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THE EIGHTEEN YEAR OLD VOTE: THE TWENTY-SIXTH AMENDMENT AND SUBSEQUENT VOTING RATES OF NEWLY ENFRANCHISED AGE GROUPS

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#### **ABSTRACT**

This report traces the progress of proposals to expand the right to vote to citizens between the ages of 18 and 21, culminating in the ratification of the 26th Amendment to the Constitution of the United States in 1971. It also reviews the voting rates of the newly enfranchised age group and compares them to voting rates of other age groups.

The author wishes to credit Eileen Gray and Robert Amorosi for their secretarial assistance in preparing this report.

# CRS-v

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THE EIGHTEEN YEAR OLD VOTE: THE TWENTY-SIXTH AMENDMENT AND SUBSEQUENT VOTING RATES AMONG NEWLY ENFRANCHISED AGE GROUPS

#### I. INTRODUCTION

On July 1, 1971, the Legislatures of North Carolina and Oklahoma approved the 26th Amendment to the United States Constitution, completing the ratification process and extending the right to vote to all citizens eighteen years of age or older, nearly forty years after the concept of a lower voting age in Federal elections was first seriously proposed.

This report documents the progress of the movement to enfranchise American youth as part of almost two centuries of efforts to extend the right to vote to all adult Americans. It records the progress of the 26th Amendment through passage in Congress and ratification by the several States. It also presents data on the voting rates among those who subsequently became eligible to vote.

#### II. EXPANSION OF THE RIGHT TO VOTE

Universal adult suffrage in America has been achieved only after a long series of State and Federal legislative enactments and constitutional amendments. Colonial charters and post-revolutionary State constitutions in many cases established stringent criteria for voting, based on property ownership, level of income, religion, sex, race, and age. Only a very small percentage of the total population, almost without exception white adult males possessing the requisite land holdings or income, qualified to vote.

The Philadelphia Constitutional Convention of 1787 chose not to tamper with the existing formulas; it left determination of who had the right to vote in the hands of the States, specifying only that "the Electors [of U.S. Representatives] in each State shall have the qualifications requisite for electors of the most numerous Branch of the State Legislature." 1/

Although proposals for popular election of Senators and the President were advanced, the convention effectively removed these offices from direct choice by the people. The Senate was chosen by the legislatures of the States, while the President was chosen by electors in each State appointed "in such manner as the Legislature thereof may direct." 2/

In practice, the right to vote in the early years of the Republic was generally limited to white males 21 years of age or older holding land or possessing a certain level of income or personal property. The electorate was quite small by modern standards. During the first half of the 19th century, however, property and income qualifications were gradually eased. By the time of the Civil War almost all States, save for those linking voting to tax payment, offered universal white manhood suffrage. Rhode Island alone retained a property requirement. 3/

The first serious Federal effort to expand the right to vote came after the Civil War, in 1865. Three amendments passed during the Reconstruction era sought to extend full citizenship rights to America's recently emancipated black population. The 13th Amendment, ratified in 1865, incorporated emancipation

<sup>1/</sup> U.S. Constitution, Article I, Section 3.

<sup>2/</sup> Ibid., Article II, Sec. 1.

<sup>3/</sup> Peirce, Neal. The People's President. New York, Simon and Schuster, 1968. p. 206.

as a part of the Constitution. The 14th, ratified in 1868, guaranteed citizenship, due process and equal protection of the law to "all persons born or naturalized in the United States, and subject to the jurisdiction thereof." 4/ The 15th Amendment specifically guaranteed all adult male citizens the right to vote, notwithstanding "race, color, or previous condition of servitude." 5/

Despite these efforts, large scale voting by blacks did not long survive the end of Reconstruction in 1877; blacks, where not discouraged from voting by terror and intimidation, were systematically purged from the rolls by such devices as poll taxes, lengthened residency requirements, "white" primaries, which prohibited black voting in Democratic primary elections, and "grandfather" clauses, which restricted the franchise to those who were registered to vote before adoption of the 14th and 15th Amendments, and their descendents. 6/

Women achieved the right to vote with the ratification of the 19th

Amendment in 1920, while the 23rd Amendment established the right of citizens

of the District of Columbia to vote for Presidential electors in 1961.

