and the Court may believe it is beyond “congruent and proportional” to require, for example, the State of South Carolina to pre-clear every voting change, no matter how minor, through 2031.”<sup>23</sup>

Similarly, Samuel Issacharoff, Professor of Constitutional Law at the New York University School of Law, suggested five ways to improve the Act during his oral testimony:

First, I would recommend that the unit of coverage be moved from the States to political subdivisions of the States . . . Second, I think that is important, as Professor Hasen said a minute ago, to liberalize the bailout provisions . . . Third, I think that if we were to start from scratch today, we might consider a different kind of administrative mechanism other than the preclearance, and one way of thinking about this is that preclearance is extremely onerous and applies an ex ante and ahead-of-time review much like the FDA to any proposed change. One could also imagine a Securities and Exchange Commission type reporting system that covered jurisdictions who have not actively violated the Act in the last 5 years, or some defined period, would be required to post on a website any proposed change and the reasons for it and be subject to either affirmative litigation under Section 2 or simply a false statement litigation . . . Fourth, I would expand the jurisdictional reach of Section 5 by allowing this disclosure regime to be applied to any jurisdiction that has been found guilty of a Section 2 violation or that has engaged in affirmative actions against minority voters. And, finally, I think that there is reason for concern with the language on the overruling of *Georgia v. Ashcroft*, and I think that the reason for the concern is that the current statute faces a climate very different from that in 1965 in that you have real bipartisan competition in most of the covered jurisdictions today, which means that certain features of conduct, State conduct, will not go by unattended, will not simply pass muster without anybody realizing. And I would recommend removing statewide redistricting from Section 5 overview altogether. That has been an area of some con-

<sup>23</sup> Unofficial Transcript: An Introduction to the Expiring Provisions of the Voting Rights Act and Legal Issues Relating to Reauthorization: Before the Senate Comm. on the Judiciary, 109th Cong. 25 (2006).



troversty with the Department of Justice, and it has been an area where there is plenty of litigation in every redistricting anyway, and I don't think Section 5 worked particularly effectively there.<sup>24</sup>

We believe it would have been beneficial for the long-term viability, constitutionality and success of the Voting Rights Act had for the Senate Judiciary Committee to engage in a serious, reasoned debate over some of these suggested possible improvements as well as any other ideas. These improvements would underscore the Act's original purpose, and would modernize it to reflect today's reality. They would possibly expand the coverage of section 5 to jurisdictions where recent abuses have taken place or, perhaps, have improved the so-called bailout procedures for those jurisdictions that had a successful record of remedying, indeed eliminating discrimination when it comes to voting rights.

One idea that was offered was to update the coverage formula. We don't know if that is a good idea or not, but we would like to know. Some suggest that such an update would "gut" or otherwise undercut the effectiveness of the Act—something that certainly would not be our intention. But we are skeptical that this would be the result. The amendment that was voted on in the House, for example, would have updated the coverage trigger to the most recent three Presidential elections from the current trigger of the 1964, 1968, and 1972 elections.

As we understand it, coverage, after an update to cover the most recent three Presidential elections, would look something like the chart included at the end of our views, entitled "Effect of Basing Section Coverage on Recent Election Data." This chart reflects the effect of implementing a new coverage formula. In other words, rather than basing coverage on election data that is several decades old, where nine states are completely covered and a handful of other political subdivisions around the country are covered, one would see coverage of different jurisdictions around the country based on the updated formula. The intent would be to reflect the problems where they really exist and where the record demonstrates some justification for the assertion of Federal power and intrusion into the local and State electoral processes.

If this map is an accurate reflection of the effects of updating the trigger to the most recent three Presidential elections, it certainly changes the coverage. But we would suggest, just looking at the jurisdictions on the map, it hardly guts it. Another alternative might have been to use the very evidence provided in the House and Senate record—as discussed above—that implicates 139 of the currently covered counties as well as 45 of the non-covered counties throughout the nation.

The primary point is not that any of these methods is necessarily the right approach, but that it would have been beneficial for us to have had a full discussion of ways to improve the Act to ensure its important provisions were narrowly tailored and applied in a congruent and proportional way, something the Supreme Court will

<sup>24</sup> Unofficial Transcript: An Introduction to the Expiring Provisions of the Voting Rights Act and Legal Issues Relating to Reauthorization: Before the Senate Comm. on the Judiciary, 109th Cong. 37 (2006).

take into consideration when it considers the renewed Act. We believe we could have done it had we taken the time to do it.

*Legislative Language Seemingly a Foregone Conclusion*

Probably our most significant concern is that this important legislation was—unfortunately—a bit of a foregone conclusion. As we described above, the hearings held in the Senate were quite informative. There were numerous perspectives—numerous ideas offered on how to improve the Act from witnesses across the ideological and racial spectrum and those both supportive of the reauthorization and concerned with the reauthorization.

From the outset, the default seemed to be to accept the House product without deliberation. In fact, the findings in the Senate-dropped version of the bill were adopted PRIOR to a single hearing being held in the Senate Judiciary Committee. Despite the fact that each hearing had a very balanced panel and many amendment ideas were offered by witnesses, it was clear that no amendment would be given serious consideration because of the political nature of the bill and the expedited, rushed process. As described earlier in our views, the Committee marked up the legislation with 107 written questions to 10 witnesses outstanding, as well as before questions were even submitted to our final panel. Unfortunately, we proceeded without the benefit of a complete record despite the fact that we had plenty of time to receive the answers from witnesses and fully consider their implications and input.

And the questions that Senators asked revealed that they were interested in at least considering amendments. Many Senators asked which amendments to consider and how to properly draft such amendments. However, when the House of Representatives passed H.R. 9, their version of the Voting Rights Act, without any amendments on July 13, 2006, it became clear that the Senate would pass a bill without any amendments. If there had been any doubt prior, the text of the bill became a foregone conclusion for the Senate after House passage.

The process that led to a vote on the floor reveals that not a single change was permitted to be made to the legislation passed in the Senate. While the Committee approved by voice vote an amendment offered by Senator Leahy to incorporate Mr. Cesar Chavez's name into the title of the Act, it became clear that the Committee would not accept any amendments that changed the substance of the bill, including the amendments circulated by Senator Coburn. In fact, Senators expressed concern about any amendments that would slow the expedited passage of the Act. The Judiciary Committee reported out the Senate's version of the Fannie Lou Hamer, Rosa Parks, Coretta Scott King and Caesar Chavez Voting Rights Act Reauthorization and Amendments Act of 2006, S. 2703, without substantive amendment.

Yet, Majority Leader Frist had already used Rule 14 of Senate procedure to place H.R. 9 on the calendar, and we were told that it was the House legislation would be called up for a full vote on the Senate floor the following afternoon. The rules adopted for floor debate allowed for eight hours of discussion evenly divided by the Republicans and Democrats and ruled out the ability to offer amendments on the floor. The process prevented any amendments



on the floor so that the same Act that the House of Representatives approved would pass the Senate and there would be no conference. While a Member may have been able to object and require a vote on an amendment, the outcome was a foregone conclusion, and thus it would have been futile.

Finally, even the production of this committee report—something that normally is of the utmost significance for such important, complicated legislation—has been short circuited. Indeed, the report will not be filed until several days after the passage of the legislation and just before it is signed into law. We remain convinced that these views are critical to a full understanding of the legislative process behind enactment and thus include them in the Committee Report.

#### CONCLUSION

We decided to support the extension of the expiring changes, even though it would have been preferable and even constitutionally advisable for us to review the application of the Act's pre-clearance and other provisions. Unfortunately, the Act's language was a foregone conclusion, and we were unable to have the kind of debate and discussion and perhaps amendment process that might have been helpful to protect the act against future legal challenges. We wish we would have had the opportunity to improve the Act—because we are confident that with a little work, we could have done just that.

We cannot help but fear that the driving force behind this rushed reauthorization process was the reality that the Voting Rights Act has evolved into a tool for political and racial gerrymandering. We believe that is unfortunate and that political re-districting should be driven by objective parameters and should not use race to further the objectives of political parties.

Nonetheless, we voted for reauthorization because of the unparalleled success of the Voting Rights Act in the past in securing the opportunity to vote. Few issues are as fundamental to our system of democracy and the promise of equal justice under law as the Voting Rights Act. The Act was specifically designed to “foster our transformation to a society that is no longer fixated on race,” to an “all-inclusive community, where we would be able to forget about race and color and see people as people, as human beings, just as citizens.”<sup>25</sup>

It is our sincere hope that we will move beyond distinctions based on race in our policymaking, lest we, in the words of Justice Anthony Kennedy, make “the offensive and demeaning assumption that voters of a particular race, because of their race, think alike, share the same political interests, and will prefer the same candidates at the polls.”

The question in the end is this: Is this bill that we have passed the very best possible product? We would conclude that it is not. Yet, in response to the question: Is this the very best that we can do under the circumstances? We reluctantly conclude that it is. And that is why we supported it in Committee and on the floor.

<sup>25</sup> *Georgia v. Ashcroft*, 539 U.S. 461, 490 (2003).

