



ASTRONAUTS FOR AMERICA



FOUNDING VALUE: FREE AND FAIR ELECTIONS

For 250 years, free and fair elections have been the cornerstone of American democracy and the voice of the people.

BACKGROUND

In this brief in our series, “America, We Have a Problem”, we look at an important founding principle, “Free and Fair Elections”. The United States is both a federal republic and representative democracy, where free and fair elections empower citizens to influence government policies and ensure peaceful transitions of power. Public engagement increases when voters trust the process while loss of confidence can undermine election results. Ensuring free and fair elections includes establishing and protecting universal suffrage for eligible citizens, candidates' freedom of speech, safe assembly, accessible polling sites free of intimidation, and transparent ballot counting. Initially voting rights were limited to white property owners. Four constitutional amendments (15, 19, 24, 26) significantly expanded who can vote, protected voting rights, and banned poll taxes. The Voting Rights Act (VRA) of 1965 outlawed the most common voter suppression tactics and created federal oversight of states and localities with histories of voter discrimination. The VRA has encountered ongoing challenges since its inception, from physical violence and state-level Jim Crow practices to significant Supreme Court rulings limiting its scope. In the last several years trust in our elections has eroded due to claims of voter fraud which have not been borne out by evidence. Noncitizen voting fraud has been shown to be almost nonexistent and has been a federal crime since 1996, with serious penalties including fines, imprisonment, and deportation.

SELECTED HISTORICAL THREATS

- Prior to 1964 some states used [poll taxes](#) and literacy tests to keep marginalized people from voting, with some enacting grandfather clauses that reinstated the right to vote for white people who could not pay poll taxes. With ratification of the [24th amendment in 1964](#) poll taxes were disallowed.
- Post 1964 many eligible voters still faced hurdles and voter suppression tactics were common. The Voting [Rights Act of 1965](#) enforced the 15th amendment by creating federal oversight of states and localities with histories of voter discrimination against Black and minority voters.
- The 2013 [Shelby County v. Holder](#) decision weakened the Voting Rights Act by eliminating preclearance requirements for jurisdictions with histories of voter discrimination. Some states subsequently enacted voting restrictions that reduced access to voting. Following *Shelby County v. Holder*, the federal government continued oversight through DOJ lawsuits and federal court rulings against discriminatory voting laws in Texas and North Carolina (e.g. North Carolina enacted legislation imposing photo ID requirements). Oversight shifted from preventing discriminatory changes before implementation to challenging them after enactment.

SELECTED RECENT THREATS

- 2019: In [Rucho v. Common Cause](#), the Supreme Court ruled 5-4 that federal courts cannot review partisan [gerrymandering](#) claims, calling such cases “nonjusticiable political questions” without clear legal standards. This decision prevents challenges to politically biased districts in federal court, allowing gerrymandering, a [severe and pervasive threat to responsive elections](#) to continue unchecked.
- January 6, 2021: Baseless claims of a fraudulent presidential election and resistance to peaceful transition of power led to a [violent assault](#) on the federal capitol building resulting in several deaths of both police and rioters, numerous injuries, and damages.
- 2025: The Trump administration issued an [executive order](#) that the Election Assistance Commission require a passport or other citizenship document when registering to vote. The overreach of the federal government challenging state authority over elections was challenged in federal court and [the order was blocked](#).
- 2026: The Trump administration issued an [executive order](#) ordering changes to state procedures for mail-in voting that would affect up to 23 states and new voting lists compiled from questionable data sources. The order is being challenged in federal court.
- The [Safeguard American Voter Eligibility \(SAVE\) Act](#) would add [a new layer of documentation requirements](#) to a verification system already in place and working, with some documents not easily accessible to many citizens.

Astronauts For America Focus: Astronauts for America reflects the diversity of the country that gave us the chance to pursue our dreams. Diverse voices must be heard, respected, and encouraged in shaping our nation’s policies, protecting free elections, and defending voting rights. Astronauts know the importance of listening to every voice and maintaining confidence in decisions critical to mission success. While we are not constitutional scholars, we rely on experts and trustworthy sources, including court decisions, congressional records, peer-reviewed scholarship, and nonpartisan press. Our “Failure is Not an Option” briefing series will share findings and recommendations urging accountable officials to “course correct” and ensure equal accountability under the law.

“Throwing out preclearance when it has worked and is continuing to work to stop discriminatory changes is like throwing away your umbrella in a rainstorm because you are not getting wet.”

*Justice Ruth Bader Ginsburg in her dissent to *Shelby County v. Holder* in 2013*

Appeal to Our Crewmates: We need your help. Please use the “Contact Us” feature on our website, [AstronautsForAmerica.org](#), to make suggestions on what we can do to help our democracy strengthen its commitment to that critical constitutional principle essential to our democracy, *Free and Fair Elections*.