

July 12, 2022

The Honorable John H. Merrill Secretary of State
Executive Division
State Capitol Building - Suite S-105 600 Dexter
Avenue
Montgomery, AL 36130

Sent via email: John.Merrill@sos.alabama.gov

Dear Mr. Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental

change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

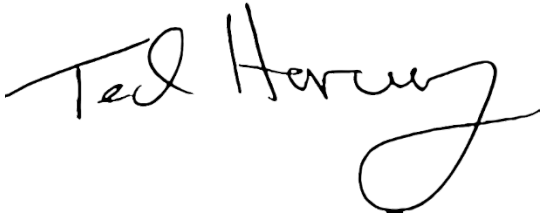
In Alabama, no candidate can be balloted unless they are “qualified for the office they seek.” While the Attorney General has opined that the Secretary need not routinely investigate candidates’ qualifications, the Secretary certainly *may* do so consistent with the Code of Alabama. The arguments against investigating a candidate’s constitutional ineligibility are particularly weak where the evidence establishing a candidate is constitutionally unqualified is submitted far in advance of the general election.

Furthermore, the congressional act that readmitted Alabama (and several other states) to the Union provided, as an express condition, that “no person prohibited from holding office under the United States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment.” The same logic applies to an insurrectionist barred from federal office.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Gail Fenumiai Director of Elections
Division of Elections Court Plaza
Building
240 Main Street, 4th Floor Juneau, AK 99801

Sent via email: gail.fenumiai@alaska.gov

Dear Ms. Fenumiai,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters,¹ Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”⁵
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”⁶
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and

¹ The facts underlying the BLM riots and violence are so well-known as not to require repetition here.

² <https://thepostmillennial.com/flashback-kamala-harris-said-blm-protests-of-2020-should-not-let-up>.

³ <https://www.foxnews.com/politics/flashback-kamala-harris-nationwide-protests-not-going-to-stop>.

⁴ *Id.*

⁵ <https://www.the-sun.com/news/1536799/kamala-harris-backlash-praising-black-lives-matter-protests/>.

⁶ <https://nypost.com/2020/09/26/kamala-harris-blasted-for-praising-blm-as-essential-and-brilliant-amid-violence/>.

added “[t]hese movements provide a counterforce to get us to where we need to be.”⁷ Harris said that protests “are the catalyst to getting there.”⁸

- Vice President Harris believes these violent, destructive protest were “necessary”⁹
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”¹⁰

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd.¹¹ Vice President Harris’s failure to condemn the violence is tacit support of it.¹²

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”).¹³ The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder).¹⁴ While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters.¹⁵ Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”¹⁶

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets.¹⁷ While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could

⁷ <https://www.hollywoodreporter.com/news/politics-news/kamala-harris-lack-news-coverage-black-lives-matter-protests-1299205/#>!

⁸ *Id.*

⁹ <https://nypost.com/2020/09/26/kamala-harris-blasted-for-praising-blm-as-essential-and-brilliant-amid-violence/>; <https://www.foxnews.com/politics/kamala-harris-bl-m-protests-louisville>.

¹⁰ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/>.

¹¹ Harris said everyone should take note that protests are not going to let up and they should not. These protests that Harris spoke of were responsible for an estimated \$1 - \$2 billion in property damage and dozens of deaths. <https://pjmedia.com/news-and-politics/matt-margolis/2021/01/07/kamala-harris-called-riots-a-movement-last-summer-said-they-should-not-stop-n1310640>.

¹² <https://pjmedia.com/news-and-politics/matt-margolis/2021/01/07/kamala-harris-called-riots-a-movement-last-summer-said-they-should-not-stop-n1310640> (“Kamala Harris didn’t condemn the BLM riots that plagued cities nationwide like Portland, Minnesota, Seattle, Atlanta, Chicago, and Kenosha until polling suggested that they needed to.”). This is contrary to Harris’ statements immediately following the events of January 6th. <https://www.shethepeople.tv/news/vice-president-elect-kamala-harris-condemns-capitol-hill-attack-on-twitter/> (tweeting that “‘I join President-elect @JoeBiden in calling for the assault on the Capitol and our nation’s public servants to end,’ and as he said, ‘allow the work of democracy to go forward’”); <https://nypost.com/2022/01/06/kamala-harris-slammed-for-comparing-jan-6-riot-to-9-11-and-pearl-harbor/> (Harris comparing the events of January 6th to the attacks on 9/11 and on Pearl Harbor).

¹³ <https://www.ibtimes.sg/did-kamala-harris-help-violent-demonstrators-get-bail-during-george-floyd-protests-55652>.

¹⁴ <https://www.the-sun.com/news/1520376/black-lives-matter-bail-criminals-kamala-harris/>.

¹⁵ *Id.*

¹⁶ <https://www.washingtonexaminer.com/news/kamala-harris-ripped-for-flip-flopping-on-rioters-after-she-asked-for-donations-to-bail-them-out-of-jail>; <https://townhall.com/tipsheet/katiepavlich/2020/08/31/reminder-kamala-harris-raised-money-to-bail-out-violent-protestors-n2575354>.

¹⁷ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/> (“This past weekend, I joined thousands of protestors in Washington, D.C. as we marched through the streets to demand justice for George Floyd. . . .”).

foreseeably turn violent, and did, in fact, turn violent.¹⁸

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States,¹⁹ Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”²⁰

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities,²¹ and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in

¹⁸ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/>; <https://thehill.com/homenews/news/500299-protestors-knock-down-white-house-securitys-barricade-as-tensions-mount-over/>.

¹⁹ E.g., <https://www.thenation.com/article/politics/madison-cawthorn-ballot/> (Madison Cawthorn allegedly engaged in insurrection after taking his oath of office); <https://www.rawstory.com/marjorie-taylor-greene-oath/> (Marjorie Greene allegedly engaged in insurrection after taking her oath of office).

²⁰ 16 Am. Jur. 2d Constitutional Law § 103.

²¹ See *Madison Cawthorn v. Barbara Lynn Amalfi, et al.*, United States Court of Appeals for the Fourth Circuit, No. 22-1251 (May 24, 2022) (“We hold only that the 1872 Amnesty Act does not categorically exempt all future rebels and insurrectionists from the political disabilities that otherwise would be created by Section 3 of the Fourteenth Amendment.”).

1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.²²

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.”²³ Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen,²⁴ who is underage,²⁵ or who has previously been elected twice as president,²⁶ so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S. Constitution.²⁷ Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.²⁸

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support.²⁹ No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.³⁰

In Alaska, the qualification and eligibility of a candidate for public office is subject to verification by the Alaska director of elections.³¹ The regulations specifically provide that the director may consider “candidate qualifications

²² See *Powell v. McCormack*, 395 U.S. 486, 521 n. 41 (1969) (noting in dictum that section 3 arguably imposes a “qualification” for office).

²³ *Hassan v. Colorado*, 495 Fed. App’x 947, 948 (10th Cir. 2012) (Gorsuch, J.), *aff’d* 870 F. Supp. 2d 1192 (D. Colo. 2012) (upholding state requirement that presidential candidates affirm that they meet constitutional qualifications for office, including natural-born citizen requirement).

²⁴ See Derek T. Muller, “Natural Born” Disputes in the 2016 Presidential Election, 85 Fordham L. Rev. 1097, 1110 (2016) (noting that “[w]hen election administrators heard [such] eligibility challenges, they often asserted jurisdiction,” though in the 2016 election, administrators rejected those challenges on the merits).

²⁵ See *Peace & Freedom Party v. Bowen*, 750 F. 3d 1061 (9th Cir. 2014) (upholding state officials’ rejection of underage candidates); *Socialist Workers Party of Illinois v. Ogilvie*, 357 F. Supp. 109, 112 (N.D. Ill. 1972) (same).

²⁶ See U.S. Const. amend. XXII, § 1.

²⁷ See *Williams v. Rhodes*, 393 U.S. 23, 29 (1968).

²⁸ See *Ex parte Virginia*, 100 U.S. 339, 347 (1879) (“A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way.”).

²⁹ U.S. Const., art. VI, cl. 2-3.

³⁰ In fact, notwithstanding any contrary statement of state law, the U.S. Constitution trumps any state law that would ostensibly require you to approve or certify an insurrectionist as a valid candidate for federal office. No state authority, including the state legislature or even the state constitution, could compel a state official to violate the U.S. Constitution. “[A]ny conflicting obligations” of state law “must give way” to federal law when there is a conflict. *Washington v. Wash. State Comm’l Passenger Fishing Vessel Ass’n*, 443 U.S. 658, 691-92 (1979). Any state law that purports to require you to misuse your official powers to aid a constitutionally ineligible insurrectionist in obtaining office must give way to the 14th Amendment.

³¹ Alaska Stat. § 15.25.042; *State v. Alaska Democratic Party*, 426 P.3d 901, 905. (Alaska 2018).

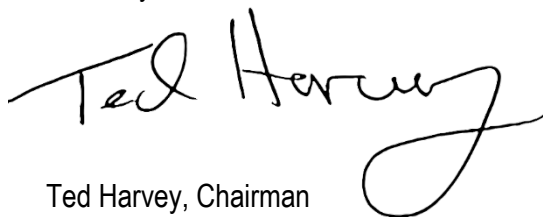
established by the United States Constitution.”³² Although this issue normally arises *after* the candidate has filed a declaration of candidacy or nominating petition, the regulations also provide that “[n]othing in this section limits the authority of the director to evaluate a candidate’s eligibility for office.”³³

While the Alaska Constitution’s prohibition forbidding any person “who advocates, or who aids or belongs to any party or organization or association which advocates, the overthrow by force or violence of the government of the United States” from holding public office³⁴ does not apply of its own force to presidential candidates, it reinforces the basic principle that state officials have an important role in protecting the ballot from insurrectionists who are ineligible under the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

³² 6 Alaska Admin. Code § 25.260(c).

³³ *Id.* § 25.260(j).

³⁴ Alaska Const. Art. XII, § 4.

July 12, 2022

The Honorable Katie Hobbs
Secretary of State
Office of the Secretary of State
1700 W. Washington St., Fl. 7
Phoenix, AZ 85007-2808

Sent via email: khobbs@azsos.gov, ABones@azsos.gov, and bdul@azsos.gov

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States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

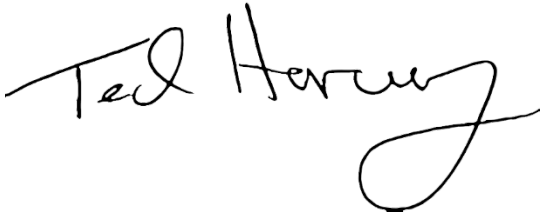
Under Arizona law, candidates are required to swear to their qualification for the office they seek. The Arizona Secretary of State is required only to certify those candidates who are “qualified for the presidential preference election ballot.”

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now.

Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable John Thurston
Secretary of State
Arkansas Secretary of State
State Capitol, Suite 256
500 Woodlane Street
Little Rock, AR 72201

Sent via email: electionsemail@sos.arkansas.gov

Dear Mr. Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters,¹ Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.²
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added).³ Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”⁴
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”⁵
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”⁶
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal

¹ The facts underlying the BLM riots and violence are so well-known as not to require repetition here.

² <https://thepostmillennial.com/flashback-kamala-harris-said-blm-protests-of-2020-should-not-let-up>.

