



Frequently Asked Questions

What is the Election Observer Program?

The Committee on House Administration created the Election Observer program to secure the House of Representatives' interest in ensuring free and fair congressional elections. The purpose of the program is to recruit, train, and dispatch House of Representatives staff to election sites across the country. House observers are tasked with observing election procedures at all stages to ensure the true winner is seated in the following Congress and that the winner prevailed in a free and fair election. House election observers are responsible for gathering information as they monitor the election process. The Committee retains that information to build a factual record in case the election is contested. Election observers may not engage in political advocacy or interfere with the administration of the election.

What is the legal authority for the Committee's Election Observer Program?

States administer elections, but the House of Representatives has statutory and constitutional authority to serve as the final arbiter over any contest to the seating of any recognized Member-elect.

Article 1, Section 5 of the U.S. Constitution - "Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members..."

Article 1, Section 4 of the U.S. Constitution - "The Times, Places and Manner of Holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof, but the Congress may at any time by Law make or alter such Regulations..."

The Confirmation of Congressional Observer Access (COCOA) Act of 2024 - "Congress...has the authority to send congressional election observers to observe polling locations, any location where processing, scanning, tabulating, canvassing, recounting, auditing, or certifying voting results is occurring, or any other part of the process associated with elections for Federal office...."

The Federal Contested Elections Act of 1969 (FCEA) - establishes procedures for how the U.S. House of Representatives handles election contests.

Rule X, clause 1(k) of the Rules of the House of Representatives - grants the Committee on House Administration jurisdiction of "Election of the President, Vice President, Members, Senators, Delegates, or the Resident Commissioner; corrupt practices; contested elections; credentials and qualifications; and Federal elections generally."



What does an Election Observer Do?

Election observers are the on-the-ground representatives of the U.S. House present to ensure that elections are free and fair. Election observers are present at the election office or facility solely to observe, take notes, ask questions, and report back to the Committee. House observers have constitutional authority to be in the rooms where local elections officials process ballots and tabulate votes, to see where ballots are stored, and to observe other, non-public processes. Election observers are prohibited from advocating for or against any candidate, political party, or ballot issue. Observers are also prohibited from interfering with any aspect of the election administration process including handling ballots, election equipment, or taking any action to reduce ballot secrecy.

Who may serve as an Election Observer?

Only full-time employees of the U.S. House of Representatives, paid with government funds, may serve as House election observers. Interns are not eligible to participate.

Are House Election Observers Partisan, Political Operatives?

No, House Election Observers are House staff who have volunteered to serve as nonpartisan observers and who have been trained to do so.

Do Election Observers Advocate for or Represent Political Candidates?

No. Election observers are not campaign staff and may not advocate or represent any candidate or position.

Can Election Observers Engage in Political Activity?

House Election Observers are prohibited from engaging in partisan, political activity while on government time and may not advocate for or against any candidate or ballot issue.

Who Determines When and Where Election Observers Are Deployed?

The Committee determines when and where election observers are deployed. All volunteers should be prepared to travel on and after Election Day (November 3, 2026).



Who Credentials House Election Observers?

The Chair or Ranking Member of the Committee on House Administration credential House Election Observers pursuant to the Committee's authority.

Do House Election Observers fill observer "slots" under state law?

No, House Election Observers exist independently of state law. A House Election Observer, whether deployed by the Committee's Majority or Minority, does not fill any observer "slot" (e.g., for a particular candidate or political party) under state law.

What if my State does not permit observers? Can I refuse entry to House Election Observers based on state law?

No, you may not refuse entry to House Election Observers, even if state law does not permit observers or specifically recognize House Election Observers. The Confirmation of Congressional Observer Act of 2024 explicitly allows congressional observers to observe polling places, and any location where processing, scanning, tabulating, canvassing, recounting, auditing, or certifying votes occurs. In addition, the Constitution grants the U.S. House of Representatives the authority to serve as the final "Judge of the Elections, Returns and Qualifications of its own Members", which includes the authority to observe the administration of congressional elections. These authorities supersede contrary state law.