

**SENATE OF
PENNSYLVANIA**



**HOUSE OF
REPRESENTATIVES**

Commonwealth of Pennsylvania

December 30, 2020

Congressman Kevin McCarthy
Republican Leader – US House of Representatives
2468 Rayburn House Office Building
Washington, DC 20515

RE: General Election Irregularities in Pennsylvania during the November 2020 cycle

Dear Congressman McCarthy:

There are increasing concerns that the 2020 presidential election should not have been certified in Pennsylvania, with mounting and overwhelming evidence depicting election irregularities and extensive potential fraud. The fraud must be investigated – not ignored.

Sadly, despite evidence, our Governor and Secretary of State inexplicably refuse to conduct any investigations. Our Republic cannot long endure without free and fair elections, where each person has one legal vote. However, allegations of fraudulent activity, as well as violations of election law in 2020, have placed the nation's eyes upon Pennsylvania. Without a thorough investigation into these allegations, the certification of the Pennsylvania election results is suspect at best. This has nothing to do with overturning any election results, but rather ascertaining if the allegations of fraud corrupted the outcome of the vote. There are simply too many questions that remain unanswered to say that the results can be trusted and therefore the certification is premature, and the results must be disputed until an investigation is completed.

Several of the key findings are delineated below:

1. Senate Majority Policy Committee hearing in November on statistical anomalies, such as hundreds of thousands of votes being dumped into a processing facility, with 570,000 for Vice President Biden, and only 3,200 for President Trump (<https://policy.pasenategop.com/112520/>).

Testimony provided from witnesses in Philadelphia, Northampton, Luzerne, Montgomery, Allegheny and Delaware counties detailed instances of:

- (a) Interference with poll watchers' ability to perform functions as provided for in the state election code, specifically regarding the submission, review and canvassing of mail-in ballots;
- (b) Delayed opening or closing of polling locations on Election Day;

- (c) Improper forfeiture and spoiling of mail-in ballots;
- (d) Illegal ballot harvesting;
- (e) Improper "curing" of insufficiently completed mail-in ballots;
- (f) Poll worker intimidation and harassment;
- (g) Voter intimidation;
- (h) Improper chain of custody of ballots and election materials; and
- (i) Submission of fraudulent ballots by an individual other than the named voter.

2. There is a massive **VOTER DEFICIT** in Pennsylvania.

In fact, 205,122 more votes were counted than the total number of voters who voted: A comparison of official county election results to the total number of voters who cast ballots November 3, 2020...as recorded by the Department of State...shows a difference of 205,122 more votes cast than voters actually voting. (Rep Frank Ryan, <http://www.repfrankryan.com/News/18754/Latest-News/PA-Lawmakers-Numbers-Don%E2%80%99t-Add-Up,-Certification-of-Presidential-Results-Premature-and-In-Error>).

3. **Unidentified** Voters: When anyone registers to vote online or by paper, two options are provided for gender: Male or Female. If left blank, the gender defaults to "No" – leaving three types of voters: Male, Female and "No." However, there are four genders in state voter rolls: Male, Female, "No" and **Unidentified**. It has been estimated that there are 121,000 "non-female/male voters" on state voter rolls, and 90,000 voted in 2020. Initial assessments have concluded **that at least 1/3 of these "U" voters are fraudulent** (*Unidentified "U" Voters, Kathy Barnette for Congress*);
4. The mandate by Governor Wolf last year, requiring new voting machines for 2020, raised concerns from county officials and state lawmakers. As a result, 14 counties are using Dominion voting machines. The counties using Dominion voting equipment (1.3 million voters in Pennsylvania) str: York, Erie, Montgomery, Bedford, Armstrong, Carbon, Crawford, Clarion, Fayette, Luzerne, Fulton, Jefferson, Pike and Warren. (*As Pennsylvania Counties Ring in the New year with New Voting Machines, Pressure from Election Security Advocates Remains, The PLS Reporter, 01/06/2020; <https://www.pennlive.com/politics/2018/12/county-commissioners-question-the-funding-the-timing-the-need-for-replacing-voting-machines.html>; *Questions Abound Over New Voting Machines, Citizens' Voice, 03/22/2019; <https://whyy.org/articles/despite-gop-objections-wolf-moves-to-upgrade-voting-machines-unilaterally/>; *As Wolf Administration Pushes to Replace All Voting Machines by 2020, Lawmakers and County Officials Question Rush and Expense, PA Watchdog, 03/29/2019*).**
5. Statistical experts examined Pennsylvania voting records and reached conclusions indicating there are "major statistical aberrations" in state voting records that are "unlikely to occur in a normal setting;" eleven counties (Montgomery, Allegheny, Chester, Bucks, Delaware, Lancaster, Cumberland, Northampton, Lehigh, Dauphin, York) showed "distinctive signs of voting abnormalities" for Vice President Biden. These analyses "provide scientific evidence that the reported results are highly unlikely to be an accurate reflection of how Pennsylvania citizens voted." (*Pennsylvania 2020 Voting Analysis Report, 11/16/2020*).