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⁴ *Id.*

⁵ <https://www.the-sun.com/news/1536799/kamala-harris-backlash-praising-black-lives-matter-protests/>.

⁶ <https://nypost.com/2020/09/26/kamala-harris-blasted-for-praising-blm-as-essential-and-brilliant-amid-violence/>.

justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.”⁷ Harris said that protests “are the catalyst to getting there.”⁸

- Vice President Harris believes these violent, destructive protest were “necessary”⁹
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”¹⁰

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd.¹¹ Vice President Harris’s failure to condemn the violence is tacit support of it.¹²

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”).¹³ The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder).¹⁴ While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters.¹⁵ Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”¹⁶

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets.¹⁷ While Harris may not have actually participated in or

⁷ <https://www.hollywoodreporter.com/news/politics-news/kamala-harris-lack-news-coverage-black-lives-matter-protests-1299205/#>

⁸ *Id.*

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¹³ <https://www.ibtimes.sg/did-kamala-harris-help-violent-demonstrators-get-bail-during-george-floyd-protests-55652>.

¹⁴ <https://www.the-sun.com/news/1520376/black-lives-matter-bail-criminals-kamala-harris/>.

¹⁵ *Id.*

¹⁶ <https://www.washingtonexaminer.com/news/kamala-harris-ripped-for-flip-flopping-on-rioters-after-she-asked-for-donations-to-bail-them-out-of-jail>; <https://townhall.com/tipsheet/katiepavlich/2020/08/31/reminder-kamala-harris-raised-money-to-bail-out-violent-protestors-n2575354>.

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specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.¹⁸

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States,¹⁹ Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”²⁰

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities,²¹ and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added

¹⁸ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/>; <https://thehill.com/homenews/news/500299-protestors-knock-down-white-house-securitys-barricade-as-tensions-mount-over/>.

¹⁹ E.g., <https://www.thenation.com/article/politics/madison-cawthorn-ballot/> (Madison Cawthorn allegedly engaged in insurrection after taking his oath of office); <https://www.rawstory.com/marjorie-taylor-greene-oath/> (Marjorie Greene allegedly engaged in insurrection after taking her oath of office).

²⁰ 16 Am. Jur. 2d Constitutional Law § 103.

²¹ See *Madison Cawthorn v. Barbara Lynn Amalfi, et al.*, United States Court of Appeals for the Fourth Circuit, No. 22-1251 (May 24, 2022) (“We hold only that the 1872 Amnesty Act does not categorically exempt all future rebels and insurrectionists from the political disabilities that otherwise would be created by Section 3 of the Fourteenth Amendment.”).

an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.²²

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.”²³ Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen,²⁴ who is underage,²⁵ or who has previously been elected twice as president,²⁶ so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S. Constitution.²⁷ Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.²⁸ The Constitution is “the supreme Law of the Land,” which you have taken an oath to support.²⁹ No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.³⁰

In Arkansas, no candidate can be balloted “unless the person is qualified and eligible at the time of filing, or as otherwise may be provided by law, as a candidate for the office to hold the public office for which he or she is a

²² See *Powell v. McCormack*, 395 U.S. 486, 521 n. 41 (1969) (noting in dictum that section 3 arguably imposes a “qualification” for office).

²³ *Hassan v. Colorado*, 495 Fed. App’x 947, 948 (10th Cir. 2012) (Gorsuch, J.), *aff’d* 870 F. Supp. 2d 1192 (D. Colo. 2012) (upholding state requirement that presidential candidates affirm that they meet constitutional qualifications for office, including natural-born citizen requirement).

²⁴ See Derek T. Muller, “Natural Born” Disputes in the 2016 Presidential Election, 85 Fordham L. Rev. 1097, 1110 (2016) (noting that “[w]hen election administrators heard [such] eligibility challenges, they often asserted jurisdiction,” though in the 2016 election, administrators rejected those challenges on the merits).

²⁵ See *Peace & Freedom Party v. Bowen*, 750 F. 3d 1061 (9th Cir. 2014) (upholding state officials’ rejection of underage candidates); *Socialist Workers Party of Illinois v. Ogilvie*, 357 F. Supp. 109, 112 (N.D. Ill. 1972) (same).

²⁶ See U.S. Const. amend. XXII, § 1.

²⁷ See *Williams v. Rhodes*, 393 U.S. 23, 29 (1968).

²⁸ See *Ex parte Virginia*, 100 U.S. 339, 347 (1879) (“A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way.”).

²⁹ U.S. Const., art. VI, cl. 2-3.

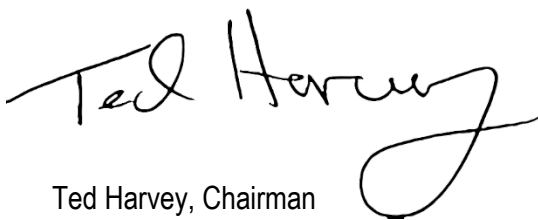
³⁰ In fact, notwithstanding any contrary statement of state law, the U.S. Constitution trumps any state law that would ostensibly require you to approve or certify an insurrectionist as a valid candidate for federal office. No state authority, including the state legislature or even the state constitution, could compel a state official to violate the U.S. Constitution. “[A]ny conflicting obligations” of state law “must give way” to federal law when there is a conflict. *Washington v. Wash. State Comm’l Passenger Fishing Vessel Ass’n*, 443 U.S. 658, 691-92 (1979). Any state law that purports to require you to misuse your official powers to aid a constitutionally ineligible insurrectionist in obtaining office must give way to the 14th Amendment.

candidate.”³¹ Arkansas emphatically does *not* leave the determination of constitutional eligibility to political parties.³² Consequently, it lies to the Secretary—a mandatory defendant in any eventual action challenging candidate eligibility³³—to assess this issue in the first instance.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

³¹ Ark. Code Ann. § 7-5-207(b).

³² See *Ivy v. Republican Party of Arkansas*, 883 S.W.2d 805, 806, 318 Ark. 50, 52 (Ark. 1994); *Irby v. Barrett*, 204 Ark. 682, 690, 163 S.W.2d 512, 515 (Ark. 1942).

³³ See *Willis v. Cir. Ct. of Phillips Cty.*, 27 S.W.3d 372, 374, 342 Ark. 128, 130 (Ark. 2000).

July 12, 2022

The Honorable Shirley N. Weber
Secretary of State
California Secretary of State
1500 11th Street
Sacramento, CA 95814

Sent via email: secretary.weber@sos.ca.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters,¹ Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.²
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added).³ Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”⁴
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”⁵
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”⁶
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and

¹ The facts underlying the BLM riots and violence are so well-known as not to require repetition here.

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added “[t]hese movements provide a counterforce to get us to where we need to be.”⁷ Harris said that protests “are the catalyst to getting there.”⁸

- Vice President Harris believes these violent, destructive protest were “necessary”⁹
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”¹⁰

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd.¹¹ Vice President Harris’s failure to condemn the violence is tacit support of it.¹²

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”).¹³ The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder).¹⁴ While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters.¹⁵ Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”¹⁶

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets.¹⁷ While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could

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foreseeably turn violent, and did, in fact, turn violent.¹⁸

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States,¹⁹ Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”²⁰

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities,²¹ and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in

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1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.²²

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.”²³ Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen,²⁴ who is underage,²⁵ or who has previously been elected twice as president,²⁶ so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S. Constitution.²⁷ Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.²⁸

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support.²⁹ No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.³⁰

In California, the Secretary of State has long understood that constitutionally ineligible candidates should not be placed on the presidential ballot. Although California law normally requires the Secretary to ballot any candidates that are “recognized candidates throughout the nation or

²² See *Powell v. McCormack*, 395 U.S. 486, 521 n. 41 (1969) (noting in dictum that section 3 arguably imposes a “qualification” for office).

²³ *Hassan v. Colorado*, 495 Fed. App’x 947, 948 (10th Cir. 2012) (Gorsuch, J.), *aff’d* 870 F. Supp. 2d 1192 (D. Colo. 2012) (upholding state requirement that presidential candidates affirm that they meet constitutional qualifications for office, including natural-born citizen requirement).

²⁴ See Derek T. Muller, “Natural Born” Disputes in the 2016 Presidential Election, 85 Fordham L. Rev. 1097, 1110 (2016) (noting that “[w]hen election administrators heard [such] eligibility challenges, they often asserted jurisdiction,” though in the 2016 election, administrators rejected those challenges on the merits).

²⁵ See *Peace & Freedom Party v. Bowen*, 750 F. 3d 1061 (9th Cir. 2014) (upholding state officials’ rejection of underage candidates); *Socialist Workers Party of Illinois v. Ogilvie*, 357 F. Supp. 109, 112 (N.D. Ill. 1972) (same).

²⁶ See U.S. Const. amend. XXII, § 1.

²⁷ See *Williams v. Rhodes*, 393 U.S. 23, 29 (1968).

²⁸ See *Ex parte Virginia*, 100 U.S. 339, 347 (1879) (“A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way.”).

²⁹ U.S. Const., art. VI, cl. 2-3.

³⁰ In fact, notwithstanding any contrary statement of state law, the U.S. Constitution trumps any state law that would ostensibly require you to approve or certify an insurrectionist as a valid candidate for federal office. No state authority, including the state legislature or even the state constitution, could compel a state official to violate the U.S. Constitution. “[A]ny conflicting obligations” of state law “must give way” to federal law when there is a conflict. *Washington v. Wash. State Comm’l Passenger Fishing Vessel Ass’n*, 443 U.S. 658, 691-92 (1979). Any state law that purports to require you to misuse your official powers to aid a constitutionally ineligible insurrectionist in obtaining office must give way to the 14th Amendment.

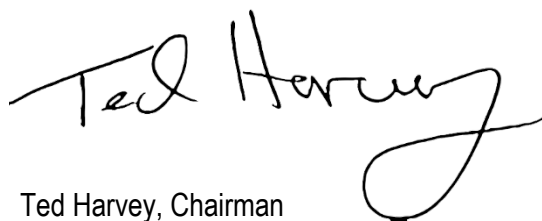
throughout California for the office of President of the United States,”³¹ the Secretary’s longstanding practice, upheld in court, is to exclude constitutionally ineligible candidates. For example, in both 1968 and 2012, the Secretary excluded candidates who were below the age of thirty-five; both candidates challenged their exclusion, and both state and federal courts upheld their exclusion.³²

Furthermore, while the Election Code’s provision that “[n]o party shall be recognized or qualified to participate in a presidential general election that either directly or indirectly carries on, advocates, teaches, justifies, aids, or abets the overthrow by any unlawful means of, or that directly or indirectly carries on, advocates, teaches, justifies, aids, or abets a program of sabotage, force and violence, sedition or treason against, the government of the United States”³³ does not apply of its own force here, it reinforces the basic principle that state officials have an important role in protecting the ballot from insurrectionists who are ineligible under the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly distinguishable.

Ted Harvey, Chairman
Committee to Defeat the President

³¹ Cal. Const. art. 2, § 5(c); see also Cal. Elec. Code § 6340(a).

