

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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EQUAL VOTE AMERICA CORP., LEWIS Y. LIU

**Case No.: 19-cv-00311**

**Plaintiffs,**

-against-

CONGRESS,  
NANCY PELOSI, in her official capacity  
as the Speaker of the House of the Representatives;  
KEVIN McCARTHY, in his official capacity as the  
Minority Leader of the House;  
MITCH McCONNELL, in his official capacity  
as the Senate Majority Leader; and  
CHARLES SCHUMER,  
in his official capacity as the Senate Minority Leader,

**Defendants**

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**PLAINTIFF'S MOTION TO AMEND COMPLAINT TO ADD PARTIES**

Plaintiffs EQUAL VOTE AMERICA CORP., and LEWIS Y. LIU respectfully move this honorable Court to amend their complaint to add 223 individuals from 40 states who have willingly joined this civil lawsuit as Co-plaintiffs by signing the online affidavit (Appendix A).

The first Plaintiff is a Not-for-Profit Corporation with the mission of educating the general public on voting rights, and promoting voter participation in the election process without supporting any particular political party or candidate. Lewis Y. LIU, who is a registered voter in the state of New and the lead plaintiff in this action.

On January 11, 2019, Plaintiffs filed a civil lawsuit against Defendants on the ground that the existing apportionment laws are unconstitutional. On February 11, an amended complaint (AC) was filed.

Since this captioned complaint was filed, updates and blogs have been posted on several social media platforms including but not limited to:

- <http://equalvoteamerica.org/>
- <https://www.facebook.com/groups/EqualVoteAmerica/>
- <https://twitter.com/EqualVoteUSA>

In particular, our blogs have attracted a great deal of attention from the general public:

1. [Lawsuit for Equal Representation: Initial Conference Held on 04/26/2019](#)
2. [Fellow Americans from 28 States Have Joined the Lawsuit to Demand Equal Representation](#)
3. [The Factual Basis for the Lawsuit to Demand Equal Representation](#)
4. [The Legal Basis for the Lawsuit to Demand Equal Representation](#)
5. [A Simple Arithmetical Solution for Equal Representation](#)
6. [Fellow Americans from 40 States Have Joined the Lawsuit to Demand Equal Representation](#)

Our updates and blogs included an online affidavit (Appendix A) for readers to complete and join as co-plaintiffs to the captioned lawsuit. Each of the six blogs posted on [www.dailykos.com](http://www.dailykos.com) included an online Poll helps us track the viewership. The six poll results are attached on Appendix B. The reaction from around the country has been phenomenal. To date, 223 individuals from all 40 States, have voluntarily and willingly joined in this action by signing the online affidavit.

The Second Amended Complaint is enclosed as exhibit.

The state-by-state breakdown of the 223 co-plaintiffs is listed from Page 3 to Page 7 follows.

<b>Index</b>	<b>State</b>	<b>Affiant's Full Name (same as your voter registration)</b>	<b>Affiant's Street Address, City, State &amp; Zipcode</b>
1	AK	Ward E person	73890 Seabury Road, Anchor Point, Ak
2	AL	A Louis Toledo	508 Rives Mill Loop Deatsville Alabama 36022
3	AL	Brian Thomas Inzer	180 Vikie Ln OXR, Al. 35763
4	AR	David J Blaisus	7286 NC 9560 Pettigrew AR 72752
5	AZ	Barbara Lynne Skor	9449 E. Charter Oak Dr, Scottsdale, AZ 85260
6	AZ	Deborah Susens Felnagle	480 W. Desert Ave., Gilbert, Arizona 85233
7	AZ	Miriam J Hall	108 N Greenfield Rd #2139, Mesa, AZ 85205
8	AZ	Stephen Robert Skor	9449 E Charter Oak Dr, Scottsdale, AZ 85260
9	AZ	Stephen Y. Wu	695 W Mulberry Dr, Chandler, AZ, 85286
10	CA	Aaron Louis Goldstein	35751 Gateway Dr, B236, Palm Desert, CA 92211
11	CA	Alejandra cruz	265 S. Vicentia ave apt 1 corona ca 92882
12	CA	Bruce I Grobman	3745 Roland Drive, Santa Cruz, CA 95062
13	CA	Cathy E. Cretser	7829 Tres Ranchos Ln., Vacaville, CA 95688
14	CA	Chris Darling	648 South 15th Steet, Richmond, CA 94804
15	CA	Colleen Ross	24362 Valley St. Newhall, CA 91321
16	CA	Danny Wigington	25556 Daphne Way, Willits, Ca, 95490
17	CA	David John Denning	19 Mohawk Ave. Corte Madera, CA 94925
18	CA	Dennis Post Wheeler	23 Mill Rd Santa Cruz CA 95060
19	CA	Derik Olson	276 Wildrose Lane, Bishop, CA 93514
20	CA	Fan Jiao	21438 Krzich Place, Cupertino, CA 95014
21	CA	Geoffrey Fischer	31055 Knob Cone Rd, Gold Run, CA 95717
22	CA	Gina M Taylor	15000 Martis Peak Rd. Truckee, Ca. 96161
23	CA	Howard Gregory Fraser	17425 Robinson Rd. Sutter Creek, CA 95685
24	CA	Howard Greory Fraser	17425 Robinson Rd, Sutter Creek, CA 95685
25	CA	Janet Hazel Oliver	658 33rd Street, Richmond, CA 94804
26	CA	Jennifer J. Klugman	348 Pala Vista Dr APT 8, Vista, CA 92083
27	CA	Joel Pelletier	6569 De Longpre Ave, Hollywood, CA 90028
28	CA	Judith Savage	15878 Larkspur Street, Sylmar CA 91342
29	CA	Karen R Slentz	13728 San Pablo Avenue, San Pablo CA 94806
30	CA	Manuel Oropeza	15553 Lujan Street Hacienda Heights CA 91745
31	CA	Mary L Harwood	853 Harper Ct, Santa Maria, CA 93454
32	CA	Matthew Aaron Hartzell	38 Loma Vista Ave Larkspur CA 94939
33	CA	Michael Gorfain	19412 PompanoLn#102Huntington Beach.CA 92648
34	CA	Ping Pamela Tang	3985 Chamberer dr, San Jose, CA 95135
35	CA	Scott A. Redlin	12496 Pomerado Court, San Diego, CA 92128
36	CA	Sharik Boekee	1972 Locke St, Arcata, CA, 95521
37	CA	Stephen Cruz	2021 Louella Ave, Venice, CA 90291
38	CA	Suneil Mishra	410 Sheridan Avenue, Palo Alto CA 94306
39	CA	William D. Brockhaus	21762 Salado, Mission Viejo, California, 92691
40	CA	Yiling Peng	19544 Yuma St., Castro Valley CA 94546
41	CO	Brian Leffler	653 Falcon Crest Way, Loveland, CO 80537
42	CO	Carol Leffler	653 Falcon Crest Way, Loveland, CO 80537
43	CO	Charles Berger	1553 Drake Street, Longmont, CO 80503-2214
44	CO	Cynthia Combs Copeland	500 Lashley St. #21, Longmont CO 80504
45	CO	Eva Leffler	653 Falcon Crest Way, Loveland, CO 80537

46	CO	Gary Leffler	653 Falcon Crest Way, Loveland, CO 80537
47	CO	John Leffler	653 Falcon Crest Way, Loveland, CO 80537
48	CT	Anne K. Blake	29 Oakwood Road, Manchester CT 06042-3207
49	CT	Corey Irene Hollemeyer	106 Heather Dr, New Canaan, CT 06840
50	CT	John Whitbeck	18 Bellevale St, Monroe CT 06468
51	CT	PAUL M. HUBERT	69 Quebec Square, Brooklyn, CT. 06234
52	FL	Angela Colasanti	4152 Mockingbird drive Boynton Beach, FL. 33436
53	FL	Billie A Lanzer	2128 Pinewoods Blvd Sebring FL 33870
54	FL	Debra Frisco	1110 Canberra Cir #102 Avon Park, FL 33825
55	FL	Delia Anderson	36945 Shore Dr. , Dade City, FL 335225
56	FL	Donia W Connell	2825 E HWY 329, Anthony, FL 32617
57	FL	Ellen D Davis	1227 Cherokee Drive, Tallahassee, FL 32301
58	FL	Horace B Ard	757 El Vergel Ln St Augustine Fl 32080
59	FL	Howard Andrew Smith	6354 Pine Meadows Drive, Spring Hill, FL 34606
60	FL	Joseph Childress	14620 Porter Road, Winter Garden, FL 34787
61	FL	Kane A. Miller	6805 PLUMPJACK CT, Port Orange, FL 32128
62	FL	Marta Mendoza	1415 Main Street Dunedin, Fl 34698
63	FL	Melissa A Klemundt	110 Ocean View Ln, Melbourne, FL 32903
64	FL	Miguel A Capo	8567 Coral Way, miami fl 33155
65	FL	Nataliya Yakovleva	2528 14th Ave SW Largo FL 33770
66	FL	Randolph T. Atkins	1177 Sparkman St., Melbourne, Fl. 32935
67	FL	Robert M Gorman	935 NW 201 Avenue, Pembroke Pines, Fl. 33029
68	FL	Terry Lynn Perry	1708 Roberta Ave Sebring FL 33870
69	FL	Wendell K. Rodgers	6328-D chasewood drive, Jupiter, FL 3458
70	FL	Zhihua Deng	19053 NW 52 Ct. Miami Gardens, FL33055
71	GA	Lisa W Gantner	324 Lake Drive Pine Mountain, Georgia 31822
72	GA	Willard P. Mittelman	590 Brookstone Dr., Athens, GA 30605
73	HI	John Nix	828A Kumulani Dr., Kihei, HI, 96753
74	HI	Susan Galam	1889 Loke Street, #215, Wailuku, Hawaii 96793
75	IA	Lee Baldwin Jolliffe	4049 Cottage Grove Av, DM, IA 50311
76	IA	Margo Feuerbach Stites	4801 N. Division St. Apt. A Davenport, IA 52806
77	IA	Rudolph Robert Leytze	443 Red Fox Rd SE, Cedar Rapids, IA 52403
78	ID	jeremy robert fryberger	104 Badger Lane, Ketchum, ID 83340
79	ID	Karen Pence	11053 N Boyer Rd, Sandpoint, ID 83864
80	IL	Anthony Parson	908 Holmes Ave, Deerfield, IL 60015
81	IL	Edward Lowitzki	12125 Oakcrest Dr, Huntley, IL 60142
82	IL	Mary C Cotey	225 Timber Ridge Ln, Lake Barrington, IL. 60010
83	IL	Rena Odenthal	2735 Pennyroyal Cir, Naperville, IL 60564
84	KS	Catherine Beaumont	1805 Atherton Court Lawrence, KS 66044
85	KY	Karen Hughto	875 Parent Ln, Finchville, KY 40022
86	KY	Rene Mallett Hales	3072 Roundway Down Lane Lexington, KY 40509
87	KY	Rhonda Crystal Coston	392 Oak Hill Road Liberty KY 42539
88	MA	Andrea Cain	415 Linden St., Fall River, MA 02720
89	MA	Bin Zhang	11 Gavins Pond Rd, Sharon MA 02067
90	MA	Cheryl L Bancroft	170 Branch Street Scituate, MA 02066
91	MA	Christopher Doucette	00 Middlesex St #1 Wakefield MA 01880
92	MA	Gregory K Miranda	50 Worcester Road, Princeton, MA 01541
93	MA	Jill Osullivan	42 laws brook road, concord, ma 01742

94	MA	Kathryn J. Riss	290 River Rd Apt M1, Winthrop, MA 02152
95	MA	Penny Aldrovandi	30 Grove St, Plympton MA 02367
96	MA	Rowland Stephen Whittet	39 Summer Street APt 3F, Boston, MA 02110
97	MA	sarah trafton-anderson	14 travers street, gardner, MA 01440
98	MA	Susan Rivo	37 GORDON STREET, Somerville, MA 02144
99	MA	Yu Shen	109 Minot Rd, Concord, MA 01742
100	MD	Anita M Guidos	2515 Franklinville Rd. Joppa, MD 21085
101	MD	Kathryn K Gage	4021 Lawrence Avenue, Kensington, MD 20895
102	MD	Leah Colleen Mathers	1850 East-West Hwy., Silver Spring, MD 20910
103	MD	Sandra K Stephon	13212 Park Lane, Fort Washington, MD, 20744
104	ME	Dawn Freeman	907 Southern Bay Rd, Penobscot ME
105	ME	Rowland Stephen Whittet	39 Summer Street Apt 3D Rockland ME 04841
106	MI	Anna Marie Katich	3741 BALDWIN ROAD, Metamora, Mi 48455
107	MI	Anthony J. Semanik	7176 Green Farm Road, West Bloomfield, MI 48322
108	MI	Brian Thomas Scull	591 Watson St., Coopersville, MI 49404
109	MI	Garrett Daniel Bradford	2205 North five lakes rd Lapeer MI, 48446
110	MI	Haidong Gu	15 East Kirby Street, #728, Detroit, MI 48202
111	MI	Kathryn B. Connaughton	8798 N. State Rd., St. Louis, MI 48880
112	MI	Liselle A. C. McFletcher	3408 Huron Ave, Kalamazoo, MI 49006
113	MI	Mary Christina Wendt	5292 N. State Rd., Davison, MI 48423
114	MI	Monica Fly	1657 Knollwood, Ypsilanti, MI 48198
115	MI	Peggy L Van Sickle	230 Pierce Street, Brighton, MI 48116
116	MN	Dorothy Louise Peck	6840 Washburn Ave S, Richfield, MN 55423
117	MN	Mary Jeanne Creighton	501 6th St. S. Virginia, MN 55792
118	MN	Robert Krajewski	30199 Foxtail Ln, Stacy, MN 55079
119	MO	James Lovell	1332 Westbrooke Terrace Dr, Ballwin, MO 63021
120	MO	Peter Kaplan	3439 McKean Avenue, Saint Louis, Missouri 63118
121	MT	Carolyn Elizabeth Hidy	18 Moon Shadow Lane, Trout Creek, MT 59874
122	NC	Elaine L Minier	4145 lake lynn dr #108 Raleigh Nc 27613
123	NC	Henry Holden Lewis	784 Broad Creek Rd New Bern, NC 28560
124	NC	John Archibald Wiles III	5205 Langford Ter Durham NC 27713
125	NC	Kenneth A. Wallston	1025 Hart Road; Pisgah Forest, NC 28768
126	NC	Philip Lloyd Huffsmith	309 Cox Lake Rd, Stanley, NC 28164
127	NH	Daniel J Fudala	510 Amherst St Manchester NH 03104
128	NH	Paul L Button	85 Yvette St, Manchester, NH 03102
129	NH	Paul R. Birk	4 Sanborn Dr Nashua NH 03063
130	NJ	Bing Bonnie Liao	504 Bergen Street, Lawrenceville, NJ 08648
131	NJ	Chang Jun Wang	9 Pennsylvania Lane, Parsippany, NJ07054
132	NJ	Jason Wu	87 Thoreau Drive, Plainsboro, NJ 08536
133	NJ	Jennifer DAlessio	100 Hepburn Road G10 Clifton, NJ 07012
134	NJ	Jo Ann Coleman	108 Berry St, Hackensack, NJ 07601
135	NJ	Living An	363 wendover Dr. Princeton NJ 08540
136	NJ	Na Peng	14 Campbell Road, Kendall Park, NJ 08824
137	NJ	Teresa DeMaio	6 Country Road, Manahawkin, NJ 08050
138	NM	Beverly cameron	2225 state rd 68 embudo nm 87532
139	NM	Daniel R Forrest	1443 Acequia Borrada W, Santa Fe, NM 87507
140	NM	Karen Cohen	70 County Road 240, Dixon, New Mexico, 87527
141	NM	Leona M. Sonne	7 Balke St. Reserve NM 87830

142	NM	Luis Torres	P. O. Box 901, Santa Cruz, NM 87567
143	NM	Ms. Rebecca Ann Mueller	118 County Road 64, Dixon NM 87527
144	NV	Nan C Thompson	4650 Ranch House Rd #64 No Las Vegas Nv 89031
145	NV	Susan Roberts	2520 W Simkins Rd, Pahrump NV 89060
146	NY	Alice DiDomizio	605 South Shore Rd, Gloversville, NY 12078
147	NY	Barry Louis Malkin	70-14 261st Street, 2nd Floor, Glen Oaks, NY 11004
148	NY	Claudette Mobley	3323 Palmer Avenue Bronx, NY 10475
149	NY	David Francis Owen	7 Saddle Hill Honeoye Falls NY 14472
150	NY	David H. Crocker	2087 East Ave., Apt. A, Rochester, NY 14610
151	NY	FengHing Wong	102 Mott Street, #4A, New York, NY 10013
152	NY	Ian Cohen	484 West 43rd St. Apt. 38S, New York, NY 10036
153	NY	Maggie Kong	208-07 Estates Drive, 1FL, Bayside, NY 11360
154	NY	Marc S. Castle	4427 Purves St. #8A. Long Island City, NY. 11101
155	NY	Marcia Levy	2 Locust Ridge Rd Larchmont NY 10538
156	NY	MeiYi Jiang	8320 Bay Parkway, #C25, Brooklyn, NY 11214
157	NY	Patricia Matteson	730 Mohonk Road, High Falls, NY 12440
158	NY	PooKeem Leon	420 West 42nd Street, #9C, New York, NY 10070
159	NY	Ralph Ulysses	2100 Beekman Place 6H, Brooklyn, NY 11225
160	NY	Salli Bragg	149 Oxford Ave Buffalo NY 14209
161	NY	Sarah Hall	1393 Stevens Rd, Tully, NY 13159
162	NY	Shirley Huang	47 Mott Street, #35, New York, NY 10013
163	NY	Steven A. Rose	325 Cedar Terrace, Hilton, NY 14468
164	NY	Steven Wong	101 Mott Street, #4A, New York, NY 10013
165	NY	W. Michael Biklen	515 East Eleventh Street, New York, NY 10009
166	NY	Weinian Luo	210-18 69 Ave. Oakland Gardens, NY 11364
167	NY	WeiTang Zhang	6924 Narrows Av., Brooklyn NY 11209
168	OH	C. Jeff Jacobson Jr	1411 WEIGOLD AVE Cincinnati OH 45223
169	OH	Donna E. Williams	2891 Indianola Ave, Columbus, OH 43202
170	OH	Eileen Ann Corrice	122 Gillett St Painesville, OH 44077
171	OH	John A Spada	4752 Rooney Ave, New Franklin, OH 44319
172	OH	Patti L Montico	724 E Cassilly St. Springfield, OH 45504
173	OH	Qun Chen	517 Cricket Run Rd. Lewis Center, OH 43035
174	OH	Thomas L. Wells	2620 Eton Place Findlay, OH 45840
175	OK	Daniel Lee Thomas	8612 NE 24th ST, Spencer, OK. 73084
176	OK	Darlene Faye Roberts	212 n 23rd St. Duncan okla 73633
177	OK	Darlene Roberts	212 n 23rd duncan ok73533
178	OK	Robert Hunter Adams	6730 S 73rd East Ave Tulsa, OK 74133
179	OR	Carole A Moore	17052 SW Eldorado Drive, Tigard, OR 97224
180	OR	Charlean Ann Born	3920 SW Martins Lane, Portland, OR 97239
181	OR	Gerald W. Moss	310 SE Greenwood St. Irrigon, OR 97844
182	OR	Jon Stuart Lang	53971 beach loop rd Bandon OR 97411
183	OR	Laura L Miller	1995 N. Bayview Rd., Waldport, OR
184	OR	Mary Brewer	225 SE 126th Ave, Portland, OR 97233
185	OR	Patricia E Kreger	37027 Wallace Creek Rd, Springfield, OR 97478
186	OR	Phillip Lee Gibbs	8079 SW Sacajawea Way Wilsonville, OR 97070
187	PA	Dale M Brown	21040 Meadow RD. Saegertown PA. 16433
188	PA	Gail Marlene Meister	14210 Hiland Place North Huntingdoon, PA 15642
189	PA	James Edward Forestal	5049 Warrensville Rd, Montoursville, PA. 17754



