

U.S. Elections: “How Are U.S. Elections Run?”

Teacher Script for Each of the Thirty-Two Slides

Slide 1: How are United States elections run? The answer invariably is: It depends.

Slide 2: *Article I, Section 4* of the *U.S. Constitution* gives states authority over elections, and that means policies vary among the states and territories. In most cases, the actual conduct of elections is the responsibility of local jurisdictions, so governance is shared across multiple layers. There’s still more variation based on what kind of election is under consideration: Federal, state and other levels of local government elections are distinct within the broad category of U.S. elections.

Slide 3: These amendments to the Constitution have to do with voting. The fifteenth amendment grants African American men the right to vote. The seventeenth amendment is the direct election of senators. The nineteenth amendment grants women the right to vote. The twenty fourth amendment is the elimination of poll taxes. The twenty sixth amendment lowered the voting age from 21 to 18.

Slide 4: American elections are the embodiment of the national motto *E Pluribus Unum*, out of many, one. It was suggested by a committee on July 4, 1776. While it took many years for a seal of the United States to be finalized, this motto stuck and became the words scribed on the scroll in the beak of a bald eagle. This image on the slide was created by John Hayward in 1853 for a gazetteer and is housed at the Smithsonian Library and Archives.

Slide 5: The most important organizing principle for American elections is geography. All elections are held within a set geography and have a target electorate based on geography. All elections use predetermined methods of voting, and all elections have safeguards to ensure an accurate outcome. At its core, knowing which races should appear on a voter’s ballot depends entirely on where one lives. Election officials ensure voters receive the correct ballot by cross-referencing that voter’s address with several other data points: the exact boundaries of districts for city council, county commission, school board, state legislature, the U.S. House of Representatives and all other electoral districts. Election officials do this by updating voter address files, with or without the help of tools like geographical information systems or GIS. What is our local geographic bounty? What are the boundaries for our city? Our county? Our congressional district?

Slide 6: It is the beauty of the nation’s decentralized federal system that this patchwork quilt leads to successful elections from presidential contests to local fire districts. Election administration looks vastly different in every corner of America, from New England town meetings to mailed ballots in the Pacific Northwest.

Slide 7: We have a decentralized Federal system. Local jurisdictions conduct elections from counties to parishes to municipalities. In a minority of states, the state is directly responsible for managing voting and vote counting. The state level identifies the chief election official, which is usually called the secretary of state, but in some states, it may be the lieutenant governor or director of state board of elections. There is consistency across states, too. All states provide in-person voting on Election Day and offer absentee voting for at least some citizens. All jurisdictions rely in part on community members to help staff their polling operations. All states provide clear guidance to local entities on how to count votes and for double-checking processes and results. All states know how to do their constitutional duty: Provide Americans with a secure and reliable way to have their voices heard.

Slide 8: No two states administer elections the same way and some variation exist even with states. All states provide in-person voting on Election Day and offer absentee voting for at least some citizens. Forty-nine of 50 states require voter registration as a first step of verifying who can vote (North Dakota is the sole state without voter registration).

Slide 9: In the early days, when the bulk of the population lived in rural communities, when almost every voter was personally known to his neighbors, and when there was comparatively little movement of population from one locality to another, the problem of determining those who were entitled to vote in a given election district was comparatively simple. The doubtful cases could, for the most part, be handled at the time that attempt was made to cast the ballot. With the rise of large cities, the influx of new citizens through immigration, and the greater movement of population resulting from improved means of communication, these favorable conditions passed away.

Slide 10: Over time processes have improved. An adversarial partisan model became the norm to secure transparency, accountability and public trust in election outcomes. Adoption of voter registration required election officials to develop standards for voter participation and to maintain lists of eligibility (these might be simply kept on cards in boxes on shelves). Adoption of paper ballots designed by and under the control of election officials—not the parties. Voting machines, mostly lever machines, came into use toward the end of the 19th century.

Slide 11: There is federal oversight. Two pieces of federal legislation, the National Voter Registration Act of 1993 (NVRA) and the Help America Vote Act of 2002 (HAVA). They provide a regulatory floor requiring states to develop a centralized voter registration list. The NVRA specifies the reasons a state may remove a voter from the rolls—because of a felony conviction, mental incapacity, at the voter’s request or because a voter has died or no longer lives in the jurisdiction. The NVRA, also known as “Motor Voter,” explicitly prohibits states from removing a voter from registration rolls simply for a failure to vote. Before registrants can be removed, they must first be designated as inactive and either go through a process to be canceled or contact the election office to be moved back to active status. How an inactive voter and active voter is defined and the process by which a registrant can move from one status to the other vary by state. HAVA required states to develop a computerized, statewide list for voter registration (in the past, in many states local lists were the norm rather than a single, statewide list) and to coordinate voter records with data from state departments of corrections, vital statistics and other state agencies to keep voter records current. But these federal laws are just the baseline. States can and do go beyond their requirements, and improving list maintenance processes is an evergreen topic for lawmakers.

Slide 12: There is other Federal agency assistance. Which agency on the list do you think is probably the most important than any of the other agencies on the list? (Most students realize that the U.S. Postal Service is most important.)

Slide 13: It is before the election and what occurs before the election in many instances apply to year-round efforts by election officials. Our locality like all localities around the nation runs the election, and we bear the costs for the running of an election.

Slide 14: The key building block or organizing principle of elections is geography. Election officials need to ensure the voters receive the correction ballot by cross-referencing that voter’s address with several other data points. Geography and election explain how periodic redistricting and redrawing precincts are fundamental to American elections and democracy.

