Charles Biles, Ph.D.
Mathematics 10: Nature of Mathematics
Santa Rosa Junior College
Spring Semester 2019

website: <a href="mailto:nia977.wix.com/drbcap">nia977.wix.com/drbcap</a>

"... no political problem is less susceptible of a precise solution than that which relates to the number most convenient for a representative legislature, ..."

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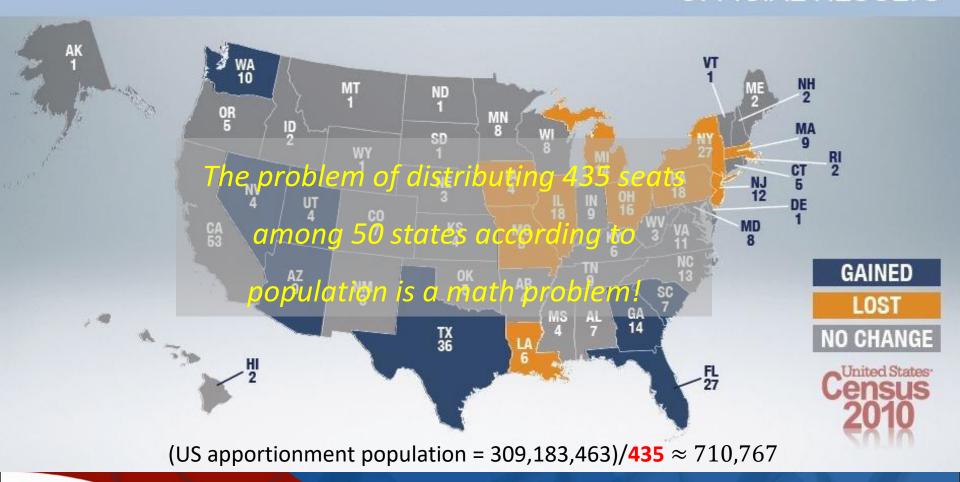
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# The Apportionment Problem

Determine how many seats in the U.S. House of Representatives each state gets.

#### CONGRESSIONAL SEATS

#### 2010 OFFICIAL RESULTS



http://www.census.gov/2010census/data/apportionment-data.php

## The First Census 1790

State	Population
CT 5	236841
DE 1	55540
GA 3	70835
KY 2	68705
MD 6	278514
MA 8	475327
NH 3	141822
NJ 4	179570
NY 6	331589
NC 5	353523
PA 8	432879
RI 1	68446
SC 5	206236
VT 2	85533
VA 10	630560
US 67	3615920

The first apportionment population census.

Source:

Balinski and Young, Fair Representation, Second Edition, 2001, page 158.

#### Census 1790

State	Population
CT	236841
DE	55540
GA	70835
KY	68705
MD	278514
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US	3615920

#### Census 1790

State	Population
СТ	236841
DE	55540
GA	70835
KY	68705
MD	278514
MA	475327
NH	141822
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NY	331589
NC	353523
PA	432879
RI	68446
SC	206236
VT	85533
VA	630560
US	3615920

3792621 — City of Los Angeles 2010

Cen	sus 1790	House Bil			
State	<b>Population</b>	30000			
СТ	236841				
DE	55540				
GA	70835				
KY	68705				
MD	278514				
MA	475327				
NH	141822				
NJ	179570				
NY	331589				
NC	353523				
PA	432879				
RI	68446				
SC	206236				
VT	85533				
VA	630560				
US	3615920				

Cen	sus 1790	House Bi	Ш
State	<b>Population</b>	Divisor 30000	
СТ	236841		
DE	55540		4
GA	70835		
KY	68705		
MD	278514		
MA	475327		
NH	141822		
NJ	179570		
NY	331589		
NC	353523		
PA	432879		
RI	68446		
SC	206236		
VT	85533		
VA	630560		
US	3615920		

Cen	sus 1790	House Bi	
State	<b>Population</b>	Divisor 30000	
СТ	236841	7.895	
DE	55540	1.851	
GA	70835	2.361	
KY	68705	2.290	
MD	278514	9.284	
MA	475327	15.844	
NH	141822	4.727	
NJ	179570	5.986	
NY	331589	11.053	
NC	353523	11.784	
PA	432879	14.429	
RI	68446	2.282	
SC	206236	6.875	
VT	85533	2.851	
VA	630560	21.019	
US	3615920		

Census 1790			House Bi	II .
State	<b>Population</b>		Divisor 30000	Seats
CT	236841		7.895	7
DE	55540		1.851	1
GA	70835		2.361	2
KY	68705		2.290	2
MD	278514		9.284	9
MA	475327		15.844	15
NH	141822		4.727	4
NJ	179570		5.986	5
NY	331589		11.053	11
NC	353523		11.784	11
PA	432879		14.429	14
RI	68446		2.282	2
SC	206236		6.875	6
VT	85533		2.851	2
VA	630560		21.019	21
US	3615920			

