

To: File
Date: January 3, 2020
Subject: Memo on Electoral College Processes and Battleground States

FEDERAL LAW

The Constitution and federal statutes establish a timetable following the November general election during which the electors of the electoral college convene in the 50 state capitals and in the District of Columbia, cast their votes for President and Vice President, and submit their votes through state officials to Congress. The electoral votes are scheduled to be opened before a joint session of Congress on January 6, 2020.

The governor of each state is required by federal law “as soon as practicable” after the “final ascertainment” of the appointment of the electors, or “as soon as practicable” after the “final determination of any controversy or contest” concerning such election under its statutory procedure for election contests, to send to the Archivist of the United States by registered mail and under state seal, “a certificate of such ascertainment of the electors appointed,” including the names and numbers of votes for each person for whose appointment as elector any votes were given (3 U.S.C. §6).

On or before December 14, 2020, the governor of each state is required to deliver to the electors of the state six duplicate-originals of the certificate sent to the Archivist of the United States under state seal (3 U.S.C. §6). The electors of each state meet at the place designated by that state, on the first Monday after the second Wednesday in December (December 14, 2020), to cast their votes for President and Vice President of the United States (United States Constitution, Amendment 12; 3 U.S.C. §§7,8).

After the electors have voted in each state on December 14, 2020, they make and sign six certificates of their votes containing two distinct lists, one being the votes for President and the other the votes for Vice President. The law instructs the electors to attach to these lists a certificate furnished to them by the governor; to seal those certificates and to certify on them that these are all of the votes for President and Vice President; and then to send one certificate to the President of the Senate, and two certificates to the secretary of state of their state (one to be held subject to the order of the President of the Senate). On the day after their meeting (December 15, 2020), the electors are to forward by registered mail two of the certificates to the Archivist of the United States (one to be held subject to the order of the President of the Senate), and one to the federal judge in the district where the electors have assembled (3 U.S.C. §§9,10,11).

- Instructions on casting Electoral College Votes can be found here: [HYPERLINK "<https://www.archives.gov/electoral-college/state-officials/so-instructions>"]
- Information on federal laws guiding the Electoral College can be found here: [HYPERLINK "<https://www.archives.gov/files/electoral-college/state-officials/presidential-election-brochure.pdf>"]

Below are the Presidential Electors and the selection method for the six litigation states. The lists of electors were accurate as of the date of selection, but there were changes to the lists of electors in each state on the date of the Electoral College vote. State laws allow for the filling of vacancies if electors do not appear for the vote. **The images included in this memo are examples from 2016 and are not from the 2020 election.**

ARIZONA

The Arizona Republican Presidential Electors were chosen on August 14, 2020 by the State Party Chair in partnership with the Trump Campaign. Under state law, the State Party Chair makes the selections and submits the list to the Secretary of State, but the Trump campaign vetted and approved all of the electors before the list was submitted.

Selection Date: August 14, 2020
Selection Method: State Party Chair Selects
Electors: Kelli Ward, AL-State Party Chair
Tyler Bowyer, AL- National Committeeman
Nancy Cottle, AL-Maricopa County Vice Chair
Jake Hoffman, AL-Queen Creek Town Councilmember
Anthony Kern, AL-State Representative
James Lamon, AL-CEO at Depcom Power
Robert Montgomery, AL-Chairman at Cochise County
Republicans
Samuel Moorhead, AL-Gila County Republican Vice Chairman
Loraine Pellegrino, AL-State Republican Women Past President
Greg Safsten, AL- State Party Executive Director
Michael Ward, AL-United States Air Force Colonel

Sources of Law: The Sources of Law are the Arizona Election Code, and the U.S. Constitution.¹ The specific section discussing the electoral college is A.R.S. § 16-212.² There does not appear to be any relevant regulatory or sub-regulatory guidance governing the Electoral College in Arizona. Federal law requires electors to meet on December 14, 2020 (the first Monday after the Second Wednesday in December). Traditionally in Arizona, the electors meet at the State Capitol at a time requested by the Governor since the law has a minimum amount of details about Arizona’s Electoral College process.

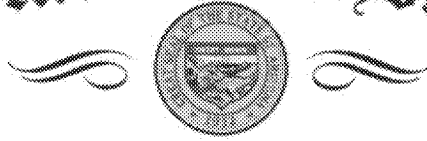
How Arizona Handles Electoral College Voting: The Governor calls a meeting of the state’s presidential electors on the date provided by federal law. The Secretary of State, as the State’s top election official, prepares the Certificate of Vote. The Secretary of State is also the witness to the electors’ signatures. A copy of the 2016 Certificate of Vote can be found below. The Governor and the Secretary of State already created and signed the Certificate of Ascertainment on the date that the Governor certified the election results for this election on November 30, 2020.³ Once the presidential electors vote, the Governor will send the Certificate of Ascertainment and Certificate of Vote to all parties as provided by federal law.

¹ [HYPERLINK "<https://www.azleg.gov/arsDetail/?title=16>"]

² [HYPERLINK "<https://www.azleg.gov/viewdocument/?docName=https://www.azleg.gov/ars/16/00212.htm>"]

³ [HYPERLINK "<https://www.archives.gov/files/electoral-college/2020/ascertainment-arizona.pdf>"]

State of Arizona



Presidential Elector Ballot Certificate of Vote

To the Honorable President of the Senate,
United States of America,
Washington, D.C.

We, the undersigned, being the duly elected, qualified and acting presidential electors for the State of Arizona, do hereby certify that on the 19th day of December, 2016, at and within the City of Phoenix, County of Maricopa, State of Arizona, duly and regularly met and convened and there and thereon, by authority of law in us vested, voted for President of the United States of America, with the following result:

For President Donald J. Trump 17 votes

In Witness Whereof, we, the undersigned, have hereunto, at Phoenix, Arizona on this 19th day of December, 2016, subscribed our respective names:

[Signature]
Bruce Ash

[Signature]
Robert Foggy

[Signature]
Thomas Green

[Signature]
Robert Graham

[Signature]
Mark Gutter

[Signature]
Ray Hayden

[Signature]
Curt Joyce

[Signature]
John Joseph

[Signature]
J. Foster Morgan

[Signature]
James P. O'Connor

[Signature]
Edward Nelson



Witnessed by
[Signature]
Michael L. Ferguson
Arizona Secretary of State

GEORGIA

The Georgia Republican Presidential Electors were chosen on March 16, 2020 by a vote from the State Executive Committee, at the recommendation of the State Party Chair. Under state law, the State Executive Committee chooses the electors, but in practice, the committee ratifies a list submitted by the State Party Chairman. The Trump campaign vetted and approved the electors prior to the State Executive Committee vote.