³² See *Peace & Freedom Party v. Bowen*, 912 F. Supp. 2d 905 (E.D. Cal. 2012), aff’d sub nom. *Lindsay v. Bowen*, 750 F.3d 1061 (9th Cir. 2014); *Cleaver v. Jordan*, 393 U.S. 810 (1968), as discussed in *Keyes v. Bowen*, 117 Cal. Rptr. 3d 207, 215 (Cal. Ct. App. 2010). The California Supreme Court’s recent decision in *Patterson v. Padilla*, 451 P.3d 1171, 1190, 254 Cal. Rptr. 3d 816, 839, 8 Cal. 5th 220, 249 (Cal. 2019), did not discuss (let alone cast doubt on) these cases or the underlying decisions by the Secretaries of State.

³³ Cal. Elec. Code § 5154.

July 12, 2022

The Honorable Jena Griswold
Secretary of State
Colorado Secretary of State
1700 Broadway, Suite 550
Denver CO 80290

Sent via email: elections@sos.state.co.us, administration@sos.state.co.us

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters,¹ Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.²
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added).³ Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”⁴
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”⁵
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”⁶
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and

¹ The facts underlying the BLM riots and violence are so well-known as not to require repetition here.

² <https://thepostmillennial.com/flashback-kamala-harris-said-blm-protests-of-2020-should-not-let-up>.

³ <https://www.foxnews.com/politics/flashback-kamala-harris-nationwide-protests-not-going-to-stop>.

⁴ *Id.*

⁵ <https://www.the-sun.com/news/1536799/kamala-harris-backlash-praising-black-lives-matter-protests/>.

⁶ <https://nypost.com/2020/09/26/kamala-harris-blasted-for-praising-blm-as-essential-and-brilliant-amid-violence/>.

added “[t]hese movements provide a counterforce to get us to where we need to be.”⁷ Harris said that protests “are the catalyst to getting there.”⁸

- Vice President Harris believes these violent, destructive protest were “necessary”⁹
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”¹⁰

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd.¹¹ Vice President Harris’s failure to condemn the violence is tacit support of it.¹²

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”).¹³ The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder).¹⁴ While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters.¹⁵ Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”¹⁶

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets.¹⁷ While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could

⁷ <https://www.hollywoodreporter.com/news/politics-news/kamala-harris-lack-news-coverage-black-lives-matter-protests-1299205/#>!

⁸ *Id.*

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¹¹ Harris said everyone should take note that protests are not going to let up and they should not. These protests that Harris spoke of were responsible for an estimated \$1 - \$2 billion in property damage and dozens of deaths. <https://pjmedia.com/news-and-politics/matt-margolis/2021/01/07/kamala-harris-called-riots-a-movement-last-summer-said-they-should-not-stop-n1310640>.

¹² <https://pjmedia.com/news-and-politics/matt-margolis/2021/01/07/kamala-harris-called-riots-a-movement-last-summer-said-they-should-not-stop-n1310640> (“Kamala Harris didn’t condemn the BLM riots that plagued cities nationwide like Portland, Minnesota, Seattle, Atlanta, Chicago, and Kenosha until polling suggested that they needed to.”). This is contrary to Harris’ statements immediately following the events of January 6th. <https://www.shethepeople.tv/news/vice-president-elect-kamala-harris-condemns-capitol-hill-attack-on-twitter/> (tweeting that “‘I join President-elect @JoeBiden in calling for the assault on the Capitol and our nation’s public servants to end,’ and as he said, ‘allow the work of democracy to go forward’”); <https://nypost.com/2022/01/06/kamala-harris-slammed-for-comparing-jan-6-riot-to-9-11-and-pearl-harbor/> (Harris comparing the events of January 6th to the attacks on 9/11 and on Pearl Harbor).

¹³ <https://www.ibtimes.sg/did-kamala-harris-help-violent-demonstrators-get-bail-during-george-floyd-protests-55652>.

¹⁴ <https://www.the-sun.com/news/1520376/black-lives-matter-bail-criminals-kamala-harris/>.

¹⁵ *Id.*

¹⁶ <https://www.washingtonexaminer.com/news/kamala-harris-ripped-for-flip-flopping-on-rioters-after-she-asked-for-donations-to-bail-them-out-of-jail>; <https://townhall.com/tipsheet/katiepavlich/2020/08/31/reminder-kamala-harris-raised-money-to-bail-out-violent-protestors-n2575354>.

¹⁷ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/> (“This past weekend, I joined thousands of protestors in Washington, D.C. as we marched through the streets to demand justice for George Floyd. . . .”).

foreseeably turn violent, and did, in fact, turn violent.¹⁸

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States,¹⁹ Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”²⁰

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities,²¹ and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in

¹⁸ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/>; <https://thehill.com/homenews/news/500299-protestors-knock-down-white-house-securitys-barricade-as-tensions-mount-over/>.

¹⁹ E.g., <https://www.thenation.com/article/politics/madison-cawthorn-ballot/> (Madison Cawthorn allegedly engaged in insurrection after taking his oath of office); <https://www.rawstory.com/marjorie-taylor-greene-oath/> (Marjorie Greene allegedly engaged in insurrection after taking her oath of office).

²⁰ 16 Am. Jur. 2d Constitutional Law § 103.

²¹ See *Madison Cawthorn v. Barbara Lynn Amalfi, et al.*, United States Court of Appeals for the Fourth Circuit, No. 22-1251 (May 24, 2022) (“We hold only that the 1872 Amnesty Act does not categorically exempt all future rebels and insurrectionists from the political disabilities that otherwise would be created by Section 3 of the Fourteenth Amendment.”).

1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.²²

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.”²³ Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen,²⁴ who is underage,²⁵ or who has previously been elected twice as president,²⁶ so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S. Constitution.²⁷ Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.²⁸

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support.²⁹ No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.³⁰

Colorado law provides that the Secretary of State may only ballot a presidential candidate who is a “bona fide candidate for president of the United States” and who submits a candidate’s statement of

²² See *Powell v. McCormack*, 395 U.S. 486, 521 n. 41 (1969) (noting in dictum that section 3 arguably imposes a “qualification” for office).

²³ *Hassan v. Colorado*, 495 Fed. App’x 947, 948 (10th Cir. 2012) (Gorsuch, J.), *aff’d* 870 F. Supp. 2d 1192 (D. Colo. 2012) (upholding state requirement that presidential candidates affirm that they meet constitutional qualifications for office, including natural-born citizen requirement).

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³⁰ In fact, notwithstanding any contrary statement of state law, the U.S. Constitution trumps any state law that would ostensibly require you to approve or certify an insurrectionist as a valid candidate for federal office. No state authority, including the state legislature or even the state constitution, could compel a state official to violate the U.S. Constitution. “[A]ny conflicting obligations” of state law “must give way” to federal law when there is a conflict. *Washington v. Wash. State Comm’l Passenger Fishing Vessel Ass’n*, 443 U.S. 658, 691-92 (1979). Any state law that purports to require you to misuse your official powers to aid a constitutionally ineligible insurrectionist in obtaining office must give way to the 14th Amendment.

intent.³¹ The Secretary's form for the statement of intent expressly requires the candidate to check three boxes asserting that the candidate is qualified for office, reflecting the three conditions of Article II, section 1 of the U.S. Constitution.³² The form further requires the candidate to "solemnly affirm" that he "meet[s] all qualifications for the office prescribed by law."³³

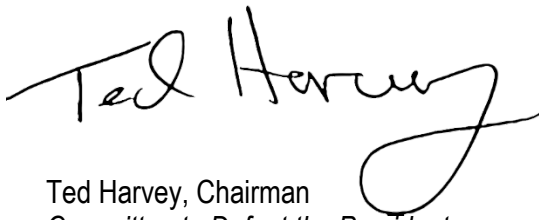
While this form neglects to specifically provide a checkbox for section 3 of the Fourteenth Amendment, that was likely simply a design decision due to the provision's rare applicability, and the catchall affirmation of "all qualifications for the office prescribed by law" includes the Fourteenth Amendment bar on insurrectionists. Furthermore, a candidate who is barred from federal office under the Fourteenth Amendment is not a "bona fide" candidate for president.

The Secretary's office has previously excluded an ineligible candidate. In 2011, the Director of the Elections Division wrote that the Secretary "is responsible for ensuring that only eligible candidates are placed on the ballot, and must give effect to . . . the qualifications for the office of President as outlined in the U.S. Constitution."³⁴ The Tenth Circuit ultimately upheld the Secretary's denial of ballot access in that case.³⁵

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end.

Ted Harvey, Chairman
Committee to Defeat the President

³¹ Colo. Rev. Stat. §§ 1-4-1204(1)(b)-(c).

³² Colo. Sec'y of State, *Major Party Candidate Statement of Intent for Presidential Primary*, <https://www.sos.state.co.us/pubs/elections/Candidates/files/MajorPartyCandidateStatementOfIntentForPresidentialPrimary.pdf>.

³³ *Id.*

³⁴ Letter from Judd Choate, Dir., Elec. Div., Colo. Sec'y of State, to Abdul K. Hassan, Aug. 12, 2011, attached as exhibit to complaint in *Hassan v. Colorado*, No. 11-cv-03116, 870 F. Supp. 2d 1992 (D. Colo. 2012), *aff'd*, 495 F. App'x 947, 948 (10th Cir. 2012) (Gorsuch, J.). In that case, the aspiring candidate conceded that he was not a natural born citizen.

³⁵ *Hassan*, 495 F. App'x at 948.

July 12, 2022

The Honorable Denise W. Merrill
Secretary of State
Office of the Secretary of State
P.O. Box 150470
165 Capitol Avenue Suite 1000
Hartford CT 06115-0470

Sent via email: denise.merrill@ct.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters,¹ Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.²
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added).³ Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”⁴
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”⁶
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⁵ <https://www.the-sun.com/news/1536799/kamala-harris-backlash-praising-black-lives-matter-protests/>.

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justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.”⁷ Harris said that protests “are the catalyst to getting there.”⁸

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- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”¹⁰

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd.¹¹ Vice President Harris’s failure to condemn the violence is tacit support of it.¹²

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”).¹³ The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder).¹⁴ While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters.¹⁵ Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”¹⁶

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¹⁴ <https://www.the-sun.com/news/1520376/black-lives-matter-bail-criminals-kamala-harris/>.

¹⁵ *Id.*

¹⁶ <https://www.washingtonexaminer.com/news/kamala-harris-ripped-for-flip-flopping-on-rioters-after-she-asked-for-donations-to-bail-them-out-of-jail>; <https://townhall.com/tipsheet/katiepavlich/2020/08/31/reminder-kamala-harris-raised-money-to-bail-out-violent-protestors-n2575354>.

¹⁷ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/> (“This past weekend, I joined thousands of protestors in Washington, D.C. as we marched through the streets to demand justice for George Floyd. . . .”).

specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.¹⁸

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States,¹⁹ Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”²⁰

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities,²¹ and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added

¹⁸ <https://www.cosmopolitan.com/politics/a32766156/kamala-harris-black-lives-matter-protests/>; <https://thehill.com/homenews/news/500299-protestors-knock-down-white-house-securitys-barricade-as-tensions-mount-over/>.

¹⁹ E.g., <https://www.thenation.com/article/politics/madison-cawthorn-ballot/> (Madison Cawthorn allegedly engaged in insurrection after taking his oath of office); <https://www.rawstory.com/marjorie-taylor-greene-oath/> (Marjorie Greene allegedly engaged in insurrection after taking her oath of office).

²⁰ 16 Am. Jur. 2d Constitutional Law § 103.