190	PA	Steven Vincent Young	44 S Baltimore St, Dillsburg, PA 17019
191	SC	Janine Garropy	96 Hardy Place Rd, Johnston, SC 29832
192	SC	Mary E. Hibbard	714 Schuyler Dr. RockHill S. C. 29730
193	SC	Patrick Mckearin	329A Pond Branch Rd. Lexington SC29071
194	TN	Elsa Lee Gamaunt	816 Wall Ave, Cookeville TN 38501
195	TN	Kevin Patrick Maher	420 Marion ct, Springfield, TN 37172
196	TN	Sara K. Ogden	910 Mc Cord Hollow Rd, Hohenwald, TN 38462
197	TN	Yvonne Brockenborough	6440 Lee Avenue, Murfreesboro, TN 37129
198	TX	Hongfei Li	3853 Elgin Drive, Plano, TX, 75025
199	TX	Jan forney	607 kipling st Houston TX 77006
200	TX	Jo Ann Porterfield	210 S Post Oak St, Winnsboro, Texas, 75494
201	TX	Pingyu Zhang	6415 Jordan Falls dr, Houston TX 77085
202	TX	Qing Zeng	1709 W Schunior St. Apt811 Edinburg TX 78541
203	TX	Richard L Fielder	3305 BOBWHITE DR, Bedford, Tx, 76021
204	UT	Kevin Kristian Paulson	3090 Appian Cove Taylorsville UT 84129
205	VA	Allan E. Tissari	2818 Queensland Dr. Henrico, VA. 23294
206	VA	Catherine B Williams	8005 Seaton St, Alexandria, VA 22306
207	VA	Kermit Charles Osborne	2761 Big Moccasin Road, Nickelsville, VA 24271
208	VA	YuFa Song	1118 Sugar Maple Ln, VA 20170
209	WA	Brent Thornton	2325 Griffin Ave, Enumclaw WA, 98022
210	WA	Bruce W Bailey	2580 10th Ave W, Seattle WA 98119
211	WA	Bruce Wade	1204 S. 18 St., Mount Vernon, WA, 98274
212	WA	Gregory J. Wingard	25243 180th Ave SE, Covington, WA 98042
213	WA	Jaymi Garvett	4618 88th Ave SE, Mercer Island WA 98040
214	WA	Laurene L. Bruckbauer	22306 114th St E, Buckley, WA, 98321
215	WA	Leslie Pettit McClure	8537 Anderson Ct. NE, Lacey, WA 98516
216	WA	Linda L. Richmond	3211 SE Kamilche Pt. Rd, Shelton, WA 98584
217	WA	Steven Johnson	4419 Harbor Ridge Road NE, Tacoma, WA 98422
218	WA	Susan E Rider Hall	1835 NE 20th St Renton, WA
219	WI	Donnette Weiterman	202 S 1st St, Randolph WI 53956
220	WI	Janice Fletcher	7085 N 44th St, Milwaukee, WI 53223
221	WI	Jenna Metzger	107 South Oak Street Rockland WI 54653
222	WI	Richard S Hildreth, Jr	146 Taylor St Cottage Grove WI 53527-9414
223	WV	Sarah Renae Miles	1755 Snowbird Rd, West Union, WV 26456

**Dated: July 7, 2019**

**Respectfully submitted,**

/s/ yuxi liu

Yu-Xi (Glen) Liu, Esq. (yl3022)

Attorney for Plaintiff (347)721-1383

602 39th Street, Brooklyn, NY 11232

## Appendix A

**Affidavit to Join the Equal Representation Lawsuit**

QUESTIONS RESPONSES 229

**Affidavit to Join the Equal Representation Lawsuit**

To: The U.S. District Court for the Southern District of New York  
Case Name: Equal Vote America Corp. v. Congress  
Case Number: 1:19-cv-00311-CM

I, the Affiant, hereby declare that:

1. I am a citizen residing at the address below and would like to become one of the plaintiffs to the captioned Lawsuit.
2. I understand that my name will be added to the list of plaintiffs in the order in which it is received.
3. I understand that Equal Voter America Corp. will represent all individual plaintiffs including myself in this lawsuit.
4. I understand the purpose of this lawsuit is to achieve equal representation in the House of Representatives for all Americans of all states according to the Constitution Article I § 2 and the Fourteenth Amendment § 2.
5. I understand that the list of plaintiffs will become a part of Court record, and be available to the general public.
6. I understand that there is NO financial compensation from this case, and I will NOT be asked to make any financial contribution with respect to this lawsuit.

Affiant's Full Name (same as your voter registration) \*

Short answer text

Affiant's Full Address (must include House#, Street Name, City, State, Zipcode) \*

Short answer text

Affiant's Email Address \*

Short answer text

<https://docs.google.com/forms/d/1z0MhsNgf2vHoqANRJ-rhGUMCwl0pcmaQ7teGNSMhc5M/edit>



## Appendix B

### POLL

**DO YOU AGREE CONGRESS MUST PASS A NEW REAPPORTIONMENT LAW TO ENSURE EQUAL REPRESENTATION IN THE HOUSE OF REP. FOR ALL AMERICANS IN ALL STATES ACCORDING TO THE CONSTITUTION?**

43 votes

**Agree**

81%

35 votes

**Disagree**

12%

5 votes

**Unsure**

7%

3 votes

### POLL

**DO YOU AGREE EVERY AMERICAN IN EVERY STATE SHALL HAVE THE RIGHT TO EQUAL REPRESENTATION IN THE HOUSE OF REPRESENTATIVES?**

148 votes

**Agree**

92%

136 votes

**Disagree**

6%

9 votes

**Unsure**

2%

3 votes

### POLL

**DO THE ABOVE FACTS AND DATA SUPPORT THE LAWSUIT TO DEMAND EQUAL REPRESENTATION FOR EVERY AMERICAN IN EVERY STATE?**

54 votes

**Yes**

65%

35 votes

**No**

24%

13 votes

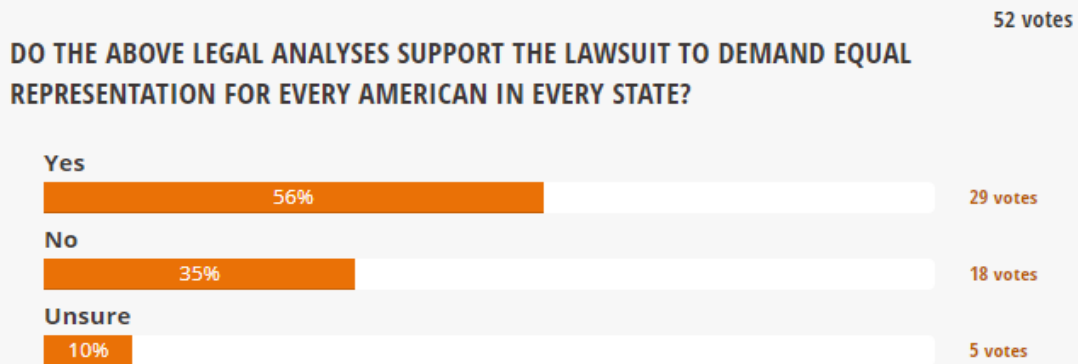
**Unsure**

11%

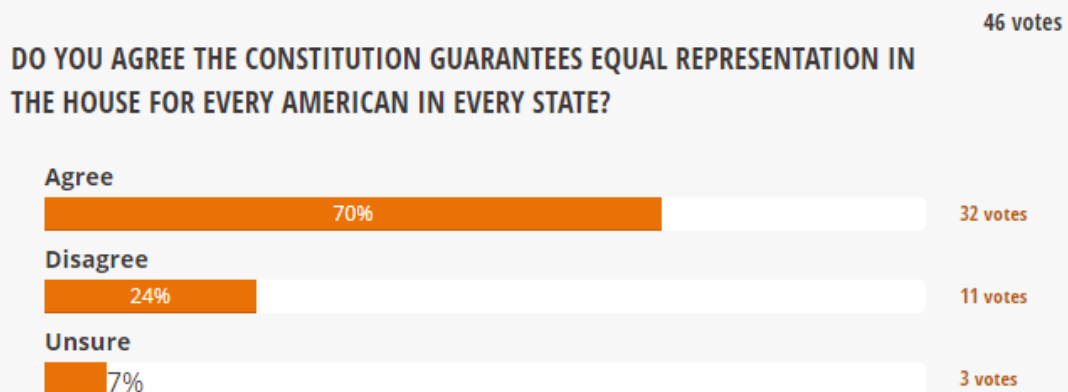
6 votes

## Appendix B

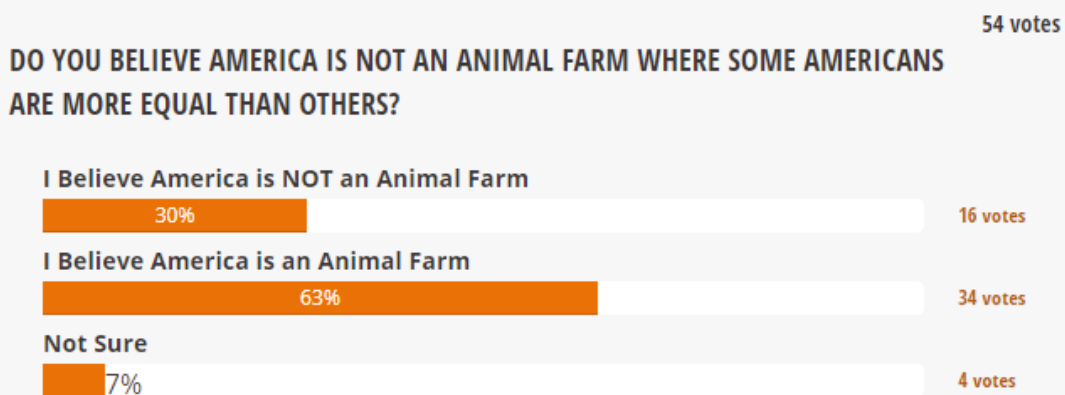
### POLL



### POLL



### POLL



**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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EQUAL VOTE AMERICA CORP., LEWIS Y. LIU

**Case No.: 19-cv-00311**

A Louis Toledo, Aaron Louis Goldstein, Alejandra cruz,  
Alice DiDomizio, Allan E. Tissari, Andrea Cain,  
Angela Colasanti, Anita M Guidos, Anna Marie Katich,  
Anne K. Blake, Anthony J. Semanik, Anthony Parson,

**SECOND AMENDED  
COMPLAINT**

Barbara Lynne Skor, Barry Louis Malkin, Beverly Cameron,  
Billie A Lanzer, Bin Zhang, Bing Bonnie Liao, Brent  
Thornton, Brian Leffler, Brian Thomas Inzer, Brian Thomas  
Scull, Bruce I Grobman, Bruce W Bailey, Bruce Wade,

C. Jeff Jacobson Jr, Carol Leffler, Carole A Moore, Carolyn  
Elizabeth Hidy, Catherine B Williams, Catherine Beaumont,  
Cathy E. Cretser, Chang Jun Wang, Charlean Ann Born,  
Charles Berger, Cheryl L Bancroft, Chris Darling,  
Christopher Doucette, Claudette Mobley, Colleen Ross,  
Corey Irene Hollemeyer, Cynthia Combs Copeland,

Dale M Brown, Daniel J Fudala, Daniel Lee Thomas,  
Daniel R Forrest, Danny Wigington, Darlene Faye Roberts,  
Darlene Roberts, David Francis Owen, David H. Crocker,  
David J Blaisus, David John Denning, Dawn Freeman,  
Deborah Susens Felnagle, Debra Frisco, Delia Anderson,  
Dennis Post Wheeler, Derik Olson, Donia W Connell,  
Donna E. Williams, Donnette Weiterman,  
Dorothy Louise Peck,

Edward Lowitzki, Eileen Ann Corrice, Elaine L Minier,  
Ellen D Davis, Elsa Lee Gamaunt, Eva Leffler,

Fan Jiao, FengHing Wong,  
Gail Marlene Meister, Garrett Daniel Bradford, Gary Leffler,  
Geoffrey Fischer, Gerald W. Moss, Gina M Taylor, Gregory  
J. Wingard, Gregory K Miranda,

Haidong Gu, Henry Holden Lewis, Hongfei Li, Horace B  
Ard, Howard Andrew Smith, Howard Gregory Fraser,  
Howard Greory Fraser,

Ian Cohen,  
James Edward Forestal, James Lovell, Jan forney, Janet Hazel  
Oliver, Janice Fletcher, Janine Garropy, Jason Wu, Jaymi  
Garvett, Jenna Metzger, Jennifer DAlessio, Jennifer J.  
Klugman, jeremy robert fryberger, Jill Osullivan, Jo Ann

Coleman, Jo Ann Porterfield, Joel Pelletier, John A Spada,  
John Archibald Wiles III, John Leffler, John Nix, John  
Whitbeck, Jon Stuart Lang, Joseph Childress, Judith Savage,

Kane A. Miller, Karen Cohen, Karen Hughto, Karen Pence,  
Karen R Slentz, Kathryn Bernice Connaughton, Kathryn J.  
Riss, Kathryn K Gage, Kenneth A. Wallston, Kermit Charles  
Osborne, Kevin Kristian Paulson, Kevin Patrick Maher ,

Laura L Miller, Laurene Ludtke Bruckbauer, Leah Colleen  
Mathers, Lee Baldwin Jolliffe, Leona M. Sonne, Leslie Pettit  
McClure, Linda L. Richmond, Lisa W Gantner, Liselle Anne-  
Cavner McFletcher, Living An, Luis Torres,

Maggie Kong, Manuel Oropeza, Marc S. Castle, Marcia  
Levy, Margo Feuerbach Stites, Marta Mendoza, Mary  
Brewer, Mary C Cotey, Mary Christina Wendt, Mary E.  
Hibbard, Mary Jeanne Creighton, Mary L Harwood, Matthew  
Aaron Hartzell, MeiYi Jiang, Melissa A Klemundt, Michael  
Gorfain, Miguel A Capo, Miriam J Hall, Monica Fly,

Na Peng, Nan C Thompson, Nataliya Yakovleva,

Patricia E Kreger, Patricia Matteson, Patrick Mckearin,  
Patti L Montico, Paul L Button, PAUL M. HUBERT,  
Paul R. Birk, Peggy L Van Sickle, Penny Aldrovandi,  
Peter Kaplan, Philip Lloyd Huffsmith, Phillip Lee Gibbs,  
Ping Pamela Tang, Pingyu Zhang, PooKeem Leon,

Qing Zeng, Qun Chen,  
Ralph Ulysses, Randolph T. Atkins, Rebecca Ann Mueller,  
Rena Odenthal, Rene Mallett Hales, Rhonda Crystal Coston,  
Richard L Fielder, Richard S Hildreth, Jr, Robert Hunter  
Adams, Robert Krajewski, Robert M Gorman, Rowland  
Stephen Whittet, Rowland Stephen Whittet, Rudolph Robert  
Leytze,

Salli Bragg, Sandra K Stephon, Sara K. Ogden, Sarah Hall,  
Sarah Renae Miles, sarah trafton-anderson, Scott A. Redlin,  
Sharik Boekee, Shirley Huang, Stephen Cruz, Stephen Robert  
Skor, Stephen Y. Wu, Steven A. Rose, Steven Johnson,  
Steven Vincent Young, Steven Wong, Suneil Mishra, Susan E  
Rider Hall, Susan Galam, Susan Rivo, Susan Roberts,

Teresa DeMaio, Terry Lynn Perry, Thomas L. Wells,

W. Michael Biklen, Ward E person, Weinian Luo,  
WeiTang Zhang, Wendell K. Rodgers, Willard P. Mittelman,  
William D. Brockhaus,

Yiling Peng, Yu Shen, YuFa Song, Yvonne Brockenborough,  
Zhihua Deng,

**Plaintiffs,**

-against-

CONGRESS,  
NANCY PELOSI, in her official capacity as the Speaker of the  
House of the Representatives;  
KEVIN MCCARTHY, in his official capacity as the Minority  
Leader of the House of the Representatives;  
MITCH McCONNELL, in his official capacity as the Senate  
Majority Leader; and  
CHARLES SCHUMER, in his official capacity as the Senate  
Minority Leader,

**Defendants**

**THE PARTIES**

That the first Plaintiff is a Not-for-Profit Corporation with the mission of educating the general public on voting rights, and promoting voter participation in the election process without supporting any particular political party or candidate. In this case, Equal Vote America Corp. represents a group of eligible voters, led by Lewis Y. LIU, who is a registered voter in the state of New York. In addition, 223 individuals from 40 states who have willingly joined this civil lawsuit as Co-plaintiffs by signing the online affidavit. The 223 co-plaintiffs are listed from Page 4 to Page 8.

This Complaint is filed against the 71<sup>st</sup> Congress and all successive classes of Congress since 1929 including the current 116<sup>th</sup> Congress. The following congressional leaders are listed on ex official basis because they hold the leadership position and have the power to initiate new legislation and control the legislative process:

1. Nancy Pelosi is the Speaker of the House of the Representatives;
2. Kevin McCarthy is the Minority Leader in the House of the Representatives;
3. Mitch McConnell is the Republican Majority Leader in the Senate; and
4. Charles Schumer is the Democratic Minority Leader in the Senate.



