

DECENNIAL CENSUSES AND APPORTIONMENT OF  
REPRESENTATIVES IN CONGRESS

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MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A MESSAGE RELATING TO THE DECENNIAL CENSUSES AND THE  
APPORTIONMENT OF REPRESENTATIVES IN CONGRESS, PUR-  
SUANT TO THE PROVISIONS OF SECTION 22 OF THE ACT OF JUNE  
18, 1929, AS AMENDED (2 U. S. C. 2A)

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JANUARY 9, 1951.—Referred to the Committee on the Judiciary and ordered to  
be printed

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*To the Congress of the United States:*

In compliance with the provisions of section 22 of the act of June 18, 1929, as amended (2 U. S. C. 2a), relating to the decennial censuses and the apportionment of Representatives in Congress, I transmit herewith a statement prepared by the Director of the Census, Department of Commerce, giving the whole number of persons in each State as ascertained under the Seventeenth Decennial Census of Population, and the number of Representatives to which each State is entitled under an apportionment of the existing number of Representatives. All Indians are included in the tabulation of total population, since all Indians are now subject to Federal taxation.

Under the law, each State will be entitled, commencing in the Eighty-third Congress, to the number of Representatives shown in the statement. In a House of 435 Members, the number fixed by law, the population changes reflected by the census will require a change in the number of Representatives for 16 States. Seven States will gain, and nine States will lose seats.

In accordance with the statute, it will be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of the statement I am now transmitting, to certify to the executive of each State the number of Representatives to which such State is entitled. The statute then prescribes the ways in which

any changes in the number of Representatives shall be handled until the States shall have redistricted in accordance with the changes in population.

These procedures of existing law are of great value to the operation of our Government. They provide an established method of carrying out, almost automatically, the constitutional plan for apportioning Representatives among the States on the basis of population.

However, certain problems have arisen with respect to the creation of appropriate districts within the States, which merit the consideration of the Congress.

Over the years, widespread discrepancies have grown up between the populations of the various congressional districts. While some variation is inevitable, the extreme differences that now exist can and should be corrected. For example, there is one State in which, according to the 1950 census, the smallest district has a population of under 175,000 and the largest district has a population exceeding 900,000. In many States, there are differences of two or three hundred thousand people between the smallest and largest existing districts in the State. While about half of the congressional districts throughout the country are between 300,000 and 400,000 in population, there are some 50 districts with a population of 250,000 or less, and, at the other extreme, some 50 districts with a population of 450,000 or over. Furthermore, as population has increased, several States have added Congressmen-at-large instead of redistricting as they should.

Such defects in our system of congressional districts obstruct the effective operation of the democratic principles on which our whole Government rests. It is fundamental to the whole structure of the Constitution that all citizens have equal representation, so far as practicable, in the House of Representatives. This basic principle is not carried out unless congressional districts are drawn up to reflect population changes.

The present statute clearly contemplates that the States will redistrict after an apportionment. Redistricting is the task of the State legislatures and must, of course, continue to be so. However, it is also a matter of national concern, and the Congress has a constitutional obligation in this field which cannot be overlooked. Article I, section 4, of the Constitution provides that the times, places, and manner of holding elections for Representatives shall be prescribed in each State by the legislature thereof, but Congress may by law make or alter such regulations.

For many years the Congress exercised this power. From 1842 through 1911 the apportionment statutes enacted by the Congress as the result of each succeeding census required each State having more than one Representative to divide itself into single-member districts, thus holding down the number of Congressmen at Large. This requirement is not included in the legislation which now governs the subject. Furthermore, prior to 1929, many of the apportionment statutes enacted by the Congress called upon the States to follow certain standards in establishing congressional districts. They usually provided, as for example in the 1911 act (37 Stat. 13), that in each State entitled under the apportionment to more than one Representative, the Representatives should be elected by—

districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants.

These standards provided a guide for the States which was, in most cases, followed.

It seems to me desirable that the Congress at this time should give its attention to this important problem and enact legislation, supplemental to the permanent legislation on this subject, which would provide the States with standards for establishing congressional districts and indicate the congressional interest in compliance with such standards.