²¹ See *Madison Cawthorn v. Barbara Lynn Amalfi, et al.*, United States Court of Appeals for the Fourth Circuit, No. 22-1251 (May 24, 2022) (“We hold only that the 1872 Amnesty Act does not categorically exempt all future rebels and insurrectionists from the political disabilities that otherwise would be created by Section 3 of the Fourteenth Amendment.”).

an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.²²

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.”²³ Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen,²⁴ who is underage,²⁵ or who has previously been elected twice as president,²⁶ so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S. Constitution.²⁷ Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.²⁸

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support.²⁹ No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.³⁰

The present question is not whether a court could mandate that you exclude a constitutionally

²² See *Powell v. McCormack*, 395 U.S. 486, 521 n. 41 (1969) (noting in dictum that section 3 arguably imposes a “qualification” for office).

²³ *Hassan v. Colorado*, 495 Fed. App’x 947, 948 (10th Cir. 2012) (Gorsuch, J.), *aff’g* 870 F. Supp. 2d 1192 (D. Colo. 2012) (upholding state requirement that presidential candidates affirm that they meet constitutional qualifications for office, including natural-born citizen requirement).

²⁴ See Derek T. Muller, “Natural Born” Disputes in the 2016 Presidential Election, 85 Fordham L. Rev. 1097, 1110 (2016) (noting that “[w]hen election administrators heard [such] eligibility challenges, they often asserted jurisdiction,” though in the 2016 election, administrators rejected those challenges on the merits).

²⁵ See *Peace & Freedom Party v. Bowen*, 750 F. 3d 1061 (9th Cir. 2014) (upholding state officials’ rejection of underage candidates); *Socialist Workers Party of Illinois v. Ogilvie*, 357 F. Supp. 109, 112 (N.D. Ill. 1972) (same).

²⁶ See U.S. Const. amend. XXII, § 1.

²⁷ See *Williams v. Rhodes*, 393 U.S. 23, 29 (1968).

²⁸ See *Ex parte Virginia*, 100 U.S. 339, 347 (1879) (“A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way.”).

²⁹ U.S. Const., art. VI, cl. 2-3.

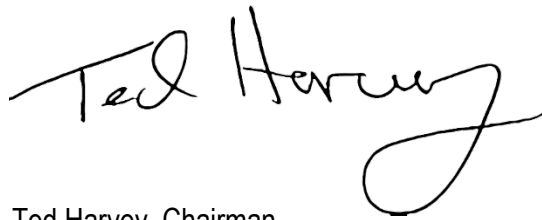
³⁰ In fact, notwithstanding any contrary statement of state law, the U.S. Constitution trumps any state law that would ostensibly require you to approve or certify an insurrectionist as a valid candidate for federal office. No state authority, including the state legislature or even the state constitution, could compel a state official to violate the U.S. Constitution. “[A]ny conflicting obligations” of state law “must give way” to federal law when there is a conflict. *Washington v. Wash. State Comm’l Passenger Fishing Vessel Ass’n*, 443 U.S. 658, 691-92 (1979). Any state law that purports to require you to misuse your official powers to aid a constitutionally ineligible insurrectionist in obtaining office must give way to the 14th Amendment.

ineligible insurrectionist from the ballot.³¹ Rather, the question is whether your own oath to the U.S. Constitution requires you to do so.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

³¹ Cf. *Wrotnowski v. Bysiewicz*, 958 A.2d 709, 711, 289 Conn. 522, 526 (Conn. 2008) (holding that plaintiff had not been aggrieved by a "ruling of any election official" within the meaning of Conn. Gen. Stat. § 9-323).

July 12, 2022

Commissioner Anthony J. Albence
Office of the State Election Commissioner
905 S. Governors Ave., Ste. 170
Dover, DE 19904

Sent via email: Anthony.Albence@delaware.gov

Dear Commissioner Albence,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental

change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

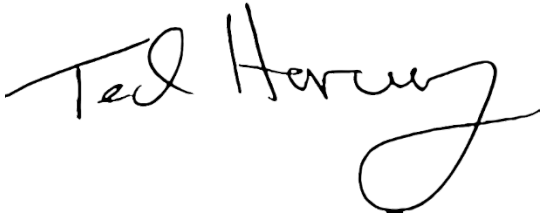
The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

The decision in *Dorcy v. City of Dover* is not to the contrary. The court’s brief dictum there explaining why the plaintiff (a convicted felon) was barred by the Delaware Constitution from running for local office, even though similarly-situated Lyndon LaRouche was not barred from appearing on Delaware’s presidential ballot, focused mainly on the fact that “Delaware cannot impose a disqualification on a candidate for President of the United States.” But the applicable disqualification here derives from the *federal* Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Cord Byrd
Secretary of State
Florida Department of State
R.A. Gray Building
500 South Bronough Street
Tallahassee, Florida 32399-0250

Sent via email: SecretaryofState@DOS.MyFlorida.com

Dear Mr. Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”

- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

The congressional act that readmitted Florida (and several other states) to the Union provided, as an express condition, that “no person prohibited from holding office under the United States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment.” The same logic applies here.

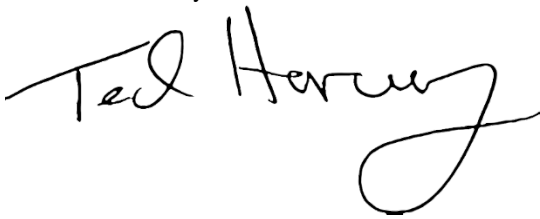
Notwithstanding *Taylor v. Crawford*, the U.S. Constitution bars an insurrectionist from office, and

the dangers of placing a constitutionally ineligible insurrectionist on the presidential ballot are too clear to be ignored.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, reading "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Brad Raffensperger
Secretary of State
Office of Brad Raffensperger
214 State Capitol
Atlanta, Georgia 30334

Sent via Email: soscontact@sos.ga.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

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The Role of States in Protecting the Ballot

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States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

In Georgia, “[e]very candidate for federal and state office who is certified by the state executive committee of a political party or who files a notice of candidacy shall meet the constitutional and statutory qualifications for holding the office being sought.” Furthermore, “[t]he Secretary of State upon his or her own motion may challenge the qualifications of any candidate at any time prior to the election of such candidate.” Ultimately, after the administrative law judge “report[s] his or her findings,” the Secretary “shall determine if the candidate is qualified to seek and hold the public office for which such candidate is offering,” and if the

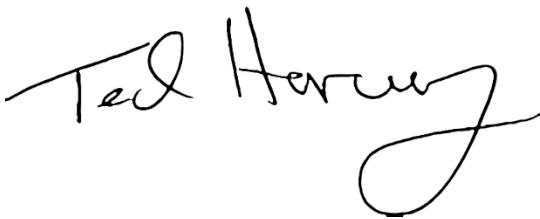
Secretary “determines that the candidate is not qualified, the Secretary of State shall withhold the name of the candidate from the ballot.”

Furthermore, the congressional act that readmitted Georgia (and several other states) to the Union provided, as an express condition, that “no person prohibited from holding office under the United States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment.” The same logic applies to an insurrectionist barred from federal office.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is written in a cursive style with a large, looping "H" and a long, sweeping underline.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Scott T. Nago
Chief Election Officer
Office of Elections
802 Lehua Avenue
Pearl City, Hawaii 96782

Sent via email: elections@hawaii.gov

Dear Mr. Nago,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight...”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental

change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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In Hawaii, ballot access applications for presidential candidates must include a statement that the candidate is “legally qualified to serve under the provisions of the United States Constitution.” The Chief Election Office must determine each “candidate’s eligibility or disqualification for placement on the ballot.”

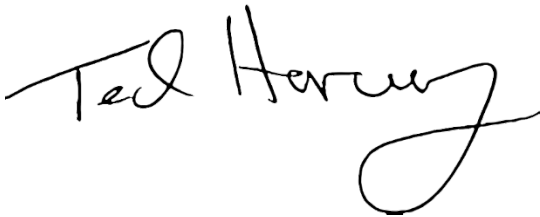
While the Hawaii Constitution’s prohibits forbidding any person from serving in public office who has been convicted of the “attempt to overthrow, or conspiracy with any person to overthrow the government of this

State or of the United States by force or violence” does not apply of its own force to presidential candidates, it reinforces the basic principle that state officials have an important role in protecting the ballot from insurrectionists who are ineligible under the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Lawrence Denney
Secretary of State
Elections and Administration
700 W. Jefferson St., Room E205
Boise, ID 83702

Sent via email: sosinfo@sos.idaho.gov, elections@sos.idaho.gov

Dear Mr. Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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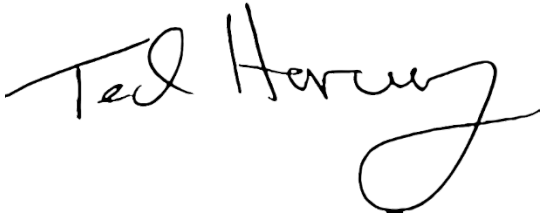
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In 1934, your predecessor rejected declarations of candidacy, notwithstanding a statute authorizing them, based on his determination that the statute was unconstitutional. His decision illustrates the principle that a Secretary of State can and should refuse to ballot candidates whose very candidacy violates the Constitution. Here, the dangers of placing a constitutionally ineligible insurrectionist on the presidential ballot are too clear to be ignored.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Ian K. Linnabary, Chair
Bernadette Matthews, Executive Director
Marni M. Malowitz, General Counsel
Illinois State Board of Elections
2329 S. MacArthur Blvd.
Springfield, IL 62704

Sent via email: webmaster@elections.il.gov

Dear Chair Linnabary, Ms. Matthews, and Ms. Malowitz,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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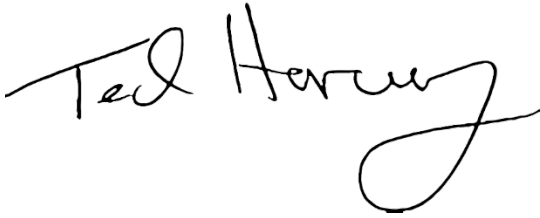
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In Illinois, a presidential candidate’s statement of candidacy must expressly “state that the candidate is qualified for the office specified.” In 2016, the State Board of Elections’ State Officers Electoral Board concluded that it has jurisdiction to hear objections to nominating petitions on the basis of a candidate’s failure to meet the constitutional qualifications. While the Board ultimately rejected those objections on their merits, the crucial point is that—as in other states considering similar issues that year—both the initial hearing officer, and the Board, agreed that they had jurisdiction to decide the question based on the facts. That applies here too.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Paul Okeson, Chair

Suzannah Wilson Overholt, Vice-Chair

J. Bradley King, Co-Director

Angela M. Nussmeyer, Co-Director

Indiana Election Commission and

Indiana Election Division

302 West Washington Street, Room E-204

Indianapolis, IN 46204

Sent via email: elections@iec.in.gov, bking@iec.in.gov, anussmeyer@iec.in.gov

Dear Chair Okeson, Vice-Chair Overholt, Co-Director King, and Co-Director Nussmeyer,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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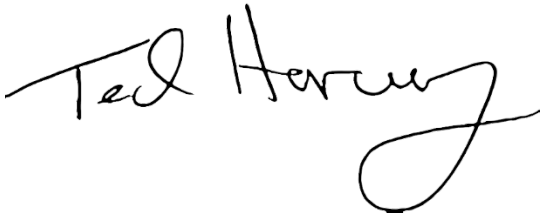
Indiana law requires a candidate to meet the qualifications for the office of President articulated in the United States Constitution. Each candidate must also submit a statement of legal qualification as part of his declaration

of candidacy. While the statute only specifically enumerates the specific eligibility requirements in Article II, section 1 of the Constitution, the eligibility requirements of the rest of the Constitution—including section 3 of the Fourteenth Amendment (which renders insurrectionists ineligible)—are just as integral, and were likely omitted simply due to their rare applicability. Ultimately, the Commission must review and determine *all* questions of the validity of a declaration, including candidate eligibility.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Paul D. Pate
Secretary of State
First Floor, Lucas Building
321 E. 12th St.
Des Moines, IA 50319