<b>Index</b>	<b>State</b>	<b>Affiant's Full Name (same as your voter registration)</b>	<b>Affiant's Street Address, City, State &amp; Zipcode</b>
1	AK	Ward E person	73890 Seabury Road, Anchor Point, Ak
2	AL	A Louis Toledo	508 Rives Mill Loop Deatsville Alabama 36022
3	AL	Brian Thomas Inzer	180 Vikie Ln OXR, Al. 35763
4	AR	David J Blaisus	7286 NC 9560 Pettigrew AR 72752
5	AZ	Barbara Lynne Skor	9449 E. Charter Oak Dr, Scottsdale, AZ 85260
6	AZ	Deborah Susens Felnagle	480 W. Desert Ave., Gilbert, Arizona 85233
7	AZ	Miriam J Hall	108 N Greenfield Rd #2139, Mesa, AZ 85205
8	AZ	Stephen Robert Skor	9449 E Charter Oak Dr, Scottsdale, AZ 85260
9	AZ	Stephen Y. Wu	695 W Mulberry Dr, Chandler, AZ, 85286
10	CA	Aaron Louis Goldstein	35751 Gateway Dr, B236, Palm Desert, CA 92211
11	CA	Alejandra cruz	265 S. Vicentia ave apt 1 corona ca 92882
12	CA	Bruce I Grobman	3745 Roland Drive, Santa Cruz, CA 95062
13	CA	Cathy E. Cretser	7829 Tres Ranchos Ln., Vacaville, CA 95688
14	CA	Chris Darling	648 South 15th Steet, Richmond, CA 94804
15	CA	Colleen Ross	24362 Valley St. Newhall, CA 91321
16	CA	Danny Wigington	25556 Daphne Way, Willits, Ca, 95490
17	CA	David John Denning	19 Mohawk Ave. Corte Madera, CA 94925
18	CA	Dennis Post Wheeler	23 Mill Rd Santa Cruz CA 95060
19	CA	Derik Olson	276 Wildrose Lane, Bishop, CA 93514
20	CA	Fan Jiao	21438 Krzich Place, Cupertino, CA 95014
21	CA	Geoffrey Fischer	31055 Knob Cone Rd, Gold Run, CA 95717
22	CA	Gina M Taylor	15000 Martis Peak Rd. Truckee, Ca. 96161
23	CA	Howard Gregory Fraser	17425 Robinson Rd. Sutter Creek, CA 95685
24	CA	Howard Greory Fraser	17425 Robinson Rd, Sutter Creek, CA 95685
25	CA	Janet Hazel Oliver	658 33rd Street, Richmond, CA 94804
26	CA	Jennifer J. Klugman	348 Pala Vista Dr APT 8, Vista, CA 92083
27	CA	Joel Pelletier	6569 De Longpre Ave, Hollywood, CA 90028
28	CA	Judith Savage	15878 Larkspur Street, Sylmar CA 91342
29	CA	Karen R Slentz	13728 San Pablo Avenue, San Pablo CA 94806
30	CA	Manuel Oropeza	15553 Lujan Street Hacienda Heights CA 91745
31	CA	Mary L Harwood	853 Harper Ct, Santa Maria, CA 93454
32	CA	Matthew Aaron Hartzell	38 Loma Vista Ave Larkspur CA 94939
33	CA	Michael Gorfain	19412 PompanoLn#102Huntington Beach.CA 92648
34	CA	Ping Pamela Tang	3985 Chamberer dr, San Jose, CA 95135
35	CA	Scott A. Redlin	12496 Pomerado Court, San Diego, CA 92128
36	CA	Sharik Boekee	1972 Locke St, Arcata, CA, 95521
37	CA	Stephen Cruz	2021 Louella Ave, Venice, CA 90291
38	CA	Suneil Mishra	410 Sheridan Avenue, Palo Alto CA 94306
39	CA	William D. Brockhaus	21762 Salado, Mission Viejo, California, 92691
40	CA	Yiling Peng	19544 Yuma St., Castro Valley CA 94546
41	CO	Brian Leffler	653 Falcon Crest Way, Loveland, CO 80537
42	CO	Carol Leffler	653 Falcon Crest Way, Loveland, CO 80537
43	CO	Charles Berger	1553 Drake Street, Longmont, CO 80503-2214
44	CO	Cynthia Combs Copeland	500 Lashley St. #21, Longmont CO 80504
45	CO	Eva Leffler	653 Falcon Crest Way, Loveland, CO 80537
46	CO	Gary Leffler	653 Falcon Crest Way, Loveland, CO 80537

47	CO	John Leffler	653 Falcon Crest Way, Loveland, CO 80537
48	CT	Anne K. Blake	29 Oakwood Road, Manchester CT 06042-3207
49	CT	Corey Irene Hollemeyer	106 Heather Dr, New Canaan, CT 06840
50	CT	John Whitbeck	18 Bellevale St, Monroe CT 06468
51	CT	PAUL M. HUBERT	69 Quebec Square, Brooklyn, CT. 06234
52	FL	Angela Colasanti	4152 Mockingbird drive Boynton Beach, FL. 33436
53	FL	Billie A Lanzer	2128 Pinewoods Blvd Sebring FL 33870
54	FL	Debra Frisco	1110 Canberra Cir #102 Avon Park, FL 33825
55	FL	Delia Anderson	36945 Shore Dr. , Dade City, FL 335225
56	FL	Donia W Connell	2825 E HWY 329, Anthony, FL 32617
57	FL	Ellen D Davis	1227 Cherokee Drive, Tallahassee, FL 32301
58	FL	Horace B Ard	757 El Vergel Ln St Augustine FL 32080
59	FL	Howard Andrew Smith	6354 Pine Meadows Drive, Spring Hill, FL 34606
60	FL	Joseph Childress	14620 Porter Road, Winter Garden, FL 34787
61	FL	Kane A. Miller	6805 PLUMPIACK CT, Port Orange, FL 32128
62	FL	Marta Mendoza	1415 Main Street Dunedin, FL 34698
63	FL	Melissa A Klemundt	110 Ocean View Ln, Melbourne, FL 32903
64	FL	Miguel A Capo	8567 Coral Way, miami fl 33155
65	FL	Nataliya Yakovleva	2528 14th Ave SW Largo FL 33770
66	FL	Randolph T. Atkins	1177 Sparkman St., Melbourne, FL. 32935
67	FL	Robert M Gorman	935 NW 201 Avenue, Pembroke Pines, FL. 33029
68	FL	Terry Lynn Perry	1708 Roberta Ave Sebring FL 33870
69	FL	Wendell K. Rodgers	6328-D chasewood drive, Jupiter, FL 3458
70	FL	Zhihua Deng	19053 NW 52 Ct. Miami Gardens, FL33055
71	GA	Lisa W Gantner	324 Lake Drive Pine Mountain, Georgia 31822
72	GA	Willard P. Mittelman	590 Brookstone Dr., Athens, GA 30605
73	HI	John Nix	828A Kumulani Dr., Kihei, HI, 96753
74	HI	Susan Galam	1889 Loke Street, #215, Wailuku, Hawaii 96793
75	IA	Lee Baldwin Jolliffe	4049 Cottage Grove Av, DM, IA 50311
76	IA	Margo Feuerbach Stites	4801 N. Division St. Apt. A Davenport, IA 52806
77	IA	Rudolph Robert Leytze	443 Red Fox Rd SE, Cedar Rapids, IA 52403
78	ID	jeremy robert fryberger	104 Badger Lane, Ketchum, ID 83340
79	ID	Karen Pence	11053 N Boyer Rd, Sandpoint, ID 83864
80	IL	Anthony Parson	908 Holmes Ave, Deerfield, IL 60015
81	IL	Edward Lowitzki	12125 Oakcrest Dr, Huntley, IL 60142
82	IL	Mary C Cotey	225 Timber Ridge Ln, Lake Barrington, IL. 60010
83	IL	Rena Odenthal	2735 Pennyroyal Cir, Naperville, IL 60564
84	KS	Catherine Beaumont	1805 Atherton Court Lawrence, KS 66044
85	KY	Karen Hughto	875 Parent Ln, Finchville, KY 40022
86	KY	Rene Mallett Hales	3072 Roundway Down Lane Lexington, KY 40509
87	KY	Rhonda Crystal Coston	392 Oak Hill Road Liberty KY 42539
88	MA	Andrea Cain	415 Linden St., Fall River, MA 02720
89	MA	Bin Zhang	11 Gavins Pond Rd, Sharon MA 02067
90	MA	Cheryl L Bancroft	170 Branch Street Scituate, MA 02066
91	MA	Christopher Doucette	00 Middlesex St #1 Wakefield MA 01880
92	MA	Gregory K Miranda	50 Worcester Road, Princeton, MA 01541
93	MA	Jill Osullivan	42 laws brook road, concord, ma 01742
94	MA	Kathryn J. Riss	290 River Rd Apt M1, Winthrop, MA 02152
95	MA	Penny Aldrovandi	30 Grove St, Plympton MA 02367

96	MA	Rowland Stephen Whittet	39 Summer Street Apt 3F, Boston, MA 02110
97	MA	sarah trafton-anderson	14 travers street, gardner, MA 01440
98	MA	Susan Rivo	37 GORDON STREET, Somerville, MA 02144
99	MA	Yu Shen	109 Minot Rd, Concord, MA 01742
100	MD	Anita M Guidos	2515 Franklinville Rd. Joppa, MD 21085
101	MD	Kathryn K Gage	4021 Lawrence Avenue, Kensington, MD 20895
102	MD	Leah Colleen Mathers	1850 East-West Hwy., Silver Spring, MD 20910
103	MD	Sandra K Stephon	13212 Park Lane, Fort Washington, MD, 20744
104	ME	Dawn Freeman	907 Southern Bay Rd, Penobscot ME
105	ME	Rowland Stephen Whittet	39 Summer Street Apt 3D Rockland ME 04841
106	MI	Anna Marie Katich	3741 BALDWIN ROAD, Metamora, Mi 48455
107	MI	Anthony J. Semanik	7176 Green Farm Road, West Bloomfield, MI 48322
108	MI	Brian Thomas Scull	591 Watson St., Coopersville, MI 49404
109	MI	Garrett Daniel Bradford	2205 North five lakes rd Lapeer MI, 48446
110	MI	Haidong Gu	15 East Kirby Street, #728, Detroit, MI 48202
111	MI	Kathryn B. Connaughton	8798 N. State Rd., St. Louis, MI 48880
112	MI	Liselle A. C. McFletcher	3408 Huron Ave, Kalamazoo, MI 49006
113	MI	Mary Christina Wendt	5292 N. State Rd., Davison, MI 48423
114	MI	Monica Fly	1657 Knollwood, Ypsilanti, MI 48198
115	MI	Peggy L Van Sickle	230 Pierce Street, Brighton, MI 48116
116	MN	Dorothy Louise Peck	6840 Washburn Ave S, Richfield, MN 55423
117	MN	Mary Jeanne Creighton	501 6th St. S. Virginia, MN 55792
118	MN	Robert Krajewski	30199 Foxtail Ln, Stacy, MN 55079
119	MO	James Lovell	1332 Westbrooke Terrace Dr, Ballwin, MO 63021
120	MO	Peter Kaplan	3439 McKean Avenue, Saint Louis, Missouri 63118
121	MT	Carolyn Elizabeth Hidy	18 Moon Shadow Lane, Trout Creek, MT 59874
122	NC	Elaine L Minier	4145 lake lynn dr #108 Raleigh Nc 27613
123	NC	Henry Holden Lewis	784 Broad Creek Rd New Bern, NC 28560
124	NC	John Archibald Wiles III	5205 Langford Ter Durham NC 27713
125	NC	Kenneth A. Wallston	1025 Hart Road; Pisgah Forest, NC 28768
126	NC	Philip Lloyd Huffsmith	309 Cox Lake Rd, Stanley, NC 28164
127	NH	Daniel J Fudala	510 Amherst St Manchester NH 03104
128	NH	Paul L Button	85 Yvette St, Manchester, NH 03102
129	NH	Paul R. Birk	4 Sanborn Dr Nashua NH 03063
130	NJ	Bing Bonnie Liao	504 Bergen Street, Lawrenceville, NJ 08648
131	NJ	Chang Jun Wang	9 Pennsylvania Lane, Parsippany, NJ07054
132	NJ	Jason Wu	87 Thoreau Drive, Plainsboro, NJ 08536
133	NJ	Jennifer DAlessio	100 Hepburn Road G10 Clifton, NJ 07012
134	NJ	Jo Ann Coleman	108 Berry St, Hackensack, NJ 07601
135	NJ	Living An	363 wendover Dr. Princeton NJ 08540
136	NJ	Na Peng	14 Campbell Road, Kendall Park, NJ 08824
137	NJ	Teresa DeMaio	6 Country Road, Manahawkin, NJ 08050
138	NM	Beverly cameron	2225 state rd 68 embudo nm 87532
139	NM	Daniel R Forrest	1443 Acequia Borrada W, Santa Fe, NM 87507
140	NM	Karen Cohen	70 County Road 240, Dixon, New Mexico, 87527
141	NM	Leona M. Sonne	7 Balke St. Reserve NM 87830
142	NM	Luis Torres	P. O. Box 901, Santa Cruz, NM 87567
143	NM	Ms. Rebecca Ann Mueller	118 County Road 64, Dixon NM 87527
144	NV	Nan C Thompson	4650 Ranch House Rd #64 No Las Vegas Nv 89031

145	NV	Susan Roberts	2520 W Simkins Rd, Pahrump NV 89060
146	NY	Alice DiDomizio	605 South Shore Rd, Gloversville, NY 12078
147	NY	Barry Louis Malkin	70-14 261st Street, 2nd Floor, Glen Oaks, NY 11004
148	NY	Claudette Mobley	3323 Palmer Avenue Bronx, NY 10475
149	NY	David Francis Owen	7 Saddle Hill Honeoye Falls NY 14472
150	NY	David H. Crocker	2087 East Ave., Apt. A, Rochester, NY 14610
151	NY	FengHing Wong	102 Mott Street, #4A, New York, NY 10013
152	NY	Ian Cohen	484 West 43rd St. Apt. 38S, New York, NY 10036
153	NY	Maggie Kong	208-07 Estates Drive, 1FL, Bayside, NY 11360
154	NY	Marc S. Castle	4427 Purves St. #8A. Long Island City, NY. 11101
155	NY	Marcia Levy	2 Locust Ridge Rd Larchmont NY 10538
156	NY	MeiYi Jiang	8320 Bay Parkway, #C25, Brooklyn, NY 11214
157	NY	Patricia Matteson	730 Mohonk Road, High Falls, NY 12440
158	NY	PooKeem Leon	420 West 42nd Street, #9C, New York, NY 10070
159	NY	Ralph Ulysses	2100 Beekman Place 6H, Brooklyn, NY 11225
160	NY	Salli Bragg	149 Oxford Ave Buffalo NY 14209
161	NY	Sarah Hall	1393 Stevens Rd, Tully, NY 13159
162	NY	Shirley Huang	47 Mott Street, #35, New York, NY 10013
163	NY	Steven A. Rose	325 Cedar Terrace, Hilton, NY 14468
164	NY	Steven Wong	101 Mott Street, #4A, New York, NY 10013
165	NY	W. Michael Biklen	515 East Eleventh Street, New York, NY 10009
166	NY	Weinian Luo	210-18 69 Ave. Oakland Gardens, NY 11364
167	NY	WeiTang Zhang	6924 Narrows Av., Brooklyn NY 11209
168	OH	C. Jeff Jacobson Jr	1411 WEIGOLD AVE Cincinnati OH 45223
169	OH	Donna E. Williams	2891 Indianola Ave, Columbus, OH 43202
170	OH	Eileen Ann Corrice	122 Gillett St Painesville, OH 44077
171	OH	John A Spada	4752 Rooney Ave, New Franklin, OH 44319
172	OH	Patti L Montico	724 E Cassilly St. Springfield, OH 45504
173	OH	Qun Chen	517 Cricket Run Rd. Lewis Center, OH 43035
174	OH	Thomas L. Wells	2620 Eton Place Findlay, OH 45840
175	OK	Daniel Lee Thomas	8612 NE 24th ST, Spencer, OK. 73084
176	OK	Darlene Faye Roberts	212 n 23rd St. Duncan okla 73633
177	OK	Darlene Roberts	212 n 23rd duncan ok73533
178	OK	Robert Hunter Adams	6730 S 73rd East Ave Tulsa, OK 74133
179	OR	Carole A Moore	17052 SW Eldorado Drive, Tigard, OR 97224
180	OR	Charlean Ann Born	3920 SW Martins Lane, Portland, OR 97239
181	OR	Gerald W. Moss	310 SE Greenwood St. Irrigon, OR 97844
182	OR	Jon Stuart Lang	53971 beach loop rd Bandon OR 97411
183	OR	Laura L Miller	1995 N. Bayview Rd., Waldport, OR
184	OR	Mary Brewer	225 SE 126th Ave, Portland, OR 97233
185	OR	Patricia E Kreger	37027 Wallace Creek Rd, Springfield, OR 97478
186	OR	Phillip Lee Gibbs	8079 SW Sacajawea Way Wilsonville, OR 97070
187	PA	Dale M Brown	21040 Meadow RD. Saegertown PA. 16433
188	PA	Gail Marlene Meister	14210 Hiland Place North Huntingdoon, PA 15642
189	PA	James Edward Forestal	5049 Warrensville Rd, Montoursville, PA. 17754
190	PA	Steven Vincent Young	44 S Baltimore St, Dillsburg, PA 17019
191	SC	Janine Garropy	96 Hardy Place Rd, Johnston, SC 29832
192	SC	Mary E. Hibbard	714 Schuyler Dr. RockHill S. C. 29730
193	SC	Patrick Mckearin	329A Pond Branch Rd. Lexington SC29071