Selection Date: March 16, 2020
Selection Method: State Executive Committee
Electors: David Shafer, AL-State Party Chairman
Kay Godwin, AL-Recommended by State Party Chair
Joseph Brannen, CD-01-State Party Treasurer
Susan Holmes, CD-02-State Representative
David Hanna, CD-03- Recommended by State Party Chair
CJ Pearson, CD-04- Recommended by State Party Chair
Shawn Still, CD-05-State Party Finance Chair
Pat Gartland, CD-06-Founder of Christian Coalition
Vicki Consiglio, CD-07-State Party Vice Treasurer
Mark Hennessey, CD-08-Recommended by State Party Chair
Kathy Latham, CD-09- Recommended by State Party Chair
Jon Isakson, CD-10-Former U.S. Senator Isakson's son
Darrell Moody, CD-11-Georgia Republican Foundation Chairman
Ken Carroll, CD-12- Recommended by State Party Chair
Chandra Yadav, CD-13-Former State Senator
Carolyn Fischer, CD-14-First Vice Chair of the State Party

Sources of Law: The Sources of Law are the Official Code of Georgia Annotate (“O.C.G.A.”) federal law, and the U.S. Constitution.⁴ The specific section in the O.C.G.A. discussing the electoral college is O.C.G.A. 21-2-11.⁵ There appear to be no relevant regulatory or sub-regulatory rules or guidance governing the electoral college processes in Georgia.

How Georgia Handles Electoral College Voting: First, the Governor signs a “Certificate of Ascertainment” pursuant to federal law. This occurred on the date that the Governor certified the election results, November 30, 2020.⁶ The Governor calls a meeting of the state’s presidential electors on the date provided by federal law at 12:00 p.m.⁷ At the meeting the electors choose a

⁴ [HYPERLINK "<http://rules.sos.state.ga.us/gac/183>"]

⁵ [HYPERLINK "https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=c47ef743-9397-41c8-b8d7-faa063c8bf55&nodeid=AAVAADAACAAN&nodepath=%2fROOT%2fAAV%2fAAVAAD%2fAAVAADAAC%2fAAVAADAA CAAN&level=4&haschildren=&populated=false&title=%c2%a7+21-2-11.+Performance+of+duties+by+presidential+electors&config=00JAA1MDBIYzcZi1IYjFILTQxMTgtYWE3OS02YTgyOGM2NWJIMDYKAFBvZENhdGFsb2feed0oM9qoQOMCSJFX5qkd&pddocfullpath=%2fshared%2fdocument%2fstature s-legislation%2furn%3acontentitem%3a617D-MH71-F8KH-X3VG-00008-00&ecomp=c38_kkk&prid=ef027911-ecc7-4c45-b989-0fb39eca019a"]

⁶ <https://www.archives.gov/files/electoral-college/2020/ascertainment-georgia.pdf>

⁷ [HYPERLINK "[https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=c47ef743-9397-41c8-b8d7-faa063c8bf55&nodeid=AAVAADAACAAN&nodepath=%2fROOT%2fAAV%2fAAVAAD%2fAAVAADAAC%2fAAVAADAA CAAN&level=4&haschildren=&populated=false&title=%c2%a7+21-2-](https://advance.lexis.com/documentpage/?pdmfid=1000516&crd=c47ef743-9397-41c8-b8d7-faa063c8bf55&nodeid=AAVAADAACAAN&nodepath=%2fROOT%2fAAV%2fAAVAAD%2fAAVAADAAC%2fAAVAADAA CAAN&level=4&haschildren=&populated=false&title=%c2%a7+21-2-11.+Performance+of+duties+by+presidential+electors&config=00JAA1MDBIYzcZi1IYjFILTQxMTgtYWE3OS02YTgyOGM2NWJIMDYKAFBvZENhdGFsb2feed0oM9qoQOMCSJFX5qkd&pddocfullpath=%2fshared%2fdocument%2fstature s-legislation%2furn%3acontentitem%3a617D-MH71-F8KH-X3VG-00008-00&ecomp=c38_kkk&prid=ef027911-ecc7-4c45-b989-0fb39eca019a)"]

Presiding Officer and a Secretary. The Presiding Officer conducts the meeting and the Secretary prepares the Certificate of Vote. A picture of a certificate of vote can be found on the following page. Once the presidential electors vote, the Governor will send the Certificate of Ascertainment and Certificate of Vote to all parties as provided by federal law.

11.+Performance+of+duties+by+presidential+electors&config=00JAA1MDBIYzczZi1IYjFILTQxMTgtYWE3OS02YTgyO
GM2NWJIMDYKAFBvZENhdGFsb2feed0oM9qoQOMCSJFX5qkd&pddocfullpath=%2fshared%2fdocument%2fstature
s-legislation%2furn%3acontentItem%3a617D-MH71-F8KH-X3VG-00008-00&ecom=c38_kkk&prid=ef027911-ecc7-
4c45-b989-0fb39eca019a"]

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STATE OF GEORGIA
COUNTY OF FULTON

CERTIFICATE OF THE VOTE OF THE 2016 ELECTORS FROM GEORGIA

We, the undersigned, being the duly elected and qualified Electors of President and Vice President of the United States of America from the State of Georgia, and hereinafter referred to in this Certificate as the 2016 Electors from the State of Georgia do hereby certify the following:

