

Size of the U.S. House of Representatives

November 30, 2020

The size of the U.S. House of Representatives is set by [federal statute](#) at [435 Representatives](#) (excluding [nonvoting seats](#) held by Delegates and the Resident Commissioner). This number has been constant since the start of the [63rd Congress in 1913](#), aside from a temporary increase to 437 seats to accommodate the additions of Alaska and Hawaii as states in 1959 (see [P.L. 85-508](#), July 7, 1958; [P.L. 86-3](#), March 18, 1959) until the apportionment that followed the 1960 census.

Requirements Affecting House Size

[Article I, Section 2](#) of the U.S. Constitution, as amended by [Section 2 of the 14th Amendment](#), provides that [representation in the House](#) is based on state population size. In order to determine the population of each state, Article I, Section 2 requires that the national population be counted at least once every 10 years through what is known as the [decennial census](#). Article I, Section 2 also contains broad parameters for House size, stating that there can be no more than one Representative for every 30,000 persons, provided that each state receives at least one Representative. Within these constitutional parameters, the House could in theory be as small as 50 Representatives or as large as about 10,000 Representatives, based on the [2010 census apportionment population](#). The number of House seats to be apportioned across states is set by [2 U.S.C. §2a](#).

Historical House Size

Figure 1 displays the number of House seats and the U.S. population over time, along with the average district population size nationwide (or *representation ratio*). In the 18th and 19th centuries, Congress generally increased the size of the House with each apportionment so no state would lose seats. The only exception followed the 1840 census, when [Congress decreased](#) the number of seats from 242 to 232. The [1911 apportionment act](#) set the House size at 433 and allowed for the addition of one seat each to accommodate the anticipated statehoods of Arizona and New Mexico. The [Permanent Apportionment Act of 1929](#) established that seats would be apportioned based on “the then existing number of Representatives,” which was 435, beginning with the 1930 census. This language from the 1929 act remains at [2 U.S.C. §2a](#).

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The House of Representatives and Senate Explained

