



Voter Protection Program

Joint Session of Congress on January 6th to Count Electoral College Votes

Background: On Wednesday, January 6, the Senate and House will meet in a joint session to officially count the Electoral College votes. The popular votes to select electors in each state were cast on November 3. Then the Electoral College met December 14, and Biden won 306-232.

As President of the Senate, Vice President Mike Pence is set to preside over this normally uncontroversial and ministerial event. As part of his ongoing, futile effort to deny his election loss, President Trump has taken an interest in Pence's constitutionally mandated role in the January 6 session and in member objections. But the Constitution and federal law give Pence and members of Congress no way to subvert the will of the American people.

Talking Points: January 6th Joint Session

- On January 6, Congress will meet to count the Electoral College votes submitted by the states, and Joe Biden will be confirmed yet again as the 46th President of the United States.
- Despite attempts by President Trump and his allies to overturn the will of the voters, Congress will not change a single state's Electoral College slate.
- The Constitution is clear: when the electoral votes are counted in the "presence of the Senate and House of Representatives," the person with the greatest number of votes for President shall be the President.
- If a member of Congress objects to the electoral votes, they must submit the objection in writing and it must be signed by at least one member of the House and one Senator.
 - Senate Majority Leader Mitch McConnell reportedly urged Senate Republicans not to object to the election results when Congress convenes on January 6.
 - Members of Congress should respect the will of the American voters—not to mention the long and hard work done by tens of thousands of people in each state to get the count right. The states administered the election—as they have throughout American history—and they did it well.
- Any attempt by Vice President Pence or members of Congress to overturn the Electoral College will fail—as more than 60 lawsuits since the election have [failed](#)—because they have no merit.
 - The objectors may attempt to rehash old arguments from those cases, but the answer is simple: asked and answered. The election was fair, secure, and free.
 - The votes have been counted; they have been certified by the governors of each state; and they have been tested in the courts. The results are clear: Biden won.
- Such an attempt should be seen as an effort to undo the will of the American voters.
 - This might be a last ditch attempt to appease Trump's ego. But it's time to move on.
 - The New York Post—which endorsed Trump for president—put it well: "it's time to end this dark charade."

- As the American people have determined with their votes, and as the Electoral College confirmed on December 14, Joe Biden and Kamala Harris will be sworn in as the next President and Vice President of the United States on January 20.