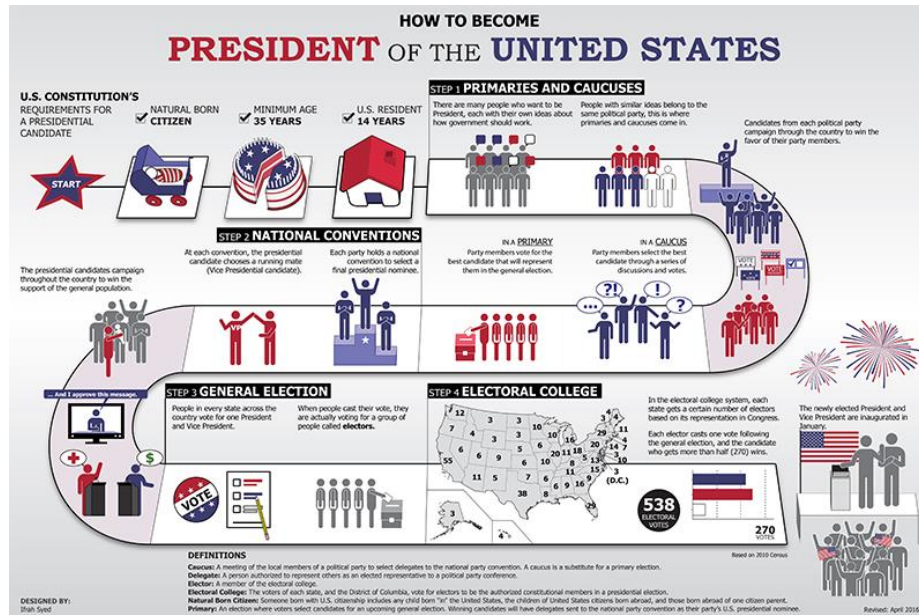


# OCTOBER 2019 UNIT #41 GOVERNMENT REPORT



## U.S. Constitutional Requirements for Presidential Candidates

The president must:

- Be a natural-born citizen of the United States
- Be at least 35 years old
- Have been a resident of the United States for 14 years

Anyone who meets these requirements can declare their candidacy for president. Once a candidate raises or spends more than \$5,000 for their campaign, they must register with the Federal Election Commission. That includes naming a principal campaign committee to raise and spend campaign funds.

## Presidential Primaries and Caucuses

Before the general election, most candidates for president go through a series of state primaries and caucuses. Though primaries and caucuses are run differently, they both serve the same purpose. They let the states choose the major political parties' nominees for the general election.

## State Primaries and Caucuses for the Presidential Elections

- State primaries are run by state and local governments. Voting happens through secret ballot.
- Caucuses are private meetings run by political parties. They're held at the county, district, or precinct level. In most, participants divide themselves into groups according to the candidate they support. Undecided voters form their own group. Each group gives speeches supporting its candidate and tries to get others to join its group. At the end, the number of voters in each group determines how many delegates each candidate has won.
- Both primaries and caucuses can be "open," "closed," or some hybrid of the two.

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- During an open primary or caucus, people can vote for a candidate of any political party.
- During a closed primary or caucus, only voters registered with that party can take part and vote.
- “Semi-open” and “semi-closed” primaries and caucuses are variations of the two main types.

### Awarding Delegates from the Primaries and Caucuses

At stake in each primary or caucus is a certain number of delegates. These are individuals who represent their state at national party conventions. The candidate who receives a majority of the party’s delegates wins the nomination. The parties have different numbers of delegates due to the rules involved in awarding them (PDF, [Download Adobe Reader](#)).

Each party also has some unpledged delegates or superdelegates. These delegates are not bound to a specific candidate heading into the national convention.

When the primaries and caucuses are over, most political parties hold a national convention. This is when the winning candidates receive their nomination.

For information about your state's presidential primaries or caucuses, contact your state election office or the political party of your choice.

### National Conventions

After the primaries and caucuses, most political parties hold national conventions (PDF, [Download Adobe Reader](#)).

### What Happens at a National Political Convention?

Conventions finalize a party’s choice for presidential and vice presidential nominees.

To become the presidential nominee, a candidate typically has to win a majority of delegates. This usually happens through the party’s primaries and caucuses. It’s then confirmed through a vote of the delegates at the national convention.