- (A) That the undersigned 2016 Electors from the State of Georgia convened and organized at the State Capitol, in the City of Atlanta, County of Fulton, Georgia, at 12:00 noon on the 19th day of December 2016, to perform the duties enjoined upon them.
- (B) That Frank Strickland presided and Kirk Shook served as Secretary for the meeting.
- (C) That the undersigned 2016 Electors from the State of Georgia cast each of their respective ballots for President of the United States of America, as follows:

FOR DONALD J. TRUMP – 16 VOTES

BRUCE AZEVEDO

BRIAN BURDETTE

LOTT DILL

JOHN ELLIOTT

JAMES EVANS

BOBBIE FRANTZ

LINDA HERREN

RACHEL LITTLE

DEBORAH MCCORD

MICHAEL MCNEELY

KIRK SHOOK

JOHN PADGETT

MARY PADGETT


NEIL PRUITT
FRANK STRICKLAND
JOHN WHITE

(D) That the undersigned 2016 Electors from the State of Georgia cast each of their respective ballots for Vice President of the United States of America, as follows:

FOR MIKE PENCE - 16 VOTES

BRUCE AZEVEDO
BRIAN BURDETTE
LOTT DILL
JOHN ELLIOTT
JAMES EVANS
BOBBIE FRANTZ
LINDA HERREN
RACHEL LITTLE
DEBORAH MCCORD
MICHAEL MCNEELY
KIRK SHOOK
JOHN PADGETT
MARY PADGETT
NEIL PRUITT
FRANK STRICKLAND
JOHN WHITE

Witness the hands and seals of the undersigned as the duly elected and qualified Electors of the President and Vice President of the United States of America from the State of Georgia, this 19th day of December, 2016.




BRUCE AZEVEDO (SEAL)



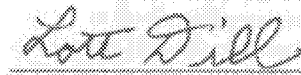
DEBORAH MCCORD (SEAL)



BRIAN BURDETTE (SEAL)




MICHAEL McNEELY (SEAL)




LOTT DILL (SEAL)



JOHN PADGETT (SEAL)



JOHN ELMSCOTT (SEAL)



MARY PADGETT (SEAL)



JAMES EVANS (SEAL)



NEIL PRUITT (SEAL)



BOBBIE FRANTZ (SEAL)



KIRK SHOOK (SEAL)



LINDA HERREN (SEAL)



FRANK STRICKLAND (SEAL)



RACHEL LITTLE (SEAL)



JOHN WHITE (SEAL)

Michigan

The Michigan Republican Presidential Electors were chosen on August 29, 2020 at a virtual meeting of the State Executive Committee. The list of electors was compiled by the State Party and the Trump Campaign, and the electors were vetted and approved prior to the meeting.

Selection Date: August 29, 2020
Selection Method: State Executive Committee
Electors: Kathy Berden, AL-National Committeewoman
Meshawn Maddock, AL-Women for Trump Advisory Board
John Haggard, CD-01-State Committee Member
Kent Vanderwood, CD-02-Congressional District Chair
Teri Lynn Land CD-03-Former Secretary of State
Gerald Wall, CD-04-State Committee Member
Amy Facchinello, CD-05-Trump Activist
Rose Rook, CD-06-County GOP Chair
Hank Choate, CD-07-Congressional District Chair
Meri-Ann Henry, CD-08-County GOP Chair
Clifford Frost, CD-09-State Committee Member
Stanley Grot, CD-10-Congressional District Chair
Marian Sheridan, CD-11-MIGOP Vice Chair
Timothy King, CD-12-Trump Activist
Michelle Lundgren, CD-13-Trump Activist
Mayra Rodriguez, CD-14-Congressional District Chair

Sources of Law: The Chief Election Officer of Michigan is the Secretary of State (“SoS”), Jocelyn Benson.⁸ The Secretary of State has “supervisory control” of election officials insofar as they implement Michigan’s Election Code. The Secretary of State has limited rulemaking authority with respect to elections, that power being non-existent for most facets of an election, and in many places being shared with the State Board of Canvassers or more local elections boards.⁹ Regulations regarding the conduct of an election are minimal to non-existent.¹⁰ The same goes for Michigan Attorney General Opinions, interpreting Michigan’s laws.¹¹ The primary source of elections rules are therefore Michigan’s Election code.¹²

How Michigan Handles Electoral College Voting: There are two sections of the Michigan Elections code that deal with the post-election day processes for Presidential electors, the first is MI ST § § 168.46, and 168.47.

⁸ Michigan Statutes § 168.21. The text of the law referenced by cites to the Michigan Statutes and their Election Code in this memo can be found here: [[HYPERLINK](http://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-116-of-1954.pdf)

"<http://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-116-of-1954.pdf>"].

⁹ C.f. MI ST. § 168.889

¹⁰ [[HYPERLINK](https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=State&Bureau=Elections%20%26%20Campaign%20Finance)

"<https://ars.apps.lara.state.mi.us/AdminCode/DeptBureauAdminCode?Department=State&Bureau=Elections%20%26%20Campaign%20Finance>"]

¹¹ [[HYPERLINK "https://www.ag.state.mi.us/opinion/opinions.aspx"](https://www.ag.state.mi.us/opinion/opinions.aspx)] (Type in “presidential elector” into the Headnote Search, or “Elections” into the keyword or subject search).

¹² [[HYPERLINK "http://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-116-of-1954.pdf"](http://www.legislature.mi.gov/documents/mcl/pdf/mcl-act-116-of-1954.pdf)].

