



Written by [James Murphy](#) on December 7, 2020

Democrats Look to Overturn House Races Won by GOP

Democrats appear set to challenge two razor-thin Republican victories in the House of Representatives. There are reports that Democrats, led by Speaker Nancy Pelosi (D-Calif.) and controversial election attorney Marc Elias, may invoke the Federal Contested Elections Act to seat Democrats instead of the Republican winners in those races.

In Iowa's 2nd Congressional District, the state's election board has certified Republican Mariannette Miller-Meeks' victory over Democrat Rita Hart on November 30. After an exhaustive recount of over 390,000 votes, final tabulations showed Miller-Meeks ahead by a mere six votes. The win represents another seat flip for the GOP as the seat has been held by Democrats.



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But the Hart campaign is signaling that they will bypass any court challenges and appeal directly to House Speaker Pelosi and the Committee on House Administration to disavow the votes of Iowa's 2nd District and seat Hart instead of Miller-Meeks.

Ultimately, the House of Representatives has the final say on who it seats as members. Under provisions of the [Federal Contested Elections Act](#), the House of Representatives can choose not to seat Miller-Meeks, review the issue and seat Hart instead.

The tactic has been used before, the last time was in [1985](#) when the Committee on House Administration declared Democrat Frank McCloskey the winner in Indiana's 8th District over Republican Richard McIntyre, even though Indiana's election board had certified McIntyre as the winner.

In New York's 22nd District, just 12 votes separate apparent Republican winner Claudia Tenney and Democrat incumbent Anthony Brindisi. At issue in that race are a couple of things that could have only happened in the chaos of 2020.

First, there was the case of the missing post-it notes in Oneida County. Dubbed "Sticky Gate" by local media, 39 contested ballots were said to have sticky notes on them containing information about the ballots. When they came up for review, the post-it notes were missing, and neither the Democrat or the the Republican commissioner could tell if the ballots had already been recorded in the election results.

"We have a serious problem on our hands," said New York State Supreme Court Judge Scott DelConte, who is presiding over the chaos in the Empire State. DelConte is a Democrat who is said to be respected by Republicans.

The sticky notes also appear to be a violation of New York State election law, which states that on



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contested ballots, a memo must be written in ink on the back of the ballot which tells if the ballot was counted and if so, for which candidate. The memo should also state why the ballot was contested.

“I’m not sure how I’m going to deal with these stickies,” DelConte admitted.

Then, a cache of 55 in-person ballots were allegedly “found” in Chenango County, having never been counted. Election officials determined that 44 of the votes were valid, with 11 of them being from unregistered voters. With only a 12-vote margin, obviously the 44 votes could swing the election from Tenney to Brindisi.

All of these snafus come after Tenney held a nearly 30,000-vote lead on election night, which shrunk to only a 100-200 vote lead when late-arriving absentee ballots were counted. New York [expanded](#) its absentee ballot rules in late September, which only allowed a little over a month for election commissioners to get ready for the surge in mail-in ballots.

Should Democrats fail in court in New York, they may also use the Federal Contested Elections Act to seat Brindisi instead of Tenney.

Both Brindisi in New York and Hart in Iowa have retained the services of Marc Elias and his Perkins Coie law firm. Elias is said to be an election recount expert and famously represented former Minnesota Senator Al Franken during a 2008 recount in which Franken overtook Republican Norm Coleman in a highly [controversial race](#) where 341 convicted felons were allowed to vote in contravention of Minnesota law.

Elias is notorious for other reasons as well. Elias was directly responsible for the hiring of Fusion GPS to do opposition research for Hillary Clinton in 2016. It was Fusion GPS that produced the lie-filled “Russian dossier” on Donald Trump that was used to undercut his presidency.

And more to the point, it was Elias who was the front man for many of this year’s Democrat lawsuits demanding that states — particularly battle ground states — vastly expand the disastrous mail-in vote scam that has so deteriorated public trust in our electoral system in 2020.

Victories by Miller-Meeks and Tenney would likely narrow the Democrat majority in the House to 222-213, leaving the GOP a mere five votes short of regaining the majority in the House. How exactly did that happen if Joe Biden received more than 80 million votes? Not only did the Biden/Harris ticket have no coattails — it appears as though down-ticket voters were actively voting against Democrats.



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