Census 1790			House Bi	ll i
	State	<b>Population</b>	Divisor 30000	Seats
	СТ	236841	7.895	7
	DE	55540	1.851	1
	GA	70835	2.361	2
	KY	68705	2.290	2
	MD	278514	9.284	9
	MA	475327	15.844	15
	NH	141822	4.727	4
	NJ	179570	5.986	5
	NY	331589	11.053	11
	NC	353523	11.784	11
	PA	432879	14.429	14
	RI	68446	2.282	2
	SC	206236	6.875	6
	VT	85533	2.851	2
	VA	630560	21.019	21
	US	3615920		112

Census 1790		House Bill			Senate Bill	
State	<b>Population</b>	Divisor 3000	0 Seats		Divisor <mark>33000</mark>	Seats
CT	236841	7.895	7		7.177	7
DE	55540	1.851	1		1.683	1
GA	70835	2.361	2		2.147	2
KY	68705	2.290	2		2.082	2
MD	278514	9.284	9		8.440	8
MA	475327	15.844	15		14.404	14
NH	141822	4.727	4		4.298	4
NJ	179570	5.986	5		5.442	5
NY	331589	11.053	11		10.048	10
NC	353523	11.784	11		10.713	10
PA	432879	14.429	14		13.118	13
RI	68446	2.282	2		2.074	2
SC	206236	6.875	6		6.250	6
VT	85533	2.851	2		2.592	2
VA	630560	21.019	21		19.108	19
US	3615920		112			

Census 1790		House B	ill	Senate Bill	
State	<b>Population</b>	Divisor 30000	) Seats	Divisor 33000	Seats
CT	236841	7.895	7	7.177	7
DE	55540	1.851	1	1.683	1
GA	70835	2.361	2	2.147	2
KY	68705	2.290	2	2.082	2
MD	278514	9.284	9	8.440	8
MA	475327	15.844	15	14.404	14
NH	141822	4.727	4	4.298	4
NJ	179570	5.986	5	5.442	5
NY	331589	11.053	11	10.048	10
NC	353523	11.784	11	10.713	10
PA	432879	14.429	14	13.118	13
RI	68446	2.282	2	2.074	2
SC	206236	6.875	6	6.250	6
VT	85533	2.851	2	2.592	2
VA	630560	21.019	21	19.108	19
US	3615920		112		105

### Rule of Three

Federalists in Congress apply a new idea:

Multiply the House size by each state's proportion to determine each state's quota (fair share of the House).

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$$\frac{\textit{quota}}{\textit{quota}} = (\textit{House size}) \times \frac{\textit{state population}}{\textit{national population}}$$

### Rule of Three

Federalists in Congress apply a new idea:

Multiply the House size by each state's proportion to determine each state's **quota** (fair share of the House).

$$quota = (House \ size) \times \frac{state \ population}{national \ population}$$

Rule of Three

Census 1790

State	Population	Divisor 30000	Seats
СТ	236841	7.895	7
DE	55540	1.851	1
GA	70835	2.361	2
KY	68705	2.290	2
MD	278514	9.284	9
MA	475327	15.844	15
NH	141822	4.727	4
NJ	179570	5.986	5
NY	331589	11.053	11
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PA	432879	14.429	14
RI	68446	2.282	2
SC	206236	6.875	6
VT	85533	2.851	2
VA	630560	21.019	21
US	3615920		

Census 1790

	State	Population	Divisor 30000	Seats
	CT	236841	7.895	7
	DE	55540	1.851	1
	GA	70835	2.361	2
	KY	68705	2.290	2
	MD	278514	9.284	9
	MA	475327	15.844	15
	NH	141822	4.727	4
	NJ	179570	5.986	5
	NY	331589	11.053	11
	NC	353523	11.784	11
	PA	432879	14.429	14
	RI	68446	2.282	2
	SC	206236	6.875	6
	VT	85533	2.851	2
4	VA	630560	21.019	21
	US	3615920		112

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State	Population	Divisor 30000	Seats	h=112
СТ	236841	7.895	7	
DE	55540	1.851	1	
GA	70835	2.361	2	
KY	68705	2.290	2	
MD	278514	9.284	9	
MA	475327	15.844	15	
NH	141822	4.727	4	
NJ	179570	5.986	5	
NY	331589	11.053	11	
NC	353523	11.784	11	
PA	432879	14.429	14	
RI	68446	2.282	2	1
SC	206236	6.875	6	
VT	85533	2.851	2	
VA	630560	21.019	21	
US	3615920		112	

Census 1790

State	Population	Divisor 30000	Seats	Quota <i>h</i> =112
СТ	236841	7.895	7	7.336
DE	55540	1.851	1	1.720
GA	70835	2.361	2	2.194
KY	68705	2.290	2	2.128
MD	278514	9.284	9	8.627
MA	475327	15.844	15	14.723
NH	141822	4.727	4	4.393
NJ	179570	5.986	5	5.562
NY	331589	11.053	11	10.271
NC	353523	11.784	11	10.950
PA	432879	14.429	14	13.408
RI	68446	2.282	2	2.120
SC	206236	6.875	6	6.388
VT	85533	2.851	2	2.649
VA	630560	21.019	21	19.531
US	3615920		112	112

