

UNITED STATES OF AMERICA

Date of Elections: November 2, 1976

Purpose of Elections

Elections were held for all the members of the House of Representatives and one-third (33) of the members of the Senate on the normal expiry of their term of office.

Characteristics of Parliament

The bicameral Parliament of the United States of America, the Congress, consists of the Senate and the House of Representatives.

The Senate is composed of 100 members elected for 6 years on the basis of two for each of the country's 50 States, a third of whom are chosen every two years in such manner that, in each State, both Senators are not normally standing for election at the same time.

The House of Representatives is composed of members elected for 2 years in the 50 States in such manner that each Representative represents roughly the same number of citizens, provided that each State has at least one Representative. Within the constitutional limitation that " the number of Representatives shall not exceed one for every thirty thousand " inhabitants, the Congress itself has the power to determine the size of the House of Representatives. Under the law presently in force, the membership from the 50 States is fixed at 435. In addition to these Representatives, there are Delegates from the District of Columbia, the organized territories of Guam and the Virgin Islands, who are elected for 2 years, and a Resident Commissioner from Puerto Rico, elected for 4 years; these four officers may take part in the debate of the House, but have no right to vote except in committees.

Electoral System

The Constitution of the United States lays down that all citizens who, " in each State, shall have the qualifications requisite for electors of the most numerous branch of the State legislature " are entitled to vote in elections for Congress; it prescribes, furthermore, that the right of citizens to vote shall not be denied or abridged on account of race, colour or sex, or by reason of failure to pay any poll tax or other tax.

Within these limitations, the determination of who may vote falls under the jurisdiction of each State, with the proviso that no violation be made of

the factors of discrimination proscribed by the Constitution. In all States, electors are required to be United States citizens and not less than 18 years of age. In elections other than presidential, the United States Supreme Court has held that a maximum period of 30 days' residence in a State is what will be constitutionally permissible. Most States have conformed their durational residence requirements to meet this Supreme Court standard.

With the passage of the Voting Rights Act Amendments of 1970, the States ceased to have the right to impose literacy tests or similar devices as a condition to vote; the 1975 Amendments to the Voting Rights Act made permanent the ban on such tests or devices.

The insane and persons convicted of a crime which carries the penalty of disfranchisement are disqualified from voting in many States. Other grounds for disqualification found in some States include conviction for an election-connected offence, duelling, bad moral character and imprisonment. Tests of moral character, however, fall under the prohibitions of the Voting Rights Act of 1966, as amended.

Electors must have their names appear on the registers as eligible voters in virtually all the States. In these cases, persons must take the initiative in order to become registered to vote. Once on the register, voters generally need take no initiative other than to continue to vote regularly, provided that they do not change their names or addresses. The registers — which are mostly drawn up at the county level — are revised almost continuously, and particularly before State-wide elections. The Overseas Voting Rights Act of 1975 requires States to adopt uniform absentee registration and voting procedures covering overseas citizens in federal elections.

Although voting is not compulsory, employers in many States are required to allow their employees to take time off to vote without loss of pay. Most States permit absentee voting especially for members of the armed forces and their dependants and government employees.

No person may be a Representative who has not attained the age of 25 years and been for seven years a citizen of the United States and an inhabitant of his State; for the Senate, the requirement is 30 years of age and nine years' citizenship and an inhabitant of his State. No Senator or Representative may hold any civil office under the authority of the United States during his term in Congress.

A person may run for Congress either as an independent or as a member of a political party; most candidates are, in practice, presented on the ballot paper under a party designation. Voters may "write in" the name of a candidate who does not appear on the printed ballot.

Nomination as a result of nominating, or primary, elections of parties is the practice in most States. It is regulated by State law. Usually, a person

may become a candidate in the primary election by obtaining a petition subscribed by a designated number of voters of his political party. Voters then choose their party's candidate at the primary election. The number of voters whose support is necessary to qualify as a candidate in either a party's primary or in a general election, and the necessity or amount of an accompanying filing fee, vary according to State law.

The Federal Election Campaign Act of 1971, as amended in 1974 and 1976, provides for the civil enforcement of the federal campaign financing laws; these laws provide for various overall contribution limitations for individuals and political committees. The United States Supreme Court has held expenditure limitations to be unconstitutional since they place substantial direct restrictions on political expression that is prohibited by the First Amendment; expenditure limitations, however, are valid in situations where candidates agree to adhere to them in order to receive public financing.

Each State is entitled to at least one Representative and all beyond this minimum number are apportioned among the States according to population, so that no congressional district is exactly the same geographical size. Districts must, however, be substantially the same size in terms of population. Representatives of States entitled to more than one Representative all come from single-member districts.