194	TN	Elsa Lee Gamaunt	816 Wall Ave, Cookeville TN 38501
195	TN	Kevin Patrick Maher	420 Marion ct, Springfield, TN 37172
196	TN	Sara K. Ogden	910 Mc Cord Hollow Rd, Hohenwald, TN 38462
197	TN	Yvonne Brockenborough	6440 Lee Avenue, Murfreesboro, TN 37129
198	TX	Hongfei Li	3853 Elgin Drive, Plano, TX, 75025
199	TX	Jan forney	607 kipling st Houston TX 77006
200	TX	Jo Ann Porterfield	210 S Post Oak St, Winnsboro, Texas, 75494
201	TX	Pingyu Zhang	6415 Jordan Falls dr, Houston TX 77085
202	TX	Qing Zeng	1709 W Schunior St. Apt811 Edinburg TX 78541
203	TX	Richard L Fielder	3305 BOBWHITE DR, Bedford, Tx, 76021
204	UT	Kevin Kristian Paulson	3090 Appian Cove Taylorsville UT 84129
205	VA	Allan E. Tissari	2818 Queensland Dr. Henrico, VA. 23294
206	VA	Catherine B Williams	8005 Seaton St, Alexandria, VA 22306
207	VA	Kermit Charles Osborne	2761 Big Moccasin Road, Nickelsville, VA 24271
208	VA	YuFa Song	1118 Sugar Maple Ln, VA 20170
209	WA	Brent Thornton	2325 Griffin Ave, Enumclaw WA, 98022
210	WA	Bruce W Bailey	2580 10th Ave W, Seattle WA 98119
211	WA	Bruce Wade	1204 S. 18 St., Mount Vernon, WA, 98274
212	WA	Gregory J. Wingard	25243 180th Ave SE, Covington, WA 98042
213	WA	Jaymi Garvett	4618 88th Ave SE, Mercer Island WA 98040
214	WA	Laurene L. Bruckbauer	22306 114th St E, Buckley, WA, 98321
215	WA	Leslie Pettit McClure	8537 Anderson Ct. NE, Lacey, WA 98516
216	WA	Linda L. Richmond	3211 SE Kamilche Pt. Rd, Shelton, WA 98584
217	WA	Steven Johnson	4419 Harbor Ridge Road NE, Tacoma, WA 98422
218	WA	Susan E Rider Hall	1835 NE 20th St Renton, WA
219	WI	Donnette Weiterman	202 S 1st St, Randolph WI 53956
220	WI	Janice Fletcher	7085 N 44th St, Milwaukee, WI 53223
221	WI	Jenna Metzger	107 South Oak Street Rockland WI 54653
222	WI	Richard S Hildreth, Jr	146 Taylor St Cottage Grove WI 53527-9414
223	WV	Sarah Renae Miles	1755 Snowbird Rd, West Union, WV 26456



### **THE COMPLAINT**

1. Based on the existing Apportionment laws and the 2010 Census, Wyoming (WY) is guaranteed one (1) house seat for its population of 563,626, while New York State (NY) gets only 27 house seats for its population of 19,378,561, i.e. 717,707 per house seat. Had NY been allocated one house seat per 563,626, same as WY, NY should have had 34.4 house seats. Therefore, NY residents had been under-represented by at least 7 house seats, or 21%.
2. The significant under-representation at the House of Representatives suffered by NY residents including Plaintiff Liu and other similarly situated eligible voters represented by Equal Vote America (collectively the “Plaintiffs”) was a direct result of the existing Apportionment Acts of 1911, 1929 and 1941 which capped the number of house seats at 435, and made the apportionment process self-executing after each decennial census.
3. Since then Congress has collectively failed to update the cap and allocation of house seats in accordance with the (1) the founding agreement of bicameral legislature agreed upon by the founding fathers, and (2) the Constitution Article I, § 2 Clauses 1 & 3 which mandate allocation of house seats to be proportional to each state’s population.
4. The significant under-representation at the House of Representatives has gravely...
  - (1) diminished Plaintiffs’ right to equal representation at the House of Representatives under Article I, § 2 Clauses 1 & 3;
  - (2) diluted Plaintiffs’ right to vote in presidential elections guaranteed by Article II, § 1;
  - (3) demeaned Plaintiffs’ Citizen Privileges guaranteed by Article IV, § 2;
  - (4) debased Plaintiffs’ Freedom of Speech guaranteed by the First Amendment;
  - (5) violated Plaintiffs’ Due Process guaranteed by the Fifth Amendment;
  - (6) infringed Plaintiffs’ Citizen Privileges, Due Process and Equal Protection rights under the Fourteenth Amendment § 1;
  - (7) diluted Plaintiffs’ right to equal vote and to be counted in whole number under the Fourteenth Amendment § 2.
5. The redress Plaintiff is seeking is for the Court to review and declare the existing apportionment laws governing the current cap and allocation of house seats unconstitutional.

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### **JURISDICTION**

The Plaintiff is a resident and registered voter in the State of New York, and the Complaint concerns a constitutional question. This Court has jurisdiction under 28 U.S.C. § 2403(a) with respect to a constitutional question.

### **CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED**

U.S. Const. Article I, § 1 provides in pertinent part:

- All legislative Powers herein granted shall be vested in a Congress of the United States.

U.S. Const. Article I, § 2 Clause 1 (the House by People clause) provides in pertinent part:

- ... The House of Representatives shall be composed of Members chosen every second Year by the People of the several States.

U.S. Const. Article I, § 2 Clause 3 (the Equal Representation clause) provides in pertinent part:

- ...which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

U.S. Const. Article I, § 3 Clause 1 (the Senate clause) provides in pertinent part:

- The Senate of the United States shall be composed of two Senators from each State.

U.S. Const. Article I, § 4 Clause 1 provides in pertinent part:

- The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations.

U.S. Const. Article II, § 1 (the Electoral College clause) provides in pertinent part:

- Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.

U.S. Const. Article III, § 1 provides in pertinent part:

- The judicial Power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish.

U.S. Const. Article III, § 2 provides in pertinent part:

- The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States... to Controversies to which the United States shall be a Party.

U.S. Const. Article IV, § 2 (the Privilege & Immunity clause) provides in pertinent part:

- The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

U.S. Const. Article VI, Par. 2 provides in pertinent part:

- This Constitution, and the Laws of the United States ... shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

U.S. Const. Article VI, Par. 3 provides in pertinent part:

- The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution.

U.S. Const. Amend. I. provides in pertinent part:

- Congress shall make no law ... or abridging the freedom of speech ... or the right of people ... and to petition the Government for a redress of grievances.

U.S. Const. Amend. V. provides in pertinent part:

- No person shall be ... nor be deprived of life, liberty, or property, without due process of law.

U.S. Const. Amend. XIV. § 1. provides in pertinent part:

- No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States;
- ...nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

U.S. Const. Amend. XIV. § 2. provides in pertinent part:

- Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.
- But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress... or in any way abridged.

U.S. Const. Amend. XIV. § 5. provides in pertinent part:

- The Congress shall have the power to enforce, by appropriate legislation, the provisions of this article.



## STATEMENT OF FACTS

1. At the Constitutional Convention 1787, James Madison proposed the Virginia Plan which included a bicameral legislature. The population was to elect the members of the lower house which in turn would elect the representatives in the upper house. William Patterson put forward a counter proposal, the New Jersey Plan, which called for equal representation of each state in a unicameral legislature. The convention fell into a deadlock until Roger Sherman from Connecticut proposed a compromise.
2. Writing for the Supreme Court decision in [Wesberry v. Sanders, 376 U.S. 1 \(1964\)](#), Justice Black recounted this founding chapter of our country in details as follows:

*The question of how the legislature should be constituted precipitated the most bitter controversy of the Convention.*

.....

*The dispute came near ending the Convention without a Constitution. Both sides seemed for a time to be hopelessly obstinate. Some delegations threatened to withdraw from the Convention if they did not get their way. Seeing the controversy growing sharper and emotions rising, the wise and highly respected Benjamin Franklin arose and pleaded with the delegates on both sides to "part with some of their demands, in order that they may join in some accommodating proposition."*

.....

*The deadlock was finally broken when a majority of the States agreed to what has been called the Great Compromise, based on a proposal which had been repeatedly advanced by Roger Sherman and other delegates from Connecticut.*

.....

*The debates at the Convention make at least one fact abundantly clear: that, when the delegates agreed that the House should represent "people," they intended that, in allocating Congressmen, the number assigned to each State should be determined solely by the number of the State's inhabitants. The Constitution embodied Edmund Randolph's proposal for a periodic census to ensure "fair representation of the people," an idea endorsed by Mason as assuring that "numbers of inhabitants" should always be the measure of representation in the House of Representatives. The Convention also overwhelmingly agreed to a resolution offered by Randolph to base future apportionment squarely on numbers and to delete any reference to wealth. And the delegates defeated a motion made by Elbridge Gerry to limit the number of Representatives from newer Western States so that it would never exceed the number from the original States.*

3. To balance the interest between the more populous states and the less populous states, our founding fathers reached the Great Compromise, which was literally the founding agreement for the Union. It established the bicameral national legislature where the populace was represented at the House of Representatives, while the states were represented at the Senate.

4. As William Johnson of Connecticut said, "in *one* branch, the *people* ought to be represented; in the *other*, the *States*." According to the Great Compromise, the Constitution provides:
  - (1) Article I, § 2 Clause 1: the House of Representatives shall be elected by the People;
  - (2) Article I, § 2 Clause 3: the number of house seats shall be apportioned by each state's population;
  - (3) Article I, § 3 Clause 1: each state shall have 2 senators in the Senate regardless of population.
5. The founding fathers clearly agreed and demanded that these three constitutional provisions shall and must be honored and enforced simultaneously. In another word, within the two sides of the founding agreement, if the House side is not honored, the Senate side becomes invalid too.
6. In fact, [the original first amendment](#) was proposed by Madison to tie the number of the house seats to national population. It was ratified by eight states, only one state short to be fully ratified.
7. After the Constitution was adopted and ratified, James Wilson of Pennsylvania, as one of the most active members at the Convention and then an Associate Justice of this Court, reaffirmed:

*All elections ought to be equal. Elections are equal when a given number of citizens in one part of the state choose as many representatives as are chosen by the same number of citizens in any other part of the state. In this manner, the proportion of the representatives and of the constituents will remain invariably the same.*
8. On April 5, 1792, Washington, convinced by Jefferson, exercised [the very first presidential veto](#) in the U.S. history to reject a Congressional bill that introduced a new plan for allocating house seats among states on the ground that it was unconstitutional and liable to be abused in the future. [Jefferson said](#), "If the [ratio of] representation [is] obtained by any process not prescribed in the Constitution, it [then] becomes arbitrary and inadmissible" and suggested apportionment instead be derived from "arithmetical operation, about which no two men can ever possibly differ." Washington's veto sent the bill back to Congress, which in turn drafted a new bill that apportioned representatives at "the ratio of one for every thirty-three thousand persons in the respective States."

9. As a result, [the Apportionment Act of 1792](#) was passed by Congress on April 10, 1792, and signed into law by Washington on April 14, 1792. The law set the number of House Representatives at 105, effective with the 3rd Congress on March 4, 1793, which would be allotted to each state based upon the 1790 Census. During the subsequent decades Congress updated the number of house seats and allocation to reflect the population growth and shift among states.
10. The [1911 Apportionment Act](#) capped the number of house seats at 435. The [Reapportionment Act of 1929](#) established a permanent method for reallocating the 435 seats among the states. The [Apportionment Act of 1941](#) made the apportionment process self-executing after each decennial census. Congress has used the following [Apportionment Formulas](#) to determine which state gets the next available seat. Therefore, in terms of the right to equal representation at the House, some Americans get higher priority than the others based on state residence.

The formula for determining the priority of a state to be apportioned the next available seat defined by the method of equal proportions is

$$A_n = \frac{P}{\sqrt{n(n+1)}}$$

where  $P$  is the population of the state, and  $n$  is the number of seats it currently holds before the possible allocation of the next seat. An equivalent, recursive definition is

$$A_{n+1} = \sqrt{\frac{n}{n+2}} A_n$$

where  $n$  is still the number of seats the state has before allocation of the next, and for  $n = 1$ , the initial  $A_1$  is explicitly defined as

$$A_1 = \frac{P}{\sqrt{2}}$$

11. Following the 2010 Census, Wyoming gets one (1) house seat for its population of 563,626, while NY gets only 27 house seats for its population of 19,378,561, i.e. 717,707 per house seat. Effectively, NY residents have been deprived of 7.4 house seats, or under-represented by 21%. By the same calculation, CA has been deprived of by 13 seats, TX by 9 seats, and FL by 6 seats, respectively. In total, 39 states (96% of national population) were under-represented by a total of 110 house seats. Other than Wyoming, 48 states are under-represented between 7% (Nebraska) and 43% (Montana), while Rhode Island is the only one over-represented at 7%. See full details in Exhibit A.

<b>2010</b>	<b>Total</b>	<b>308,745,538</b>	<b>435</b>	<b>709,760</b>	<b>546.7</b>	<b>111.7</b>	<b>245,177,310</b>	<b>63,041,190</b>		<b>296,020,412</b>
	<b>Total %</b>							<b>20.4%</b>		<b>95.9%</b>
	<b>Count</b>									<b>39</b>
Index	State	Population 2010	# of House Seats Allocated	Population per HouseSeat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/oR %	States Under-represented by at least 0.5 seat
1	California	37,253,956	53	702,905	66.1	13.1	29,872,178	7,381,778	19.8%	37,253,956
2	Texas	25,145,561	36	698,488	44.6	8.6	20,290,536	4,855,025	19.3%	25,145,561
3	New York	19,378,102	27	717,707	34.4	7.4	15,217,902	4,160,200	21.5%	19,378,102
4	Florida	18,801,310	27	696,345	33.4	6.4	15,217,902	3,583,408	19.1%	18,801,310
43	Rhode Island	1,052,567	2	526,284	1.9	-0.1	1,127,252	(74,685)	-7.1%	-
44	Montana	989,415	1	989,415	1.8	0.8	563,626	425,789	43.0%	989,415
50	Wyoming	563,626	1	563,626	1.0	0.0	563,626	-	0%	-

12. Following the 2000 Census, other than Wyoming, 49 states are under-represented between 6%

(Rhode Island) and 45% (Montana). The top-4 states (CA, TX, NY, FL) were under-represented by 16, 10, 9 and 7 seats, respectively. In total, 43 states (98% of national population) were underrepresented by a total of 134 house seats. See full details in Exhibit B.

<b>2000</b>	<b>Total</b>	<b>281,421,906</b>	<b>435</b>	<b>646,947</b>	<b>568.8</b>	<b>133.8</b>	<b>214,795,170</b>	<b>66,054,677</b>		<b>274,506,987</b>
	<b>Total %</b>							<b>23.5%</b>		<b>97.5%</b>
	<b>Count</b>									<b>43</b>
Index	State	Population 2000	# of House Seats Allocated	Population per HouseSeat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/oR %	States Under-represented by at least 0.5 seat
1	California	33,871,648	53	639,088	68.6	15.6	26,170,446	7,701,202	22.7%	33,871,648
2	Texas	20,851,820	32	651,619	42.2	10.2	15,801,024	5,050,796	24.2%	20,851,820
3	New York	18,976,457	29	654,361	38.4	9.4	14,319,678	4,656,779	24.5%	18,976,457
4	Florida	15,982,378	25	639,295	32.4	7.4	12,344,550	3,637,828	22.8%	15,982,378
43	Rhode Island	1,048,319	2	524,160	2.1	0.1	987,564	60,755	5.8%	-
44	Montana	902,195	1	902,195	1.8	0.8	493,782	408,413	45.3%	902,195
50	Wyoming	493,782	1	493,782	1.0	0.0	493,782	-	0%	-

13. Following the 1990 Census, other than Wyoming, 49 states are under-represented between 10%

(Rhode Island) and 43% (Montana). The top-4 states (CA, NY, TX, FL) were under-represented by 14, 9, 7, and 6 seats, respectively. In total, 39 states (96% of national population) were underrepresented by a total of 110 house seats. See full details in Exhibit C.

1990	Total	248,709,873	435	571,747	547.0	112.0	197,310,780	50,792,193		239,023,269
	Total %							20.4%		96.1%
	Count									41
Index	State	Population 1990	# of House Seats Allocated	Population per House Seat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/oR %	States Under-represented by at least 0.5 seat
1	California	29,760,021	52	572,308	65.6	13.6	23,586,576	6,173,445	20.7%	29,760,021
2	New York	17,990,455	31	580,337	39.7	8.7	14,061,228	3,929,227	21.8%	17,990,455
3	Texas	16,986,510	30	566,217	37.4	7.4	13,607,640	3,378,870	19.9%	16,986,510
4	Florida	12,937,926	23	562,519	28.5	5.5	10,432,524	2,505,402	19.4%	12,937,926
43	Rhode Island	1,003,464	2	501,732	2.2	0.2	907,176	96,288	9.6%	-
44	Montana	799,065	1	799,065	1.8	0.8	453,588	345,477	43.2%	799,065
50	Wyoming	453,588	1	453,588	1.0	0.0	453,588	-	0%	-

14. According to the Great Compromise reached by the founding fathers, each state gets two seats in the Senate, hence causing huge disparity measured by comparing the population per senate seat for Wyoming and for every other state. For example, based on the 2010 Census, NY gets one senate seat per 9,689,051 persons while Wyoming gets one senate seat per 281,813 persons, hence a New Yorker is weighted as only 2.9% ( $281,813/9,689,051$ ) of a Wyomingite for each senate seat (Exhibit A).
15. By the same calculation, a New Yorker is weighted as only 2.6% and 2.5% of a Wyomingite for each senate seat, respectively, based on the 2000 Census (Exhibit B) and the 1990 Census (Exhibit C).
16. As of 2017 the compensation for most congressional members is \$174,000, the Speaker of the House receives \$223,500, and the majority and minority leaders in the House receive \$193,000. As of June 2017, the average [Members' Representational Allowance](#) (MRA) was \$1,315,523 per representative.
17. Plaintiff surveyed 16 developed democratic countries based on <https://en.wikipedia.org/wiki/>, and found the U.S. has by far the highest population per lower house seat among these countries, almost 3 times as much as Japan, the second on the list (see table below). In particular, Japan, Germany, France, and the U.K. have more lower House Representatives than the U.S. does despite far less population. For example, the U.K. population is only 20% of the U.S. population, but its House of Commons has 650 members, averaging only 101,569 persons per one seat vs. 748,736 persons per one seat in the U.S. In fact, when the Apportionment Act 1911 capped the number of house seats at 435, [the population per seat was c.a. 210, 000](#), much closer to the other 15 surveyed countries.



18. Besides having by far the highest population per seat, the U.S. is also much larger in geographical size than the other 14 countries except Canada, it is impossible for the U.S. House Representatives to serve their constituents as effectively as their counterparts in the other 15 developed democracies. When on average a representative has to serve 748,736 constituents, it invariably means he/she becomes inaccessible or even unaccountable to most constituents.

