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Office of the
Federal Register

The Electoral College

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Office of the
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The Office of the Federal Register (OFR) is a part of the National Archives and Records Administration (NARA). On behalf of the Archivist of the United States, it accepts official certificates from the States and coordinates certain functions between the States and Congress. These duties are ministerial — non-partisan and apolitical.

The OFR has been delegated to carry out these duties since 1952, first by the Administrator of the General Services Administration (NARA was then the National Archives and Records Service - NARS) when they were transferred from the Department of State, and then by the Archivist when NARA became its own agency for the second time.



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Background

States elect the president

Voters in each state vote for the presidential candidate and vice presidential candidate they want their State to elect.

In most States the candidate with the most votes wins the State's electoral college votes



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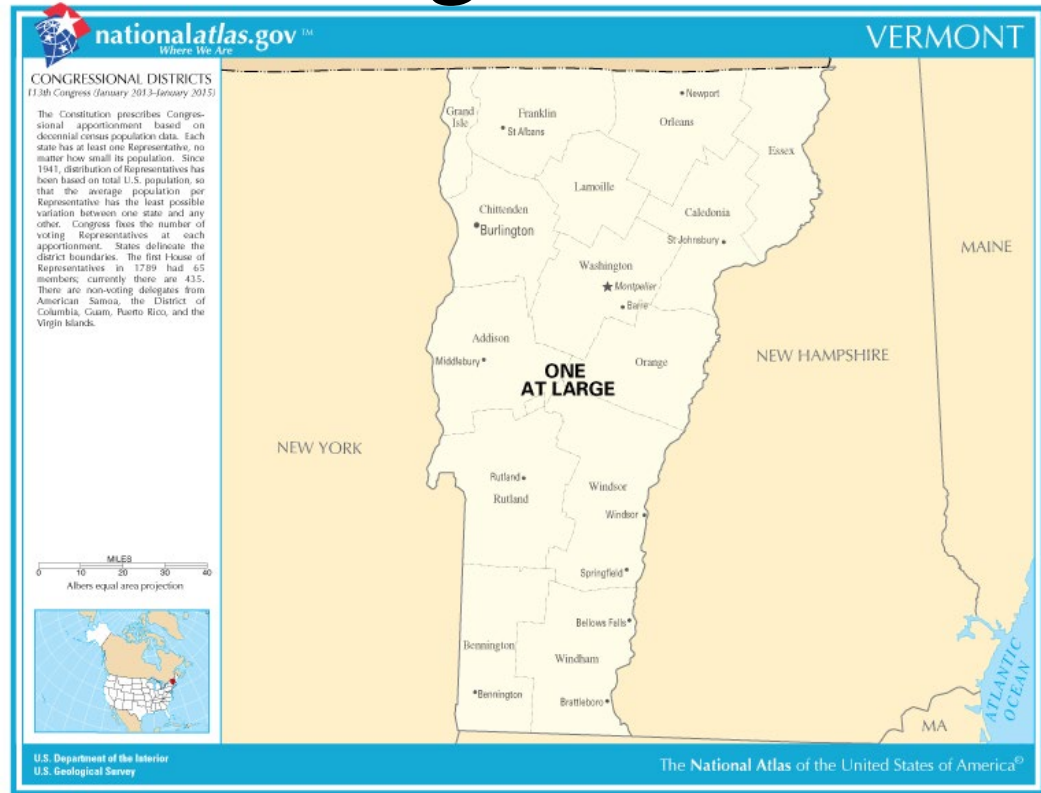
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Background



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Electors



538 members of the
Electoral College:

435 Congressional
districts

100 Senate seats

3 allocated to the
District of Columbia



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Constitutional Qualifications Of Electors

