



Written by [Luis Miguel](#) on January 6, 2021

Report: Pence Believes He Does Not Have Power to Reject Electoral Votes

Is the president's window narrowing?

Although many of President Trump's supporters hope Vice President Mike Pence will deliver the commander-in-chief a hail mary win by rejecting electoral results from states where major voter fraud occurred, a report claims that Pence told the president he doesn't believe he has the power to do so.

A source [told *The New York Times*](#) (which has earned a reputation as an anti-Trump publication) that Pence said in a conversation with President Trump that he "did not believe he had the power to block congressional certification of Joseph R. Biden Jr.'s victory in the presidential election."



AP Images

The comment was reportedly made on Tuesday, just one day before Congress is set to certify the 50 states' slates of electors — slates that would hand the White House over to Joe Biden and Kamala Harris.

The *Times* reported that the vice president is trying to play a delicate balancing act between his views on the matter and President Trump's expectation that he will reject the electors:

Even as he sought to make clear that he does not have the power Mr. Trump seems to think he has, Mr. Pence also indicated to the president that he would keep studying the issue up until the final hours before the joint session of Congress begins at 1 p.m. Wednesday, according to the people briefed on their conversation.

One option being considered, according to a person close to Mr. Trump, was having Mr. Pence acknowledge the president's claims about election fraud in some form during one or more of the Senate debates about the results from particular states before the certification. Mr. Pence will preside over those debates.

The conversation between president and vice president reportedly came after President Trump tweeted on Tuesday morning that Pence can reject electors.

The Vice President has the power to reject fraudulently chosen electors.

— Donald J. Trump (@realDonaldTrump) [January 5, 2021](#)

Yet in a statement published later on Tuesday, President Trump denied that such a conversation took place, calling reports about the exchange "fake news."



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“He never said that,” the statement read. “The Vice President and I are in total agreement that the Vice President has the power to act.”

If Pence were unable to carry out his duties during the counting of the electoral votes on Wednesday, that responsibility would fall on Senator Chuck Grassley (R-Iowa) as President Pro Tempore of the Senate.

Some confusion took place Tuesday morning when Senator Grassley was quoted saying that he would be the one presiding over the certification, and not Vice President Pence, because “we don’t expect him to be there.”

Aides for Senator Grassley later said he was suggesting a hypothetical, should Pence step out for a break some time during the session.

Jay Sekulow, one of the president’s personal lawyers, appeared to shoot down the possibility of Pence reversing the present election outcome as he spoke on a radio program Tuesday.

“Some have speculated that the vice president could simply say, ‘I’m not going to accept these electors,’ that he has the authority to do that under the Constitution. I actually don’t think that’s what the Constitution has in mind,” Sekulow said.

“If that’s the case, any vice president could refuse any election,” he added. “It’s more of a ministerial procedural function.”

It’s expected that there will be debate regarding the electors. It only takes one member of each chamber of Congress to initiate a debate, and Representative Mo Brooks (R-Ala.) signaled that he will do so in the lower chamber; Senator Josh Hawley (R-Mo.) will join him in the Senate.

On Wednesday morning, Representative Brooks [spoke](#) to a large crowd of Trump supporters near the White House.

“We’re going to stop them,” Brooks said. “We have definitely had some setbacks with what happened in November. We had some setbacks with what happened last night in Georgia [a reference to the projected losses of both Republicans in the Senate runoff, which will give Democrats control of the chamber].

“But we are not going to let the socialists rip the heart out of our country. We are not going to let them continue to corrupt our elections and steal from us our God-given right to control our nation’s destiny.”

Millions of Americans are behind President Trump and allies such as Mo Brooks. But with a Democrat majority in the House of Representatives and most Republicans in the Senate signaling they will not object to the electoral count, the president’s chances appear slim.

No matter what happens, the battle for our Republic is far from over. There are many ways in which we can, and must, [continue to fight back](#).



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