# Problem

Census 1790

House Bill

State	Population		Divisor 30000	Seats	Quota <i>h</i> =112
СТ	236841		7.895	7	7.336
DE	55540	ó	1.851	1	1.720
GA	70835		2.361	2	2.194
KY	68705		2.290	2	2.128
MD	278514		9.284	9	8.627
MA	475327		15.844	15	14.723
NH	141822		4.727	4	4.393
NJ	179570		5.986	5	5.562
NY	331589		11.053	11	10.271
NC	353523		11.784	11	10.950
PA	432879		14.429	14	13.408
RI	68446		2.282	2	2.120
SC	206236		6.875	6	6.388
VT	85533		2.851	2	2.649
VA	630560		21.019	21	19.531
US	3615920	1		112	112

The Quota Rule is violated.

# The Senate Bill

Census 1790

Senate Bill

State	Population	Divisor 33000	Seats	Quota <i>h</i> =105
СТ	236841	7.177	7	6.877
DE	55540	1.683	1	1.613
GA	70835	2.147	2	2.057
KY	68705	2.082	2	1.995
MD	278514	8.440	8	8.088
MA	475327	14.404	14	13.803
NH	141822	4.298	4	4.118
NJ	179570	5.442	5	5.214
NY	331589	10.048	10	9.629
NC	353523	10.713	10	10.266
PA	432879	13.118	13	12.570
RI	68446	2.074	2	1.988
SC	206236	6.250	6	5.989
VT	85533	2.592	2	2.484
VA	630560	19.108	19	18.310
US	3615920		105	105



No Quota Rule Violation

# Problem

Census 1790

Senate Bill

State	Population	Divisor 33000	Seats	Quota <i>h</i> =105
CT	236841	7.177	7	6.877
DE	55540	1.683	1	1.613
GA	70835	2.147	2	2.057
KY	68705	2.082	2	1.995
MD	278514	8.440	8	8.088
MA	475327	14.404	14	13.803
NH	141822	4.298	4	4.118
NJ	179570	5.442	5	5.214
NY	331589	10.048	10	9.629
NC	353523	10.713	10	10.266
PA	432879	13.118	13	12.570
RI	68446	2.074	2	1.988
SC	206236	6.250	6	5.989
VT	85533	2.592	2	2.484
VA	630560	19.108	19	18.310
US	3615920		105	105

Large states are favored over small states.



State	Population	
СТ	236841	
DE	55540	
GA	70835	
KY	68705	
MD	278514	
MA	475327	
NH	141822	
NJ	179570	
NY	331589	
NC	353523	
PA	432879	
RI	68446	
SC	206236	
VT	85533	
VA	630560	
US	3615920	120.5307

State	Population	h = 120
СТ	236841	
DE	55540	
GA	70835	
KY	68705	
MD	278514	
MA	475327	
NH	141822	
NJ	179570	
NY	331589	
NC	353523	
PA	432879	
RI	68446	
SC	206236	
VT	85533	
VA	630560	
US	3615920	120.5307

State	Population	h = 120	Quota
СТ	236841		7.860
DE	55540		1.843
GA	70835		2.351
KY	68705		2.280
MD	278514		9.243
MA	475327		15.774
NH	141822		4.707
NJ	179570		5.959
NY	331589		11.004
NC	353523		11.732
PA	432879		14.366
RI	68446		2.271
SC	206236		6.844
VT	85533		2.839
VA	630560		20.926
US	3615920	120.5307	120

$$= 120 \times \frac{236841}{3615920}$$

State	Population	h = 120	Quota	Lower Q
СТ	236841		7.860	7
DE	55540		1.843	1
GA	70835		2.351	2
KY	68705		2.280	2
MD	278514		9.243	9
MA	475327		15.774	15
NH	141822		4.707	4
NJ	179570		5.959	5
NY	331589		11.004	11
NC	353523		11.732	11
PA	432879		14.366	14
RI	68446		2.271	2
SC	206236		6.844	6
VT	85533		2.839	2
VA	630560		20.926	20
US	3615920	120.5307	120	111

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
NJ	179570		5.959	5	6
NY	331589		11.004	11	11
NC	353523		11.732	11	12
PA	432879		14.366	14	14
RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
NJ	179570		5.959	5	6
NY	331589		11.004	11	11
NC	353523		11.732	11	12
PA	432879		14.366	14	14
RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

This became the first apportionment bill passed by Congress.

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
NJ	179570		5.959	5	6
NY	331589		11.004	11	11
NC	353523		11.732	11	12
PA	432879		14.366	14	14
RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

This became the first apportionment bill passed by Congress.

