

*Impact of Undocumented Populations on
2010 Congressional Reapportionment*

September 19, 2007

Orlando J. Rodriguez, M.A.
Manager/Connecticut State Data Center
College of Liberal Arts and Sciences
University of Connecticut – Storrs
<http://ctsdc.uconn.edu>



Table of Contents

Overview	2
The Basic Framework	3
Impact of Undocumented Populations on Individual Seats.....	4
Impact of Undocumented Populations on Total Seats.....	6
States Not Affected by Undocumented Populations	7
Summary.....	9
Appendix	11
References.....	12

Charts

Chart 1: 2010 Individual House Seats Impacted by Undocumented Populations.....	4
Chart 2: 2010 Total House Seats Impacted by Undocumented Populations	6
Chart 3: 2010 Reallocation of House Seats Among Unaffected States	7
Chart 4: 2010 Total House Seats for Unaffected States	8

Maps

Map 1: 2010 Geographic Relocation of House Seats When Undocumented Populations are Included	5
Map 2: 2010 Geographic Relocation of House Seats When Undocumented Populations are Excluded	5
Map 3: 2010 Geographic Relocation of House Seats Among Unaffected States	8
Map 4: Geographic Relocation of House Seats for All States When Undocumented Populations are Included.....	9
Map 5: Geographic Relocation of House Seats for All States When Undocumented Populations are Excluded.....	9

Suggested Citation:

Rodriguez, Orlando. 2007. *Impact of Undocumented Populations on 2010 Congressional Reapportionment*. Connecticut State Data Center, University of Connecticut, Storrs, Connecticut.

Overview

The United States Constitution requires that seats in the House of Representatives be allocated among the 50 states based upon their relative population^a. Federal statute now holds the number of seats at 435. Following each decennial Census, Congressional seats are reapportioned to reflect the nation's geographic shift in population.

The Constitution does not differentiate between citizens and non-citizens for the population count used as the basis for reapportionment. Similarly, U.S. Census Bureau policy does not distinguish between citizens and non-citizens in its population counts. The presence of a significant population of undocumented individuals can thus affect the distribution of representation among the states. But by how much? This analysis seeks to provide a benchmark for this question.

For 2006, it was estimated that the United States had an undocumented population of approximately 11.5 million^b - approximately 3.9% of the nation's population^c of 299,398,485 in 2006. This population is composed of individuals and families who have immigrated to the United States from various countries throughout the world.

Socio-economic factors such as family connections, employment opportunities, and port-of-entry, shapes the settlement pattern of immigrant populations – both legal and undocumented. The result is a larger concentration of immigrant populations in specific states. Consequently, population growth in immigrant destination states can be inconsistent with population growth in non-destination states. Because of this differential settlement pattern, counting the undocumented may cause their host state to gain Congressional representation (seats) at the expense of states with smaller undocumented populations.

This report compares the allocation of House seats in 2010 using two scenarios building from the most defensible 2010 population projections for each state. The first scenario assumes that Census 2010 counts all undocumented residents in all states. The second scenario assumes that none of the undocumented residents are counted.

At this time a Bill is pending in Congress which would add two seats to the House of Representatives - for a total of 437. Initially, one seat would be allotted to Utah and the other to The District of Columbia. As of this writing, the total number of House seats remains 435 and neither The District of Columbia nor Utah has been granted additional seats. The reapportionment formula is currently the same as that used in the previous reapportionment following Census 2000. The calculations that form the basis for this report were done on September 17, 2007

The result of 2010 reapportionment, following Census 2010, will determine the number of seats allocated to each state and influence the boundaries of all Congressional district - beginning with elections in November of 2012. The 113th Congress, sworn in January 2013, will be the first to reflect the new geography of the nation's population as counted in Census 2010.

The findings show that the settlement pattern of undocumented populations will increase Congressional seats allocated to Southern border states (AZ, TX, FL) at the expense of Northern and Midwestern states (MI, IL, MO, OH, NY).

A subsequent finding is that undocumented populations may distort the relative voting power of all citizens nationwide. This occurs because in some states each Congressional seat would represent fewer voters when undocumented populations (non-voters) are included in reapportionment calculations.