Before the Electoral College meets, MI ST § 168.46 requires the Michigan governor to certify, under the seal of the state, to the United States Secretary of State, the names and addresses of the electors of Michigan. He must do this soon after the State Board of Canvassers determines the results of the election. When the governor finalizes his determination, he must send each elector a certificate of his or her election.¹³

Michigan Statute § 168.47 deals with the convening of presidential electors for their vote.¹⁴ Under MI ST § 168.47 Presidential electors meet in the Michigan Senate Chamber in Lansing Michigan at 2:00PM EST on the first Monday after the second Wednesday in December following their election.¹⁵ The ballot must have the name of the Elector on it, as well as the candidate to be voted for.¹⁶ A picture of the ballot used by the elector is found on the next page. After casting their ballots in the Senate Chamber, the Electors then sign the “Certificate of Vote” attesting to their vote for the office of the President of the United States of America, and the office of the Vice President of the United States of America. This Certificate of Vote, a picture of which is two pages below, is then sent to Congress and a variety of other entities such as the National Archives.¹⁷

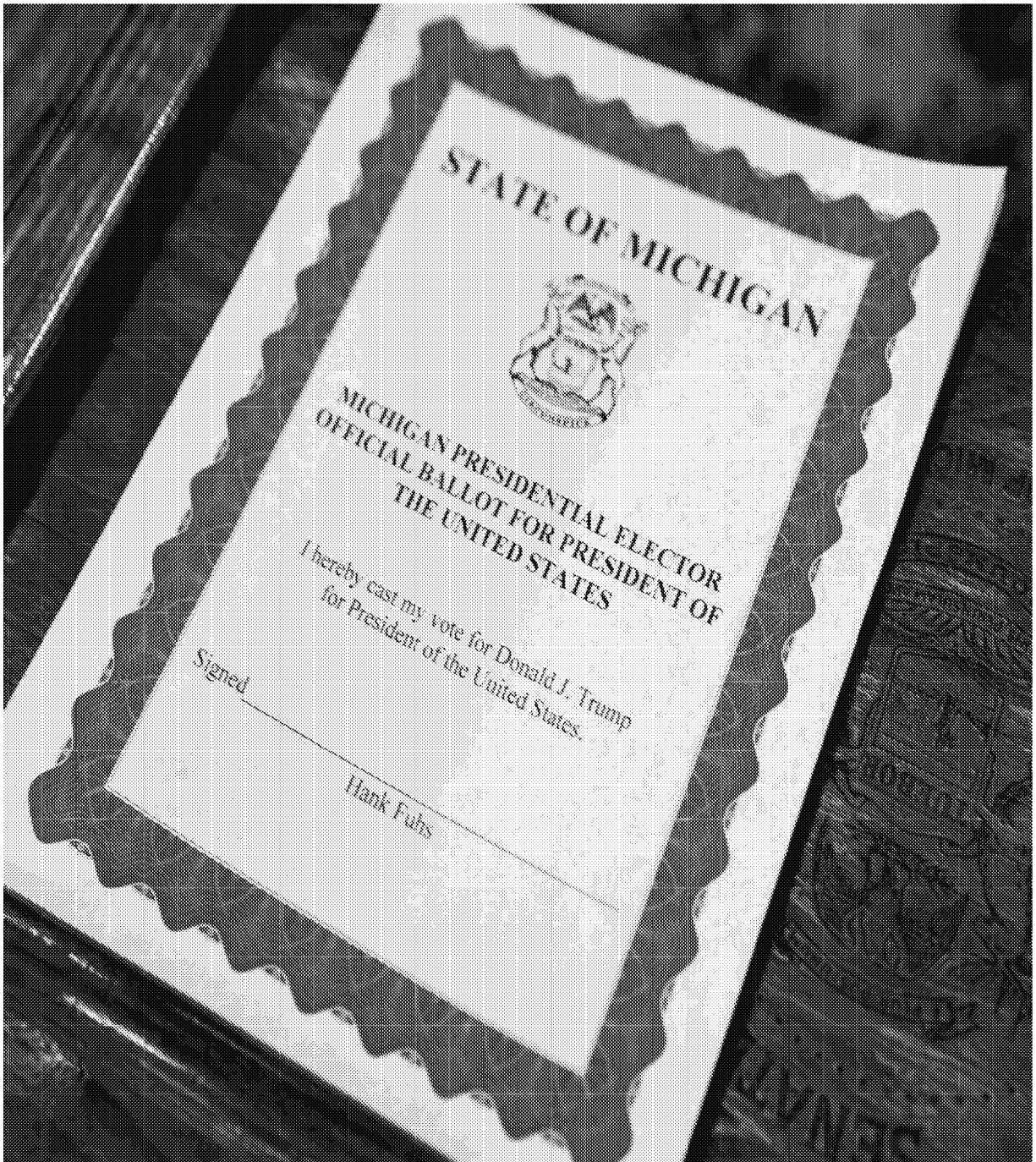
¹³ [HYPERLINK
"https://www.legislature.mi.gov/(S(mx2eeduhgywqlcrkylhde5xh))/mileg.aspx?page=getObject&objectName=mcl-168-46"]

¹⁴ It also deals with faithless, dead, and resigning electors.

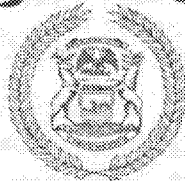
¹⁵ December 14, 2020 for the 2020 Electoral College.

¹⁶ [HYPERLINK
"https://www.legislature.mi.gov/(S(1ts0huzit1i0nhmz4dudzvvyq))/mileg.aspx?page=getobject&objectname=mcl-168-47"]

¹⁷ [HYPERLINK "https://www.archives.gov/files/electoral-college/state-officials/presidential-election-brochure.pdf"]



STATE OF MICHIGAN



CERTIFICATE OF VOTES FOR PRESIDENT AND VICE PRESIDENT

We, the undersigned Electors of the State of Michigan for President and Vice President, elected in the General Election held in the State of Michigan on November 8, 2016, and duly convened at the State Capitol in Lansing, Michigan, this 19th day of December, A.D. 2016, do hereby certify that the following are lists of all votes given by us for the office of President and Vice President, respectively, of the United States:

1. Votes cast for Donald J. Trump for President of the United States...Sixteen...16.
2. Votes cast for Michael R. Pence for Vice President of the United States...Sixteen...16.

In Witness Whereof, we have hereunto set our hands at Lansing, Michigan, this 19th day of December, A.D. 2016.

ELECTORS OF THE STATE OF MICHIGAN FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES.

