



# OAS

More rights for more people

**ORGANIZATION OF AMERICAN STATES  
ELECTORAL OBSERVATION MISSION  
General Election  
United States of America**

**November 3, 2020**

**Informative Document**

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## **I. Electoral Observation Missions (EOMs)**

### **Definition**

International election observation can be defined as a process whereby an organized group of individuals from outside the host country systematically carries out a series of complex actions and activities to observe an electoral process in a direct, complete and precise manner. The subject of the observation is the process. An international election observation mission (EOM) is the legal instrument, with its own organization, by which an international election observation is carried out.

### **Objectives**

The overall objective of the EOM is to observe the different stages of the electoral process and to verify compliance with civil and political rights, as well as with the rules, agreements and international standards concerning these types of democratic exercises. An EOM aims specifically at collecting and systematizing data, analyzing models of electoral organization as well as electoral technical procedures, compliance with the electoral calendar, the role of political and social actors, national media as well as mechanisms of electoral justice. Finally, EOMs intend to observe compliance with the principles of transparency, fairness, legality, the legitimacy of the electoral organization, as well as the existence and implementation of information programs both regarding the process and those aimed at the promotion of citizen participation.

## **II. Principles of Electoral Observation Missions**

### **Objectivity and Neutrality**

The authority and credibility of the mission depends on the impartiality and independence that the observers display during the performance of their duties. It requires that the personal opinions of observers do not interfere with the impartiality and independence that must characterize the work of the mission at all times.

### **Respect for the laws of the country**

Observers are subject to the rules and regulations of the United States. The privileges and immunities granted to international election observers only aim to safeguard the independence of observers in the performance of their duties.

### **No substitution of players in the process**

Ultimate responsibility for the electoral process lies with the institutions, parties and organizations of the United States. Observers cannot compel, approve, or amend the decisions and/or actions of the electoral authorities, replace or question political representatives, human resources and/or materials of any of the participants in the process.

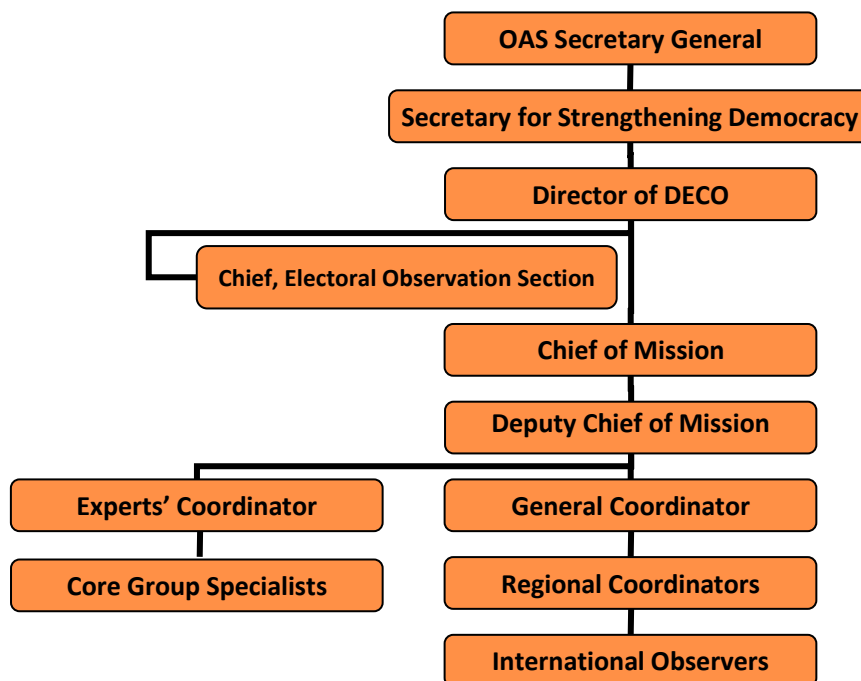
## **III. Functions of Electoral Observers**

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- **To observe** the behavior of actors involved in the electoral process in order to verify compliance with the election rules in force in the country;
- **To collaborate** with government, electoral and party officials, as well as the general population, to ensure the integrity, impartiality and reliability of the process and to encourage citizen participation;
- **To deter** the commission of possible attempts to manipulate elections and to be available to those involved in the process to help ensure respect for the procedures established by the legislation of the country, and to ensure that such procedures are employed in the case of conflict resolution;
- **To express** the support of the Inter-American community for the electoral process.

#### IV. Structure of OAS/EOM



#### V. Chief of Mission



The Chief of Mission is the OAS Secretary General, Luis Almagro. He was re-elected for a second term as Secretary General of the OAS on March 20, 2020. He was first elected as Secretary General of the OAS on March 18, 2015, with the support of 33 of the 34 member states and one abstention. The central theme of his administration has been “more rights for more people”. His priority at the helm of the General Secretariat is to put the Organization in touch with people’s needs and the new realities in the Hemisphere, as well as helping to ensure greater democracy, more rights, more security, and more development and prosperity for all. A career diplomat, Secretary General

Almagro has extensive regional and international experience. He was his country’s foreign minister from March 1, 2010 to March 1, 2015 and ambassador to China for three years, after occupying senior diplomatic posts in his country’s foreign ministry and at its embassies in Germany and Iran. He was also elected as a senator in Uruguay’s national elections in October 2014.

## VI. Public Statements

Observers must refrain from responding to questions from the press, from making any statements regarding their personal opinions of the process, or with respect to any complaints received. The mission should be limited to collecting and presenting information in a clear and objective way, deferring judgment to the internal and external actors of the process, namely parties, and civil society organizations.

The right to make statements about current political issues, general aspects of the Mission or any and all assessments of the electoral process observed belongs **exclusively to the Chief of Mission, Secretary General Luis Almagro**. Observers should refer any inquiries from the media and journalists to **Gonzalo Espariz**, Press Officer of the Mission at [GESpariz@oas.org](mailto:GESpariz@oas.org).

## VII. Handling Complaints

The reception, analysis, transference and monitoring of complaints is one of the essential tasks of the EOM. The seriousness and professionalism with which they are treated by the observers largely affect the credibility of the Mission.

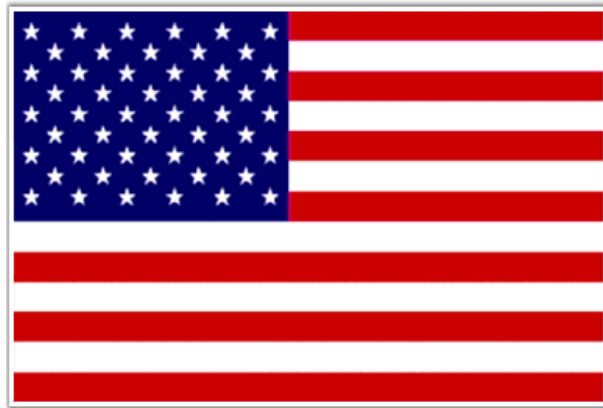
Written complaints received by observers will be transmitted to **Yeruti Mendez, General Coordinator of the Mission** at [YMendez@oas.org](mailto:YMendez@oas.org). An additional record will include complaints that are filed directly with the electoral authorities or government, as well as the ones appearing in the press.

## VIII. Country Profile

### Political Map of the United States of America



### Flag of the United States of America



### Population

As of 2019, the U.S. Census Bureau estimates that the population of the United States is approximately 328,239,533, making it the third most populous country in the world after China and India. Women make up 50.8% of the total population<sup>1</sup>. According to the last Census (2010), the population density<sup>2</sup> in the United States is 87.4 people per sq. mile. The same source reports that 80.7% of the population resides in urban areas<sup>3</sup>. The median age in the United States is 38.2 years<sup>4</sup>.

The United States has a racially and ethnically diverse population. According to the U.S. Census Bureau, White Americans are the racial majority with an estimate of 72% of the nation's total, as of 2019. African Americans amount to 12.8% of the population, while Hispanic and Latino Americans amount to 18.4% of the population, making up the largest ethnic minority<sup>5</sup>.

The voting age population is estimated at 235,418,734, as of 2019. Women make up 51.5% of the voting-age population in the United States<sup>6</sup>.

### Geography

With a total area of 3,531,905.43 square miles<sup>7</sup>, the United States is the third largest country in the world<sup>8</sup> (after Russia and Canada). The US is divided into fifty federated states, which are constituent political entities that hold administrative jurisdiction over a defined geographic territory, and share their sovereignty with the US federal government.

The United States shares land borders with Canada (to the north) and Mexico (to the south), a territorial water border with Russia in the northwest, and two territorial water borders in the southeast between Florida and Cuba, and Florida and the Bahamas. The contiguous forty-eight states are otherwise bounded by the Pacific Ocean on the west, the Atlantic Ocean on the east, and the Gulf of Mexico to the southeast. Alaska borders the Pacific Ocean to the south and southwest, the Bering Strait to the west, and the Arctic Ocean to the north, while Hawaii lies far to the southwest of the mainland in the Pacific Ocean.