Many hindrances to voting by black citizens were gradually removed by the Civil Rights Acts of 1957, 1960, and 1964 and the Voting Rights Act, originally passed in 1965, amended and extended in 1970, 1975 and 1982. Another constitutional amendment, the 24th, ratified in 1964, prohibited denial of the right to vote because of failure to pay a poll tax. It could be said that by the late nineteen sixties, proposals to grant the right to vote to 18 to 20 year olds came to be viewed by many as a logical extension of the national trend in broadening the franchise.

<sup>4/</sup> U.S. Constitution. 14th Amendment.

<sup>5/</sup> Ibid., 15th Amendment.

<sup>6/</sup> Peirce, The People's President, p. 215-220.

#### III. MOVEMENT FOR THE EIGHTEEN YEAR OLD VOTE: INITIAL WARTIME PROPOSALS

Although proposals to lower the voting age were occasionally offered as far back as the nineteenth century, broad support for a such an extension first developed during the Second World War. At that time of national crisis, Congress sought to meet the growing needs for military personnel by lowering the age at which males were subject to the draft from 20 to 18 years. On November 13, 1942, President Franklin D. Roosevelt signed legislation (56 Stat. 1018) lowering the draft age. This action provided an impetus to proposals that the voting age be similarly lowered. Senator Harley Kilgore (D-W.Va.) had pioneered in this area, offering a voting age amendment in 1941; he was joined by Senator Arthur Vandenberg (R-Mich.) and Representatives Jennings Randolph (D-W.Va.) and Victor Wickersham (D-Okla.), who introduced similar resolutions in the second session of the 77th Congress. Senator Kilgore asserted that nearly 90 percent of the approximately 7,000,000 Americans between 18 and 21 were already contributing to the war effort, either through military service or other forms of war work. The movement adopted the watchword "old enough to fight, old enough to vote." 7/

Early in 1943 Eleanor Roosevelt added her voice to the movement for the 18-year-old vote, while the National Education Association also endorsed the concept. 8/

Although informational hearings were held in the House Judiciary Committee in 1943, no action was taken in Congress on any of the amendments offered in the 77th or later war-time Congresses. There was also considerable exploratory

<sup>7/</sup> Kilgore, Harley M. Old Enough to Vote. The Spotlight, v.1, Dec. 1943, p. 6.

<sup>8/</sup> New York Times, Jan. 22, 1943, p. 14; National Education Association Journal, v. 32, Feb. 1943, p. 36.

action on the local level which did lead to concrete results in one State: in 1943, voters in Georgia approved a constitutional amendment previously approved by the legislature which lowered the age requirement to 18 years. 9/

#### Postwar Developments

Despite growing public support for a lowered voting age requirement, Congress failed to pass any of the many proposed amendments during the quarter century following World War II, and, in fact, the question reached the floor of either house only once prior to 1970.

In his 1954 State of the Union Message, President Dwight D. Eisenhower urged Congress "to propose to the States a constitutional amendment permitting citizens to vote when they reach the age of 18." 10/ Responding to the President's plea, Senate Judiciary Committee Chairman William Langer (R-N.D.) introduced Senate Joint Resolution 53 in the 83d Congress. Senator Langer's resolution was brought to the floor of the Senate for consideration on May 21, 1954, where a coalition of liberal Democratic and moderate Republican senators supported the proposed amendment but were unable to obtain the required two-thirds majority: S.J. Res. 53 failed of passage by a margin of 34 yeas to 24 nays, with 37 Senators not voting. 11/

<sup>9/</sup> Council of State Governments. The Book of the States, 1943-1944.
v. 5. Chicago, Council of State Governments, 1943. p. 118-119.

<sup>10/</sup> U.S. President, 1953-1961 (Eisenhower). Annual Message to the Congress on the State of the Union. Jan. 7, 1954. Public Papers of the Presidents of the United States, Dwight D. Eisenhower: 1954. Washington, U.S. Govt. Print. Off., 1960. p. 22.

<sup>11/</sup> U.S. Congress. Congressional Record, 83rd Cong., 2nd Session. v. 100, pt. 5. Washington, U.S. Govt. Print. Off., 1954. p. 6963-6980.

