

# Apportionment and Redistricting Following the 2020 Census

Updated December 9, 2020

The census, apportionment, and congressional redistricting are interrelated processes that occur every decade. The [U.S. Constitution](#) provides that a decennial census determines the distribution of [U.S. House seats](#) across states, though the federal government today also uses census data for other purposes, such as distributing funding to states and localities. The process of dividing House seats across states is known as [apportionment](#) (or [reapportionment](#)). Each state must receive one House seat and additional seats are distributed proportionally based on state population size. States then engage in [redistricting](#), creating or redrawing geographic subdivisions for each House district with relatively [equal-sized populations](#).

Timelines for the census and apportionment are provided in federal statute and generally occur as scheduled every decade. The COVID-19 pandemic, however, affected 2020 census field operations, and raised concerns about timing for the apportionment and redistricting processes that follow the completion of the census. This Insight provides background on the typical timing of the census, apportionment, and redistricting, as well as a brief discussion of recent 2020 census operational changes and proposals, particularly those related to the subsequent congressional apportionment and redistricting.

## Typical Timing—Census, Apportionment, and Redistricting

**Figure 1** illustrates a timeline of the typical census, apportionment, and redistricting processes. [Federal statute](#) requires that April 1 of any year ending in “0” marks the official decennial census date, although the Census Bureau begins [certain population counts and outreach earlier](#). A count known as the [apportionment population](#), which reflects the [total resident population](#) in each state (including minors and noncitizens, in addition to Armed Forces and federal civilian personnel and their dependents living abroad), is typically used to distribute House seats. [Within nine months of the decennial census date](#) (December 31 of the year ending in “0”), the Secretary of Commerce reports the apportionment population to the President. The Census Bureau has, in past years, [released apportionment counts publicly](#) at about the same time.

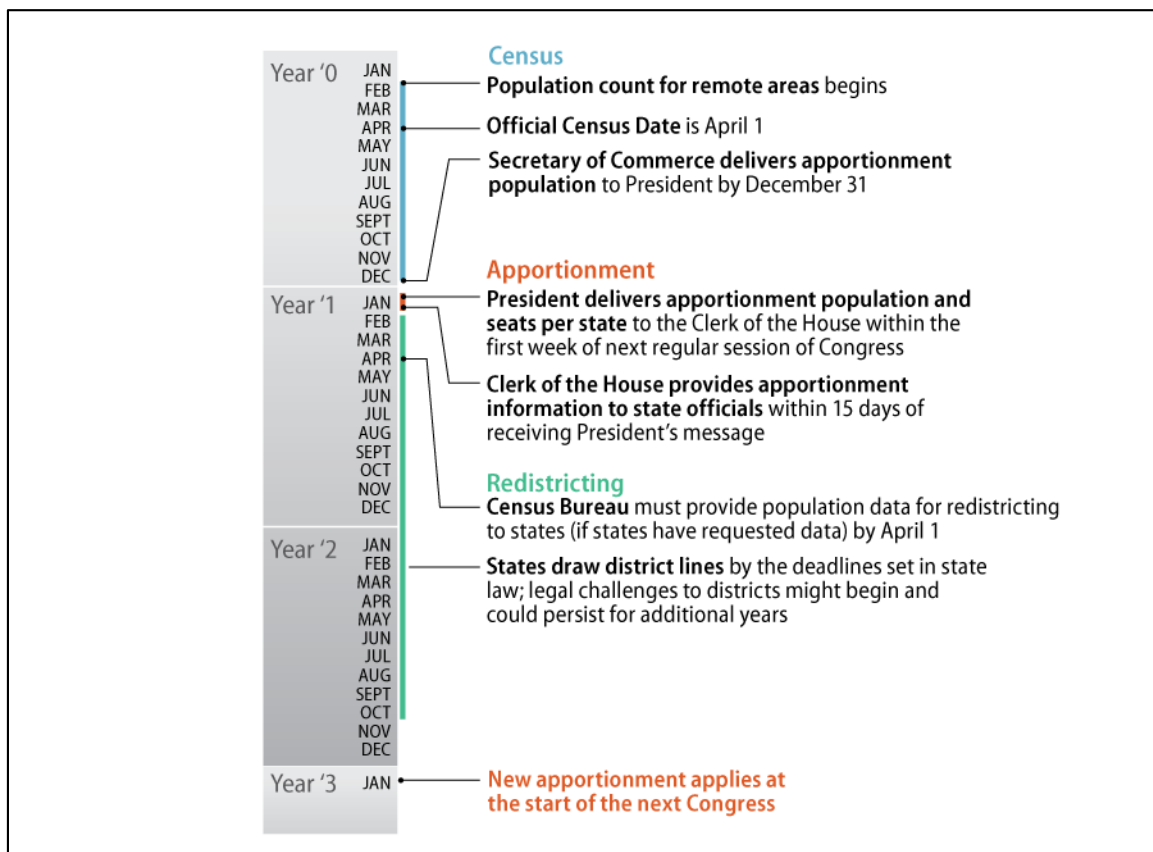
Congressional Research Service  
<https://crsreports.congress.gov>