The Basic Framework

- ❖ Undocumented is synonymous with unauthorized and illegal.
- ❖ A total of 435 seats are reapportioned.
- ❖ In the first scenario, Census 2010 counts the entire population in all states (i.e. undocumented are included in reapportionment).
- ❖ In the second scenario, Census 2010 does not count the undocumented population (i.e. undocumented are excluded from reapportionment).
- ❖ Calculations use projected 2010 population counts from either the 2005 Census Bureau population projections^d or independent state projections^e. The projected count most consistent with the Census Bureau's 2006 population estimates^f is used.
- ❖ For Louisiana, the 2006 Census Bureau population estimate is used as the 2010 projected population. There are no population projections available for Louisiana post hurricane Katrina.
- ❖ For Michigan, the 2006 Census Bureau population estimate is used as the 2010 projected population. There are no population projections available for Michigan since the collapse of GM and Ford in 2004, which resulted in previously unconsidered out-migration from Michigan.
- ❖ In the first scenario, the size of the undocumented population in 2010 is calculated as being the same ratio to the total population as in 2005 or 2006 (2005 – Pew unauthorized count, 2006 – OIS unauthorized count).
- ❖ The size of the undocumented population is obtained from OIS (Office of Immigration Statistics) for the ten states (CA, TX, FL, IL, NY, AZ, GA, NJ, NC, and WA) with the largest undocumented population.
- ❖ The size of the undocumented population for the remaining forty states is obtained from the Pew Hispanic Center^g.
- ❖ See the Appendix for projected population counts for 2010, seat counts for 2000 and 2010, and representative ratios for 2010.

Impact of Undocumented Populations on Individual Seats

Two scenarios illustrate the impact of undocumented populations on 2010 Congressional Reapportionment. In the first scenario, Census 2010 counts the entire undocumented population in all states. In the second scenario, Census 2010 does not count the undocumented populations in any state.

Undocumented populations impact the allocation of twelve House seats among eleven states (AZ, CA, FL, IL, MI, MO, NJ, NY, OH, and TX). Chart 1 illustrates the different outcomes in seat allocation resulting from the two scenarios.

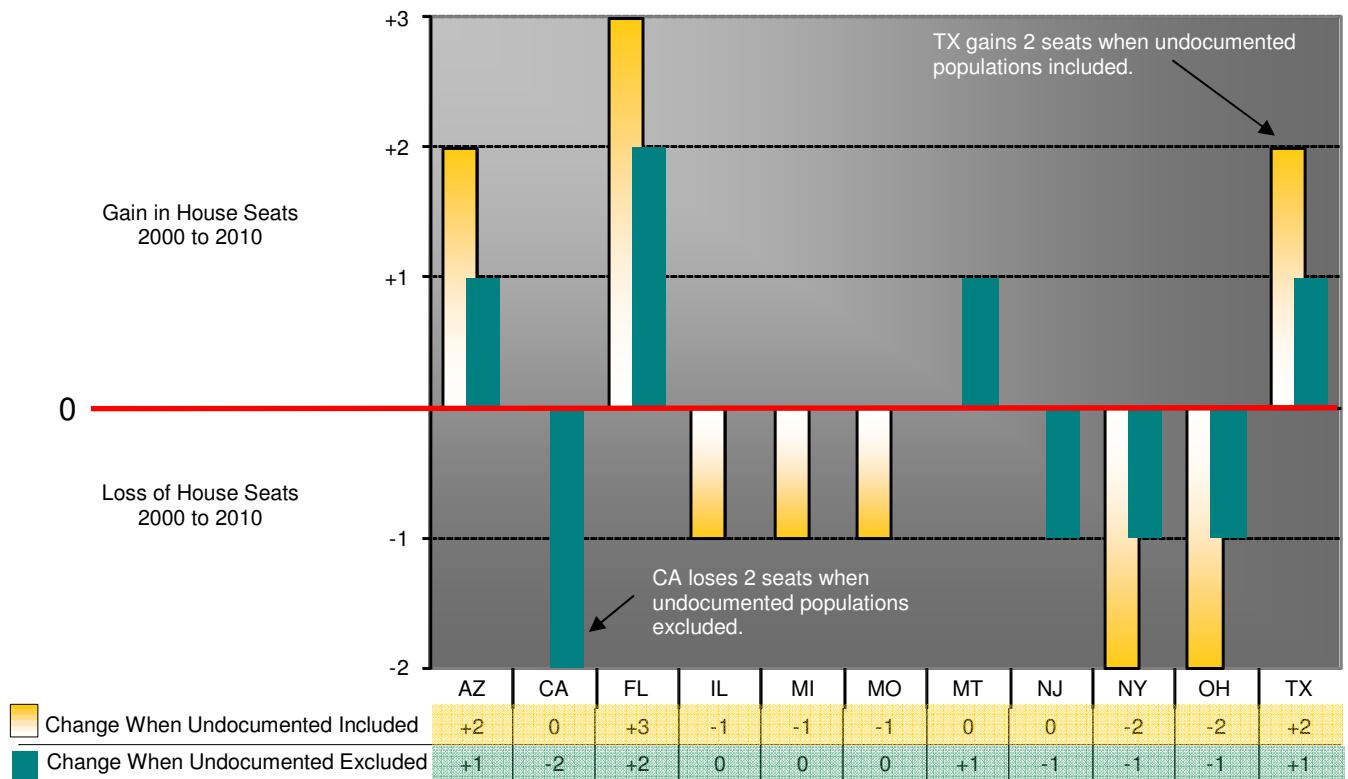
When undocumented populations are counted, Arizona (+2), Florida (+3), and Texas (+2) gain a total of seven seats. These seven seats come at the expense of Illinois (-1), Michigan (-1), Missouri (-1), New York (-2), and Ohio (-2), which lose a total of seven seats.