Although voting age amendments were introduced in every succeeding Congress, and although extensive hearings were held in the 87th, 90th, and 91st Congresses, nothing was reported from committee prior to the 91st Congress. 12/

There was also considerable action in the States during the nineteen fifties. During the Korean War, the realization that many thousands of young men between the ages of 18 and 21 were serving in combat situations spurred introduction of proposals to lower the voting age. By one account, the legislatures of no fewer than 35 States considered reducing the age requirement between 1950 and 1954. 13/ In only three instances, however, were the proposals adopted: in the first, Kentucky voters approved reduction of the age limit to 18 in a November 1955 referendum. 14/ Alaska and Hawaii, both of which entered the Union in 1959, set voting age at 19 and 20 respectively, in their State constitutions. 15/

#### Public Support for the 18-Year-Old Vote

Throughout the four decades prior to the passage of the 26th Amendment, there was a growth of public support for the idea of an 18 year old voting age limit, as measured by the Gallup Poll. The question was first asked in 1939, and then repeated at intervals, with the results given in Table 1.

<sup>12/</sup> U.S. Congress. Senate. Committee on the Judiciary. Passage and Ratification of the Twenty-sixth Amendment. Report of Constitutional Amendments Subcommittee. 92nd Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1972. p. 4.

<sup>13/</sup> Should Congress Lower the Voting Age to 18? Congressional Digest, v. 49, May, 1970. p. 133.

<sup>14/</sup> The Council of State Governments. The Book of the States, 1956-1957. p. 81.

<sup>15/</sup> Ibid., 1960-1961. p. 20.

TABLE 1. Do You Favor Reducing the Age at Which American Citizens Can Vote From 21 to 18?

Date	Yes	No	Undecided
June 1939	17	83	
Jan. 1943	39	52	6
Feb. 1947	35	60	5
Sep. 1951	47	49	4
Mar. 1954	58	34	8
Aug. 1965	57	39	4
Apr. 1967	64	28	8
Apr. 1970	58	38	4

Source: Gallup, George H. The Gallup Poll, 1935-1971. New York, Random House, 1972. p. 159, 364, 630, 1009, 1218, 1958, 2057, 2243, 2303.

On March 30, 1963, President John F. Kennedy issued an executive order establishing the President's Commission on Registration and Voting Participation to investigate the causes of widespread failure to register and vote, and to recommend such reforms as seemed advisable. 16/ The Commission's report, submitted to President Lyndon B. Johnson in late 1963, provided further impetus for the 18-year-old vote by recommending, in part, that "each State should carefully consider reducing the minimum voting age to 18." 17/

President Johnson carried this legacy forward in a Special Message delivered June 27, 1968, stating in part that,

<sup>16/</sup> U.S. President, 1961-1963 (Kennedy). Statement by the President Upon Signing an Order Establishing the Commission on Registration and Voting Participation, March 30, 1963. Public Papers of the Presidents of the United States, John F. Kennedy: 1963. Washington, U.S. Govt. Print. Off., 1964. p. 294.

<sup>17/</sup> U.S. President's Commission on Registration and Voting Participation. Report. Washington, U.S. Govt. Print. Off., 1963. p. 43-44.

. . . it is time once more for Americans to measure the constraints of custom and tradition against the compelling force of reason and reality in regard to the test of age. The hour has come to take the next great step in the march of democracy. We should now extend the right to vote to more than ten million citizens unjustly denied that right. They are the young men and women of America between the ages of 18 and 23. 18/

Resurgence of the movement to lower the voting age in the nineteen sixties seemed to follow the historical pattern, coming as it did while the United States was engaged in military conflict requiring the induction of large numbers of young men into military service. On this occasion, the claim of young Americans that they deserved the right to vote seemed more compelling in light of growing questions about United States military involvement in Indochina.

# Pro and Con Arguments on Lowering the Voting Age Requirement

Numerous arguments both favoring and opposing extension of the franchise to those between the ages of 18 and 21 were raised during the nearly 30 years the question was at issue. A number of the salient points on both sides were considered in an earlier pro-con analysis and are summarized below.

### Arguments in Favor of a Minimum Voting Age of 18 Years

- 1. Young citizens today, in part because of the rising level of education, are better equipped to exercise the right of suffrage than were past generations of youth.
- 2. The idealism and enthusiasm of youthful voters would have a beneficial influence on the conduct of government.
- 3. Those who are old enough to fight are old enough to vote. Young men have been eligible for selective service at 18 during World War II, the Korean, and Vietnamese conflicts.