<b>Ranking of Developed Democratic Countries by Representation of Population at the Lower House</b>						
<b>Source:</b>	<a href="https://en.wikipedia.org/wiki/">https://en.wikipedia.org/wiki/</a>					
<b>Ranked by Population per House Seat</b>	<b>Country</b>	<b>Population as of 2017 (millions)</b>	<b>Population as % of the U.S.</b>	<b># of House Seats</b>	<b>Population per House Seat</b>	<b>Population per House Seat as % of the U.S.</b>
<b>1</b>	<b>USA</b>	<b>325.70</b>	<b>100%</b>	<b>435</b>	<b>748,736</b>	<b>100%</b>
2	Japan	126.80	39%	465	272,688	36%
3	Australia	24.60	8%	150	164,000	22%
4	Germany	82.79	25%	709	116,770	16%
5	France	67.12	21%	577	116,326	16%
6	Netherlands	17.08	5%	150	113,867	15%
7	Canada	36.71	11%	338	108,609	15%
8	UK	66.02	20%	650	101,569	14%
9	Belgium	11.35	3%	150	75,667	10%
10	Austria	8.77	3%	183	47,940	6%
11	Switzerland	8.42	3%	200	42,100	6%
12	New Zealand	4.79	1%	120	39,950	5%
13	Denmark	5.77	2%	179	32,235	4%
14	Norway	5.26	2%	169	31,112	4%
15	Sweden	10.00	3%	349	28,639	4%
16	Finland	5.50	2%	200	27,515	4%

**CONGRESS HAS DISHONORED THE FOUNDING AGREEMENT**

1. As aforementioned, there is a huge disparity per Senate seat among states. A New Yorker is weighted as only 2.2% / 2.6% / 2.9% of a Wyomingite based on 1990 / 2000 / 2010 Census, respectively. The Great Compromise, the very first contractual agreement reached by our founding fathers, was supposed to balance such enormous inequality in favor of the less populous states in the Senate with the allocation of the House seats proportional to each state's population.
2. However, Congress since 1911 has collectively failed to (1) honor the Great Compromise reached by the founding fathers, foremostly Washington, Adams, Jefferson, and Madison; and (2) comply with the Constitution Article I, § 2 Clauses 1 & 3, which mandate House Representatives to be elected by the People and allocated among states based on each state's population.
3. Writing for the Court in *Wesberry v. Sanders* (1964), Justice Black declared emphatically:

*We hold that, construed in its historical context, the command of Article I, § 2 that Representatives be chosen "by the People of the several States" means that, as nearly as is practicable, one man's vote in a congressional election is to be worth as much as another's. ...*

*We do not believe that the Framers of the Constitution intended to permit the same vote-diluting discrimination to be accomplished through the device of districts containing widely varied numbers of inhabitants. To say that a vote is worth more in one district than in another would not only run counter to our fundamental ideas of democratic government, it would cast aside the principle of a House of Representatives elected "by the People," a principle tenaciously fought for and established at the Constitutional Convention. The history of the Constitution, particularly that part of it relating to the adoption of Article I, § 2, reveals that those who framed the Constitution meant that, no matter what the mechanics of an election, whether statewide or by districts, it was population which was to be the basis of the House of Representatives.*

4. *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833 (1992) reminded us that each generation of Americans including each Congress have the duty to uphold the Constitution:  
*Our Constitution is a covenant running from the first generation of Americans to us and then the future generations. It is a coherent succession. Each generation must learn anew that the Constitution's written terms embody ideas and aspirations that must survive more ages than one.*
5. While *Wesberry v. Sanders* (1964) concerned the rights to equal representation at the House and equal vote in electing representatives among residents of different congressional districts within one state, the same constitutional principle and legal reasoning shall certainly apply to the same rights

among residents of different states, which is the core issue raised by Plaintiff.

6. What has transpired since 1911 is exactly what our two most important founding fathers, Washington and Jefferson, clearly rejected in 1792: the current cap and allocation mechanism have produced arbitrary and inadmissible unequal representation that are not derived from arithmetical operation.
7. There is absolutely no constitutional provision for – and our founding fathers would have been outraged by - **the Apportionment Formulas** which assign priority to some states for the next seat while condemning residents of other states as “lower priority” for at least a decade, if not decades.
8. Furthermore, the founding agreement consists of two sides: the House by population and the Senate by states. By defrauding the House side of the founding agreement for more than 100 years and counting, Congress has simultaneously delegitimized the Senate which has become a lopsided oppressive body in favor of less than 5% of population at the expense of over 95% of Americans. Without equal representation of population at the House, the Senate has become unconstitutional too.
9. By capping the number of house seats to 435, Congress has ignored (1) the fact that delegates defeated the motion to put a limit on the number of house seats for the western states, and (2) the warning of “vicious representation” by Madison, widely considered the Father of the Constitution.
10. Writing for the Court in *Wesberry v. Sanders* (1964), Justice Black reminded us that:

*It would defeat the principle solemnly embodied in the Great Compromise -- equal representation in the House for equal numbers of people -- for us to hold that, within the States, legislatures may draw the lines of congressional districts in such a way as to give some voters a greater voice in choosing a Congressman than others. The House of Representatives, the Convention agreed, was to represent the people as individuals, and on a basis of complete equality for each voter. The delegates were quite aware of what Madison called the "vicious representation" in Great Britain whereby "rotten boroughs" with few inhabitants were represented in Parliament on or almost on a par with cities of greater population.*

*The delegates referred to rotten borough apportionments in some of the state legislatures as the kind of objectionable governmental action that the Constitution should not tolerate in the election of congressional representatives. ... Speakers at the ratifying conventions emphasized that the House of Representatives was meant to be free of the malapportionment then existing in some of the state legislatures -- such as those of Connecticut, Rhode Island, and South Carolina -- and argued that the power given Congress in Article I, § 4, as meant to be used to vindicate the people's right to equality of representation in the House. Congress' power, said John Steele at the North Carolina convention, was not to be used to allow Congress to create rotten boroughs.*

**CONGRESS HAS VIOLATED PLAINTIFFS' CONSTITUTIONAL RIGHTS**

1. America was founded upon a set of ideals enshrined by the [Declaration of Independence](#):  
*(1) Liberty & Equality: "All men are created equal with certain unalienable rights";*  
*(2) Republic: "That to secure these rights, Governments are instituted among Men";*  
*(3) Democracy: "Deriving their just powers from the consent of the governed".*
2. The Constitution starts with "We the People". For the principle of "all men are created equal" to hold true, there must be equal respect of human dignity. And nothing manifests human dignity more than a free person's sacred vote. By causing significant unequal representation at the House and diluting vote value in electing representatives for over 95% of Americans due to state residence, Congress has violated the aforementioned founding principles and the following constitutional provisions.
3. **Article I, § 2 Clauses 1 & 3** mandate the House Representatives are chosen by the People based on population, hence guaranteeing every American's right to equal representation at the House. The significant unequal representation represents a gross betrayal of the founding agreement and union spirit, causing over 95% of Americans double-disadvantaged in both the House and the Senate.
4. **Article II, § 1** mandates that each state's electoral votes for presidential elections are equal to the number of representatives and senators. Hence the significant under-representation at the House has further inflicted a **Triple-Injustice** upon over 95% of Americans with respect to the House, the Senate and the presidential elections.
5. **Article IV, § 2** mandates that Citizens of all state shall be entitled to the same Privileges and Immunities. Equal representation in the House is one of such privileges for all Americans guaranteed by the Constitution. Since 1911 Congress has collectively violated such fundamental privilege. More despicably, **the Apportionment Formulas** have discriminated against some states while favoring the other states. In fact, from 1990 to 2010 NY lost 4 seats despite its population grew by 1.4 million, while TX and FL gained 6 and 4 seats, respectively, and Wyoming is always guaranteed 1 seat. Among all fellow Americans, New Yorkers have been ranked the lowest and deprived of the most.

6. **The First Amendment** prohibits any law that abridges the freedom of speech. Residents of each state elect their representatives to the House who in turn speak and vote on behalf of their constituents on various issues that affect their daily life. By diluting the right to equal representation in the House, Congress has undermined Plaintiffs' and overwhelming majority of Americans' voice and expression, hence violating our freedom of speech.
7. **The Fifth Amendment** guarantees NO American shall be deprived of life, liberty, or property without due process of law. The guaranty of due process demands laws shall not be unreasonable, arbitrary or capricious. The Exhibit A shows the current allocation method results in a wide gap of representation among states, from over-representation of 7% enjoyed by Rhode Island to under-representation of 43% suffered by Montana. There is no justification for some Americans enjoying over-representation while 95% being condemned to under-representation due to state residence. Such arbitrary and capricious malapportionment illustrates **the first violation of the Fifth Amendment**.
8. Secondly, assuming Jack and Jill are brother and sister, if Jack moves from Rhode Island (1,052,567 given 2 seats) to Montana (989,415 given 1 seat), his right to be represented decreases by half; and if Jill moves from Montana to Rhode Island, her right to be represented doubles. In Plaintiffs' case, in order to enjoy the right to equal representation in full, Plaintiff would have to move to states such as Wyoming or Vermont. No American shall be punished for exercising their freedom to choose where to live (liberty). This demonstrates **the second violation of the Fifth Amendment**.
9. Furthermore, if any suspect must be informed of his/her Miranda right under the Fifth Amendment, all law-binding citizens certainly must be informed of their fundamental rights before being gravely violated. Congress has never informed the general public of (1) such significant under-representation for the overwhelming majority of Americans, and (2) the fact that such unequal representation has violated the founding agreement reached by the framers. Even *New York Times* failed in its [11/09/2018 Editorial](#) to point out the founding agreement has been dishonored and the Constitution violated. The absence of public knowledge and debate on this gross violation of the founding

agreement and the Constitution indicates **violation of procedural Due Process**. Finally, the 1941 Apportionment Act deprived all future generations of the Due Process to review and update the cap and allocation of house seats based on the ever-changing population among the 50 states.

10. **The Fourteenth Amendment § 1** guarantees every citizen's equal privileges or immunities, every person's life, liberty, or property with due process of law and equal protection of the laws. In this case, it is Congress who enacted the Apportionment Acts that have caused over 95% Americans to be under-represented at the House. Furthermore, **the Apportionment Formulas** have assigned priority to some states for the next house seat while condemning residents of other states as "low priority". Therefore, Congress has violated the Due Process and Equal Protection for all Americans with respect to the fundamental right to equal representation at the House. It would be a mockery if one argues the Fourteenth Amendment does not apply to Congress.
11. **The Fourteenth Amendment § 2** reaffirms apportionment based on population, and abolished the infamous Three-Fifths clause, declaring counting a person less than a whole number unconstitutional. Under the current allocation of house seats, a New Yorker is weighted as 79% of a Wyomingite, residents in Montana are weighted only 57% of a Wyomingite, and over 95% of Americans are counted less than a whole number in terms of each house seat allocated.
12. **The Fourteenth Amendment § 2** further mandates the right to vote at any election including "Representatives in Congress" shall not be abridged in any way. Diluting overwhelming majority of Americans' vote in electing the House Representatives is the exact definition of abridging.
13. Writing for the Court in *Wesberry v. Sanders* (1964), Justice Black reminded us unequivocally:  
*It is in the light of such history that we must construe Article I, § 2, of the Constitution, which, carrying out the ideas of Madison and those of like views, provides that Representatives shall be chosen "by the People of the several States," and shall be "apportioned among the several States . . . according to their respective Numbers."*  
*Madison said in No. 57 of The Federalist: "Who are to be the electors of the Federal Representatives? Not the rich more than the poor; not the learned more than the ignorant; not the haughty heirs of distinguished names more than the humble sons of obscure and unpropitious fortune. The electors are to be the great body of the people of the United States."*

**PLAINTIFFS HAVE THE STANDING TO SUE**

1. The Defendants will likely make a motion to dismiss this case claiming lack of injury-in-fact. The “injury-in-fact” criteria may be appropriate for cases involved bodily harm or monetary loss, but it should not be applicable in cases concerning constitutionally protected rights. When Solomon Northup’s ([\*Twelve Years a Slave\*](#)) human dignity was deprived of during Slavery, when [Susan Anthony](#)’s right to vote was denied before 1919, when [Oliver Brown](#)’s equal protection was refused in 1954, when [Ernesto Miranda](#)’s due process was negated in 1963 ... how can such injustice be measured in monetary terms? History has clearly repudiated such dubious argument.
2. Secondly, in the *Dred Scott v. Sandford* (1857) decision, Mr. Scott was denied justice also for lack of standing. This decision has been universally considered the worst court decision in our country’s history, and indisputably repudiated by the 13<sup>th</sup> and 14<sup>th</sup> Amendments. Since then, the Supreme Court has repeatedly affirmed plaintiffs’ standing to assert their fundamental rights such as equal protection in *Brown v. BoE* 347 U.S. 483 (1954) for blacks, privacy in *Roe v. Wade* 410 U.S. 113 (1973) for women, and marriage equality in *Obergefell v. Hodges* 576 U.S. \_\_\_\_ (2015) for gays and lesbians.
3. The Defendants will also likely argue for dismissal on lack of concrete specific injury because over 95% of Americans have been subject to the same **Triple-Injustice**. Such “widely-shared-hence-no-standing” (WSHNS) legal reasoning means if a harm is imposed upon and shared by a large population, then no one in this population has standing to sue. However, as Dr. King said, “Injustice anywhere is a threat to justice everywhere.”
4. First of all, many authoritarian regimes have employed such perverse logic to oppress their people into silence, and crack down anyone who dares to challenge. Plaintiff believe our country, America, – “[\*a Shining City on a Hill\*](#)” - is genuinely and constitutionally better than those authoritarian regimes.
5. Secondly, the logic of WSHNS is dubious at best. If a citizen’s complaint must be based on an individualized injury, it means an existing law applies only to this citizen. However, laws are



supposed to apply to all people if such laws are just rather than discriminatory. Hence when constitutional rights were violated by a law, it had always occurred upon a significant portion of population, such as the Three-Fifths clause, the Fugitive clause, and Jim Crow Laws. By the WSHNS logic, Dred Scott, Homer Plessy, Susan Anthony, Oliver Brown, Rosa Parks, etc. could never have standing to sue, and should have simply stayed quiet and obedient in the face of injustice. However, the Supreme Court has repeatedly rejected the WSHNS logic in numerous decisions, *U.S. v. SCRAP* 412 US (1973), *FEC v. Akins* 542 U.S. (1998), and *Mass. v EPA* 549 U.S. 497 (2007).

6. In addition, *Lujan v. Defenders of Wildlife* (1992) recognized procedural right in its Footnote 7:

*The person who has been accorded a procedural right to protect his concrete interest can assert that right without meeting all the normal standards for redressability and immediacy.* *The right to vote is the constitutional “concrete interest”, and the equal treatment of every vote in elections is part of the procedural rights that protect such constitutional “concrete interest.”*

7. What is at stake are the fundamental rights to equal representation and equal vote for Plaintiff and all Americans. Writing for the Court in *Wesberry v. Sanders* (1964) Justice Black clearly affirmed:

*It is not surprising that our Court has held that this Article gives persons qualified to vote a constitutional right to vote and to have their votes counted.* *United States v. Mosley*, 238 U. S. 383; *Ex Parte Yarbrough*, 110 U. S. 651. *Not only can this right to vote not be denied outright, it cannot, consistently with Article I, be destroyed by alteration of ballots, see United States v. Classic*, 313 U. S. 299, or diluted by stuffing of the ballot box, see *United States v. Saylor*, 322 U. S. 385. *No right is more precious in a free country than that of having a voice in the election of those who make the laws under which, as good citizens, we must live. Other rights, even the most basic, are illusory if the right to vote is undermined.*

8. *Baker v. Carr*, 369 U.S. 186 (1962) overturned the lower court decision, affirmed the plaintiff's standing to sue Carr ex officio as Secretary of State to assert the constitutionally guaranteed right to equal representation in state legislature, and established the “One Person One Vote” constitutional principle. Writing for the Court, Justice Brennan firmly established:

*These plaintiffs and others similarly situated, are denied the equal protection of the laws accorded them by the Fourteenth Amendment by virtue of the debasement of their votes.*

9. *Reynolds v. Sims*, 377 U.S. 533 (1964) again affirmed the plaintiff's standing to assert his constitutionally guaranteed right to equal representation in state senate and re-affirmed the principle of "One Person One Vote". Writing for the Court, Chief Justice Warren declared unequivocally:

*Diluting weight of votes because of place of residence impairs basic constitutional rights under the 14th Amendment ... The weight of citizen's vote cannot be made to depend on where he lives.*

10. The First Amendment guarantees every American's right to petition for a redress of grievance. There is no greater grievance than deprivation of the right to equal representation and dilution of our right to equal vote in electing house members. If the claim of lack of standing is accepted in this case, this part of the First Amendment would not even be worth of the paper it is printed on.

11. Furthermore, writing for the Court in *Paul v. Davis*, 424 U.S. 693 (1976) Justice Rehnquist established that "*we have repeatedly ruled that the procedural guarantee of the 14<sup>th</sup> Amendment apply whenever the State seeks to remove or significantly alter that protected status*". Since 1911 Congress has significantly undermined the right to equal representation at the House and the right to equal vote in electing house representatives. Plaintiff's standing before the court is therefore guaranteed by the Due Process clause and has been affirmed by the Court's previous decisions.

12. Writing for the Court in *Wesberry v. Sanders* (1964) Justice Black ruled unequivocally that the District Court was wrong to dismiss the plaintiff's claim:

*We agree with Judge Tuttle that, in debasing the weight of appellants' votes, the State has abridged the right to vote for members of Congress guaranteed them by the United States Constitution, that the District Court should have entered a declaratory judgment to that effect, and that it was therefore error to dismiss this suit. The question of what relief should be given we leave for further consideration and decision by the District Court in light of existing circumstances.*

**THE COURT HAS THE POWER AND DUTY TO REDRESS**

1. The Defendants will likely claim that the issue involved is a so-called political question, hence the Court has no jurisdiction over Congress's law-making.
2. The U.S. Const. Article III, § 1 declares that the Judicial Power shall be vested in the Supreme Court and its lower courts. Article III, § 2 further provides that the judicial Power shall extend to all Cases including disputes related to the Constitution, the federal Laws and controversies with the United States being a party.
3. *Marbury v. Madison*, 5 U.S. 137 (1803) established that the Court has the absolute power to review all acts of Congress where constitutionality is at issue, judge whether they abide by the Constitution, and rule that a law, such as these Apportionment Acts, "repugnant to the Constitution is void".
4. *Baker v. Carr* (1962) essentially repudiated the *Colegrove v. Green*, 328 U.S. 549 (1946) decision holding that malapportionment claims under the Equal Protection Clause of the Fourteenth Amendment were not exempt from judicial review under Article IV, § 4.
5. Writing for the Court in *Wesberry v. Sanders* (1964), Justice Black forcefully rejected the view of "non-justiciability":

*The right to vote is too important in our free society to be stripped of judicial protection by such an interpretation of Article I. This dismissal can no more be justified on the ground of "want of equity" than on the ground of "nonjusticiability." We therefore hold that the District Court erred in dismissing the complaint.*

6. Most of all, *Cotting v. Godard*, 183 U.S. 79 (1901) declared the Court's highest duty is to enforce the Constitution (body and letter) according to the Declaration of Independence (thought and spirit):  
  
*No duty rests more imperatively upon the courts than the enforcement of those constitutional provisions intended to secure that equality of rights which is the foundation of free government.*
7. In summary, it is well within the Court's duty and power to review and declare that the existing apportionment laws have (1) dishonored the Great Compromise among the founding fathers, (2) contradicted the House by People clause and the Equal Representation clause, and (3) violated every

American's right to equal representation at the House and right to equal vote in congressional elections with respect to the Comity clause, and three subsequent amendments, the First, the Fifth and particularly the Fourteenth.