 Hank Johns	 Wyckham Seely
 Joseph Guzman	 Ross Ensign
 John Haggard	 Michael Harewitz
 Jack Holmes	 Brian Fairbrother
 Kelly Mitchell	 Ken Crider
 Judy Rapinos	 Mary S. Vaughan
 Henry Hunter	 Jim Rhoades
 Robert West	 William Rauweelink



NEVADA

The Nevada Republican Presidential Electors were chosen on June 13, 2020 at a virtual state convention. The Trump Campaign and the State Party worked together to create the slate of electors below that were unanimously approved by the body of the convention. The Trump campaign vetted and approved each name on the slate prior to the vote by the convention.

Selection Date: June 13, 2020
Selection Method: State Convention
Electors: Jim DeGraffenried, AL-National Committeeman
Jesse Law, AL-Trump EDO State Director
Michael McDonald, CD-01-State Party Chairman
Shawn Meehan, CD-02-Recommended by State Party Chairman
Eileen Rice, CD-03-Trump Activist
Durward Hindle, CD-04-Recommended by State Party Chairman

Sources of Law: Nevada has adopted the Uniform Faithful Presidential Electors Act.¹⁸ That law requires that all presidential electors sign a pledge to vote for the nominees for president and vice president who receive the highest number of votes in the state.¹⁹ Under that law, political party chairs “shall submit to the Secretary of State each pledge signed pursuant to this section with the list of nominees for presidential elector and alternates” by “not later than the last Tuesday in August.”²⁰ The Secretary of State then submits a “certificate of ascertainment” “to the Archivist of the United States pursuant to 3 U.S.C. § 6” that includes a statement that “[e]ach nominee for presidential elector shall serve as a presidential elector unless a vacancy occurs in the position of presidential elector held by that nominee for presidential elector before the conclusion of the meeting of presidential electors held pursuant to 3 U.S.C. § 7.”²¹

How Nevada Handles Electoral Voting: At the meeting of presidential electors, “[t]he Secretary of State shall preside” and “the nominees for presidential elector whose candidates for President and Vice President receive the highest number of votes in this State at the general election are the presidential electors.”²² The Secretary of State must provide each presidential elector (as defined above) two ballots, one for President and one for Vice President.²³ Electors then mark the applicable ballot for the person who received the highest number of votes at the general election and “shall sign and legibly print his or her name on the ballots and present the ballots to the Secretary of State.”²⁴

Once all presidential electors have presented their ballots to the Secretary of State, the Secretary of State shall examine each ballot. If a presidential elector presents both ballots marked with votes for the person who received the highest number of votes at the general election for the

¹⁸ <https://www.uniformlaws.org/committees/community-home?CommunityKey=6b56b4c1-5004-48a5-add2-0c410ccc587d>. Only five other states have adopted this law: Indiana, Minnesota, Montana, Nebraska, and Washington.

¹⁹ Nev. Rev. Stat. §§ 298.035, 298.045.

²⁰ *Id.* at § 298.045(3).

²¹ *Id.* at § 298.055. This certificate is submitted pursuant to 3 U.S.C. § 6 (“as soon as practicable after the conclusion of the appointment of the electors in such State by the final ascertainment, under and in pursuance of the laws of such State providing for such ascertainment...”).

²² *Id.* at § 298.065.

²³ *Id.*

²⁴ *Id.*

offices of President and Vice President, respectively, then the Secretary of State shall accept both ballots. But if an elector “[d]oes not present both ballots, presents an unmarked ballot or presents a ballot marked with a vote that does not conform with the provisions of subsection 1,” then the Secretary of State shall refuse to accept either ballot from the presidential elector and “shall deem the presidential elector’s position vacant.”²⁵

That “vacancy must be filled pursuant to the provisions of NRS 298.065,”²⁶ meaning that an alternate will be picked, but if no alternate is available, the remaining electors will nominate a qualified voter, who the Secretary of State will then appoint to fill the vacancy.²⁷ “The person appointed to fill the vacancy in the position of presidential elector, after signing the pledge described in NRS 298.065, shall mark both ballots and present both ballots to the Secretary of State pursuant to this section.”²⁸ The law is clear that “[o]nly the votes accepted by the Secretary of State pursuant to this section may be recorded on the lists of votes made by the presidential electors pursuant to 3 U.S.C. § 9.”²⁹

If the presidential electors whose votes are ultimately accepted by the Secretary of State differ from the electors who were listed on the initial certificate of ascertainment, then the Secretary of State will prepare an amended certificate of ascertainment that contains the names of persons who served as presidential electors send the amended certificate to the Archivist of the United States.³⁰

2. Additional mechanics

In 2016, on December 19, the Secretary of State convened the electors in the state capitol building, in the Old Assembly Chambers, on the second floor, at 2pm, according to the public agenda press release for that meeting.³¹ That agenda included the following items:

- I. Call to Order
- II. Roll Call and Introductions
- III. Remarks about the Electoral College
- IV. Explanation of Procedures for Electoral College Meeting
- V. Administration of Oath to the Presidential Electors
- VI. Casting of Ballots for U.S. President and Vice President
- VII. Concluding Remarks
- VIII. Adjournment

Based on this agenda, we expect that on Monday, December 14, 2020, the Secretary of State will convene the electors and follow the Uniform Faithful Electors Act’s procedures as outlined above.

²⁵ *Id.*

²⁶ *Id.* at § 298.075

²⁷ *Id.* at § 298.065.

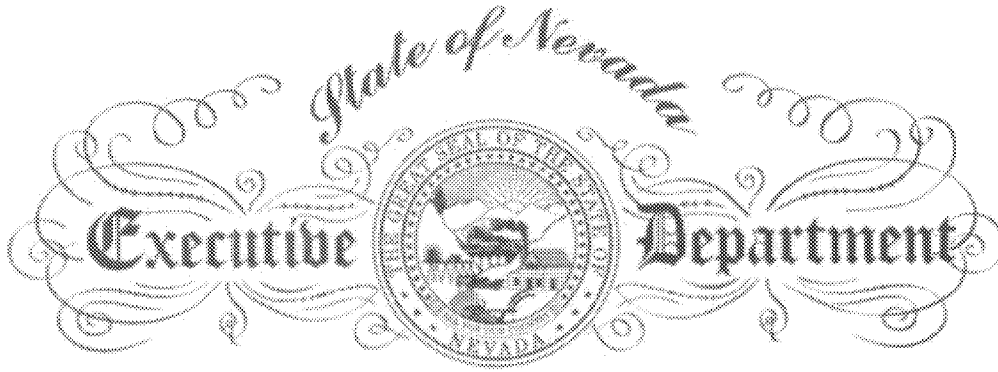
²⁸ *Id.* at § 298.075

²⁹ *Id.*

³⁰ *Id.* at § 298.085.

