

Voter identification for provisional ballots must be verified, with information provided by the voter, prior to that ballot being counted.

CONGRATULATING BOULDER  
COUNTY COMMISSIONER DEB  
GARDNER ON HER RETIREMENT

**HON. JOE NEGUSE**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 2021*

Mr. NEGUSE. Madam Speaker, today I wish to recognize Ms. Deb Gardner, who has served the people of Boulder County for over a decade, and since 2012, has tirelessly devoted herself to serving her community as a Boulder County Commissioner. Over the past eight years, Deb has worked hard to make Boulder County a better place. In light of Deb's retirement, I want to take the opportunity to commend her distinguished career in public service.

Deb has never been afraid to stand up for what she believes in. Her work in Boulder is a reflection of her passion for equity, education, and the environment. A truly indispensable community member, she has fought to maintain Boulder County's natural beauty and ensure that everyone feels welcome in the community.

Prior to becoming a County Commissioner, she represented Colorado's 11th district, and the people of Boulder County, in the Colorado State Legislature as a State Representative, where she served on the House Transportation, Legislative Audit, Business and Economic Development, and Health Benefit Exchange Review committees. She has helped her community through countless disasters, including the 2013 flooding, historic wildfires, and the immense challenges posed by the COVID-19 pandemic this year, and I am grateful for her leadership.

For the entirety of her career, Deb has led by example and inspired countless others along the way. I am grateful for her distinguished record of service, and I thank Commissioner Gardner for her service to her community. I wish her a restful and well-deserved retirement.

OBJECTING TO CERTAIN  
ELECTORAL VOTES

**HON. RANDY K. WEBER, SR.**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 2021*

Mr. WEBER of Texas. Madam Speaker, I rise today to voice my concerns regarding the irregularities and improprieties in the 2020 General Election. As I have said time and time again, the American people deserve to have full faith in our elections. The numerous votes cast by mail this year—due to the pandemic—have been plagued by allegations of fraud and wrongdoing. I watched with great concern as President Trump's legal team brought forth witnesses, sworn affidavits, and reams of legitimate evidence to courts in various states. There are countless, incontestable examples wherein governors, election officials, and

judges altered states' election procedures in clear violation of Article II of the U.S. Constitution. Article II grants state legislatures—and only the state legislatures—the explicit power to determine the manner of appointing presidential electors.

In keeping with this constitutional responsibility, state legislatures have established detailed rules by which that state's electoral process and appointment of presidential electors should be conducted. However, in the months before the 2020 election, it is undeniable that—in several key states—either state court judges or state executive officials acted deliberately to fundamentally change state election law, usurping the state legislature's express authority under the Constitution.

In violation of the Constitution and with full knowledge of mail-in voting vulnerabilities, state officials, activists, and Democrat-led lawsuits in numerous states opened our electoral processes to fraud and abuse. The sheer volume of mail-in voting alone triggered not just administrative errors and clerical mistakes but actual election crimes.

As an alumnus of the Texas House of Representatives, I understand and guard zealously the prerogatives of state legislatures. As such, I feel strongly that the Supreme Court should have upheld the authority of those legislatures to establish the manner of appointing electors. Moreover, it was incumbent upon the court to determine the constitutional validity of any ballots that were cast under rules and procedures established by entities other than state legislatures.

Put bluntly, the usurpation of legislative power in several states produced unconstitutional ballots. As we asserted in our amicus brief that accompanied the Texas case, any state executive or judicial attempt to determine the manner of choosing electors—especially any attempt that directly contradicts the will of the state legislature—is void ab initio (“from the beginning”).

Regrettably, on December 11th, SCOTUS denied Texas' motion for lack of standing, without ruling on the merits of the case or the questions of fact therein. However, Justice Samuel Alito, joined by Justice Clarence Thomas, disagreed with the high court's ruling, writing that, “In my view, we do not have discretion to deny the filing of a bill of complaint in a case that falls within our original jurisdiction . . . I would therefore grant the motion to file the bill of complaint . . .” I, too, believe that the Supreme Court got it wrong. That highest court has original jurisdiction over, specifically, suits involving two or more states.

Today, we the Congress—on behalf of “We The People”—will exercise our constitutional duty as the final judge, jury, and arbiter of all contested congressional, senatorial, and presidential elections. The legitimacy of our republic rests on the foundation that our elections—whether for President of the United States or any other office—are transparent, fairly administered, and above board. With the undeniable knowledge of illegal changes to various state election laws, enacted by parties other than the respective state legislatures, we (the Congress) constitute the last line of defense in ensuring the trust of our citizens in the integrity of their ballots.

Every single member of Congress swore an oath to uphold the Constitution of the United States of America. Our constitutional republic has endured for nearly-two and a half cen-

turies based on the consent of the governed. That consent is grounded in the confidence of our people in the legitimacy of our institutions of government, the most fundamental being free and fair elections. The erosion of that foundation jeopardizes the stability of the republic.

