

**From:** [REDACTED]  
**Sent:** 22 February 2017 10:30  
**To:** [REDACTED]  
**Subject:** FOI 07/17 - US Elections  
**Attachments:** A Letter From America.pdf; A blog from America- part 2 Election Law Issues.pdf; A blog from America- part 3 Campaign funding.pdf; A blog from America- part 4 Integrity and cyber attack.pdf; A blog from America - Election Day.pdf; Searching for a queue.pdf; Election Night.pdf; US election on Social Media.pdf; 2016-12-07-USA Presentation for CO.pdf; 2016-12-07-USA Presentation.pdf; 5 Lessons from the US Election.pdf

Dear [REDACTED]

**Our Ref: FOI 07/17**

Thank you for your request under the Freedom of Information Act 2000 dated **26 January 2017**.

The Commission aims to respond to requests for information promptly and **has done so within the statutory timeframe of twenty working days**.

Your request is in bold below followed by our response.

You have requested:

**All your records regarding the 2016 election and the win of Donald Trump as United States president, from Oct. 1, 2016 to the present day, and the USA electoral process. Comments, analysis, observer reports, etc.**

Our response is as follows:

**We hold the information you have requested.**

Our Chief Executive Claire Bassett was in America to observe the polls on 8 November 2016. During this time, she drafted a number of blog entries detailing her observations. These blogs were shared internally with staff and the Commissioners. Please find the following blog posts attached to this response:

- A letter from America
- A blog from America part 2 – Election Law Issues
- A blog from America part 3 – Campaign Funding
- A blog from America part 4 – Integrity & Cyber Attack
- A blog from America – Election Day
- Searching for a queue
- Election Night

A blog titled "US Election on Social Media" posted internally to staff across the Commission on 8 November 2016 by a member of staff is also attached to this email.

Following Claire's return from the US, she reported her observations to the Commissioners during a board meeting. Minutes of this meeting can be found in the "[Commission Board minutes of 7 December 2016](#)" available on our website.

Claire also delivered a presentation of her observations of the US elections to staff at the Electoral Commission. Her presentation is also attached to this response and titled "2016-12-07 USA Presentation". A slightly edited version of this presentation ("2016-12-07 USA Presentation for CO") was also delivered to the Cabinet Office who created a summary titled "5 Lessons from the US Election". This is also attached.

Please note, some of the information contained in the attachments to this response is personal data such as the names, and contact details of junior staff at the Electoral Commission, external stakeholders and the images of the general public, which is exempt under section 40 of the FOI Act. These documents have been redacted prior to release. Further explanation of the section 40 exemption is provided below.

#### **Section 40(2) and (3)(a)(i) of the FOI Act**

Section 40(2) provides for an exemption where the information requested constitutes personal data as defined by the Data Protection Act 2000 (DPA), and where release of the information requested would breach one of the data protection principles. Some of the information contained in the requested information falls within the description of personal data as defined by section 1 of the DPA because the information relates directly to an identifiable living individual. Release of this information would breach the first data protection principle, which states the information must be processed fairly and lawfully.

-

I trust that this information satisfies your request. The Commission strives to be an open, transparent authority.

If you are not satisfied with this response, please note that the Commission operates a review procedure, details of which can be found on the Commission website at:

<http://www.electoralcommission.org.uk/freedom-of-information-requests/how-do-i-make-an-foi-request>

Please also note that if you have exhausted all internal Commission review procedures and you are still not satisfied you have the right to appeal to the Information Commissioner. Details of this procedure can be found on the ICO website: <http://www.ico.gov.uk>

Yours sincerely

[Redacted Signature]

The Electoral Commission

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London EC1Y 8YZ

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[www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

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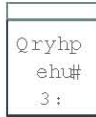
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## A letter from America ...

by [REDACTED] on 07/11/2016 16:48

Category: For interest

Edit

(posted on behalf of Claire)

As requested here is my first blog from Washington.

I thought I would share some notes from this morning general session. It was really interesting with four speakers from different perspective and gives a bit of insight into what people are thinking:

## 1. Introductory thoughts on polling day

High turnout is predicted, this will be compounded by fact that there will be a large number of people who will not have voted since last time, 4 years ago. Process has also changed more in last four years than ever before, for example:

- ... Voter registration- vast majority of states have moved to online registration (33 + DC). Voters can also check status and update on line too. Challenge for officials to keep pace with this flood of registration- the experience of those who register late will be monitored closely
- ... In the last decade reductions in numbers mean the location of polling stations are less convenient as postal and early voting means less polling station needed
- ... Some areas all voters mailed a ballot which they have the option of mailing back
- ... Some jurisdictions will have 50% of votes cast before election day
- ... However, expecting large number of voters at polls and concerns that will be battles between partisans for campaigns outside voting places
- ... Role of courts- eg in deciding how long and where polling stations open before polling day. Expect similar challenges on on polling day if there are long lines- candidates will seek court to keep open longer, this impacts counts

Expecting to shatter records tomorrow- now more than 200m America's registered to vote and one speaker estimating 72% turn out.