California, Montana, and New Jersey do not gain seats when undocumented populations are counted. However, these states lose seats when undocumented populations are *not* counted.

When the count excludes the undocumented population, Arizona (+1), Florida (+2), and Texas (+1) still gain seats. However, in this scenario, total seat gain is only four – in contrast to the previous gain of seven.

Exclusion of the undocumented population results in a cascade of seat reassignments throughout the lower forty-eight states. California would lose two seats. New York, Ohio, and New Jersey would each lose one. Illinois, Michigan, and Missouri would lose none. Montana, would gain one seat.

Chart 1: 2010 Individual House Seats Impacted by Undocumented Populations



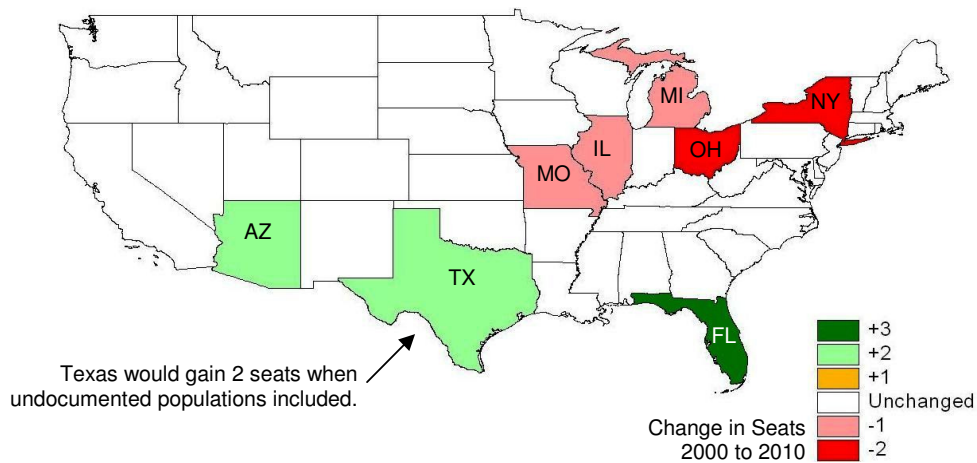
Map 1 shows the geographic relocation of seats when undocumented populations are counted. Map 2 reveals geographic relocation when the undocumented population is excluded.

Comparing Map 1 to Map 2 shows the most striking impact on reapportionment. Map 1 shows gains to Arizona, Texas, and Florida - with coinciding losses to Michigan, Illinois, Missouri, Ohio, and New York. When undocumented populations are included, as in Map 1, Southern border states gain seats at the expense of Northern and Midwestern states. A total of seven seats are geographically relocated.

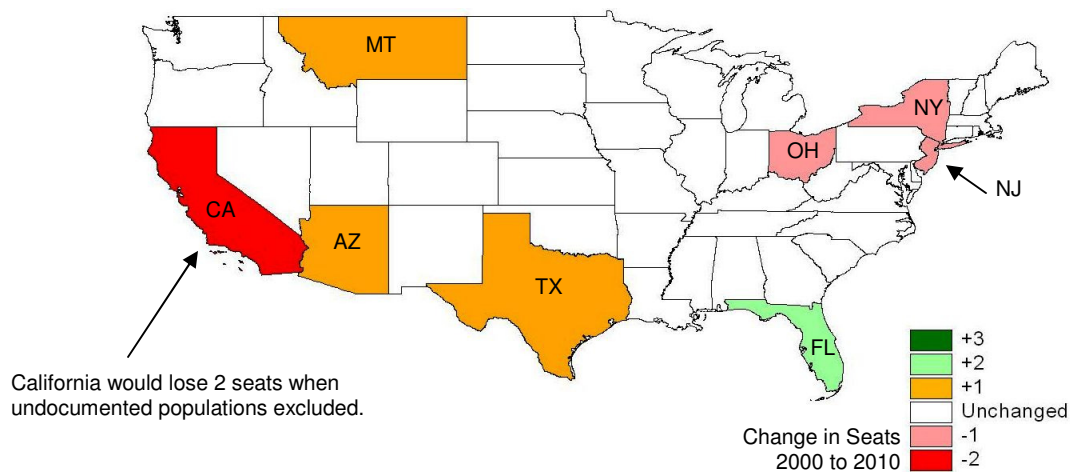
In contrast, when undocumented populations are excluded, Map 2 reveals a more muted geographic relocation from North-to-South. Arizona, Texas, and Florida gain a total of only four seats - instead of seven. Ohio, New York, and New Jersey lose a total of only three seats. Michigan, Illinois, and Missouri do not lose seats. California loses two seats while Montana gains one.