I will therefore join my colleagues today in objecting to counting the electoral votes of Arizona, Georgia, Michigan, Nevada, Pennsylvania, and Wisconsin, to restore the integrity of our electoral process.

CITIZEN'S COMMITTEE FOR ELEC-  
TION INTEGRITY'S FINDINGS ON  
FREE AND FAIR ELECTIONS

**HON. MICHAEL K. SIMPSON**

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 2021*

Mr. SIMPSON. Madam Speaker, election law and regulations must be developed and administered at the state and local level. To that end, I believe criteria and engagement from all Idahoans must be included in this debate and want to enter the Committee's recommendations into Congress' current debate on free and fair elections.

The Citizen's Committee for Election Integrity's findings and recommendations:

All political power rests with the people.

Our Constitutionally guaranteed Republican form of government relies on free, fair, and honest elections to select our representatives and leaders.

To ensure equal protection and equal representation of the people, laws governing our elections must meet certain minimum standards.

It is the purpose of this Citizens Committee to concisely articulate the minimum standards for free, fair, and honest elections. These standards shall then be used by our local, state and federal legislators as a metric for reviewing and revising election law to ensure free, fair, and honest elections where the outcome is accepted by all citizens of good will.

Minimum Standards for Fair and Honest Elections

Our Constitutionally guaranteed republican form of government relies on free, fair, and honest elections to select our representatives and leaders. The standards listed here shall be used by our local, state and federal legislators as a metric for reviewing and revising election law to ensure free, fair, and honest elections where the outcome is accepted by all citizens of good will.

All voting processes, other than those needed to preserve the privacy of a citizen's vote, must be open and available for direct observation, with no minimum distance requirements, and audit by agents of the candidates or parties.

All election materials must have a secure chain of custody at all times. Election officials must be accompanied by observers when accessing any election materials. Records of the chain of custody shall be complete and available for audit.

All votes, regardless of voting method, shall be held to equal standards.

Voters shall only be qualified electors that are able to verifiably provide their government issued photo identity before being issued a ballot. Voters who provide false information, including information of voter qualification, should face severe penalties.

As a condition of being issued a ballot, the voter's identity and signature must be recorded in a permanent record (Poll Book).

Original Ballots must have a physical form that allows voting choices to be examined and properly interpreted by the naked eye.

Ballots must have features designed to prevent counterfeiting.

An auditable system for tracking the status of all ballots must be implemented and maintained in the State of origin. The total number of printed ballots must equal the sum of the number of cast ballots, spoiled ballots, and unvoted ballots.

Ballot tabulation must be conducted by two independent and unrelated systems. The difference in totals between the two systems must be less than one half the margin of victory or 0.1% of the vote total, whichever is less. Tabulating machines must only tabulate and not modify ballots in any way, or be connected to the internet.

Before the results of an election can be certified, the ballot counts must be reconciled with the voter records. The margin of uncertainty must be less than one half the margin of victory or 0.1% of the vote total, whichever is less.

Lists of qualified electors must be purged of unqualified persons 180 days before an election. Voter Rolls should be vetted and compared with available government records to identify duplicate or ineligible registrations.

Laws and regulations governing an election may not be changed for 180 days prior to that election.

All election records should be retained and preserved for not less than 22 months.

Voter identification for provisional ballots must be verified, with information provided by the voter, prior to that ballot being counted.

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REGARDING JOINT SESSION OF  
CONGRESS TO COUNT ELEC-  
TORAL BALLOTS

**HON. SHEILA JACKSON LEE**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 6, 2021*

Ms. JACKSON LEE. Madam Speaker, as a senior member of the House Committees on the Judiciary and Homeland Security Committee; Ranking Member of the Judiciary Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, and the Congressional Voting Rights Caucus, I rise today to offer thoughts and reflections on the congressional responsibility to bear witness to the counting of electoral votes to determine formally the persons elected President and Vice President of the United States and on the campaign and election that brought us to this day.

The outcome of that count is not in doubt and has not been since November 7, 2020, when it became clear that Democratic candidates Joseph R. Biden and KAMALA HARRIS had won the states of Georgia, Pennsylvania, and Arizona to become the 46th President and 59th Vice-President of the United States, earning 306 electoral votes, 36 more than the 270 needed for election.

The results in those states, as well as every other state that chose presidential electors on November 3, 2020, has been certified and wherever necessary upheld against legal challenge by the courts in the affected states.

On December 14, 2020, presidential electors met in their respective state capitols to cast their votes for President and Vice-Presi-

dent, with the documentary and video evidence clearly demonstrating that the Biden/Harris ticket was the clear and unassailable choice of the Electoral College.

The counting of the electors' ballot today will ratify the outcome that has been foretold for months and only those with the most conspiratorial mindset and the willing suspension of disbelief, like the current occupant of the White House and his band of acolytes consisting of 140 Members of the House and 12 U.S. senators, could persist in the delusion that the vox populi, the voice of the people, has not spoken clearly and definitively.