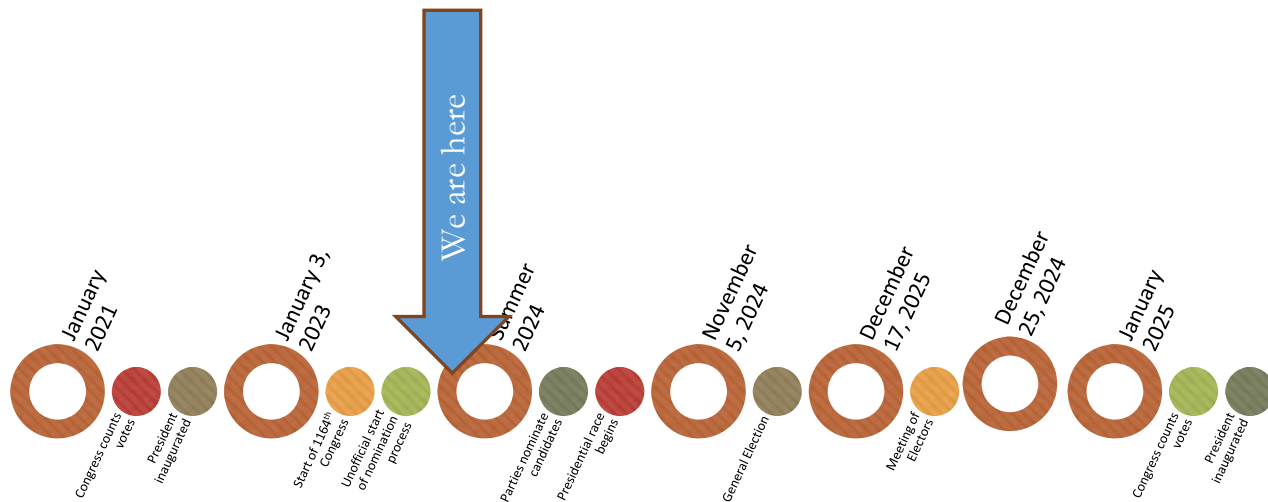
- Senator or Representative,
- Person holding an Office of Trust or Profit under the United States, or
- State official who *engaged in insurrection or rebellion against* the United States or given aid and comfort to its enemies.
 - This prohibition relates to the post-Civil War era.



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4-year Timeline



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Primary Season/General election



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State primaries, caucuses,
conventions

Delegates to national party
conventions

Party process for nominating
potential Electors

NOT part of Electoral College
– details depend on state
law and political party
requirements

General election ballot
requirements and formats

General election voting
(absentee, early voting,
mail-only)

NOT part of Electoral College
– details depend on state
law (within federal
framework)



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Selecting Electors

- the political parties nominate electors at their State party conventions or by a vote of the party's central committee in each State.
- The electors' names may or may not appear on the ballot below the name of the candidates running for President, depending on the procedure in each State.

General Election - November 5, 2024

Most States are winner take all

Maine and Nebraska

- 2 electors chosen at large all others chosen by Congressional district.



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In performing the Electoral College duties, OFR provides administrative support and guidance to help the States perform their own duties. We answer procedural questions and we offer:

- ★ State-specific section of the EC website
- ★ Checklist
- ★ Timeline
- ★ Detailed procedural instructions
- ★ Draft review of certificates
- ★ Web application for:
 - Uploading draft certificates
 - Sending tracking information
 - Asking questions
 - Tracking certificate review at OFR



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Timeline of Key Dates & Responsibilities

1st Tuesday after 1st Monday in November—Election Day

By 6 days before meeting of the electors—States issue Certificates of Ascertainment (appointing electors)

1st Tuesday after 2nd Wednesday—electors vote (meeting of the electors)

4th Wednesday in December—electoral votes must arrive

On or before January 3—Archivist transfers Certificates to Congress, as requested

January 6—Congress counts electoral votes

January 20, at Noon—Inauguration

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Timeline of Key Dates & Responsibilities

1st Tuesday after 1st Monday in November—Election Day

November 5, 2024



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Timeline of Key Dates & Responsibilities

1st Tuesday after 1st Monday in November (November 5, 2024) — Election Day

By 6 days before meeting of the electors—State executives issue Certificates of Ascertainment (appointing electors)