## EFFECT OF BASING SECTION COVERAGE ON RECENT ELECTION DATA

The table below reflects the results we believe would occur from updating the Section 4 coverage formula to 2000 and 2004 Presidential Election data from the current formula based on the 1964, 1968 and 1972 election years. The original figure to be included in this Committee Report was a map depicting the counties covered. The purpose of the map was to demonstrate the significant coverage that would be retained in currently covered jurisdictions as well as the fact coverage would be expanded. However, GPO is unable to print such a map into the record, so in its place we have included the following table. As pointed out in the additional views, we do not suggest that this coverage formula is the best or preferred formula, but that it would have been a reasonable alternative and should have been given appropriate consideration in the Senate.

JOHN CORNYN.  
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## VOTER TURNOUT DATA REPRESENTS THE PERCENTAGE OF THE CITIZEN VOTING AGE POPULATION

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
AL	Barbour County	Y	Y	48.72%	45.89%	1
AL	Bibb County	Y	Y	47.28%	45.89%	1
AL	Blount County	Y	Y	48.68%	45.89%	1
AL	Butler County	Y	Y	49.92%	45.78%	1
AL	Calhoun County	Y	Y	45.78%	43.19%	1
AL	Chambers County	Y	Y	48.85%	42.12%	1
AL	Cherokee County	Y	Y	47.50%	47.83%	1
AL	Cleburne County	Y	Y	47.67%	49.18%	1
AL	Coffee County	Y	Y	49.18%	47.46%	1
AL	Coosa County	Y	Y	47.46%	46.62%	1
AL	Covington County	Y	Y	44.70%	43.39%	1
AL	Crenshaw County	Y	Y	49.04%	48.84%	1
AL	Dale County	Y	Y	42.96%	40.16%	1
AL	DeKalb County	Y	Y	49.57%	48.99%	1
AL	Elmore County	Y	Y	48.99%	49.21%	1
AL	Escambia County	Y	Y	49.39%	43.93%	1
AL	Franklin County	Y	Y	47.77%	47.20%	1
AL	Geneva County	Y	Y	47.95%	44.22%	1
AL	Houston County	Y	Y	48.46%	49.61%	1
AL	Jackson County	Y	Y	48.73%	46.87%	1
AL	Lauderdale County	Y	Y	48.96%	48.98%	1
AL	Lawrence County	Y	Y	47.90%	47.56%	1
AL	Lee County	Y	Y	46.98%	40.89%	1
AL	Limestone County	Y	Y	42.43%	48.38%	1
AL	Macon County	Y	Y	47.64%	49.61%	1
AL	Marion County	Y	Y	48.73%	46.87%	1
AL	Marshall County	Y	Y	48.96%	48.98%	1
AL	Mobile County	Y	Y	47.90%	47.56%	1
AL	Montgomery County	Y	Y	46.98%	40.89%	1
AL	Pike County	Y	Y	42.43%	48.38%	1
AL	Randolph County	Y	Y	47.64%	49.61%	1
AL	Russell County	Y	Y	48.73%	46.87%	1
AL	Talladega County	Y	Y	48.96%	48.98%	1
AL	Tuscaloosa County	Y	Y	47.90%	47.56%	1
AL	Walker County	Y	Y	46.98%	40.89%	1
AL	Winston County	Y	Y	42.43%	48.38%	1



## EFFECT OF BASING SECTION COVERAGE ON RECENT ELECTION DATA

The table below reflects the results we believe would occur from updating the Section 4 coverage formula to 2000 and 2004 Presidential Election data from the current formula based on the 1964, 1968 and 1972 election years. The original figure to be included in this Committee Report was a map depicting the counties covered. The purpose of the map was to demonstrate the significant coverage that would be retained in currently covered jurisdictions as well as the fact coverage would be expanded. However, GPO is unable to print such a map into the record, so in its place we have included the following table. As pointed out in the additional views, we do not suggest that this coverage formula is the best or preferred formula, but that it would have been a reasonable alternative and should have been given appropriate consideration in the Senate.

JOHN CORNYN.  
TOM COBURN.

