

Intelligence and Interagency
Coordination Division

Special Event Assessment

21-A-0468

December 16, 2020

Joint Session of Congress – Electoral College Vote Certification

Bottom Line Up Front:

- On Wednesday, January 6, 2021, the 117th United State Congress will gather for a joint session in the chamber of the House of Representatives to certify the counting of the electoral votes.
- There is a trio of representatives who plan to challenge the votes during this session. However, the challenge will only move forward if a Republican senator agrees to cosign such objection.ⁱ As of publication, there is no information to indicate a senator is going to cosign an objection during the sessionⁱⁱ and senators have been warned by Senate Majority Leader Mitch McConnell to not to further challenge the election results.ⁱⁱⁱ
- The Intelligence and Interagency Coordination Division is currently tracking two protests slated to take place on Capitol grounds on January 6, 2021, they are one by the pro-Trump group Patriots United and the other pro-Biden group I Approve This Message.

Event Summary:

On Wednesday, January 6, 2021, the 117th United State Congress will gather for a joint session in the chamber of the House of Representatives to certify the counting of the electoral votes. The President of the Senate, Vice President of the United States (VPOTUS) Michael Pence, is the presiding officer. If a senator and a representative jointly submit an objection, each would retire to its chamber to consider it. The President and Vice President must achieve a majority of electoral votes (i.e., at least 270 votes) to be elected. In the absence of a majority, the House selects the President, and the Senate selects the Vice President.^{iv}

- Analyst Comment:* Representative Mo Brooks (R-AL) along with Representative Elect Barry Moore (R-AL),^{v vi vii} and Representative Marjorie Taylor Greene (R-GA) plan to challenge the Electoral College votes when Congress officially certifies Joe Biden's victory on January 6, 2021, as long as a Senate Republican joins them in the long-shot effort.^{viii ix} Along with this trio of Representatives, Representative Jim Jordan (R-OH)^x, Representative Matt Gaetz (R-FL)^{xi} and Representative Louie Gohmert (R-TX) may also support an objection to the results on the House floor.^{xii}

At the time of this report, only Senator Rand Paul (R-KY) and Senator Ron Johnson (R-WI)

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have not ruled out filing an objection to the electoral votes,^{xiii} however, Senate Majority Leader has warned the Senate of taking such an action.^{xiv}

It should be noted that all 538 electors met Monday, December 14, 2020, in their respective states to cast their votes for President based on the election results that were certified by all 50 states and Washington, D.C. It was California's 55 electoral votes that pushed President-Elect Joseph Biden over the 270 threshold needed to win shortly after 5 p.m. EST^{xv}

On Tuesday, December 15, 2020, Senate Majority Leader Mitch McConnell (R-KY) officially recognized Joseph Biden as the President-Elect, the day after the Electoral College certified the votes.^{xvi}

Members Attending:

At the time of this report, all of the Congressional leadership have been invited to this event; however, there have been no confirmations as to who may be in attendance. It should be expected the majority of the leadership will be present.

Threat Analysis:

- **Member Threats:**

At this time there are no specific known threats related to the Joint Session of Congress – Electoral College Vote Certification.

The following are current for the 116th Congress^{xvii}:

Speaker of the House Nancy Pelosi has been the subject of one thousand four hundred eleven (1,411) investigations for Directions of Interest and the subject of ninety (90) investigations for Threats, none of which appear to be directly connected to this event.

Senate President Pro Tempore Charles Grassley has been the subject of one (1) investigation for Directions of Interest and the subject of zero (0) investigations for Threats none of which appear to be directly connected to this event.

House Majority Leader Steny Hoyer has been the subject of twelve (12) investigations for Directions of Interest and the subject of two (2) investigations for Threats, none of which appear to be directly connected to this event.

Senate Majority Leader Mitch McConnell has been the subject of one thousand one hundred seventeen (1,117) investigations for Directions of Interest and the subject of seventy three (73) investigations for Threats, none of which appear to be directly connected to this event.

House Minority Leader Kevin McCarthy has been the subject of twenty three (23) investigations for Directions of Interest and the subject of four (4) investigations for Threats, none of which appear to be directly connected to this event.

Senate Minority Leader Charles Schumer has been the subject of one hundred ninety four (194) investigations for Directions of Interest and the subject of twenty (20) investigations for Threats, none of which appear to be directly connected to this event.

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House Majority Whip James Clyburn has been the subject of fourteen (14) investigations for Directions of Interest and the subject of zero (0) investigations for Threats, none of which appear to be directly connected to this event.

Senate Majority Whip John Thune has been the subject of twenty three (23) investigations for Directions of Interest and the subject of one (1) investigation for Threats, none of which appear to be directly connected to this event.

House Minority Whip Steve Scalise has been the subject of one hundred eleven (111) investigations for Directions of Interest and the subject of zero (0) investigations for Threats, none of which appear to be directly connected to this event.