³¹ <https://www.nvsos.gov/sos/home/showdocument?id=4659>.





State of Nevada

Certificate of Vote

December 19, 2016
Carson City, Nevada

WE THE UNDERSIGNED, Electors for President and Vice President of the United States of America for the respective terms beginning at noon on the twentieth day of January, two thousand seventeen, being Electors duly and legally appointed and qualified by and for the State of Nevada, as appears by the annexed Certificate of Ascertainment, having met and convened, agreeably to the provision of law, at Carson City, in said state of Nevada at two o'clock p.m. on the first Monday after the second Wednesday in December of the year two thousand sixteen, being the nineteenth day of said month;

DO HEREBY CERTIFY, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then Vice President, so cast as aforesaid:


HILLARY CLINTON received six (6) votes TIM KAINE received six (6) votes

IN TESTIMONY WHEREOF, we have hereunto set our hands, on the third Monday of December, two thousand sixteen, being the nineteenth day of said month, and the first Monday after the second Wednesday therein.


Dayananda Prabhu Rachakonda


Larry Jackson


Joetta Brown


Paul Cathra Yi


Greg Gardella


Theresa Benitez Thompson

PENNSYLVANIA

The Pennsylvania Republican Presidential Electors were chosen on September 18, 2020. Under Pennsylvania state law, the electors are chosen by the Presidential candidates and the names are submitted in a letter to the Secretary of State. The names below were all vetted by the campaign prior to being chosen

Selection Date: September 18, 2020
Selection Method: Letter Filed by President Trump
Electors: Lawrence Tabas, AL-State Party Chairman
Bob Asher, AL-Former National Committeeman
Christine Toretto, AL-National Committeeman
Bernadette Comfort, AL- Trump Campaign State Chair
Ted Christian, AL- Trump Campaign Senior Advisor
Thomas Marino, AL-Former Member of Congress
Lou Barletta, CD-05-Former Member of Congress
Robert Gleason, AL- Former State Party Chair
Andy Reilly, AL- National Committeeman
Pat Poprick, AL- County Party Chair
Lance Stange, AL-County Party Chair
Carolyn Welsh, AL-Women for Trump Advisory Board
Bill Bcahenberg, AL- Sportsmen for Trump Advisory Board
Chuck Coccodrilli, AL- Trump Family Friend
Sam DeMarco, AL-County Party Chair
Lisa Patton, AL-Trump Victory Staffer
Marcela Diaz-Myers, AL-Trump Activist
Ash Khare, AL-2016 & 2020 Trump Delegate
Josephine Ferro, AL-State Federation of Republican Women Chair
Calvin Tucker, AL-PAGOP Director of Engagement

Sources of Law: Pennsylvania law provides for the appointment of slates of electors for each candidate for President and Vice President of the United States:

The nominee of each political party for the office of President of the United States shall, within thirty days after his nomination by the National convention of such party, nominate as many persons to be the candidates of his party for the office of presidential elector as the State is then entitled to. If for any reason the nominee of any political party for President of the United States fails or is unable to make the said nominations within the time herein provided, then the nominee for such party for the office of Vice-President of the United States shall, as soon as may be possible after the expiration of thirty days, make the nominations. The names of such nominees, with their residences and post office addresses, shall be certified immediately to the Secretary of the Commonwealth by the nominee for the office of President or Vice-President, as the case may be, making the nominations. Vacancies existing after the date of nomination of presidential electors shall be filled by the nominee for the office of President or Vice-President making the original nomination. Nominations made to fill vacancies shall be certified to the Secretary of the Commonwealth in the manner herein provided for in the case of original nominations.³²

³² 25 P.S. § 2878.

Pennsylvania law also provides for the election of the Commonwealth's presidential electors:

At the general election to be held in the year 1940, and every fourth year thereafter, there shall be elected by the qualified electors of the Commonwealth, persons to be known as electors of President and Vice-President of the United States, and referred to in this act as presidential electors, equal in number to the whole number of senators and representatives to which this State may be entitled in the Congress of the United States.³³

After the Secretary of the Commonwealth receives, computes and certifies the returns of the election of presidential electors, *see* 25 P.S. § 3159, she "shall lay them before the Governor, who shall enumerate and ascertain the number of votes given for each person so voted for, and shall cause a certificate of election to be delivered to each person so chosen." 25 P.S. § 3166. The Governor of Pennsylvania recently issued a certificate of ascertainment for the 2020 presidential electors.³⁴

The chosen electors "shall assemble at the seat of government of this Commonwealth, at 12 o'clock noon of the day which is, or may be, directed by the Congress of the United States, and shall then and there perform the duties enjoined upon them by the Constitution and laws of the United States."³⁵

How Pennsylvania Handles Electoral Voting: As mentioned above, Pennsylvania's electors will meet at the seat of government in Pennsylvania, which is Harrisburg, at noon on December 14, 2020, to cast their votes for President and Vice President. Wanda Murren, a spokesperson for the Department of State, recently said that the department was "still working out details on conducting the event while adhering to safety protocols related to the COVID pandemic."³⁶ Traditionally, the meeting of electors is a small, quiet, formal ceremony inside one of the Capitol's chambers. *Id.* After the appointment of several officers of the electoral delegation and a few other minor formalities, the electors proceed to vote for President and Vice President by writing their votes down on ballots and depositing the ballots into a ballot box. After the votes are counted and the count is announced, the electors sign certificates with the state's electoral votes that are sent to Congress.³⁷

³³ 25 P.S. § 3191.