## VOTER TURNOUT DATA REPRESENTS THE PERCENTAGE OF THE CITIZEN VOTING AGE POPULATION

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
AL	Barbour County	Y	Y	48.72%	45.89%	1
AL	Bibb County	Y	Y	47.28%	45.89%	1
AL	Blount County	Y	Y	48.68%	45.89%	1
AL	Butler County	Y	Y	49.92%	45.78%	1
AL	Calhoun County	Y	Y	45.78%	43.19%	1
AL	Chambers County	Y	Y	48.85%	42.12%	1
AL	Cherokee County	Y	Y	47.50%	47.83%	1
AL	Cleburne County	Y	Y	47.83%	47.67%	1
AL	Coffee County	Y	Y	49.18%	47.46%	1
AL	Coosa County	Y	Y	47.46%	46.62%	1
AL	Covington County	Y	Y	46.62%	44.70%	1
AL	Crenshaw County	Y	Y	44.70%	43.39%	1
AL	Dale County	Y	Y	49.04%	48.84%	1
AL	DeKalb County	Y	Y	42.96%	40.16%	1
AL	Elmore County	Y	Y	49.57%	48.99%	1
AL	Escambia County	Y	Y	49.21%	43.93%	1
AL	Franklin County	Y	Y	47.77%	47.20%	1
AL	Geneva County	Y	Y	47.20%	44.22%	1
AL	Houston County	Y	Y	47.95%	48.46%	1
AL	Jackson County	Y	Y	49.39%	49.61%	1
AL	Lauderdale County	Y	Y	47.77%	48.73%	1
AL	Lawrence County	Y	Y	47.20%	46.87%	1
AL	Lee County	Y	Y	44.22%	48.96%	1
AL	Limestone County	Y	Y	48.46%	48.98%	1
AL	Macon County	Y	Y	49.61%	47.90%	1
AL	Marion County	Y	Y	48.73%	47.56%	1
AL	Marshall County	Y	Y	46.87%	40.89%	1
AL	Mobile County	Y	Y	48.96%	42.43%	1
AL	Montgomery County	Y	Y	48.98%	48.38%	1
AL	Pike County	Y	Y	47.90%	47.64%	1
AL	Randolph County	Y	Y	47.56%	49.61%	1
AL	Russell County	Y	Y	46.98%		1
AL	Talladega County	Y	Y			1
AL	Tuscaloosa County	Y	Y			1
AL	Walker County	Y	Y			1
AL	Winston County	Y	Y			1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
AL Count						36
AR	Arkansas County	Y	Y	46.76%	41.02%	1
AR	Ashley County	Y	Y	49.75%	47.46%	1
AR	Bradley County	Y	Y	46.06%	42.74%	1
AR	Chicot County	Y	Y	49.23%	44.12%	1
AR	Clark County		Y		47.75%	1
AR	Clay County	Y	Y	47.25%	43.59%	1
AR	Columbia County		Y		48.89%	1
AR	Conway County		Y		48.16%	1
AR	Craighead County	Y	Y	46.57%	41.05%	1
AR	Crawford County		Y		46.90%	1
AR	Crittenden County	Y	Y	43.51%	38.14%	1
AR	Cross County		Y		44.39%	1
AR	Dallas County		Y		49.27%	1
AR	Desha County	Y	Y	44.82%	41.86%	1
AR	Drew County	Y	Y	45.31%	43.15%	1
AR	Faulkner County		Y		46.22%	1
AR	Franklin County		Y		47.02%	1
AR	Fulton County		Y		45.84%	1
AR	Grant County		Y		49.62%	1
AR	Greene County	Y	Y	47.95%	44.73%	1
AR	Hempstead County	Y	Y	45.43%	44.84%	1
AR	Hot Spring County		Y		48.56%	1
AR	Howard County	Y	Y	47.05%	44.14%	1
AR	Independence County	Y	Y	49.39%	45.40%	1
AR	Izard County		Y		48.17%	1
AR	Jackson County	Y	Y	46.82%	42.59%	1
AR	Jefferson County		Y		44.03%	1
AR	Johnson County	Y	Y	46.35%	43.69%	1
AR	Lawrence County	Y	Y	49.49%	44.84%	1
AR	Lee County	Y	Y	47.66%	44.49%	1
AR	Lincoln County	Y	Y	36.20%	31.56%	1
AR	Logan County	Y	Y	49.36%	48.83%	1
AR	Lonoke County		Y		48.16%	1
AR	Marion County		Y		48.15%	1
AR	Miller County	Y	Y	46.76%	46.62%	1
AR	Mississippi County	Y	Y	42.71%	34.69%	1
AR	Monroe County		Y		44.95%	1
AR	Nevada County	Y		48.18%		1
AR	Ouachita County		Y		48.98%	1
AR	Pike County	Y	Y	40.98%	47.76%	1
AR	Poinsett County	Y	Y	41.17%	38.37%	1
AR	Polk County		Y		48.54%	1
AR	Pope County		Y		46.10%	1
AR	Prairie County		Y		48.43%	1
AR	Pulaski County		Y		48.01%	1
AR	Randolph County	Y	Y	48.35%	43.01%	1
AR	Sebastian County		Y		49.84%	1
AR	Sevier County	Y	Y	44.53%	42.37%	1
AR	St. Francis County	Y	Y	47.22%	40.24%	1
AR	Union County		Y		46.60%	1
AR	Washington County		Y		46.54%	1
AR	White County	Y	Y	49.46%	44.14%	1
AR	Woodruff County		Y		41.08%	1
AR	Yell County	Y	Y	45.83%	45.81%	1
AR Count						54
AZ	Apache County		Y		45.83%	1
AZ	Cochise County		Y		41.16%	1
AZ	Gila County		Y		47.14%	1
AZ	Graham County	Y	Y	46.10%	41.95%	1
AZ	La Paz County	Y	Y	35.06%	31.15%	1
AZ	Maricopa County		Y		45.44%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
AZ	Mohave County	Y	Y	43.73%	38.45%	1
AZ	Navajo County	Y	Y	45.43%	40.53%	1
AZ	Pima County		Y		49.14%	1
AZ	Pinal County	Y	Y	43.18%	33.02%	1
AZ	Santa Cruz County		Y		47.26%	1
AZ	Yuma County	Y	Y	39.49%	31.71%	1
<b>AZ Count</b>						12
CA	Del Norte County	Y	Y	44.04%	42.00%	1
CA	Fresno County	Y	Y	49.16%	49.48%	1
CA	Imperial County	Y	Y	41.45%	38.87%	1
CA	Kern County	Y	Y	47.46%	47.29%	1
CA	Kings County	Y	Y	35.32%	35.48%	1
CA	Lake County		Y		49.10%	1
CA	Lassen County	Y	Y	41.28%	40.42%	1
CA	Madera County	Y	Y	46.71%	46.70%	1
CA	Merced County	Y	Y	44.26%	45.88%	1
CA	Mono County		Y		48.77%	1
CA	Riverside County	Y	Y	47.72%	49.10%	1
CA	San Bernardino County	Y	Y	45.37%	45.98%	1
CA	San Joaquin County	Y		47.66%		1
CA	Stanislaus County	Y	Y	46.90%	48.27%	1
CA	Tulare County	Y	Y	45.20%	46.36%	1
CA	Yuba County	Y	Y	43.89%	43.20%	1
<b>CA Count</b>						16
CO	Adams County		Y		46.35%	1
CO	Bent County		Y		44.59%	1
CO	Crowley County	Y	Y	33.01%	32.40%	1
CO	Fremont County	Y	Y	48.31%	44.17%	1
CO	Lincoln County		Y		47.92%	1
CO	Prowers County		Y		49.47%	1
<b>CO Count</b>						6
FL	Bradford County	Y	Y	49.13%	42.76%	1
FL	Columbia County		Y		44.34%	1
FL	DeSoto County	Y	Y	43.05%	38.45%	1
FL	Dixie County		Y		43.80%	1
FL	Duval County		Y		47.87%	1
FL	Gadsden County		Y		46.07%	1
FL	Glades County	Y	Y	47.96%	42.97%	1
FL	Hamilton County	Y	Y	46.82%	39.61%	1
FL	Hardee County	Y	Y	43.26%	38.26%	1
FL	Hendry County	Y	Y	48.82%	41.64%	1
FL	Jackson County		Y		45.24%	1
FL	Lafayette County		Y		47.94%	1
FL	Levy County		Y		49.08%	1
FL	Liberty County		Y		44.60%	1
FL	Madison County		Y		44.81%	1
FL	Okeechobee County	Y	Y	47.52%	40.71%	1
FL	Orange County		Y		46.18%	1
FL	Osceola County		Y		48.91%	1
FL	Polk County		Y		48.48%	1
FL	Suwannee County		Y		48.85%	1
FL	Taylor County		Y		47.19%	1
FL	Union County	Y	Y	42.72%	37.01%	1
<b>FL Count</b>						22
GA	Appling County	Y	Y	49.41%	49.71%	1
GA	Atkinson County	Y	Y	48.63%	44.05%	1
GA	Bacon County		Y		40.47%	1
GA	Baldwin County	Y	Y	41.43%	35.06%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
GA	Banks County	Y	Y	48.02%	43.31%	1
GA	Barrow County	Y	Y	44.57%	37.44%	1
GA	Bartow County	Y	Y	48.54%	42.41%	1
GA	Ben Hill County	Y	Y	46.36%	37.95%	1
GA	Berrien County	Y	Y	45.88%	37.71%	1
GA	Bibb County		Y		44.59%	1
GA	Bleckley County		Y		44.25%	1
GA	Brantley County	Y	Y	49.08%	43.89%	1
GA	Brooks County	Y	Y	43.08%	38.55%	1
GA	Bryan County		Y		44.52%	1
GA	Bulloch County	Y	Y	41.34%	34.72%	1
GA	Burke County		Y		46.82%	1
GA	Butts County	Y	Y	44.42%	38.15%	1
GA	Calhoun County	Y	Y	45.13%	38.59%	1
GA	Camden County	Y	Y	45.60%	34.46%	1
GA	Candler County	Y	Y	44.08%	41.13%	1
GA	Carroll County	Y	Y	46.90%	40.84%	1
GA	Catoosa County	Y	Y	49.86%	45.38%	1
GA	Charlton County	Y	Y	41.97%	37.99%	1
GA	Chatham County		Y		45.18%	1
GA	Chattahoochee County	Y	Y	11.82%	11.80%	1
GA	Chattooga County	Y	Y	38.54%	33.57%	1
GA	Clarke County	Y	Y	46.61%	37.24%	1
GA	Clayton County	Y	Y	46.99%	40.83%	1
GA	Clinch County	Y	Y	45.62%	39.22%	1
GA	Coffee County	Y	Y	45.70%	36.71%	1
GA	Colquitt County	Y	Y	39.61%	34.90%	1
GA	Cook County	Y	Y	42.45%	35.72%	1
GA	Crawford County	Y	Y	47.19%	39.46%	1
GA	Crisp County	Y	Y	40.98%	36.66%	1
GA	Dade County		Y		44.16%	1
GA	Dawson County		Y		49.77%	1
GA	Decatur County	Y	Y	44.48%	38.73%	1
GA	Dodge County	Y	Y	48.40%	41.83%	1
GA	Dooly County	Y	Y	45.03%	41.63%	1
GA	Dougherty County	Y	Y	49.46%	42.33%	1
GA	Douglas County		Y		47.67%	1
GA	Early County	Y	Y	47.81%	40.91%	1
GA	Echols County	Y	Y	36.83%	39.65%	1
GA	Effingham County	Y	Y	49.87%	40.85%	1
GA	Elbert County	Y	Y	49.93%	39.09%	1
GA	Emanuel County	Y	Y	47.97%	41.14%	1
GA	Evans County	Y	Y	42.86%	42.31%	1
GA	Floyd County	Y	Y	46.54%	40.95%	1
GA	Franklin County	Y	Y	45.89%	37.67%	1
GA	Fulton County		Y		46.36%	1
GA	Gilmer County		Y		44.03%	1
GA	Glynn County		Y		45.42%	1
GA	Gordon County	Y	Y	46.20%	39.93%	1
GA	Grady County	Y	Y	47.38%	40.54%	1
GA	Greene County		Y		49.05%	1
GA	Habersham County	Y	Y	47.14%	37.59%	1
GA	Hall County		Y		44.19%	1
GA	Hancock County	Y	Y	46.95%	40.49%	1
GA	Haralson County	Y	Y	48.80%	43.26%	1
GA	Harris County		Y		49.09%	1
GA	Hart County	Y	Y	49.82%	43.14%	1
GA	Heard County		Y		40.93%	1
GA	Henry County		Y		46.86%	1
GA	Houston County		Y		47.51%	1
GA	Irwin County	Y	Y	46.89%	40.85%	1
GA	Jackson County	Y	Y	45.42%	38.97%	1
GA	Jasper County	Y	Y	49.56%	48.04%	1
GA	Jeff Davis County		Y		47.56%	1
GA	Jefferson County		Y		45.24%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
GA	Jenkins County	Y	Y	42.93%	42.93%	1
GA	Johnson County	Y	Y	48.33%	48.33%	1
GA	Jones County	Y	Y	47.24%	47.24%	1
GA	Lamar County	Y	Y	43.84%	43.84%	1
GA	Lanier County	Y	Y	45.45%	36.50%	1
GA	Laurens County	Y	Y	43.06%	43.06%	1
GA	Lee County	Y	Y	48.75%	46.32%	1
GA	Liberty County	Y	Y	38.44%	24.89%	1
GA	Lincoln County	Y	Y	49.32%	49.32%	1
GA	Long County	Y	Y	43.57%	35.33%	1
GA	Lowndes County	Y	Y	45.24%	38.01%	1
GA	Lumpkin County	Y	Y	49.45%	43.38%	1
GA	Macon County	Y	Y	47.42%	43.58%	1
GA	Madison County	Y	Y	48.51%	42.80%	1
GA	Marion County	Y	Y	44.86%	44.86%	1
GA	McDuffie County	Y	Y	49.46%	42.93%	1
GA	McIntosh County	Y	Y	49.41%	49.41%	1
GA	Meriwether County	Y	Y	48.65%	40.92%	1
GA	Miller County	Y	Y	45.80%	45.80%	1
GA	Mitchell County	Y	Y	42.07%	33.84%	1
GA	Monroe County	Y	Y	47.27%	47.27%	1
GA	Montgomery County	Y	Y	48.20%	41.89%	1
GA	Murray County	Y	Y	37.54%	32.87%	1
GA	Muscogee County	Y	Y	48.64%	39.37%	1
