

Presidential Transition of Power

The Complete Process

GOVLEARN Education

2021

Step 1: The Election

- Held on the Tuesday after the first Monday of November
- Citizens in all 50 states + DC vote for President of the United States, along with local positions
- Whichever candidate wins the most votes in a particular state wins *all* of that state's Electoral College votes
- Media outlets “project” the winner of states, but the votes are not official until state certification
- Some close states may not have a “projected” winner

Step 2: Recounts & Certification

- Held between Election Day and state certification deadlines (determined by each state)
- If the margin is especially small in certain states, a candidate can request a recount (either by hand or digitally)
- During this period, the losing candidates tend to concede the race to the apparent winner, though sometimes this isn't the case
- Once states certify their results, the next step is the Electoral College vote

Step 3: The Electoral College

- Electors vote in individual states on the Monday after the second Sunday of December
- Electors do not meet together, but they meet at their individual state capitols to cast their votes
- Subsequently, the states mail the electoral votes to the U.S. Capitol

Step 4: Congressional Counting

- On January 6th, Congress convenes in a joint session between the House and the Senate to count the Electoral Votes
- Designated tellers (2 from the Senate, 2 from the House) read the results, and the President of the Senate (the Vice President) confirms the results
- If there is an objection to the results signed by 1 Senator and 1 House member, the Senate and House separately deliberate for 2 hours and vote on whether the objection should be successful
- This is the final major step in the election process, but not the transition

Step 5: Niceties

- Depending on when the losing candidate concedes, there are traditions in a presidential transition such as:
 - The GSA Administrator providing the President-elect with official government materials and briefings
 - The President-elect making Cabinet and staff appointments for the incoming administration
 - The President & President-elect meet (if they aren't the same person) at the White House

Step 6: Inauguration

- At 12:00 PM EST at the U.S. Capitol on January 20th, the President-elect is sworn in as President; the Vice President is sworn in shortly before
- The President makes an Inaugural Address, which addresses key themes of the campaign and upcoming presidency
- An inaugural parade follows throughout Washington, D.C., and subsequently inaugural balls throughout the city and country, one of which the President & First Lady/Gentleman attend
- The President's family moves into the White House, and the VP's family moves into Number One Observatory Circle

Presidential Oath of Office

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.

Notable Historical Transitions

Buchanan - Lincoln

1860 Presidential Election

- One of, if not the most, tumultuous transition in presidential history
- Seven states seceded from the Union and formed the Confederate States of America
- Conflict between President James Buchanan and President-elect Abraham Lincoln over how to handle the secession
- About one month after Lincoln took office, on April 12, 1861, the Civil War began

Grant - Hayes

1876 Presidential Election

- Disputes regarding 20 electoral votes in four states over allegations of vote fraud which lasted nearly the entire transition period
- Ballots were printed featuring an image of Abraham Lincoln next to the Democratic box, confusing many illiterate voters
- Many of these disputed Democratic votes were awarded to Republicans, angering Democratic candidate Samuel Tilden, who won the popular vote
- Democrats in the House objected to the electoral votes in one state, handing the Electoral College to Tilden, causing the formation of an independent committee, giving the election to Republican candidate Rutherford Hayes
- A compromise was made between Republicans and Democrats, awarding Hayes the election, but allowing Democrats to force the withdrawal of troops from the South and ending Reconstruction

Hoover - Roosevelt

1932 Presidential Election

- Less of an electoral dispute and more of a policy dispute, the 1932-33 presidential transition splintered an already damaged relationship between President Herbert Hoover and President-elect Franklin D. Roosevelt
- Hoover offered to form a joint committee to combat the Great Depression, but Roosevelt refused, citing Hoover's poor economic policies as evidence that any policies with Hoover involved would not work
- During the Roosevelt administration, Hoover's name was temporarily removed from the Hoover Dam, and Hoover was removed from the White House mailing list

Clinton - Bush

2000 Presidential Election

- The 2000 presidential election was highly contested, especially in the key state of Florida
- Republican candidate George W. Bush won the state of Florida by around only 500 votes, causing Democrat Al Gore to call for a recount
- After Bush won a case in Florida stopping a recount, Gore appealed to the Supreme Court, which ruled that the recount was unconstitutional as it took place after the certification of votes in Florida, giving Bush the election

Thank you!

For questions and concerns, please email us at contact@govlearn.org