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Congress of the United States
House of Representatives
Washington, DC 20515-4319

January 5, 2021

The Honorable Nancy Pelosi
Speaker of the House of Representatives
H-232, The Capitol
Washington, D.C. 20515

Madame Speaker,

On January 6th, as prescribed by the 12th Amendment of the United States Constitution, a joint session of Congress will convene to count the electoral votes and make a final determination regarding the 2020 Presidential Election. The federal law that administers this process, the Electoral Count Act of 1887, includes the opportunity to object to any state where a Member believes votes were either “unlawfully certified” or “not regularly given.”

Allowing for the public debate of all concerns regarding the integrity of elections is essential to our democracy and assures American voters that their voices are being heard. This closing step in the constitutional process for electing our presidents is critical to making final determinations on the legitimacy of state-certified electoral votes based on the Constitution and federal law. This joint session also serves as an important forum for Members of Congress to voice the concerns of millions of American voters who feel this election was not conducted in an equitable and accurate manner.

These objections are not only authorized by an act of Congress, but also supported by recent precedent. In 2004 and 2016, Democrats in both the House and Senate exercised their right to object in counting the electoral votes. Election integrity concerns expressed by Democrat lawmakers raised in those instances reflect many of the issues being raised today. In fact, during the joint session debate of the 2004 presidential election, you yourself characterized Democrats’ electoral vote count objections as “democracy at work” and “fundamental to our democracy.” Madame Speaker, you supported and even praised the objections of Democrat Members as “speaking up for their aggrieved constituents” who had been “disfranchised.” Lastly, I could not agree more strongly with your sentiments during that debate when you said, “the American people must have every confidence that every vote legally cast will be legally counted and accurately counted.”

I appreciate the significance of this joint session and understand that our Founding Fathers designed it to serve as the final step in certifying a President. In 2016, many of my Democrat colleagues objected to the certification of votes and then inexplicably refused to accept Congress’ ultimate certification of President Trump as our legitimate and duly elected president. This defiance of the Constitution and blatant disregard for the Rule of Law is unconscionable and a dereliction of our sacred duty. I will object on January 6th and voice my constitutional concerns with the 2020 Presidential Election, and I urge my colleagues to do the same.

Sincerely,



Jodey C. Arrington
Member of Congress