6. Gettysburg Senate Hearing – On November 25, Senator Doug Mastriano, together with Senator David Argall, hosted the Senate Majority Policy Committee hearing where hours of testimony was presented, reviewed, and vetted regarding voting fraud and violations of voting law in Pennsylvania. The purpose of the hearing was to find out what happened in Pennsylvania, after hearing allegations from thousands of people regarding violations of election law and other infringements. We heard eyewitness testimony from citizens who experienced their rights being violated. Additionally, during the hearing, expert witnesses testified to statistical anomalies, where massive quantities of ballots arrived without a chain of custody. **In one such spike, close to 600,000 votes were dumped in a processing facility, with 570,000 of these votes going for Biden, and a paltry 3,200 for Trump.** Another witness testified that an election worker was plugging flash drives into voting machines in a heavily democrat area, for no stated purpose. The hearing demonstrated that there is rampant election fraud in Pennsylvania that it must be investigated, remedied and rectified.

Other irregularities included in the testimony:

- (a) Mail-in ballots were not inspected by Republican representatives in portions of Philadelphia and Allegheny County;
- (b) Montgomery County was never provided with guidelines from State Department Secretary about “curing” defective ballots;
- (c) Timeline spikes depict more ballots being processed during specific periods than voting machines are capable of tabulating;
- (d) The Philadelphia Board of Elections processed hundreds of thousands of mail-in ballots with zero civilian oversight;
- (e) Ballots were separated from envelopes in numerous precincts; a recount is useless because the votes cannot be verified;
- (f) Observers were corralled behind fencing in Philadelphia, at least 10 feet away from processors; similarly, in Allegheny County, observers were placed at least 15 feet away;
- (g) Mail-in ballots were already opened in portions of Allegheny County; no one observed the opening of these ballots;
- (h) Illegal “pop-up” election sites developed, where voters would apply, receive a ballot and vote;
- (i) A portion of forensic evidence in Delaware County has disappeared;
- (j) A poll watcher with appropriate certificates and clearances was denied access;
- (k) There was no meaningful observation of ballots in Montgomery County, and no signature verification, as well;
- (l) A senior citizen voted for President Trump, but it was not displayed on receipt;

(m) Election workers illegally pre-canvased ballots in Northampton County; no meaningful canvas observation was permitted;

(n) several voters from across the state went to vote in person but when they arrived, they were told “they already voted” and were turned away. Some, but not all, were provided a provisional ballot, but was it really counted?

The United States of America has spent millions of dollars and put our men and women in harm’s way to oversee safer, more reliable and freer elections in Afghanistan, Iraq, Kosovo and Bosnia. Why is the very state where the light of liberty was lit in 1776 unable or unwilling to have elections as free and safe as those war-torn nations? Something is seriously wrong in this Commonwealth and unless this is corrected, our republic cannot long endure.

The odyssey of PA finding itself in this position began in early 2020. Using the COVID-19 pandemic as a pretense, the Wolf Administration, together with the Pennsylvania Supreme Court, threw our voting laws into disarray. The General Assembly (State House and State Senate) is constitutionally responsible for writing election law, not Governor Wolf, Secretary of State Boockvar or the state’s Supreme Court. The state Supreme Court and Secretary Boockvar fundamentally altered and unconstitutionally rewrote the original meaning of key provisions of Act 77.

Voting law, as passed by the General Assembly in 2019, was clear and specific:

- All mail-in ballots must be received by 8 p.m. on Election Day;
- Officials at polling locations must authenticate the signatures of voters;
- County Boards of Elections can conduct pre-canvassing of absentee and mail-in ballots after 8 a.m. on Election Day;
- Defective absentee and mail-in ballots shall not be counted; and
- “Watchers” selected by candidates and political parties are permitted to observe the process of canvassing absentee and mail-in ballots.

In PA, the Supreme Court of Pennsylvania and the Executive branch undermined the controls inherent in the Pennsylvania Election Code by eliminating signature verification, postmarks, and due dates while allowing the proliferation of drop boxes with questionable security measures and the unauthorized curing of ballots, as well as the questionable treatment of poll watchers, all of which created wholesale opportunities for irregularities in the 2020 presidential election.

These numbers simply do not add up, and the alleged certification of Pennsylvania’s presidential election results was absolutely premature, unconfirmed, and in error resulting in a disparity of 205,122 voters cast without identification with a voter.