³⁴ [[HYPERLINK "https://www.archives.gov/files/electoral-college/2020/ascertainment-pennsylvania.pdf"](https://www.archives.gov/files/electoral-college/2020/ascertainment-pennsylvania.pdf)].

³⁵ 25 P.S. § 3192.

³⁶ *See* [[HYPERLINK "https://why.org/articles/meet-pennsylvanias-electoral-college-voters-everything-they-can-and-cant-do/"](https://why.org/articles/meet-pennsylvanias-electoral-college-voters-everything-they-can-and-cant-do/)].

³⁷ [[HYPERLINK "https://www.c-span.org/video/?419736-1/pennsylvania-electors-vote-harrisburg"](https://www.c-span.org/video/?419736-1/pennsylvania-electors-vote-harrisburg)].



Commonwealth of Pennsylvania



CERTIFICATE OF VOTES FOR PRESIDENT AND VICE PRESIDENT

WE THE UNDERSIGNED, Electors of President and Vice President of the United States of America for the respective terms beginning on the twentieth day of January, A.D. 2017, being Electors duly and legally appointed and qualified by and for the Commonwealth of Pennsylvania, as appears by the annexed Certificate of Ascertainment made and delivered to us by the executive of said Commonwealth, having met, agreeably to the provisions of law, at Harrisburg, in said Commonwealth of Pennsylvania, on the first Monday after the second Wednesday in December in the year 2016, being the nineteenth day of said month.

DO HEREBY CERTIFY, that being so assembled and duly organized, we proceeded to vote by ballot, and balloted first for President and then for Vice President by distinct ballots.

AND WE DO FURTHER CERTIFY, that the following are two distinct lists, one, of all the votes for President, and the other of all the votes for Vice President, as cast as aforesaid.

LIST OF ALL PERSONS VOTED UPON FOR PRESIDENT

Name of person voted for	Number of votes
Donald J. Trump	20

LIST OF ALL PERSONS VOTED UPON FOR VICE PRESIDENT

Name of person voted for	Number of votes
Michael R. Pence	20

WITNESS our hands, on the first Monday after the second Wednesday of December, A.D. 2016, being the nineteenth day of said month, at the City of Harrisburg, in the Commonwealth of Pennsylvania.

 Robert Asher	 Mary Baker	 Robert Buzzone
 Thomas Curran	 Michael D'Amico	 Margaret Dorman
 Joseph K. Gane	 Robert Gibson	 John H. Hines
 Patrick Poppe	 James McElroy	 Elton Pickett
 Gregory J. Smith	 Andrew Kelly	 Carol Siskin
 Christine Wilentz	 Richard Womack	 Lawrence Talbot
	 Carolyn D'Amico	

WISCONSIN

The Wisconsin Republican Presidential Electors were chosen on October 6, 2020 by the State Party Chair in partnership with the Trump Campaign. The Trump campaign vetted and approved all the electors before the list was finalized.

Selection Date: October 6, 2020
Selection Method: State Party Chair Selects
Electors: Andrew Hitt, AL-State Party Chair
Mary Buestrin, AL- National Committeewoman
Carol Brunner, CD-01-Congressional District Chair
Scott Grabins, AL-02-County Party Chair
Bill Feehan, CD-03-Congressional District Chair
Bob Spindell, CD-04-Member of State Elections Commission
Tom Schreibel, CD-05-National Committeeman
Daryl Carlson, CD-06- Congressional District Chairman
Pam Travis, CD-07- Congressional District Secretary
Kelly Ruh, CD-08-Congressional District Chairman

How Wisconsin Handles Electors Voting: The electors for president and vice president shall meet at the state capitol following the presidential election at 12:00 noon the first Monday after the 2nd Wednesday in December. If there is a vacancy in the office of an elector due to death, refusal to act, failure to attend or other cause, the electors present shall immediately proceed to fill by ballot, by a plurality of votes, the electoral college vacancy. When all electors are present, or the vacancies filled, they shall perform their required duties under the constitution and laws of the United States.³⁸

