

Electoral College Deadlines Not Set in Stone

Illegal conduct by state and local officials during the election process can alter the deadlines for choosing electors.

By [Just the News staff](#)

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The Amistad Project of the non-partisan Thomas More Society released a white paper on Friday making the case that current Electoral College deadlines are arbitrary and not set in stone, contrary to what most news outlets have reported.

The white paper says that these deadlines — Dec. 8 for disputes to be resolved and Electors to be determined, and Dec. 14 for the Electoral College to meet in person and vote in their respective states — are a "direct impediment to states' obligations to investigate disputed elections."

According to the Amistad Project [press release](#), the paper examines the history of Electoral College deadlines, which "are not only elements of a 72-year old federal statute with zero Constitutional basis, but are also actively preventing the states from fulfilling their constitutional — and ethical — obligation to hold free and fair elections. Experts believe that the primary basis for these dates was to provide enough time to affect the presidential transition of power, a concern which is fully obsolete in the age of internet and air travel."

Phill Kline, the director of the Amistad Project, argues in this paper that the Dec. 8 "safe harbor" deadline does not apply when there have been "flagrant violations of state election laws" that have "affected the outcome of the popular vote."

The Amistad Project has filed litigation in several of the swing states, where they argue that "more than 1.2 million potentially fraudulent ballots" were the result of illegal conduct by state and local officials. They say that in each of the disputed swing states "the number of potentially fraudulent ballots far exceeds the margin separating the leading presidential candidate."

According to the white paper, the only date in the election process set by the Constitution is "the assumption of office by the President on January 20."

"Because the U.S. Constitution places ultimate authority for designating presidential Electors in the hands of state legislatures," the paper argues, "it is the responsibility of the people's elected representatives to judge the relevant facts and appoint an appropriate slate of Electors, subject only to the sole deadline set forth in the U.S. Constitution — 12:00 noon on January 20, 2021."