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<sup>1</sup> U.S. Census Bureau. Quick Facts (2017). Available at <https://www.census.gov/quickfacts/fact/table/US/PST045219>. Accessed October 13, 2020.

<sup>2</sup> U.S. Census Bureau. 2010 Census: Population Density Data. Available at: <https://www.census.gov/data/tables/2010/dec/density-data-text.html>

<sup>3</sup> <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural/2010-urban-rural.html>

<sup>4</sup> <https://www.census.gov/library/stories/2019/06/median-age-does-not-tell-the-whole-story.html>

<sup>5</sup> U.S. Census Bureau. 2019. *ACS Demographic and Housing Estimates*. Available at:

<https://data.census.gov/cedsci/table?q=United%20States&g=0100000US&tid=ACSDP1Y2019.DP05>.

<sup>6</sup> Ibid.

<sup>7</sup> U.S. Census Bureau. Quick Facts (2017). Available at <https://www.census.gov/quickfacts/fact/table/US/PST045219>. Accessed October 13, 2020.

<sup>8</sup> Depending on the measurements used, the U.S. can be slightly larger or slightly smaller than China.



Forty-eight of the states are in the single region between Canada and Mexico; this group is referred to, with varying precision and formality, as the *continental* or *contiguous United States*. Alaska, which is not included in the term *contiguous United States*, is at the northwestern end of North America, separated from the other 48 by Canada.

The capital city, Washington, District of Columbia, is a federal district located on land originally donated by the states of Virginia and Maryland through the Residence Act of 1790. The Virginia portion was returned<sup>9</sup> in March 1847. The United States also has overseas territories with varying levels of independence and organization: in the Caribbean the territories of Puerto Rico and the U.S. Virgin Islands, and in the Pacific, the inhabited territories of Guam, American Samoa, and the Northern Mariana Islands, along with a number of uninhabited island territories.

### **Official Language**

The United States does not have an official language at the federal level; however, English is the primary language used for legislation, regulations, executive orders, treaties, federal court rulings, and all other official pronouncements. There are laws requiring documents such as electoral ballots to be printed in multiple languages when there are large numbers of non-English speakers in an area.

At the state level, 32 states<sup>10</sup> have established English as the official language<sup>11</sup>.

## **IX. Political/Electoral System**

The United States is a federal republic, with elected officials at the federal (national), state and local levels. On a national level, the head of state, the President, is elected indirectly by the people, through an Electoral College (see below). All members of the federal legislature, the Congress, are directly elected. There are many elected offices at state level as well. Each state has at least an elected Governor and legislature. There are also elected offices at the local level, in counties and cities.

The U.S. Constitution defines (to a basic extent) how federal elections are held, in Article I, Article II and various amendments. The restriction and extension of voting rights to different groups has been a contested process throughout the United States' history. The federal government has also been involved in attempts to increase voter turnout, by measures such as the National Voter Registration Act of 1993. State law regulates most aspects of the election, including primaries, the eligibility of voters (beyond the basic constitutional definition), the running of each state's Electoral College, and the running of state and local elections.

### **The Electoral College**

The U.S. Constitution specifies that the President and Vice President of the United States are to be chosen every four years by a group of people who are individually referred to as “presidential electors.” The electors are collectively referred to as the “Electoral College.”

The Electoral College is a unique method for indirectly electing the president of the United States. It was established by [Article II, Section 1, Clause 2 of the U.S. Constitution](#) and modified by the [12<sup>th</sup>](#) and [23<sup>rd</sup>](#) Amendments.

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<sup>9</sup> <https://boundarystones.weta.org/2016/07/08/alexandria-retrocession-1846>

<sup>10</sup> Alabama, Alaska, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Massachusetts, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Oklahoma, South Carolina, South Dakota, Tennessee, Utah, Virginia, West Virginia, and Wyoming.

<sup>11</sup> <https://proenglish.org/official-english-map-2/>

The Constitution specifies that each state is entitled to one member of the Electoral College for each of its U.S. Representatives and U.S. Senators. Today, there are a total of 538 electoral votes in the Electoral College. This total corresponds to the 435 U.S. Representatives from the 50 states plus the 100 U.S. Senators from the 50 states plus the three members of the Electoral College to which the District of Columbia became entitled under the 23rd Amendment (ratified in 1961). Every 10 years, the 435 U.S. Representatives are reapportioned among the states in accordance with the latest federal census, thereby automatically reapportioning the membership of the Electoral College among the states.

Members of the Electoral College are chosen by each state and the District of Columbia on the Tuesday after the first Monday in November in presidential election years. Each political party nominates its own candidates (typically long-standing party activists) for the position of presidential elector.

The 538 members of the Electoral College cast their votes for President and Vice President in meetings held in the 50 state capitals and the District of Columbia in mid-December of presidential election years. If all 538 electors are appointed, 270 electoral votes (i.e., a majority of 538 members of the Electoral College) are required to elect the President and the Vice President.

### **The Electoral College in 2020<sup>12</sup>**

The following is a summary of how the Electoral College will work in the 2020 presidential election:

- **Spring and Summer 2020: *Nomination of Electors.*** The political parties in each state nominate their electors. Parties and states have different ways of going about this, but a party's presidential electors are generally loyal or consistent party members. The parties want to be sure they can rely on their electors to cast their votes for the party's nominee for president.
- **Nov. 3, 2020: *Election Day,*** when voters in each state will select their presidential electors. The names of electors are not on the ballot in most states. Rather, when a voter casts a vote for a presidential candidate, s/he is also casting a vote for the electors already selected by the party of that candidate. If a majority of voters in a state vote for the Republican candidate for president, the Republican slate of electors is elected. If a majority votes for the Democratic candidate, the Democratic slate of electors is chosen.
- **Dec. 8, 2020: *Deadline for Resolving Election Disputes.*** All state recounts and court contests over presidential election results must be completed by this date.
- **Dec. 14, 2020: *Meeting of the Electors.*** The Electors meet in their state and vote for President and Vice President on separate ballots. Each elector votes on his or her own ballot and signs it. The ballots are immediately transmitted to various people: one copy goes to the president of the U.S. Senate (who is also the vice president of the United States); this is the copy that will be officially counted later. Other copies go to the state's secretary of state, the National Archives and Records Administration, and the presiding judge in the district where the electors meet (this serves as a backup copy that would replace the official copy sent to the president of the Senate if it is lost or destroyed). The electors record their votes on six "Certificates of Vote," which are paired with the six remaining Certificates of Ascertainment. There is no Constitutional provision or Federal law requiring Electors to vote in accordance with the popular vote in their States<sup>13</sup>. Some States have such requirements<sup>14</sup>.

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<sup>12</sup> National Conference of State Legislatures. The Electoral College in 2020. Available at: <https://www.ncsl.org/research/elections-and-campaigns/the-electoral-college.aspx>

<sup>13</sup> National Archives. *Legal Provisions Relevant to the Electoral College Process*. Available at: <https://www.archives.gov/electoral-college/provisions>



- **Dec. 23, 2020: *Deadline for Receipt of Ballots*.** The electors' ballots from all states must be received by the president of the Senate by this date. There is no penalty for missing this deadline.
- **Jan. 6, 2021: *Counting of the Electoral Ballots*.** The U.S. Congress meets in joint session to count the electoral votes. Congress may pass a law to change this date.

The Vice President, as President of the Senate, presides over the count and announces the results of the Electoral College vote. The President of the Senate then declares which persons, if any, have been elected President and Vice President of the United States.

If a State submits conflicting sets of electoral votes to Congress, the two Houses acting concurrently may accept or reject the votes. If they do not concur, the votes of the electors certified by the Governor of the State on the Certificate of Ascertainment would be counted in Congress.

If no Presidential candidate wins 270 or more electoral votes, a majority, the 12th Amendment to the Constitution provides for the House of Representatives to decide the Presidential election. If necessary the House would elect the President by majority vote, choosing from the three candidates who received the greatest number of electoral votes. The vote would be taken by state, with each state having one vote.

If no Vice Presidential candidate wins 270 or more electoral votes, a majority, the 12th Amendment provides for the Senate to elect the Vice President. If necessary, the Senate would elect the Vice President by majority vote, choosing from the two candidates who received the greatest number of electoral votes. The vote would be taken by state, with each Senator having one vote.

If any objections to the Electoral College vote are made, they must be submitted in writing and be signed by at least one member of the House and one Senator. If objections are presented, the House and Senate withdraw to their respective chambers to consider their merits under procedures set out in federal law.

- **Jan. 20, 2021: *Inauguration Day*.** The president-elect becomes the president of the United States.

