U.S. Midterm Elections GUIDE

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How To Use This Guide

2022 is a midterm election year, when voters are faced with a choice between parties and candidates. “To govern is to choose” succinctly captures what governing means - choosing how to spend the federal budget among competing priorities. Choosing what the nation’s healthcare policy will be. Choosing about Medicare reimbursement for counselors. But first, voters must choose who will represent them.

Counselors advocate for their clients locally every day in a variety of ways. Election Day is your opportunity to advocate most directly on behalf of yourself, your clients or students, and on issues that affect the counseling process. This same governing process occurs in state legislatures and governors’ offices across the country, most of which also have elections this fall.

This election guide has been curated with counseling professionals and advocates in mind to help you learn:

• about issues important to counseling
• how to follow candidates and their campaigns; and,
• how to advocate for counseling both during election season and year-round.

While this election guide encourages counselors and advocates to vote and to continue advocacy or lobbying activities during the election period, as long it is related to pending legislation on issues that the American Counseling Association (ACA) has a history of working on, it does not influence how people should vote.
The American Counseling Association (ACA)
Nonpartisan Statement

As a 501(c)(3) organization, the American Counseling Association, which includes its staff and representatives, does not:

- Endorse candidates.
- Make campaign contributions or expenditures for or against any candidate.
- Rate or rank candidates on who is most favorable to ACA’s issue(s).
- Let candidates use our facilities, or resources, unless they are made equally available to all candidates at their fair market value – such as a room commonly used for public events.

The American Counseling Association is a nonpartisan organization and does not endorse candidates or political parties.
Midterm Elections Overview

Midterms occur in the middle of a presidential election cycle, two years prior to the next election. The midterms are a great time to reevaluate your thoughts and feelings about your current members of Congress and state and local elected representatives.

This year, all 435 seats in the House of Representatives and 35 U.S. Senate seats are up for re-election. Additionally, there are 36 states and three U.S Territories with gubernatorial elections and numerous state elections this November. Although much of the attention surrounds federal elections, most legislation is passed at the state level, making the state elections just as pivotal in shifting the direction of America.

<table>
<thead>
<tr>
<th>Election States</th>
<th>Voting on November 8, 2022</th>
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<tbody>
<tr>
<td>U.S. (United States) House of Representatives</td>
<td>All states</td>
</tr>
<tr>
<td>U.S. Senate</td>
<td>AK, AL, AR, AZ, CA, CO, CT, FL, GA, HI, IA, ID, IL, IN, KS, KY, LA, MD, MO, NC, ND, NH, NV, NY, OH, OK, OR, PA, SC, SD, UT, VT, WA, WI</td>
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<tr>
<td>State/Gubernatorial Elections</td>
<td>AK, AL, AR, AZ, CA, CO, CT, FL, GA, HI, ID, IL, IA, KS, ME, MD, MA, MI, MN, NE, NV, NH, NM, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, VT, WI, WY</td>
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*Note U.S Territories voting: Guam, Northern Mariana Islands, and U.S Virgin Islands. The District of Columbia*
Levels of Government and Their Roles

Federal Government Overview

Legislative Branch
Congress creates laws through the process of drafting bills that are then passed by both congressional chambers and signed by the President into law.

Senate
- 100 Senators
- 6-year terms

House of Representatives
- 435 U.S. Representatives
- 4 Delegates from U.S. territories and the District of Columbia
- 1 Resident Commissioner from the Commonwealth of Puerto Rico.
- 2-year terms

For more information on Congress or to find your Congressional representative please visit: www.congress.gov/members

Executive Branch
The Executive Branch of government consists of:
- President of the United States – who can sign bills into law or veto them,
- Vice President of the United States, and
- Cabinet members (ex. Secretary of Defense and Secretary of Education).

The executive branch also enforces laws and is responsible for submitting the national budget to Congress for approval.

Judicial Branch
The Judicial Branch of government interprets laws and consists of the federal court system. Most notably are the U.S. Supreme Court, which is comprised of nine justices who overturn laws that violate the U.S. Constitution, and the federal courts, which were created by Congress to handle federal business using power granted by the Constitution.