## 2. Learning from the Primary Process

Deep yearning for change and a new direction. The electorate is unsettled and upset, especially about unfair income distribution and the overall wealth economy in America. Issues affecting economic wellbeing are - health care, higher education costs, climate change, loss of confidence in criminal justice system, especially by black voters. Bernie Saunders attacks on campaign finance process had resonance as did concerns about the Citizen's United Supreme Court decision which effectively allowed money to flood campaigning. This process exposed fractures and intense feelings from voters. Impacted election itself and demand for change unlikely to subside whatever the outcome tomorrow.

72-76% of electorate thinks country moving in the wrong direction. Disagreement what right direction is though. Example immigration and border security. A lot of the governors have a different view from local community based politicians. Only having two parties means there is a popular perception that government is incompetent. It's a change election but ironic that will have to choose between two such unpopular candidates.

## 3. General Election itself

Conventional wisdom should be disregarded. Polls don't understand what is happening. Digital communication means can identify and motivate votes through new technology.

Future of both parties at risk with these changes; the ability to communicate and raise resources outside of the usual will challenge the two party system. Young people in particular self-identify as independents. Similarly, blue collar, church going, gun owning voters who are behaviourally democrat but feel marginalised by party.

As election administration changes so does politics. No longer good enough to get electors to say will votes, now about getting them to vote in a certain way by a certain time. Voting ends on polling day and takes place before that- sense of banking votes from loyal voters early increasingly important.

Campaigns are using digital tech but so are elections officials. Basic information about voting- where, when, what the rules are and making this available to voters has changed- eg Spotify, Etsy, Facebook etc will all be encouraging people to vote. Elimination of middle man from parties means election officials assisting more directly- call "disintermediation" and increases power of facebook etc.

Level of enthusiasm is expected which will strain system; will have lines tomorrow. Voting equipment and locations based on last election. Budgetary decisions about equipment and staffing mean under strain. 73% turnout predicted. 40m already voted. Unpopular candidates

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don't translate into not voting- a lot of enthusiasm to vote against somebody too. Voting patterns show those in battle ground states are more likely to vote and this year more states being treated like battle ground states- eg candidates turning up or high profile campaigners make people more likely to vote. Intensity will drive people to polls.

Increasing role of technology- key word is auditability. Needs to be someone outside the election administration structure who provides check and point of resistance. States pooling resources to check one another's process- eg who on register. Decentralisation of process is key to security. Each county has own board of elections (2 from each party) who cooperate to check one another and support vote counting and ensure accessibility of voting places. Resist moving to automation too rapidly as politics is a human enterprise and sense of community at a local level around election day is important.

Voting rights on younger people and registration- 18 year olds current minimum age to vote. Some thinking about reducing for other elections- federal elections will require action by congress so unlikely to change quickly. Do have to be registered on election day, exception North Dakota which has a voter list without registration being necessary (it is essentially a passive registration process) and Minnesota one of handful of states where can register to vote on polling day. While federal government reserves right to control elections a clause in constitution allows states to set controls and manner. Attainers can vote at 17 in the primaries if they will be 18 on election day- very smartly utilised by some at this election.

Role of press - will need to step back and think about the standard to which they held the campaigns to account. \$11bn is estimated aggregate spend on campaigning this time.

Election official response to candidates refusal to accept outcome- prove it- excellent opportunity to show working and that votes in match votes out.

On a lighter side I did manage to make it out of bed to go for a run and see the sun rise from the Lincoln Memorial this morning (technology allowing) a couple of pictures are attached - something of a contrast to see this compared to some of the extra ordinary coverage the elections are getting here. I made the mistake of watching a few minutes of Fox TV last night and will never be rude about the BBC again!



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| | 1 Comment(s)

## Comments

### Re: A letter from America ...

Thank you for sharing all this with us Claire. It's really great to hear your perspective on the ground for those of us who wish we were there!

On the party spending point, the US shows us what politics could be like without appropriate regulation of donations and spending. I read last week that Hillary was given \$150m by a single Super PAC (which wasn't even unusual), which would pay for all party campaigning for a UKPGE many times over. Truly incredible sums of money.

 on 08/11/2016 11:54

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## A blog from America- part 2- Election Law Issues

Edit

by Claire Bassett on 07/11/2016 23:07

Category: For interest

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Me again!

The topics covered today have been really fascinating and I think I must have become a fully-fledged elections anorak over the last year because I want to share it all with everyone. My family and friends have had enough (and they only got the pictures) so I am going to share it all with you via my blog but with the clear caveat that you can stop reading at any time and I won't be offended. I will divide them up by topic so you can also be more selective too if you want to be.

### Election Law Issues

Ballots in US are highly complex because of frequency of voting and need for electronic votes and counts to support this. They are also very decentralised and have different rules eg as to when polls open and close, who is eligible to vote and how in different states. Most of the law issues need to be looked at through the lense of the problems in Florida in 2000 which was a major catalyst for change.