GA	Newton County	Y	Y	49.84%	41.56%	1
GA	Oglethorpe County	Y	Y	46.83%	46.83%	1
GA	Paulding County	Y	Y	43.47%	43.47%	1
GA	Peach County	Y	Y	48.02%	42.11%	1
GA	Pickens County	Y	Y	48.94%	47.32%	1
GA	Pierce County	Y	Y	48.56%	41.49%	1
GA	Pike County	Y	Y	49.65%	49.65%	1
GA	Polk County	Y	Y	44.21%	37.79%	1
GA	Pulaski County	Y	Y	48.13%	46.54%	1
GA	Putnam County	Y	Y	44.52%	44.52%	1
GA	Quitman County	Y	Y	46.05%	46.05%	1
GA	Rabun County	Y	Y	46.78%	46.78%	1
GA	Randolph County	Y	Y	45.45%	45.45%	1
GA	Richmond County	Y	Y	49.00%	40.04%	1
GA	Schley County	Y	Y	44.36%	44.36%	1
GA	Screven County	Y	Y	42.95%	42.95%	1
GA	Seminole County	Y	Y	48.33%	41.90%	1
GA	Spalding County	Y	Y	47.80%	36.78%	1
GA	Stephens County	Y	Y	43.28%	43.28%	1
GA	Stewart County	Y	Y	49.97%	49.97%	1
GA	Sumter County	Y	Y	48.23%	41.27%	1
GA	Tattnall County	Y	Y	38.98%	34.35%	1
GA	Taylor County	Y	Y	43.54%	43.54%	1
GA	Telfair County	Y	Y	42.58%	38.55%	1
GA	Terrell County	Y	Y	49.77%	40.17%	1
GA	Thomas County	Y	Y	48.10%	39.08%	1
GA	Tift County	Y	Y	45.07%	39.06%	1
GA	Toombs County	Y	Y	48.34%	40.90%	1
GA	Treutlen County	Y	Y	39.09%	39.09%	1
GA	Troup County	Y	Y	42.75%	42.75%	1
GA	Turner County	Y	Y	44.63%	37.39%	1
GA	Twiggs County	Y	Y	47.00%	47.00%	1
GA	Upson County	Y	Y	48.46%	40.86%	1
GA	Walker County	Y	Y	44.88%	41.37%	1
GA	Walton County	Y	Y	44.56%	44.56%	1
GA	Ware County	Y	Y	42.73%	36.51%	1
GA	Warren County	Y	Y	46.16%	46.16%	1
GA	Washington County	Y	Y	43.35%	43.35%	1
GA	Wayne County	Y	Y	45.82%	40.92%	1
GA	Wheeler County	Y	Y	39.33%	33.41%	1
GA	White County	Y	Y	46.39%	46.39%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
GA .....	Whitfield County .....	Y .....	Y .....	49.52%	45.37%	1
GA .....	Wilcox County .....	Y .....	Y .....	38.32%	36.05%	1
GA .....	Worth County .....	Y .....	Y .....	46.36%	38.89%	1
<b>GA Count</b> .....						137
HI .....	Hawaii County .....	.....	Y .....	.....	49.17%	1
HI .....	Honolulu County .....	Y .....	Y .....	46.34%	41.91%	1
HI .....	Maui County .....	Y .....	Y .....	48.88%	44.78%	1
<b>HI Count</b> .....						3
ID .....	Elmore County .....	Y .....	Y .....	42.37%	35.19%	1
ID .....	Madison County .....	.....	Y .....	.....	45.77%	1
ID .....	Owyhee County .....	Y .....	Y .....	49.83%	49.21%	1
ID .....	Payette County .....	.....	Y .....	.....	49.75%	1
<b>ID Count</b> .....						4
IL .....	Brown County .....	Y .....	Y .....	44.89%	47.35%	1
IL .....	Coles County .....	.....	Y .....	.....	47.45%	1
IL .....	McDonough County .....	.....	Y .....	.....	49.22%	1
<b>IL Count</b> .....						3
IN .....	Allen County .....	.....	Y .....	.....	48.96%	1
IN .....	Blackford County .....	.....	Y .....	.....	46.30%	1
IN .....	Cass County .....	Y .....	.....	48.60%	.....	1
IN .....	Clinton County .....	.....	Y .....	.....	46.83%	1
IN .....	Daviess County .....	Y .....	Y .....	49.80%	46.89%	1
IN .....	DeKalb County .....	.....	Y .....	.....	47.88%	1
IN .....	Delaware County .....	.....	Y .....	.....	48.28%	1
IN .....	Elkhart County .....	Y .....	Y .....	48.16%	44.75%	1
IN .....	Fayette County .....	.....	Y .....	.....	44.82%	1
IN .....	Grant County .....	.....	Y .....	.....	47.35%	1
IN .....	Henry County .....	.....	Y .....	.....	49.87%	1
IN .....	Jackson County .....	.....	Y .....	.....	48.44%	1
IN .....	Jennings County .....	.....	Y .....	.....	47.80%	1
IN .....	Kosciusko County .....	.....	Y .....	.....	48.34%	1
IN .....	LaGrange County .....	Y .....	Y .....	37.74%	36.75%	1
IN .....	LaPorte County .....	.....	Y .....	.....	48.47%	1
IN .....	Lawrence County .....	.....	Y .....	.....	46.85%	1
IN .....	Marion County .....	.....	Y .....	.....	45.36%	1
IN .....	Miami County .....	.....	Y .....	.....	48.63%	1
IN .....	Monroe County .....	.....	Y .....	.....	42.51%	1
IN .....	Montgomery County .....	.....	Y .....	.....	47.71%	1
IN .....	Morgan County .....	.....	Y .....	.....	45.62%	1
IN .....	Noble County .....	Y .....	Y .....	48.37%	45.00%	1
IN .....	Owen County .....	Y .....	Y .....	43.65%	40.72%	1
IN .....	Parke County .....	.....	Y .....	.....	49.29%	1
IN .....	Putnam County .....	Y .....	Y .....	46.29%	43.50%	1
IN .....	Randolph County .....	.....	Y .....	.....	49.77%	1
IN .....	Scott County .....	Y .....	Y .....	49.28%	46.39%	1
IN .....	Shelby County .....	.....	Y .....	.....	48.62%	1
IN .....	Steuben County .....	.....	Y .....	.....	46.12%	1
IN .....	Sullivan County .....	Y .....	Y .....	49.19%	49.14%	1
IN .....	Switzerland County .....	.....	Y .....	.....	48.56%	1
IN .....	Tippecanoe County .....	Y .....	Y .....	45.13%	42.42%	1
IN .....	Vigo County .....	.....	Y .....	.....	45.00%	1
IN .....	Wabash County .....	.....	Y .....	.....	48.98%	1
IN .....	Washington County .....	.....	Y .....	.....	49.09%	1
IN .....	Wayne County .....	.....	Y .....	.....	47.15%	1
<b>IN Count</b> .....						37
KS .....	Butler County .....	.....	Y .....	.....	49.78%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
KS	Finney County	Y	Y	48.90%	43.31%	1
KS	Ford County	Y		49.36%		1
KS	Geary County	Y	Y	41.59%	36.31%	1
KS	Leavenworth County		Y		46.78%	1
KS	Riley County	Y	Y	43.07%	37.43%	1
KS	Seward County	Y	Y	44.99%	43.50%	1
KS	Wyandotte County		Y		46.70%	1
KS Count						8
KY	Allen County		Y		49.00%	1
KY	Barren County		Y		48.35%	1
KY	Bell County	Y	Y	48.03%	46.92%	1
KY	Bourbon County		Y		49.78%	1
KY	Boyd County		Y		49.84%	1
KY	Boyle County		Y		48.85%	1
KY	Bracken County		Y		49.00%	1
KY	Breathitt County	Y	Y	49.39%	42.47%	1
KY	Carroll County		Y		46.69%	1
KY	Carter County		Y		44.26%	1
KY	Casey County		Y		47.26%	1
KY	Christian County	Y	Y	45.15%	34.79%	1
KY	Clay County	Y	Y	42.14%	36.94%	1
KY	Elliott County		Y		47.20%	1
KY	Estill County	Y	Y	48.36%	40.69%	1
KY	Floyd County		Y		47.68%	1
KY	Fulton County		Y		47.86%	1
KY	Gallatin County		Y		43.81%	1
KY	Grant County		Y		44.78%	1
KY	Grayson County		Y		47.30%	1
KY	Hardin County		Y		46.05%	1
KY	Harlan County	Y	Y	46.15%	42.48%	1
KY	Harrison County		Y		49.36%	1
KY	Hart County	Y	Y	49.58%	46.66%	1
KY	Henderson County		Y		47.80%	1
KY	Henry County		Y		49.32%	1
KY	Hopkins County		Y		46.84%	1
KY	Jackson County		Y		48.74%	1
KY	Johnson County		Y		45.56%	1
KY	Knott County		Y		48.61%	1
KY	Knox County		Y		42.28%	1
KY	Laurel County		Y		46.29%	1
KY	Lawrence County		Y		45.60%	1
KY	Lee County	Y	Y	46.95%	45.21%	1
KY	Leslie County		Y		47.47%	1
KY	Letcher County	Y	Y	47.04%	46.70%	1
KY	Lewis County		Y		43.37%	1
KY	Lincoln County	Y	Y	47.74%	44.10%	1
KY	Logan County		Y		47.62%	1
KY	Madison County		Y		43.21%	1
KY	Marion County		Y		45.60%	1
KY	Martin County	Y	Y	49.02%	49.27%	1
KY	Mason County		Y		46.69%	1
KY	McCreary County	Y	Y	45.07%	38.89%	1
KY	Meade County		Y		49.47%	1
KY	Menifee County	Y	Y	49.91%	45.82%	1
KY	Morgan County	Y	Y	46.80%	39.41%	1
KY	Muhlenberg County		Y		48.66%	1
KY	Owsley County		Y		49.71%	1
KY	Pendleton County		Y		46.79%	1
KY	Perry County		Y		49.58%	1
KY	Pike County		Y		47.70%	1
KY	Powell County	Y	Y	48.87%	44.93%	1
KY	Rockcastle County	Y	Y	48.66%	41.81%	1
KY	Rowan County	Y	Y	49.04%	41.60%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
KY	Simpson County	Y	Y		48.41%	1
KY	Todd County	Y	Y		48.18%	1
KY	Union County	Y	Y		46.32%	1
KY	Warren County	Y	Y		47.97%	1
KY	Wayne County	Y	Y	49.67%	44.08%	1
KY	Webster County	Y	Y		48.24%	1
KY	Whitley County	Y	Y	48.13%	44.44%	1
KY	Wolfe County	Y	Y		46.67%	1
KY Count						63
LA	Allen Parish	Y	Y	47.21%	43.40%	1
LA	Avoyelles Parish	Y	Y	49.45%	48.33%	1
LA	East Carroll Parish	Y	Y		49.59%	1
LA	Terrebonne Parish	Y	Y		49.99%	1
LA	Vernon Parish	Y	Y	44.68%	37.96%	1
LA	West Feliciana Parish	Y	Y	41.38%	40.48%	1
LA Count						6
MA	Suffolk County	Y	Y		48.07%	1
MA Count						1
MD	Allegany County	Y	Y		44.55%	1
MD	Baltimore City	Y	Y	47.47%	40.43%	1
MD	Caroline County	Y	Y	48.85%	41.94%	1
MD	Cecil County	Y	Y		46.93%	1
MD	Dorchester County	Y	Y		49.07%	1
MD	Garrett County	Y	Y		47.84%	1
MD	Somerset County	Y	Y	43.78%	38.29%	1
MD	St. Mary's County	Y	Y		48.11%	1
MD	Washington County	Y	Y		47.41%	1
MD Count						9
MI	Branch County	Y	Y		47.19%	1
MI	Chippewa County	Y	Y		48.14%	1
MI	Gratiot County	Y	Y		47.45%	1
MI	Isabella County	Y	Y	47.00%	42.51%	1
MI	Luce County	Y	Y		46.24%	1
MI	Mecosta County	Y	Y		47.59%	1
MI	St. Joseph County	Y	Y		49.93%	1
MI Count						7
MO	Butler County	Y	Y		46.74%	1
MO	Crawford County	Y	Y		49.64%	1
MO	DeKalb County	Y	Y	43.09%	44.38%	1
MO	Dunklin County	Y	Y	49.09%	43.36%	1
MO	Jasper County	Y	Y		49.17%	1
MO	Johnson County	Y	Y		47.58%	1
MO	Madison County	Y	Y		49.28%	1
MO	McDonald County	Y	Y		44.65%	1
MO	Mississippi County	Y	Y		46.60%	1
MO	Pemiscot County	Y	Y	49.81%	43.41%	1
MO	Pulaski County	Y	Y	36.00%	36.13%	1
MO	Randolph County	Y	Y		49.33%	1
MO	St. Francois County	Y	Y	49.99%	44.73%	1
MO	Taney County	Y	Y		49.52%	1
MO	Washington County	Y	Y		48.42%	1
MO Count						15
MS	Alcorn County	Y	Y		48.34%	1
MS	Attala County	Y	Y		49.63%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
MS	Bolivar County	Y	Y		47.39%	1
MS	Coahoma County		Y		46.81%	1
MS	Covington County		Y		49.96%	1
MS	DeSoto County		Y		46.05%	1
MS	Forrest County	Y	Y	47.67%	41.34%	1