When undocumented populations are excluded, the relocation of House seats is more geographically disperse. This results because the settlement pattern of the undocumented population is discounted.

Map 1: 2010 Geographic Relocation of House Seats When Undocumented Populations are Included



Map 2: 2010 Geographic Relocation of House Seats When Undocumented Populations are Excluded



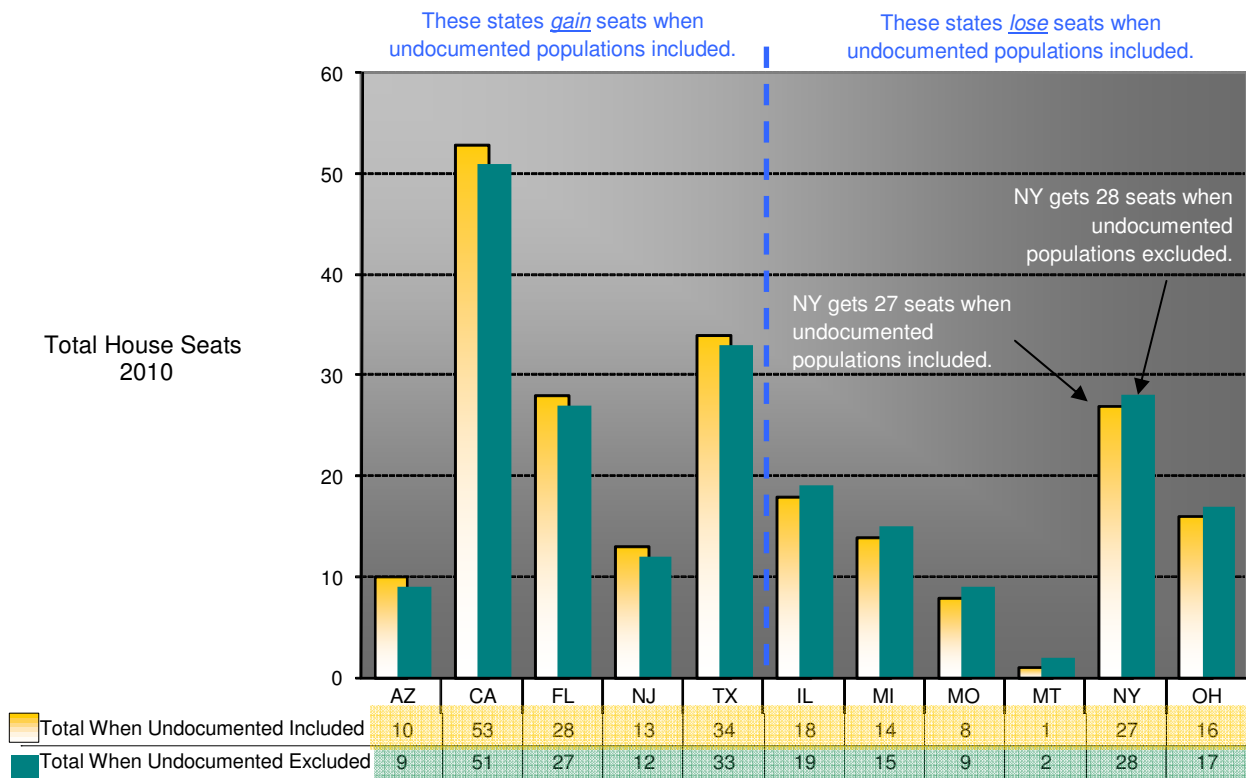
Impact of Undocumented Populations on Total Seats

Chart 2 illustrates the net impact of seat reallocation on total seats. Arizona (10), California (53), Florida (28), New Jersey (13), and Texas (34) benefit when undocumented populations are included. However, this does not generate new seats (relative to 2000 Reapportionment) for California and New Jersey. Not losing seats is also of benefit as it maintains a state's existing level of representation.