The bill is sent to President Washington for approval.

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
NJ	179570		5.959	5	6
NY	331589		11.004	11	11
NC	353523		11.732	11	12
PA	432879		14.366	14	14
RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

This became the first apportionment bill passed by Congress.

The bill is sent to President Washington for approval.

Washington vetoes the bill.

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
NJ	179570		5.959	5	6
NY	331589		11.004	11	11
NC	353523		11.732	11	12
PA	432879		14.366	14	14
RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

U.S.: 3615920/120 = 30,132.66...

State	Population	h = 120	Quota	Lower Q	Appt
СТ	236841		7.860	7	8
DE	55540		1.843	1	2
GA	70835		2.351	2	2
KY	68705		2.280	2	2
MD	278514		9.243	9	9
MA	475327		15.774	15	16
NH	141822		4.707	4	5
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RI	68446		2.271	2	2
SC	206236		6.844	6	7
VT	85533		2.839	2	3
VA	630560		20.926	20	21
US	3615920	120.5307	120	111	120

Connecticut:

236841/8 = 29605.13

Delaware:

55540/2 = 27770

U.S.:

3615920/120 = 30,132.66...

After Washington's veto on 5 April 1792, Congress quickly passes the original Senate bill. Washington signed the bill on 14 April 1792.

Divisor Methods

Quota Methods

- Divisor Methods
  - Basic
  - Modified
- Quota Methods

- Divisor Methods
  - Basic: h is the result
  - Modified
- Quota Methods

- Divisor Methods
  - Basic: h is the result
  - Modified: h is the goal
- Quota Methods

- Divisor Methods
  - Basic: h is the result
  - Modified: h is the goal
- Quota Methods
   h is the resource

1. Decide on a divisor.

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- 2. Calculate each state's quotient:quotient = population/divisor

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- 2. Calculate each state's quotient:quotient = population/divisor
- 3. The state's apportionment is the quotient rounded down.

The resulting house size is the sum of the state apportionments.

### First 60 years

A Basic Divisor Method would be used as the House apportionment method until 1850.

```
4 1790: s = 15; d = 33000 \Rightarrow h = 105
```

**❖** 1800: 
$$s = 16$$
;  $d = 33000 \Rightarrow h = 141$ 

**❖** 1810: 
$$s = 17$$
;  $d = 35000 \Rightarrow h = 181$ 

**❖** 1820: 
$$s = 24$$
;  $d = 40000 \Rightarrow h = 213$ 

**❖** 1830: 
$$s = 24$$
;  $d = 47700 \Rightarrow h = 240$ 

**❖** 1840: 
$$s = 26$$
;  $d = 70680 \Rightarrow h = 223$ 

House size

divisor (ratio of representation)

number of states

Problems are discovered as the method is used; however, defects were evident from the beginning.

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Jefferson's method systematically favors larger states; further, it can violate the Quota Rule.

Three new methods are proposed to deal with the decimal part of a state's quotient.

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Jefferson: round down (drop the decimal).

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Jefferson: round down (drop the decimal).

Adams: round up.

Dean: round down or up according to which option gives a state's constituency closest to the divisor.

Three new methods are proposed to deal with the decimal part of a state's quotient.

Jefferson: round down (drop the decimal).

Adams: round up.

Dean: round down or up according to which option gives a state's constituency closest to the divisor.

Webster: round normally.

The 1830 US population was 11,931,578. Consider: constituency = 50,000 people.

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Vermont's population: 280,657.

Vermont's quotient: 280,657/50,000 = 5.613.

The 1830 US population was 11,931,578. Consider: constituency = 50,000 people.

Vermont's population: 280,657.

Vermont's quotient: 280,657/50,000 = 5.613.

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Jefferson: 5 seats; constituency is 280,657/5 = 56,131. Adams: 6 seats; constituency is 280,657/6 = 46,776.

Dean: 46,776 is closer to the target of 50,000; award Vermont 6 seats.

Step 1: Select the constituency, d.

Step 2: Calculate q = p/d and n = int(q).

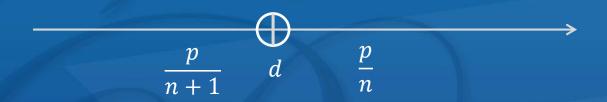
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This is mathematically equivalent to: let the apportionment be n + 1 when  $q \ge \text{HaM}(n,n+1)$ .

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```
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#### Dean and Webster

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**Dean**:  $a = n+1 \iff \text{HaM}(n,n+1) \le q$ .

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Webster:  $a = n+1 \iff ArM(n,n+1) \le q$ .

There were four different proposed apportionment methods based on a given divisor. The difference was in how the method chose to round a state's quotient (state's population divided by the chosen divisor).

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Jefferson: round down (min).

Adams: round up (max).

Dean: round by closest constituency (HaM).

Webster: round normally (ArM).