Slide 15: Here come the candidates! Candidates filing is the first big event on the election calendar. It is when candidates submit paperwork to local or state election offices to officially become a candidate. While the process varies by state, it generally includes verifying that a prospective candidate meets the necessary qualifications for that office, signs the necessary affidavit and submits a filing fee and/or nominating petitions, if required.

Slide 16: Ballot design might not be the first thing people think about in an election, but it's a critical task. Election officials must ensure ballots include the appropriate districts, contests, candidates and any ballot measures. All choices on the ballot must be presented in a way voters can easily read and understand. By the time a voter receives a ballot, a great deal of thought has gone into its appearance. State law dictates much of what is required on a ballot, as well as how it is laid out. Yet election officials have some discretion, too. Most important, election officials must make sure ballots have the appropriate district information, contest information, candidate information and any required ballot measures or questions presented in a way voters can understand. Ballot design, done through ballot building software, encompasses all the above plus instructions for voters. In short, good design matters.

Slide 17: Voter Registration is, of course, a crucial step in the voting process. States—except for North Dakota, which has no registration requirement—offer several registration methods such as online voter registration, voter registration at motor vehicle divisions and other state agencies, paper registration and Election Day registration.

Slide 18: While new registrations are verified upon receipt, voter registration list maintenance is ongoing and systematic. State and local election officials use the maintenance process to ensure voter rolls are up to date. Federal law establishes a baseline of requirements and ground rules, but the frequency, scope and specific activities of list maintenance vary by state.

Slide 19: Voter Outreach and Education is also important before an election. Voters can't vote unless they know when an election is coming, how and where to vote, and what they'll be voting on. Voter education can take many forms, such as the creation of voter guides, voter-centric websites and sample ballots. It's also an opportunity to invite the public in so they can see how the election administration process is run.

Slide 20: The day of the election is the *sine qua non* which our democracy rests upon.

Slide 21: The most common method of voting is in-person voting either through Election Day voting or early in-person voting. To provide in-person voting, election officials must coordinate staff and temporary poll workers, find voting locations, procure and deploy voting equipment and ancillary technology, address physical security, navigate both federal and state law—and more.

Slide 22: Absentee and mail voting has grown in popularity in recent years but has roots dating back to the Civil War, when soldiers were first allowed to vote from the battlefield. Now casting a ballot by mail is common in many jurisdictions. Absentee/mail voting requires processes to identify who gets a ballot, how they get a ballot, how the ballot is verified, processed and counted, and security measures throughout the process.

Slide 23: Mostly Mail Voting also has risen in popularity in the last quarter-century. Unlike some methods of absentee voting, mostly mail voting often involves election officials proactively sending ballots in the mail to registered voters. Each state handles this process differently, but all do provide some opportunities for in-person voting for those who prefer or require it.

Slide 24: Voter ID Requirements vary significantly from state-to-state. For example, some states specifically require a photo ID to confirm identity, while others do not or may use some other form of non-photo identification. Election officials must run elections in accordance with state statute to confirm identity prior to voting and ensure that every eligible voter who wants to cast a ballot seizes the opportunity to do so.

Slide 25: The election workforce presents several challenges that state and local officials who run elections face. Recruiting, retaining and training for both full-time and temporary roles in the election profession are crucial to administering accurate, trustworthy elections.

Slide 26: Voting technology and certification from mechanical ballot counters to complex lever machines to modern electronic ballot tabulators—is critical to ensure votes are counted securely and accurately. Voting technology that is used to set up the election, record, tabulate and aggregate votes.

Slide 27: Many voters think of election night reporting as the end of the voting story, but it is just the start of the tabulating process. While election officials report results on election night, these early results are unofficial and can and likely will change as more ballots are processed in the next few days. Outcomes are official only when canvassing and certification have been completed.

Slide 28: Now! The polls have closed and the real work begins! It is after the election! The bottom-line is there is now plenty of work that remains even after the last ballot is cast.

Slide 29: Once the election is completed, most states employ post-election auditing processes to check that the equipment and/or procedures used to count votes during an election worked properly. States vary considerably in their processes for post-election audits, including what methods are used, when an audit is conducted, what is audited, who conducts the audit, what happens if a problem is discovered, and who can observe the process.

Slide 30: The canvass of the vote is the final count of all valid ballots cast in each election. Canvassing and certification cover the canvass of the vote, the final count of all valid ballots cast in each election, and the certification of that final vote. After certification, court challenges can delay certification and even delay the swearing in of an official winner. These steps take time, often two to three weeks and are an essential part of every election.

Slide 31: Recounts and court challenges do occur. When the outcome of an election is close, recounts may be conducted. Recounts can be initiated automatically based on the margin of victory in the machine count, by request of a losing candidate or through a court order. Also, court challenges or contests to certified results may also occur.

Slide 32: An important part of any election overview is the election timing and dates. While many people think of Tuesdays in November in even-numbered years as Election Day, in many jurisdictions Election Days dot the calendar throughout the year. Over time, there has been a slow shift toward reducing the number of small elections voters face by identifying in state law specific dates when elections at different levels of government can be held. This can extend to requiring those local elections run concurrently with federal elections in even-numbered years.

Slide 33: There are U.S. citizens living and working overseas, including absent members of the military, who cannot show up at a neighborhood polling place. These voters are handled differently under state and federal laws from other voters.