MS	Greene County		Y		44.02%	1
MS	Hancock County		Y		45.59%	1
MS	Harrison County	Y	Y	46.20%	38.30%	1
MS	Hinds County		Y		48.89%	1
MS	Itawamba County		Y		49.83%	1
MS	Jackson County		Y		48.18%	1
MS	Jasper County		Y		49.45%	1
MS	Jefferson County		Y		49.06%	1
MS	Lafayette County	Y	Y	47.31%	41.51%	1
MS	Lauderdale County		Y		45.47%	1
MS	Leake County		Y		46.01%	1
MS	Lee County		Y		46.17%	1
MS	Leflore County	Y	Y	49.10%	42.73%	1
MS	Lowndes County		Y		44.04%	1
MS	Marshall County		Y		49.35%	1
MS	Monroe County		Y		48.45%	1
MS	Neshoba County	Y	Y	49.06%	44.34%	1
MS	Newton County		Y		48.20%	1
MS	Oktibbeha County	Y	Y	49.35%	45.11%	1
MS	Panola County		Y		47.29%	1
MS	Pearl River County		Y		46.69%	1
MS	Pontotoc County		Y		49.57%	1
MS	Prentiss County		Y		44.37%	1
MS	Quitman County		Y		49.64%	1
MS	Rankin County		Y		48.96%	1
MS	Scott County		Y		47.49%	1
MS	Simpson County		Y		48.37%	1
MS	Sunflower County	Y	Y	41.61%	34.09%	1
MS	Tate County		Y		47.08%	1
MS	Tishomingo County		Y		47.74%	1
MS	Tunica County	Y	Y	45.08%	37.83%	1
MS	Washington County	Y	Y	47.87%	42.71%	1
MS Count						39
MT	Glacier County		Y		48.43%	1
MT Count						1
NC	Anson County	Y	Y	49.38%	42.51%	1
NC	Avery County		Y		49.49%	1
NC	Bertie County		Y		49.33%	1
NC	Bladen County		Y		45.78%	1
NC	Burke County	Y	Y	46.56%	47.04%	1
NC	Caldwell County		Y		44.80%	1
NC	Caswell County		Y		47.35%	1
NC	Chowan County	Y	Y	48.73%	44.70%	1
NC	Cleveland County		Y		46.04%	1
NC	Columbus County		Y		45.88%	1
NC	Craven County		Y		47.41%	1
NC	Cumberland County	Y	Y	45.77%	36.46%	1
NC	Davidson County		Y		48.02%	1
NC	Duplin County	Y	Y	48.60%	44.55%	1
NC	Edgecombe County		Y		45.73%	1
NC	Franklin County		Y		47.15%	1
NC	Gaston County	Y	Y	45.24%	42.47%	1
NC	Gates County		Y		44.98%	1
NC	Granville County	Y	Y	48.35%	42.72%	1
NC	Greene County	Y	Y	43.88%	43.39%	1
NC	Halifax County	Y	Y	47.30%	40.43%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
NC	Harnett County	Y	Y	45.40%	37.76%	1
NC	Hertford County	Y	Y	48.38%	47.27%	1
NC	Hoke County	Y	Y	42.28%	38.16%	1
NC	Hyde County		Y		48.67%	1
NC	Jackson County		Y		45.71%	1
NC	Johnston County		Y		48.34%	1
NC	Lee County		Y		48.89%	1
NC	Lenoir County		Y		48.53%	1
NC	Martin County		Y		49.71%	1
NC	McDowell County	Y	Y	49.42%	44.02%	1
NC	Montgomery County		Y		47.95%	1
NC	Nash County		Y		47.90%	1
NC	Northampton County		Y		49.32%	1
NC	Onslow County	Y	Y	37.64%	28.04%	1
NC	Pasquotank County	Y	Y	49.80%	42.07%	1
NC	Pender County		Y		46.02%	1
NC	Perquimans County		Y		49.23%	1
NC	Person County		Y		44.29%	1
NC	Pitt County		Y		43.44%	1
NC	Randolph County		Y		45.98%	1
NC	Richmond County	Y	Y	48.20%	42.09%	1
NC	Robeson County	Y	Y	39.12%	35.44%	1
NC	Rockingham County		Y		47.27%	1
NC	Rowan County		Y		46.52%	1
NC	Rutherford County		Y		45.87%	1
NC	Sampson County		Y		46.04%	1
NC	Scotland County	Y	Y	44.32%	36.64%	1
NC	Surry County	Y	Y	49.45%	44.88%	1
NC	Swain County		Y		44.84%	1
NC	Vance County		Y		41.84%	1
NC	Warren County		Y		45.36%	1
NC	Washington County		Y		48.62%	1
NC	Wayne County	Y	Y	49.84%	41.89%	1
NC	Wilkes County		Y		49.28%	1
NC	Wilson County		Y		47.26%	1
NC Count						56
ND	Benson County	Y	Y	49.00%	48.68%	1
ND	Divide County		Y		44.09%	1
ND	Rolette County		Y		45.12%	1
ND	Sioux County	Y	Y	44.31%	43.54%	1
ND Count						4
NE	Thurston County		Y		46.57%	1
NE Count						1
NJ	Cumberland County	Y	Y	49.21%	46.56%	1
NJ	Hudson County		Y		47.60%	1
NJ Count						2
NM	Chaves County		Y		45.64%	1
NM	Cibola County	Y	Y	39.58%	40.44%	1
NM	Curry County	Y	Y	46.00%	39.79%	1
NM	Dona Ana County		Y		44.31%	1
NM	Eddy County		Y		49.94%	1
NM	Grant County		Y		49.96%	1
NM	Guadalupe County		Y		48.12%	1
NM	Hidalgo County		Y		49.17%	1
NM	Lea County		Y		40.37%	1
NM	Lincoln County		Y		47.12%	1
NM	Luna County	Y	Y	47.89%	45.21%	1
NM	McKinley County	Y	Y	45.52%	34.67%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
NM	Otero County	Y	Y	49.95%	40.47%	1
NM	Rio Arriba County		Y		42.57%	1
NM	Roosevelt County		Y		45.10%	1
NM	San Juan County		Y		46.07%	1
NM	San Miguel County		Y		42.89%	1
NM	Sierra County	Y	Y	49.86%	45.20%	1
NM	Taos County		Y		49.58%	1
NM	Torrance County		Y		43.41%	1
NM	Valencia County		Y		48.66%	1
NM Count						21
NV	Clark County		Y		42.90%	1
NV	Humboldt County		Y		48.88%	1
NV	Lyon County		Y		49.38%	1
NV	Pershing County	Y	Y	42.03%	38.00%	1
NV Count						4
NY	Allegany County	Y	Y	48.61%	49.92%	1
NY	Bronx County		Y		41.77%	1
NY	Franklin County	Y	Y	45.30%	45.10%	1
NY	Jefferson County	Y	Y	45.47%	45.21%	1
NY	Kings County		Y		44.59%	1
NY	Orleans County		Y		49.63%	1
NY	Queens County		Y		45.15%	1
NY	Richmond County		Y		46.87%	1
NY	St. Lawrence County	Y	Y	47.87%	47.20%	1
NY Count						9
OH	Fayette County		Y		43.93%	1
OH	Holmes County	Y	Y	41.53%	36.60%	1
OH	Madison County		Y		48.74%	1
OH	Marion County		Y		49.92%	1
OH	Pickaway County		Y		44.48%	1
OH	Ross County		Y		46.82%	1
OH Count						6
OK	Adair County	Y	Y	49.20%	41.40%	1
OK	Atoka County	Y	Y	45.78%	40.94%	1
OK	Beckham County	Y	Y	48.97%	44.20%	1
OK	Blaine County		Y		46.10%	1
OK	Bryan County		Y		43.27%	1
OK	Caddo County	Y	Y	47.99%	43.51%	1
OK	Carter County		Y		49.31%	1
OK	Cherokee County		Y		47.11%	1
OK	Choctaw County		Y		46.96%	1
OK	Cleveland County		Y		49.84%	1
OK	Comanche County	Y	Y	40.97%	36.20%	1
OK	Craig County		Y		48.43%	1
OK	Creek County		Y		48.78%	1
OK	Delaware County		Y		48.13%	1
OK	Garvin County		Y		48.60%	1
OK	Grady County		Y		49.07%	1
OK	Greer County	Y	Y	47.00%	44.65%	1
OK	Hughes County	Y	Y	49.82%	42.30%	1
OK	Jackson County	Y	Y	48.93%	41.87%	1
OK	Kiowa County		Y		48.62%	1
OK	Latimer County		Y		46.53%	1
OK	Le Flore County	Y	Y	48.47%	43.18%	1
OK	McCurtain County	Y	Y	45.53%	42.87%	1
OK	Muskogee County		Y		48.57%	1
OK	Nowata County		Y		49.43%	1
OK	Okfuskee County	Y	Y	47.64%	43.02%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
OK .....	Oklahoma County .....	Y .....	Y .....	48.03%		1
OK .....	Okmulgee County .....	Y .....	Y .....	45.65%		1
OK .....	Osage County .....	Y .....	Y .....	48.80%		1
OK .....	Ottawa County .....	Y .....	Y .....	46.92%		1
OK .....	Pawnee County .....	Y .....	Y .....	48.73%		1
OK .....	Payne County .....	Y .....	Y .....	47.51%		1
OK .....	Pittsburg County .....	Y .....	Y .....	48.95%		1
OK .....	Pontotoc County .....	Y .....	Y .....	49.02%		1
OK .....	Pottawatomie County .....	Y .....	Y .....	46.29%		1
OK .....	Seminole County .....	Y .....	Y .....	43.16%		1
OK .....	Sequoyah County .....	Y .....	Y .....	49.55%		1
OK .....	Texas County .....	Y .....	Y .....	49.30%		1
<b>OK Count</b>						<b>38</b>
OR .....	Malheur County .....	Y .....	Y .....	48.59%		1
OR .....	Umatilla County .....	Y .....	Y .....	48.59%		1
<b>OR Count</b>						<b>2</b>
PA .....	Adams County .....	Y .....	Y .....	49.89%		1
PA .....	Armstrong County .....	Y .....	Y .....	49.23%		1
PA .....	Berks County .....	Y .....	Y .....	49.30%		1
PA .....	Blair County .....	Y .....	Y .....	45.37%		1
PA .....	Cameron County .....	Y .....	Y .....	49.93%		1
PA .....	Carbon County .....	Y .....	Y .....	46.72%		1
PA .....	Centre County .....	Y .....	Y .....	46.65%		1
PA .....	Clarion County .....	Y .....	Y .....	48.71%		1
PA .....	Clearfield County .....	Y .....	Y .....	47.62%		1
PA .....	Clinton County .....	Y .....	Y .....	47.47%		1
PA .....	Columbia County .....	Y .....	Y .....	43.38%		1
PA .....	Crawford County .....	Y .....	Y .....	49.16%		1
PA .....	Fayette County .....	Y .....	Y .....	47.98%		1
PA .....	Fulton County .....	Y .....	Y .....	49.23%		1
PA .....	Greene County .....	Y .....	Y .....	48.64%		1
PA .....	Huntingdon County .....	Y .....	Y .....	49.61%		1
PA .....	Indiana County .....	Y .....	Y .....	44.88%		1
PA .....	Luzerne County .....	Y .....	Y .....	47.82%		1
PA .....	Lycoming County .....	Y .....	Y .....	47.10%		1
PA .....	McKean County .....	Y .....	Y .....	49.89%		1
PA .....	Mifflin County .....	Y .....	Y .....	47.48%		1
PA .....	Monroe County .....	Y .....	Y .....	46.99%		1
PA .....	Montour County .....	Y .....	Y .....	47.57%		1
PA .....	Northumberland County .....	Y .....	Y .....	45.20%		1
PA .....	Perry County .....	Y .....	Y .....	49.73%		1
PA .....	Schuylkill County .....	Y .....	Y .....	49.18%		1
PA .....	Snyder County .....	Y .....	Y .....	45.19%		1
PA .....	Tioga County .....	Y .....	Y .....	47.12%		1
PA .....	Union County .....	Y .....	Y .....	47.45%		1
PA .....	Venango County .....	Y .....	Y .....	47.15%		1
<b>PA Count</b>						<b>30</b>
SC .....	Abbeville County .....	Y .....	Y .....	49.61%	43.07%	1
SC .....	Aiken County .....	Y .....	Y .....		48.98%	1
SC .....	Allendale County .....	Y .....	Y .....	45.64%	41.12%	1
SC .....	Anderson County .....	Y .....	Y .....	49.67%	45.78%	1
SC .....	Bamberg County .....	Y .....	Y .....		44.87%	1
SC .....	Barwell County .....	Y .....	Y .....		49.27%	1
SC .....	Berkeley County .....	Y .....	Y .....	49.64%	42.85%	1
SC .....	Charleston County .....	Y .....	Y .....		48.39%	1
SC .....	Cherokee County .....	Y .....	Y .....	47.50%	42.35%	1
SC .....	Chester County .....	Y .....	Y .....	47.62%	42.07%	1
SC .....	Chesterfield County .....	Y .....	Y .....	44.48%	40.52%	1