New Jersey currently has thirteen seats (Census 2000 Reapportionment). New Jersey would keep thirteen seats if Census 2010 counts undocumented populations. There is no gain, but, there is no loss either. However, New Jersey would lose one seat when undocumented populations are excluded.

California is in a similar predicament. California would keep its current fifty-three seats if undocumented populations are included. However, exclude this population and California loses two seats – dropping from fifty-three to fifty-one.

Chart 2: 2010 Total House Seats Impacted by Undocumented Populations



Illinois, Michigan, Missouri, New York, and Ohio all lose seats when undocumented populations are included. Montana is also negatively impacted. Montana would not lose a seat but fails to obtain an additional seat. That is, including the undocumented population keeps Montana at the default one seat. Excluding the undocumented population would give Montana a second seat.

The consequences for Montana are counter-intuitive as including undocumented populations increases Montana's total population, which should result in more seats. However, this analysis assumes that undocumented populations would be equally counted, or not counted, in all states. Montana's undocumented population is too small to offset the corresponding population gains made by California, Arizona, Texas, and Florida - which have large populations of undocumented residents.

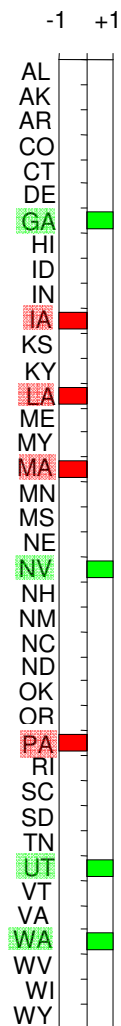
States Not Affected by Undocumented Populations

In reapportionment *no state is an island*. This is due to the nature of the reapportionment formula in which the population of any given state affects seat assignment for all states – and vice-versa.

However, for thirty-nine states the *final* outcome is not affected by how undocumented populations are handled. This seems counter to the preceding statement that *no state is an island*. For these thirty-nine states, the inclusion, or exclusion, of undocumented populations *does* change seat priority values calculated by the reapportionment formula. However, for these states, changes in priority values are insufficient to change seat allocation. In short, these states are impacted by undocumented populations – but the impact is insufficient to change the total number of seats they would receive.

Chart 3 lists these thirty-nine states. Seven of these states would either gain, or lose, seats whether, or not, undocumented populations are counted. Georgia, Nevada, Utah, and Washington would each gain one seat. Iowa, Louisiana, Massachusetts, and Pennsylvania would each lose one seat. These changes are driven more by each state's distinct population dynamics apart from any influence from undocumented populations.

Chart 3: 2010 Reallocation of House Seats Among Unaffected States



Map 3 illustrates the geographic relocation of seats among these thirty-nine states. The shift is more East-to-West than North-to-South. No single state gains or loses more than one seat.