8. *Wesberry v. Sanders* (1964) shall be the most relevant and controlling case for the present case because equal representation for every American in the House of Representatives is the core issue for both cases.

9. The redress that Plaintiffs is seeking is simply for the Court to review and make a declaratory judgment - as the Supreme Court clearly did in *Wesberry v. Sanders* (1964) – such as follows:

***The Apportionment Acts of 1911, 1929 and 1941 are unconstitutional with respect to the Great Compromise, Article I, § 1 & 2, Article IV, § 2, the First Amendment, the Fifth Amendment and the Fourteenth Amendment. Every American's rights to equal representation at the House and equal vote in any election shall not be denied, diluted, debased, diminished, demeaned, disadvantaged, or manipulated in any way by any means on any account.***

10. To be clear, Plaintiffs are not requesting the Court to provide any instructions to Congress on how to legislate.

**CONGRESS HAS THE POWER AND DUTY TO RECTIFY**

1. Since the 71<sup>st</sup> Congress enacted the Reapportionment Act of 1929, all successive classes of Congress have for whatever reason continued such gross collective dereliction of duty, dishonoring the founding agreement and violating the Constitution. With this lawsuit, no member in the current and future Congress can claim any longer ignorance of this grave **Triple-Injustice** imposed upon the overwhelming majority of Americans including Plaintiffs.
2. Once the existing reapportionment laws since 1929 are declared unconstitutional by the Court, the current Congress has the duty and obligation under Article VI, Par. 2 & 3, and the power under Article I, § 1, Article I, § 4, and the Fourteenth Amendment § 5 to enact new apportionment laws to not only honor the Great Compromise – the Founding Agreement for our Union - reached by the founding fathers, but also uphold the numerous constitutional provisions, namely Article I, § 2, Article IV, § 2, the First Amendment, the Fifth Amendment, and the Fourteenth Amendment.
3. If any member of the 116<sup>th</sup> Congress refuses to take rectifying actions, it means such congressional member has willfully chosen to deliberately continue ...
  - (1) dishonoring the memory of our founding fathers,
  - (2) defrauding the founding agreement reached by the founding fathers,
  - (3) violating Article I, § 2 Clauses 1 & 3, and
  - (4) infringing numerous constitutional rights of the overwhelming majority Americans guaranteed by Article IV, and the First, Fifth and Fourteenth Amendments.
4. In such event, those congressional members individually and/or the 116<sup>th</sup> Congress collectively shall be held in Contempt of Court and of the Constitution with respect to Article VI, Par. 2 & 3 for violating their oath. Furthermore, this means the founding agreement by the founding fathers is now openly and willfully disrespected, dishonored and defrauded by Congress. Therefore, the other side of the founding agreement, the Senate, is no longer legitimate, hence unconstitutional.

**An Arithmetical Solution That Honors the Founding Fathers' Agreement and Criteria**

1. Since the Constitution guarantees at least one house seat for each state, the population of the least populous state shall be the basis for allocating the house seats among states through an arithmetical operation insisted by Jefferson, which can be easily understood by the general public.
2. The first possible proposal is “**The Nearest Integer**” which calculates the number of house seats for each of the 50 states as follows (based on 2017 Census estimates):
  - (1) Wyoming has the least population, hence 579,315 is the divisor to be divided by each state population. For example, NY population  $(19,849,399)/(579,315) = 34.26$ , which rounds to the nearest integer, 34. Hence NY's number of seats would increase from 27 to 34, while its representation would improve from under 21.2% to under 0.8%.
  - (2) This "Nearest Integer" approach will add 126 additional seats to a total of 561, and reduce under-representation to less than 5% for the top 29 populous states. However, representation for less populous states remains unfair. For example, North Dakota and Alaska remain under-represented by 23.3% and 21.7% respectively, Montana and South Dakota become over-represented by 10.3% and 33.2%, respectively, while Rhode Island remains over-represented at 9.3%.
  - (3) Under this proposal, variances in representation range from under 23% to over 33%, clearly neither equitable nor constitutional. See details in Exhibit D.
3. The second possible proposal is “**The Nearest Tenth Digit**” which takes the above proposal one step further by rounding all the quotients to the nearest tenth digit:
  - (1) Wyoming has the least population of 579,315. Hence, NY population  $(19,849,399) / (579,315) = 34.264$ , which rounds to the nearest tenth digit, 34.3. NY's number of seats increases from 27 to 34.3, i.e. 33 members have 1 vote each, the 34<sup>th</sup> member has a vote of 1.3 for a larger district.
  - (2) There are two distinct but related concepts under this proposal: **members vs. votes**. The current 435-body house will increase by 107 to 542, among which 497 regular members have 1 vote each,



and 45 special members have a vote of 1.1 to 1.9, each representing a more populous district in each state. The total house votes would increase to 561.1 with 280.6 being the simple majority. The number of votes is the ultimate measure of equal representation guaranteed for all Americans by the founding agreement and the Constitution.

(3) Under this proposal, all aforementioned unfair representations in the first proposal are practically resolved: Rhode Island, Montana, North Dakota, and South Dakota would be under-represented by only 1.6%, 0.7%, 0.3%, and 0.1%, respectively, while Alaska being over-represented 1.8%. The variance of representation ranges from under 1.6% to over 2.4%. See details in Exhibit E.

(4) Most importantly, all Americans of all states will be guaranteed equal presentation at the same time, no American of any state would be ranked as “lower priority”.

(5) Applying the same arithmetical operation to the three previous censuses, the variance of representations ranges from under 3.1% to over 3.2% for 2010, from under 2.7% to over 2.4% for 2000, and from under 3.3% to over 2.2% for 1990. Hence all are well within +/-4%.

4. Obviously rounding to the nearest hundredth digit would further improve precision. However, the “Nearest Tenth Digit” proposal produces a near precision within +/-4%, and is free of any manipulation that condemns many states as “lower priority”. Therefore, **this is an Arithmetical Solution that shall honor our founding fathers’ agreement and satisfy their criteria.**

5. As aforementioned, the total cost for one house representative is approximately \$1.5 million/year. Adding 107 house members with 126.1 votes would entail a total additional cost approximately \$189.4 million/year (1.5 x 126.1 votes). The 2017 Census estimates the U.S. population at 325.7 million, hence it would cost only \$0.58 (\$189.4/325.7) per person per year.

6. In addition, the Federal Budget for 2017 Fiscal Year included \$3.98 trillion expenditures. The additional \$189.4 million would account less than 0.005% of the total federal expenditures. By the way, one F-22 Raptor fighter aircraft alone costs \$150 million in 2009 or \$180 million in 2018.

7. After adding the 107 members to a total of 542 as shown below, the U.S. still by far has the highest ratio of population per house seat, more than twice as much as Japan, the second country on the list.

Ranking of Developed Democratic Countries by Representation of Population at the Lower House						
Source:	<a href="https://en.wikipedia.org/wiki/">https://en.wikipedia.org/wiki/</a>					
Ranked by Population per House Seat	Country	Population as of 2017 (millions)	Population as % of the U.S.	# of House Seats	Population per House Seat	Population per House Seat as % of
1	<b>USA - Rectified</b>	325.70	100%	<b>542</b>	600,923	100%
2	Japan	126.80	39%	465	272,688	45%
3	Australia	24.60	8%	150	164,000	27%
4	Germany	82.79	25%	709	116,770	19%
5	France	67.12	21%	577	116,326	19%
6	Netherlands	17.08	5%	150	113,867	19%
7	Canada	36.71	11%	338	108,609	18%
8	UK	66.02	20%	650	101,569	17%
9	Belgium	11.35	3%	150	75,667	13%
10	Austria	8.77	3%	183	47,940	8%
11	Switzerland	8.42	3%	200	42,100	7%
12	New Zealand	4.79	1%	120	39,950	7%
13	Denmark	5.77	2%	179	32,235	5%
14	Norway	5.26	2%	169	31,112	5%
15	Sweden	10.00	3%	349	28,639	5%
16	Finland	5.50	2%	200	27,515	5%

8. Time is of the essence. There is no justification to prolong the current **Triple-Injustice** until after the 2020 Census. Congress has the duty and power to immediately pass **the Apportionment for Equal Representation of Act 2019** effective for the upcoming 2020 Elections that will ...

- (1) increase the number of House Representatives to 542, among which 497 regular members have 1 vote each, and 45 special members have vote of 1.1 to 1.9, as described above;
- (2) require each state to redraw its congressional districts with variance in population within +/- 5% by an independent non-partisan commission, or designate the added members/votes at-large;
- (3) increase the total electoral votes from currently 538 to 664.1 (100+561.1+3 for DC), so that every state will finally receive its fair share of electoral votes, e.g. 36.3 (2+34.3) electoral votes for NY, rather than 29 (2+27), the candidate who gets 332.1 electoral votes wins the White House;
- (4) Following the 2020 Census, further adjustments can be easily made for the 2022 House Election by applying the same arithmetical operation as described in the "Nearest Tenth Digit" proposal. Thereafter similar adjustments shall be made once after each decennial census.

## CONCLUSION

1. Were our founding fathers alive today, they would certainly be horrified and outraged by what the existing Apportionment Acts have done for more than 90 years and counting, Washington and Jefferson would have vetoed all of them without any hesitation.
2. Writing for the Supreme Court in *Wesberry v. Sanders*, (1964), Justice Black declared forcefully:  
*While it may not be possible to draw congressional districts with mathematical precision, that is no excuse for ignoring our Constitution's plain objective of making equal representation for equal numbers of people the fundamental goal for the House of Representatives. That is the high standard of justice and common sense which the Founders set for us.*
3. In conclusion, here comes a moment of truth to Congress for all Americans of all states:
  - (1) the Court has the judicial power to review and declare the existing reapportionment laws unconstitutional;
  - (2) the 116<sup>th</sup> Congress has the power, the duty and a historic opportunity to immediately rectify its collective failure since 1929 by enacting **the Apportionment for Equal Representation Act 2019** that will not only restore honor with the Great Compromise and our founding fathers, but also uphold all Americans' fundamental rights to equal representation in the House and equal vote in electing House Representatives with respect to Article I § 2, Article IV § 2, the First, the Fifth and the Fourteenth Amendments;
  - (3) the "Nearest Tenth Digit" arithmetical operation will allocate the house seats/votes to all states with a variance within +/-4%, which represents a near precision that shall satisfy Washington, Jefferson, Madison and other founding fathers who can again rest in peace on this account.
  - (4) if Congress refuses to rectify its own collective failure, it shall be held in Contempt of Court and of the Constitution, and the Senate shall lose its legitimacy and be declared unconstitutional.

**Dated: July 7, 2019**

**Respectfully submitted,**

/s/ yuxi liu

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## Appendix A

State-by-State Under-representation in the House of Representatives and Disparity per Senate Seat													
2010 Census Data													
<a href="https://en.wikipedia.org/wiki/2010_United_States_Census">https://en.wikipedia.org/wiki/2010_United_States_Census</a>													
	Total	308,745,538	435	709,760	546.7	111.7	245,177,310	63,041,190		296,020,412			
	Total %							20.4%		95.9%			
	Count									39			
	Max.			989,415	66.1	13.1	29,872,178		43.0%		107.1%	18,626,978	100.0%
	Min.			526,284	1.0	-0.1	0		-7.1%		57.0%	281,813	1.5%
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Index	State	Population 2010	# of House Seats Allocated	Population per House Seat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/oR %	States Under-represented by at least 0.5 seat	Vote Value per House Seat as % of WY	Population per Senate Seat	Disparity per Senate Seat
1	California	37,253,956	53	702,905	66.1	13.1	29,872,178	7,381,778	19.8%	37,253,956	80.2%	18,626,978	1.5%
2	Texas	25,145,561	36	698,488	44.6	8.6	20,290,536	4,855,025	19.3%	25,145,561	80.7%	12,572,781	2.2%
3	New York	19,378,102	27	717,707	34.4	7.4	15,217,902	4,160,200	21.5%	19,378,102	78.5%	9,689,051	2.9%
4	Florida	18,801,310	27	696,345	33.4	6.4	15,217,902	3,583,408	19.1%	18,801,310	80.9%	9,400,655	3.0%
5	Illinois	12,830,632	18	712,813	22.8	4.8	10,145,268	2,685,364	20.9%	12,830,632	79.1%	6,415,316	4.4%
6	Pennsylvania	12,702,379	18	705,688	22.5	4.5	10,145,268	2,557,111	20.1%	12,702,379	79.9%	6,351,190	4.4%
7	Ohio	11,536,504	16	721,032	20.5	4.5	9,018,016	2,518,488	21.8%	11,536,504	78.2%	5,768,252	4.9%
8	Michigan	9,883,640	14	705,974	17.5	3.5	7,890,764	1,992,876	20.2%	9,883,640	79.8%	4,941,820	5.7%
9	Georgia	9,687,653	13	745,204	17.2	4.2	7,327,138	2,360,515	24.4%	9,687,653	75.6%	4,843,827	5.8%
10	North Carolina	9,535,483	14	681,106	16.9	2.9	7,890,764	1,644,719	17.2%	9,535,483	82.8%	4,767,742	5.9%
11	New Jersey	8,791,894	12	732,658	15.6	3.6	6,763,512	2,028,382	23.1%	8,791,894	76.9%	4,395,947	6.4%
12	Virginia	8,001,024	11	727,366	14.2	3.2	6,199,886	1,801,138	22.5%	8,001,024	77.5%	4,000,512	7.0%
13	Washington	6,724,540	10	672,454	11.9	1.9	5,636,260	1,088,280	16.2%	6,724,540	83.8%	3,362,270	8.4%
14	Massachusetts	6,547,629	9	727,514	11.6	2.6	5,072,634	1,474,995	22.5%	6,547,629	77.5%	3,273,815	8.6%
15	Indiana	6,483,802	9	720,422	11.5	2.5	5,072,634	1,411,168	21.8%	6,483,802	78.2%	3,241,901	8.7%
16	Arizona	6,392,017	9	710,224	11.3	2.3	5,072,634	1,319,383	20.6%	6,392,017	79.4%	3,196,009	8.8%
17	Tennessee	6,346,105	9	705,123	11.3	2.3	5,072,634	1,273,471	20.1%	6,346,105	79.9%	3,173,053	8.9%
18	Missouri	5,988,927	8	748,616	10.6	2.6	4,509,008	1,479,919	24.7%	5,988,927	75.3%	2,994,464	9.4%
19	Maryland	5,773,552	8	721,694	10.2	2.2	4,509,008	1,264,544	21.9%	5,773,552	78.1%	2,886,776	9.8%
20	Wisconsin	5,686,986	8	710,873	10.1	2.1	4,509,008	1,177,978	20.7%	5,686,986	79.3%	2,843,493	9.9%
21	Minnesota	5,303,925	8	662,991	9.4	1.4	4,509,008	794,917	15.0%	5,303,925	85.0%	2,651,963	10.6%
22	Colorado	5,029,196	7	718,457	8.9	1.9	3,945,382	1,083,814	21.6%	5,029,196	78.4%	2,514,598	11.2%
23	Alabama	4,779,736	7	682,819	8.5	1.5	3,945,382	834,354	17.5%	4,779,736	82.5%	2,389,868	11.8%
24	South Carolina	4,625,364	7	660,766	8.2	1.2	3,945,382	679,982	14.7%	4,625,364	85.3%	2,312,682	12.2%
25	Louisiana	4,533,372	6	755,562	8.0	2.0	3,381,756	1,151,616	25.4%	4,533,372	74.6%	2,266,686	12.4%
26	Kentucky	4,339,367	6	723,228	7.7	1.7	3,381,756	957,611	22.1%	4,339,367	77.9%	2,169,684	13.0%
27	Oregon	3,831,074	5	766,215	6.8	1.8	2,818,130	1,012,944	26.4%	3,831,074	73.6%	1,915,537	14.7%
28	Oklahoma	3,751,351	5	750,270	6.7	1.7	2,818,130	933,221	24.9%	3,751,351	75.1%	1,875,676	15.0%
29	Connecticut	3,574,097	5	714,819	6.3	1.3	2,818,130	755,967	21.2%	3,574,097	78.8%	1,787,049	15.8%
30	Iowa	3,046,355	4	761,589	5.4	1.4	2,254,504	791,851	26.0%	3,046,355	74.0%	1,523,178	18.5%
31	Mississippi	2,967,297	4	741,824	5.3	1.3	2,254,504	712,793	24.0%	2,967,297	76.0%	1,483,649	19.0%
32	Arkansas	2,915,918	4	728,980	5.2	1.2	2,254,504	661,414	22.7%	2,915,918	77.3%	1,457,959	19.3%
33	Kansas	2,853,118	4	713,280	5.1	1.1	2,254,504	598,614	21.0%	2,853,118	79.0%	1,426,559	19.8%
34	Utah	2,763,885	4	690,971	4.9	0.9	2,254,504	509,381	18.4%	2,763,885	81.6%	1,381,943	20.4%
35	Nevada	2,700,551	4	675,138	4.8	0.8	2,254,504	446,047	16.5%	2,700,551	83.5%	1,350,276	20.9%
36	New Mexico	2,059,179	3	686,393	3.7	0.7	1,690,878	368,301	17.9%	2,059,179	82.1%	1,029,590	27.4%
37	West Virginia	1,852,994	3	617,665	3.3	0.3	1,690,878	162,116	8.7%	-	91.3%	926,497	30.4%
38	Nebraska	1,826,341	3	608,780	3.2	0.2	1,690,878	135,463	7.4%	-	92.6%	913,171	30.9%
39	Idaho	1,567,582	2	783,791	2.8	0.8	1,127,252	440,330	28.1%	1,567,582	71.9%	783,791	36.0%
40	Hawaii	1,360,301	2	680,151	2.4	0.4	1,127,252	233,049	17.1%	-	82.9%	680,151	41.4%
41	Maine	1,328,361	2	664,181	2.4	0.4	1,127,252	201,109	15.1%	-	84.9%	664,181	42.4%
42	New Hampshire	1,316,470	2	658,235	2.3	0.3	1,127,252	189,218	14.4%	-	85.6%	658,235	42.8%
43	Rhode Island	1,052,567	2	526,284	1.9	-0.1	1,127,252	(74,685)	-7.1%	-	107.1%	526,284	53.5%
44	Montana	989,415	1	989,415	1.8	0.8	563,626	425,789	43.0%	989,415	57.0%	494,708	57.0%
45	Delaware	897,934	1	897,934	1.6	0.6	563,626	334,308	37.2%	897,934	62.8%	448,967	62.8%
46	South Dakota	814,180	1	814,180	1.4	0.4	563,626	250,554	30.8%	-	69.2%	407,090	69.2%
47	Alaska	710,231	1	710,231	1.3	0.3	563,626	146,605	20.6%	-	79.4%	355,116	79.4%
48	North Dakota	672,591	1	672,591	1.2	0.2	563,626	108,965	16.2%	-	83.8%	336,296	83.8%
49	Vermont	625,741	1	625,741	1.1	0.1	563,626	62,115	9.9%	-	90.1%	312,871	90.1%
—	District of Columbia	601,723	0				0		0.0%	-			
50	Wyoming	563,626	1	563,626	1.0	0.0	563,626	-	0%	-	100.0%	281,813	100.0%
Observations & Comments:													
1	Other than Wyoming, 48 states are under-represented with Montana suffered the most at 43%, while Rhode Island has been over-represented by 7.1%.												
2	Nationwide, 20.4% of Americans (63,041,190 / 308,745,538) have been taxed without representation.												
3	39 of the 50 states, or 96% of national population were under-represented by at least 0.5 seat. In total, 111.7 seats should have been added. .												
4	Among the 39 states, the top 4 states - CA, TX, NY & FL - were under-represented by 13.1, 8.6, 7.4, and 6.4 seats, respectively.												
5	In the Senate, residents' voting power in the other 49 states are worth as low as 1.5% of those in Wyoming, and supposed to be compensated by the equal representation in the House.												
6	Hence in terms of vote value at the Senate, residents of the top 4 states - CA, TX, NY & FL - are weighted only 1.5%, 2.2%, 2.9% and 3.0% of Wyomingite, respectively.												

