

**SENATE CONCURRENT  
RESOLUTION No. 111**

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**STATE OF NEW JERSEY**

**221st LEGISLATURE**

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INTRODUCED JUNE 24, 2024

**Sponsored by:**  
**Senator JOSEPH PENNACCHIO**  
**District 26 (Morris and Passaic)**

**SYNOPSIS**

Expresses support for “Equal Representation Act.”

**CURRENT VERSION OF TEXT**

As introduced.



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1 **A CONCURRENT RESOLUTION** expressing support for the “Equal  
2 Representation Act.”  
3  
4 **WHEREAS**, H.R. 7109, known as the “Equal Representation Act,” was  
5 introduced on January 29, 2024 to require a citizenship question on  
6 the decennial census, to require reporting on certain census  
7 statistics, and to modify the apportionment of United States  
8 Representatives to be based on the United States citizen population  
9 instead of being based on all individuals who are physically present  
10 in the United States, which includes those who are in this country  
11 illegally; and  
12 **WHEREAS**, Article I, Section 2 of the United States Constitution  
13 requires that a census be conducted every 10 years; and  
14 **WHEREAS**, The census has a profound influence on the nation, as the  
15 results are used to apportion seats in the United States House of  
16 Representatives, determine each state’s electoral votes allocated for  
17 a presidential election, and redraw state legislative and  
18 congressional districts; and  
19 **WHEREAS**, The census figures are based on actual counts of all  
20 persons living in the United States, including citizens, noncitizen  
21 legal residents, noncitizen long-term visitors, and illegal  
22 immigrants; and  
23 **WHEREAS**, Due to the inclusion of noncitizens in the census counts,  
24 congressional districts with low numbers of noncitizens suffer  
25 politically in comparison to districts with high numbers of  
26 noncitizens; and  
27 **WHEREAS**, Current estimates suggest that, under the leadership of  
28 President Biden, over 10 million people have illegally entered the  
29 United States; and  
30 **WHEREAS**, The number of illegal immigrants continues to overwhelm  
31 U.S. Customs and Border Protection and the municipal services of  
32 border towns, illicit drugs like fentanyl continue to pour over the  
33 border, and the Biden administration willfully turns a blind eye to  
34 human trafficking and the safety of unaccompanied children; and  
35 **WHEREAS**, At a hearing held on January 17, 2024 by the House  
36 Committee on Oversight and Accountability, immigration policy  
37 and law enforcement experts testified how the unilateral decisions  
38 by the Biden administration are fueling unprecedented illegal  
39 immigration and jeopardizing border security; and  
40 **WHEREAS**, According to current estimates, the more than 10 million  
41 people who have entered the country illegally under President  
42 Biden have increased the population of illegal immigrants in the  
43 United States to more than 20 million people; and  
44 **WHEREAS**, The total noncitizen population in the United States,  
45 including illegal immigrants, noncitizen legal residents, and  
46 noncitizen long-term visitors, is estimated to be as high as 30  
47 million people; and

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1 **WHEREAS**, The United States noncitizen population is so large that, if  
2 the country’s noncitizens were all located in one state, that state  
3 would surpass Texas as the second most populated state in the  
4 country and would be apportioned the equivalent of 40  
5 congressional districts and 42 electoral votes in presidential  
6 elections; and

7 **WHEREAS**, On May 8, 2024, the United States House of  
8 Representatives passed the “Equal Representation Act,” H.R. 7109,  
9 which would ensure that congressional representation and, in turn,  
10 electoral college votes, would be apportioned based on the United  
11 States citizen population and would not be diluted by the country’s  
12 noncitizen population; and

13 **WHEREAS**, The United States Senate has not yet taken a vote on the  
14 “Equal Representation Act”; and

15 **WHEREAS**, It is imperative that the right of each American citizen to  
16 receive equal representation in government be protected from  
17 dilution; now, therefore,

18

19 **BE IT RESOLVED** by the Senate of the State of New Jersey (the  
20 General Assembly concurring):

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22 1. The Legislature expresses support for H.R. 7109, known as  
23 the “Equal Representation Act,” which requires a citizenship  
24 question on the decennial census, requires reporting on certain  
25 census statistics, and modifies the apportionment of United States  
26 Representatives, as well as electoral college votes, to be based on  
27 the population of United States citizens instead of all individuals.

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29 2. Copies of this resolution, as filed with the Secretary of State,  
30 shall be transmitted by the Clerk of the General Assembly or the  
31 Secretary of the Senate to the Majority and Minority Leader of the  
32 United States Senate, the Speaker and Minority Leader of the  
33 United States House of Representatives, and to every member of  
34 Congress elected from this State.

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STATEMENT

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39 This resolution expresses support for H.R. 7109, known as the  
40 “Equal Representation Act,” which requires a citizenship question  
41 on the decennial census, requires reporting on certain census  
42 statistics, and modifies the apportionment of United States  
43 Representatives, as well as electoral college votes, to be based on  
44 the population of United States citizens instead of being based on  
45 all individuals who are physically present in the United States,  
46 which includes those who are in this country illegally.

47 The United States Constitution requires that a census be  
48 conducted every 10 years, with the results impacting the

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1 apportionment of seats in the United States House of  
2 Representatives, the determination of electoral votes allocated for a  
3 presidential election for each state, and the redrawing of state  
4 legislative and congressional districts. Census figures are currently  
5 based on actual counts of all persons living in the United States,  
6 including citizens, noncitizen legal residents, noncitizen long-term  
7 visitors, and illegal immigrants.

8 Current estimates suggest that, under the leadership of President  
9 Biden, over 10 million people have illegally entered the United  
10 States, which continues to overwhelm U.S. Customs and Border  
11 Protection and the municipal services of border towns and continues  
12 to allow illicit drugs like fentanyl to pour over the border. The  
13 Biden administration willfully turns a blind eye to human  
14 trafficking and the safety of unaccompanied children. On January  
15 17, 2024, the House Committee on Oversight and Accountability  
16 heard testimony from immigration policy and law enforcement  
17 experts on how the unilateral decisions by the Biden administration  
18 are fueling unprecedented illegal immigration and jeopardizing  
19 border security.

20 The more than 10 million people who are estimated to have  
21 entered the country illegally under President Biden have increased  
22 the population of illegal immigrants in the United States to more  
23 than 20 million people. The total noncitizen population in the  
24 United States, including illegal immigrants, noncitizen legal  
25 residents, and noncitizen long-term visitors, is estimated to be as  
26 high as 30 million people. The United States noncitizen population  
27 is so large that, if the country's noncitizens were all located in one  
28 state, that state would surpass Texas as the second most populated  
29 state in the country and would be apportioned the equivalent of 40  
30 congressional districts and 42 electoral votes in presidential  
31 elections.

32 The United States House of Representatives introduced H.R.  
33 7109, known as the "Equal Representation Act," on January 29,  
34 2024 and passed the bill on May 8, 2024. Although the United  
35 States Senate has not yet voted on the "Equal Representation Act,"  
36 passage of the bill would ensure that congressional representation  
37 would be apportioned based on the United States citizen population  
38 and would not be diluted by the country's noncitizen population. It is  
39 imperative that the right of each American citizen to receive equal  
40 representation in government be protected from dilution and  
41 passage of the "Equal Representation Act" would provide such  
42 protection.