

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF THE DISTRICT OF COLUMBIA**

CITIZENS FOR CONSTITUTIONAL
INTEGRITY,

Plaintiff,

v.

THE CENSUS BUREAU, *et al.*,

Defendants.

No. 21-3045

Judge Justin Walker
Judge Florence Pan
Judge Carl Nichols

**PLAINTIFF'S NOTICE OF FILING OF THE U.S. SECRETARY OF
COMMERCE'S REPORT TO THE PRESIDENT**

Jared S. Pettinato, DC Bar No. 496901
The Pettinato Firm
3416 13th St. NW, #1
Washington, DC 20010
Jared@JaredPettinato.com
Attorney for Plaintiff

Plaintiff Citizens for Constitutional Integrity recently received a copy of the report that U.S. Secretary of Commerce Gina Raimondo sent to President Joe Biden on April 26, 2021. Ex. 1. After filing a Freedom of Information Act (FOIA), 5 U.S.C. § 552, request for that document in May 2021, Citizens waited for two years. They recently filed and settled a lawsuit over that request when the U.S. Department of Commerce produced the report. *See Citizens for Constitutional Integrity v. U.S. Dep't of Commerce*, No. 1:23-cv-1481-JMC (May 24, 2023).

Secretary Raimondo's report attaches the document, "Apportionment Population and Number of Representatives by State: 2020 Census," which Citizens had attached to their Amended Complaint. ECF No. 20-4.

Dated August 13, 2023,

/s/ Jared S. Pettinato
JARED S. PETTINATO
Attorney for Plaintiff

EXHIBIT

1



UNITED STATES DEPARTMENT OF COMMERCE
The Secretary of Commerce
Washington, D.C. 20230

April 26, 2021

The President
The White House
Washington, DC 20500

Dear Mr. President:

In accordance with the provisions of Title 13, United States Code, Section 141(b), I am transmitting the statement showing the apportionment population for each of the 50 states on April 1, 2020, as ascertained by the Twenty-Fourth Decennial Census of the United States.

The enclosed table shows the apportionment population for each state, the number of Representatives to which each state is entitled based on the apportionment population, and the change (if any) since the 2010 Census in the number of Representatives for each state. The population of the District of Columbia is not included in the apportionment population.

The United States Census Bureau prepared these calculations using the existing size of the U.S. House of Representatives (435 members) and the Method of Equal Proportions, as provided for in Title 2, United States Code, Section 2a, enacted in 1929 and thereafter amended, as well as Title 2, United States Code, Section 2b, enacted in 1941. Under Section 2a, you are to send this information to the 117th Congress.

Respectfully,

A handwritten signature in black ink, appearing to read "Gina Raimondo".

Gina Raimondo

Enclosure

U.S. Department of Commerce
U.S. Census Bureau

APPORTIONMENT POPULATION AND NUMBER OF REPRESENTATIVES BY STATE: 2020 CENSUS

STATE	APPORTIONMENT POPULATION (APRIL 1, 2020)	NUMBER OF APPOINTED REPRESENTATIVES BASED ON 2020 CENSUS ²	CHANGE FROM 2010 CENSUS APPORTIONMENT
Alabama	5,030,053	7	0
Alaska	736,081	1	0
Arizona	7,158,923	9	0
Arkansas	3,013,756	4	0
California	39,576,757	52	-1
Colorado	5,782,171	8	1
Connecticut	3,608,298	5	0
Delaware	990,837	1	0
Florida	21,570,527	28	1
Georgia	10,725,274	14	0
Hawaii	1,460,137	2	0
Idaho	1,841,377	2	0
Illinois	12,822,739	17	-1
Indiana	6,790,280	9	0
Iowa	3,192,406	4	0
Kansas	2,940,865	4	0
Kentucky	4,509,342	6	0
Louisiana	4,661,468	6	0
Maine	1,363,582	2	0
Maryland	6,185,278	8	0
Massachusetts	7,033,469	9	0
Michigan	10,084,442	13	-1
Minnesota	5,709,752	8	0
Mississippi	2,963,914	4	0
Missouri	6,160,281	8	0
Montana	1,085,407	2	1
Nebraska	1,963,333	3	0
Nevada	3,108,462	4	0
New Hampshire	1,379,089	2	0
New Jersey	9,294,493	12	0
New Mexico	2,120,220	3	0
New York	20,215,751	26	-1
North Carolina	10,453,948	14	1
North Dakota	779,702	1	0
Ohio	11,808,848	15	-1
Oklahoma	3,963,516	5	0
Oregon	4,241,500	6	1
Pennsylvania	13,011,844	17	-1
Rhode Island	1,098,163	2	0
South Carolina	5,124,712	7	0
South Dakota	887,770	1	0
Tennessee	6,916,897	9	0
Texas	29,183,290	38	2
Utah	3,275,252	4	0
Vermont	643,503	1	0
Virginia	8,654,542	11	0
Washington	7,715,946	10	0
West Virginia	1,795,045	2	-1
Wisconsin	5,897,473	8	0
Wyoming	577,719	1	0
TOTAL APPOINTMENT POPULATION ¹	331,108,434	435	

¹ Includes the resident population for the 50 states, as ascertained by the Twenty-Fourth Decennial Census under Title 13, United States Code, and counts of U.S. military and federal civilian employees living overseas (and their dependents living with them overseas) allocated to their home state, as reported by the employing federal agencies. The apportionment population excludes the population of the District of Columbia. The counts of overseas personnel (and dependents) are used for apportionment purposes only.

² The U.S. Census Bureau prepared these calculations using the existing size of the U.S. House of Representatives (435 members) and the Method of Equal Proportions, as provided for in Title 2, United States Code, Sections 2a and 2b.