December 11, 2024



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BEFORE Election Day

The Archivist –

- ✓ Reminds each responsible State* executive (currently all Governors and the Mayor of the District of Columbia) of the procedural requirements

OFR –

- ✓ Contacts House and Senate Parliamentarians, the Clerk of the House, and the Secretary of the Senate to re-establish procedures for communication
- ✓ Updates website and State instructions
- ✓ Establishes points of contact for each State

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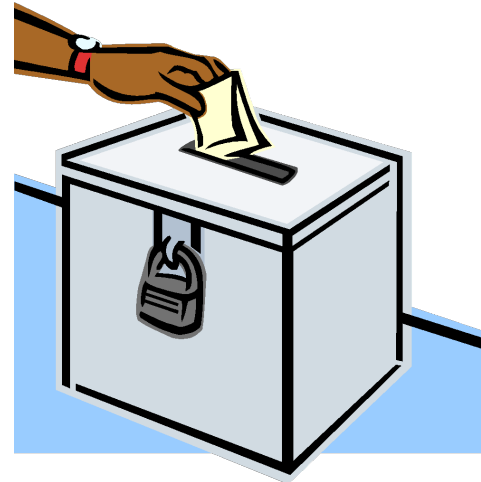
*Under the 23rd amendment, DC is treated as a State for Electoral College purposes.

General Election – November 5, 2024

- ▶ Prepare **SEVEN original** “Certificates of Ascertainment”
- ▶ Send to the Archivist.



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Issue and distribute Certificates of Ascertainment

No later than 6 days BEFORE the meeting of the electors

The States' executives issue 7 duplicate original Certificates of Ascertainment and distribute them:

- ✓ Send 1 Certificate of Ascertainment to Archivist
- ✓ Retain the remaining 6 Certificates of Ascertainment for the meeting of electors

OFR makes the Certificates of Ascertainment publicly available on the website after verifying facial validity



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Certificate of Ascertainment

Lists the names of the individuals appointed as electors and the number of votes they received.

Lists the names of all other individuals and the number of votes they received.

UNITED STATES OF AMERICA
STATE OF SOUTH DAKOTA
CERTIFICATE OF ASCERTAINMENT OF ELECTION

I, M. Michael Rounds, Governor of the State of South Dakota, do hereby certify that at the general election held within and for the State of South Dakota on the 2nd day of November, 2004, A. D., the following three persons were elected as the Electors of President and Vice President, viz.: M. Michael Rounds, Dennis M. Daugand, Larry Long, and that the votes cast at said election for any and all persons who were voted on as such Electors were duly canvassed by the Board of Canvassers as provided by Sections 12-20-46 and 12-20-47 of the South Dakota Codified Laws, at Pierre, the Capital of South Dakota. The Board of Canvassers duly ascertained the number of votes cast for all persons as Electors from the returns of said election made to the Secretary of State, the Canvassers duly ascertained that said persons were duly elected as such Electors, and the Canvassers duly declared each of them to have been elected as such Electors.

I hereby further certify that the total number of votes cast for each and every person as Elector at said Election, as so ascertained and determined by said State Board of Canvassers, is as follows:

REPUBLICAN PARTY		DEMOCRATIC PARTY	
Bush & Cheney	232,584	Kerry & Edwards	149,244
Mike Rounds		Mary Lou Mahen	
Dennis M. Daugand		Don Larson	
Larry Long		Rosalie Aslesen	
LIBERTARIAN PARTY		INDEPENDENT CANDIDATES	
Badnarik & Campagna	964	Nader & Camejo	4,320
Mary Goulet		Thomas Diggins	
Chad Heckenthal		Amy Yarns	
Jude Ager		Betsy Harris	
CONSTITUTION PARTY			
Peroutka & Baldwin	1,183		
William Barnesberger			
Norman Jones			
William Scott			

Dated at Pierre, South Dakota, this 15th day of November, 2004, A. D.