### **Nomination of Electors**

The U.S. Constitution does not specify procedures for the nomination of candidates for presidential elector. The two most common methods the states have adopted are nomination by state party convention and by state party committee. Generally, the parties select members known for their loyalty and service to the party, such as party leaders, state and local elected officials and party activists. In some states, the electors' names appear on the ballot along with the names of the candidates for president and vice president. However, in most states, electors' names are not printed on the ballot. When a voter casts a vote for a candidate for President of the United States, s/he is in actuality casting a vote for the presidential electors who were selected by that candidate's party.

### **Awarding Electoral Votes**

All 50 states and the District of Columbia use one of two methods for awarding their electoral votes:

- **The Winner-Take-All System**

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<sup>14</sup> Ibid.

In 48 states and the District of Columbia, when a candidate for president wins a state's popular vote, that party's slate of electors will be the ones to cast the vote for president of the United States in December. For example, Florida has 29 electoral votes. If President Donald Trump wins the state's popular vote on Nov. 3, the 29 electors nominated by the Republican Party in Florida will be selected. These 29 people will gather on Dec. 14 to cast their votes for president of the United States.

- **The District System**

Maine and Nebraska are the only states that do not use a winner-take-all system. Instead, in these two states, one electoral vote is awarded to the presidential candidate who wins the popular vote in each congressional district, and the remaining two electoral votes are awarded to the candidates receiving the most votes statewide. This is known as the district system. It is possible under the district system to split the electoral vote for the state. This happened in 2008 in Nebraska: Barack Obama won the electoral vote in the congressional district including Omaha, while John McCain won in the state's other two districts and won the statewide vote as well, securing the state's two at-large votes. Thus, when the Nebraska presidential electors met in December 2008, there were four Republican electors and one Democrat. That election was the first time Nebraska's electoral vote was split.

### **2020 List of States and Votes**

*Allocation of Electoral Votes based on the 2010 census*

*Total: 538; Majority Needed to Elect: 270*

Alabama	9	Kentucky	8	North Dakota	3
Alaska	3	Louisiana	8	Ohio	18
Arizona	11	Maine	4	Oklahoma	7
Arkansas	6	Maryland	10	Oregon	7
California	55	Massachusetts	11	Pennsylvania	20
Colorado	9	Michigan	16	Rhode Island	4
Connecticut	7	Minnesota	10	South Carolina	9
Delaware	3	Mississippi	6	South Dakota	3
District of Columbia	3	Missouri	10	Tennessee	11
Florida	29	Montana	3	Texas	38
Georgia	16	Nebraska	5	Utah	6
Hawaii	4	Nevada	6	Vermont	3
Idaho	4	New Hampshire	4	Virginia	13
Illinois	20	New Jersey	14	Washington	12
Indiana	11	New Mexico	5	West Virginia	5
Iowa	6	New York	29	Wisconsin	10
Kansas	6	North Carolina	15	Wyoming	3

Source: The National Archives and Records Administration (NARA)

## **X. Electoral Organization & Electoral Authorities**

The United States relies on a complex federal system of government, where the national government is central but, as per the Tenth Amendment to the U.S. Constitution, state and local governments exercise authority over matters that are not reserved for the federal government.

This holds true for elections, and as indicated in the "Elections Clause" of the US Constitution, the responsibility for holding elections rests with the states; specifically with their legislatures and especially in the holding of congressional elections. As such, under the Elections Clause, states may regulate electoral matters including notice, registration, supervision of voting, protection of voters, prevention of fraud and

corrupt practices, counting of votes, duties of inspectors and canvassers, and the making and publication of election returns. In carrying out these duties, state and local governments have varying degrees of independence in how they organize elections within their jurisdictions. Typically, these tasks are administered by each state's **Secretary of State** and/or a **Board of Elections**.

### **The role of Secretaries of State, Boards of Elections and Local Officials**

The Secretary of State is an official in the state governments of 47 of the 50 states of the U.S., as well as Puerto Rico and other U.S. territories. In Massachusetts, Pennsylvania, and Virginia, this official is called the secretary of the commonwealth. In states that have one, the Secretary of State is the chief clerk of the state, and is often the primary custodian of important state records.

The most common, and arguably the most important, function held by Secretaries of State is to serve as the state's chief elections official (although many states also have supervisors of elections, which are usually county elected officials). In 38 states, ultimate responsibility for the conduct of elections, including the enforcement of qualifying rules, oversight of finance regulation and establishment of Election Day procedures falls on the Secretary of State. The exceptions are Alaska, Delaware, Hawaii, Illinois, Maryland, New York, North Carolina, Oklahoma, South Carolina, Utah, Virginia and Wisconsin.

In some states, there is also a Board of Elections; for example, in New York the New York State Board of Elections is a bipartisan agency of the state government within the Executive Department responsible for enforcement and administration of election-related laws.

In this sense, thousands of administrators nationwide are responsible for organizing and conducting U.S. elections, including tabulating and certifying the results. These officials have an important and complex set of tasks—setting the exact dates for elections, certifying the eligibility of candidates, registering eligible voters and preparing voter rolls, selecting voting equipment, designing ballots, organizing a large temporary work force to administer the voting on Election Day, tabulating the votes and certifying the results.

In the United States, an election, even an election for federal office, is a locally conducted administrative exercise. Election administrators—typically county or city officials or clerks—are responsible for registering voters throughout the year and for determining who is eligible to vote in a particular election. They also must design the ballots for each election, making sure the ballot is as simple and as clear as possible, ensure that all certified candidates are listed and all issues up for decision are correctly worded.

Currently, there are no national standards for ballot forms. Under the Voting Rights Act, election officials may have to provide ballots in multiple languages (if a percentage of the population does not speak English as a primary language). In some jurisdictions, the order of the candidates and parties on the ballot has to be randomly assigned. Local election officials may also select a specific voting technology to mark a ballot and the ballots must fit the devices.

In between elections, these officials are responsible for the storage and maintenance of the voting devices and other equipment. They must also hire and train a large temporary staff for one long session of work (typically 10 to 15 hours) on Election Day.

One of the most important functions for local election officials is ensuring that everyone who is eligible to vote is on the registration lists but that no one who is unqualified is included.

### **Federal Electoral Agencies**

In the United States, there are two federal agencies that deal directly with the electoral process, the Federal Election Commission (FEC) and the Electoral Assistance Commission (EAC).



The **Federal Election Commission (FEC)** ([www.fec.gov](http://www.fec.gov)) is an independent regulatory agency that was founded in 1975 by the U.S. Congress to regulate campaign finance legislation in the United States. It was created in a provision of the 1974 amendment to the Federal Elections Campaign Act. It describes its duties as "to disclose campaign finance information, to enforce the provisions of the law such as the limits and prohibitions on contributions, and to oversee the public funding of Presidential elections."

Although the Commission's name implies broad authority over U.S. elections, in fact its role is limited to the administration of federal campaign finance laws. It enforces limitations and prohibitions on contributions and expenditures, administers the reporting system for campaign finance disclosure, investigates and prosecutes violations (investigations are typically initiated by complaints from other candidates, parties, watchdog groups, and the public), audits a limited number of campaigns and organizations for compliance, administers the presidential public funding programs for presidential candidates and, until recently, nominating conventions, and defends the statute in challenges to federal election laws and regulations.

The FEC also publishes reports filed by Senate, House of Representatives and Presidential campaigns that list how much each campaign has raised and spent, and a list of all donors over \$200, along with each donor's home address, employer and job title. This database also goes back to 1980. Private organizations are legally prohibited from using these data to solicit new individual donors (and the FEC authorizes campaigns to include a limited number of "dummy" names as a measure to prevent this), but may use this information to solicit Political Action Committees. The FEC also maintains an active program of public education, directed primarily to explaining the law to the candidates, their campaigns, political parties and other political committees that it regulates.

The FEC is comprised of six Commissioners, no more than three of whom may represent the same political party. They are appointed by the President and confirmed by the Senate. The Commissioners serve full time and are responsible for administering and enforcing the Federal Election Campaign Act. They meet in closed sessions to discuss matters that, by law, must remain confidential, and in public to formulate policy and vote on significant legal and administrative matters. As of October 2020, the FEC has three vacant seats. Current FEC Commissioners are:

- [James E. "Trey" Trainor III, Chair \(R\)](#)
- [Steven T. Walter, Vice Chair \(I\)](#)
- [Ellen L. Weintraub, Commissioner \(D\)](#)



The **Election Assistance Commission (EAC)** ([www.eac.gov](http://www.eac.gov)) is an independent agency of the US government created by the Help America Vote Act of 2002 (HAVA). The Commission serves as a national clearinghouse and resource of information regarding election administration. It is charged with administering payments to states and developing guidance to meet HAVA requirements, adopting voluntary voting system guidelines, and accrediting voting system test laboratories and certifying voting equipment. It is also charged with developing and maintaining a national mail voter registration form.

