2025 Congressional Plan Criteria
October 2025

I. Political Considerations. Politics and political considerations are inseparable from districting and apportionment. *Gaffney v. Cummings*, 412 U.S. 735 (1973). To hold that legislators cannot take partisan interests into account when drawing district lines would essentially countermand the Framers' decision to entrust districting to political entities. *Rucho v. Common Cause*, 588 U.S. 684 (2019). The principal legislative objective in the 2025 Congressional Plan is to increase the Republican vote share of Congressional District 1 to outperform the same district in the 2023 Congressional plan codified as Senate Bill 757 on October 25, 2023. In doing so, only the boundaries of Congressional District 1 and Congressional 3 will be altered.

II. Racial Data. The North Carolina General Assembly will not engage in discriminatory, race-based districting. "The General Assembly did not have racial data in the computer in 2023, in part, because federal litigation from 2011 to 2016 demonstrated that there was not legally significant racially polarized voting in North Carolina, including in the counties in northeast North Carolina[.]" *Pierce v. N. Carolina State Bd. of Elections*, 2025 WL 2841008, at *1 (E.D.N.C. Sept. 30, 2025) (citing *Covington v. North Carolina*, 316 F.R.D. 117, 124, 128, 14265, 167-74 (M.D.N.C. 2016) (three-judge court), aff'd, 581 U.S. 1015 (2017); *Harris v.* McCrory,159 F. Supp. 3d 600, 624-25 (M.D.N.C. 2016) (three-judge court), *aff'd sub nom., Cooper v. Harris*, 581 U.S. 285 (2017). Consistent with previous districting efforts, data identifying the race of individuals or voters shall not be used in the drafting of districts in the 2025 Congressional Plan.

III. Equal Population. The Committee chairs will use the 2020 federal decennial census data as the sole basis of population for the establishment of districts in the 2025 Congressional Plan. The number of persons in each congressional district shall be equal as nearly as is practicable, as determined under the most recent federal decennial census. *Wesberry v. Sanders*, 376 U.S. 1 (1964).

IV. The 2025 Congressional Plan will comply with all applicable federal law.

V. Traditional Districting Principles. We observe that the State Constitution's limitations upon redistricting and apportionment uphold what the United States Supreme Court has termed "traditional districting principles." These

principles include factors such as "compactness, contiguity, and respect for political subdivisions." *Stephenson v. Bartlett*, 357 N.C. 301 (2003) (Stephenson II) (quoting *Shaw v. Reno*, 509 U.S. 630 (1993)).

VI. Compactness. The Committee chairs shall make reasonable efforts to draw districts in the 2025 Congressional Plan that are compact.

VII. Contiguity. Congressional districts shall be comprised of contiguous territory. Contiguity by water is sufficient.

VIII. Respect for Existing Political Subdivisions. County lines, VTDs and municipal boundaries may be considered when possible in forming districts that do not split these existing political subdivisions.