The Phyllis Schlafly Report

Deadlines Must Yield to Investigate the Fraud

By John and Andy Schlafly

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Liberals should not be allowed to run out the clock to prevent a thorough investigation of the election fraud. When the weak Attorney General Bill Barr said he has not seen enough evidence of election fraud, the translation is that he has not yet thoroughly investigated it.

Robert Mueller spent more than $30 million and nearly two years investigating frivolous accusations about the 2016 election, so it is silly to expect sophisticated fraud in this election to be proven in 35 days. Yet partisan deniers of wrongdoing try to misuse deadlines found nowhere in the Constitution to certify an unconstitutional election.

There is only one deadline in the Constitution for filling the office of president: January 20, every four years. Plenty of time remains to consider the mounting evidence of how this election was stolen, and for key state legislatures to choose an untainted set of Electoral College members.

The Constitution does not require a vote of the Electoral College on December 14. Between 1888 and 1932 – a span of 12 presidential elections – the members of the Electoral College cast their votes on the second Monday in January.

Ratification of the 20th Amendment advanced the Inauguration from March 4 until January 20, but until then it is appropriate to ferret out election fraud to make sure the right person is sworn into office. Indeed, Biden and Democrats should welcome the investigations as enthusiastically as they pushed the Mueller one.

The timetable set by federal statutes has already been violated by Democrats. Federal law dictates that "The electors of President and Vice President shall be appointed, in each State, on the Tuesday next after the first Monday in November, in every fourth year."

If that law had been complied with, Trump clearly won the election because more than enough votes were cast on November 3 to give Trump a solid majority of the Electoral College. Trump's opponents want to ignore that federal statute in order to include hundreds of thousands of improper mailed-in ballots.

In Michigan, less than one-half of one percent of the 3.3 million absentee or mail-in ballots received were rejected, which is an implausibly high rate of success for millions of people performing a tricky and unfamiliar task. A study by ABC News of the 2016 and 2018 elections showed that an average of 1.2% of those ballots were disallowed.

Mail-in ballots have been counted in implausibly high percentages of even 100% for Biden. By reducing the rejection rate to nearly zero, Biden received an unfair boost in the close states, tipping the result in Georgia.

Yet Georgia still refuses to do a signature audit of the mail-in ballots, even after its weak Republican Governor Brian Kemp said that such an audit should be done. Kemp claims he lacks the authority to order this basic review of election integrity.

“Your people are refusing to do what you ask. What are they hiding?” Trump tweeted in response. He held a massive rally in Georgia on Saturday at which he observed, “We just need somebody with courage to do what they have to do.”

Governor Kemp admits that he has the authority to call a special session of the legislature, which could immediately select an untainted slate of electors. Yet he refuses to do that, too, and legislators fail to convene on their own as they could under the U.S. Constitution.

The effect is to rob Americans of an honest presidential election. This week Texas courageously sued Pennsylvania, Georgia, Michigan, and Wisconsin for essentially stealing this presidential election.

Unlike the other pending lawsuits, Texas sued directly in the Supreme Court as authorized by the Constitution when one state sues another. This prevents the High Court from ducking the issues.

“A dark cloud hangs over the 2020 Presidential election,” Texas points out in its filing. This dark cloud results from Democrats’ own actions, as they improperly changed election rules in swing states without approval of the state legislatures, as required.

Pollster Patrick Basham confirms what most Republican voters know: it is statistically unlikely that Trump would have lost a fair vote count. “Donald Trump did very well, even better than four years earlier, with the white working class,” Basham points out.

“He held his own with women and suburban voters against all or most of the polling expectations, did very well with Catholics, improved his vote among Jewish voters.” Basham added that Trump “had the best minority performance for a Republican since Richard Nixon in 1960, doing so well with African-Americans, and importantly with Hispanics.”

The Supreme Court itself has held, in *Burson v. Freeman* (1992), that election fraud is “successful precisely because” it is “difficult to detect.” Americans are entitled to an honest election result and any delay that may be necessary to fully uncover the fraud.

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