“We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”
State Government Overview

Governors and state legislators decide:

- How to appropriate federal and state funding to state programs and localities
- Whether to accept federal funds to provide health insurance to the uninsured
- How to oversee state licensing boards and administrative agencies
- Regulatory issues such as scope of practice; and,
- What rights and protections are afforded to members of marginalized communities.

Governors and state senators are responsible for implementing state laws and overseeing the operation of the state executive branch.

One important legislative role executed by governors is coordinating and working with state legislatures in:

- approval of state budgets and appropriations, which allows governors to play a strong role in establishing priorities for the use of state resources
- enactment of state legislation
- confirmation of executive and judicial appointments; and
- legislative oversight of executive branch functions.

Gubernatorial Appointments

Most governors have broad authority to nominate officials to serve in state executive branch positions. Many governors consult with key legislators before making formal nominations. Boards and commissions vary by state and by program. In most states boards oversee the licensing and regulation of numerous professions and business areas, such as licensure for professional counselors in various settings. In some states appointed boards have the primary responsibility for individual programs and agencies and are responsible for the selection of department and agency heads.

In many states the members of these boards are named or nominated by the governor.

Legislative Branch

All 50 states have legislatures comprised of elected representatives, who consider matters brought forth by the governor or introduced by legislative members. Legislators will convene on these matters to create legislation that becomes law, make public declarations or proclamations of official record, and to determine guidelines for administrative agencies. The legislature also approves the state budget, initiates tax laws, and holds impeachment powers. State government responsibilities also include establishing licensing rules for professionals, regulating the education system, and controlling trade within the state.

For more information on your state representatives and legislatures, please visit: [https://www.congress.gov/stat...e-legislature-websites](https://www.congress.gov/stat...e-legislature-websites)
Local Government Overview

A local elected official could represent a constituency of 150 residents or 3 million residents. Or, a local elected official could represent 100 square feet (about the area of an apartment bedroom), or 300,000 square feet (about the area of the Lincoln Memorial Reflecting Pool). Every city, town, and county is unique.

*Note: Washington, DC operates as a state while also performing functions of a city and a county.

Federal Elections Overview

**U.S Senate:** 35 seats open

**U.S. House:** 435 seats open

Before deciding on who to vote, be sure to research the candidate to make sure that they are supporting your interests such as:

- Medicare reimbursement for licensed professional counselors.
- Greater access to school-based behavioral health services.
- Increased hiring of Licensed Professional Mental Health Counselors (LPMHCs) within the Department of Veterans Affairs.

If you would like to know more about ACA’s federal legislative priorities that affect the counseling community, please go to the [ACA 2022 Government Affairs and Public Policy legislative Agenda](#).

State Elections Overview

On November 8, 2022, 88 of 99 U.S. state legislative chambers will hold regular elections. In the U.S. Territories, five legislative chambers will hold regular elections this year. Elections will be held for the American Samoa House of Representatives, the Guam Legislature, the Northern Mariana Islands Senate and House of Representatives, and the U.S. Virgin Islands Legislature.

**Special Elections**

As of September 2022, 53 special elections for state-wide office have been scheduled in 24 states. Special elections are scheduled for many reasons, including resignation or death of an incumbent, transferring of elected official to another position, appointment, or title which leaves a legislative seat vacant. This year most vacant seats with
special elections in state legislatures are for the Democratic Party with 35 open (D) seats and 18 open (R) seats.

This election cycle, voters in 46 states will not only choose state legislators and governors on November 8th, but they will also decide 117 statewide ballot measures. These voting measures include 101 binding legislative priorities, 29 citizen-led concerns, 2 popular referendums, 3 automatically scheduled questions on a constitutional convention, and 3 survey questions for legislative reference.

**Gubernatorial Elections**
This year, there are gubernatorial races in 36 states and three territories.

**States with gubernatorial races in 2022**

**U.S. territories with gubernatorial races in 2022**
Guam, Northern Mariana Islands, and U.S. Virgin Islands

The **District of Columbia** will also have a mayoral race in 2022.

**Local Elections**
Local elections impact your community directly and are the most important election for determining county-wide decisions such as, allocating state funding for local projects and communities within your county or locality. These local elected officials serve as the administrative arms for your community. Yet, voters often are uninformed on their candidates and the offices on the ballot for local elections. Check your local Board of Elections or state elections website to learn more about the issues that will be on your ballot this November.