SC .....	Clarendon County .....	Y .....	Y .....		47.36%	1
SC .....	Colleton County .....	Y .....	Y .....	48.98%	48.62%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
SC	Darlington County		Y		44.26%	1
SC	Dillon County	Y	Y	41.90%	41.64%	1
SC	Dorchester County		Y		49.83%	1
SC	Edgefield County		Y		47.61%	1
SC	Fairfield County		Y		48.72%	1
SC	Florence County		Y		44.99%	1
SC	Georgetown County		Y		49.41%	1
SC	Greenwood County	Y	Y	47.27%	43.28%	1
SC	Horry County		Y	48.84%	47.27%	1
SC	Jasper County	Y	Y	46.30%	45.15%	1
SC	Lancaster County	Y	Y	44.42%	45.74%	1
SC	Laurens County	Y	Y	45.10%	39.81%	1
SC	Lee County		Y		45.46%	1
SC	Marion County		Y		48.00%	1
SC	Marlboro County	Y	Y	41.13%	37.22%	1
SC	McCormick County		Y		45.65%	1
SC	Newberry County	Y	Y	45.19%	46.69%	1
SC	Oconee County		Y		46.92%	1
SC	Orangeburg County		Y		48.54%	1
SC	Pickens County	Y	Y	46.53%	41.18%	1
SC	Richland County		Y		49.22%	1
SC	Spartanburg County	Y	Y	49.65%	44.93%	1
SC	Sumter County	Y	Y	48.68%	41.34%	1
SC	Union County		Y		48.70%	1
SC	Williamsburg County		Y		42.78%	1
SC	York County		Y		45.61%	1
<b>SC Count</b>						<b>39</b>
SD	Bennett County		Y		49.21%	1
SD	Brookings County		Y		49.86%	1
SD	Buffalo County		Y		34.52%	1
SD	Clay County		Y		47.55%	1
SD	Corson County		Y		47.03%	1
SD	Dewey County		Y		46.24%	1
SD	Shannon County		Y		28.62%	1
SD	Todd County		Y		29.61%	1
SD	Ziebach County		Y		48.23%	1
<b>SD Count</b>						<b>9</b>
TN	Bedford County	Y	Y	47.07%	46.73%	1
TN	Benton County		Y		49.17%	1
TN	Bledsoe County	Y	Y	48.67%	44.22%	1
TN	Bradley County		Y		44.61%	1
TN	Campbell County	Y	Y	45.08%	40.63%	1
TN	Cannon County		Y		49.45%	1
TN	Carroll County		Y		48.15%	1
TN	Carter County	Y	Y	45.68%	42.99%	1
TN	Cheatham County		Y		48.86%	1
TN	Chester County		Y		48.94%	1
TN	Claiborne County	Y	Y	44.30%	39.60%	1
TN	Cocke County	Y	Y	45.59%	39.78%	1
TN	Davidson County		Y		49.84%	1
TN	Decatur County		Y		48.21%	1
TN	DeKalb County		Y		47.96%	1
TN	Dickson County		Y		49.31%	1
TN	Dyer County	Y	Y	49.25%	43.19%	1
TN	Fentress County		Y		47.87%	1
TN	Franklin County		Y		49.16%	1
TN	Gibson County		Y		47.13%	1
TN	Giles County		Y		45.63%	1
TN	Grainger County	Y	Y	44.47%	39.21%	1
TN	Greene County	Y	Y	47.93%	43.00%	1
TN	Grundy County	Y	Y	44.98%	42.94%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
TN	Hamblen County		Y		46.28%	1
TN	Hancock County	Y	Y	48.71%	39.81%	1
TN	Hardeman County	Y	Y	48.60%	41.43%	1
TN	Hardin County	Y	Y	48.84%	44.73%	1
TN	Hawkins County	Y	Y	46.89%	41.73%	1
TN	Haywood County		Y		45.28%	1
TN	Henderson County		Y		43.66%	1
TN	Hickman County	Y	Y	48.82%	43.44%	1
TN	Humphreys County		Y		49.19%	1
TN	Jefferson County	Y	Y	45.91%	41.79%	1
TN	Johnson County	Y	Y	43.78%	40.39%	1
TN	Lake County		Y		34.27%	1
TN	Lauderdale County	Y	Y	42.73%	37.58%	1
TN	Lawrence County		Y		49.39%	1
TN	Lincoln County		Y		44.79%	1
TN	Macon County	Y	Y	46.98%	43.83%	1
TN	Marion County		Y		48.56%	1
TN	Marshall County		Y		47.67%	1
TN	Maury County		Y		46.42%	1
TN	McMinn County	Y	Y	46.00%	44.95%	1
TN	McNairy County		Y		48.19%	1
TN	Meigs County	Y	Y	46.64%	40.81%	1
TN	Monroe County	Y	Y	48.94%	44.64%	1
TN	Montgomery County	Y	Y	48.73%	41.49%	1
TN	Morgan County	Y	Y	46.54%	40.59%	1
TN	Overton County		Y		48.75%	1
TN	Perry County		Y		49.85%	1
TN	Polk County		Y		45.37%	1
TN	Putnam County		Y		47.54%	1
TN	Rhea County	Y	Y	48.36%	45.45%	1
TN	Rutherford County		Y		47.70%	1
TN	Scott County	Y	Y	46.82%	42.42%	1
TN	Sequatchie County		Y		45.75%	1
TN	Sevier County		Y		46.74%	1
TN	Sullivan County		Y		46.86%	1
TN	Tipton County		Y		45.84%	1
TN	Unicoi County		Y		46.17%	1
TN	Union County	Y	Y	45.85%	44.14%	1
TN	Warren County	Y	Y	49.18%	46.73%	1
TN	Washington County		Y		45.54%	1
TN	Wayne County	Y	Y	44.24%	40.18%	1
TN	Weakley County		Y		43.95%	1
TN	White County		Y		44.21%	1
TN Count						67
TX	Anderson County	Y	Y	38.31%	35.28%	1
TX	Andrews County		Y		49.67%	1
TX	Angelina County		Y		49.12%	1
TX	Aransas County		Y		49.72%	1
TX	Atascosa County	Y	Y	41.68%	42.10%	1
TX	Bastrop County	Y	Y	48.93%	47.40%	1
TX	Bee County	Y	Y	38.19%	33.90%	1
TX	Bell County	Y	Y	48.23%	39.22%	1
TX	Bexar County	Y	Y	47.60%	44.77%	1
TX	Bowie County		Y		45.67%	1
TX	Brazoria County		Y		49.37%	1
TX	Brazos County	Y	Y	46.16%	42.97%	1
TX	Brooks County		Y		46.40%	1
TX	Brown County		Y		47.14%	1
TX	Burleson County		Y		49.74%	1
TX	Caldwell County	Y	Y	45.59%	42.43%	1
TX	Calhoun County		Y		47.61%	1
TX	Cameron County	Y	Y	35.61%	35.53%	1
TX	Camp County		Y		48.71%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
TX	Cass County	Y	Y	48.49%	46.86%	1
TX	Castro County	Y	Y	47.84%	45.33%	1
TX	Cherokee County	Y	Y	37.92%	36.52%	1
TX	Childress County	Y	Y	37.68%	33.90%	1
TX	Concho County	Y	Y	32.80%	28.14%	1
TX	Coryell County	Y	Y	42.00%	46.90%	1
TX	Crosby County	Y	Y	45.90%	44.40%	1
TX	Culberson County	Y	Y	47.29%	44.34%	1
TX	Dallam County	Y	Y	43.23%	44.28%	1
TX	Dallas County	Y	Y	49.21%	48.02%	1
TX	Dawson County	Y	Y	43.60%	41.23%	1
TX	Deaf Smith County	Y	Y	48.01%	39.52%	1
TX	Delta County	Y	Y	47.70%	47.15%	1
TX	DeWitt County	Y	Y	49.07%	46.96%	1
TX	Dickens County	Y	Y	45.71%	42.47%	1
TX	Duval County	Y	Y	43.40%	39.27%	1
TX	Eastland County	Y	Y	46.71%	43.93%	1
TX	Ector County	Y	Y	47.96%	44.39%	1
TX	El Paso County	Y	Y	47.31%	46.80%	1
TX	Erath County	Y	Y	49.59%	49.59%	1
TX	Falls County	Y	Y	34.60%	37.02%	1
TX	Fannin County	Y	Y	48.57%	42.28%	1
TX	Floyd County	Y	Y	46.95%	49.53%	1
TX	Foard County	Y	Y	48.72%	49.77%	1
TX	Freestone County	Y	Y	49.29%	49.29%	1
TX	Frio County	Y	Y	43.33%	39.89%	1
TX	Gaines County	Y	Y	43.31%	38.06%	1
TX	Gonzales County	Y	Y	48.48%	44.63%	1
TX	Gray County	Y	Y	49.61%	47.12%	1
TX	Grayson County	Y	Y	48.49%	48.49%	1
TX	Gregg County	Y	Y	48.97%	47.66%	1
TX	Grimes County	Y	Y	36.31%	37.42%	1
TX	Hale County	Y	Y	46.79%	46.79%	1
TX	Hall County	Y	Y	47.05%	43.53%	1
TX	Hardeman County	Y	Y	48.36%	47.52%	1
TX	Harris County	Y	Y	43.64%	39.65%	1
TX	Hartley County	Y	Y	47.84%	45.17%	1
TX	Hays County	Y	Y	45.46%	45.26%	1
TX	Henderson County	Y	Y	48.72%	48.72%	1
TX	Hidalgo County	Y	Y	49.72%	45.64%	1
TX	Hill County	Y	Y	48.65%	48.65%	1
TX	Hockley County	Y	Y	45.12%	45.62%	1
TX	Hopkins County	Y	Y	47.14%	44.58%	1
TX	Houston County	Y	Y	38.22%	37.77%	1
TX	Howard County	Y	Y	40.07%	36.77%	1
TX	Hunt County	Y	Y	49.73%	47.58%	1
TX	Jack County	Y	Y	45.61%	41.91%	1
TX	Jackson County	Y	Y	49.78%	49.78%	1
TX	Jasper County	Y	Y	47.69%	43.70%	1
TX	Jefferson County	Y	Y	42.59%	46.66%	1
TX	Jim Wells County	Y	Y	48.73%	48.73%	1
TX	Johnson County	Y	Y	41.41%	41.33%	1
TX	Jones County	Y	Y	47.99%	45.22%	1
TX	Karnes County	Y	Y	46.08%	42.46%	1
TX	Kaufman County	Y	Y	43.03%	43.03%	1
TX	Kleberg County	Y	Y	48.27%	48.27%	1
TX	La Salle County	Y	Y			1
TX	Lamar County	Y	Y			1
TX	Lamb County	Y	Y			1
TX	Lampasas County	Y	Y			1
TX	Liberty County	Y	Y			1
TX	Limestone County	Y	Y			1
TX	Live Oak County	Y	Y			1
TX	Lubbock County	Y	Y			1
TX	Lynn County	Y	Y			1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
TX	Madison County	Y	Y	42.13%	36.84%	1
TX	Marion County		Y		46.50%	1
TX	Matagorda County	Y		49.30%		1
TX	Maverick County	Y	Y	44.23%	45.29%	1
TX	McCulloch County		Y		49.58%	1
TX	McLennan County		Y		46.24%	1
TX	Medina County	Y	Y	49.03%	47.38%	1
TX	Milam County	Y	Y	49.28%	48.77%	1
TX	Mitchell County	Y	Y	34.85%	33.85%	1
TX	Moore County		Y		48.79%	1
TX	Nacogdoches County	Y	Y	49.43%	46.27%	1
TX	Navarro County	Y	Y	49.73%	46.19%	1
TX	Newton County		Y		45.04%	1
TX	Nolan County	Y	Y	48.93%	47.06%	1
TX	Nueces County	Y	Y	48.03%	45.26%	1
TX	Orange County		Y		48.55%	1
TX	Palo Pinto County		Y		47.02%	1
TX	Parmer County	Y	Y	47.84%	48.05%	1
TX	Pecos County	Y	Y	42.17%	39.26%	1
TX	Potter County	Y	Y	36.91%	33.34%	1
TX	Rains County	Y	Y	47.88%	48.78%	1
TX	Red River County		Y		48.62%	1
TX	Reeves County	Y	Y	44.61%	38.62%	1
TX	Runnels County		Y		49.77%	1
TX	Rusk County		Y		48.46%	1
TX	San Jacinto County	Y	Y	44.38%	47.40%	1
TX	San Patricio County	Y	Y	45.54%	41.28%	1
TX	Scurry County	Y	Y	46.76%	44.53%	1
TX	Smith County		Y		49.92%	1
TX	Starr County	Y	Y	38.83%	37.44%	1
TX	Stephens County		Y		47.03%	1
TX	Swisher County	Y	Y	38.55%	43.25%	1
TX	Taylor County		Y		47.66%	1
TX	Terry County	Y	Y	46.92%	46.48%	1
TX	Titus County		Y		48.22%	1
TX	Tom Green County		Y		46.83%	1
TX	Tyler County	Y	Y	48.69%	44.76%	1
TX	Uvalde County	Y		49.94%		1
TX	Val Verde County	Y	Y	44.19%	46.12%	1
TX	Victoria County	Y	Y	49.64%	47.47%	1
TX	Walker County	Y	Y	35.90%	29.22%	1
TX	Waller County		Y		48.50%	1
TX	Webb County	Y	Y	40.39%	34.47%	1
TX	Wharton County	Y	Y	49.52%	48.34%	1
TX	Wichita County	Y	Y	48.94%	44.71%	1
TX	Wilbarger County		Y		44.72%	1
TX	Willacy County	Y	Y	39.47%	40.42%	1
TX	Winkler County	Y	Y	48.81%	46.74%	1
TX	Wise County	Y	Y	49.86%	48.59%	1
TX	Wood County		Y		49.37%	1
TX	Zapata County	Y	Y	40.62%	39.42%	1
TX	Zavala County	Y	Y	43.84%	48.52%	1
TX Count						136
UT	Tooele County		Y		48.86%	1
UT	Weber County		Y		48.91%	1
UT Count						2
VA	Accomack County	Y	Y	46.02%	42.82%	1
VA	Amherst County		Y		48.39%	1
VA	Bedford city		Y		49.53%	1
VA	Bland County	Y	Y	49.45%	48.55%	1
VA	Bristol city	Y	Y	48.96%	45.53%	1



