

UNITED STATES OF AMERICA

Date of Elections: 7 November 1978

Purpose of Elections

Elections were held for all the members of the House of Representatives and one-third of the members of the Senate on the normal expiry of their term of office; elections for two additional Senate seats were held to fill vacancies caused by the deaths of Members.

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 1965, 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. Representative all come from single-member districts.

Each of the 50 States is entitled to two 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

In the 1978 Congressional elections, the Republican Party gained strength in both Houses of Congress, although the Democratic Party retained a clear majority. The outcome was in keeping with the pattern according to which the party in power in the White House loses seats in Congress in mid-presidential term elections.

There were referenda on many State ballots which reflected issues of concern to voters. Voters in 13 States favored referenda approving restrictions on government taxing or spending. This was one of the few issues of national concern. Most other issues in this election reflected specific local problems. Among these were gambling, school busing, abortions, bans on smoking in public places, environmental measures and equal rights for women.

On polling day, voter turnout for a mid-term election fell to the lowest point since 1942. The Republicans made net gains of three Senate seats and 12 House seats. Incumbents generally fared well. In Senate contests, 15 of 22 incumbents seeking re-election were returned; in the House, 358 of the 377 incumbents remained in office. Twenty new Senators were elected. As many of the new Members were quite young, the average ages of Representatives and Senators reached unprecedented lows: 48.8 years in the House, 52.7 years in the Senate; at 49.5 years, average age of all Members of Congress fell below 50 for the first time.

Statistics

1. Results of the Elections and Distribution of Seats in the House
of Representatives

Number of registered electors.	104,125,000
Voters	61,038,000(58.62%)
Valid votes.	54,583,922

Political Group	Number of Candidates	Votes obtained	%	Number of Seats
Democratic Party.	419	29,129,007	53.3	276(-16)
Republican Party.	403	24,401,021	44.7	159 (+16)
Others.	169	1,053,894	19	
				435

2. Results of the Elections and Distribution of Seats
in the Senate

Political Group	Number of Candidates	Votes obtained	%	Number of Seats obtained in 1978 Elections	Number of Seats won in 1976 Elections	Total number of Seats
Democratic Party	35	14,362,402	50.6	15	21	58 (-3)
Republican Party	33	13,520,147	47.6	20	11	41 (+3)
Others	46	504,089	1.8		1	
				35*	33	100

* Including special elections for two vacant seats.

3. Distribution of Members of Congress according to Professional Category

	Senate	House of Representatives
Law	65	205
Business or Banking	29	127
Public service/Politics	12	41
Education	7	51
Agriculture	6	[9
Journalism	2	11
Science	2	2
Medicine	1	6
Clergy	1	6
Law enforcement	—	5
Labour leaders	—	4
Engineering	—	2
	<hr/> 125*	<hr/> 485*

* More than one profession has been listed for some Members.

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

	Senate	House of Representatives
Men	99	419
Women	1	16
	100	435

5. *Distribution of Members of Congress according
to Age Group*

	Senate	House of Representatives
25-30 years		3
30-35		24
35-40	.10	70
40-45	.15	55
45-50	.17	66
50-55	.17	81
55-60	.16	62
60-65	.10	35
65-70	.6	28
70-75	.5	8
Over 75	.4	3
	100	435
<i>Average Age:</i>	52.7 years	48.8 years