

Greetings,

This letter is in response to the hearings on State House and Senate Apportionment in the State of Oregon.

I believe that many folks, not involved in the apportionment process, would be surprised to learn that the State Senate apportionment process and the Federal Senate apportionment are not the same. The Federal process is by States (that is geography) and the State process is (as mandated in 1964 by the Reynolds v. Sims Supreme court decision) is by POPULATION! Therefore, the state "Peoples House" and the state Senate are apportioned in the same way thus diluting (or even eliminating) the influence of rural counties in the legislative process.

The issues that we see in politics in the US today pit conservatives against liberals, and more importantly, pit the rural residents against the urban residents, country against city, something that the founding took very much into consideration in authoring the US Constitution and Bill of Rights.

The Founding fathers had this Rural-Urban divide very much in mind when the Declaration of Independence was ratified by the First Continental Congress as well as the framers intent in the Constitution and Bill of Rights, The divide between the wishes of the population centers vs the less dense population in the countryside was very much on their minds.

Examples, off the top of my head, are the makeup of the Congress, bicameral with the House of Representatives as the

"People's House" and chosen based on population. The Senate, on the other hand, is defined by the Constitution as comprised of 2 senators per state....period! Then you can look at the Electoral College and the way that it keeps the population centers from drowning out the influence of the less populated states. Then you can look at how the president is decided if there is not a majority of electors (currently 270, less in the past) where each state gets one vote in the House, by state. I'm sure you can come up with many more.

In 1964 The Supreme Court, the Warren Court, decided, in response to Reynolds v. Sims, 377 U.S. 533 that the House AND THE SENATE MUST be apportioned BY POPULATION! This is based on the "one man, one vote "principal in the 14th Amendment to the Constitution, and is the SCOTUS decision that changed the makeup of the State Senates to be essentially the same as the State House of Representatives'. Previously, the Senate's were chosen in manners other than by population, mostly by county boundaries.

Do you know that, within the State of Oregon, there are areas in Eastern Oregon (dist. 30) where 1 senator represents portions of 9 counties, and the Portland Metro area that is represented by 11 Senator's?

What I believe needs to happen, with all the talk of secession, of dividing states, is that there needs to be a lawsuit filed in as many states (and counties) as possible to overturn or modify Reynolds v. Sims, 377 U.S. 533 MANDATE so that the Senate in

each state MUST be modeled on the Federal standard of one house by POPULATION and the other House (Senate) by GEOGRAPHY (states/counties)! This would allow less populated areas to have some say in the State legislature that is currently missing.

The other possibility is that there COULD be legislation passed by both houses of the Federal legislature and signed by the President to mandate this.

I have also thought that a congressional amendment might be possible, but very hard to do.

In either case, this will remove most of the reasons behind the push to secede or divide states and give some control BACK to rural areas. There may be other things that can be done, but this is something that we can do NOW!

I sent an email to my state Reps here in Oregon and found, to my amazement that, according to David Brock Smith's Chief of Staff, Shelía Megson, there is a Bill in Oregon to address this! It is 2021 HRJ9.

I am not sure that this can be addressed at the State level as it is based upon a SCOTUS decision, but I am gratified to NOT be the only person seeing this.

IAC, I wanted to pass this on to you in hoped that you may have advice or direction on how we can do this. I have talked to several lawyers and gotten mixed advice from cautious optimism to "you have no chance".

It seems to me that this is a reasonable constitutional change that can be made to balance the needs of the cities v. rural areas.

Thanks for your attention to this, and I hope that you can provide some guidance on this issue.

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