

Which States Lose House Seats If Puerto Rico Becomes a State?

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In mid-June of 2011, President Barack Obama visited Puerto Rico. This was the first time a sitting U.S. President had visited the island since John F. Kennedy's visit in 1961. A friendly crowd welcomed the President at the airport in San Juan, and soon he was discussing the decades-old question about the status of Puerto Rico. Should the island become the 51st state of the United States, become independent of the U.S., or remain a commonwealth? Around half of the island's voters favor statehood, almost half want the commonwealth status to continue, and very few desire independence.

In this article, we determine how many seats Puerto Rico would receive if the island were to become our 51st state, and, importantly, which states would thus lose seats. But first we look briefly at Puerto Rico and its plebiscites pertaining to statehood. We also discuss why we believe the size of the U.S. House of Representatives will not increase beyond 435 seats, even though the seat number of 435 is not Constitutionally mandated.

Puerto Rico has been part of the U.S. since 1898, and its people have been citizens of the U.S. since 1917. In 1952, commonwealth status with local self-government was attained; this involved a continuation of U.S. sovereignty over Puerto Rico and its people.

Residents of Puerto Rico may vote in U.S. presidential primaries and they are permitted to send delegates to the national conventions of the Democratic and Republican parties. But they are not permitted to vote in presidential elections, and they do not have official representation in the U.S. House or Senate; they also do not pay federal income taxes. If Puerto Rico became the

51st state, then, of course, its people would be allowed to vote in presidential elections, and they would have formal representation in the Senate and House of Representatives. Also, statehood would bring parity with the other 50 states regarding economic aid. The economic benefits, it is thought, would partly offset the effect of having to pay federal income taxes (Bouvier and Poston, 1997; Poston, 2011; Torregrosa, 2011).

Since around 1952, the political status of Puerto Rico has been debated continuously. In the 1990s the government of Puerto Rico held two plebiscites with regard to its political status. In these elections the voters had three main options: full independence, preservation of commonwealth status, and full statehood. The plebiscites were held in 1993 and 1998 and did not result in a substantial majority favoring any particular status. In the 1993 plebiscite, the commonwealth status option won the plurality, but not the majority vote, with 48.6 percent of the votes. Supporters for statehood were close behind, with 46.3 percent of the votes. The 1998 plebiscite involved four options, namely, the three just mentioned, plus a fourth, "none of the above." This last option garnered 50.3 percent of the vote, followed by 46.5 percent favoring statehood (Bigelow, 2007).

A White House task force recently recommended that Puerto Rico conduct a plebiscite in the next year and a half to decide whether to remain a commonwealth or to become a part of the U.S. Introduced in 2009, H.R. 2499 would provide a federally authorized referendum regarding the political status of Puerto Rico. Unlike the plebiscites held in the 1990s, H.R. 2499 (passed on April 29, 2010) allows Puerto Rico to hold a plebiscite that is congressionally sanctioned and would involve two steps. First, the referendum would ask whether Puerto Rico should preserve or should change its current commonwealth status. If a majority of voters favor a change, then a second vote would be held to determine whether Puerto Rico should either gain independence, sovereignty in association with the U.S., or be granted statehood

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(Office of Intergovernmental Affairs- President's Task Force on Puerto Rico, 2011).

On his visit to Puerto Rico last June, President Obama promised he would support whatever Puerto Ricans desire. Statehood has its benefits, both for Puerto Rico and, to a certain degree, for President Obama and the Democrats. Puerto Ricans living in the U.S. tend to vote Democratic in presidential elections, particularly in New York where the bulk of the 4.6 million mainland Puerto Ricans live. But there are over 800 thousand Puerto Ricans living in Florida, and the Puerto Rican voters there went for Bush in 2004 and for Obama in 2008 (Poston, 2011).



It is time now to ask the crucial question: if Puerto Rico were to become the 51st state of the United States, how many seats in the U.S. House would Puerto Rico receive, and, more importantly, which U.S. states would lose seats to Puerto Rico? It is unlikely that the House would increase its number of seats beyond 435, as seat assignment is a zero-sum game. If a new state is added, there will not be an increase in the number of House seats. One exception to this “rule” occurred with the admission of Alaska and Hawaii in the late 1950s. For one session of Congress there was a temporary increase to 438 seats (one for Alaska and two for Hawaii). However, with the results from the next census in 1960, the House reverted back to its basic number of 435 seats (Poston, 2011).

Officially, the number of 435 seats is not constitutionally mandated. The U.S. Constitution states that “the number of representatives shall not exceed one for every 30,000.” If this constitutional dictate was followed exactly, the U.S. House in 2010 would have 10,291 seats.

It is very unlikely that the House would ever become this large because of the unwieldy nature of a House of that size, as well as the extreme reduction in the “influence” a seat incumbent would have if he or she were one of 10,291 Representatives instead of being one of 435 Representatives.

In the early years of our nation, the number of House seats actually changed every ten years. Indeed “when the House met in 1789 it had 65 members ... For well over a century, after each census Congress would pass a law increasing the size of the House. But after the 1910 census, when the House grew from 391 members to 433 (two more were added later when Arizona and New Mexico became states), the growth stopped” (Conley and Stevens, 2011).