# In a Round About Way

Census 1810		d = 35000				
State	Population	Quotient	min	ArM	НаМ	max
СТ	261818	7.4805	7	7	8	8
DE	71004	2.0287	2	2	2	3
GA	210346	6.0099	6	6	6	7
KY	374287	10.6939	10	11	11	11
MD	335946	9.5985	9	10	10	10
MA	700745	20.0213	20	20	20	21
NH	214460	6.1274	6	6	6	7
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NC	487971	13.9420	13	14	14	14
ОН	230760	6.5931	6	7	7	7
PA	809773	23.1364	23	23	23	24
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HaM(7,8) = 7.4666···

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#### 1840 Census

The apportionment debate began with a political game: Divisor!

On one day in the 242 member House, 59 motions were made to establish a divisor. The values ranged from 30000 to 141000 with majority from 50159 to 62172.

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The Apportionment Act of 1842 used a basic divisor method with d = 70680 and Webster's method of rounding. This yielded h = 223, the only time in U.S. history that h decreased as a result of a census-based re-apportionment.

### The Vinton Act

The Vinton Act of 1850 (Representative Samuel Vinton, Whig-Ohio) was passed to head off politicizing the census and adopt a permanent apportionment act.



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The Vinton Act specified a House with 233 seats to be apportioned by Hamilton's method.

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But experience exposed problems with the Vinton Act.

## Lessons from History

The quota method is subject to counter-intuitive paradoxes:

- > The Alabama Paradox
- > The Population Growth Paradox

### Alabama Paradox

The Alabama paradox may occur when applying the Hamilton quota method:

when the number of House seats is increased, a given state's apportion may decrease.

### The Deal Breaker

Results from the 1890 census doomed Hamilton's Method.



<b>House Size</b>	Seats
350 – 382	3
383 – 385	4
386	3
387 – 388	4
389 – 390	3
391 - 400	4

#### 1910

Apportionment based on the 1910 census came from another mutation in apportionment methodology.

Congress abandoned the Quota Method and used a modified divisor method.

### **Modified Divisor Methods**

Step 1. Select the House size, h.

Step 2. Apply a Basic Divisor Method to obtain *h* seats.

1910: h = 433 and Webster's method.

#### 1920 Census

In the 1920 decade, the only time in U. S. History no census-based re-apportionment act was passed.

Congress could not agree on either the House size or the method of apportionment.

The politics of prohibition played a significant role: the dries would not support any proposal that gave the wets more power.

The current method consists of the Census Act of 1929 (which froze h = 435) and a 1941 amendment that specifies the apportionment method of

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The Huntington-Hill method is a divisor method:

Let q = p/d and n = int(q).

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H-H: 
$$\frac{\left(\frac{p}{n+1}\right)}{d} \quad 1 \quad \frac{\left(\frac{p}{n}\right)}{d}$$

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$$a = n+1$$
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when  $GeM(n,n+1) \le q$ .

### The Aftermath

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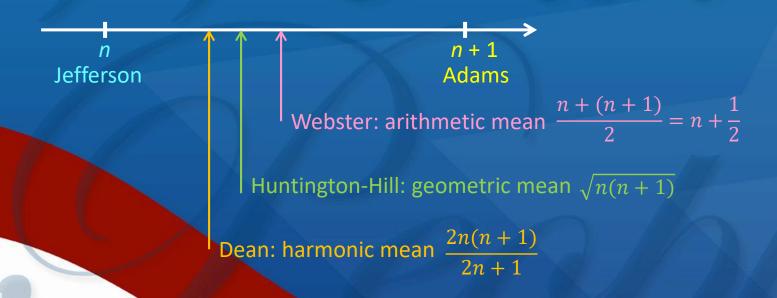
Any method that satisfies the quota rule produces paradoxes; any method that is free of the Alabama paradox may violate the quota rule.

## They Mean Well

A modified *divisor* method first fixes the House size, then seeks a divisor that when the state's quotients are rounded appropriately and summed, the house size is achieved.

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Distributing 435 seats among 50 states according to their respective populations is a math problem.

Today the Census Bureau obtains apportionments using a priority technique of calculation rather than an ad-hoc technique of calculation.

Census Bureau video 2:09 minutes.
The Amazing Apportionment Machine

# Apportionment by Priority

- Step 1. Give one seat to each state.
- Step 2. Attach a priority number to each state.
- Step 3. Award seats one at a time by priority until the desired House size is reached.