The Help America Vote Act specifies that four commissioners are nominated by the President on recommendations from the majority and minority leadership in the U.S. House and U.S. Senate. Once confirmed by the full Senate, commissioners may serve two consecutive terms and no more than two commissioners may belong to the same political party. The current Commissioners are:

- [Benjamin W. Hovland](#) (Chair)

- [Donald L. Palmer](#)
- [Christy A. McCormick](#)
- [Thomas Hicks](#)

The EAC is tasked with performing a number of specific election-related duties including:

- Creating a national program for the testing, certification, and decertification of voting systems
- Maintaining the National Mail Voter Registration Form required by the [National Voter Registration Act of 1993](#) (NVRA)
- Reporting to Congress every two years on the effects of the NVRA on elections
- Administering federal funds to States for HAVA requirements
- Administering federal funds for the development of innovative election technology, including pilot programs to test election technology
- Studying and reporting best practices of effective administration
- Communicating information on laws, technologies, procedures, studies, and data related to the administration of federal elections to those responsible for formulating or implementing election law and procedures, to the media, and to other interested persons.

## **XI. Voter Registration and Voting Procedures**

While the federal government has jurisdiction over federal elections, most election laws are decided at the state level. All U.S. states except North Dakota require that citizens who wish to vote be registered<sup>15</sup>. Traditionally, voters had to register at state offices to vote, but in the mid-1990s efforts were made by the federal government to make registering easier, in an attempt to increase turnout. The National Voter Registration Act of 1993 (the "Motor Voter" law) required state governments that receive certain types of federal funding to make the voter registration process easier by providing uniform registration services through drivers' license registration centers, disability centers, schools, libraries, and mail-in registration. Other states allow citizens same-day registration on Election Day.

In many states, citizens registering to vote may declare an affiliation with a political party. This declaration of affiliation does not cost money, and does not make the citizen a dues-paying member of a party. A party cannot prevent a voter from declaring his or her affiliation with them, but it can refuse requests for full membership. In some states, only voters affiliated with a party may vote in that party's primary elections. Declaring a party affiliation is never required.

### **Online Voter Registration**

A computer based registration system's main objective is to capture voter data and geographic information electronically and store them in a database. Although the use of the data depends largely on the legislative requirements for voter registration, the captured data is essentially used to ensure equal and universal participation of eligible citizens during an election. Furthermore, having the exact amount of registered voters is a critical indicator that electoral administrators use to make important decisions during an election process, such as;

1. Defining the number of administrative voting precincts;
2. Strategically locating polling stations considering the geographic distribution of the voting population;
3. Defining the number of ballots and amount of election material to be printed and allocated to polling stations;
4. Calculating voter turnout, among others.

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<sup>15</sup> <https://www.ncsl.org/research/elections-and-campaigns/voter-registration.aspx>

In the United States, the majority of the states require some form of voter identification to verify their identity before they cast their vote. In all 50 states, except North Dakota (the only state without voter registration), voters are required to register before they vote. The registration deadline varies from state to state but is usually 30 days before the election, while some states allow voters to register up to and on Election Day<sup>16</sup>. Citizens may apply for voter registration by mail, in person, or online.

Online voter registration in the United States started with Arizona in 2002, followed by Washington State in 2008. Since then a number of states have introduced online voter registration. There are currently a total of 40 states and the District of Columbia that provide online registration. Furthermore, Oklahoma has passed legislation and is currently phasing in implementation of their online registration<sup>17</sup>.

This method of registration provides an effective process for self-registration. It is most often used because of its numerous advantages for maintaining an accurate voter registration database and for giving citizens greater control of the information in their voter records.

The Help America Vote Act (HAVA) of 2002 provides a number of requirements related to voter registration; including the establishment of statewide computerized voter registration lists to serve as the official roster of legally registered voters for federal and local elections. In addition, the National Voter Registration Act of 1993 (NVRA) establishes three procedures to register citizens for federal elections:

1. At the state motor vehicle agencies when citizens apply for a driver's license;
2. Mail-in registration, which makes use of the National Voter Registration Form provided by the Election Assistance Commission (EAC); and
3. In person at offices that provide public assistance and services to persons with disabilities and other state agencies and offices.

Moreover, NVRA provides requirements that each state must follow to accurately identify and remove individuals from the voter registration rolls who are no longer eligible to vote, and to assure that these practices are conducted in a nondiscriminatory manner.

### **Voter Identification Requirements**

A total of 36 states have laws requesting or requiring voters to show some form of identification at the polls. 35 of these voter identification laws are in force in 2020. North Carolina's law has a temporary injunction on it, as of Dec. 31, 2019.

The remaining 14 states (including North Carolina) use other methods to verify the identity of voters. Most frequently, other identifying information provided at the polling place, such as a signature, is checked against information on file. Specific ID requirements by state will be provided to observers at the moment of their deployment.

Proponents see increasing requirements for identification as a way to prevent voter impersonation and increase public confidence in the election process. Opponents say there is little fraud of this kind, and the burden on voters unduly restricts the right to vote and imposes unnecessary costs and administrative burdens on elections administrators.

### **Absentee voting**

Voters unable or unwilling to vote at polling stations on Election Day can vote via absentee ballots, which are most commonly sent and received via the US Postal Service. Despite their name, absentee ballots are often requested and submitted in person. Permanent state policies of about half of U.S. states and territories

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<sup>16</sup> See generally *Register to Vote and Confirm or Change Registration*, available at <https://www.usa.gov/register-to-vote>

<sup>17</sup> <https://www.ncsl.org/research/elections-and-campaigns/electronic-or-online-voter-registration.aspx>



allow "no excuse absentee," where no reason is required to request an absentee ballot. Others require a valid reason, such as infirmity or travel, be given before a voter can participate using an absentee ballot. Some states, including California, and Washington allow citizens to apply for permanent absentee voter status, which will automatically receive an absentee ballot for each election. Typically, a voter must request an absentee ballot before the election occurs.

At least 12 States have expanded absentee voting eligibility for the 2020 general election to alleviate the potential challenges that the pandemic of COVID-19 might impose on voters and election authorities. For instance, in Alabama, Arkansas, Connecticut, Kentucky, Mississippi, New Hampshire, New York, and West Virginia, voters may use illness / COVID-19 as an excuse. Others, such as Delaware, Massachusetts, Missouri, and South Carolina, will not require an excuse for casting an absentee ballot<sup>18</sup>. It is estimated that, by October 20 (two weeks before Election Day), early voters have already cast over 34 million ballots<sup>19</sup>. A significant source of absentee ballots is the population of Americans living outside the United States. In 1986 Congress enacted the [Uniformed and Overseas Citizens Absentee Voting Act](#) (UOCAVA). UOCAVA requires that the states and territories allow members of the United States Uniformed Services and merchant marine, their family members, and United States citizens residing outside the United States to register and vote absentee in elections for Federal offices. Though many states had pre-existing statutes in place UOCAVA made it mandatory and nationally uniform. Absentee ballots from these voters can often be transmitted private delivery services, fax, or email.

### **Mail ballots**

Mail ballots are similar in many respects to an absentee ballot. However they are used for Mailing Precincts where on Election Day no polling place is opened for a specific precinct. In Oregon, Washington, and Colorado, all ballots are delivered through the mail.

For the 2020 general elections, some States and the District of Columbia decided to mail ballots to all eligible voters. These include California, Montana (at counties' choice), Nevada, New Jersey, and Vermont<sup>20</sup>.

### **Early voting**

Early voting is a formal process where voters can cast their ballots prior to the official Election Day. In-person early voting for the 2020 general election is allowed in 43 states and in Washington, D.C.. Delaware has enacted early voting but will not be in place until 2022. Six states do not offer pre-Election Day in-person voting options: Connecticut, Kentucky, Mississippi, Missouri, New Hampshire, and South Carolina.

### **Internet Voting**

A vast number of American citizens live abroad, often uniformed service members. The United States' Congress has recognized the voting barriers that these citizens face when voting overseas. To remediate these impediments, in 1986 the US implemented the Uniformed and Overseas Citizens Absentee Voting Act ("UOCAVA"), which allows for the transmission of completed ballots via the Internet, e-mail and facsimile from citizens voting abroad.

Internet voting in the United States is not extensively used. A total of 31 states and the District of Columbia<sup>21</sup> allow citizens voting under the UOCAVA to transmit their votes either via email, electronic fax, or

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<sup>18</sup> <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-mail-voting-policies-in-effect-for-the-2020-election.aspx>

<sup>19</sup> <https://electproject.github.io/Early-Vote-2020G/index.html>

<sup>20</sup> <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-mail-voting-policies-in-effect-for-the-2020-election.aspx>

<sup>21</sup> <https://www.ncsl.org/research/elections-and-campaigns/internet-voting.aspx>

the Internet. Furthermore, the use of the Internet allows for the request and distribution of a digital blank ballot that can then be printed and returned by postal mail.