Sent via email: sos@sos.iowa.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

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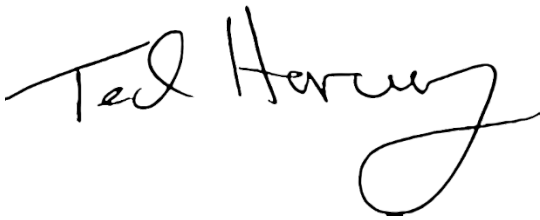
In Iowa, candidates for president must sign an affidavit of candidacy stating that the candidate is qualified for the office and, if nominated and elected, will qualify by taking the oath of the office. Since an insurrectionist is constitutionally unqualified unless and until two- thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, an affidavit of candidacy by an insurrectionist is inherently defective.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later

challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Scott Schwab
Secretary of State
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594

Sent via email: kssos@ks.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

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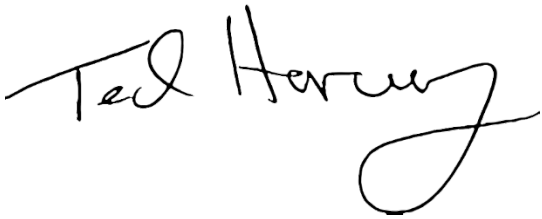
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Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Michael G. Adams
Secretary of State
Office of the Kentucky Secretary of State
700 Capital Avenue
Suite 152
Frankfort, KY 40601

Sent via email: jscutchfield@ky.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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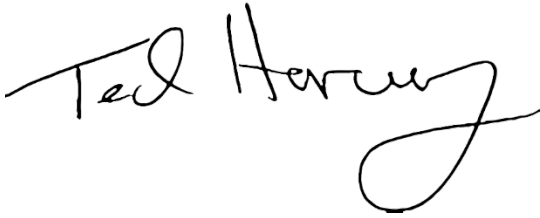
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In Kentucky, depending on which of particular method of nomination that a party and candidate use, candidates may be required to declare that “if elected I will qualify” for office of President of the United States. For the other methods of nomination, the Secretary is required to “determine the sufficiency of the documentation,” and this should be read *in pari materia* to ensure that the candidate would, if elected, qualify.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable R. Kyle Ardoin
Secretary of State
8585 Archives Avenue
Baton Rouge, LA 70809

Dear Mister Secretary,

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Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund ("MFF"). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted "If you're able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota."

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As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, "having previously taken an oath . . . to support the Constitution of the United States," she then proceeded to "engage[] in insurrection or rebellion against the same[.]"

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and "[c]onstitutional provisions are presumed to be self-

executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Louisiana law requires that all candidates meet the qualifications for the office they seek. In 1869, the Louisiana Supreme Court considered the case of a judge who had served as a district attorney before engaging in the rebellion. The court held that he was disqualified from office, and rejected all his arguments to the contrary, including:

that the State of Louisiana is wholly without interest in this suit; that the United States alone can maintain the suit; that all action by the State, the Legislature, the Governor or Courts, in regard to the matters herein, are null and void; that the Fourteenth Amendment is not self-enforcing; that by the fifth section thereof Congress has the exclusive power to enforce it

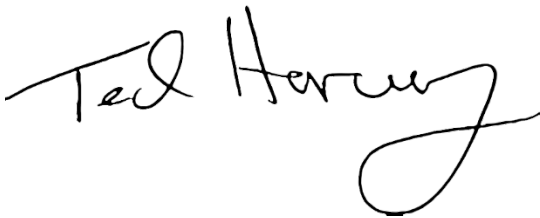
The court emphasized that the congressional act that readmitted Louisiana (and several other states) to the Union provided, as an express condition, that “no person prohibited from holding office under the United

States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment.” The same logic applies to an insurrectionist barred from holding federal office.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Shenna Bellows
Secretary of State
Office of the Secretary
148 State House Station
Augusta, Maine 04333-0148

Sent via email: sos.office@maine.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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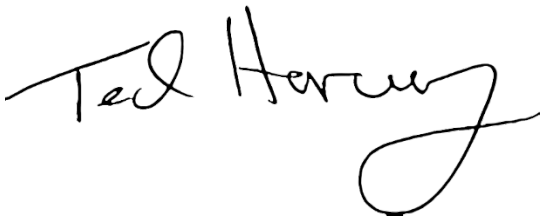
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In Maine, a candidate’s primary petition must include “a statement that the candidate meets the qualifications of the office the candidate seeks, which the candidate must verify by oath or affirmation before a notary public.” While the statute does not explicitly authorize the Secretary to rule on the validity of this statement *sua sponte* on the grounds that the candidate does not meet the qualifications, the Secretary must do *precisely* that if a registered voter challenges the candidate’s nomination petition. Here, the dangers of placing a constitutionally ineligible insurrectionist on the presidential ballot are too clear to be ignored.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is written in a cursive style with a large, looping "H" and a long, sweeping underline.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable John C. Wobensmith
Secretary of State
16 Francis St.
Annapolis, MD 21401

Sent via email: john.wobensmith@maryland.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
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Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

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question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

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Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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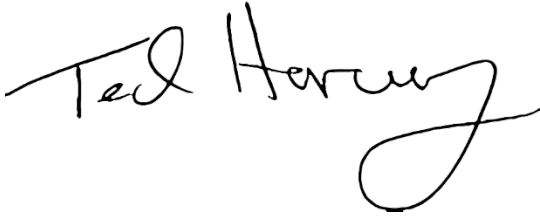
While the Maryland Constitution’s prohibition forbidding any individual “who is a member of an organization that advocates the overthrow of the Government of the United States or of the State of Maryland through force or violence” from holding public office does not apply of its own force to presidential candidates, it reinforces the basic principle that state officials have an important role in protecting the ballot from insurrectionists who are ineligible under the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President

Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, reading "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable William Francis Galvin
Secretary of the Commonwealth of Massachusetts
Elections Division
McCormack Building
One Ashburton Place, Room 1705
Boston, MA 02108

Sent via email: cis@sec.state.ma.us, elections@sec.state.ma.us

Dear Mister Secretary,

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Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Massachusetts law provides that the Secretary of State may reject certificates of nomination if they are not in “apparent conformity with the law,” or upon objections to the qualifications or eligibility of candidates. The Secretary may refer questions or objections to the State Ballot Commission. The commission “shall have jurisdiction over and render a decision on any matter referred to it, pertaining to the statutory and constitutional qualifications of any nominee for . . . national . . . office.”

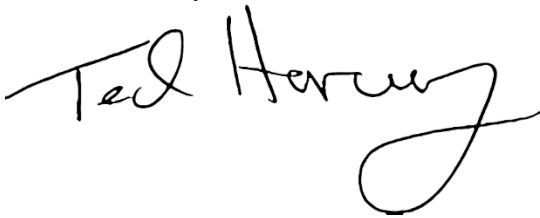
Since an insurrectionist does not possess the constitutional qualifications, and cannot know that two-thirds

of each house of Congress would vote to remove the disability imposed by the Fourteenth Amendment, a certificate of nomination or nomination papers submitted by or on behalf of an insurrectionist is inherently defective and not in "apparent conformity with the law."

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Jocelyn Benson
Secretary of State
Department of State
430 W. Allegan St.
Richard H. Austin Building, 4th Floor
Lansing, MI 48918

Sent via email: BensonJ4@Michigan.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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- Vice President Harris believes these violent, destructive protest were “necessary”

- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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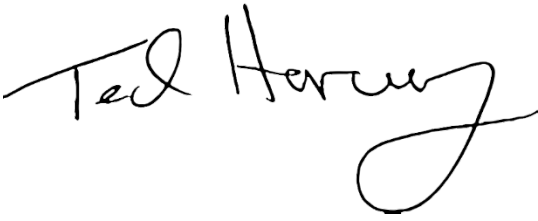
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There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Steve Simon
Secretary of State
Office of the Secretary of State
Retirement Systems of Minnesota Building
60 Empire Drive, Suite 100
St. Paul, MN 55103

Sent via email: secretary.state@state.mn.us

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

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Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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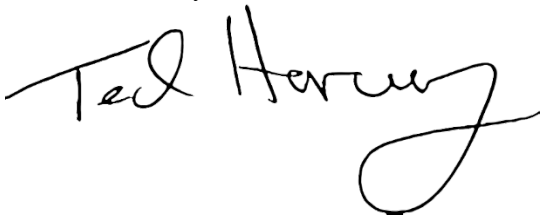
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There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the word "Harvey".

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Michael Watson
Secretary of State
401 Mississippi Street
Jackson, MS 39201

Sent via email: michael.watson@sos.ms.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices

that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

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As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this

question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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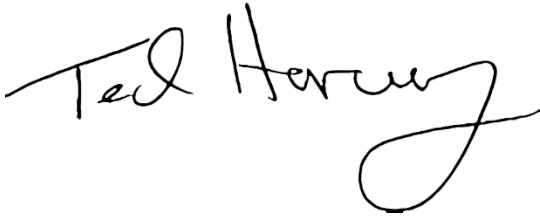
The present question is not whether a court could mandate that you exclude a constitutionally ineligible insurrectionist from the ballot. Rather, the question is whether your own oath to the U.S. Constitution requires you to do so.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable John R. Ashcroft
Secretary of State
600 West Main Street
Jefferson City, MO 65101

Sent via email: Info@sos.mo.gov

Dear Mister Secretary,

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Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

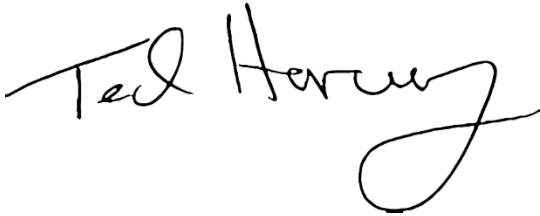
Missouri law provides that the official list of presidential candidates is limited to “constitutionally qualified candidates.” A constitutionally ineligible insurrectionist is not “constitutionally qualified candidate” any more than would be a five-year old or a previous two-term president.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and

encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Christi Jacobsen
Secretary of State
Montana Capitol Building, Rm. 260
P.O. Box 202801
Helena, MT 59620-2801

Sent via email: soselections@mt.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

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Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

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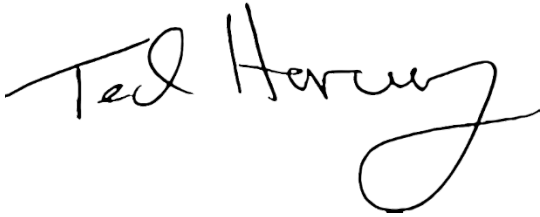
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Under Montana law, presidential candidates or their agents must sign an oath of candidacy that states that the candidate “possesses, or will possess within constitutional and statutory deadlines, the qualifications prescribed by the Constitution and laws of the United States” Since an insurrectionist does not possess the qualifications, and cannot know that two-thirds of each house of Congress would vote to remove the disability imposed by the Fourteenth Amendment, an oath of candidacy by or on behalf of an insurrectionist is inherently defective.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Robert B. Evnen
Nebraska Secretary of State
1445 K Street, Suite 2300
Lincoln, NE 68509

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people's actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris's failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund ("MFF"). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted "If you're able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota."

