

Exclusive: Rep. Mo Brooks— Will the US House of Representatives Decide the Next President?

Based on the U.S. Constitution, there is a scenario in which the U.S. House of Representatives is the one that ultimately picks the next President, says Rep. Mo Brooks (R-Ala.). And each state would have only a single vote.

Rep. Brooks: In the United States Congress, we control who the President of the United States is. The courts do not. Federal courts, Supreme Court, they have a role in the process. For example, in the year 2000, Al Gore versus George Bush, when they ordered the poll workers in the state of Florida to use the same kind of chad checking system in all Florida counties, not have a different system in the Miami Broward County area versus the Panhandle, when it had to operate the same under equal protection grounds all across the state, that closed down their different counting system in Broward County and in Dade County, and surrounding areas. And that resulted in Florida certifying the state of Florida as having been won by George Bush.

However, the ultimate say over whether to accept or reject those electoral college votes—in that instance, in Florida; now, for any state—is not a court’s job. It is Congress’s job. Under Article I, Article II, Amendment XII of the United States Constitution, coupled with federal statutes that govern this issue, the United States Congress has the absolute right to reject the submitted electoral college votes of any state which we believe has such a shoddy election system that you can’t trust the election results that those states are submitting to us, that they’re suspect.

And I'm not going to put my name in support of any state that employs an election system that I don't have confidence in, and I'd go through the top two or three states that I mentioned a while ago that I lacked confidence, that the returns that they're being reported accurately reflect lawful votes by eligible American citizens.

Now, how do you do that in the United States Congress? On January 6, at 1 p.m. Eastern time, the 50 states will report to Congress, the President of the Senate will preside over this meeting, will report to Congress what they contend are their electoral college results in their state. If a house member and a senator objects to the submission of electoral college votes by any state that immediately triggers a house floor vote and a senate floor vote on whether to accept or reject those electoral college votes submitted by that particular state.

The amount of debate on the House and Senate floor is limited to two hours under federal law, and if we reject those electoral college votes, then they're taken out of the mix. If the election process problems are so great that after subtracting the electoral college votes of states that are running a poor election system, a system so suspect that you can't give credibility to the results that are being reported, then the United States Constitution mandates that Congress determine who the next president and vice president of the United States will be.

Under Article I, Article II and Amendment XII of the United States Constitution, the House of Representatives will be the body that determines who is President of the United States, the vice president will be determined by the United States Senate, and they can even be members of different parties if that's the will of the House and the Senate.

Now, in the House, there's a little bit of a twist. It's not a majority of 435 congressmen that determines who the President of the United States will be, rather it is a majority of the state delegations that determines who the President of the United States will be. That being the case, based on the election we just had a couple of weeks ago, the Republicans control 26 state delegations, the Democrats controlled 20 state delegations, with the remainder being tied with the possible exception of Iowa. There's an uncalled Iowa House race.

If that is called in favor of the GOP candidate who's up, last I saw, about 47 votes, then there will be 27 state delegations that have a majority of their members being Republican, hence the house would be in a position to elect a Republican to the White House based on what we saw a couple of weeks ago on Election Day earlier in November, on November 3.

I don't know who the Senate would elect as the vice president. That would be up to them but that's the process that is embedded in the United States Constitution, should no candidate get a majority of the electoral college vote, either because there's a tie or because there are so many candidates—as was the case in 1824 where there were four candidates that split the vote so no one got a majority, and the House then elected the second place finisher John Quincy Adams to be President of the United States over Andrew Jackson who came in first—or should it be the case that you've discounted electoral college votes such that no candidate for President of the United States got the magic number of 270, which is a majority of the Electoral College.

Rep. Brooks: What we can do is what I described earlier. Congress can interject itself. They have the statutory authority under federal law, they have the constitutional authority under the United States Constitution, because after all, we are the final judge as to whether to accept or reject electoral college votes, we are the final judge as to who got the majority of the electoral college votes, and if nobody did, we are the body that elects the next President of the United States in the House of Representatives and Vice President of the United States [in the] Senate.

So I can tell you what my position is going to be: I am not going to accept the electoral college votes of states who I believe have such a poor election system that you cannot trust the votes that they report as being an accurate reflection of the will of the citizens of those states. That's what I'm going to do.

If the rest of the Congress joins with me in that regard, then that would force the election onto the House floor for the President of the United States and the Senate floor for the election of the Vice President of the United States.

But the only way to force these states to do a better job is to kick them once or twice, and if you reject their electoral college votes, that's a

pretty strong message that you better straighten up and come up with a better election system with more safeguards, more security, than you have right now.

Mr. Jekielek: Any final thoughts before we finish up?

Rep. Brooks: Thank you for interviewing me in this regard. I hope the American people will pay more attention because our republic is at stake. Whether we are able to improve our election processes is ultimately dependent on the American people electing congressmen, senators, presidents, legislators, governors, judges, who have as their first priority an election system that is honest and accurate.

Mr. Jekielek: Congressman Mo Brooks, such a pleasure to have you on again.

Rep. Brooks: Pleasure's all mine. Thank you.

This interview has been edited for clarity and brevity.

Link to 28 minute video on Epoch Times:

[Will the House of Representatives Decide the Next President?](#)