Changes since Florida 2000 have included:

- Introduction of voting machines and technology funded by a large pot of money made available after events in 2000.
- Registration- in 2000 only 7 states had a state wide register on a computer. Now 51 have state wide lists but there is no central one still. Law pushed states to have register but lists are not required to talk to other state's.
- Voter errors meant a lot of votes were lost in 2000. Technology now required with checks to identify voter errors eg to stop someone voting twice on a ballot or not voting at all.
- Provisional ballots now widespread. If have a voter has a problem (eg with their registration) may cast a ballot which is kept separate until problem is resolved.
- Early voting- in 1970's c 5% voted by mail, many States opened this up more widely and started opening polling places early. Last election 35% and this year 40% plus are expected to vote early (in person or by post). Interestingly this has not had impact on turn out anticipated but is considered good for convenience and there is no talk of increased fraud risk in relation to postal votes.

Other interesting areas covered in this section included the following:

On registration, 75-80% of those eligible are on lists; people worry about this and that lists are not very accurate. Integrity is an issue and a federal commission has identified a set of measures states could do- for example online registration and ability to check and change entry online as well as encouraging states to share data across states to compare lists. It is a slow journey and not a national list.

Voter identity has seen lots of legal cases- lack of national list and no way of joining up of state lists means ID checks must be separate. There is an opportunity to register when apply for a driver's license but not able to compare different lists/ sources of data as they don't match up well. A lot more (Republican) states have moved to voter photo ID requirements to vote but there have been court challenges to this eg suggestion that should be able to sign an affidavit if don't have ID with you, this means still not resolved. This started with Shelby County case and what happens with a vacancy on Supreme Court will heavily influence where this goes over next four years.

Deceptive practices- dissemination of false information about time, place or manner of voting or eligibility to vote. Takes form of flyers, anonymous phone calls etc typically focused on disenfranchised groups. For example, phone messages about moving election day from Tuesday to Wednesday, flyers saying wrong date or that if voting for a particular candidate should vote on a different day. Also includes communications that provide wrong polling place saying have changed or phone messages saying voting is unnecessary as lines at polling stations too long. Others focus on telling groups, incorrectly that they are ineligible eg if received a traffic ticket can't vote.

Current example was advert on twitter which told voters to "save time, vote from home, text Hilary to this number" implying could vote by text message. Have general laws which can address this but want to see more specific statutes which prohibit more specific things. There has been significant commentary on inadequacies of detection and penalties in this area. Some penalties are too harsh eg criminal sanctions for forwarding tweets which make persecutors hesitate to take it on. In direct contrast to UK one area they are looking at is individual right to sue disseminators rather than prosecution. Most important reform effort is with social media platforms and getting them to remove things.

Intimidation- electioneering boundaries around polling stations. Stories following violations likely to feature on polling day. Gun rights rules in 15 States allow for people to openly carry of fire



arms and this brings up a new issue as to voter intimidation, even if outside electioneering boundary.

Commercial promotion of voting is also a form of intimidation and seeing things like free donuts if have an "I voted" sticker on polling day means asking questions about what this could this lead to?

Ballot selfies- people taking selfies in polling stations including their ballot- 19 states prohibit these- question about voter intimidation as can tell how people vote and compromise of secret ballot, interestingly many delegates, particularly from newer democracies, saw photographing ballot papers as a fundamental part of protecting them from state abuse so had an interesting discussion!

| | 1 Comment(s)

## Comments

### Re: A blog from America- part 2- Election Law Issues

Really fascinating, especially the bits about deceptive practices, you do wonder at the scale of it all and how much of that would affect the whole vote.

on 09/11/2016 09:30

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## A blog from America- part 3 Campaign funding

Edit

by Claire Bassett on 07/11/2016 23:19  
Category: For interest

This blog is full of stats- I didnt manage to get all sources sio need taking with a pinch of salt but fascinating none the less.

Some background:

The 2016 elections will cost \$6.9bn cost (for context Americans spend \$8bn on Halloween though and allegedly \$1bn of this is on outfits for dogs- Wato watch out I might bring one home).

Super PAC (Political Action Committees) have raised just over \$1bn (half of this from just 90 individuals or families). This is essentially campaign money but not directly for candidate and they can accept any money from any domestic source without limit. Super PACs should disclose source but this doesn't always show original source or make it transparent. They are not for profit and in view of some contributors not independent enough of campaigns, as they are often run by ex-campaign staffers.

Section 501C4s- tax exempt social interest groups who don't have to declare donors if not given directly to candidates' campaigns and who also raise large amounts

Citizen's United (and other Court decisions) have said political free speech is a fundamental right and should not be restricted, even for corporations. Essentially they said that if money is contributed to an independent body and not a candidate it cannot be corrupting. 78% respondents to a public survey thought this ruling was a bad decision. Speaker argued that the Courts finding is based on faulty logic of the belief that Super PACs would be independent and transparent which are not.

She argued that this means that the US is vulnerable to the undermining of democratic institutions and it is contributing to high number of Americans who are disaffected. Ideal is that all citizens should have an equal say but only 1/3 of survey respondents thought this was the case. 2/3 thought that the wealthy have more influence. In another survey 85% of Americans said needed to fundamentally change the way that political campaigns are funded.

