



Op Ed: Election Administration and Security

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The League of Women Voters supports election procedures that protect the right of every citizen to vote and that are verifiable. New Mexico is fortunate to have a well-functioning voting system and has been rated in the top half of the states by the MIT Election Performance Lab. Recently, however, we have seen how pandemics, wildfires, and partisan activities pose challenges to orderly elections, the vote counting may be confusing, and threats to election workers, a form of voter suppression, have become more frequent.

Elections are administered by professionals whose day-to-day activities focus on voting and they depend crucially on citizens who assist by serving as voter registration agents and poll workers. Elected officials, such as county clerks, county commissioners, and secretaries of state, are also important to successful elections.

Some nonpartisan organizations have been examining election administration to see how our system might be strengthened. A fairly simple step would be adoption of a code of ethics and oath of neutrality for elected administrators. County clerks and secretaries of state would commit to refrain from endorsing or fundraising for other candidates; they would also agree to step back from decisions involving their own race. Other reforms could include designating these election-related positions as nonpartisan, so that candidates for the offices run without a party affiliation on the ballot.

Additional issues receiving attention involve the federal Electoral College. Controversies over the counting process were particularly problematic in the 1876 presidential election when neither Rutherford B. Hayes (Republican) nor Samuel Tilden (Democrat) received an electoral majority and multiple states presented serious problems. A 15-member commission appointed by Congress ultimately decided the disputes in favor of Hayes.

The Electoral Count Act of 1887 was intended to resolve some of the issues, but confusion remains. Electors are appointed in each state on Election Day and subsequently meet to send certificates of their votes to the U.S. Archivist, the President of the Senate, and the federal judge in the district where the electors voted. A joint session of Congress convenes in January to certify the vote and declare official results of the election for President and Vice President. The President of the Senate (the Vice President), presides over the joint session, preserving order and opening all the certificates.

Potential reforms under discussion include (1) clarifying the role of the Vice President in the vote counting; (2) more clearly defining the role of Congress in future controversies about the counts, and (3) specifying when a State may appoint electors after Election Day (such as in natural disasters, terrorist attacks). A more substantial change, supported by the League since 1970 as essential to representative government, is replacement of the Electoral College vote with the national popular vote.

A secure and resilient electoral process is vital to our democracy so confusion and chaos are not acceptable when the United States works through a transfer of power. The League will continue to partner with nonpartisan organizations to support free and fair elections.

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