Such legislation might reaffirm the basic policy of our Government to have single-member districts. It might also repeat the old and accepted standard that congressional districts be composed of contiguous and compact territory and contain as nearly as practicable the same number of individuals. To give more definitiveness to such standards, it might be advisable for the Congress to consider establishing limits for the permitted deviations in population between districts. It would be possible, for example, for the statute to specify that no district in any State should deviate upward or downward from the average population of all congressional districts within that State by more than a specified percentage. In terms of the present census, assuming an average district of about 350,000 persons, a percentage permitting a range of about 50,000 above and below that figure would probably allow for the practical difficulties which State legislatures face in drawing up district boundaries.

The Congress should not be satisfied merely with enacting such standards. It should assume responsibility for seeing that the standards are in fact complied with. This might be done by providing for adequate reports from the States on the action they have taken in redistricting and by providing for continued congressional attention to the results. I believe that the enactment of the standards by itself will have a tremendous influence and that most States will seek earnestly to comply. If there are occasions in which flagrant refusal to comply is made manifest, the Congress has the power under the Constitution to take the matter in its own hands.

In any case, it is important that the proper redistricting be done promptly. Redistricting should be completed not later than the spring of 1952 so that the congressional elections of that year may give fair representation to all citizens of our country.

HARRY S. TRUMAN.

THE WHITE HOUSE, *January 9, 1951.*

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DEPARTMENT OF COMMERCE,  
BUREAU OF THE CENSUS,  
Washington 25, D. C.

*Population of the United States by States, 1950, and apportionment of Representatives in Congress, 1950 and 1940*

State  (1)	Population, 1950  (2)	Present number of Represent- atives  (3)	Apportionment of 435 Representa- tives according to 1950 popula- tion		
			Number  (4)	Change from present number of Represent- atives	
				Increase  (5)	Decrease  (6)
United States.....	150,007,361	435	435	14	14
Alabama.....	3,061,743	9	9		
Arizona.....	1,740,587	2	2		
Arkansas.....	1,909,511	7	6		1
California.....	10,586,223	23	30	7	
Colorado.....	1,325,089	4	4		
Connecticut.....	2,007,280	6	6		
Delaware.....	318,085	1	1		
District of Columbia.....	802,178				
Florida.....	2,771,305	6	8	2	
Georgia.....	3,444,578	10	10		
Idaho.....	588,637	2	2		
Illinois.....	8,712,176	20	25		1
Indiana.....	3,934,224	11	11		
Iowa.....	2,621,073	8	8		
Kansas.....	1,905,299	6	6		
Kentucky.....	2,944,806	9	8		1
Louisiana.....	2,683,518	8	8		
Maine.....	913,774	3	3		
Maryland.....	2,343,001	6	7	1	
Massachusetts.....	4,690,514	14	14		
Michigan.....	6,371,706	17	18	1	
Minnesota.....	2,982,483	9	9		
Mississippi.....	2,178,914	7	6		1
Missouri.....	3,954,653	13	11		2
Montana.....	591,024	2	2		
Nebraska.....	1,325,510	4	4		
Nevada.....	160,063	1	1		
New Hampshire.....	533,242	2	2		
New Jersey.....	4,835,329	14	14		
New Mexico.....	681,187	2	2		
New York.....	14,930,192	45	43		2
North Carolina.....	4,061,929	12	12		
North Dakota.....	619,636	2	2		
Ohio.....	7,046,627	23	23		
Oklahoma.....	2,233,351	8	6		2
Oregon.....	1,521,341	4	4		
Pennsylvania.....	10,498,012	33	30		3
Rhode Island.....	791,806	2	2		
South Carolina.....	2,117,027	6	6		
South Dakota.....	662,740	2	2		
Tennessee.....	3,291,718	10	9		1
Texas.....	7,711,194	21	22	1	
Utah.....	698,862	2	2		
Vermont.....	377,747	1	1		
Virginia.....	3,318,680	9	10	1	
Washington.....	2,378,963	6	7	1	
West Virginia.....	2,005,552	6	6		
Wisconsin.....	3,434,575	10	10		
Wyoming.....	290,529	1	1		