The Help American Vote Act (“HAVA” 2002) and the Military and Overseas Voter Empowerment Act (“MOVE” 2009) amended the UOCAVA by establishing the federalization of absentee ballot procedures in order to prevent conflicts with state election laws and to increase the deployment of computer and network technologies, including requirements for unspecified electronic voting pilot projects<sup>22</sup>. The 2009 MOVE Act made it mandatory for states to provide voters with an option to request voter registration and absentee ballot applications electronically and established electronic transmission options for the delivery of blank absentee ballots to voters.

While many aspects of an electoral process contribute to the legitimacy of an election, preserving ballot secrecy is a fundamental right of an elector. The EOM is unable to verify adherence to this principle without an in-depth analysis of the current United States Internet voting system.

### **Electronic Voting equipment**

The range of technology used in US elections is widely diversified; with particular attention focused on the use of electronic voting, or E-voting systems. Indeed, voting technology differs from jurisdiction to jurisdiction. Some use optical scans to read the paper ballots at the polling place or at a central location, while others use Direct Recording Electronics (DRE), which record votes directly into a computer storage device (or memory). Both processes are considered on-site voting electronic systems.

The optical scan ballot is a voting machine that does not require a special device to mark the ballot. A voter simply uses a pencil to mark the ballot, which then allows the voter to easily verify that his/her ballot reflects his/her intent. Later, a scanner is utilized to quickly read and tabulate the results, while the original paper ballot is kept in the ballot box and is easily accessible for recount should the vote be contested.

With a Direct Recording Electronic (DRE) system, voters use an interface (touchscreen, pushbutton, or dial) to indicate their selections, which then records the vote directly in a storage device (computer memory, smart card or diskette) along with the choices of all other voters. Some DREs are equipped with a Voter Verified Paper Audit Trail (VVPAT) printer that generates a vote receipt (paper trail record) before it is finally recorded in the storage device, which allows voters to confirm that their vote was cast correctly. The paper trail record is preserved and used in the event that an election recount or audit is necessary.

Lastly, Ballot Marking Devices systems are available to assist voters with disabilities through a touchscreen interface together with audio and other accessibility features. Through this equipment, disabled voters are able to cast their ballot by recording their vote through a vote-marking paper ballot device, which is then scanned or counted manually<sup>23</sup>. HAVA requires at least one accessible voting device in each polling place that permits a voter with disabilities to cast their votes privately and independently.

### **Types of Voting Systems**

The Help America Vote Act Section 301, Voting System Standards, lists the functional requirements that may be implemented in different types of electronic voting systems. Nonetheless, all types of electronic voting systems (including any lever voting system, optical scanning voting system, or direct recording electronic system) must provide the following capabilities<sup>24</sup>:

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<sup>22</sup> Matt Bishop & Candice Hoke, “Essential Baseline Research for UOCAVA-MOVE Act Implementation at the State –Local Levels” 2010, [http://csrc.nist.gov/groups/ST/UOCAVA/2010/PositionPapers/BISHOP\\_HOKE\\_UOCAVAPosPaper.pdf](http://csrc.nist.gov/groups/ST/UOCAVA/2010/PositionPapers/BISHOP_HOKE_UOCAVAPosPaper.pdf).

<sup>23</sup> See generally *Voting Equipment in the United States*, available at <https://www.verifiedvoting.org/resources/voting-equipment/>

<sup>24</sup> <https://www.ncsl.org/research/elections-and-campaigns/voting-system-standards-testing-and-certification.aspx>

- Permit the voter to verify (in a private and independent manner) the vote selected by the voter on the ballot before the ballot is cast and counted
- Provide the voter with the opportunity (in a private and independent manner) to change the ballot or correct any error before the ballot is cast and counted
- Notify the voter if he or she has selected more than one candidate for a single office, inform the voter of the effect of casting multiple votes for a single office, and provide the voter an opportunity to correct the ballot before it is cast and counted
- Be accessible for individuals with disabilities in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters
- Provide alternative language accessibility pursuant to Section 203 of the Voting Rights Act.

**Paper Ballots:** Paper ballots are one of the oldest ways of voting in America.. When citizens come to the polling place, they will get a paper ballot from the poll worker. Citizens must take it to the voting booth, and use a pen or pencil to mark a box next to the candidate and issue choices. Subsequently, the voter will drop the marked ballot into a sealed ballot box.

### **Paper-Based Voting System**

A paper-based voting system records votes, counts votes, and produces a tabulation of the vote count from votes cast on paper cards or sheets. A mark-sense (also known as optical scan) voting system allows citizens to record votes by making marks directly on the ballot. Additionally, a paper-based system may allow for the voter's selections to be indicated by marks made on a paper ballot by an electronic input device, as long as such an input device does not independently record, store, or tabulate the voter selections.

**Optical Scan:** With this system, citizens receive a card or sheet of paper, which they take over to a private table or booth. The card has the names of the various candidates and ballot measures printed on it. Voters fill in a little box or circle or the space between two arrows with a pen or pencil. When finished filling out all the cards, voters bring the cards over to a ballot box. In some places, voters may feed the completed cards or papers into a computer device that checks the card or paper to make sure the person has voted the way they want to. This device also counts the votes.

### **Direct-Recording Electronic Voting System**

A direct-recording electronic (DRE) voting system records votes by means of a ballot display provided with mechanical or electro-optical components that can be activated by the voter; that processes data by means of a computer program; and that records voting data and ballot images in memory components. It produces a tabulation of the voting data stored in a removable memory component and as printed copy. The system may also provide a means for transferring individual ballots or vote totals to a central location, via a non-networked means, for consolidating and reporting results from precincts at the central location.

### **Precinct Count Voting System**

A precinct count voting system is a voting system that tabulates ballots at the polling place. These systems typically tabulate ballots as they are cast and print the results after the close of polling. For DREs and some paper-based systems these systems provide electronic storage of the vote count.

### **Central Count Voting System**

A central count voting system is a voting system that tabulates ballots from multiple precincts at a central location. Voted ballots are typically placed into secure storage at the polling place. Stored ballots are transported to a central counting location, via a non-networked means. The system produces a printed report of the vote count, and may produce a report stored on electronic media.

## **XII. General Election 2020 - Ballot Measures<sup>25</sup>**

As of Sept. 28, voters across the country will weigh in on at least 124 ballot measures on Election Day. Measures get on the ballot in one of two ways: through a citizen initiative—where citizens have an idea for a statutory or constitutional change and gather signatures to place it on the ballot—or through a referral to the ballot from the legislature. This year, thirty-eight of the Election Day measures are citizen initiatives. The rest of the measures are referred to the ballot by the legislature.

Seventy-nine of the measures would make constitutional changes. Thirty-four propose statutory changes (one Colorado measure would actually make both constitutional and statutory changes), and the other 12 include four popular referenda, four non-binding advisory questions, three bond issues and Iowa's automatic decennial question asking if voters want to hold a constitutional convention (per the Hawkeye State's constitution).

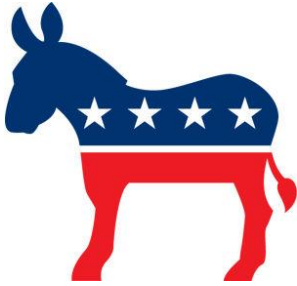
Taxes, criminal justice, and marijuana and other drugs remain popular topics for ballot measures, and this year, health and elections are popular, too—perhaps appropriate in a year with a pandemic and a presidential election.

## **XIII. Major Political Parties and 2020 Presidential Candidates**

The two current major parties - the Democratic Party and the Republican Party - have together dominated every United States presidential election since 1852 and controlled the United States Congress since 1856. Third parties and independents also participate in the US electoral process and have achieved varying levels of success over the years. However, with the exception of George Washington, who was elected as an independent in 1788 and 1792, no independent candidate or third party candidate has ever won the presidency. In the 2020 election cycle, four parties have met the standards for inclusion of their presidential and vice-presidential candidates on the ballot in all or some states: Democratic Party, Green Party, Libertarian Party and Republican Party.

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<sup>25</sup> <https://www.ncsl.org/research/elections-and-campaigns/ncsl-state-elections-2020.aspx#>



### **Democratic Party**

The Democratic Party is one of the two major political parties in the United States. The modern-day party was founded around 1828, making it the world's oldest active party. The party's philosophy of modern liberalism advocates social and economic equality, along with the welfare state. It promotes government intervention and regulation in the economy, including the introduction of social programs, support for labour unions, universal health care and equal opportunity, consumer protection, and environmental protection.<sup>26</sup>

There have been 15 presidents from the Democratic Party, ranging from Andrew Jackson (1829 – 1837) up to President Barack Obama (2009 – 2017), when the democratic candidate lost to Donald Trump. Currently, Democrats have a majority in the House of Representatives (232 out of 435 seats) and a minority of seats in the Senate (45 out of 100). The party holds 25 governorships<sup>27</sup> and control of a minority of state legislatures, as well as the mayoralty of Washington, D.C.<sup>28</sup> Democratic Party candidates will appear on the ballot in all 50 states and Washington DC.