Most prolific donors to Super PACs white and male despite diversity of voters being at highest ever. This tiny, highly unrepresentative group have a disproportionately high influence on the economy. Federal policy is entirely dominated by wealthy and corporate interests. Campaign finance laws are opposed by some, including some on Federal Election Commission, which does also produce data for others to use and increase transparency but cannot therefore make necessary rules. Situation has been described as the wild west of campaign funding due to failure to create regulations to govern Super PACs and section 501C4s. Means US has a parallel system where candidates and parties must disclose and follow the law but large amount of money is effectively totally anonymous and no way of knowing who is behind those campaigns which Supreme Court has upheld.

Centre for Responsive Politics and their website- opensecrets.org reports on spending and seeks to highlight illegal schemes and undisclosed money eg through tracking political ad buys. Some really interesting tools for tracking "dark money" and what think has happened with this, the impact of Trump on this, and how changes to rules on advert funding reporting drove down spending.

Perspective from a fund raiser and lobbyist-

A "Bundler" in this election- the rules means that in order to directly fund TV ads candidates must raise large amounts of money from high number of small donors tyhis speaker arguing strongly that individuals should be making donations to candidates and causes they think are important. Argued that removal of contribution limits for those donations made directly to candidates would prevent money having to go to Super PACs instead.

Power of the media- argued that the dollar value that they bring to campaigns and candidates is vast and not counted. 21 presidential candidates at beginning of this campaign. 1 candidate raised \$100m before even declared (Jed Bush) and used this to attack and contrast with other candidates. This came from Super PAC and therefore a very small number of donors. However, money and value of incumbency and/ or celebrity also means massive amounts of free exposure- Trump got an est. \$2bn worth of coverage- 500:1 more coverage than others without the fame. Argues this can only be levelled by money for other candidates who don't get this free media advantage. Essentially arguing that should do this by removing limits, encourage more money into system- others strongly arguing against this and impact it has on presidents who have to spend their time currying money.

Interrestingly I have one of the news channels on as I do this and the same argument is being made and linked to disengagement of politicians who now spend their time 'chasing money in country clubs' rather than meeting voters on the high street. Another ad just called the system of being elected president 'pay to play' which sums it up quite well.

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## Comments

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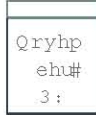
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## A blog from America- part 4 - Integrity and cyber attack

Edit

by Claire Bassett on 07/11/2016 23:32

Category: For interest

This is my last post for today and I expect tomorrows will be more pictures and impressions and less words I promise!

Integrity and cyber attackssion today focused on integrity and cyber attacks.

### Scene setting:

2002 Help America Vote Act- made available funds to improve election administration and replace out dated systems. This was very successful and many states introduced electronic (and some digital) voting machines. In 2014 Commission noted that these investments had frequently reached end of useful lives, in addition to this 2016 has seen issue of attacks and threat and raised questions about the patchwork of outdated systems currently in use.

In US there are 10,000 plus jurisdictions- 114,000 polling places and over 50 electoral administration systems using manual, electronic and digital systems. Time zones prevent polls closing at the same time and some states have two time zones in them.

Hacking machines themselves is very difficult as physical access is needed and they are not hooked up to internet. These machines have following measures to ensure complete and accurate ballot;

- Must allow voter to review sections before casting a ballot.
- Must allow voter to change selection before casting vote as a result
- Safeguard to prevent over voting (eg ticking two boxes)
- Ensure voters with disabilities have same access to participate- to go back to paper would undo this
- Machines supposed to allow for language minorities to vote and be programmed in different languages as needed
- Provisional voting where there are issues
- Election night reporting guidance

Voluntary voting system guidelines set standards for machines themselves- over 1000 requirements for this, and the Elections Assistance Commission (EAC) working on this, including cyber security. EAC also certifies testing labs for testing equipment. The EAC has also produced "Be ready 16" on EAC.gov website as guidance for individuals and election officials on polling day.

A wallet sized card has also been produced for disabled votes which set out their rights and can be used to enforce these. Have QR codes so can get in different formats too.

### Local administrator's perspective:

In 2012 had long lines and Obama said this needed fixing. American Voting Experience report can be found on supportthevoter.gov and looked at this and when and why queues happened.

Voter regulation and counting and tabulation of ballots need to be distinguished when look at integrity. Registration before election day is required in nearly all states. When a voter appears to vote, by whatever means will be record and always have opportunity to vote a provisional ballot as a safety net should this be compromised.

Tabulation system and counting of ballots are not hooked up to internet. Drew a distinction between rigging and hacking when talking about integrity of elections. Rigging is setting up election to determine outcome before it happens. Hard to rig postal votes as is reviewed, signatures checked etc and laws protect anything with travels through the postal system. Similarly, at polls it is even harder. Local officials test and certify equipment, physical safeguards are in place and audits this for example. Many election officials provide live video feeds of equipment tests and tabulation centres. Poll workers are drawn from across communities- they provide security in system as do observers and voters who are aware of their rights and serve as advocates on own behalf. Hacking is different and also have safeguards to make sure where results are loaded onto system and risks exist. If or when something does go wrong there are communications in place to make sure remedy problems as soon as possible. Electronic voting machines do have a paper trail which can be an audit trail.