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Priority number for a state with n seats

# **Apportionment by Priority**

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```
Priority number for a state with = \frac{state\ population}{ave(n,n+1)}
```

# Five Averages

ave

- Greatest Divisors max
- Harmonic Means HaM
- Equal Proportions GeM
- Major Fractions ArM
- Smallest Divisors min

# The Last Seat

Who gots the 435<sup>th</sup> seat?

ave 435

- Greatest Divisors max IL
- Harmonic Means HaM MN
- Equal Proportions GeM MN
- Major Fractions ArM NC
- Smallest Divisors min WA

# The Last Seat

Who would get the 436<sup>th</sup> seat?

		ave	435	436
•	Greatest Divisors	max	IL /	WA
•	Harmonic Means	HaM	MN	CA
•	<b>Equal Proportions</b>	GeM	MN	NC
•	Major Fractions	ArM	NC	MO
•	Smallest Divisors	min	WA	PA

# The Last Seat

Who would get the 436<sup>th</sup> seat?

		ave	433	430
•	Greatest Divisors	max	IL	WA
•	Harmonic Means	HaM	MN	CA
•	<b>Equal Proportions</b>	GeM	MN	NC
•	Major Fractions	ArM	NC	МО

min

**Smallest Divisors** 

Priority list based on the 2010 census using the method of Equal Proportions.

WA

PA

# ortionment

BIO

**NEWS & EVENTS** 

RESOURCES

CONTACT

#### Constitutional Congregressional Apportionment Problem

How many seats in the U.S. House of Representatives does each state get

An answer is presented as an historical narrative with relevant and timely applications in an upcoming book, The History of Congressional Apportionment.

Chapter 1. Congressional Apportionment Based on the Census: 1790.

Chapter 2. Congressional Apportionment Based on the Census: 1800-1840.

Chapter 3. Congressional Apportionment Based on the Census: 1850-1890.

Chapter 4. Congressional Apportionment Based on the Census: 1900-1930.

Chapter 5. Congressional Apportionment Based on the Census: 1940-2010.

Chapter 6. An Historical Overture.



X Cr

UNDER CONSTRUCTION Charles Biles The History of Congressional Apportionment

> **HSU Press** Last update: 13 June 2017.

Cover Graphic courtesy of The West Virginia Record



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# **Thank You**

It is time that I took my seat in this House!

http://www.nia977.wix.com/drbcap

# Bonus Resources 118

In the 1990 apportionment Montana lost one of its two seats it held for 80 years. In 1991 MT filed suit in federal district court (MT vs. US Dept Commerce).

MT argued the H-H method is unconstitutional and that either Dean's or Adams's method should be used. The federal judges voted 2-1 in favor of MT.

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One Voter, One Vote: The Apportionment of Congressional Seats Reconsidered

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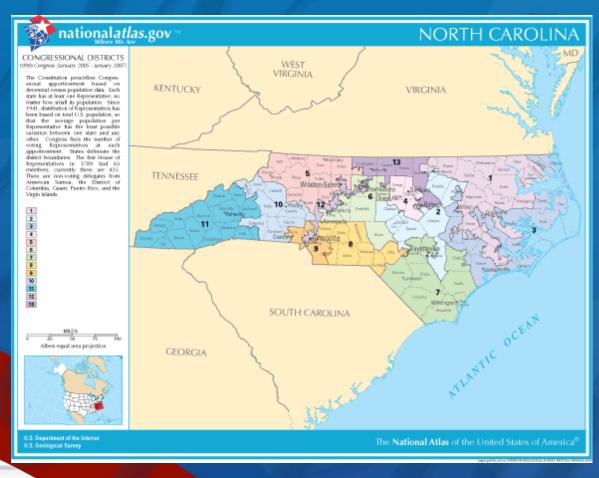
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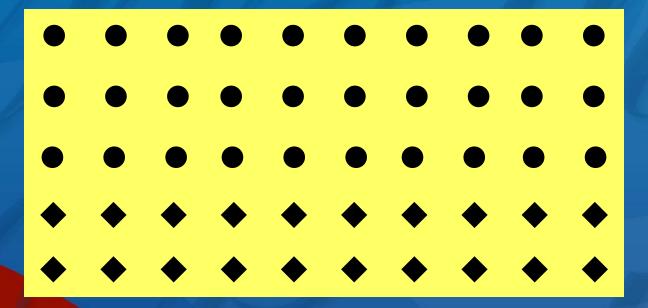
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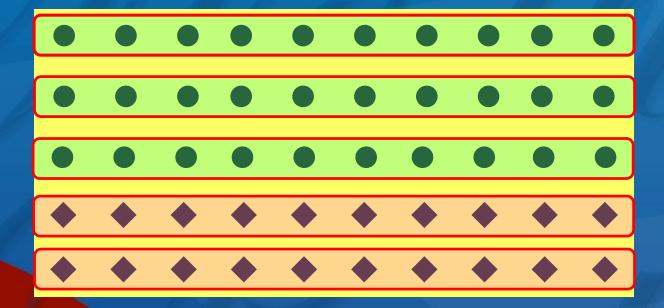
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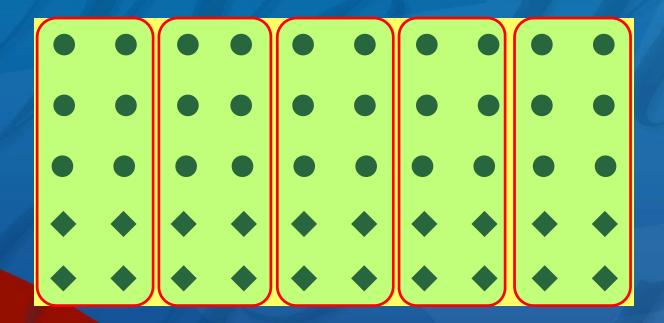
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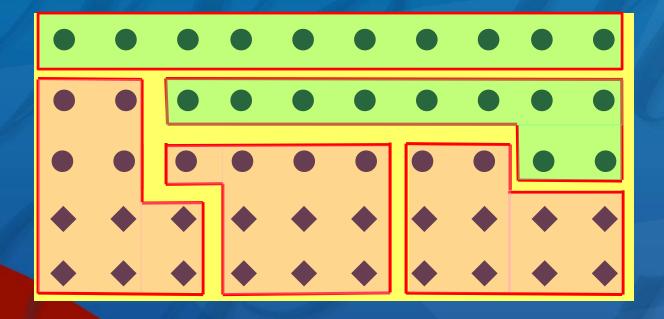




Apportion into five districts.







Other problems related to apportionment include:

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# Washington's Veto

United States [Philadelphia] April 5 1792.

#### **Gentlemen of the House of Representatives**

I have maturely considered the Act passed by the two Houses, intitled, "An Act for an apportionment of Representatives among the several States according to the first enumeration," and I return it to your House, wherein it originated, with the following objections.

First—The Constitution has prescribed that representatives shall be apportioned among the several States according to their respective numbers: and there is no one proportion or divisor which, applied to the respective numbers of the States will yield the number and allotment of representatives proposed by the Bill.