### **Candidates**



**Joe Biden**



**Kamala Harris**

Joe Biden, officially Joseph Robinette Biden, is the Democratic Presidential candidate. Biden served as the 47<sup>th</sup> vice-president of the United States (2009-17) in the administration of President Barack Obama. In 1972, at the age of 29, he became the fifth youngest senator in U.S. history. He was re-elected six times, becoming Delaware's longest-serving senator. This is the third presidential run for Biden, who pursued the 1988 and 2008 Democratic presidential nominations<sup>29</sup>.

Kamala Devi Harris is the party's Vice-Presidential candidate for the Democratic Party. In 2016, she was elected U.S. Senator for California. Harris is the first Indian American to serve as a U.S. senator as well as the second African American woman. Previously, she served as California's attorney general (2011-2017).

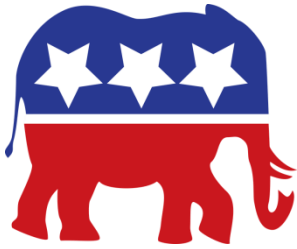
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<sup>26</sup> [https://en.wikipedia.org/wiki/Democratic\\_Party\\_\(United\\_States\)](https://en.wikipedia.org/wiki/Democratic_Party_(United_States))

<sup>27</sup> [https://ballotpedia.org/Partisan\\_composition\\_of\\_governors](https://ballotpedia.org/Partisan_composition_of_governors)

<sup>28</sup> [https://ballotpedia.org/Partisan\\_composition\\_of\\_state\\_legislatures](https://ballotpedia.org/Partisan_composition_of_state_legislatures)

<sup>29</sup> <https://www.britannica.com/biography/Joe-Biden>



### **Republican Party**

The Republican Party, commonly referred to as the GOP (Grand Old Party), is the second major political party in the United States. It was founded in 1854, and espouses an ideology of American conservatism. The party supports free market capitalism, free enterprise, business, strong national defense, deregulation, restrictions on labor unions, social-conservative policies (particularly opposition to abortion and same-sex marriage), and traditional values, usually with a Judeo-Christian ethical foundation.<sup>30</sup>

The Republican Party currently holds a minority of seats in the House of Representatives (197 out of 435) and a majority in the Senate (53 out of 100)<sup>31</sup>. The party holds 26 governorships and the majority of state legislatures. There have been 19 Republican presidents, the first being Abraham Lincoln (1861 – 1865) and the most recent being Donald Trump, who was elected in 2016 and is running for re-election.

Republican Party candidates will appear on the ballot in all 50 states and Washington DC.

### **Candidates**



**Donald Trump**



**Michael Pence**

Donald Trump is the 45<sup>th</sup> president of the United States (2017 - ). Before he was elected president, Trump was a real-estate developer, businessman, television producer and reality television personality. In the 2016 presidential election, Trump won 30 states with 306 pledged electors out of 538, overturning the perennial swing states of Florida, Iowa and Ohio, as well as the “blue wall” of Michigan, Pennsylvania and Wisconsin, which had been Democratic strongholds in presidential elections since the 1990s<sup>32</sup>.

Michael Pence is the 48<sup>th</sup> vice president of the United States (2017- ), serving in the Republican administration of President Donald Trump. Pence is politician and attorney who previously served as Governor of Indiana (2013-2017). He served six terms in the United States House of Representatives (2000-2013).

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<sup>30</sup> [https://en.wikipedia.org/wiki/Republican\\_Party\\_\(United\\_States\)](https://en.wikipedia.org/wiki/Republican_Party_(United_States))

<sup>31</sup> <https://www.senate.gov/history/partydiv.htm>

<sup>32</sup> [https://www.270towin.com/2016\\_Election/](https://www.270towin.com/2016_Election/)



## Libertarian Party



# T LIBERTARIAN

The Libertarian Party is one of the largest third parties in the United States. It was founded in 1971 at a meeting of eight activists in Colorado.<sup>33</sup> The Libertarians are neither on the left nor the right: they believe in total individual liberty (pro-drug legalization, pro-choice, pro-gay marriage, pro-home schooling, pro-gun rights, etc.) and total economic freedom (anti-welfare, anti-government regulation of business, anti-minimum wage, anti-income tax, pro-free trade). The party espouses a classical *laissez faire* ideology supporting "more freedom, less government and lower taxes."<sup>34</sup>

Libertarian candidates will appear on the ballot in all 50 states and Washington DC.<sup>35</sup>

## Candidates



**Jo Jorgensen**



**Jeremy Cohen**

Libertarian Presidential nominee, Jo Jorgensen, is an academic, businessperson, and political activist. In 1996, Jorgensen was the Libertarian Party's nominee for vice president. She was also the party's nominee for South Carolina's 4<sup>th</sup> congressional district in 1992. Jorgensen is a Senior Lecturer at Clemson University.

Jeremy "Spike" Cohen, the Libertarian Party vice-presidential nominee, is a political activist, entrepreneur and podcaster. He is the host of My Fellow Americans, the co-host of The Muddied Waters of Freedom, and the co-owner of Muddied Waters Media, a podcast platform.

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<sup>33</sup> <https://www.lp.org/introduction/our-history>

<sup>34</sup> <http://www.politics1.com/parties.htm>

<sup>35</sup> <https://www.lp.org/lp-presidential-nominee-on-the-ballot-in-all-50-states-plus-dc/>

## Green Party



The Green Party of the United States (GPUS or Greens) is one of the largest third parties in the United States. It was founded in 2001, having evolved out of the Association of State Green Parties (ASGP) formed in 1996. The Greens are an eco-socialist party, with core beliefs based on participatory grassroots democracy; social justice and equal opportunity; ecological wisdom; non-violence; decentralization; community-based economics and economic justice; feminism and gender equity; respect for diversity; personal and global responsibility; and future focus and sustainability.<sup>36</sup> The party has fielded presidential and vice-presidential candidates in every election since 1996, as well as candidates for local, state and federal offices in many states. The party claims to have 117 members holding elected office in the United States.<sup>37</sup> These are primarily at the municipal level.

Green Party candidates will appear on the ballot in 28 states as well as in Washington DC and Guam. The party has qualified for write-in status in 17 additional states. In Pennsylvania, Presidential Candidate Howie Hawkins has been placed on the ballot without VP candidate Angela Walker; nonetheless, that ruling has been appealed and remains unsolved.<sup>38</sup> The only states in which the party will not have ballot access are Louisiana, Nevada, South Dakota and Oklahoma.<sup>39</sup>

## Candidates



**Howie Hawkins**



**Angela Walker**

Presidential nominee Howie Hawkins is a trade unionist and environmental activist. He is a co-founder of the Green Party of the United States. Hawkins has run for various offices, including the governorship of New York in 2010, 2014 and 2018 as well as local offices in Syracuse: at-large councillor in 1993, district council seat in 2011 and city auditor in 2015. In the 1970s and 1980s, he worked in construction in New England, helping organize a worker cooperative that specialized in energy efficiency and solar and wind installations<sup>40</sup>.

Angela Walker, the Green Party vice-presidential nominee, is a social justice advocate. In 2016, she appeared on ballots in Colorado, Michigan and Guam as the vice-presidential candidate for the Socialist Party USA alongside Mimi Soltysik. She also ran for Milwaukee County Sheriff in 2014. She served for two years as Legislative Director of the Amalgamated Transit Union Local 998<sup>41</sup>.

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<sup>36</sup> <http://www.gp.org/history>

<sup>37</sup> <http://www.gp.org/officeholders>

<sup>38</sup> As of October 15, 2020

<sup>39</sup> [www.howiehawkins.us/ballotaccess/](http://www.howiehawkins.us/ballotaccess/)

<sup>40</sup> <https://howiehawkins.us/about-howie/>

<sup>41</sup> <https://howiehawkins.us/about-angela-walker/>

## **XIV. U.S. Election Glossary**

### **Absentee voting**

Absentee voting allows voters who cannot come to polling places to cast their ballots. A variety of circumstances, including residency abroad, illness, travel or military service, can prevent voters from coming to the polls on Election Day. Absentee ballots permit registered voters to mail in their votes. The Uniformed and Overseas Citizens Absentee Voting Act, a federal law, governs absentee voting in presidential elections. Absentee voting rules for all other elections are set by the states, and vary. In Oregon, all elections are conducted by mail, but voters have the option of voting in person at county polling stations.

### **Air war**

The battle between candidates to get as much advertising on television and radio as possible. In recent years, online adverts, which are cheaper and can be more carefully targeted, have grown increasingly important.

### **Ballot initiative**

Ballot initiatives are an example of direct democracy in the United States, in which citizens may propose legislative measures or amendments to state constitutions. Some initiatives propose the repeal of existing state laws. States vary in the number of signatures they require to place an initiative on the ballot. These initiatives (also called "propositions" in some states) are subject to approval by a simple majority in most, but not all, cases.