For the last 2 months elections administrators should have been focused on administration of election but their attention has been diverted to other conversation and speaker was concerned this may mean they have taken their eye off the admin ball. After tomorrow no one will talk about this anymore but it is a conversation that needs to happen. Equipment is old and needs replacing but there are no funds to do this. Many officials think this is the last presidential election where will be able to use these machines. Also thinking about how move forward and take people with them- eg young people.

Charles Stewart from MIT survey of voter confidence in this election, compared to 2012. Republican voters increased by 5%, democrats almost doubled. Conversations are not dissuading voters but instead energising them. However coverage tonight is of Trump supporters who think their vote will be (fraudulently) discounted so wont bother voting so will be interesting to see.

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Q and A showed lots of the same issues as us- not having central register and preventing people voting twice- two programmes, one called ERIC (ERICstates.org) and one other compares registers to other registers and data sources. Also looks to see if people not registered who need to reach out to. Also interesting that in some states if don't have a number of some kind which validates registration are required to vote in person the first time vote there and can only use postal votes after that.

| | 5 Comment(s)

## Comments

### Loving the letters from America

Fascinating blogs, much better info than we're getting from the news! Most envious of the morning run in Washington though

on 08/11/2016 09:05

### Re: A blog from America- part 4 - Integrity and cyber attack

What a fascinating read this morning. Thank you, Claire. It's so great to get this insight as the election approaches. Re: voter intimidation, I'm also not jealous in the slightest of your morning run and those pics. Keep the blogs coming!

on 08/11/2016 10:04

### Re: A blog from America- part 4 - Integrity and cyber attack

I accidentally deleted my voter intimidation comment which was I can't believe people would be able to carry a firearm whilst going to vote?! Imagine turning up to a polling station and there was a group of opposition voters outside parading rifles!

on 08/11/2016 10:07

### Thanks Claire

Thanks for sharing all the info. I'm sure that there is lots here that some people will recognise but also lots to get people thinking how issues might translate to the UK. Looking forward to more pictures!

[Carolyn Hughes](#) on 08/11/2016 10:08

### Great blogs...

Thanks Claire - keep these coming. Really interesting to get your take.

Once again makes me realise how lucky we have been not to have individual local authorities making the rules about how you can vote and register, what ID you need, because it leads to great suspicion, particularly with the history of preventing Black people voting in the US. Fortunately our proposal is more sensible! I hope polling stations you visit are calm and untroubled by vigilante observers.

Now I just have to decide whether it's an all-nighter or an early night and getting up in the middle of the night to see results come in....

on 08/11/2016 11:40

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## A blog from America - election day

by [REDACTED] on 08/11/2016 16:24

Category: For interest

[Edit](#)

Here are some pictures of my first visit - yes can take photos at will inside polling station. They have a manual form which is then fed into e-counter which looks like wheelie bin! These are offline and mini disc taken to count and uploaded there..

No queues in Arlington and very neat! Campaigners were handing out 'sample' ballot papers outside. Were very relax about secrecy and intimidation.

Surprised by all the stuff on the ballot - 4 local referendums, 2 constitutional amendments, president and Vice President and 2 House of Representatives votes - these have a 'write in' box where can add another name!



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## Comments

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### Re: A blog from America - election day

This is all really interesting Claire, thanks for sharing and wish I could've seen it too!

Those voting machines are very similar to the ones that were used in a pilot in the UK some years ago. We loved them but the candidates hated them as the count was too quick!