These findings call into question the accuracy of the SURE system and the consistency in the application of the Pennsylvania Election Code from county to county.

Even the Department of State's initial objection to our finding focused on data and not the defective control environment and they indicated that the SURE system is not the basis of votes to be counted stated

in their December 28, 2020 press release that ""But the only way to determine the number of voters who voted in November from the SURE system is through the vote histories. At this time, there are still a few counties that have not completed uploading their vote histories to the SURE system."

This statement confirms our concern about the data and the process controls. Any reasonable person would suspect that 6-8 weeks would be sufficient to upload such data.

In an audit of the SURE system by the Department of the Auditor General, they stated that the "DAG was unable to establish with any degree of reasonable assurance that the SURE system is secure and that Pennsylvania voter registration records are complete, accurate, and in compliance with applicable laws, regulations, and related guidelines." (*Page 2, Executive Summary, Performance Audit Report of the Department of State, Statewide Uniform Registry of Electors (SURE), prepared by the Department of the Auditor General, dated December 13, 2019*).

The corruption of our election began with Governor Wolf during the COVID crisis. Wolf urged mail-in voting with a campaign to perpetuate the dangers of the Coronavirus. Likewise, he inferred that polling stations would be closed or undermanned due to the pandemic and its associated risks.

But the coup de main was seven weeks before Election Day, where the PA Supreme Court unilaterally – and in direct contravention of the wording of election law – extended the deadline for mailed ballots to be received from Election Day, to three days later. Similarly, the court declared that ballots mailed without a postmark must be counted. Additionally, the court mandated that mail-in ballots lacking a verified signature be accepted.

On the eve of Election Day, the State Department encouraged some counties – but not all – to notify party and candidate representatives of mail-in voters, whose ballots contained disqualifying defects, thereby enabling voters to cure said defects. This was unprecedented as it had never happened before in our Commonwealth. Election law is very specific to the way defects of mail-in ballots are to be treated, and it provides no authority for county officials to contact campaigns, or other political operatives, to affect the cure of such defects.

Actions taken by the PA State Supreme Court and Secretary Boockvar in the 2020 general election were so fraught with inconsistencies, improprieties and irregularities that the results for the office of President of the United States cannot be determined in our state.

This election is an embarrassment to our nation. John Adams rightly said that, "Facts are stubborn things," and armed with this, as Jesus stated, "We shall know the truth and the truth shall set us free." What happened on November 3, 2020 must be immediately addressed using facts and the testimony of the good people of our state.

We the undersigned ask that you dispute the certification until an investigation is completed.



Senator Doug Mastriano
33rd Senate District



Senator Dave Arnold
48th Senate District



Senator Michele Brooks
50th Senate District



Senator-Elect Cris Dush
25th Senate District



Senator Kristen Phillips-Hill
28th Senate District



Senator Joe Pittman
41st Senate District



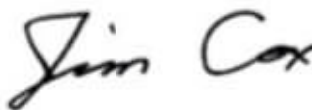
Senator Mike Regan
31st Senate District



Senator Judy Ward
30th Senate District



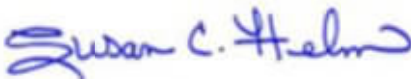
Representative
Stephanie Borowicz
House District 76



Representative Jim Cox
House District 129



Representative Russ Diamond
House District 102



Representative Susan Helm
House District 104



Representative Rich Irvin
House District 81



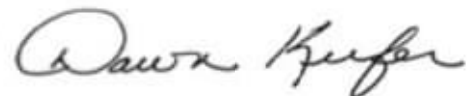
Representative R. Lee James
House District 64



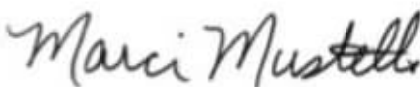
Representative Mike Jones
House District 93



Representative Rob Kauffman
House District 89



Representative Dawn Keefer
House District 92



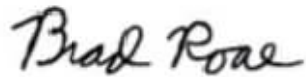
Representative
Marci Mustello
House District 11



Representative
Michael Puskaric
House District 39



Representative Kathy Rapp
House District 65

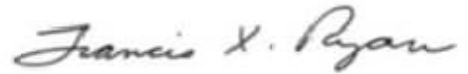


Brad Roae

Representative Brad Roae
House District 6



Representative
David Rowe
House District 85



Francis X. Ryan

Representative Frank Ryan
House District 101



Craig Staats

Representative Craig Staats
House District 145



Representative
James Struzzi
House District 62



Ryan Warner

Representative Ryan Warner
House District 52



Representative
David Zimmerman
House District 99