Map 3: 2010 Geographic Relocation of House Seats Among Unaffected States

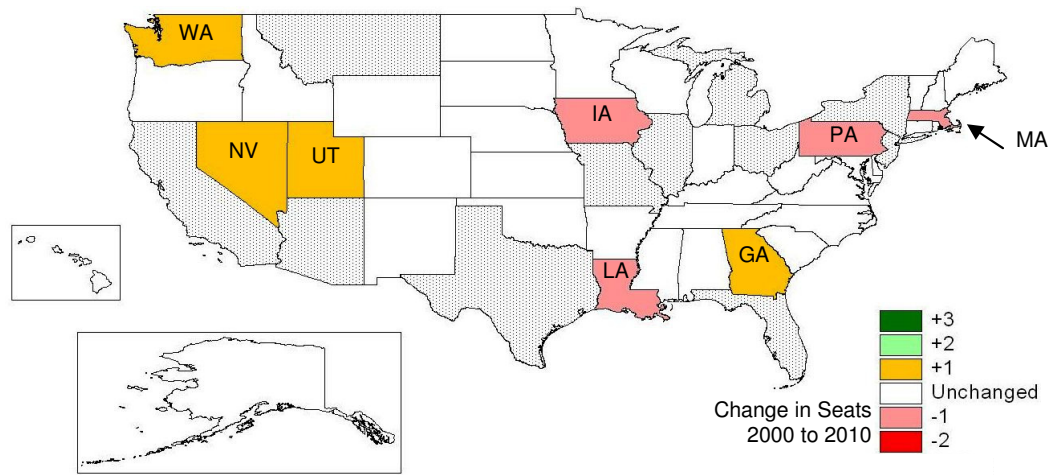
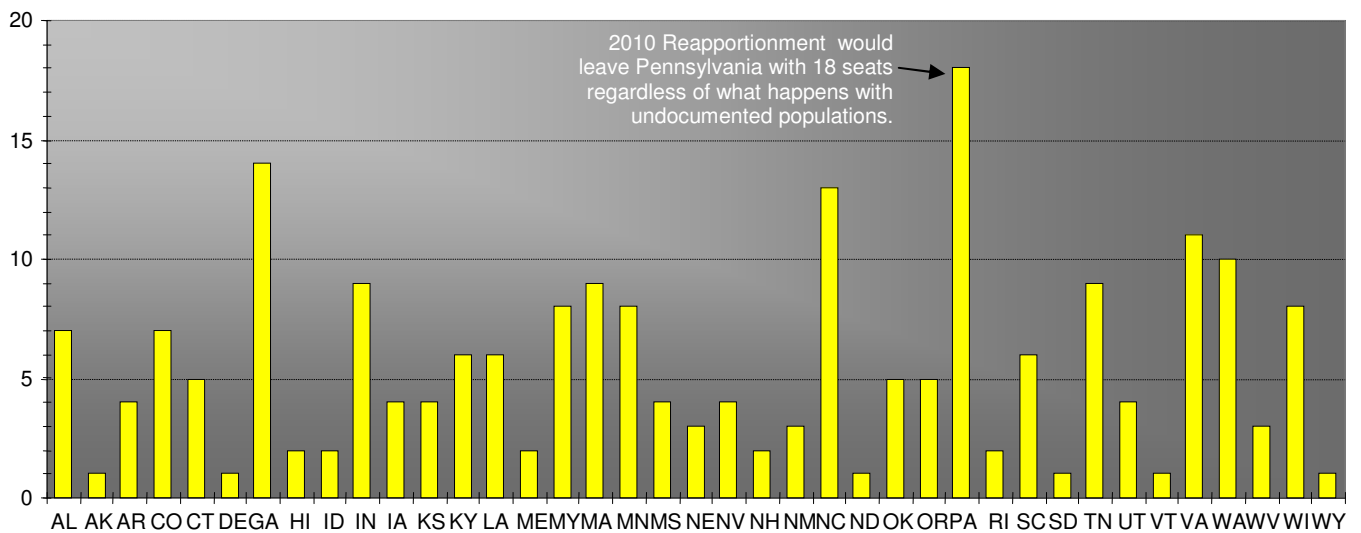


Chart 4 graphs total seats for the unaffected thirty-nine states. The majority of states would have less than ten seats.

Chart 4: 2010 Total House Seats for Unaffected States



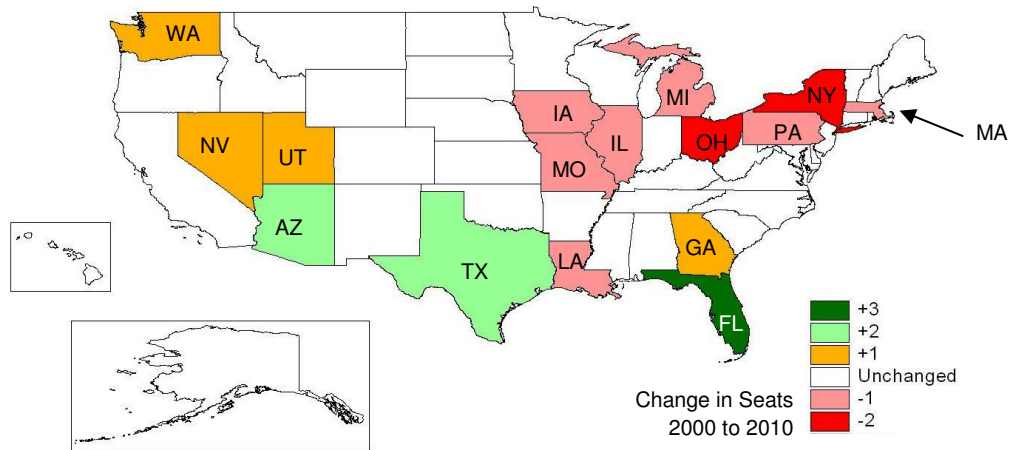
Exclusion of undocumented populations has the added impact of minimizing the presence of “super” states (e.g. California) as seats are distributed more evenly among a greater number of states.

Summary

The two scenarios discussed provide benchmarks for analyzing the potential ramifications of the currently large, and geographically concentrated, undocumented populations on the distribution of Congressional seats. Adjustments in settlement patterns and the official population count from Census 2010 will differ from the necessary assumptions used for this analysis. Consequently, this report does not claim to predict the final outcome of 2010 Congressional Reapportionment. This report simply seeks to describe how the spontaneous concentration of undocumented populations might unwittingly influence America's representative political system.