State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
VA	Brunswick County	Y	Y	47.85%	41.15%	1
VA	Buchanan County	Y	Y	49.15%	46.72%	1
VA	Buckingham County	Y	Y	48.06%	45.21%	1
VA	Buena Vista city	Y	Y	48.79%	40.05%	1
VA	Carroll County		Y		47.81%	1
VA	Charlottesville city		Y		36.21%	1
VA	Clifton Forge city		Y		45.18%	1
VA	Covington city	Y	Y	48.62%	45.33%	1
VA	Culpeper County		Y		49.41%	1
VA	Danville city		Y		49.78%	1
VA	Dinwiddie County		Y		49.39%	1
VA	Fredericksburg city	Y	Y	48.80%	43.77%	1
VA	Galax city		Y	49.82%	46.24%	1
VA	Grayson County		Y		47.94%	1
VA	Greene County		Y		49.31%	1
VA	Greensville County	Y	Y	44.32%	41.33%	1
VA	Halifax County		Y		49.53%	1
VA	Hampton city		Y		43.97%	1
VA	Harrisonburg city	Y	Y	34.37%	31.35%	1
VA	Henry County		Y		49.02%	1
VA	Hopewell city	Y	Y	49.53%	43.11%	1
VA	King George County		Y		48.55%	1
VA	Lee County		Y		48.08%	1
VA	Lexington city	Y	Y	37.45%	35.55%	1
VA	Lunenburg County		Y		44.93%	1
VA	Lynchburg city		Y		47.32%	1
VA	Manassas Park city		Y		41.80%	1
VA	Martinsville city	Y	Y	48.99%	48.57%	1
VA	Mecklenburg County	Y	Y	49.98%	46.38%	1
VA	Montgomery County	Y	Y	45.69%	41.23%	1
VA	Newport News city		Y		45.41%	1
VA	Norfolk city	Y	Y	40.43%	35.77%	1
VA	Norton city		Y	48.94%		1
VA	Nottoway County		Y		45.97%	1
VA	Page County		Y		45.07%	1
VA	Patrick County		Y		49.31%	1
VA	Petersburg city	Y	Y	49.57%	44.14%	1
VA	Portsmouth city		Y		47.80%	1
VA	Prince Edward County	Y	Y	45.33%	40.80%	1
VA	Prince George County		Y		45.51%	1
VA	Pulaski County		Y		45.56%	1
VA	Radford city	Y	Y	38.30%	32.69%	1
VA	Richmond city		Y		43.90%	1
VA	Richmond County	Y	Y	44.99%	41.59%	1
VA	Roanoke city		Y		46.55%	1
VA	Rockbridge County		Y		48.83%	1
VA	Rockingham County		Y		48.23%	1
VA	Russell County		Y		45.31%	1
VA	Smyth County	Y	Y	48.33%	45.36%	1
VA	Southampton County		Y		49.80%	1
VA	Staunton city		Y		44.92%	1
VA	Sussex County	Y	Y	45.85%	39.15%	1
VA	Tazewell County	Y	Y	49.49%	46.92%	1
VA	Warren County		Y		48.00%	1
VA	Waynesboro city		Y		48.61%	1
VA	Westmoreland County		Y		47.52%	1
VA	Williamsburg city	Y	Y	42.82%	35.54%	1
VA	Winchester city		Y		45.44%	1
VA	Wise County	Y	Y	43.62%	43.19%	1
VA	Wythe County		Y		47.32%	1
VA Count						65
WI	Menominee County		Y		45.15%	1