Madam Speaker, the Biden/Harris ticket won the national popular vote going away, by more than 7 million votes, 81.3 million to 74.2 million.

Their victory was so sweeping that it won the majority of states, including five states won four years ago by the loser, including Georgia, which a Democratic candidate had not won since 1992, and Arizona, which last voted Democratic in 1996.

This day is not like its counterpart of 2001, when the determination of the winner hung in the balance on the outcome of the contest in Florida, where 537 votes out of 5.82 million votes cast separated the candidates and the U.S. Supreme Court halted the vote recount ordered by the Supreme Court of Florida, thus leaving reasonable persons to question who was the true winner of that state's decisive 25 electoral votes.

This day is not like 2005, where the outcome hinged on the 18 electoral votes of Ohio, and where state officials refused to count provisional ballots and engaged in other tactics alleged to be taken to suppress the votes of racial minorities.

And certainly this day is not like 2017, when Congress met to count the electoral votes cast in the state's first American presidential election in which the U.S. Intelligence Community had confirmed was the subject of cyberattacks and other subversive activities of entities allied with the Government of Russia that were undertaken for the express purpose of influencing the outcome to secure the election of its preferred candidate, Donald Trump, who it should be added, openly invited a hostile foreign power to launch cyberattacks against his political opponent.

Another important distinction involving the 2016 election is that it was the first presidential election held since the Supreme Court issued the notorious decision in *Shelby County v. Holder*, which neutered the preclearance provisions of the Voting Rights Act and adversely affected the ability of hundreds of thousands of persons to cast a ballot and have their vote counted.

In contrast, American voters in 2020 were forewarned and forearmed against Russian interference, propaganda, and disinformation and with no backing but with the active resistance of the Chief Executive, the governments of the United States and the individual states took active measures to ensure the security and integrity of election systems against fraud and undue interference.

This effort was so successful that the Election Infrastructure Government Coordinating Council (GCC) Executive Committee, consisting of the U.S. Cybersecurity and Infrastructure Security Agency (CISA), U.S. Election Assistance Commission, National Association of Secretaries of State, and the Na-

tional Association of State Election Directors, issued the following statement on November 12, 2020:

The November 3rd election was the most secure in American history. Right now, across the country, election officials are reviewing and double checking the entire election process prior to finalizing the result.

When states have close elections, many will recount ballots. All of the states with close results in the 2020 presidential race have paper records of each vote, allowing the ability to go back and count each ballot if necessary. This is an added benefit for security and resilience. This process allows for the identification and correction of any mistakes or errors. There is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised.

Even United States Attorney General William P. Barr, the most politically biased person, to hold that office, publicly acknowledged that although U.S. attorneys and FBI agents had followed up on specific complaints and information they had received, "to date, we have not seen fraud on a scale that could have effected a different outcome in the election."

Under the laws of every state, the Trump Campaign was entitled to bring legal challenges to the administration of the election in any state where it felt aggrieved, and it took ample advantage of these opportunities, bringing scores of lawsuits alleging "wide-spread fraud," requesting recounts, or demanding that votes cast for the Democratic candidate be thrown out or simply not counted.

These legal challenges were met with colossal failure, the Trump Campaign suffering stinging defeats in more than 65 cases; its lone success came in Pennsylvania where a court granted its request to allow monitors to observe ballot tabulation from a distance of six rather than 10 feet away.

Which brings us to this day, when die-hard followers of the current occupant of the White House, a group I call the "Lost Cause Caucus," now seek to revive and press forward with the discredited and rejected claims of the Trump Campaign that the elections in the states that were key to bringing about his resounding defeat were "rigged" or "fraudulent" or the result of some vague conspiracy by the "Deep State."

Madam Speaker, this is utter nonsense; which I show by examining the challenge to the electors from Pennsylvania, where like Robert E. Lee at Gettysburg, Trump pitched his flag and made his grand stand.

Over 6.9 million Pennsylvanians voted in that election, with over 2.6 million of those voters using mail-in or absentee ballots; Vice President Biden received 3,459,923 votes, easily beating Trump, by 81,660 votes.

Vice-President Biden's vote margin was twice as large as was Trump's when he won the state in an upset in 2016.

Madam Speaker, it is not difficult to understand why so many Pennsylvanians voted in 2019, and by mail in unprecedented numbers.

In 2019, with broad and bipartisan support, the Pennsylvania General Assembly enacted Act 77 of 2019, which made several important updates and improvements to Pennsylvania's Election Code, Act of Oct. 31, 2019 (P.L. 552, No. 77), 2019 Pa. Legis. Serv. 2019-77 (S.B. 421) (West) ("Act 77").

Among these were provisions that, for the first time, offered the option of mail-in voting to