## Appendix B

State-by-State Under-representation in the House of Representatives and Disparity per Senate Seat													
Census Data as of 2000													
<a href="https://en.wikipedia.org/wiki/2010_United_States_Census">https://en.wikipedia.org/wiki/2010_United_States_Census</a>													
2000	Total	281,421,906	435	646,947	568.8	133.8	214,795,170	66,054,677		274,506,987			
	Total %							23.5%		97.5%			
	Count									43			
	Max.			902,195	68.6	15.6	26,170,446		45.3%		100.0%	16,935,824	100.0%
	Min.			493,782	1.0	0.0	493,782		0.0%		54.7%	246,891	1.5%
1	2	3	4	5	6	10		7	8	11	12	13	14
Index	State	Population 2000	# of House Seats Allocated	Population per House Seat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/oR %	States Under-represented by at least 0.5 seat	Vote Value per House Seat as % of WY	Population per Senate Seat	Disparity per Senate Seat
1	California	33,871,648	53	639,088	68.6	15.6	26,170,446	7,701,202	22.7%	33,871,648	77.3%	16,935,824	1.5%
2	Texas	20,851,820	32	651,619	42.2	10.2	15,801,024	5,050,796	24.2%	20,851,820	75.8%	10,425,910	2.4%
3	New York	18,976,457	29	654,361	38.4	9.4	14,319,678	4,656,779	24.5%	18,976,457	75.5%	9,488,229	2.6%
4	Florida	15,982,378	25	639,295	32.4	7.4	12,344,550	3,637,828	22.8%	15,982,378	77.2%	7,991,189	3.1%
5	Illinois	12,419,293	19	653,647	25.2	6.2	9,381,858	3,037,435	24.5%	12,419,293	75.5%	6,209,647	4.0%
6	Pennsylvania	12,281,054	19	646,371	24.9	5.9	9,381,858	2,899,196	23.6%	12,281,054	76.4%	6,140,527	4.0%
7	Ohio	11,353,140	18	630,730	23.0	5.0	8,888,076	2,465,064	21.7%	11,353,140	78.3%	5,676,570	4.3%
8	Michigan	9,938,444	15	662,563	20.1	5.1	7,406,730	2,531,714	25.5%	9,938,444	74.5%	4,969,222	5.0%
9	Georgia	8,186,453	13	629,727	16.6	3.6	6,419,166	1,767,287	21.6%	8,186,453	78.4%	4,093,227	6.0%
10	North Carolina	8,049,313	13	619,178	16.3	3.3	6,419,166	1,630,147	20.3%	8,049,313	79.7%	4,024,657	6.1%
11	New Jersey	8,414,350	13	647,258	17.0	4.0	6,419,166	1,995,184	23.7%	8,414,350	76.3%	4,207,175	5.9%
12	Virginia	7,078,515	11	643,501	14.3	3.3	5,431,602	1,646,913	23.3%	7,078,515	76.7%	3,539,258	7.0%
13	Washington	5,894,121	9	654,902	11.9	2.9	4,444,038	1,450,083	24.6%	5,894,121	75.4%	2,947,061	8.4%
14	Massachusetts	6,349,097	10	634,910	12.9	2.9	4,937,820	1,411,277	22.2%	6,349,097	77.8%	3,174,549	7.8%
15	Indiana	6,080,485	9	675,609	12.3	3.3	4,444,038	1,636,447	26.9%	6,080,485	73.1%	3,040,243	8.1%
16	Arizona	5,130,632	8	641,329	10.4	2.4	3,950,256	1,180,376	23.0%	5,130,632	77.0%	2,565,316	9.6%
17	Tennessee	5,689,283	9	632,143	11.5	2.5	4,444,038	1,245,245	21.9%	5,689,283	78.1%	2,844,642	8.7%
18	Missouri	5,595,211	9	621,690	11.3	2.3	4,444,038	1,151,173	20.6%	5,595,211	79.4%	2,797,606	8.8%
19	Maryland	5,296,486	8	662,061	10.7	2.7	3,950,256	1,346,230	25.4%	5,296,486	74.6%	2,648,243	9.3%
20	Wisconsin	5,363,675	8	670,459	10.9	2.9	3,950,256	1,413,419	26.4%	5,363,675	73.6%	2,681,838	9.2%
21	Minnesota	4,919,479	8	614,935	10.0	2.0	3,950,256	969,223	19.7%	4,919,479	80.3%	2,459,740	10.0%
22	Colorado	4,301,261	7	614,466	8.7	1.7	3,456,474	844,787	19.6%	4,301,261	80.4%	2,150,631	11.5%
23	Alabama	4,447,100	7	635,300	9.0	2.0	3,456,474	990,626	22.3%	4,447,100	77.7%	2,223,550	11.1%
24	South Carolina	4,012,012	6	668,669	8.1	2.1	2,962,692	1,049,320	26.2%	4,012,012	73.8%	2,006,006	12.3%
25	Louisiana	4,468,976	7	638,425	9.1	2.1	3,456,474	1,012,502	22.7%	4,468,976	77.3%	2,234,488	11.0%
26	Kentucky	4,041,769	6	673,628	8.2	2.2	2,962,692	1,079,077	26.7%	4,041,769	73.3%	2,020,885	12.2%
27	Oregon	3,421,399	5	684,280	6.9	1.9	2,468,910	952,489	27.8%	3,421,399	72.2%	1,710,700	14.4%
28	Oklahoma	3,450,654	5	690,131	7.0	2.0	2,468,910	981,744	28.5%	3,450,654	71.5%	1,725,327	14.3%
29	Connecticut	3,405,665	5	681,113	6.9	1.9	2,468,910	936,655	27.5%	3,405,665	72.5%	1,702,783	14.5%
30	Iowa	2,926,324	5	585,265	5.9	0.9	2,468,910	457,414	15.6%	2,926,324	84.4%	1,463,162	16.9%
31	Mississippi	2,844,658	4	711,165	5.8	1.8	1,975,128	869,530	30.6%	2,844,658	69.4%	1,422,329	17.4%
32	Arkansas	2,673,400	4	668,350	5.4	1.4	1,975,128	698,272	26.1%	2,673,400	73.9%	1,336,700	18.5%
33	Kansas	2,688,418	4	672,105	5.4	1.4	1,975,128	713,290	26.5%	2,688,418	73.5%	1,344,209	18.4%
34	Utah	2,233,169	3	744,390	4.5	1.5	1,481,346	751,823	33.7%	2,233,169	66.3%	1,116,585	22.1%
35	Nevada	1,998,257	3	666,086	4.0	1.0	1,481,346	516,911	25.9%	1,998,257	74.1%	999,129	24.7%
36	New Mexico	1,819,046	3	606,349	3.7	0.7	1,481,346	337,700	18.6%	1,819,046	81.4%	909,523	27.1%
37	West Virginia	1,808,344	3	602,781	3.7	0.7	1,481,346	326,998	18.1%	1,808,344	81.9%	904,172	27.3%
38	Nebraska	1,711,263	3	570,421	3.5	0.5	1,481,346	229,917	13.4%	-	86.6%	855,632	28.9%
39	Idaho	1,293,953	2	646,977	2.6	0.6	987,564	306,389	23.7%	1,293,953	76.3%	646,977	38.2%
40	Hawaii	1,211,537	2	605,769	2.5	0.5	987,564	223,973	18.5%	-	81.5%	605,769	40.8%
41	Maine	1,274,923	2	637,462	2.6	0.6	987,564	287,359	22.5%	1,274,923	77.5%	637,462	38.7%
42	New Hampshire	1,235,786	2	617,893	2.5	0.5	987,564	248,222	20.1%	1,235,786	79.9%	617,893	40.0%
43	Rhode Island	1,048,319	2	524,160	2.1	0.1	987,564	60,755	5.8%	-	94.2%	524,160	47.1%
44	Montana	902,195	1	902,195	1.8	0.8	493,782	408,413	45.3%	902,195	54.7%	451,098	54.7%
45	Delaware	783,600	1	783,600	1.6	0.6	493,782	289,818	37.0%	783,600	63.0%	391,800	63.0%
46	South Dakota	754,844	1	754,844	1.5	0.5	493,782	261,062	34.6%	754,844	65.4%	377,422	65.4%
47	Alaska	626,932	1	626,932	1.3	0.3	493,782	133,150	21.2%	-	78.8%	313,466	78.8%
48	North Dakota	642,200	1	642,200	1.3	0.3	493,782	148,418	23.1%	-	76.9%	321,100	76.9%
49	Vermont	608,827	1	608,827	1.2	0.2	493,782	115,045	18.9%	-	81.1%	304,414	81.1%
—	District of Columbia	572,059	0										
50	Wyoming	493,782	1	493,782	1.0	0.0	493,782	-	0%	-	100.0%	246,891	100.0%
Observations & Comments:													
1	Other than Wyoming, 49 states are under-represented between 6% (Rhode Island) and 45% (Montana).												
2	Nationwide, 23.4% of Americans (66,054,677 of 281,421,906) were taxed without representation.												
3	43 of the 50 states, or 97.5% of national population were under-represented by at least 0.5 seat, in a total of 133.8 seats in the House of Representatives.												
4	Among the 43 states, the top 4 states - CA, TX, NY & FL - were under-represented by 15.5, 10.2, 9.4 and 7.4 seats, respectively.												
5	In the Senate, residents' voting power in the other 49 states are worth as low as 1.5% of those in Wyoming, and supposed to be compensated by the equal representation in the House.												
6	Hence in terms of vote value at the Senate, residents of the top 4 states - CA, TX, NY & FL - are weighted only 1.5%, 2.4%, 2.6% and 3.1% of Wyomingite, respectively.												

## Appendix C

State-by-State Under-representation in the House of Representatives and Disparity per Senate Seat													
Census Data as of 1990													
<a href="https://en.wikipedia.org/wiki/1990_United_States_Census">https://en.wikipedia.org/wiki/1990_United_States_Census</a>													
1990	Total	248,709,873	435	571,747	547.0	112.0	197,310,780	50,792,193		239,023,269			
	Total %							20.4%		96.1%			
	Count									41			
	Max.			799,065	65.6	13.6	23,586,576		43.2%		100.0%	14,880,011	100.0%
	Min.			453,588	1.0	0.0	453,588		0.0%		56.8%	226,794	1.5%
1	2	3	4	5	6	7	8	9	10	11	12	13	14
Index	State	Population 1990	# of House Seats Allocated	Population per House Seat Allocated	# of House Seats Entitled Based on WY Population	# of House Seats Deprived	Population Represented by the Seats Allocated based on WY Population	Population Taxed w/o Representation	Population Tw/or %	States Under-represented by at least 0.5 seat	Vote Value per House Seat as % of WY	Population per Senate Seat	Disparity per Senate Seat
1	California	29,760,021	52	572,308	65.6	13.6	23,586,576	6,173,445	20.7%	29,760,021	79.3%	14,880,011	1.5%
2	New York	17,990,455	31	580,337	39.7	8.7	14,061,228	3,929,227	21.8%	17,990,455	78.2%	8,995,228	2.5%
3	Texas	16,986,510	30	566,217	37.4	7.4	13,607,640	3,378,870	19.9%	16,986,510	80.1%	8,493,255	2.7%
4	Florida	12,937,926	23	562,519	28.5	5.5	10,432,524	2,505,402	19.4%	12,937,926	80.6%	6,468,963	3.5%
5	Pennsylvania	11,881,643	21	565,793	26.2	5.2	9,525,348	2,356,295	19.8%	11,881,643	80.2%	5,940,822	3.8%
6	Illinois	11,430,602	20	571,530	25.2	5.2	9,071,760	2,358,842	20.6%	11,430,602	79.4%	5,715,301	4.0%
7	Ohio	10,847,115	19	570,901	23.9	4.9	8,618,172	2,228,943	20.5%	10,847,115	79.5%	5,423,558	4.2%
8	Michigan	9,295,297	16	580,956	20.5	4.5	7,257,408	2,037,889	21.9%	9,295,297	78.1%	4,647,649	4.9%
9	New Jersey	7,730,188	13	594,630	17.0	4.0	5,896,644	1,833,544	23.7%	7,730,188	76.3%	3,865,094	5.9%
10	North Carolina	6,628,637	12	552,386	14.6	2.6	5,443,056	1,185,581	17.9%	6,628,637	82.1%	3,314,319	6.8%
11	Georgia	6,478,216	11	588,929	14.3	3.3	4,989,468	1,488,748	23.0%	6,478,216	77.0%	3,239,108	7.0%
12	Virginia	6,187,358	11	562,487	13.6	2.6	4,989,468	1,197,890	19.4%	6,187,358	80.6%	3,093,679	7.3%
13	Massachusetts	6,016,425	10	601,643	13.3	3.3	4,535,880	1,480,545	24.6%	6,016,425	75.4%	3,008,213	7.5%
14	Indiana	5,544,159	10	554,416	12.2	2.2	4,535,880	1,008,279	18.2%	5,544,159	81.8%	2,772,080	8.2%
15	Missouri	5,117,073	9	568,564	11.3	2.3	4,082,292	1,034,781	20.2%	5,117,073	79.8%	2,558,537	8.9%
16	Wisconsin	4,891,769	9	543,530	10.8	1.8	4,082,292	809,477	16.5%	4,891,769	83.5%	2,445,885	9.3%
17	Tennessee	4,877,185	9	541,909	10.8	1.8	4,082,292	794,893	16.3%	4,877,185	83.7%	2,438,593	9.3%
18	Washington	4,866,692	9	540,744	10.7	1.7	4,082,292	784,400	16.1%	4,866,692	83.9%	2,433,346	9.3%
19	Maryland	4,781,468	8	597,684	10.5	2.5	3,628,704	1,152,764	24.1%	4,781,468	75.9%	2,390,734	9.5%
20	Minnesota	4,375,099	8	546,887	9.6	1.6	3,628,704	746,395	17.1%	4,375,099	82.9%	2,187,550	10.4%
21	Louisiana	4,219,973	7	602,853	9.3	2.3	3,175,116	1,044,857	24.8%	4,219,973	75.2%	2,109,987	10.7%
22	Alabama	4,040,587	7	577,227	8.9	1.9	3,175,116	865,471	21.4%	4,040,587	78.6%	2,020,294	11.2%
23	Kentucky	3,685,296	6	614,216	8.1	2.1	2,721,528	963,768	26.2%	3,685,296	73.8%	1,842,648	12.3%
24	Arizona	3,665,228	6	610,871	8.1	2.1	2,721,528	943,700	25.7%	3,665,228	74.3%	1,832,614	12.4%
25	South Carolina	3,486,703	6	581,117	7.7	1.7	2,721,528	765,175	21.9%	3,486,703	78.1%	1,743,352	13.0%
26	Colorado	3,294,394	6	549,066	7.3	1.3	2,721,528	572,866	17.4%	3,294,394	82.6%	1,647,197	13.8%
27	Connecticut	3,287,116	6	547,853	7.2	1.2	2,721,528	565,588	17.2%	3,287,116	82.8%	1,643,558	13.8%
28	Oklahoma	3,145,585	6	524,264	6.9	0.9	2,721,528	424,057	13.5%	3,145,585	86.5%	1,572,793	14.4%
29	Oregon	2,842,321	5	568,464	6.3	1.3	2,267,940	574,381	20.2%	2,842,321	79.8%	1,421,161	16.0%
30	Iowa	2,776,755	5	555,351	6.1	1.1	2,267,940	508,815	18.3%	2,776,755	81.7%	1,388,378	16.3%
31	Mississippi	2,573,216	5	514,643	5.7	0.7	2,267,940	305,276	11.9%	2,573,216	88.1%	1,286,608	17.6%
32	Kansas	2,477,574	4	619,394	5.5	1.5	1,814,352	663,222	26.8%	2,477,574	73.2%	1,238,787	18.3%
33	Arkansas	2,350,725	4	587,681	5.2	1.2	1,814,352	536,373	22.8%	2,350,725	77.2%	1,175,363	19.3%
34	West Virginia	1,793,477	3	597,826	4.0	1.0	1,360,764	432,713	24.1%	1,793,477	75.9%	896,739	25.3%
35	Utah	1,722,850	3	574,283	3.8	0.8	1,360,764	362,086	21.0%	1,722,850	79.0%	861,425	26.3%
36	Nebraska	1,578,385	3	526,128	3.5	0.5	1,360,764	217,621	13.8%	-	86.2%	789,193	28.7%
37	New Mexico	1,515,069	3	505,023	3.3	0.3	1,360,764	154,305	10.2%	-	89.8%	757,535	29.9%
38	Maine	1,227,928	2	613,964	2.7	0.7	907,176	320,752	26.1%	1,227,928	73.9%	613,964	36.9%
39	Nevada	1,201,833	2	600,917	2.6	0.6	907,176	294,657	24.5%	1,201,833	75.5%	600,917	37.7%
40	New Hampshire	1,109,252	2	554,626	2.4	0.4	907,176	202,076	18.2%	-	81.8%	554,626	40.9%
41	Hawaii	1,108,229	2	554,115	2.4	0.4	907,176	201,053	18.1%	-	81.9%	554,115	40.9%
42	Idaho	1,006,749	2	503,375	2.2	0.2	907,176	99,573	9.9%	-	90.1%	503,375	45.1%
43	Rhode Island	1,003,464	2	501,732	2.2	0.2	907,176	96,288	9.6%	-	90.4%	501,732	45.2%
44	Montana	799,065	1	799,065	1.8	0.8	453,588	345,477	43.2%	799,065	56.8%	399,533	56.8%
45	South Dakota	696,004	1	696,004	1.5	0.5	453,588	242,416	34.8%	696,004	65.2%	348,002	65.2%
46	Delaware	666,168	1	666,168	1.5	0.5	453,588	212,580	31.9%	-	68.1%	333,084	68.1%
47	North Dakota	638,800	1	638,800	1.4	0.4	453,588	185,212	29.0%	-	71.0%	319,400	71.0%
48	District of Columbia	606,900	0										
49	Vermont	562,758	1	562,758	1.2	0.2	453,588	109,170	19.4%	562,758	80.6%	281,379	80.6%
—	Alaska	550,043	1	550,043	1.2	0.2	453,588	96,455	17.5%	550,043	82%	275,022	82.5%
50	Wyoming	453,588	1	453,588	1.0	0.0	453,588	-	0%	-	100.0%	226,794	100.0%
Observations & Comments:													
1	Other than Wyoming, 49 states are under-represented between 10% (Rhode Island) and 43% (Montana).												
2	Nationwide, 20.4% of Americans (50,792,193 of 248,709,873) were taxed without representation.												
3	41 of the 50 states, or 96.1% of national population were under-represented by at least 0.5 seat, in a total of 112 seats in the House of Representatives.												
4	Among the 39 states, the top 4 states - CA, TX, NY & FL - were under-represented by 13.6, 8.7, 7.4, and 5.5 seats, respectively.												
5	In the Senate, residents' voting power in the other 49 states are worth as low as 1.5% of those in Wyoming, and supposed to be compensated by the equal representation in the House.												
6	Hence in terms of vote value at the Senate, residents of the top 4 states - CA, TX, NY & FL - are weighted only 1.5%, 2.5%, 2.7% and 3.5% of Wyomingite, respectively.												