Second—The Constitution has also provided that the number of Representatives shall not exceed one for every thirty thousand; which restriction is, by the context, and by fair and obvious construction, to be applied to the seperate and respective numbers of the States: and the bill has allotted to eight of the States, more than one for thirty thousand.

#### **George Washington.**

Copy, DNA: RG 233, Second Congress, 1791–1793, Records of Legislative Proceedings, Journals; LB, DLC:GW. (from Philander Chase, et al., eds., The Papers of George Washington, Presidential Series, Vol. 10: March–August 1792 [Charlottesville, Va., 2002], 213-14).

# First Apportionment Act

CHAP. XXIII.—An Act for apportioning Representatives among the several States, according to the first enumeration.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the third day of March one thousand seven hundred and ninety-three, the House of Representatives shall be composed of members elected agreeably to a ratio of one member for every thirty-three thousand persons in each state, computed according to the rule prescribed by the constitution; that is to say: Within the state of New Hampshire, four; within the state of Massachussetts, fourteen; within the state of Vermont, two; within the state of Rhode Island, two; within the state of Connecticut, seven; within the state of New York, ten; within the state of New Jersey, five; within the state of Pennsylvania, thirteen; within the state of Delaware, one; within the state of Maryland, eight; within the state of Virginia, nineteen; within the state of Kentucky, two; within the state of North Carolina, ten; within the state of South Carolina, six; and within the state of Georgia, two members.

APPROVED, April 14, 1792.

# 1790: Why 33000?

State	Population	d =	30000	31000	32000	33000	34000	35000	36000	37000	38000	39000	40000
CN	236841		0.8947	0.6400	0.4013	0.1770	0.9659	0.7669	0.5789	0.4011	0.2327	0.0728	0.9210
DE	55540		0.8513	0.7916	0.7356	0.6830	0.6335	0.5869	0.5428	0.5011	0.4616	0.4241	0.3885
GA	70835	- /	0.3612	0.2850	0.2136	0.1465	0.0834	0.0239	0.9676	0.9145	0.8641	0.8163	0.7709
KY	68705	100	0.2902	0.2163	0.1470	0.0820	0.0207	0.9630	0.9085	0.8569	0.8080	0.7617	0.7176
MD	278514	1	0.2838	0.9843	0.7036	0.4398	0.1916	0.9575	0.7365	0.5274	0.3293	0.1414	0.9629
MA	475327	1/4	0.8442	0.3331	0.8540	0.4038	0.9802	0.5808	0.2035	0.8467	0.5086	0.1879	0.8832
NH	141822		0.7274	0.5749	0.4319	0.2976	0.1712	0.0521	0.9395	0.8330	0.7322	0.6365	0.5456
NJ	179570		0.9857	0.7926	0.6116	0.4415	0.2815	0.1306	0.9881	0.8532	0.7255	0.6044	0.4893
NY	331589		0.0530	0.6964	0.3622	0.0482	0.7526	0.4740	0.2108	0.9619	0.7260	0.5023	0.2897
NC	353523		0.7841	0.4040	0.0476	0.7128	0.3977	0.1007	0.8201	0.5547	0.3032	0.0647	0.8381
PA	432879		0.4293	0.9638	0.5275	0.1175	0.7317	0.3680	0.0244	0.6994	0.3916	0.0995	0.8220
RI	68446		0.2815	0.2079	0.1389	0.0741	0.0131	0.9556	0.9013	0.8499	0.8012	0.7550	0.7112
SC	206236		0.8745	0.6528	0.4449	0.2496	0.0658	0.8925	0.7288	0.5739	0.4273	0.2881	0.1559
VT	85533	19	0.8511	0.7591	0.6729	0.5919	0.5157	0.4438	0.3759	0.3117	0.2509	0.1932	0.1383
VA	630560		0.0187	0.3406	0.7050	0.1079	0.5459	0.0160	0.5156	0.0422	0.5937	0.1682	0.7640
US	3615920		8.5307	8.6426	6.9975	4.5733	6.3506	7.3120	9.4422	9.7276	8.1558	5.7159	9.3980

Unrepresented: 255920 267920 223920 150920 215920 255920 339920 359920 309920 222920 375920

### Alabama Paradox

How is this possible?

State	House 299	House 300
AL	7.646	7.671
TX	9.640	9.672
IL	18.640	18.702

With the House size at 299, Alabama was the last state to be allotted an extra representative to make the House size because of it's decimal. When the House size was increased to 300, all states' quotas were increased by 0.33%. And there were two states that got the extra representatives; and, this time, Texas and Illinois beat out Alabama.

