

□ 2045

RETIREMENT OF DR. DAVID E. DANIEL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. CONAWAY) is recognized for 5 minutes.

Mr. CONAWAY. Madam Speaker, I rise today to pay tribute to one of the great educators in my hometown of Midland, Texas, Dr. David E. Daniel. David is retiring next month after 17 years as president of Midland College.

All of Midland owes a deep thanks to Dr. Daniel, who has worked tirelessly to create a community college that is part of the fabric of the city. His presidency has seen Midland College undergo many changes and emerge as a first-class educational institution.

The most visible aspect of Dr. Daniel's tenure is the building boom that has taken place across the campus. His administration built or renovated over a dozen campus buildings to help make more space for students and improve the classroom space at the school. Dr. Daniel has been instrumental in garnering the community support needed to finance this construction.

But more important than the physical improvements to the campus has been the culture of success that Dr. Daniel has installed in the school. His philosophy that every person can succeed if they are given the right motivation and opportunity has created a campus atmosphere that puts students first.

He has long understood that students are the reason for Midland College, and has never forgotten the trust they placed in him when they enrolled.

To be an educator is to be a purveyor of hope to those seeking to improve their lot in life. As Dr. Daniel looks back on his career, I hope he sees the thousands of lives he has touched. He has offered the opportunity of a better of life to every individual who has passed through the doors of the school.

I wish Dr. Daniel, my friend, David, my heartfelt thanks for guiding Midland College to such great heights during his stewardship. He has left the institution stronger than when he found it, and forged a deep bond between the school and the community that it serves. Midland College has enriched the city of Midland beyond measure, and thanks to David Daniel, will continue to do so.

It is an honor to represent David Daniel and his wife Dee Dee, here in Washington, D.C. As they begin the next chapter of their lives, I wish them the best of luck and the deepest of happiness.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

GERRYMANDERING

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Tennessee (Mr. TANNER) is recognized for 60 minutes as the designee of the majority leader.

Mr. TANNER. I rarely take out a Special Order. I rarely speak about matters that have something other to do than the governance of our country, and tonight is no exception. I want to talk a little while tonight about something that affects every American, something we, unfortunately, pay little attention to because it is not something that we recognize when we see it or realize what's happening as it's happening, and that has to do with our system of government and the way that the redistricting process as to how we elect Members of the United States House of Representatives has evolved through the years.

Gerrymandering has always been a problem; named for the gentleman from Massachusetts some 200 years ago, when district lines were first conceived and drawn. But really, the modern-day gerrymandering that I am going to talk a bit a little while tonight began really in 1962 and, interestingly enough, it came to the Supreme Court from a case out of Tennessee, my home State. Let me give you a little summary, a history.

During the first half of the 20th century, Tennessee, along with many other traditionally rural States, experienced growth in urban areas, along with a decline in the rural population. In the late 1950s, Tennessee continued to use election district boundaries set over 60 years before to elect members of its State legislature. These district boundaries no longer reflected the true distribution of the State's population.

By retaining the outdated election district boundaries, rural citizens were allotted a greater proportional representation than their counterparts in urban areas. The continued use of the outdated district boundaries eased the reelection of incumbent legislators and diluted the voting power of ethnic minorities and others living in urban areas. For example, the number of Memphis voters electing one State representative was 10 times the number of voters electing a representative in some rural districts in our State.

After serving in World War II, a gentleman named Charles Baker returned to his hometown of Millington, Tennessee, in my congressional district, our congressional district, which is a suburb of Memphis. Baker entered politics and, in 1954, was elected chairman of the Shelby County Quarterly Court, a fiscal and legislative body that ran the affairs of Shelby County, Tennessee, which included Memphis.

Baker became frustrated with the lack of State revenues and attention paid to Memphis. Due to the use of outdated election district boundaries, Memphis was represented by half the number of State legislators it right-

fully deserved, based upon its population.

Baker brought a lawsuit against Joe Carr, Sr., who was then Tennessee's Secretary of State, requesting the State legislature redraw the election district boundaries to reflect the actual demographics of the State. In a 6-2 ruling in the case of Baker v. Carr, the United States Supreme Court held that Federal courts have the power to determine the constitutionality of a State's voting district.

In a decision delivered by Baker v. Carr, the court focused on the issues of whether the court could involve itself in an apportionment dispute, and in addressing this issue, the court held that apportionment was a Federal claim arising under the 14th amendment and therefore subject to judicial scrutiny by the courts. Additionally, the voters initiating this case had claimed that their votes were being arbitrarily impaired or debased.

The court's decision sidestepped the prior decision in Colegrove by distinguishing claims brought under the equal protection clause of the 14th amendment from those claims brought under the guarantee clause of article 4 of the Constitution.

The court returned the case to the district court for further actions pursuant to their instructions. I quote, "We conclude that the complaint's allegations of a denial of equal protection present a justiciable Constitution cause of action on which appellants are entitled a trial and decision. The right asserted is within the reach of judicial protection under the 14th amendment."

By holding that voters could challenge the constitutionality of electoral apportionment in Federal court, Baker v. Carr opened the doors of the Federal courts to a long line of apportionment cases. One year later, Justice Douglas extended the Baker ruling by establishing the so-called "one man, one vote" principle in Gray v. Sanders and, in 1964, in the case of Wesberry v. Sanders, extended that principle, further holding that, "as nearly as practicable, one man's vote in a congressional election is to be worth as much as another's."

Madam Speaker, the system that we have after 40-plus years of the court turning over electoral redistricting to the "ins" has resulted in a broken system, in the view of myself and Mr. WAMP, who couldn't be here tonight, from Chattanooga, and also on behalf of the Blue Dog Coalition, which has endorsed the legislation I am speaking about.

What we are concerned about is the rise of not only reapportionment based on party ideology and party lines, but it has given, with modern technology, the ability of the "ins," be they Republican or Democrats, to select their voters rather than their voters selecting them.

If one looks at the electoral map, one can only wonder how in the world could this come about, with lines going