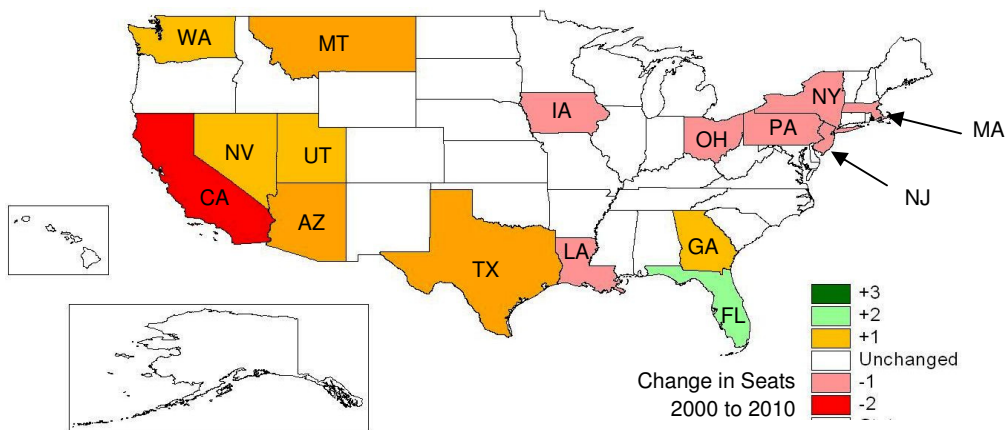
Map 4 summarizes the relocation of House seats for all states when undocumented populations are counted. Note the concentrated loss of ten seats from eight Northern and Midwestern states. There is a coinciding concentrated gain wherein three states (AZ, TX, and FL) gain a total of seven seats.

Map 4: Geographic Relocation of House Seats for All States When Undocumented Populations are Included



In contrast, Map 5 reveals the relocation of House seats when undocumented populations are *not* counted. In this scenario, six Northern and Midwestern states (MA, NY, NJ, PA, OH, and IA) lose only six seats. Exclusion of undocumented populations mutes the geographic shifts shown in Map 4. Furthermore, the geographic shift of these seats is broader with only Florida gaining more than one seat.

Map 5: Geographic Relocation of House Seats for All States When Undocumented Populations are Excluded



Comparison of Map 4 to Map 5 reveals how inclusion of undocumented populations in Congressional Reapportionment results in more geographically concentrated losses and gains of House seats. This is a predictable outcome as undocumented populations are concentrated in Southern border states. However, coinciding losses disproportionately impact Northern and Midwestern states.

This analysis also reveals that counting undocumented populations increases the relative share of Congressional representation for *citizens* of some states at the expense of citizens in other states. For example, the 2010 projected population for Florida's is 19,974,199 - which would give Florida twenty-eight seats. The undocumented population in Florida is estimated to be 980,000 in 2010. This would mean that each Florida Congressional representative would represent approximately 675,000 legal residents (undocumented individuals cannot vote). However, this ratio increases to approximately 700,000 citizens for each Congressional representative when the undocumented population is excluded from reapportionment. The number of legal residents for each Congressional representative increases because, while the legal resident count remains constant, Florida would have twenty-seven seats instead of twenty-eight.

In contrast, in Arkansas, each Congressional representative would represent approximately 761,000 citizens for each House seat - regardless of the outcome in other states. In Iowa the representative ratio would be 735,000 legal residents for each Congressional representative.

Large undocumented (non-voting) populations have the net impact of both shifting seats to immigrant destination states and providing citizens in those states more voting power than citizens in non-destination states. These twin influences raise conflicting questions on the foundation of political representation versus the inclusiveness of American society.