M. Michael Rounds
Governor of the State of South Dakota

Witness the signature of his Excellency, the Governor
and the Great Seal of the State of South Dakota.

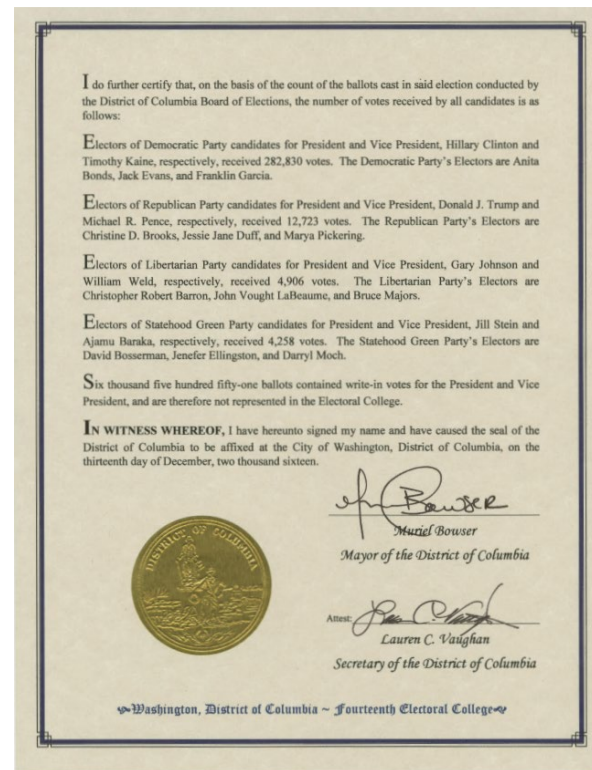
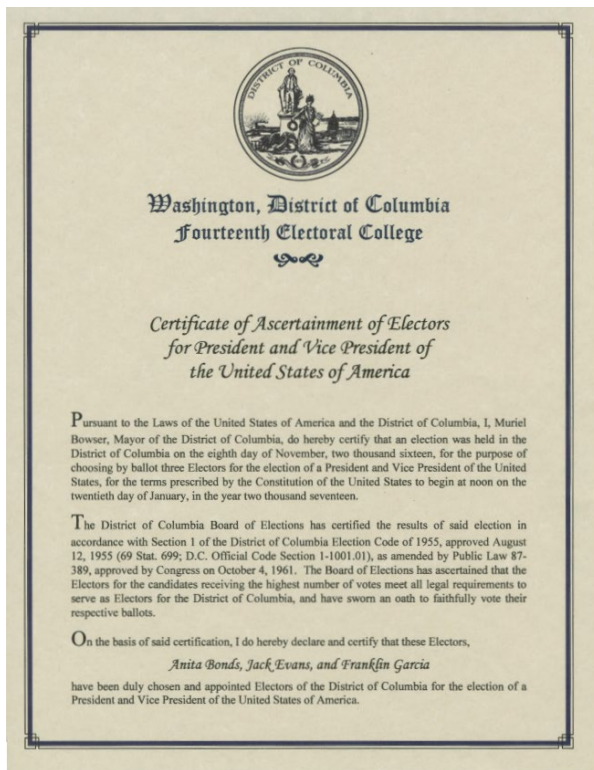
Chris Nelson
Secretary of State of South Dakota

Washington D.C. 2016 Certificate of Ascertainment



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More examples at: <https://www.archives.gov/electoral-college/results>

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Florida 2016 Certificate of Ascertainment



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State of Florida
Office of the Governor
Certificate of Ascertainment

WHEREAS, Section 103.011, Florida Statutes, provides that votes cast for candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates; and

WHEREAS, pursuant to Section 102.111, Florida Statutes, the Elections Canvassing Commission has certified the returns of the presidential election occurring on November 8, 2016, which showed that presidential electors nominated by the Republican Party of Florida received the highest number of votes for President and Vice President, respectively; and

WHEREAS, Section 103.011, Florida Statutes, provides that the presidential electors of the candidates for President and Vice President who receive the highest number of votes are elected; and

WHEREAS, pursuant to Section 103.011, Florida Statutes, the Department of State has certified as elected the presidential electors supporting Donald J. Trump and Michael R. Pence;

NOW THEREFORE, I, Rick Scott, Governor of the State of Florida, hereby ascertain and determine from the attached certificate as elected the Presidential Electors chosen by the voters of the State of Florida, along with the number of votes cast for those electors; and the list of names of the other nominated or certified electors not chosen by the voters, along with the number of votes cast for those electors.


IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at the Capitol, in Tallahassee, this 12 day of November, 2016.


RICK SCOTT
GOVERNOR

ATTEST:


KEN DETZNER
SECRETARY OF STATE




State of Florida
Department of State
Certificate of Election of Presidential Electors

WHEREAS, Section 103.011, Florida Statutes, provides that votes cast for candidates for President and Vice President shall be counted as votes cast for the presidential electors supporting such candidates; and

WHEREAS, Section 103.011, Florida Statutes, provides that the presidential electors of the candidates for President and Vice President who receive the highest number of votes are elected; and

WHEREAS, Section 103.011, Florida Statutes, provides that the Department of State shall certify as elected the presidential electors of the candidates for President and Vice President who receive the highest number of votes; and

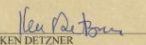
WHEREAS, according to the returns certified by the Elections Canvassing Commission pursuant to Section 102.111, Florida Statutes, the electors for Donald J. Trump and Michael R. Pence, as President and Vice President, respectively, received the highest number of votes, respectively, in the November 8, 2016, election;

NOW THEREFORE, I hereby certify that the following candidates for presidential electors were elected at the election held on November 8, 2016 and the number of votes cast for such electors:

Larry Ahern	Nick DiCeglie	Susan Moore
Brian Ballard	Jeremy Evans	Joe Negron
Kristy Banks	John Falconetti	Clint Pate
Michael Barnett	Peter Feaman	Adrien "Bo" Rivard
Lizbeth Benacquisto	Kat Gates-Skipper	Ray Rodrigues
Robin Bernstein	Joe Gruters	Carlos Trujillo
Pam Bondi	Debbie Hamilton	Robert Watkins
John Browning	Blaise Ingolia	Susie Wiles
Sharon Day	Torry Ledbetter	Christian Ziegler
Dena DeCamp	Mike Moberley	

Number of votes - 4,617,886

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, Florida, this 12 day of November, 2016.


KEN DETZNER
SECRETARY OF STATE

More examples at: <https://www.archives.gov/electoral-college/results>

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Timeline of Key Dates & Responsibilities

1st Tuesday after 1st Monday in November—Election Day

By 6 days before meeting of the electors—State executives issue Certificates of Ascertainment (appointing electors)

1st Tuesday after 2nd Wednesday—electors vote (meeting of the electors)

December 17, 2024



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BEFORE electors vote:

Prepare Certificates of Vote

- ✓ 6 originals
- ✓ Names of the electors typed below their signature lines
- ✓ Certificates dated
- ✓ Original (or certified copies of) documentation regarding replacement electors (if needed) to pair with each original Certificate
- ✓ No typos



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Meeting of the Electors - December 17, 2024



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Generally, each
State's electors vote
at their respective
State capitols.

Each State
determines whether
or not the voting is
open to the public





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Meeting of the electors:

- ✓ Prepare Certificates of Vote*
- ✓ Vote
- ✓ Pair Certificates of Ascertainment with Certificates of Vote
- ✓ Package and distribute paired Certificates of Ascertainment and Certificates of Vote

* If allowing write-in votes, make sure electors include the State of residence for any additional vote recipient.