IN11360

Within the first week of the first regular session of the next Congress, the President [transmits a statement](#) to Congress that provides information on how to apportion House seats. The President's message to Congress contains the apportionment population and resulting number of Representatives for each state, based on the total number of Representatives (435) and using the [method of equal proportions](#).

The Clerk of the House sends each governor a certificate indicating the number of Representatives for their state within 15 calendar days of receiving the President's apportionment message. Each state receives the number of Representatives noted in the President's statement, beginning at the start of the next session of Congress (typically, [early January of a year ending in "3"](#)). States may then engage in their own redistricting processes before the start of that Congress, and the timing of redistricting varies based on state laws.

**Figure 1. Typical Timeline of Census, Apportionment, and Redistricting Process**



**Source:** CRS compilation, based on information from the U.S. Constitution, *U.S. Code*, U.S. Census Bureau, and state laws. Graphic created by Amber Hope Wilhelm, CRS Visual Information Specialist.

## Recent Developments

Census delays due to the COVID-19 pandemic and issues related to compiling the apportionment population have led to questions about possible effects on the apportionment and redistricting processes following the 2020 census.

Census operations for 2020 were [underway](#) as the COVID-19 pandemic began. Many Americans used the [internet](#), phone, or mail to provide timely [self-responses](#) to the census, but the Census Bureau's in-person field operations, which collect data for certain [remote communities](#) and [follow up](#) with nonrespondents,

presented [public health concerns](#). In March and April 2020, some advocated that operational adjustments [were necessary](#) to provide an [accurate, complete count while protecting the health](#) of respondents and census workers.

On March 18, the Census Bureau [announced](#) its first temporary suspension of 2020 field operations. Further [changes announced](#) April 13 included closing field offices through June 1, and a [proposed timeline](#) that would extend data collection through October 31. This schedule also proposed delivery of apportionment counts to the President by April 30, 2021 (to be delivered to Congress within 14 days of receipt) and delivery of redistricting data in response to state requests no later than July 31, 2021. [Four former Census Bureau directors](#) wrote a letter in support of the census extensions.

The Census Bureau postponed [certain deadlines for the 2020 census](#). Operating under a [revised schedule](#), and following a [U.S. Supreme Court ruling](#), the bureau accepted responses [until October 15](#), two and a half months later than usual. To date, Congress has not changed the [statutory deadlines](#) for the bureau to deliver apportionment data to the President or redistricting tabulations to states. Three bills were introduced in May and June that would have adjusted the statutory deadlines to meet the Census Bureau's proposed deadlines, but they have not become law: H.R. 6800 (passed the House), H.R. 7034, and S. 4048.

Some have continued to express [concerns](#) over the [accuracy and completeness](#) of collected census data and the Census Bureau's ability to provide apportionment data by its statutory deadline. The House Committee on Oversight and Reform held a [hearing on December 3](#) addressing census [data anomalies and potential delays](#) for data delivery. [Media reports](#) indicate that the bureau might not be able to deliver apportionment counts on time, possibly until [late January 2021](#). The outcome of a [case before](#) the Supreme Court on whether to [exclude unauthorized immigrants from the apportionment population](#) (as directed by a [July 2020 presidential memorandum](#)) [reportedly](#) might also affect when apportionment data are provided.

The potential delay of apportionment data delivery has raised [some concerns](#) about [possible effects on congressional redistricting](#). For example, [following the 2010 census](#), many states had begun (and some had completed) redistricting by July 2011. States with constitutional or statutory [redistricting deadlines in 2021](#), and especially those with [part-time legislatures](#) or [2021 elections](#), [might face particular challenges](#) if apportionment or redistricting data from the Census Bureau are not received when expected.

## Author Information

Sarah J. Eckman  
Analyst in American National Government

---

## Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United

---

States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.