Twitter Thread by Heather Champion ™■



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No, Biden hasn't won yet — one more nightmare scenario

Most likely, Biden is our next president, but we could be in for a very rough ride between now and Jan. 20."

Let's suppose that the balance is 52-48 Republican. But Sens. Mitt Romney (R-Utah), Ben Sasse (R-Neb.), Susan Collins (R-Maine) and Lisa Murkowski (R-Alaska) have said that Biden won, so Biden wins in a close vote, right? And even if the Senate votes to uphold the challenges, the ECA has a tiebreaking provision — any slate of electors that is certified by their state's governor will be accepted if the House and Senate disagree. Biden, again, would win. Thus, The New York Times assumes that Republican challenges to the electoral votes would be futile.

But what if the Senate never finishes voting? The ECA limits each challenge to no more than two hours of debate. Four states were questioned in the lawsuit (Georgia, Wisconsin, Michigan and Pennsylvania), making four challenges and eight hours of delay. Even in the Senate, eight hours of debate can't last more than a couple days, can it?

The law envisions the ability to challenge electoral votes collectively or individually. Surely a crafty legal mind like Sen. Ted Cruz (R-Texas) would challenge, not each state, but each electoral vote separately. And as a delaying tactic, why wouldn't the Trumpers challenge every Biden state, even Delaware?

The goal is not to win, the goal is to delay, to prevent the "tiebreaking" provision of the ECA from happening.

"And, @RealRLimbaugh broke it down on Dec 16 - "they do not have as many delegations as the Republicans do. So voting by delegation the Republicans would then control the House and any vote there



It is NOT unprecedented for the electoral count to be challenged, Dems did in 2916.



It is fascinating.

"So under this “endgame maneuver … The Senate, claiming that there is no Electoral College result, picks Pence,” as the vice president. “Overturning an election? Why not?"



https://t.co/DTEPRVtJ68

"The new House, narrowly Democratic, will vote down any challenge. But the Senate? Something very different could occur," because the Republicans… We don't know yet, but they are still gonna control the Senate on this date. So, let's play," @RealRLimbaugh

RUSH: Now to this Hill story. "No, Biden Hasn't Won Yet — There is One More Nightmare Scenario." Let me run through this for you, folks. Everybody thinks that with the Supreme Court's rejection of the Texas lawsuit that it's over. Right? Well, maybe not. "Trump has one more card to play, depending on whether Republicans in Congress are more loyal to Trump than they are to the country."



Now, you gotta remember, this is TheHill.com, and of course it's gonna have its share of snark as they report the story. So it is depending on whether Republicans are more loyal to Trump than they are to the country. So they set up a false straw dog that if you support Trump, you are automatically disloyal to the country. I mean, it's absurd. But such is the hatred for this guy. The hatred for Donald Trump shows no signs of abating. Trump could become invisible, which isn't gonna happen. Even if he became invisible, even if he just vanished from the public scene, their hatred for this guy will not go away and it's gonna continue to dominate them and govern much of their behavior.

“The Ds will say the whole process was illegal and unconstitutional, and that the next in line is therefore … Pelosi. Stalemate.” This would be the stalemate of all stalemates. “An empty presidency at noon on Jan. 20..."

They were all thinking forward about how maybe they could put one more maneuver into play. "Now comes the endgame maneuver. The Constitution specifies that if there is no Electoral College winner, the Senate chooses the vice president and the House picks the president." All of this came up, by the way, in Bush v. Gore in 2000. I don't expect a lot of people to remember it, but it did 'cause the Constitution was the same then as it is now.

So under this "endgame maneuver … The Senate, claiming that there is no Electoral College result, picks Pence," as the vice president. "Overturning an election? Why not? The raw hatred and polarization in American politics have shown that no precedent or law is safe. Ask Merrick Garland." Oh, these people at TheHill.com are just fit to be tied.

Now, "it won't be a Biden-Pence administration. The Democratic majority in the House can't pick Biden because when picking a president, the House votes by state delegation, and the Republicans control more House delegations." This could result in Trump being elected president if they pull this off because there are more Republican state delegations.

It's not a matter that the Democrats control the House. It's the fact that there are more Republican state delegations, and that's how the vote is, because it's all relative to the Electoral College. Now, TheHill.com says here, "The House Democrats will never let that vote happen…"

"But they do not have as many delegations as the Republicans do. So voting by delegation the Republicans would then control the House and any vote there. But this countertheory says that the tiebreaker would go to the governor," @RealRLimbaugh

RUSH: Now, if you think that challenging the Electoral College votes when they have to be formally tallied by the Congress, if you think it's unprecedented, let me remind you that 11 times the Democrats challenged the 2016 electoral vote count. It was interrupted 11 times. You have forgotten. Hillary Clinton was in there trying to maneuver the Electoral College out of existence. They were trying to do all kinds of things to invalidate the Electoral College.

Eleven times Biden was interrupted during the electoral vote count. He was the sitting vice president at the time, "presided over a joint session of Congress Friday, where members officially tallied electoral votes from the 2016 presidential election. … During the course of the certification," which is what the vote is, "House Democrats tried to object to electoral votes from multiples states, with Biden gaveling them down for failure to follow the rules. Objections to the votes needed to be in writing and signed by both a member of the House and a member of the Senate. Every House member who rose to object did so without a senator's signature." They were just trying to flummox the entire process.

"At any rate, this is how you could end up with @realDonaldTrump being reelected president by the House of Reps. That's why the story, McConnell, Thune warn Senate GOP, please don't object to any of the Electoral College results on Jan 6th. Why would they issue this warning?"

The presiding officer under the Electoral Count Act is Mike Pence, 'cause he's vice president. He'd be expected to interpret the rules in a way highly favorable to Republicans. He can help the Republicans delay any resolution until January 18th if he wants. So "Now comes the endgame maneuver. The Constitution specifies that if there is no Electoral College winner," which is the objective here, "the Senate chooses the vice president and the House picks the president. The Senate, claiming that there is no Electoral College result," because we haven't certified, we can't get them certified, there's too much going on here, they would pick Pence. Pence would be the vice president.



But the House would not vote for Biden because the Democrats do not control the number of delegations in the House. The Republicans do. And the House vote would be by delegation, not by how many Republicans or Democrats total there are in the House. The Democrat majority in the House cannot pick Biden because when picking a president, according to these rules, the House would vote by state delegation, and the Republicans control more House delegations.

So typo correction: It is NOT unprecedented for the electoral count to be challenged, Dems did in 2016
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