State	County	2004 Coverage	2000 Coverage	2004 Turnout	2000 Turnout	Count
<b>WI Count</b>						1
WV	Berkeley County	Y			41.19%	1
WV	Boone County	Y			46.73%	1
WV	Braxton County	Y			46.85%	1
WV	Brooke County	Y			46.57%	1
WV	Cabell County	Y			41.82%	1
WV	Calhoun County	Y			44.49%	1
WV	Clay County	Y			46.54%	1
WV	Fayette County	Y	Y	45.51%	39.40%	1
WV	Gilmer County	Y	Y	49.33%	48.34%	1
WV	Greenbrier County		Y		47.47%	1
WV	Hampshire County	Y	Y	48.26%	40.32%	1
WV	Hardy County		Y		46.61%	1
WV	Jefferson County		Y		45.23%	1
WV	Kanawha County		Y		48.97%	1
WV	Lewis County		Y		46.71%	1
WV	Lincoln County	Y	Y	47.95%	44.10%	1
WV	Logan County		Y		49.19%	1
WV	Marshall County		Y		49.35%	1
WV	McDowell County	Y	Y	38.19%	34.90%	1
WV	Mercer County	Y	Y	45.53%	38.07%	1
WV	Mineral County		Y		47.32%	1
WV	Mingo County		Y		46.98%	1
WV	Monongalia County		Y		42.03%	1
WV	Monroe County		Y		44.16%	1
WV	Nicholas County		Y		42.19%	1
WV	Ohio County		Y		48.45%	1
WV	Pocahontas County		Y		48.21%	1
WV	Preston County		Y		46.77%	1
WV	Raleigh County	Y	Y	48.72%	38.98%	1
WV	Randolph County		Y		43.62%	1
WV	Ritchie County		Y		47.87%	1
WV	Roane County		Y		47.64%	1
WV	Summers County	Y	Y	48.11%	45.70%	1
WV	Taylor County		Y		46.18%	1
WV	Upshur County	Y	Y	49.35%	44.98%	1
WV	Wayne County		Y		49.53%	1
WV	Webster County	Y	Y	47.90%	44.22%	1
WV	Wetzel County		Y		46.67%	1
WV	Wyoming County	Y	Y	44.64%	39.54%	1
<b>WV Count</b>						39
<b>Total Counties Covered Under Proposed Formula</b>						1010