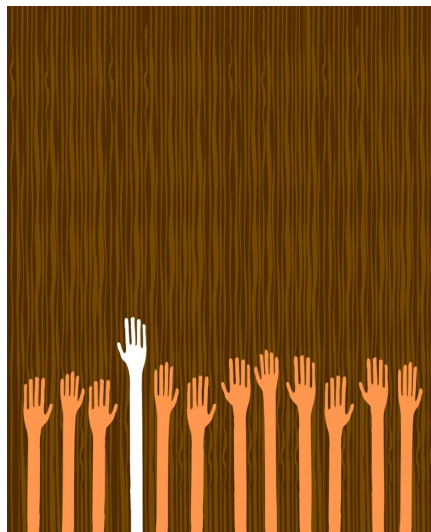
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Faithless Electors



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Do not vote for the candidate
they pledged to vote for

Some States require electors
to vote as they pledged and
can replace an elector at
the meeting

No Federal requirements or
pledges, so this is a State
concept



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Utah 2016 Certificate of Vote



CERTIFICATE OF VOTE

WE, THE UNDERSIGNED PRESIDENTIAL ELECTORS FOR THE STATE OF UTAH, elected at the November 8, 2016 regular general election, certify that we each cast ballots for President of the United States of America and Vice President of the United States of America with the following results:

Persons Who Received Votes for President of the United States of America

Donald J. Trump of New York, six votes

Persons Who Received Votes for Vice President of the United States of America

Michael R. Pence of Indiana, six votes

IN WITNESS WHEREOF, we have hereunto set our hands at the Utah State Capitol on this 19th day of December 2016.

 Cheryl Egan	 Kris Kimball
 Jeremy Jenkins	 Peter Greathouse
 Chia-Chi Teng	 Richard Snelgrove

More examples at: <https://www.archives.gov/electoral-college/results>

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Meeting of the Electors - December 17, 2024



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The electors record their votes on **SIX original** “Certificates of Vote,” paired with the remaining **six original** “Certificates of Ascertainment.”

The electors sign, seal and certify the packages of electoral votes and immediately send them to the Federal and State





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Send Packages of Certificates

- ✓ 1 pair to President of the Senate
- ✓ 2 pairs to Archivist of the United States
- ✓ 2 pairs to each State's Chief Election Officer (typically the Secretary of State)
- ✓ 1 pair to the Chief Judge of the Federal District Court located where the electors met

Retain any tracking numbers



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1st Tuesday after 2nd Wednesday—electors vote (meeting of the electors)

4th Wednesday in December—electoral votes must arrive

December 25, 2024 (effectively December 26, 2024 to account for Federal holiday)

Receipt of the Certificates - December 25, 2024



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The proper Federal
and State officials
must have the
electoral votes in
hand.



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Statutory deadline for designated Federal and State officials to receive paired Certificates is **8 days** after the meeting of the electors.



OFR can make demands on the Chief Election Officer of the State and the U.S. Federal District Judge who received the backup Certificate pairs, as necessary, to replace lost or delayed Certificate pairs for both the Archivist and for Congress.



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On or before January 3—Archivist transfers Certificates to Congress, as requested

Transmission of Certificates to Congress

January 3, 2025

As the new Congress assembles,
the Archivist transmits any original
sets of the Certificates to Congress
upon request





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January 6—Congress counts electoral votes



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January 20, at Noon—Inauguration

Researching Electoral College Records



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- ▶ Federal Register Certificates
- ▶ Record Group 11.7 at the National Archives

- ▶ Congressional Certificates
- ▶ [Election Records, compiled 1789 - 2000](#)
 - ▶ **ARC Identifier 559853**
 - ▶ Textual Records from the U.S. Senate.(03/04/1789 -)
 - ▶ Center for Legislative Archives, Washington, DC
 - ▶ Series from Record Group 46: Records of the U.S. Senate, 1789 - 2006



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OFR Resources for States:

Key Dates:

<https://www.archives.gov/electoral-college/state-officials/so-key-dates>

State Official Instructions:

<https://www.archives.gov/electoral-college/state-officials/so-instructions>

Checklist:

<https://www.archives.gov/electoral-college/state-officials/so-checklist>



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Electoral College Contacts at OFR:

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Website: www.archives.gov/electoral-college



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Questions?

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