**Election Issues**
Issues up for election through state ballots cover a wide spectrum of priorities. Before deciding on who to vote for, be sure to research the candidate to make sure that they are supporting your interests such as:

- Increasing tele behavioral health flexibilities
- Support for the Counseling Compact and licensure portability
- Representation on state boards
- Conversion therapy bans, educational and ethical best practices
- Investments in counselor education and retention
- Support for school counseling services
- Crisis counseling investments
- Violence prevention programming including community resource centers and other tools for greater accessibility to mental health services
- Investments in trauma informed modalities
- Insurance parity.

If you would like to know more about ACA’s state legislative priorities that affect the counseling community, please go to the [ACA 2022 Government Affairs and Public Policy legislative Agenda]( link to ACA website).
Know Before You Go:
How to Research Candidates

Whether you are watching the morning news or unwinding with a show at the end of a busy day, your TV may have been swarmed with candidate ads. Often, these ads leave you feeling confused, as only so much information about a candidate’s platform can be mentioned in such a brief time. How can you find out more about my candidates?

1. Find out who will be on your ballot at: www.ballotready.org. From there, you will find all federal, state, and local elections and can learn more about each candidate.

2. Visit candidates’ websites. The best way to learn about a candidate’s platform is to go directly to their website. There is usually a section where you can find their stances and what they will do for you. In addition to candidates’ websites, you can use their social media, direct mailers, flyers, radio ads, and candidates’ speeches and debates, town halls as additional resources.

Now that you have more information about your candidates, it is time to dig deeper into the issues that will affect you, your profession, and your clients. What issues matter the most to you? Do your legislators on the ballot support or co-sponsor any bills that advance the counseling profession? Are your legislators on the ballot, advocates for mental health? To find this information, you can visit Congress.gov, enter the search bar for any bill, and click the co-sponsors tab. Consider how supportive your representatives have been on legislation such as:

- The Mental Health Access Improvement Act of 2021 (H.R. 432/S. 828), which was sponsored and introduced in the House by Rep. Mike Thompson (D-Calif.)

It is important to know the ballot before you arrive. Find out what will be included on your state’s ballots, to ensure that you are informed before you vote.
Ways to Get Involved and Effect Change During the 2022 Midterms

- **Be a Presence:** Attend public forums such as town halls and voice your opinion. It is a great responsibility to educate yourself on the issues and engage with the decision makers.

- **Contact Candidates:** E-mail or call candidates’ offices and let them know what issues matter to you, why they are important for the entire community, and what the benefit is to them acting on your behalf.

- **Host a Candidates Forum:** This is a great opportunity for communities to meet and hear from candidates.

- **Become a Poll Worker:** In addition to being an eligible voter, some states allow individuals who are not eligible to vote to serve as poll workers. Check with your state to inquire on the rules.

- **Consider Making Individual Donations:** You are allowed to donate funds to candidates for public office in your own individual capacity. Candidates are happy to accept a donation of any amount. Check the Internal Revenue Service (IRS) and Federal Election Commission websites for detailed rules and guidelines on contributions.

- **Make a Plan to Vote:** Make sure your voter registration is up to date and ask a friend if they plan to vote.
Additional Resources

- National Conference of State Legislatures: [NCSL State Midterm Elections 2022](#)
- National Governors Association: [2022 Gubernatorial Elections in the States and Territories](#)
- How elections work: [Congressional, State, and Local Elections | USAGov](#)
- Find your polling place: [Polling Place Locator - Vote.org](#)
- Election dates & deadlines for your state: [Election Dates and Deadlines, When is the Next Election? U.S. Vote Foundation (usvotefoundation.org)](#)
- Primary Election dates & deadlines by state: [Primary Election Dates by State | US Vote Foundation](#)
- Find Your Local Election Office Contact Information: [U.S. Vote Foundation | Information Directory (usvotefoundation.org)](#)
- What You Need to Bring to the Polls: [Voter ID Requirements | USAGov](#)
- Who Can and Can’t Contribute: [Federal Election Commission](#)
- The Restriction of Political Campaign Intervention by Section 501(c)(3) Tax-Exempt Organizations: [Internal Revenue Service (IRS)](#)

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