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, "having previously taken an oath . . . to support the Constitution of the United States," she then proceeded to "engage[] in insurrection or rebellion against the same[.]"

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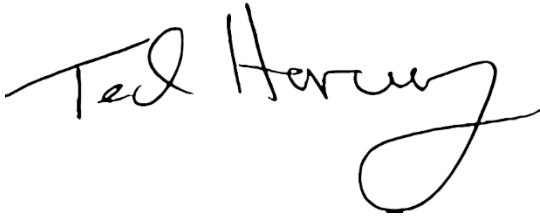
The Secretary of State is charged with determining candidate qualifications and eligibility for ballot access. While we are unaware of a Secretary exercising this authority as to *presidential* candidates, Secretaries have routinely refused to ballot ineligible candidates for other offices, including federal office, and Nebraska’s courts have upheld this action.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Barbara K. Cegavske
Secretary of State
Nevada State Capitol Building
101 North Carson Street, Suite 3
Carson City, NV 89701

Sent via email: sosmail@sos.nv.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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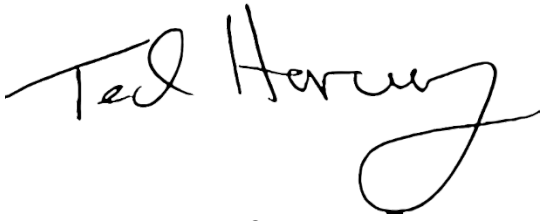
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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable David M. Scanlan
New Hampshire Secretary of State
State House, Room 204
107 North Main Street
Concord, NH 03301

Sent via email: Administration@sos.nh.gov, elections@sos.nh.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

In New Hampshire, prospective candidates for president must file a declaration of candidacy attesting to their constitutional qualifications. In 2011, the Secretary of State’s office informed a prospective candidate that it “would not accept a filing from any person who is not a natural born citizen and hence, is not eligible for the office of President.”

While the statute and the declaration of candidacy only explicitly enumerate the eligibility requirements in

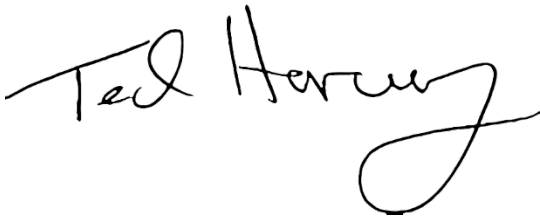
Article II, section 1 of the Constitution, the eligibility requirements of the rest of the Constitution—including section 3 of the Fourteenth Amendment (which renders insurrectionists ineligible)—are just as integral, and were likely only omitted due to their rare applicability.

Furthermore, notwithstanding a previous opinion of the Ballot Law Commission that it can only exclude a candidate based on an “obvious defect” in the filing, a constitutionally ineligible insurrectionist is no more eligible for candidacy than would be a five-year old or a previous two-term president, and his filing would be obviously defective.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Tahesha Way
New Jersey Secretary of State
NJ Department of State
PO Box 300
Trenton, NJ 08625

Sent via email: Feedback@sos.nj.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental

change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

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There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

In New Jersey, presidential candidates typically must file a certificate, subscribed under oath, stating that they are qualified for the office. Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a certificate by an insurrectionist is inherently defective.

Typically, the Secretary of State considers the qualifications of candidates in response to an objection or

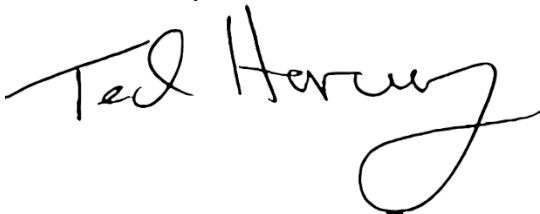
contest. This review extends to the constitutional qualifications—including under the U.S. Constitution—of the candidate for the office sought.

In 1960, the New Jersey Attorney General agreed that it was proper for the Secretary to reject a petition for nomination for candidates for president and vice-president both of whom resided in New Jersey. As the Attorney General explained, this is prohibited by Article II, section 1 of the Constitution and the Twelfth Amendment. Consequently, the Secretary was required to reject their petition since “[f]or voters to express a preference for electors who are to vote for [those candidates] would be ineffectual since the electors cannot carry out the will of those voters.” Since New Jersey law directs the Secretary to certify the names of those candidates “for whom the voters . . . may be by law entitled to vote,” the Attorney General concluded that the Secretary was *required* to reject the petition. The same logic applies to an insurrectionist barred from holding federal office.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Maggie Toulouse Oliver
New Mexico Secretary of State
325 Don Gaspar, Suite 300
Santa Fe, NM 87501

Sent via email: Sos.elections@state.nm.us

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental

change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

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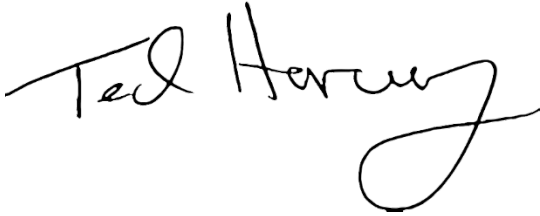
The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

This situation is not like *State ex rel. Chavez v. Evans*, where the court correctly concluded that New Mexico could not add its own restrictions on eligibility for federal office. Here, ineligibility derives from the U.S. Constitution itself.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Peter S. Kosinski, Co-Chair
Douglas A. Kellner, Co-Chair
NYS Board of Elections
40 North Pearl Street, Suite 5
Albany, NY 12207-2729

Sent via email: INFO@elections.ny.gov

Dear Co-Chairmen Kosinski and Kellner,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

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Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

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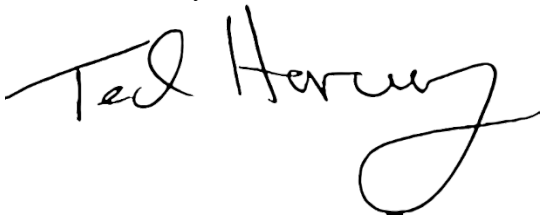
Under New York law, no candidate may be “designated or nominated for a public office or party position” who “is ineligible to be elected to such office or position” or “who, if elected will not at the time of commencement of the term of such office or position, meet the constitutional or statutory qualifications thereof....” The state board of elections is charged with receiving the petition and making an initial determination as to candidate qualification and ballot access.

The present question is not whether a court would mandate that you exclude a constitutionally ineligible insurrectionist from the ballot. Rather, the question is whether your own oath to the U.S. Constitution requires you to do so.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, reading "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Damon Circosta, Chair
State Board of Elections
Third Floor
430 N Salisbury St.
6400 Mail Service Center
Raleigh, NC 27603-1362

Sent via email: damon.circosta.board@ncsbe.gov

Dear Chairman Circosta,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

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- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

The congressional act that readmitted North Carolina (and several other states) to the Union provided, as an express condition, that “no person prohibited from holding office under the United States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment.”

The leading North Carolina case involving ineligibility under section 3 of the Fourteenth Amendment is *Worthy v. Barrett*. In that case, the Supreme Court of North Carolina upheld the county commissioners' refusal of office to a sheriff upon their determination that his participation in rebellion rendered him disqualified under the section 3 of the Fourteenth Amendment to the Constitution. The court's analysis was straightforward: the plaintiff had been a sheriff before the rebellion, in which capacity he swore to support the U.S. Constitution; he then continued to hold the office of sheriff under the rebellious Confederate government; consequently, he was barred from future office by operation of the Fourteenth Amendment.

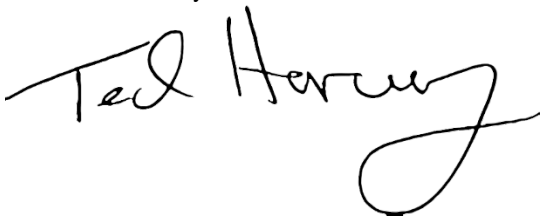
If, as the Supreme Court of North Carolina agrees, a county sheriff must be excluded from office for having continued to serve in his post as county sheriff during the rebellion, then this logic applies even more strongly for a former leader who abused his post at the highest level of government to actively incite insurrection.

Furthermore, the general counsel for the State Board has recently confirmed that a candidate who is constitutionally ineligible for the presidency "will not qualify as a Presidential Candidate in the State of North Carolina."

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Al Jaeger
Secretary of State
State of North Dakota
600 E Boulevard Avenue, Dept. 108
Bismarck, ND 58505-0500

Sent via Email: sos@nd.gov, soselect@nd.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

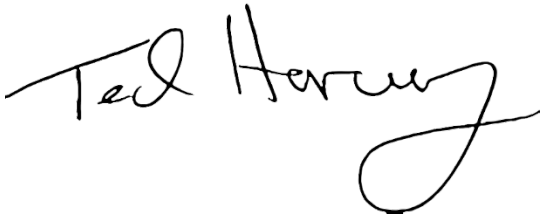
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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Frank LaRose
Ohio Secretary of State
22 North Fourth Street, 16th Floor
Columbus, OH 43215

Sent via email: info@elc.state.oh.us

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices

that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this

question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

In Ohio, candidates for presidential nomination typically file a declaration of candidacy, in which they “declare that, if elected to said office or position, I will qualify therefor.” Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a declaration of candidacy by an insurrectionist is inherently defective.

The Secretary of State cannot accept a declaration of candidacy if the candidacy violates “any . . . requirements established by law.” For example, in 1973, the Secretary refused to accept a declaration of

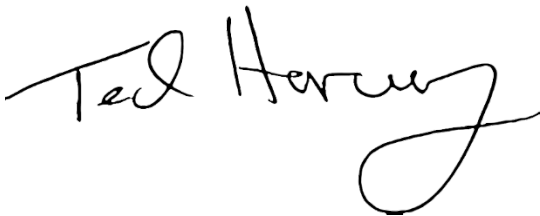
candidacy from a previously two-term serving gubernatorial candidate, as violating the state constitution's term limits provision. The Fourteenth Amendment's prohibition against insurrectionists holding office is a "requirement established by law" within the meaning of the Ohio statute.