 on 08/11/2016 17:07

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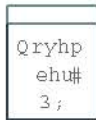
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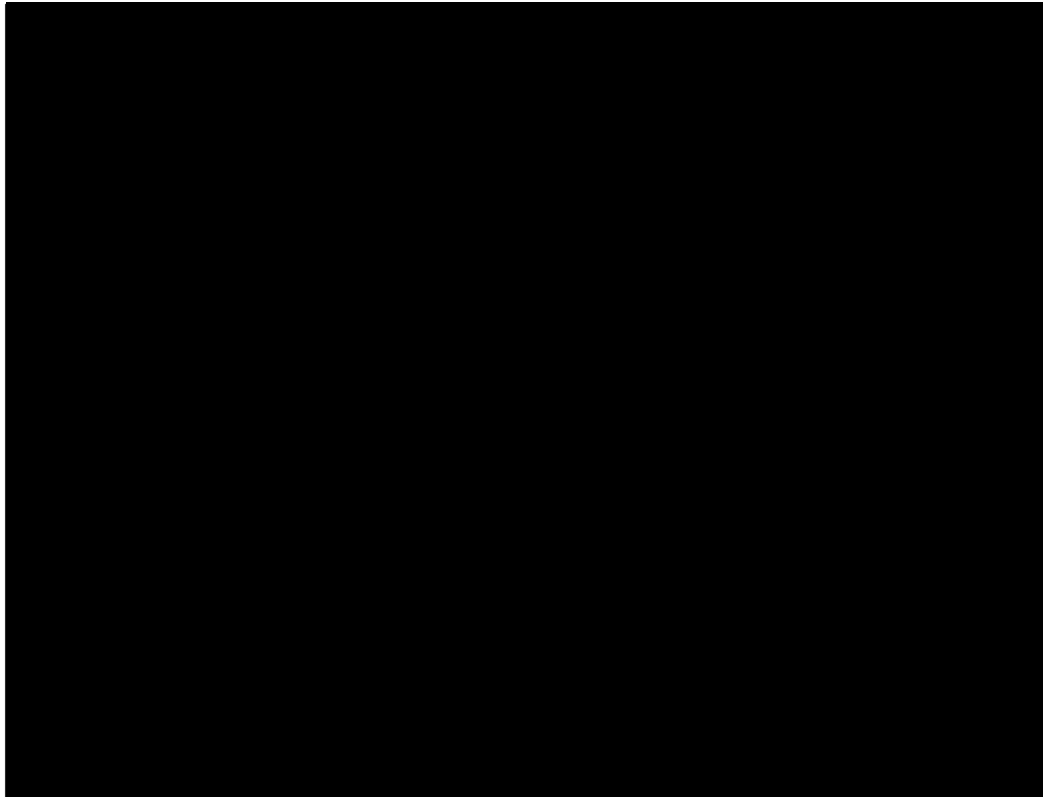
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**Searching for a queue...**

by Claire Bassett on 08/11/2016 19:47

Category: For interest

Have failed miserably to find a queue or any angry Trump supports (with or without their guns)- all very neat and well behaved in and around Washington apparently- where Hilary is definitely out front. Here is a picture with some of Hilary's supporters who were settled in for the day outside a voting station in DC



| | 1 Comment(s)

## Comments

**Re: Searching for a queue...**

Brilliant.

on 08/11/2016 11:18

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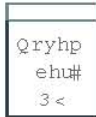






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**Election Night**by [redacted] on 09/11/2016 09:26  
Category: For interest[Edit](#)**Blog Tools**[Fuhdwh#i#rvw#](#)[P dqdj h#rvw#](#)[P dqdj h#](#)[frp p hqw#](#)[Odxqfk#arj#](#)[surjudp #ar#rvw#](#)

4am on the East Coast and still reeling. Probably time to admit couldn't face spending night in the Marriott so [redacted] and I went to spend night in politico bar a street away from the White House with some of her friends.

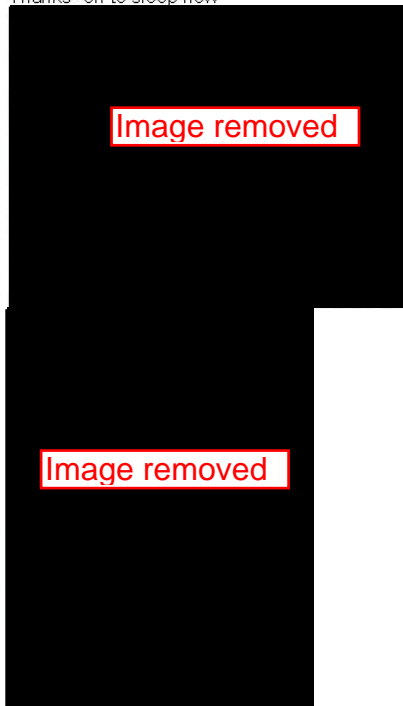
We started about 7 surrounded by Clinton supporters in good spirits, however between various apps and news site (Fox news were filming in bar but thankfully managed to avoid them) it started to become clear that it wasn't looking good. By 11 people were leaving quietly and I ended up consoling my first person in tears about 12. The analogy to Brexit was everywhere.

We left the bar about 1 30 and went to the White House where the atmosphere was grim. I was deeply moved by one young girl's really articulate description of her fear for the future and also really out raged by one mans attempt to bully an independent observer who happened to be there [redacted] and I intervened and like all bullies he back off very quickly (although didn't stop streaming Trumps victory speech).

We left about 3 30 and I have just got back. Immediate reflections are that there is a lot of soul searching going on - Trump clearly won and this says something very important for what people wanted and democracy - just now need to work out what that is.

Few pics below and very bad bit of video but audio tells the story ( if can upload it)

Thanks- off to sleep now



<http://skynet/dm/Functions/ta/Chief%20Executive/Chief%20Exec/Video.MOV>

| | 1 Comment(s)

**Comments****History in the making...?**

Very moving account Claire to give us watching from afar the feel on the ground.



on 09/11/2016 12:21

### Add Comment

Title

Body#

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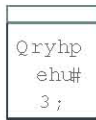
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Newsfeedblog

Qhz vñhg



## US election on social media

[Edit](#)

by [REDACTED] on 08/11/2016 15:42

Category: For interest

As you may have heard, there's an election taking place across the pond today, and in order to capitalise on this wave of enthusiasm for democracy we've been posting about it on Twitter and Facebook, including a 3 minute US Presidential election quiz.