## Appendix D

State-by-State Allocation of Seats in House of Representatives											
The Nearest Integer Proposal											
Census Data as of 2017:		<a href="https://en.wikipedia.org/wiki/List_of_states_and_territories_of_the_United_States_by_population">https://en.wikipedia.org/wiki/List_of_states_and_territories_of_the_United_States_by_population</a>									
						44.9%			1.1%	3,585,339	23%
	<b>Total</b>	<b>325,719,178</b>	<b>435</b>	<b>744,903</b>	<b>579,315</b>	<b>-9.3%</b>	<b>561</b>	<b>126</b>	<b>-1.1%</b>	<b>-3,555,848</b>	<b>-33%</b>
Index	State	Population 2017	# of House Reps Allocated	Population / HouseRep	# of HR By Base Population	Population Tw/oR %	Rounded to the Nearest Integer	# of HR Added	Population / HouseRep	Population Under/Over Representati on	Population Under/Over Representati on %
1	California	39,536,653	53	745,975	68.25	22.3%	68	15	581,421	143,233	0.4%
2	Texas	28,304,596	36	786,239	48.86	26.3%	49	13	577,645	(81,839)	-0.3%
3	Florida	20,984,400	27	777,200	36.22	25.5%	36	9	582,900	129,060	0.6%
4	New York	19,849,399	27	735,163	34.26	21.2%	34	7	583,806	152,689	0.8%
5	Illinois	12,802,023	18	711,224	22.10	18.5%	22	4	581,910	57,093	0.4%
6	Pennsylvania	12,805,537	18	711,419	22.10	18.6%	22	4	582,070	60,607	0.5%
7	Ohio	11,658,609	16	728,663	20.12	20.5%	20	4	582,930	72,309	0.6%
8	Georgia	10,429,379	14	744,956	18.00	22.2%	18	4	579,410	1,709	0.0%
9	North Carolina	10,273,419	13	790,263	17.73	26.7%	18	5	570,746	(154,251)	-1.5%
10	Michigan	9,962,311	14	711,594	17.20	18.6%	17	3	586,018	113,956	1.1%
11	New Jersey	9,005,644	12	750,470	15.55	22.8%	16	4	562,853	(263,396)	-2.9%
12	Virginia	8,470,020	11	770,002	14.62	24.8%	15	4	564,668	(219,705)	-2.6%
13	Washington	7,405,743	10	740,574	12.78	21.8%	13	3	569,673	(125,352)	-1.7%
14	Arizona	7,016,270	9	779,586	12.11	25.7%	12	3	584,689	64,490	0.9%
15	Massachusetts	6,859,819	9	762,202	11.84	24.0%	12	3	571,652	(91,961)	-1.3%
16	Tennessee	6,715,984	9	746,220	11.59	22.4%	12	3	559,665	(235,796)	-3.5%
17	Indiana	6,666,818	9	740,758	11.51	21.8%	12	3	555,568	(284,962)	-4.3%
18	Missouri	6,113,532	8	764,192	10.55	24.2%	11	3	555,776	(258,933)	-4.2%
19	Maryland	6,052,177	8	756,522	10.45	23.4%	10	2	605,218	259,027	4.3%
20	Wisconsin	5,795,483	8	724,435	10.00	20.0%	10	2	579,548	2,333	0.0%
21	Colorado	5,607,154	7	801,022	9.68	27.7%	10	3	560,715	(185,996)	-3.3%
22	Minnesota	5,576,606	8	697,076	9.63	16.9%	10	2	557,661	(216,544)	-3.9%
23	South Carolina	5,024,369	7	717,767	8.67	19.3%	9	2	558,263	(189,466)	-3.8%
24	Alabama	4,874,747	7	696,392	8.41	16.8%	8	1	609,343	240,227	4.9%
25	Louisiana	4,684,333	6	780,722	8.09	25.8%	8	2	585,542	49,813	1.1%
26	Kentucky	4,454,189	6	742,365	7.69	22.0%	8	2	556,774	(180,331)	-4.0%
27	Oregon	4,142,776	5	828,555	7.15	30.1%	7	2	591,825	87,571	2.1%
28	Oklahoma	3,930,864	5	786,173	6.79	26.3%	7	2	561,552	(124,341)	-3.2%
29	Connecticut	3,588,184	5	717,637	6.19	19.3%	6	1	598,031	112,294	3.1%
30	Iowa	3,145,711	4	786,428	5.43	26.3%	5	1	629,142	249,136	7.9%
31	Utah	3,101,833	4	775,458	5.35	25.3%	5	1	620,367	205,258	6.6%
32	Mississippi	2,984,100	4	746,025	5.15	22.3%	5	1	596,820	87,525	2.9%
33	Arkansas	3,004,279	4	751,070	5.19	22.9%	5	1	600,856	107,704	3.6%
34	Nevada	2,998,039	4	749,510	5.18	22.7%	5	1	599,608	101,464	3.4%
35	Kansas	2,913,123	4	728,281	5.03	20.5%	5	1	582,625	16,548	0.6%
36	New Mexico	2,088,070	3	696,023	3.60	16.8%	4	1	522,018	(229,190)	-11.0%
37	Nebraska	1,920,076	3	640,025	3.31	9.5%	3	0	640,025	182,131	9.5%
38	West Virginia	1,815,857	3	605,286	3.13	4.3%	3	0	605,286	77,912	4.3%
39	Idaho	1,716,943	2	858,472	2.96	32.5%	3	1	572,314	(21,002)	-1.2%
40	Hawaii	1,427,538	2	713,769	2.46	18.8%	2	0	713,769	268,908	18.8%
41	New Hampshire	1,342,795	2	671,398	2.32	13.7%	2	0	671,398	184,165	13.7%
42	Maine	1,335,907	2	667,954	2.31	13.3%	2	0	667,954	177,277	13.3%
43	Rhode Island	1,059,639	2	529,820	1.83	-9.3%	2	0	529,820	(98,991)	-9.3%
44	Montana	1,050,493	1	1,050,493	1.81	44.9%	2	1	525,247	(108,137)	-10.3%
45	Delaware	961,939	1	961,939	1.66	39.8%	2	1	480,970	(196,691)	-20.4%
46	South Dakota	869,666	1	869,666	1.50	33.4%	2	1	434,833	(288,964)	-33.2%
47	North Dakota	755,393	1	755,393	1.30	23.3%	1	0	755,393	176,078	23.3%
48	Alaska	739,795	1	739,795	1.28	21.7%	1	0	739,795	160,480	21.7%
49	District of Columbia	693,972									
50	Vermont	623,657	1	623,657	1.08	7.1%	1	0	623,657	44,342	7.1%
51	Wyoming	579,315	1	579,315	1.00	0.0%	1	0	579,315	-	0.0%
Comments											
1	Currently variances in representation range from under 45% to over 9%, clearly neither equitable nor constitutional.										
2	Wyoming has the least population, hence 579,315 is the divisor.										
3	Each state population divides by the divisor. For example, NY opulation (19,849,399)/(579,315)=34.26										
4	The quotient then rounds to the nearest integer. For example, NY's quotient 34.26 rounds to 34.										
5	Hence NY's number of seats would increase from 27 to 34, then its under-representation by 21.2% would be improved to 0.8%.										
6	This "Nearest Integer" approach will add 126 additional seats to a total of 561, reduce under-representation to < 5% for the top 29 populous states.										
7	However, representation for many less populous states remains unfair. For example, North Dakota still under-represented by 23.3%.										
8	Meanwhile, South Dakota goes from under-represented 33.4% to over-represented 33.2%.										
9	Also worth noted, Rhode Island remains over-represented at 9.3%, while Alaska under-represented at 21.7%.										
10	Under this proposal, nationwide 3,585,339 (1.1%) of Americans are under-represented while 3,555,848 (1.1%) over-represented.										
11	Under this proposal, variances in representation range from under 23% to over 33%, clearly still neither equitable nor constitutional.										

## Appendix E

State-by-State Allocation of Seats in House of Representatives												
The Nearest Tenth Digit Proposal												
Census Data as of 2017:		<a href="https://en.wikipedia.org/wiki/List_of_states_and_territories_of_the_United_States_by_population">https://en.wikipedia.org/wiki/List_of_states_and_territories_of_the_United_States_by_population</a>										
						44.9%	561.1	497	64.1	0.1%	311,867	1.6%
						-9.3%	542	497	45	-0.1%	-340,308	-2.4%
	Total	325,719,178	435	744,903	579,315							
Index	State	Population 2017	# of House Reps Allocated	Population / HouseRep	# of HR By Base Population	Population Tw/oR %	Rounded to the Nearest Tenth Digit	# of Members with 1 Vote	# of Members with 1.1-1.9 Vote	Population n / HouseRep	Population Under/Over Representation	Population Under/Over Representation %
1	California	39,536,653	53	745,975	68,247	22.3%	68.20	67	1.2	579,716	27,370	0.1%
2	Texas	28,304,596	36	786,239	48,859	26.3%	48.90	47	1.9	578,826	(23,908)	-0.1%
3	Florida	20,984,400	27	777,200	36,223	25.5%	36.20	35	1.2	579,680	13,197	0.1%
4	New York	19,849,399	27	735,163	34,264	21.2%	34.30	33	1.3	578,700	(21,106)	-0.1%
5	Illinois	12,802,023	18	711,224	22,099	18.5%	22.10	21	1.1	579,277	(839)	0.0%
6	Pennsylvania	12,805,537	18	711,419	22,105	18.6%	22.10	21	1.1	579,436	2,676	0.0%
7	Ohio	11,658,609	16	728,663	20,125	20.5%	20.10	19	1.1	580,030	14,378	0.1%
8	Georgia	10,429,379	14	744,956	18,003	22.2%	18.00	18	0.0	579,410	1,709	0.0%
9	North Carolina	10,273,419	13	790,263	17,734	26.7%	17.70	16	1.7	580,419	19,544	0.2%
10	Michigan	9,962,311	14	711,594	17,197	18.6%	17.20	16	1.2	579,204	(1,907)	0.0%
11	New Jersey	9,055,644	12	750,470	15,545	22.8%	15.50	14	1.5	581,009	26,262	0.3%
12	Virginia	8,470,020	11	770,002	14,621	24.8%	14.60	13	1.6	580,138	12,021	0.1%
13	Washington	7,405,743	10	740,574	12,784	21.8%	12.80	11	1.8	578,574	(9,489)	-0.1%
14	Arizona	7,016,270	9	779,586	12,111	25.7%	12.10	11	1.1	579,857	6,559	0.1%
15	Massachusetts	6,859,819	9	762,202	11,841	24.0%	11.80	10	1.8	581,341	23,902	0.3%
16	Tennessee	6,715,984	9	746,220	11,593	22.4%	11.60	10	1.6	578,964	(4,070)	-0.1%
17	Indiana	6,666,818	9	740,758	11,508	21.8%	11.50	10	1.5	579,723	4,696	0.1%
18	Missouri	6,113,532	8	764,192	10,553	24.2%	10.60	9	1.6	576,748	(27,207)	-0.4%
19	Maryland	6,052,177	8	756,522	10,447	23.4%	10.40	9	1.4	581,940	27,301	0.5%
20	Wisconsin	5,795,483	8	724,435	10,004	20.0%	10.00	10	0.0	579,548	2,333	0.0%
21	Colorado	5,607,154	7	801,022	9,679	27.7%	9.70	8	1.7	578,057	(12,202)	-0.2%
22	Minnesota	5,576,606	8	697,076	9,626	16.9%	9.60	8	1.6	580,896	15,182	0.3%
23	South Carolina	5,024,369	7	717,767	8,673	19.3%	8.70	7	1.7	577,514	(15,672)	-0.3%
24	Alabama	4,874,747	7	696,392	8,415	16.8%	8.40	7	1.4	580,327	8,501	0.2%
25	Louisiana	4,684,333	6	780,722	8,086	25.8%	8.10	7	1.1	578,313	(8,119)	-0.2%
26	Kentucky	4,454,189	6	742,365	7,689	22.0%	7.70	6	1.7	578,466	(6,537)	-0.1%
27	Oregon	4,142,776	5	828,555	7,151	30.1%	7.20	6	1.2	575,386	(28,292)	-0.7%
28	Oklahoma	3,930,864	5	786,173	6,785	26.3%	6.80	5	1.8	578,068	(8,478)	-0.2%
29	Connecticut	3,588,184	5	717,637	6,194	19.3%	6.20	5	1.2	578,739	(3,569)	-0.1%
30	Iowa	3,145,711	4	786,428	5,430	26.3%	5.40	4	1.4	582,539	17,410	0.6%
31	Utah	3,101,833	4	775,458	5,354	25.3%	5.40	4	1.4	574,414	(26,468)	-0.9%
32	Mississippi	2,984,100	4	746,025	5,151	22.3%	5.20	4	1.2	573,865	(28,338)	-0.9%
33	Arkansas	3,004,279	4	751,070	5,186	22.9%	5.20	4	1.2	577,746	(8,159)	-0.3%
34	Nevada	2,998,039	4	749,510	5,175	22.7%	5.20	4	1.2	576,546	(14,399)	-0.5%
35	Kansas	2,913,123	4	728,281	5,029	20.5%	5.00	5	0.0	582,625	16,548	0.6%
36	New Mexico	2,088,070	3	696,023	3,604	16.8%	3.60	2	1.6	580,019	2,536	0.1%
37	Nebraska	1,920,076	3	640,025	3,314	9.5%	3.30	2	1.3	581,841	8,337	0.4%
38	West Virginia	1,815,857	3	605,286	3,134	4.3%	3.10	2	1.1	585,760	19,981	1.1%
39	Idaho	1,716,943	2	858,472	2,964	32.5%	3.00	3	0.0	572,314	(21,002)	-1.2%
40	Hawaii	1,427,538	2	713,769	2,464	18.8%	2.50	1	1.5	571,015	(20,750)	-1.5%
41	New Hampshire	1,342,795	2	671,398	2,318	13.7%	2.30	1	1.3	583,824	10,371	0.8%
42	Maine	1,335,907	2	667,954	2,306	13.3%	2.30	1	1.3	580,829	3,483	0.3%
43	Rhode Island	1,059,639	2	529,820	1,829	-9.3%	1.80	0	1.8	588,688	16,872	1.6%
44	Montana	1,050,493	1	1,050,493	1,813	44.9%	1.80	0	1.8	583,607	7,726	0.7%
45	Delaware	961,939	1	961,939	1,660	39.8%	1.70	0	1.7	565,846	(22,897)	-2.4%
46	South Dakota	869,666	1	869,666	1,501	33.4%	1.50	0	1.5	579,777	694	0.1%
47	North Dakota	755,393	1	755,393	1,304	23.3%	1.30	0	1.3	581,072	2,284	0.3%
48	Alaska	739,795	1	739,795	1,277	21.7%	1.30	0	1.3	569,073	(13,315)	-1.8%
49	District of Columbia	693,972										
50	Vermont	623,657	1	623,657	1,077	7.1%	1.10	0	1.1	566,961	(13,590)	-2.2%
51	Wyoming	579,315	1	579,315	1,000	0.0%	1.00	1	0.0	579,315	-	0.0%
Comments												
1	Wyoming has the least population, hence 579,315 is the divisor.											
2	Each state population divides by the divisor. For example, NY population (19,849,399) / (579,315) = 34.264.											
3	The quotient rounds to the nearest tenth digit. For example, NY's quotient 34.264 rounds to 34.3											
4	NY's number of seats increases from currently 27 to 34.3, i.e. 33 members have 1 vote each, the 34th member has a vote of 1.3 from a larger district.											
5	Under this proposal, all significant unequal representations remained in the first proposal are practically resolved.											
6	Montana from under 44.9% to under 0.7%, North Dakota from under 23.3% to under 0.3%, Alaska from under 21.7% to under over 1.8%.											
7	South Dakota from under 33.4% to over under 0.1%, while Rhode Island from over 9.3% to under 1.6%.											
8	Under this proposal, only 107 additional members will be added to the current 435-body.											
9	The 542 members will have a total vote of "561.1" with "280.6" being the simple majority.											
10	Among the 542 members, 497 have 1 vote each, and 45 have a vote of 1.1 to 1.9, representing a larger district from one of the big cities in each state											
11	Under this proposal, nationwide 311,867 (0.1%) of Americans are under-represented while 340,308 (0.1%) over-represented.											
12	Under this proposal, the variance of representation ranges from under 1.6% to over 2.4%, within +/-3%, a near precision.											