Senate Minority Whip Dick Durbin has been the subject of forty seven (47) investigations for Directions of Interest and the subject of two (2) investigations for Threats, none of which appear to be directly connected to this event.

- **Persons of Interest:**

Per the USCP-TAS, at this time there are no Persons of Interest related to the Joint Session of Congress – Electoral College Vote Certification. The USCP – Investigations Division: Persons of Interest sheet which is published weekly can be referenced as needed.

- **Organizational / Group Threats:**

At this time there is no information to indicate any type of violence or civil unrest will be associated with the Joint Session of Congress – Electoral College Vote Certification.

Demonstrations:

At this time there are two known demonstration as it relates to this event, the following are the details:

Donald, You're Fired March on DC^{xviii}

Location: U.S. Capitol to White House

Date: January 6, 2021

Time: 1200 – 1500 hours

Organizer: I Approve This Message

Attendance: Unknown

Description: On January 6th, 2021, at 12:00 p.m. Eastern Time, We, the People will convene at the steps of the United States Capitol to witness this momentous occasion. Upon the declaration the results of the 2020 elections, held on November 3rd, 2020, We the People will proceed, peacefully and safely, from the Capitol Building to the White House to deliver the message to Mr. Trump, "Donald, You're Fired!"

Patriots United March

Location: U.S. Capitol (exact location TBD)

Date: January 6, 2021

Time: 1200 hours

Organizer: Patriot Party and Pat King

Attendance: Unknown (approximately 350 going or interested in going)

Description: Congress meets this day to confirm the electoral votes from the states. They must know that We, the People will not sit idly by without a full accounting for every legal vote cast on November 3rd. March for Election Integrity. March for the Constitution. March to Save America. Come to Washington and meet us at the base of the Capitol.

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Social Media Findings:

At the time of this report, there are NO social media indications for specific threats or concerning comments directed at the Joint Session of Congress – Electoral College Vote Certification.

IICD Overall Analysis:

IICD has found no information regarding specific disruptions or acts of civil disobedience targeting this function. Due to the tense political environment following the 2020 election, the threat of disruptive actions or violence cannot be ruled out. Actions of individuals or small groups are generally not broadcast publically making them impossible to detect.

Information Current as of 16 December 2020 @ 1400 hours

IICD will continue to monitor the situation, identify information gaps, and provide updates as needed.

For comments or questions related to the content or dissemination of this document, please contact the Intelligence and Interagency Coordination Division by phone at 202-224-9700.

Sources:

- ⁱ <https://abc13.com/what-happens-between-now-and-inauguration-day-2021-is-always-january-20-electoral-college-2020/7871286/>
- ⁱⁱ https://www.cnn.com/politics/live-news/electoral-college-vote-2020-biden-trump/h_53adeb1808c48467219908442e085cc8
- ⁱⁱⁱ <https://www.politico.com/news/2020/12/15/mcconnell-gop-election-results-445524>
- ^{iv} <https://www.archives.gov/files/electoral-college/state-officials/presidential-election-brochure.pdf>
- ^v <https://www.axios.com/republicans-electoral-college-objections-mo-brooks-953a318b-0b27-496d-973d-5936081af196.html>
- ^{vi} <https://www.breitbart.com/clips/2020/12/15/mo-brooks-trump-won-the-electoral-college-i-can-be-a-part-of-the-surrender-caucus-or-i-can-fight-for-our-country/>
- ^{vii} <https://www.facebook.com/LouDobbsTonight/videos/859625394825638/>
- ^{viii} <https://www.politico.com/newsletters/huddle/2020/12/02/the-gops-electoral-mischief-491033>
- ^{ix} https://www.theepochtimes.com/number-of-congress-members-planning-to-challenge-election-results-expected-to-grow_3610050.html
- ^x <https://www.cnn.com/2020/12/07/politics/house-republicans-trump-biden/index.html>
- ^{xi} <https://www.cbsnews.com/news/electoral-college-presidential-election-results-trump-challenge/>
- ^{xii} <https://www.seattletimes.com/nation-world/nation-politics/trump-allies-eye-long-shot-election-reversal-in-congress-testing-pence/?amp=1>
- ^{xiii} https://www.theepochtimes.com/mkt_app/2nd-senator-expresses-openness-to-filing-objection-to-electoral-results_3616320.html/amp?__twitter_impression=true
- ^{xiv} See *Supra* Note iii.
- ^{xv} <https://www.nbcnews.com/politics/2020-election/electoral-college-set-vote-make-biden-s-2020-victory-official-n1251076>
- ^{xvi} https://justthenews.com/politics-policy/elections/senate-majority-leader-mitch-mcconnell-acknowledges-biden-victory?utm_source=justthenews.com&utm_medium=feed&utm_campaign=external-news-aggregators
- ^{xvii} USCP-PSB WebRMS: 15 December 2020
- ^{xviii} <https://www.facebook.com/events/367108367838395/>