<sup>18/</sup> U.S. President, 1963-1969 (L.B.Johnson). Special Message to the Congress: To Vote at Eighteen-Democracy Fulfilled and Enriched, June 27, 1968. Public Papers of the Presidents, Lyndon B. Johnson: 1968-1969. Washington, U.S. Govt. Print. Off., 1970. p. 750.

- 4. In many respects, young citizens are legally considered to be of age and are held responsible for their actions.
- 5. Participation in politics through exercise of the right to vote is an important part of training young men and women to the duties of responsible citizenship.
- 6. The limited experience with a lower minimum voting age in Georgia, Kentucky, Alaska, and Hawaii demonstrated that the lower minimum worked satisfactorily. The experience of other nations having an 18 year old minimum is irrelevant, as these nations have governmental systems quite different from ours.

# Arguments in Opposition to a Minimum Voting Age of 18 Years

- Any Federal effort to impose a national age standard on the States would be a violation of States' rights. The framers of the Constitution clearly intended that each State should have control over the conditions of voting within its jurisdiction.
- 2. In general, young people between the ages of 18 and 21 lack the maturity and experience that the exercise of the right to vote demands in a free society.
- 3. Most other democratically governed nations also have a minimum age requirement of at least 21 years. Some have even higher requirements.
- 4. The argument that those old enough to fight are old enough to vote is specious. Physical maturity is quite different from social and political maturity.
- 5. Lowering the voting age would confer political rights and responsibilities upon minors, persons not generally considered to be legally responsible for their actions.
- 6. The voting booth ought not to be considered a training ground for citizenship. The right to vote should be restricted to those who are mature enough to assume the full responsibilities of citizenship.
- 7. Lowering the voting age would cause a flood of student votes in university communities, overwhelming the local electors and substituting for their judgment the opinions of temporary residents who have nothing material at stake,

and whose decisions are less the result of sober consideration of policy alternatives than that of peer group pressures.  $\underline{19}/$ 

#### IV. THE TWENTY-SIXTH AMENDMENT

#### Action in the Ninety-first Congress

On August 12, 1969, Senator Jennings Randolph (D-W.Va.) was joined by 67 co-sponsors in introducing Senate Joint Resolution 147, proposing an amendment to the Constitution of the United States extending the right to vote to citizens 18 years of age or older. 20/ Senator Randolph had introduced a similar resolution in the House of Representatives more than 25 years earlier. Hearings on the resolution were held in the Senate Judiciary Committee's Subcommittee on Constitutional Amendments, under Chairman Birch Bayh (D-Ind.) in February and March of 1970, at which time broad support for the amendment was expressed. Deputy Attorney General Richard Kleindienst, testifying for the Nixon Administration, stated in part:

America's 10 million young people between the ages of 18 and 21 are better equipped today than ever in the past to be entrusted with all of the responsibilities and privileges of citizenship. Their well-informed intelligence, enthusiastic interest, and desire to participate in public affairs at all levels exemplifies the highest qualities of mature citizenship. 21/

<sup>19/</sup> Taken substantially from: U.S. Library of Congress. Legislative Reference Service. Lowering the Voting Age to 18 Years: Pro and Con Arguments. LRS Report by Doris W. Jones. Washington, 1959.

<sup>20/</sup> Randolph, Jennings. Introduction of a Joint Resolution Relating to Extension of Voting Rights to 18 Year Olds. Congressional Record, v. 115, Aug. 12, 1969. 91st Cong., 1st Sess. p. 23522-23524.

<sup>21/</sup> Senate Judiciary Committee. Passage and Ratification of the Twenty-Sixth Amendment, p. 5.

At about the same time, support was growing in the Senate for a proposal suggested by Senator Kennedy that Congress attempt to lower the voting age by statute, rather than by amendment, a strategy which was opposed by the Nixon Administration. On March 12, 1970, the Senate attached an amendment lowering the voting age to 18, effective January 1, 1971, to H.R. 4249, a pending House bill extending the Voting Rights Act of 1965. 22/ The House agreed to the Senate's amendment on June 17 and sent the bill forward for President Nixon's signature. 23

Although the President signed the legislation, P.L. 91-285, he indicated his opposition to inclusion of the 18 year old vote provisions in the bill, on the grounds that lowering the voting age required a constitutional amendment:

As passed, the bill contained a "rider" which I believe to be unconstitutional: a provision lowering the voting age to 18 in Federal, State, and local elections. Although I strongly favor the 18 year old vote, I believe—along with most of the Nation's leading constitutional scholars—that Congress has no power to enact it by simple statute, but rather it requires a constitutional amendment.