While the Ohio law conferring on the Secretary of State the authority to investigate and deny ballot access to groups that advocate the violent overthrow of the United States government does not apply of its own force here, it reinforces the basic principle that state officials have an important role in protecting the ballot from insurrectionists who are ineligible under the U.S. Constitution

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Brian Bingman
Oklahoma Secretary of State
Attn: Executive Legislative Division
Oklahoma State Capitol Bldg., Room 122
2300 N. Lincoln Boulevard
Oklahoma City, OK 73105

Sent via email: executivelegislative@sos.ok.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

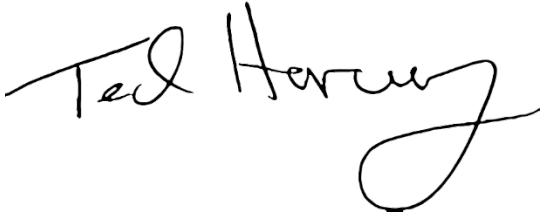
In Oklahoma, all candidates for public office are required to attest that they are “fully qualified to become a candidate for the office of President of the United States, and that I will be fully qualified to hold said office if I am elected.” Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a declaration of candidacy by an insurrectionist is inherently defective.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later

challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink, reading "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Shemia Fagan
Oregon Secretary of State
900 Court Street NE
Capitol Room 136
Salem, OR 97310-0722

Sent via email: oregon.sos@oregon.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

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As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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In Oregon, primary candidates are required to file with the Secretary of State a declaration including “[a] statement that the candidate will qualify if elected.” Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a declaration of candidacy by an insurrectionist is inherently defective.

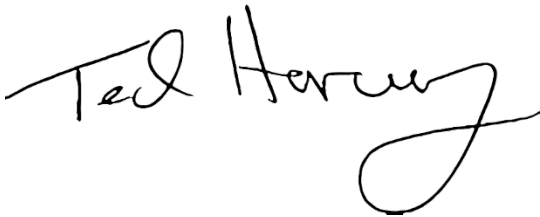
The Secretary of State must “diligently seek out any evidence of violation of any election law.” Additionally, with respect to federal candidates, “state courts may be authorized to determine the eligibility of a

candidate, and may prevent the certification of an ineligible candidate; but the test of eligibility must be that laid down in the federal Constitution.” Here, that test is provided by section 3 of the Fourteenth Amendment.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Leigh M. Chapman
Acting Secretary of the Commonwealth
North Office Building
401 North Street, Unit 302
Harrisburg, PA 17120

Sent via email: RA-Elections@pa.gov, ST-NOTARIES@pa.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

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Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

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As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

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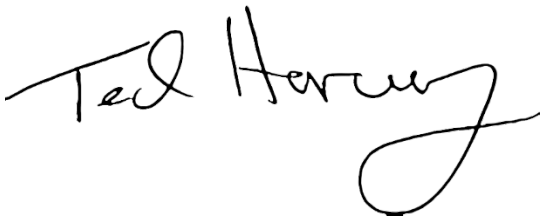
Under Pennsylvania law, the Secretary’s duty expressly includes “[t]o receive and determine, as hereinafter provided, the sufficiency of nomination petitions, certificates and papers of candidates for President of the United States” and other offices. And state election law provides a detailed procedure for investigating and resolving constitutional disqualification arising from efforts to overthrow the government by force; this procedure should apply where the source of disqualification arises under Article 3 of the Fourteenth Amendment of the U.S. Constitution.

In 2016, the Commonwealth Court carefully considered a challenge to a presidential candidate's constitutional eligibility. The Court found that as "there is neither textually demonstrable constitutional commitment entrusting the determination of a person's eligibility to be President to the Electoral College or Congress nor a lack of a judicially discoverable and manageable standards for resolving the issue, the political question doctrine does not apply in this case," and proceeded to address the merits of the constitutional eligibility question in detail. The Secretary should likewise engage the merits of this issue.

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Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Nellie M. Gorbea
Secretary of State
82 Smith Street
State House, Room 218
Providence, RI 02903-1120

Sent via email: secretarygorbea@sos.ri.gov

Dear Madame Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

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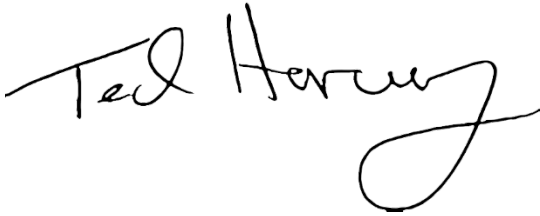
Under Rhode Island law, the Secretary of State may disqualify a candidate “based on the determination of the secretary of state... acting on [their] own motion, that the candidate is ineligible.”

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

John Wells, Chair
State Election Commission
P.O. Box 5987
Columbia, SC 29250-5987

Sent via email: elections@elections.sc.gov

Dear Chairman Wells,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Under South Carolina law, candidates must be qualified for the offices that they seek. At the presidential preference primary stage:

Political parties must verify the qualifications of candidates prior to certifying to the State Election Commission the names of candidates to be placed on primary ballots. The written certification required by this section must contain a statement that each certified candidate meets, or will meet by the time of the general election, or as otherwise required by law, the qualifications in the United

States Constitution . . . to participate in the presidential preference primary for which he has filed. Political parties must not certify any candidate who does not or will not by the time of the general election meet the qualifications in the United States Constitution. . . for the presidential preference primary for which the candidate desires to file, and such candidate's name must not be placed on a primary ballot.

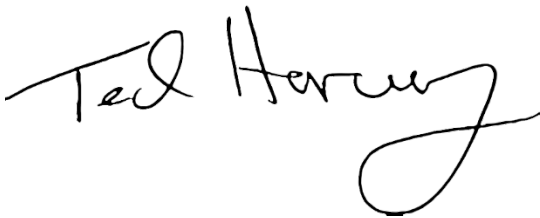
Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a certification of candidacy for an insurrectionist is inherently defective.

Furthermore, the congressional act that readmitted South Carolina (and several other states) to the Union provided, as an express condition, that "no person prohibited from holding office under the United States, or by any state, by section three of the proposed amendment to the Constitution of the United States, known as article fourteen, shall be deemed eligible to any office in either of said States, unless relieved from disability as provided by said amendment." The same logic applies to an insurrectionist barred from federal office.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Steve Barnett
Secretary of State
Capitol Building
500 East Capitol Avenue Ste. 204
Pierre, SD 57501-5070

Sent via Email: sdsos@state.sd.us

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight...”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

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Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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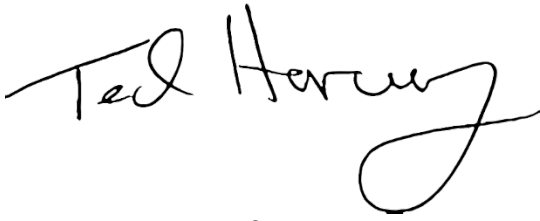
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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Tre Hargett
Secretary of State
Tennessee State Capitol
600 Dr. M.L.K. Jr. Blvd.
Nashville, TN 37243-1102

Sent via email: Tre.Hargett@tn.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

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Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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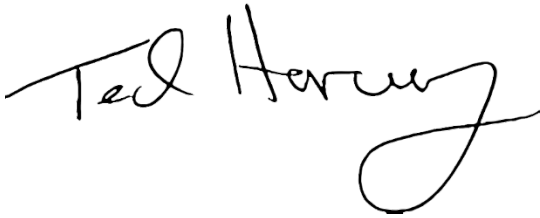
In general, Tennessee law rejects any suggestion that election officials’ role in balloting candidates is purely ministerial. Rather, the Election Code requires the Coordinator of Elections to “ensure that only qualified candidates appear on the ballot.” As the Tennessee Supreme Court has explained, “[r]egardless of the type of qualification that is challenged, who raises the issue, or when the question arises, the legislative mandate imposed on the Coordinator . . . is the same: to ensure that only eligible, qualified candidates are placed on election ballots.”

This is not the first time that issues under section three of the Fourteenth Amendment have arisen in Tennessee. In 1870, federal authorities were impelled to sue to remove some 180 ex-Confederates from state and local office in Tennessee, including half the justices on the Tennessee Supreme Court and many lesser officials, such as a justice of the peace. If a justice of the peace must be excluded from office under this provision, then this logic applies even more to a former president who abused his post at the highest level of government to actively incite insurrection.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable John B. Scott
Texas Secretary of State
P.O. Box 12887
Austin, TX 78711-2887

Sent via email: secretary@sos.texas.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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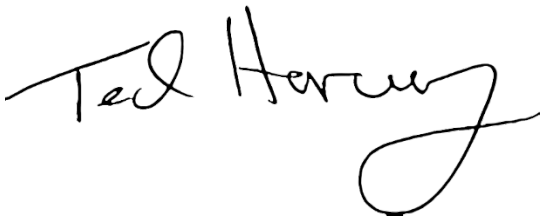
Under Texas law, a presidential candidate’s name “may not be certified” for the primary ballot if, before certification, he is declared ineligible.

The Secretary of State has a duty “[w]hen presented with an application for a place on the ballot or another public record containing information pertinent to a candidate’s eligibility...[to] promptly review the record.” The Secretary of State is not permitted to ballot a presidential candidate where he or she learns that the candidate is ineligible.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Deidre Henderson
Lieutenant Governor of Utah
350 North State Street, Suite 220
P.O. Box 142325
Salt Lake City, Utah 84114

Sent via Email: beckiepage@utah.gov, justinlee@utah.gov

Dear Lt. Governor Henderson,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Under Utah law, a candidate for public office is required to meet the qualifications of the office sought prior to filing a declaration of candidacy and to attest to their constitutional qualification. “If an individual who files a declaration of candidacy does not meet the qualification requirements for the office the individual is seeking, the filing officer may not accept the individual’s declaration of candidacy.”

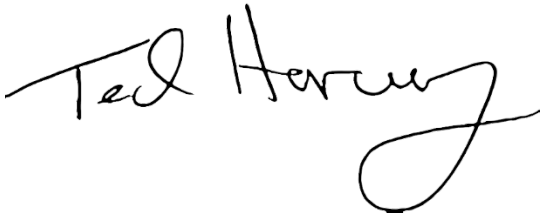
In 2011, the Lieutenant Governor’s office confirmed in writing that presidential candidates are “required to

take an oath attesting that the candidate is qualified to hold the Office of President both legally and constitutionally,” and advising that “[a]ny person that cannot answer affirmatively will have their filing denied.” Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, a declaration of candidacy by an insurrectionist is inherently defective.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Jim Condos
Secretary of State
Office of the Vermont Secretary of State
128 State Street
Montpelier, VT 05633

Sent via email: chris.winters@vermont.gov, eric.covey@vermont.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight...”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
- Harris has stated “[s]ome of the success that we’ve been able to achieve around criminal justice reform would not have happened in recent years were it not for Black Lives Matter,” and added “[t]hese movements provide a counterforce to get us to where we need to be.” Harris said that protests “are the catalyst to getting there.”
- Vice President Harris believes these violent, destructive protest were “necessary”
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change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

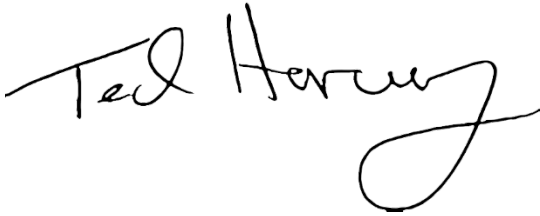
The present question is not whether a court could mandate that you exclude a constitutionally ineligible insurrectionist from the ballot. Rather, the question is whether your own oath to the U.S. Constitution requires you to do so.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now.

Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Robert H. Brink, Chairman of the Board

John O'Bannon, Vice Chairman of the Board

Jamilah D. LeCruise, Secretary
State Board of Elections
Virginia Department of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219

Sent via email: info@elections.virginia.gov

Dear Chairman Brink, Vice Chairman Bannon, Secretary LeCruise,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated "[T]hey're not going to stop and everyone **beware**, because they're not going to stop." (emphasis added). Additionally, she noted that "[e]veryone should take note of that on both levels. They're not going to let up and they should not and we should not."
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said that protests “are the catalyst to getting there.”