The chances of increasing the number of seats in the House if Puerto Rico gains statehood are slim; this is due in large part to the long history of the House having no more than 435 members, plus the reasons just noted. The more important reason, however, is precedent, or one might call it inertia. It has been over 100 years since the size of the House stopped increasing in size.

We have used 2010 Census data to determine the number of seats Puerto Rico would receive if it became a state. We began with the 2010 population count of Puerto Rico of 3,725,789. We used this figure as Puerto Rico’s “apportionment population count.” The apportionment population is defined “as the population residing in each state plus certain individuals living overseas who claim the state as their ‘state of residence,’ namely, military personnel and U.S. government employees and their dependents” (Baumle and Poston, 2004: 579). We actually do not have a 2010 count of Puerto Rico’s overseas population, so we are using its 2010 census enumeration as its apportionment population; we expect the number of Puerto Rican islanders living overseas to be very small, and thus not have a bearing on the number of House seats assigned to Puerto Rico.

The U.S. Census Bureau has already used data from the 2010 census to determine the distribution of House seats among the 50 states. We have taken this listing of the 385 seats for the 50 states (remember that every state automatically gets assigned a seat before the census data come into play) and have recalculated the apportionment distribution and the so-called 2010 priority values for Puerto Rico. We first added Puerto Rico to the 50 states and then gave each of the now 51 states its automatic first seat. We then allocated the remaining 384 seats (that is, seat 52 through seat 435) using the “Equal Proportions method,” the approach that is used to allocate House seats on the basis of the popu-

lation size of each state. The method of Equal Proportions endeavors to ensure that “the difference between the representation of any two states is the smallest possible when measured both by the relative difference in the average population per district, and also by the relative difference in the individual share in a representative” (Schmeckebier, 1941: 22). This method gives a state another representative “when its [apportionment] population, divided by the geometric mean of its present assignment of representatives and of its next higher assignment, is greater than the [apportionment] population of any other state divided by the geometric mean of the assignment to such other state and its next higher assignment” (Schmeckebier, 1941:22; for more discussion of the method, see Bouvier and Poston, 1997; and Baumle and Poston, 2004).

Were Puerto Rico to become the 51st state of the U.S., it would receive an additional four seats beyond its automatic first seat, for a total of five. Specifically, after receiving the automatic first seat, it would then receive the 128th seat, the 209th seat, the 294th seat, and the 378th seat. And according to our application of the Equal Proportions apportionment method to the 2010 population data from the Census Bureau, the five states that would lose representatives if Puerto Rico became the 51st state are Florida, Washington, Texas, California, and Minnesota. Without Puerto Rico as a new state, the 2010 census data show that Texas gains four new seats, Florida two, Washington one, and California and Minnesota none. If Puerto Rico were added as a new state, Texas would only gain three new seats, Florida one, Washington none, and California and Minnesota would each lose a seat (Poston, 2011).

The Congress has the final authority regarding the admission of a new state. Most assume that if Puerto Rico were to submit a petition for statehood, the House and Senate would pass a resolution authorizing statehood. But we really wonder if the passing of a resolution will be that easy. It will be interesting to see if the Senators and Representatives from the five states that will lose seats, especially the Republican-voting Texas, and the swing-state of Florida, would favor such a resolution. Seat assignment in the U.S. House is a zero-sum

situation. If Puerto Rico (or, for that matter, Washington, D.C.) were ever to become a state, some of the 50 states must necessarily lose seats. The next few years could well be interesting ones with respect to the kinds of political and demographic issues raised here. ■

References

- Baumle, Amanda K., and Dudley L. Poston, Jr. 2004. “Apportioning the House of Representatives in 2000: The Effects of Alternative Policy Scenarios.” *Social Science Quarterly* 85 (September): 578-603.
- Bigelow, Justin D. 2007. “A New State of Puerto Rican Politics: Framing the Plebiscites on Status.” Department of Political Science, Macalester College; http://digitalcommons.macalester.edu/cgi/viewcontent.cgi?article=1005&context=poli_honors
- Bouvier, Leon F., and Dudley L. Poston, Jr. 1997. “Losses of House Seats in Puerto Rico Statehood: Which States Have the Most to Lose?” *The Social Contract* VIII (Winter): 120-122.
- Conley, Dalton, and Jacqueline Stevens. 2011. “Build a Bigger House.” *New York Times* (January 23); http://www.nytimes.com/2011/01/24/opinion/24conley.html?_r=1&tnemail=y
- Office of Intergovernmental Affairs- President’s Task Force on Puerto Rico. 2011. “Report by the President’s Task Force on Puerto Rico’s Status.” <http://www.whitehouse.gov/administration/eop/iga/puerto-rico>
- Poston, Dudley L., Jr. 2011. “Puerto Rico Gain as a State Could Be Loss for Texas: An Addition Would Lead to Subtraction.” *Houston Chronicle* (July 3) <http://www.chron.com/disp/story.mpl/editorial/outlook/7637224.html#ixzz1RMFiPHE8>
- Schmeckebier, Laurence F. 1941. *Congressional Apportionment*. Washington, DC: Brookings Institution.
- Torregrosa, Luisita Lopez. 2011. “It’s Decision Time for Puerto Rico.” *Los Angeles Times* (June 20); <http://www.latimes.com/news/opinion/commentary/la-oe-lopeztorregrosa-puerto-rico-20110620,0,6354601.story>