But if no candidate gets the majority of a party’s delegates during the primaries and caucuses, convention delegates choose the nominee. This happens through additional rounds of voting.

### Delegates: Types and Numbers Required

There are two main types of delegates:

- Pledged or bound delegates must support the candidate they were awarded to through the primary or caucus process.
- Unpledged delegates or superdelegates can support any presidential candidate they choose.

### Contested and Brokered Conventions

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In rare cases, none of the party's candidates has a majority of delegates going into the convention. The convention is considered "contested." Delegates will then pick their presidential nominee through one or more rounds of voting.

- In the first round of voting, pledged delegates usually have to vote for the candidate they were awarded to at the start of the convention. Unpledged delegates don't.
- Superdelegates can't vote in the first round unless a candidate already has enough delegates through primaries and caucuses to get the nomination.
- If no nominee wins in the first round, the convention is considered "brokered." The pledged delegates may choose any candidate in later rounds of voting. Superdelegates can vote in these later rounds.
- Balloting continues until one candidate receives the required majority to win the nomination.

At the convention, the presidential nominee officially announces their selection of a vice presidential running mate.

### General Election Campaigning

General election campaigning begins after each political party chooses a single presidential nominee. Those candidates travel the country, holding rallies and town halls. They explain their views and plans to the public and try to win potential voters' support. Debates and advertising also play huge roles in the campaign.

### Electoral College

In other U.S. elections, candidates are elected directly by popular vote. But the president and vice president are not elected directly by citizens. Instead, they're chosen by "electors" through a process called the Electoral College.

The process of using electors comes from the Constitution. It was a compromise between a popular vote by citizens and a vote in Congress.

#### The Electors

Each state gets as many electors as it has members of Congress (House and Senate). Including Washington, D.C.'s three electors, there are currently 538 electors in all. See the distribution of electors by state.

Each state's political parties choose their own slate of potential electors. Who is chosen to be an elector, how, and when varies by state.

#### How Does the Electoral College Process Work?

After you cast your ballot for president, your vote goes to a statewide tally. In 48 states and Washington, D.C., the winner gets all the electoral votes for that state. Maine and Nebraska assign their electors using a proportional system.

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A candidate needs the vote of at least 270 electors—more than half of all electors—to win the presidential election.

In most cases, a projected winner is announced on election night in November after you vote. But the actual Electoral College vote takes place in mid-December when the electors meet in their states.

The Constitution doesn't require electors to follow their state's popular vote, but it's rare for one not to.

### Special Situations

#### Winning the Popular Vote but Losing the Election

It is possible to win the Electoral College but lose the popular vote. This happened in 2016, in 2000, and three times in the 1800s.

#### What Happens if No Candidate Wins the Majority of Electoral Votes?

If no candidate receives the majority of electoral votes, the vote goes to the House of Representatives. House members choose the new president from among the top three candidates. The Senate elects the vice president from the remaining top two candidates.

This has only happened once. In 1824, the House of Representatives elected John Quincy Adams as president.

#### How to Change the Electoral College

The Electoral College process is in the U.S. Constitution. It would take a constitutional amendment to change the process. For more information, contact your U.S. senator or your U.S. representative.

### Inauguration Day

Inauguration Day occurs every four years on January 20 (or January 21 if January 20 falls on a Sunday) at the U.S. Capitol building in Washington, DC. On this federal holiday, the president-elect and vice-president-elect are sworn in and take office.

The vice-president-elect is sworn in first, and repeats the same oath of office, in use since 1884, as Senators, Representatives, and other federal employees:

"I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God."

Around noon, the president-elect recites the following oath, in accordance with Article II, Section I of the U.S. Constitution:

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"I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States."

The inauguration is planned by the Joint Congressional Committee on Inaugural Ceremonies. Nine activities typically occur:

- Morning Worship Service
- Procession to the Capitol
- Vice President's Swearing-In Ceremony
- President's Swearing-In Ceremony
- Inaugural Address
- Departure of the Outgoing President
- Inaugural Luncheon
- Inaugural Parade
- Inaugural Ball

Respectfully submitted,

Donna M. Richardson  
Legislative Representative  
Unit #41