Despite my misgivings about the constitutionality of this one provision, I have today signed the bill. I have directed the Attorney General to cooperate fully in expediting a swift court test of the constitutionality of the 18-year-old provision. 24/

<sup>22/</sup> Congressional Record, 91st Cong., 2nd Sess., v. 116, Pt. 6, Mar. 12, 1970. p. 2095.

<sup>23/</sup> Ibid., v. 116, Pt. 15, June 17, 1970, p. 20199-20200.

<sup>24/</sup> U.S. President, 1969-1974 (Nixon). Statement on Signing of the Voting Rights Act Amendments of 1970, June 22, 1970. Public Papers of the Presidents, Richard M. Nixon: 1970. Washington, U.S. Govt. Print. Off., 1971. p. 512.

#### Supreme Court Action

On August 3, 1970, Oregon and Texas requested the Supreme Court to declare the voting age provisions of P.L. 91-285 to be unconstitutional on the grounds that Congress had acted beyond its competence in passing legislation which was in conflict with their State constitutions. Two weeks later, the Justice Department filed suit against Idaho and Arizona in the Supreme Court: both States had refused to comply with the voting age provisions. 25/

The Court reached a decision on December 21, 1970, ruling five to four in Oregon v. Mitchell that the voting age provisions of P.L. 91-285 were valid as applied to Federal elections, but that Congress could not change the voting age in State and local elections by statute. 26/

#### Action in the Ninety-Second Congress

When the 92nd Congress convened in January 1971, speedy action was undertaken to place an 18-year-old vote amendment before the States. The Supreme Court's decision on the voting age provisions in P.L. 91-285 had caused concern in the States about the costs and administrative cumbersomeness of maintaining dual voting rolls. Moreover, while a number of States moved to amend their own constitutions to bring about uniformity with Federal practice, others were hampered by constitutional provisons which would have made it impossible for 18 to 21-year-olds to vote in State and local elections by 1972. 27/

<sup>25/</sup> Congressional Quarterly, Inc. Congressional Quarterly Almanac, 91st Congress, 2nd Session, 1970. Washington, 1971. p. 192.

<sup>26/</sup> Ibid., p. 713.

<sup>27/</sup> Congressional Quarterly, Inc. Congressional Quarterly Almanac, 92nd Congress, 1st Session, 1971. Washington, 1972. p. 475.

Early in the year, Senator Birch Bayh's Constitutional Amendments Subcommittee of the Senate Judiciary Committee conducted a study of dual voting and found it to be "morally indefensible and patently illogical . . . . Moreover, an extensive nation-wide survey of election officials suggests that dual-age voting may also be dangerously complicated and inordinately expensive as well." 28/

Senator Jennings Randolph and 86 cosponsors introduced a proposed amendment, Senate Joint Resolution 7, in the Senate on January 25, 1971. The resolution was referred to Senator Bayh's subcommittee, which met on March 2, 1971, to consider it, at which time certain technical changes were made in the original wording. The full Senate Judiciary Committee reported S.J. Res. 7 favorably to the Senate on March 8, 1971, which body passed it two days later by a vote of 94 to 0. 29/

Representative Emmanuel Celler (D-N.Y.), Chairman of the House Committee on the Judiciary, introduced a companion resolution, House Joint Resolution 223, in the House of Representatives on January 29, 1971. The resolution was reported favorably from the committee on March 2, and on March 23 the House approved the proposed constitutional amendment by a vote of 400 to 19. The House then endorsed the Senate version by adopting S.J. Res. 7 and laying its own resolution on the table, effectively killing it. 30/

<sup>28/</sup> U.S. Congress. Senate. Committee on the Judiciary. Subcommittee on Constitutional Amendments. Lowering the Voting Age to 18: a Fifty-State Survey of the Costs and Other Problems of Dual-Age Voting. Committee Print, 92nd Cong., 1st Sess. Washington, U.S. Govt. Print. Off., 1971. p. 1-2.

<sup>29/</sup> Senate Judiciary Committee. Passage and Ratification of the Twenty-Sixth Amendment, p. 13-15.

<sup>30/</sup> Ibid, p. 16.