### **Battleground state**

A large state with an electorate split relatively evenly between Democrats and Republicans, so named because candidates spend a disproportionate amount of time and money campaigning there. Traditional battleground states include Florida, Ohio and Pennsylvania, which have 29, 18 and 20 electoral votes respectively.

### **Bellwether state**

A state that historically tends to vote for the winning candidate, perhaps because it is, demographically, a microcosm of the country as a whole. A good example is Ohio, which has not backed a losing presidential candidate since 1960. In fact, no Republican has ever won the White House without the state. The term derives from the name for a sheep which shepherds would fit with a bell. By listening out for this sheep, the bellwether, shepherds were able to locate the position of the entire flock.

### **Blue state**

Blue state is a term used to refer to a U.S. state where the majority of voters usually support Democratic candidates and causes.

### ***Buckley v. Valeo***

The legal challenge *Buckley v. Valeo* resulted in a landmark 1976 U.S. Supreme Court decision on campaign finance law that upheld the Federal Election Campaign Act's financial disclosure requirements, contribution limits and provision for public funding of presidential election campaigns. The court struck down spending limits in the law, except for the limits accepted voluntarily by presidential candidates who receive public funds. Thus, the ruling allowed for unlimited spending by congressional candidates (they do not receive public funds) and by persons or groups who campaign for or against a candidate, but who do not coordinate their activities with any candidate or campaign. The ruling also said that candidates who do not receive public money do not have to limit campaign spending of their own personal funds.

### **Bundler**

A person who gathers ("bundles") campaign contributions to a candidate from his or her network of friends and business associates. Bundlers, who are often wealthy and well-connected, play a crucial role in contemporary campaign finance. Individuals are barred by federal law from donating more than \$2,500

(£1,603) per election to a candidate. But they can increase their influence by providing to the candidate cheques they have solicited from their associates and acquaintances.

### **Canvassing**

The purpose of "canvassing" is to identify supporters and attempt to solicit their support for an upcoming vote. If the person has pledged their allegiance to another party or is currently on the fence about who to vote for, a canvasser can also outline the party's stances on certain subjects to try to win back the support of the voter.

### **Caucus**

A caucus is a meeting at the local level in which registered members of a political party in a city, town or county gather to express support for candidates. For statewide or national offices, those recommendations are combined to determine the state party nominee. The term is also used to describe a group of elected officials with a common goal that meets to plan policy in support of a shared political agenda. Two well-known examples of such groups are the Congressional Black Caucus and the Congressional Hispanic Caucus, whose members discuss and advance the interests of their respective constituencies.

### **Challenger**

A challenger is a candidate who runs for political office against a person who currently holds that office (the incumbent).

### ***Citizens United v. Federal Election Commission***

This 2010 Supreme Court decision affirmed shareholders and other groups of people enjoy the same rights that they would have if they were acting as individuals. The court also ruled that the government cannot restrict how much such groups can spend to support or criticize political candidates.

### **Coattails**

The expression "coattails" is an allusion to the rear panels (or "tails") of a man's coat. In American politics, it refers to the ability of a popular officeholder or candidate for office, on the strength of his or her own popularity, to increase the chances for victory of other candidates of the same political party. This candidate is said to carry others to victory on his or her coattails.

### **Convention**

In presidential election years, after state primaries and caucuses have concluded, the political parties gather to select a presidential nominee — usually the candidate who secured the support of the most convention delegates, based on victories in primary elections. The presidential nominee usually chooses a running mate to be the candidate for vice president, but the presidential nominee can throw open the vice presidential selection process to the convention delegates without making a recommendation.

### **Convention bounce**

An increase in a presidential candidate's popularity, as indicated by public-opinion polls, in the days immediately following his or her nomination for office at a national convention.

### **Constituency**

The people a government official represents make up his or her constituency. The term sometimes is used to refer only to those individuals who voted to elect the official. The president's constituency comprises all Americans; a mayor's constituency comprises the people who reside in the town or city.

### **Debate**

A structured discussion involving two or more opposing sides is a debate. In American politics, debates have come to be associated with televised programs at which candidates present their own and their parties' views in response to questions from the media or members of the audience. Debates also may be held via radio, the Internet or at a community meeting place. They can be held among those who seek elective office at any level of government.

**Divided government**

A situation in which the U.S. president is a member of one political party and at least one chamber of Congress (either the Senate or the House of Representatives) is controlled by another party is called a divided government. This situation also can exist at the state level, with one party controlling the governorship and another controlling the state legislature. Divided government occurs frequently in the U.S. political system.

**Donkey, Democratic**

The donkey has become the established - although unofficial - political symbol for the Democratic Party. Democratic Party historians say the symbol was first used during Andrew Jackson's presidential campaign in 1828. Labelled a jackass by his opponents, he adopted the donkey for his campaign posters and it stuck with him.

**Election Assistance Commission**

Established by the Help America Vote Act of 2002, the Election Assistance Commission serves primarily as a national clearinghouse and resource for information on elections. It also reviews federal election administration and procedures.

**Electoral College**

The president and vice president are selected through the Electoral College system, which gives each state the same number of electoral votes as it has members of Congress. The District of Columbia gets three electoral votes. Of the total 538 votes available, a candidate must receive 270 to win.

**Endorsements**

These are when a prominent politician or influential figure declares his or her support for a candidate. These can help increase a candidate's credibility and attract more media attention.

**Elephant, Republican**

The traditional symbol for the Republican Party, believed first to have been used in that context by an Illinois newspaper during Abraham Lincoln's 1860 election. Thomas Nast popularized the image in a cartoon in a 1874 edition of Harper's Weekly, as pro-Democrat newspapers were accusing the Republican president of Caesarism for allegedly seeking a third term in office.

**Federal Election Campaign Act (FECA)**

A 1971 law that governs the financing of federal elections, the Federal Election Campaign Act was amended in 1974, 1976 and 1979. The act requires candidates and political committees to disclose the sources of their funding and how they spend their money; it regulates the contributions received and expenditures made during federal election campaigns; and it governs the public funding of presidential elections.

**Federal Election Commission (FEC)**

This independent regulatory agency is charged with administering and enforcing federal campaign finance law. The FEC consists of six commissioners appointed by the president with the advice and consent of the Senate. The FEC was established by the 1974 amendment to the Federal Election Campaign Act of 1971.

**Front-loading**

The practice of scheduling state party caucuses and state primary elections early in the calendar year, well in advance of the general election, is called front-loading. By moving its primary to an early date, a state hopes to lend decisive momentum to its preferred presidential candidate and thus have disproportionate influence on a party's nomination.

**Front-runner**

A candidate in any election or nomination process who is considered most popular or most likely to win is called the front-runner.

**Gerrymandering**

The practice of drawing political constituency maps to increase a particular candidate's or party's advantage in a subsequent election.

### **Grand Old Party (GOP)**

The traditional nickname for the Republican Party widely used in American political reporting.

### **Gridlock**

In politics, when a political party or faction creates obstacles that block or severely hinder compromise on legislation or policy issues, the situation is described as gridlock.

### **Hard money/Soft money**

Hard money and soft money are terms used to differentiate between campaign funding that is, and is not, regulated under federal campaign finance law. Hard money describes donations by individuals and groups made directly to political candidates running for federal office. Such contributions are restricted by law. Soft money refers to donations not regulated by law that can be spent only on civic activities such as voter-registration drives, party-building activities, administrative costs and in support of state and local candidates. "Soft money" contributions, by law, may not be used to directly support a candidate for federal office. The U.S. Supreme Court in 2003 upheld congressional restrictions passed in 2002 on soft money contributions.

### **Hatch Act**

The Hatch Act places restrictions on political activity by employees of the executive branch of the U.S. federal government, District of Columbia government, and state and local employees who work in connection with federally funded programs. Under the act, employees are permitted to contribute to a candidate's campaign, but are restricted from using official authority to influence an election, including soliciting or receiving political contributions and engaging in political activity — including wearing or displaying political promotional materials — while on duty. Employees covered by the Hatch Act may run for office in a nonpartisan election, such as many school board elections, but are prohibited from running in a partisan election.

### **Help America Vote Act (HAVA)**

Congress passed HAVA to address voting problems encountered in the 2000 presidential election. The act encourages state and local governments to eliminate punch-card and lever voting machines. Under HAVA, states have received \$2.9 billion since 2003 to improve their election processes. The law also established the Election Assistance Commission to provide support to the administration of federal elections, as well as election laws and programs.

### **Horse race**

Used as a metaphor for an election campaign, "horse race" is used to describe a close contest and conveys the feeling of excitement that people experience when watching a sporting event.

### **Incumbent**

An individual currently holding a position is the incumbent. Historically, incumbents have enjoyed a better-than-average chance of being re-elected.

### **Independent**

A candidate or voter not affiliated with a particular political party is termed an independent.

### **Lame duck**

The term lame duck refers to an elected official during the time period between the election that chose the official's successor and the date the successor assumes office. Such an individual is in a weakened position politically due to the impending expiration of his or her term.