Appendix

State	Code	2010 Population Projections		Congressional House Seat Assignment			Representative Ratio (Number of Legal Residents for each Representative)	
		Undocumented Population Counted	Undocumented Population <i>Not</i> Counted	Census 2000 (current)	Undocumented Population Counted 2010	Undocumented Population <i>Not</i> Counted 2010	Undocumented Population Counted 2010	Undocumented Population <i>Not</i> Counted 2010
Alabama	AL	4,838,812	4,796,726	7	7	7	685,247	685,247
Alaska	AK	698,573	693,360	1	1	1	693,360	693,360
Arizona	AZ	6,999,810	6,432,226	8	10	9	643,223	714,692
Arkansas	AR	3,088,481	3,044,530	4	4	4	761,133	761,133
California	CA	38,067,134	35,112,191	53	53	51	662,494	688,474
Colorado	CO	5,209,892	4,935,882	7	7	7	705,126	705,126
Connecticut	CT	3,534,086	3,448,376	5	5	5	689,675	689,675
Delaware	DE	894,743	868,534	1	1	1	868,534	868,534
Florida	FL	19,974,199	18,892,119	25	28	27	674,719	699,708
Georgia	GA	9,864,970	9,348,752	13	14	14	667,768	667,768
Hawaii	HI	1,340,674	1,309,386	2	2	2	654,693	654,693
Idaho	ID	1,594,300	1,556,249	2	2	2	778,124	778,124
Illinois	IL	13,279,091	12,709,927	19	18	19	706,107	668,944
Indiana	IN	6,417,198	6,346,048	9	9	9	705,116	705,116
Iowa	IA	3,009,907	2,939,254	5	4	4	734,813	734,813
Kansas	KS	2,818,880	2,762,789	4	4	4	690,697	690,697
Kentucky	KY	4,326,490	4,275,059	6	6	6	712,510	712,510
Louisiana	LA	4,287,768	4,252,768	7	6	6	708,795	708,795
Maine	ME	1,357,134	1,351,999	2	2	2	676,000	676,000
Maryland	MD	5,904,425	5,641,573	8	8	8	705,197	705,197
Massachusetts	MA	6,557,001	6,353,279	10	9	9	705,920	705,920
Michigan	MI	10,095,643	9,970,643	15	14	15	712,189	664,710
Minnesota	MN	5,446,530	5,351,663	8	8	8	668,958	668,958
Mississippi	MS	2,971,412	2,930,575	4	4	4	732,644	732,644
Missouri	MO	5,922,078	5,871,399	9	8	9	733,925	652,378
Montana	MT	981,090	975,897	1	1	2	975,897	487,949
Nebraska	NE	1,818,531	1,772,254	3	3	3	590,751	590,751
Nevada	NV	3,087,428	2,839,991	3	4	4	709,998	709,998
New Hampshire	NH	1,365,000	1,344,238	2	2	2	672,119	672,119
New Jersey	NJ	9,018,231	8,573,757	13	13	12	659,520	714,480
New Mexico	NM	2,112,986	2,042,719	3	3	3	680,906	680,906
New York	NY	19,443,672	18,899,826	29	27	28	699,994	674,994
North Carolina	NC	9,485,138	9,088,875	13	13	13	699,144	699,144
North Dakota	ND	636,623	631,617	1	1	1	631,617	631,617
Ohio	OH	11,576,181	11,460,197	18	16	17	716,262	674,129
Oklahoma	OK	3,591,516	3,526,293	5	5	5	705,259	705,259
Oregon	OR	3,909,800	3,751,327	5	5	5	750,265	750,265
Pennsylvania	PA	12,584,487	12,432,752	19	18	18	690,708	690,708
Rhode Island	RI	1,074,199	1,044,014	2	2	2	522,007	522,007
South Carolina	SC	4,486,700	4,429,594	6	6	6	738,266	738,266
South Dakota	SD	796,003	790,913	1	1	1	790,913	790,913
Tennessee	TN	6,230,852	6,101,877	9	9	9	677,986	677,986
Texas	TX	24,330,612	22,633,208	32	34	33	665,683	685,855
Utah	UT	2,833,337	2,733,339	3	4	4	683,335	683,335
Vermont	VT	639,241	634,118	1	1	1	634,118	634,118
Virginia	VA	8,010,239	7,722,021	11	11	11	702,002	702,002
Washington	WA	6,865,990	6,565,406	9	10	10	656,541	656,541
West Virginia	WV	1,769,081	1,764,217	3	3	3	588,072	588,072
Wisconsin	WI	5,727,426	5,629,504	8	8	8	703,688	703,688
Wyoming	WY	519,886	514,839	1	1	1	514,839	514,839

References

^a <http://www.census.gov/population/www/censusdata/apportionment.html>

^b Hoefler, Michael, Nancy Rytina, and Christopher Campbell. 2007. *Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2006*, Office of Immigration Statistics, Policy Directorate, U.S. Department of Homeland Security, http://www.dhs.gov/xlibrary/assets/statistics/publications/ill_pe_2006.pdf

^c U.S. Census Bureau American Community Survey. 2006. <http://factfinder.census.gov>

^d U.S. Census Bureau Population Projections. 2005. <http://www.census.gov/population/www/projections/popproj.html>

^e Sources vary between individual states. The author has recorded the source for all state calculated population projections.

^f U.S. Census Bureau Population Estimates, 2006. <http://www.census.gov/popest/estimates.php>.

^g Passel, Jeffrey S., 2006. *The Size and Characteristics of the Unauthorized Migrant Population in the U.S.: Estimates Based on the March 2005 Current Population Survey*, Pew Hispanic Center, <http://pewhispanic.org/files/reports/61.pdf>