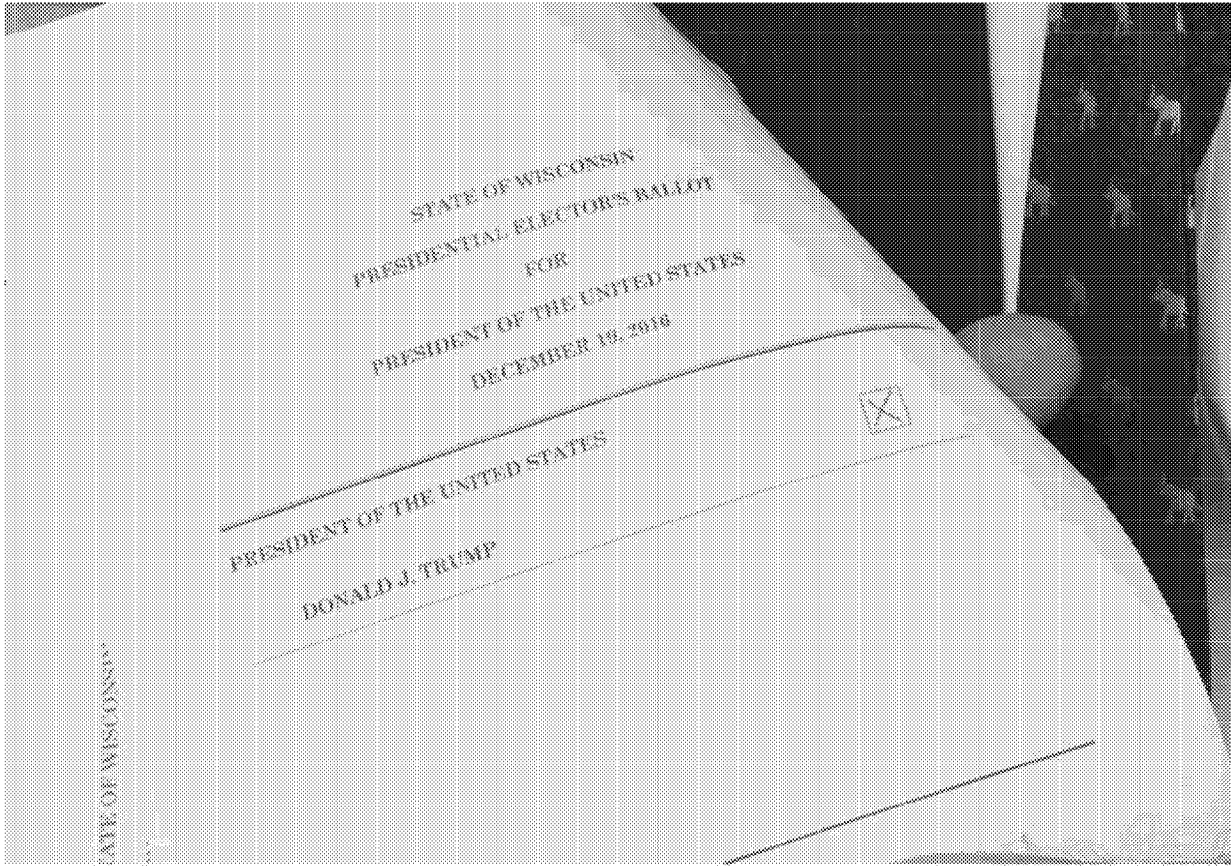
The presidential electors, when convened, shall vote by ballot for that person for president and that person for vice president who are, respectively, the candidates of the political party which nominated them under [[HYPERLINK "https://docs.legis.wisconsin.gov/statutes/statutes/8/18"](https://docs.legis.wisconsin.gov/statutes/statutes/8/18)], the candidates whose names appeared on the nomination papers filed under [[HYPERLINK "https://docs.legis.wisconsin.gov/statutes/statutes/8/20"](https://docs.legis.wisconsin.gov/statutes/statutes/8/20)], or the candidate or candidates who filed their names under [[HYPERLINK "https://docs.legis.wisconsin.gov/statutes/statutes/8/185/2"](https://docs.legis.wisconsin.gov/statutes/statutes/8/185/2)], except that at least one of the persons for whom the electors vote may not be an inhabitant of this state. A presidential elector is not required to vote for a candidate who is deceased at the time of the meeting. [[HYPERLINK "https://docs.legis.wisconsin.gov/statutes/statutes/7/ii/75"](https://docs.legis.wisconsin.gov/statutes/statutes/7/ii/75)].

There is little outside guidance on the meeting of presidential electors in Wisconsin. The Wisconsin Election Commission has historically put out a notice of the presidential elector meeting during the end of the week leading up to the meeting.³⁹ In other words, we will know by Friday, December 11, 2020, the time and place of the Electoral College meeting in Wisconsin. Wisconsin Governor Tony Evers issued the Wisconsin Certificate of Ascertainment on November 30, 2020.⁴⁰

³⁸ [[HYPERLINK "https://docs.legis.wisconsin.gov/statutes/statutes/7/ii/75"](https://docs.legis.wisconsin.gov/statutes/statutes/7/ii/75)].

³⁹ See [[HYPERLINK "https://elections.wi.gov/node/4777"](https://elections.wi.gov/node/4777)];

⁴⁰ [[HYPERLINK "https://www.archives.gov/files/electoral-college/2020/ascertainment-wisconsin.pdf"](https://www.archives.gov/files/electoral-college/2020/ascertainment-wisconsin.pdf)]



UNITED STATES OF AMERICA

STATE OF WISCONSIN

CERTIFICATE OF VOTE CAST

FOR

PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

BY

PRESIDENTIAL ELECTORS OF WISCONSIN

WE, THE UNDERSIGNED, ELECTORS OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES OF AMERICA, being duly elected, qualified and acting Presidential Electors of the State of Wisconsin, pursuant to the attached certificate of the Chairperson of the Wisconsin Elections Commission, certified by Michael Haas, Interim Administrator of the Wisconsin Elections Commission and exemplified by Governor Scott Walker and Secretary of State Douglas La Follette, respectively; having met and convened at the State Capitol, in the City of Madison, in the State of Wisconsin, at 12:00 noon on December 19, 2016, pursuant to Section 7, Title 3 of the United States Code, and Section 7.75 of the Wisconsin Statutes, for the purpose of casting our votes for President and Vice President of the United States, and the transmitting of the results of our determination, in accordance with Sections 9 and 11, Title 3 of the United States Code, DO HEREBY CERTIFY:

That all of such Presidential Electors, so elected and so certified to this meeting of the Electoral College answered present and were present in person.

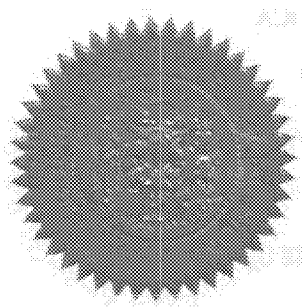
WE FURTHER CERTIFY that the following distinct lists contain a correct abstract of the votes cast for the election of President and Vice President of the United States, respectively:

FOR PRESIDENT

Names of Persons Voted For	Number of Votes
DONALD J. TRUMP of the State of New York	Ten (10)

FOR VICE PRESIDENT

Names of Persons Voted For	Number of Votes
MICHAEL R. PENCE of the State of Indiana	Ten (10)



IN TESTIMONY WHEREOF, We have hereunto set our hands. Done at the Capitol, in the City of Madison, in the State of Wisconsin, on the First Monday after the Second Wednesday in December, being the 19th day of December, 2016.

Brad Courtney
Brad Courtney, Chairperson

Kathy Kiernan
Kathy Kiernan, Secretary

Kim Travis
Kim Travis

Kim Habler
Kim Habler

Brian Westrate
Brian Westrate

Don Feyen
Don Feyen

Kevin Hermenich
Kevin Hermenich

Bill Berglund
Bill Berglund

Steve King
Steve King

Mary Buestrin
Mary Buestrin