Each of the 50 States is entitled to 2 Senators, both of whom represent the State as a whole regardless of its population. Each elector therefore votes for two senatorial candidates.

Members of Congress are all directly elected, generally on the basis of simple plurality of vote. The two exceptions are the State of Georgia and the District of Columbia, both of which provide for a run-off election in the event that no candidate obtains an absolute majority of the votes cast in the general election.

If a seat becomes vacant in the House of Representatives between general elections, a special election is held. If a seat becomes vacant in the Senate, the Governor of the State concerned may, through a temporary appointment, fill it until a special election is held in conformity with the laws of that State.

General Political Considerations and Conduct of the Elections

As in 1974, the Democratic Party strengthened its majority position in the House of Representatives as a result of the 1976 legislative elections, while maintaining its supremacy in the Senate. The triumph of Democratic presidential candidate Jimmy Carter was for its part in keeping with the post-World War II pattern of the country's Administration changing hands between the two major parties every eight years.

Principal sections of both the Democratic and Republican Policy Platforms dealt with means to combat unemployment and inflation, tax and welfare reform, education and civil rights. The Democrats recommended the establishment of a comprehensive national health insurance system, the Republicans advocated a national urban strategy. Regarding foreign affairs, both parties recognized the country's interest in securing peace through military strength, in normalizing relations with the People's Republic of China, and in seeking peace in the Middle East.

As Mr. Carter won the presidential election with a margin of 2% in the popular vote and a majority of 56 electoral votes, the Democrats made a net gain of two seats in the House; of the 22 seats which changed parties, the Democrats won 12. Of the 33 contested Senate seats, the Democrats won 21 to maintain their overall total of 61. Among independent and minor-party candidates, only one independent Senator was returned.

Statistics

1. *Distribution of Seats in the House of Representatives*

Political Group	Number of <i>Seats</i>
Democratic Party	292 (+2)
Republican Party	143 (—2)
	435

2. *Distribution of Seats in the Senate*

Political Group	Number of <i>Seats</i>
Democratic Party	61 (=)
Republican Party	38 (+ 1)*
Independent	1 (=)
	100"

* Represents gain of one seat formerly held by a Conservative-Republican

3. *Distribution of Members of Congress according to Sex*

Men	417	100
Women.18	—
	"435	TOO

4. *Distribution of Senators according to Age Group*

35-40 years.	5
40-45.9
45-50.18
50-55.16
55-60.21
60-65.12
65-70.8
70-75.6
75 and over.5
	Too

PUBLICATIONS OF THE CIDP

Unless otherwise indicated, the publications listed below are obtainable from the Secretariat of the Inter-Parliamentary Union, Place du Petit-Saconnex, 1209 Geneva (Switzerland).

PARLIAMENTS OF THE WORLD: A Reference Compendium. A comparative study of 56 Parliaments in a series of 70 tables preceded by explanatory texts. Pp. 985. (London, The Macmillan Press Ltd., 1976). Distributed by the Macmillan Press Ltd. and Walter de Gruyter Verlag. French edition of 881 pages published by Presses universitaires de France, Paris. On sale in bookshops and, for members of the Union, at the Inter-Parliamentary Secretariat, at the reduced price of Sw. Fr. 95.—.

SERIES " REPORTS AND DOCUMENTS "

The Member of Parliament: His Requirements for Information in the Modern World.

Proceedings of the 3rd Inter-Parliamentary Symposium, held in Geneva from January 18 to 20, 1973.

Two volumes which contain:

1. Verbatim record of reports and debates, in the original language (English or French), each statement followed by a brief summary in the other language; list of participants; index of speakers. Pp. 329.
2. *Synthesis of Results of the International Inquiry on the MP's Means of Information* — a revised version of the analysis prepared by the CIDP, containing detailed comparative data in textual form with 13 tables, based on replies received from 39 countries. *

Both volumes » 25.—

Who Legislates in the Modern World?

Proceedings of the 4th Inter-Parliamentary Symposium, held in Geneva from January 29 to 31, 1976.

Verbatim record of reports and debates, in the original language (English or French), each statement followed by a brief summary in the other language; list of participants; index of speakers. Pp. 280. » 22.—

Provisions for the Information of Members of Parliament concerning the Activities of the United Nations and Specialized Agencies

Findings of an Inquiry — Geneva, 1977. * Pp. 45. » 7.—

CHRONICLE OF PARLIAMENTARY ELECTIONS

I. July 1, 1966 — June 30, 1967	
Bilingual edition (English-French)	» 7
II. July 1, 1967 — June 30, 1968 *	» 10
III. July 1, 1968 — June 30, 1969 *	» 15
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* French edition also available.