#### **US Census Bureau**

The U.S. Census Bureau is housed within the Department of Commerce.

Check out the U.S. Census Bureau for what it says about apportionment.

http://www.census.gov/

Summary 7-page brochure: <a href="http://www.census.gov/prod/cen2010/briefs/c2010br-08.pdf">http://www.census.gov/prod/cen2010/briefs/c2010br-08.pdf</a>

History of Legislation:

http://www.census.gov/history/www/reference/apportionment/apportionment legislation 1790 - 1830.html

## More!

For playing around, learning or teaching:

http://www.cut-the-knot.org/ctk/Democracy.shtml

# **Key Decades**

The key decades in the history of the Congressional apportionment problem are 1790, 1840 and 1850, and 1920. Here are some excellent resources for each of these periods.

- Edmund J. James, The First Apportionment of Federal Representatives in the United States, Annals of the American Academy of Political and Social Science, 9 (January 1897): 1-41.
- ➤ Johanna Nicol Shields, Whigs Reform the "Bear Garden": Representation and the Apportionment Act of 1842, Journal of the Early Republic, 5 (Fall 1983): 356-82.
- Charles W. Eagles, Democracy Delayed: Congressional Reapportionment and Urban-Rural Conflict in the 1920s, University of Georgia Press, 1990.

# **US History**

For any serious research of U.S. history, one must know about the Journals of Congress which includes the House Journal and the Senate Journal:

http://memory.loc.gov/ammem/amlaw/lwhj.html

# The Future: Reform?

Four Proposals:

# The Future: Reform?

#### Four Proposals:

- Thirty-thousand.org
- Wyoming Rule
- Neubauer and Gartner
- Webster's Method.

# thirty-thousand.org

Here's an example of a concerned group:

http://www.thirty-thousand.org/

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Comment: This leads to a House with

10283 (10306) representatives.

Jefferson basic divisor method.

CA: 1244 seats!

# thirty-thousand.org

Here's an example of a concerned group:

http://www.thirty-thousand.org/

Thirty-thousand.org advocates 50000/representative.

This creates a House with 6181 representatives using Webster's method of rounding.

California gets 747 seats.

The Wyoming Rule is a basic divisor method in which the divisor is the population of the least populous state (currently WY; hence, the name).

http://en.wikipedia.org/wiki/Wyoming Rule

http://www.outsidethebeltway.com/representation-in-the-house-the-wyoming-rule/

Results of applying the WY Rule to the 2000 and 2010 censuses.

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2000 smallest state: WY, 493782. h = 569 Huntington-Hill

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**2010** smallest state: WY, 563626

h = 543 Dean HI

*h* = 542 Huntington-Hill

h = 540 Webster NJ, SD

A Proposal for Apportioning the House
Michael G. Neubauer, CSU Northridge, Mathematics
Margo G. (Gartner) Carr, Cerro Coso Community College

...the problem of finding a "good" house size and "right" apportionment method are best considered together.

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**Definition.** A House size is *agreeable* means that the apportionments by the methods of Hamilton, Dean, Huntington-Hill, and Webster all agree.

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#### Webster's Method

The simplest reform would be to replace the geometric mean of decimal rounding in the Huntington-Hill method by the arithmetic mean of decimal rounding in Webster's method.

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The research of Balinski and Young has produced the following two key results. Since the Alabama paradox is a deal-breaker, then congressional apportionment must be based on a divisor method. Further, Webster's is the only rounding method that is unbiased towards either larger or smaller states.

