



Written by [R. Cort Kirkwood](#) on December 31, 2020

## Trump Seeks Chance to Offer Evidence of Vote Fraud During Jan. 6 Vote Certification

President Trump will provide evidence of vote fraud on January 6 if GOP legislators can force a debate on certifying electoral votes for “President-elect” Joe Biden, a [top campaign adviser said](#) on Tuesday.

Congress will almost certainly certify Biden’s theft. But GOP congressmen and Senator Josh Hawley of Missouri will object. Too many questions about vote fraud remain, they say, for Biden to claim the White House.

And so Trump advisor Jason Miller told Newsmax TV the president will provide concrete proof that states violated their own laws and certified fraudulent votes.



AP Images

### Process Dismissals

“The counting of the electoral votes on January 6 is the final backstop,” Miller said. “This is when Congress goes and actually takes the votes that came out of each of the states” and elects a president.

“We’ve seen over and over in a number of these states, where there’s been rampant fraud, rampant irregularities, where they have refused to hear the evidence, and call the special sessions and deal with it and get it done.”

Miller pointed to Texas Representative Louie Gohmert’s lawsuit that, if successful, would restore the vice president’s power to determine which electoral votes count, as required by the 12th Amendment to the Constitution.

That’s important, Miller said, because the courts have rejected Trump’s court challenges to Biden’s election heist without looking at the evidence.

“Any of the [court] dismissals have been on process,” [Miller told](#) Newsmax:

So, let’s talk about Wisconsin where Mayor [Rudy] Giuliani is leading the legal team, actually filed a Supreme Court case this afternoon that said that we’ve identified over 50,000 ballots in the state of Wisconsin that were cast unconstitutionally....

Article II of the Constitution makes it very clear, the state legislatures, and state legislatures alone, set up the voting systems for each state, the codes and the way they are conducted.

And what we have here is ... over 20,000 ballots that were cast without actually having an application on file ... the mail ballots. Wisconsin’s very clear, very specific, you got to have an application on file. They didn’t require it.”



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Miller said Wisconsin allowed ballot harvesting, “not something the legislature approved,” and “they allowed 6,000 or so of these ballots that we believe were just completely null and void from people who never should have been able to cast them.”

Miller also cited voting irregularities in Georgia, Arizona, and other states.

“These are the specific types of evidence we want to present to the American people on the national stage and not allow local politicians to sweep it under the rug,” Miller told Newsmax.

## **Electoral Act**

[Gohmert’s lawsuit argues](#) that the [Electoral Count Act of 1887](#) is unconstitutional because it stripped the vice president of his authority to determine which electoral votes are valid:

We are asking the [Supreme Court] to uphold the powers laid out in the United States Constitution which grant the Vice President the exclusive authority and sole discretion in determining which electoral votes to count. As outlined in the filing, the Electoral Count Act is unconstitutional because it directs Vice President Pence to legitimize electoral votes in violation of the Electors Clause and limits or eliminates his Twelfth Amendment authority to determine which states of electors should be counted and which, if any, may not be counted. This is fundamental because no statute can constitutionally supply rules to the extent that such statute violates the U.S. Constitution.

As for certifying the vote, as [The New American reported](#) on Wednesday, Hawley says he will object. “I cannot vote to certify the electoral college results on January 6 without raising the fact that some states, particularly Pennsylvania, failed to follow their own state election laws,” he said:

And I cannot vote to certify without pointing out the unprecedented effort of mega corporations, including Facebook and Twitter, to interfere in this election, in support of Joe Biden. At the very least, Congress should investigate allegations of voter fraud and adopt measures to secure the integrity of our elections. But Congress has so far failed to act.

For these reasons, I will follow the same practice Democrat members of Congress have in years past and object during the certification process on January 6 to raise these critical issues.

Millions of voters concerned about election integrity deserve to be heard. I will object on January 6 on their behalf [pic.twitter.com/kTaaPPJGHE](https://pic.twitter.com/kTaaPPJGHE)

— Josh Hawley (@HawleyMO) [December 30, 2020](#)

Hawley’s joining House members in objecting to certification means both chambers can debate the matter. But Trump must prevail in both to stay in the White House. The Senate and House [must decertify](#) a state’s votes.

That won’t happen because Democrats control the House. As well, GOP Senate Majority Mitch McConnell and his No. 2, John Thune, [said they’ll stop](#) any challenges to Biden’s theft.



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