Check it out on Twitter on the right-hand bar of the page and test your knowledge>>>>>>

And don't forget to share with your followers!

| | 0 Comment(s)

## Comments

There are no comments for this post.

## Add Comment

Title

Body

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# Watching the US Elections first hand...

Claire Bassett  
7 December 2016

## Content

- Introduction
- Voter registration
- Campaigning
- Polling day
- The result and thoughts on this



International  
Foundation for  
Electoral  
Systems

*2016 US Election Program and Seventh  
Global Elections Organisation Conference*

- Four Day conference focusing on registration, campaigning and evaluation of the outcome
- Based in Washington DC and built around election day itself on 8 November
- Attended by approximately 350 delegates from across the world- from Argentina to Zambia

<http://www.ifes.org/>

# The Electoral Commission

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## Some Headline numbers

Total Electorate: c 251m

Turnout: 58.8% (42% Hawaii to 74%  
Minnesota)

Early voting expected to be over 40%

Estimated 100,000 polling stations across  
America

[https://en.wikipedia.org/wiki/Electoral\\_College\\_\(United\\_States\)](https://en.wikipedia.org/wiki/Electoral_College_(United_States))

## Voter Registration

Varies from state to state and governed by states not federal laws (as defined in the Constitution)

- All states except North Dakota require registration
- Some states allow registration on the day eg Minnesota
- Registers are maintained at state level and 34 have moved to online registration
- 75-80% of those eligible are on register lists

# The Electoral Commission

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## Voter Registration- franchise

Constitution sets out broad franchise (age-18, colour and race) but state legislature defines beyond this:

- Some states ban felons from voting (5.3m currently excluded because of this)
- Some legislatures bar the “insane” or “idiots” (Iowa)
- Generally US citizens, 19 years or older residing outside US are eligible to vote

# The Electoral Commission

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## Voter registration- administration

Desire for “auditability” of registers has led to more checks and challenges

- States are pooling resources to check one another
- ERIC is a system that allows data to be cross checked between registers
- Use of data from other state sources common although not without controversy
- Voter identification is required in many states but has seen a lot of legal cases



# The Electoral Commission

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## Campaigns- Federal Election Commission

- Federal policy dominated by powerful interest groups
- FEC opposes campaign finance laws
- FEC does produce data to support transparency but cannot do anything- situation described as the “wild west”
- Parallel system where candidates and parties must disclose and follow law but Super PACs and section 501c4s do not and are effectively anonymous

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## Campaign funding- Super PACs

- Super PACs (Political Action Committees) raised just over \$1bn (half from just 90 individuals)
- Jed Bush raised \$100m before he even declared, mainly from Super PAC
- Citizen's United court case (and others) said political free speech is a fundamental right and should not be restricted
- Serious concerns about transparency
- Majority of donors white and male and have disproportionately high influence on economy

# The Electoral Commission

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## Campaigner activity issues

- 2016 Election est. campaign cost \$11bn (UKPGE 2015 was £40m)
- On top of this substantial “free” media coverage which varied between candidates
- Deceptive practices mislead voters and use of social media to do this
- Intimidation and electioneering boundaries
- Commercial promotion of voting

# The Electoral Commission

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Campaigning-  
what is  
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Challenges to two party system due to:

- Digital communications means candidates now talking direct to voter
- Young people self identify as independent
- Blue collar, church going, gun owning voters who are behaviourally democrat feel marginalised
- Focus on known voters - no longer good enough to get electors to say will vote; now about getting them to vote in a certain way at a certain time; banking early votes

# The Electoral Commission

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## Role of media in campaigning

- Non-monetary value of incumbency and/or celebrity has a significant impact
- Trump got an estimated \$2bn worth of media coverage; 500 times more than others without fame
- This undermines spending limits
- Creates a sense of “pay to play” and only the seriously rich or famous able to run
- Serious concerns about fake news and role of social media in this

# The Electoral Commission

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## Public Opinion

- 72-76% of electoral think the country is moving in the wrong direction, eg immigration and border security
- Governors and local community based politicians are far apart and too focused on fundraising not real people
- 78% respondents to a survey thought Super PACs ruling a bad decision
- 1/3 of respondents thought all citizens had an equal say and 85% thought funding needed fundamental change

## Polling Day

- Rules vary from state to state including opening and closing times
- Fewer polling stations, open for longer
- Queues common and anticipated; courts often get involved. American Voting Experience report in 2012 examined issue
- Gun rights in 15 states allow for people to openly carry firearms and creates issues with electioneering boundaries
- Photos in polling station only prohibited in 19 states
- Provisional votes



## Polling equipment

- Allocated based on turnout last time
- Florida 2000 and Help America Vote Act 2002 had significant impact
  - Led to introduction of technology
- Count equipment off line to prevent risk to integrity
- Voluntary voting systems guidelines from the Elections Assistance Commission sets standards for equipment (1000 requirements)
- Issue of lack of ongoing investment in equipment means some out of date

# The Electoral Commission

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Polling day- my impressions...