# The Ratification Process

Having passed both Houses of Congress by the required two-thirds majority, the proposed 26th Amendment was passed on to the States for their approval.

Under the provisions of Article V of the Constitution, any proposed amendment must be approved by the legislatures or special ratifying conventions of three-fourths of the States in order to become effective. The degree of acceptance of the proposed amendment was evidenced by the unprecedented speed with which the States approved it, (see Table 2) although many State legislators considered the amendment an infringement on States' rights.

TABLE 2. States Ratifying the 26th Amendment

State	Date
Connecticut	Mar. 23, 1971
Delaware	Mar. 23, 1971
Minnesota	Mar. 23, 1971
Tennessee	Mar. 23, 1971
Washington	Mar. 23, 1971
Hawaii	Mar. 24, 1971
Massachusetts	Mar. 24, 1971
Montana	Mar. 29, 1971
Arkansas	Mar. 30, 1971
Idaho	Mar. 30, 1971
Iowa	Mar. 30, 1971
Nebraska	Apr. 2, 1971
New Jersey	Apr. 3, 1971
Kansas	Apr. 7, 1971
Michigan	Apr. 7, 1971
Alaska	Apr. 8, 1971
Maryland	Apr. 8, 1971
Indiana	Apr. 8, 1971
Maine	Apr. 9, 1971
Vermont	Apr. 16, 1971
Louisiana	Apr. 17, 1971
California	Apr. 19, 1971
Colorado	Apr. 27, 1971

TABLE 2. States Ratifying the 26th Amendment--Continued

State	Date
Pennsylvania	Apr. 27, 1971
Texas	Apr. 27, 1971
South Carolina	Apr. 28, 1971
West Virginia	Apr. 28, 1971
New Hampshire	May 13, 1971
Arizona	May 14, 1971
Rhode Island	May 27, 1971
New York	June 2, 1971
Oregon	June 4, 1971
Missouri	June 14, 1971
Wisconsin	June 22, 1971
Illinois	June 29, 1971
Alabama	June 30, 1971
Ohio	June 30, 1971
North Carolina	July 1, 1971
Oklahoma	July 1, 1971
Virginia	July 8, 1971
Wyoming	July 8, 1971
Georgia	Oct. 4, 1971

Source: United States. Constitution. The Constitution of the United States of America: Analysis and Interpretation. Rev. ed., Washington, U.S. Govt. Print. Off., 1973. p. 44.

Ratification was thus completed on July 1, 1971, when action by the legislature of the 38th State, North Carolina, was concluded, and on July 5, the Administrator of the General Services Administration officially certified it to have been duly ratified. 31/ After North Carolina and Oklahoma provided the ratification needed for approval, the rush to ratify the 26th Amendment came to an end. Three more States approved it in 1971, but no further instruments of ratification have been received by the National Archives since that time. 32/

<sup>31/</sup> United States. Constitution. The Constitution of the United States of America: Analysis and Interpretation. Rev. ed. Washington, U.S. Govt. Print. Off., 1973. p. 44.

<sup>32/</sup> Statement by Legislative and Diplomatic Documents Section, National Archives, November 24, 1982.

#### V. VOTING RATES AMONG THOSE COVERED BY THE 96TH AMENDMENT

The Presidential election of 1972 was the first national political contest in which the 26th Amendment enfranchised the great majority of 18 to 20 year olds. The number of potential voters was impressive: according to the Bureau of the Census estimates, more than 11,000,000 additional potential voters were added to the voting age population by the 1972 amendment. The rate at which 18 to 20 year olds actually voted, however, was lower than levels recorded for citizens 21 or older.

This is not inconsistent with earlier patterns. As shown in Tables 3 and 4, the rate of voting has consistently been lower among newly eligible voters—the youngest age groups in the voting age population. Before the ratification of the 26th Amendment, those in their early twenties had consistently lower rates of voting than the rest of the electorate. Moreover, in the States where 18 to 20 year olds were eligible to vote before the ratification of the 26th Amendment, 33/ their voting rate was lower than that of the 21 to 24 year old group.

There are a number of potential explanations for this long-standing pattern of voting among the youngest groups of eligible voters--greater mobility combined with residency requirements for registration; difficulties in absentee voting; lower levels of interest in electoral politics among the younger eligible voters; and others. Analysis and explanation of this voting behavior and of the variety of questions that the voting data raise are beyond the scope of this report.