### **Landslide**

A victory in which one candidate's votes far surpass those of other candidates is called a landslide.



**Matching funds or public funding**

Public money can be given to presidential candidates who agree to limit their spending on the campaign. Contributions from individuals in which the aggregate amount contributed by the individual is \$250 or less are eligible to be matched on a dollar-for-dollar basis from the Presidential Election Campaign Fund. This fund includes proceeds from the voluntary check-off of \$3 per person from income tax returns of eligible taxpayers.

**McCain-Feingold**

Formally titled the Bipartisan Campaign Reform Act, the McCain-Feingold law is named after its two chief Senate sponsors, John McCain, a Republican from Arizona, and Russell Feingold, a Democrat from Wisconsin, who sought to remove “soft money” as an influence on candidates running for federal office. The law eliminated “loopholes” (or legislative oversights) that in the past allowed the use of soft money to aid candidates running for federal office.

**Negative ads**

These advertisements try to persuade voters to choose a candidate by making the opposing candidate look bad, by attacking either the opponent’s character or record on the issues.

**Nominee**

A person selected by others to run for office is the nominee. Nominees may be selected in primary elections or caucuses. When only one candidate from a party has filed to run for a political office, that candidate becomes the party’s nominee without any further selection process.

**Open primary**

An open primary is one in which all registered voters may vote, regardless of whether they are registered as Democrats, Republicans or Independents.

**Platform**

Platform refers to a political party’s formal written statement of its principles and goals, put together and issued during the presidential nomination process and affirmed during the party’s national political convention. Less formally, it can also refer to a candidate’s position on a set of political issues.

**Plurality**

A plurality is one method of identifying the winning candidate in an election. A plurality occurs when the votes received by a candidate are greater than those received by any opponent but can be less than a majority of the total vote. For example, if one candidate receives 30 percent of the votes, a second candidate also receives 30 percent and a third receives 40 percent, the third candidate could win the election by a plurality of the votes.

**Political Action Committee (PAC)**

PACs are political committees not related directly to a political party, but rather affiliated with corporations, labor unions or other organizations. The committees contribute money to candidates and engage in other election-related activities so as to promote specific legislative agendas. Funds are gathered by voluntary contributions from members, employees or shareholders. PACs have increased significantly in influence and number in recent years: In 1976, there were 608 PACs; in 2010, there were about 5,400.

**Poll/Polling**

A public opinion poll is created when a polling firm contacts a sample group of randomly selected citizens and asks a series of standard questions. If executed properly, the poll’s data reflect the range of opinions and the portion of the population that holds them in a manner representative of the full population. Public opinion polls provide an idea of what many Americans think about various candidates and issues.

**Primary**

A state-level election in which voters choose a candidate affiliated with a political party to run against a candidate who is affiliated with another political party in a later, general election. A primary may be either

“open” — allowing any registered voter in a state to vote for a candidate to represent a political party, or  
“closed” — allowing only registered voters who belong to a particular political party to vote for a candidate from that party.

### **Proportional states**

States in which delegates are allocated in proportion to how many votes each candidate received. There is usually a threshold of votes a candidate needs to reach to be eligible for any delegates. Examples of proportional states are Texas and Vermont.

### **Protest vote**

A vote for a third-party candidate made, not to elect that candidate, but to indicate displeasure with the candidates of the two major political parties.

### **Purple state**

Another term for a swing state. A state which could vote Democratic (blue) or Republican (red).

### **Push polling**

A public-opinion polling technique that is used to test possible campaign themes by asking very specific questions about an issue or a candidate is call push polling.

### **Redistricting**

The process of redrawing the geographic boundaries of congressional districts, the electoral districts within states from which members of the House of Representatives are elected, is called redistricting. Democrats and Republicans at the state level compete to get hold of the legal and political mechanisms of redistricting — usually by controlling the state legislature. By doing so, they can redraw boundaries of congressional districts in ways that will lend an electoral advantage to their own party.

### **Reagan Democrat**

Working-class Democratic voter who defected from the party to vote for Republican candidate Ronald Reagan in the 1980 and 1984 presidential elections. The term is also used these days to denote moderate Democrats who are more conservative than other Democrats on issues such as national security or immigration.

### **Red state**

Red state refers to a U.S. state where the majority of voters usually support Republican candidates and causes.

### **Running mate**

The person a presidential candidate chooses to be his or her vice president if elected. Always announced after a nomination so only the person who is actually running for president chooses. The vice president does not have much power, but is often used to push policy ideas.

### **Single-member district**

Single-member district describes the current arrangement for electing national and state legislators in the United States in which one candidate is elected in each legislative district; the winner is the candidate with the most votes. The “single-member” system allows only one party to win in any given district. Under the proportional system popular in Europe, much larger districts are used and several members are elected at one time, based on the proportion of votes their parties receive.

### **Sound bite**

A sound bite is a brief, very quotable remark by a candidate for office that is repeated on radio and television news programs. **Negative ads** frequently use sound bites to highlight an unpopular stance taken by an opposing candidate.

### **Spin doctor**

A media adviser or political consultant employed by a campaign to ensure that a candidate receives the best possible publicity in any given situation is called a spin doctor. When these media advisers practice their craft, they are said to be “spinning” or putting “spin” on a situation or event to present it as favorably as possible for their side.

### **Straw poll/vote**

An unofficial vote that is used either to predict the outcome of an official vote or to measure the relative strength of candidates for office in a future election is called a straw poll or straw vote. A good showing in a straw vote can give a candidate a boost, but does not necessarily predict later success.

### **Supermajority**

The vote margin of two-thirds or three-quarters of the quorum, as opposed to a simple majority of 50% plus one.

### **Super PAC**

This type of political action committee (PAC) is allowed to raise an unlimited amount of money from donors who can choose to remain anonymous. Super PACs are not allowed to donate directly to individual campaigns or coordinate with candidates or political parties.

### **Super Tuesday**

Widespread use of the phrase “Super Tuesday” dates from 1988, when a group of Southern states banded together to hold the first large and effective regional group of primaries in order to boost the importance of Southern states in the presidential nomination process and lessen the impact of early votes in the Iowa caucus and New Hampshire primary. Today, the meaning of the phrase is blurred, a reflection of the fact that, during the presidential primary season, there may be several groups of state primaries in various regions falling on one or more Tuesdays. These groupings are important because the weight of such a large, simultaneous vote tends to make or break would-be presidential nominees because so many convention delegates are selected at once. In 2012, Super Tuesday is March 6 but, because some states have moved their primaries to earlier dates, it will be less “super” than in past elections.

### **Swing voters**

Voters not loyal to a particular political party sometimes can determine the outcome of an election by “swinging” one way or the other on an issue or candidate. Swing voters often reverse their choices in a subsequent election.

### **Taxpayer check-off system**

The taxpayer check-off system allows U.S. taxpayers to contribute \$3 of their annual federal income tax payment to a public fund for financing presidential elections. To contribute, taxpayers simply check a box on their tax return that says that they want to participate in this system. Making the contribution does not raise or lower an individual’s taxes; it simply deposits \$3 of the tax payment into the presidential election campaign fund.

### **Term limits**

Term limits involve restricting the number of years an officeholder or lawmaker may serve in a particular office. There is a term limit for the U.S. president, who may serve no more than two consecutive terms, or eight years total. There are no term limits for those who serve in the U.S. Senate or House of Representatives. Some state and local offices are subject to terms limits.

### **Third party**

Any political party that is not one of the two parties that have dominated U.S. politics since the late 19th century — the Republican Party and the Democratic Party — and that receives a base of support and plays a role in influencing the outcome of an election is referred to as a third party.

### **Ticket splitting**

Voting for candidates of different political parties in the same election, for instance by voting for a Democrat for president and a Republican for senator, is called splitting the ticket. Because these voters support candidates from more than one political party, they are said to “split” their votes.

**Town hall meeting**

A town hall meeting is an informal gathering of an officeholder or candidate for office with a group of people, often local, in which the audience directly questions the officeholder or candidate.

**Tracking survey**

A type of public-opinion poll that allows candidates to follow or “track” voters’ sentiments over the course of a campaign is called a tracking survey. For the initial survey, the pollster interviews the same number of voters on three consecutive nights — for example, 400 voters a night for a total sample of 1,200 people. On the fourth night, the pollster interviews 400 more voters, adds their responses to the poll data, and drops the responses from the first night. Continuing in this way, the sample rolls along at a constant 1,200 responses drawn from the previous three nights. Over time, the campaign can analyze the data from the entire survey and observe the effect of certain events on voters’ attitudes.

**Unpledged delegates**

Delegates who can vote to nominate whichever candidate they want, regardless of primary/caucus results. Also called super delegates.

**Voter Precinct**

One of several districts into which a city or town is divided for voting; each precinct contains one polling place.

**Wedge issue**

An issue on which a candidate campaigns in order to divide factions within his opponent's supporter base.