The  
Electoral  
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Privacy at polling stations was not  
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## The Electoral Commission

Voter intimidation or coercion was not  
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# The Electoral Commission

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## Polling day- my impressions

- Ballot papers with a lot on them
- Early voting creates a different set of practical difficulties as well as benefits
- Counting seemed to work well but difficult to show transparency using machines
- Provisional votes
- Voter ID that could be obtained on day

And the result...

The  
Electoral  
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## Results and response to this- populist movement

(Thomas Carothers  
from the Carnegie  
Endowment for  
International Peace)

- Globalisation has caused an economic impact which punishes some communities and social cultural and they feel disproportionately impacted
- Ideas, values and projects for social changes coming from outside that the established population are not comfortable with eg immigration, gay rights
- Changing nature of politics; institutes are not as solid as used to be

# The Electoral Commission

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- Online “angry consumers” tripadvisor approach applied to state
- Deeply unpopular political parties
- Breakdown of traditional media and growth of “mini media”
- Personalistic politics means can reach out to individuals directly and replacing parties in middle
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# The Electoral Commission

## Final Reflections

- Changing nature of campaigning and powerful role of social media for good and bad, eg Facebook
- Polling stations and lack of privacy
- Straight forward approach to integrity and administrators were backed when rumours were created
- Decentralisation makes it much harder and creates inconsistency- there is some possible learning from approach to register and data sharing
- We are very lucky we don't have more TV campaigning but what about where this might go next?

Any Questions?

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The  
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## 5 Observations on the US Election

Claire Bassett, the Chief Executive of the UK's Electoral Commission spent the week of the US election observing voting activities and political discussions in Virginia and Washington DC. She shared her key reflections at a recent Constitution School event. Her observations included:

### **1) In the US, money matters, but doesn't guarantee victory.**

Political parties and groups spent an estimated \$7 billion in the 2016 US election (compared to £40 million in the UK in 2015). Part of the reason this figure is so high is due to the highly controversial Citizens United court case decision, which allows 'super PACs' to raise unlimited amounts of money to influence elections.

Former Governor Jeb Bush managed to raise over \$100 million before he even started campaigning for the presidency. However, Jeb Bush failed to even come close to securing the Republican nomination and Donald Trump won the presidency, despite raising around half as much as Hillary Clinton.

President Trump is estimated to have gained around \$2 billion in free advertising on television through his ability to stay in the headlines. Traditional TV advertising spending is also under pressure since so many Americans now consume news through social media - an area that is much harder for election officials to monitor. How to regulate this space is going to be a tough challenge in the years ahead on both sides of the Atlantic - though we do better on regulation on campaign finance.

### **2) The State-led process leads to huge disparities in who can vote and how they do so.**

The US constitution sets out broad parameters for elections, but most rules are decided at a state-level, which leads to huge levels of complexity. 15 states allow voters to openly carry firearms to the polling station. Only 19 states prohibit voter selfies or photography around the polling area. Iowa bans the 'insane' or 'idiots' from voting'. Minnesota allows same-day voter registration, while states such as Texas have highly restrictive voter ID laws that make it more difficult to vote.

### **3) Voter Restriction Laws are a hot political issue.**

Many states have been accused of political bias in the setting of voter laws and rules that disproportionately affect African-American and Hispanic voters. Such laws include only allowing certain types of ID to register, which are not held by a large number of voters. States have also been accused of deliberately placing polling stations in inconvenient areas for certain communities. There are over five million felons in the US and many states bar them from voting even after they have served their sentence.

Rules such as these could have affected the outcome in the 2016 presidential election, which was decided by 70,000 votes in three swing states, or the 2000 presidential election, which was decided by just 537 votes in Florida.

#### **4) Voter Machines may be in need of an update.**

Voting machines were brought into many states after the 'hanging chads' controversy in the 2000 election. Such machines were seen as a way of minimizing human error and making the system more robust. However, since 2000 political attention (and funding) has drifted away from the issue. Many states have not been able to afford patches and upgrades to their machines and now have a number of 'known errors' when administering elections. This has led to many conspiracy theories about the machines, but the current system seems to be coping. Nevertheless, the issue needs political attention soon in order to avoid future calamities.

#### **5) Changing the system is incredibly difficult.**

The federal commission is dominated by powerful interest groups that are sensitive to any major change. Reversing the Citizens United legal decision would require a change in the makeup of the Supreme Court and it is unlikely President Trump will favour judges who want to overturn the decision. Changing the rules in individual states happens often, but it can be very difficult to challenge unfair rules if a party has a majority in the state legislature.

Other changes, such as getting rid of the electoral college or changing the way that Senate seats are distributed, would require a constitutional amendment that is almost impossible to pass due to the in-built advantage of smaller states that are averse to losing their advantages.

Rory Kinane, Modern Registration Division, Constitution Group

*Want to hear more about the future of the US system? **Dr Adam Quinn** will be speaking about the **US constitution** and the constraints it will place upon the new Administration on **May 3**.*

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Claire Bassett, Chief Executive of the Electoral Commission, spoke at a Constitution School event at the Cabinet Office on 23 January 2017. This note is intended for Cabinet Office staff only, please do not circulate further.