For further analysis and discussion, the reader is referred to the bibliography presented as Appendix A to this report.

<sup>33/</sup> Before the ratification of the 26th Amendment four States allowed persons under the age of 21 to vote. In Georgia and Kentucky the voting age was 18; in Alaska, 19; and in Hawaii, 20.

TABLE 3.	Comparative Percentage Rate of Voting, by Age	Group,
	in Presidential Elections, 1964-1980	

Age group	1980	1976	1972	1968	1964
18-20	35.7%	38.0%	48.3%	33.3% <u>1</u> /	39.2% <u>1</u> /
21-24	43.1%	45.6%	50.7%	51.1%	51.3%
25-34	54.6%	55.4%	59.7%	62.5%	64.7%
35-44	64.4%	63.3%	66.3%	70.8%	72.8%
45-64	69.3\$	68.7%	70.8%	74.9%	75.9%
65+	65.1%	62.2%	63.5%	65.8%	66.3%
All Ages	59.2%	59.2%	63.0%	67.8%	69.3%

<sup>1/</sup> Voting in this group limited to four States in 1964 and 1968: Georgia and Kentucky, 18-20; Alaska, 19-20; and Hawaii, 20.

Source: U.S. Bureau of the Census. Voting and Registration . . . . Current Population Reports, Series P-20. Various issues. Washington, U.S. Govt. Print. Off., 1966-1982.

TABLE 4. Comparative Percentage Rate of Voting, by Age Group, in Mid-Term Congressional Elections, 1966-1982

Age group	1982	1978	1974	1970	1966
18-20	19.8%	20.1%	20.8%	25.7% <u>1</u> /	n/a
21-24	28.4%	26.2%	26.4%	30.4%	31.7%
25-34	40.4%	38.0%	37.0%	46.2%	45.9%
35-44	52.2%	50.1%	49.1%	58.1%	59.7%
45-64	62.2%	58.5%	56.9%	64.2%	64.5%
65+	59.9%	55.9%	51.4\$	57.0%	56.1%
All Ages	48.5%	45.9%	44.7%	54.6%	55.4%

<sup>1/</sup> Voting in this group limited to four States in 1966 and 1970: Georgia and Kentucky, 18-20; Alaska, 19-20; and Hawaii, 20.

Source: U.S. Bureau of the Census. Voting and Registration . . . . Current Population Reports. Series P-20. Various issues. Washington, U.S. Govt. Print. Off., 1968-1983.

#### APPENDIX A: SELECTED BIBLIOGRAPHY

#### Books, Documents, Monographs

- Aly, Bower, ed. Youth suffrage. Columbia, Mo., Lucas Bros., 1944. 220 p. JK1853.A46
- Dolan, Joseph S. Report to the President's Commission on Registration and Voting Participation on lowering the voting age to 18.
  [Storrs, Conn.], 1964. 1 v. KF4891.Z9D6
- Hadley, Arthur T. The empty polling booth. Englewood Cliffs, N.J., Prentice-Hall, 1978. 179 p.
- Johnson, Julia E., comp. Lowering the voting age. New York, The H.W. Wilson Co., 1944. 237 p. (The reference shelf, v. 17, no. 5)

  JK1853.J6
- Jones, Doris. Lowering the voting age to 18 years: pro and con arguments. Washington, The Library of Congress, Legislative Reference Service, 1959. 24 p.
- Killian, Johnny H. The 18-year old vote case: the Voting Rights Act Amendments of 1970 and its age reduction, residency changes and literacy test suspension in the Supreme Court. Washington, the Library of Congress, Congressional Research Service, 1970.

  57 p. (CRS Report 70-324)
- Kleppner, Paul. Who voted? the dynamics of electoral turnout, 1870-1980. New York, Praeger Publications, 1982. 238 p.
- Milbrath, Lester W. and M. L. Goel. Political participation; how and why do people get involved in politics? 2d edition. Chicago, Rand McNally College Pub. Co., 1982. 223 p.
- Peirce, Neal R. The people's President. New York, Simon and Schuster, 1968. 400 p. (A Clarion book) JK529.P4
- Porter, Kirk Harold. A history of suffrage in the United States.