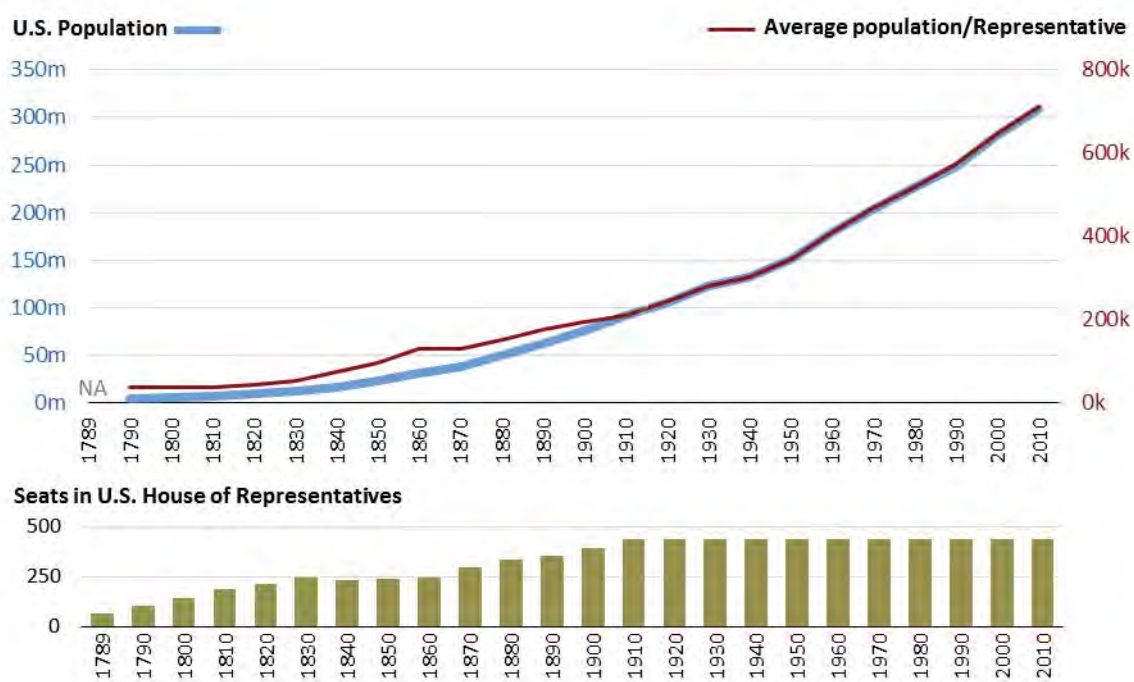
Congressional Procedure

**A Practical Guide to the Legislative
Process in the U.S. Congress**

Richard A. Arenberg

Foreword by Alan S. Frumin

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Figure 1. U.S. Population, House Size, and Average District Population, 1789-2010

Source: CRS analysis from U.S. Census Bureau data at <https://www.census.gov/programs-surveys/decennial-census/decade.html>; and <https://www.census.gov/prod/3/98pubs/CPH-2-US.PDF>.

Note: Graphic created by Amber Hope Wilhelm, CRS Visual Information Specialist.

Recent Legislative Proposals Addressing House Size

Proposals related to House size are, at times, considered by Congress and could increase or decrease the size of the House. In the 115th Congress, for example, H.R. 7181 proposed reducing the number of Representatives to 400. Proposals in recent Congresses that would affect the size of the House typically seek to increase the number of Representatives and would usually do so in conjunction with the addition of new states. For example, in the 116th Congress, H.R. 5803 would provide Washington, DC, statehood and amend the Permanent Apportionment Act of 1929 “by striking ‘the then existing number of Representatives,’ and inserting ‘436 Representatives.’” Another proposal in the 116th Congress, H.R. 4901, would temporarily increase the House size to accommodate statehood for Puerto Rico. As a state, Puerto Rico would receive one House Representative until the next election, at which point it would receive the same number as “the State whose most recent Census population was closest to, but less than, that of Puerto Rico.” Under this proposal, after the next apportionment, the House would return to 435 seats, distributed across 51 states, unless Congress otherwise acted to make permanent changes.

Considerations

The particular considerations and implications of changing the size of the House may depend on whether Congress seeks to increase or decrease the House size, and by how many seats. A larger House would generally lead to less populous House districts and a smaller House would generally lead to more populous House districts, though not necessarily for all states, due to the method by which [apportionment](#) is calculated. Any change to the size of the House might cause certain states to gain or lose existing seats. Seat gains or losses would also affect a state’s representation in the [Electoral College](#), which, under the

U.S. Constitution, consists of the number of Senators and Representatives for each state ([Article II, Section 1, clause 2](#)).

In 2018, [Pew Research found](#) that a plurality of Americans surveyed thought the House size should remain the same, with others supporting a decrease or increase to its size. Discussions about the size of the House, both historically and contemporarily, often involve normative questions about the nature of representative democracy and how many constituents a representative ought to serve, which can be difficult to resolve. The [Framers debated](#) House and district size at the Constitutional Convention, for example, and James Madison proposed a related [constitutional amendment](#). As a more recent example, proponents of what has been termed the “Wyoming Rule” suggest districts should approximate the size of the state with the smallest population size. The sizes and representation ratios of national legislatures in [other nations](#) may also provide ideas and options for discussions about the U.S. House size. Institutional considerations, such as House size [relative to the Senate size](#), or the ability to maintain [legislative efficiency](#), could also shape views.

Changes to the House size, and increases in particular, might introduce logistical and administrative considerations. For example, the size of the House chamber and existing congressional office space might be viewed as a constraint on House size, or lead to additional considerations, such as whether or how to provide additional physical space in the Capitol Complex, or if certain work might be conducted remotely. The annual cost of operating each House office, including the [Members’ Representational Allowance](#) and [salary](#), as well as other accounts or services that apply to the entirety of the House, might also factor into decisions regarding House size.

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