

Congress of the United States

Washington, DC 20515

November 18, 2020

The Honorable Jerrold L. Nadler
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Nadler and Chairwoman Maloney:

We urge you to immediately convene hearings to examine the integrity of the 2020 election amid troubling reports of irregularities and improprieties. Given your role as leaders of a political party that spent four years baselessly calling into question the legitimacy of the 2016 election with debunked allegations of Russian collusion, you owe it to all Americans to fully examine allegations of actual election errors and misconduct.

On September 23, 2020, we released a report detailing how Democrats across the country were pushing last-minute changes to state election laws and procedures.¹ We warned that these dangerous initiatives would increase the risk of election-related crimes and errors, undermine the integrity of the electoral process, and cause lingering uncertainty about the results of the election for several days or weeks after Election Day. Democrats ignored this report, but many of our predications have unfortunately come true.

In September, the Democrat majority on the Pennsylvania Supreme Court unilaterally extended the deadline to receive mail-in and absentee ballots by three days after Election Day and directed that ballots received without a postmark would be presumed to have been received timely.² We warned in our report that this change would create “considerable risk for uncertainty and litigation”—and it did.³ Litigation about this last-minute change is currently pending before the U.S. Supreme Court,⁴ and Pennsylvania is still counting mail-in and absentee ballots.⁵ In

¹ Republican Staff Report, *How Democrats are Attempting to Sow Uncertainty, Inaccuracy, and Delay in the 2020 Election*, H. Comm. on the Judiciary & Comm. on Oversight & Reform, at 1-3 (Sept. 23, 2020) [hereinafter “Republican Staff Report”].

² Pennsylvania Dem. Party et al. v. Boockvar et al., 133-MM-2020, at 63 (Pa. Sept. 17, 2020).

³ Republican Staff Report, *supra* note 1, at 22.

⁴ Petition for Writ of Certiorari, Rep. Party of Pennsylvania v. Boockvar, No. 20-542, at i (U.S. Oct. 23, 2020).

⁵ Votes PA, Supplemental Results Dashboard, <https://www.votespa.com/About-Elections/Pages/Counting-Dashboard.aspx> (last visited Nov. 17, 2020). As of November 17, 2020, Pennsylvania officials estimate that the state must still count 29,013 uncounted mail-in and absentee ballots. *Id.*

addition, allegations have been made that local officials in some Pennsylvania counties are restricting the ability of campaign watchers to properly observe officials processing absentee and mail-in ballots as they are reviewed, opened, counted, and recorded.⁶

We also warned in our report that because Democrats refuse to clean up outdated and inaccurate voter registration rolls, a last-minute move to widespread mail-in voting in some states would have unintended consequences. In California, for example, Democrat Governor Gavin Newsom signed legislation in June that required election officials to hold an all-mail election.⁷ After the state began mailing ballots, reports surfaced of voters receiving duplicate ballots, voters receiving multiple ballots containing different versions of their name, and receiving ballots that belonged to someone else.⁸ Following these reports, California county election officials assured local news outlets that there were systems in place to only count the first ballot to arrive from a voter, but one official estimated that in his county alone “1,200 voters will get double or even triple ballots”⁹ and another official stated that “[i]t is common to receive more than one ballot.”¹⁰ In Los Angeles County, the Registrar-Recorder/County Clerk’s office mailed approximately 2,100 “faulty ballots” to residents in Woodland Hills that repeated a list of state propositions twice and did not include a means for voting for the office of President of the United States.¹¹

Recent events in Georgia also raise concerns over election irregularities. During a state audit, county officials unearthed over 5,000 previously uncounted ballots. On November 16, 2020, Floyd County found 2,600 uncounted ballots that were scanned onto a memory card, but never uploaded into the initial ballot count.¹² Similarly, on November 17, 2020, Fayette County discovered 2,755 uncounted ballots, and most recently, Walton County found 284 uncounted votes.¹³

⁶ First Amended Complaint, Donald J. Trump for President Inc. v. Boockvar, No. 20-CV-02078, at 56-59 (M.D. Pa. Nov. 15, 2020).

⁷ Michael R. Blood, *California to send every voter mail-in ballot for November*, AP (Jun. 18, 2020), <https://apnews.com/article/515b8e1c9f89f674e01deaa62c7870a7>.

⁸ Anoushah Rasta, *Bay area voters receive multiple ballots, fuel concern over November election*, NBC BAY AREA (Oct. 9, 2020), <https://www.nbcbayarea.com/news/local/bay-area-voters-receive-multiple-ballots-fuel-concern-over-november-election/2378192/>; see also Chelsea Edwards, *Multiple mail-in ballots sent to LA County voters, raising concerns*, FOX 11 (Oct. 7, 2020), <https://www.foxla.com/news/multiple-mail-in-ballots-sent-to-la-county-voters-raising-concerns>.

⁹ Dan Noyes, *Some San Mateo Co. voters receive multiple ballots, officials say its ‘not fraud’*, ABC 7 NEWS (Oct. 13, 2020), <https://abc7news.com/mail-in-ballot-california-2020-election-san-mateo-county-double-two-ballots/7006753/>.

¹⁰ Bryan Anderson, *Election Officials: It’s ‘common’ to receive multiple ballots*, SACRAMENTO BEE (Oct. 16, 2020), <https://www.sacbee.com/news/politics-government/capitol-alert/article219943305.html>.

¹¹ Andrew J. Campa, *Some 2,100 L.A. County voters got ballots missing one thing: a way to vote for president*, LA TIMES (Oct. 6, 2020), <https://www.latimes.com/california/story/2020-10-06/presidential-candidates-left-off-about-2-100-l-a-county-absentee-ballots>.

¹² Kate Brumbach, *Second Georgia county finds previously uncounted votes*, AP (Nov. 17, 2020), <https://apnews.com/article/election-2020-georgia-elections-voting-machines-voting-018eac6ac24733d63d356ee76f485530>.

¹³ *Id.*; see also David Clemons, *Missing votes not enough to avoid runoff*, WALTON TRIBUNE (Nov. 18, 2020), https://www.waltontribune.com/article_89d70108-29a2-11eb-b3d0-a7e079d32019.html.

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These serious concerns give rise to the urgent need for congressional oversight of the integrity of the 2020 election. Our committees must conduct oversight hearings to ensure that Americans have faith in the integrity of our election. We ask that you work with us to schedule and plan these hearings as soon as possible. Thank you for your prompt attention to this request.

Sincerely,



Jim Jordan
Ranking Member
Committee on the Judiciary



James Comer
Ranking Member
Committee on Oversight and Reform