  New York, AMS Press, 1971. 260 p. JK1846.P82 1971

  Dissertation, U. of Chicago, first published 1918.
- Sheffield, Carole Jean. The campaign to mobilize the newly enfranchised in the 1972 presidential election. Dissertation, Miami University (Ohio), 1973. 167 p.

- U.S. Congress. 91st Cong., 2nd sess., 1970. House. Document No. 91-326.
  Voting rights; communication from the President of the United
  States. Washington, U.S. Govt. Print. Off., 1970. 5 p.
  No L.C. Call No.
- ---- House. Committee on the Judiciary. Lowering the voting age to 18. Report to accompany H.J. Res. 223. Washington, U.S. Govt. Print Off., 1971. 25 p. (92nd Congress, 1st session, House. Report 92-37)

  KF32.J8 1971
- ---- Senate. Committee on the Judiciary. Subcommittee on Constitutional Amendments. Lowering the voting age to 18. Hearings, 90th Congress, 2d session, on S.J. Res. 8, 14, and 78. Washington, U.S. Govt. Print. Off., 1968. 113 p.

  KF26.J836 1968
- ---- Lowering the voting age to 18. Hearings, 91st Congress, 2d session, on S.J. Res 7 and others. Washington, U.S. Govt. Print. Off., 1970. 624 p. KF26.J836 1970
- ---- Lowering the voting age to 18. Report to accompany S.J. Res. 7. Washington, U.S. Govt. Print. Off., 1971. 19 p. (92nd Congress, 1st session. Senate. Report 92-26) KF31.J8 1971
- ---- Lowering the voting age to 18: a fifty State survey of the costs and other problems of dual-age voting. Washington, U.S. Govt. Print. Off., 1971, 49 p. KF31.J834 1971 At head of title: 92nd Congress, 1st session. Senate committee print.
- ---- Nomination and election of the President and Vice President and qualifications for voting. Hearings, 87th Congress, 1st session, on S.J. Res. 1 and others. Washington, U.S. Govt. Print Off., 1961-1962. 5 v. [1060 p.]. KF26.J8636
- ---- Passage and ratification of the twenty-sixth amendment. Washington, U.S. Govt. Print. Off., 1971. 29 p. KF31.J834 1971a

  At head of title: 92nd Congress, 1st session. Senate committee print.
- Winebrenne, Hubert W., Jr. The political attitudes of the newly enfranchised 18-20 year old voters. Dissertation, University of Colorado, 1973. 157 p.
- Wolfinger, Raymond E., and Steven J. Rosenstone. Who votes? New Haven and London, Yale University Press, 1980. 158 p.

#### Articles

- Cottin, Jonathan. Democrats actively court youth vote; Republicans shun registration campaigns. National journal, v.3, Sept. 18, 1971: 1917-1924.

  JK1.N28 v.3
- Engdahl, David E. Constitutionality of the voting age statute.

  The George Washington law review, v.38, Oct. 1970: 1-41.
- Guido, Kenneth J. Student voting and residency qualifications; the aftermath of the 26th Amendment. New York University Law Review, v. 47, Apr. 1972: 32-58
- Roth, Robert. Enfranchising the eighteen-year-olds: a rapid change of sentiment. Annals, American academy of Political and social science. v.397, Sept., 1971: 83-87. H1.A4 v.397
- Seagull, Louis M. Enfranchising the eighteen-year-olds: the youth vote and change in American politics. Annals, American Academy of Political Science, v.397, Sept., 1971: 88-96.

H1.A4 v.397

- Shields, John E. ed. Should Congress lower the voting age to 18? pro and con. Congressional digest, v. 49, May, 1970; entire issue.

  JK1.C15 v.49
- Stafford, Richard M. The case of the 18 year old voter. Pacific Business, v. 60, Nov.-Dec. 1970: 25-29.
- Teter, Park. Politics and youth. Editorial research reports, 1970 v. 1, Apr, 1970: 261-277. H35.E35 1970 v.1
- Warren, Tully E. The youth vote: what is its importance? Vital issues, 1973, v.22, no. 9; entire issue. AP2.V7 v.22
- Zon, Mary Goddard. The youth vote: how many, which way? American federationist, v.78, Nov. 1971: 12-17. HD8055.A5 v.78

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# APPENDIX B: THE TWENTY SIXTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age.

Section 2. The Congress shall have the power to enforce this article by appropriate legislation.

THN/eg;rla