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Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

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Your Authority and Responsibility to Address this Issue

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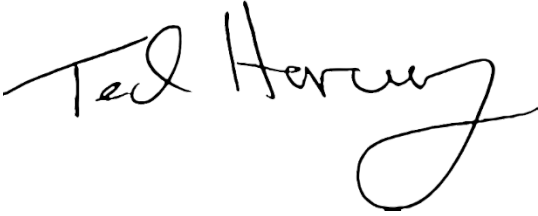
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There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Gary Thompson, Chair
DC Board of Elections
1015 Half Street, SE, Suite 750
Washington, DC 20003

Sent via email: director@dcboe.org

Dear Chairman Thompson,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Harris has said that protests should not let up.
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Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

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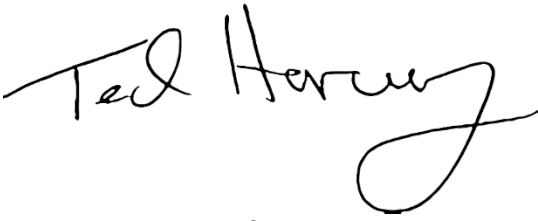
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There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Steve Hobbs
Washington Secretary of State
Legislative Building
PO Box 40220
Olympia, WA 98504

Sent via email: secretaryofstate@sos.wa.gov

Dear Mister Secretary,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

First, even in the context of nationally prevalent violent riots and looting, Vice President Harris has supported, praised, and encouraged BLM protestors. The following are examples of such support, praise, and encouragement/incitement:

- Harris has said that protests should not let up.
- Harris stated “[T]hey’re not going to stop and everyone **beware**, because they’re not going to stop.” (emphasis added). Additionally, she noted that “[e]veryone should take note of that on both levels. They’re not going to let up and they should not and we should not.”
- Harris stated “[n]othing that we have achieved that has been about progress, in particular around civil rights, has come without a fight....”
- Vice President Harris has praised the “brilliance” and “impact” of BLM without criticizing the ongoing violence, billions of dollars in property destruction in our most vulnerable communities, the terror it has spread in the hearts of Americans, nor the shooting of police officers. Rather, Harris stated “I actually believe that ‘Black Lives Matter’ has been the most significant agent for change within the criminal justice system[.]”
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- Vice President Harris believes these violent, destructive protest were “necessary”

- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

Although Vice President Harris tried to downplay her insurrection by occasionally condemning violence and noting that the people’s actions should be peaceful, this is merely lip service considering the obvious violence that resulted at BLM riots and marches across the country surrounding the death of George Floyd. Vice President Harris’s failure to condemn the violence is tacit support of it.

Vice President Harris has also provided material, financial support by promoting a Black Lives Matter bail fund called the Minnesota Freedom Fund (“MFF”). The MFF has benefitted individuals who have been charged with serious crimes (e.g., rape, domestic violence, murder). While Harris does not appear to have personally donated to the MFF, the MFF received well over \$35 million in part as the result of the sharing and free press it received from Harris and her celebrity supporters. Specifically, Harris tweeted “If you’re able to, chip in now to the @MNFreedomFund to help post bail for those protesting on the ground in Minnesota.”

Vice President Harris has not only supported and praised BLM supporters/rioters, but Harris herself has joined protestors and marched through streets. While Harris may not have actually participated in or specifically encouraged violence, she participated in a march that she should have known could foreseeably turn violent, and did, in fact, turn violent.

As with any other person (of any political background) who has previously sworn an oath to defend the Constitution and then engaged in insurrection or rebellion against the United States, Vice President Harris is constitutionally disqualified from federal office under the Fourteenth Amendment to the United States Constitution. We therefore write to request you exercise your authority and obligation to exclude Vice President Harris from the ballot.

Vice President Harris is Constitutionally Ineligible for the office of Vice President or President

Section 3 of the Fourteenth Amendment provides:

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath . . . as an officer of the United State . . . to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

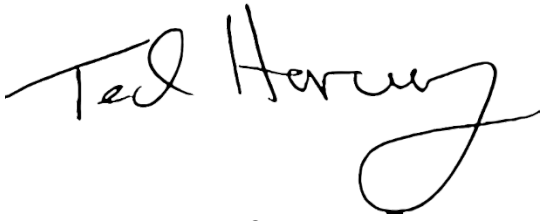
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The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with the first name "Ted" and last name "Harvey" clearly legible.

Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Mac Warner
Secretary of State
WV Secretary of State's Office
1900 Kanawha Blvd. East
Building 1, Suite 157K
Charleston, WV 25302-0770

Sent via email: mwarner@wvsos.gov

Dear Mister Secretary,

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You have the authority and responsibility to determine, as part of the state ballot qualification process, that Vice President Harris is ineligible to appear on a presidential ballot because, “having previously taken an oath . . . to support the Constitution of the United States,” she then proceeded to “engage[] in insurrection or rebellion against the same[.]”

There is no constitutional requirement that Congress, a court, or anyone else formally adjudicate this question before you may decide her eligibility for the ballot. Section 3 of the Fourteenth Amendment disqualifies officials who have engaged in insurrection from holding office without requiring any particular decisionmaker to make that determination, and “[c]onstitutional provisions are presumed to be self-executing.”

Further, the 1872 Amnesty Act does not remove Fourteenth Amendment disabilities, and thus, Vice President Harris is ineligible for office.

The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Under West Virginia law, the Secretary of State is the chief officer responsible for receiving the filings of certificates of announcement for candidacy for the presidency. This form includes an oath that the candidate is “eligible and qualified to hold this office.” Since an insurrectionist is constitutionally unqualified unless and until two- thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, an affidavit of candidacy by an insurrectionist is inherently defective. The Secretary is instructed to ballot only those candidates “who are entitled to have their names printed on any

political” on the ballot.

In *State ex rel. Maloney v. McCartney*, the Supreme Court of Appeals of West Virginia noted that this provision confers upon the Secretary the authority to refuse to ballot a substantively ineligible candidate:

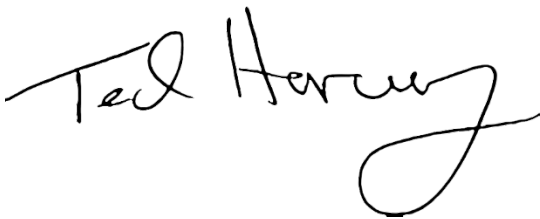
The Code provision does not set forth how the Secretary of State shall determine entitlement, but it may be reasonably inferred that the Secretary should refuse to place on the ballot any person whose certificate of candidacy shows ineligibility on its face. Furthermore, we believe that in the case of *an open and notorious disqualification for office such as a filing certificate tendered by a seven year old child*, the Secretary of State would similarly be entitled to decline to have the individual's name printed on the ballot.

Vice President Harris' incitement of insurrection easily meets this “open and notorious” standard.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

Don M. Millis, Chair
Robert F. Spindell, Jr., Vice Chair
Julie M. Glancey, Secretary
Ann S. Jacobs, Commissioner
Mark L. Thomsen, Commissioner
Marge Bostelmann, Commissioner
Wisconsin Elections Commission
212 East Washington Avenue, Third Floor
P.O. Box 7984

Madison, Wisconsin 53707-7984

Sent via email: elections@wi.gov

Dear Chair Millis, Vice Chair Spindell, Secretary Glancey, Commissioner Jacobs, Commissioner Thomsen, and Commissioner Bostelmann,

In light of the violent riots and looting caused by Black Lives Matter (BLM) rioters, Vice President Kamala Harris was and is engaged in an insurrection against the United States of America based on her involvement and support of the BLM movement by (a) praising, supporting, and encouraging BLM protestors, (b) supporting a BLM bail fund, and (c) participating in BLM protests/marches. Consequently, Vice President Harris is constitutionally ineligible under the Fourteenth Amendment to run for Federal office, and you should bar her from the 2024 Vice Presidential ballot.

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- Vice President Harris believes these violent, destructive protest were “necessary”
- Harris has written “No longer can some wait on the sidelines, hoping for incremental change. In times like this, silence is complicity. It will take each of us to confront the injustices that continue to perpetuate a broken system ... The time for outrage is now. The time for solidarity is now. The time for action is now. The time for change is now.”

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thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

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The Role of States in Protecting the Ballot

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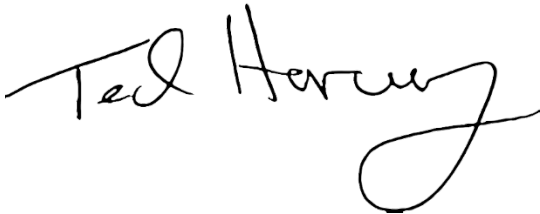
Under Wisconsin law, candidates are required to attest that they will meet the qualifications of the office they seek and will meet those qualifications “prescribed by the constitutions and laws of the United States and of this state.” Since an insurrectionist is constitutionally unqualified unless and until two-thirds of each house of Congress vote to remove the disability imposed by the Fourteenth Amendment, an affidavit of candidacy by an insurrectionist is inherently defective.

Furthermore, the Elections Commission “may refuse to place the candidate’s name on the ballot” if, inter alia, “[t]he candidate, if elected, could not qualify for the office sought within the time allowed by law for qualification because of age, residence, or other impediment.” Being rendered constitutionally ineligible to hold any office under the United States is an “impediment” within the meaning of this provision.

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris’ involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

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Ted Harvey, Chairman
Committee to Defeat the President

July 12, 2022

The Honorable Edward A. Buchanan
Secretary of State
Secretary of State's Office
Herschler Building East
122 West 25th Street, Suite 100
Cheyenne, WY 82002-0020

Sent via email: SecOfState@wyo.gov

Dear Mister Secretary,

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The Role of States in Protecting the Ballot

Here, the eligibility criterion is imposed by the Constitution itself. Section 3 of the 14th amendment added an additional qualification for presidential and vice-presidential eligibility beyond those first imposed in 1787. In other words, since 1868, the qualifications for eligibility for the presidency and vice-presidency—in addition to natural born citizenship, 35 years of age, and so forth—have also included *not* having engaged in insurrection against the United States after having taken an oath to support the Constitution.

States may require presidential and vice-presidential candidates to demonstrate that they meet these qualifications, and exclude them if they do not. As then- Judge (now U.S. Supreme Court Justice) Gorsuch “expressly reaffirm[ed]” in 2012, “a state’s legitimate interest in protecting the integrity and practical functioning of the political process permits it to exclude from the ballot candidates who are constitutionally prohibited from assuming office.” Just as states are permitted (if not required) to exclude from the presidential ballot a candidate who is not a natural born citizen, who is underage, or who has previously been elected twice as president, so too states should exclude from the ballot a candidate, such as Vice President Harris, who previously swore to support the Constitution, but then engaged in insurrection.

Your Authority and Responsibility to Address this Issue

Fundamentally, your authority and responsibility to exclude an ineligible candidate from the presidential ballot inheres in the interaction between the roles of Congress and the states in the presidential selection process. The states play a critical role in that process, but cannot act inconsistently with the U.S.

Constitution. Even in a state *without* specific legislation devoted to section 3 of the 14th Amendment, officials may not use their official powers to take any action—including approving, certifying, or implementing a ballot placement—to facilitate an insurrectionist’s attempt to obtain office.

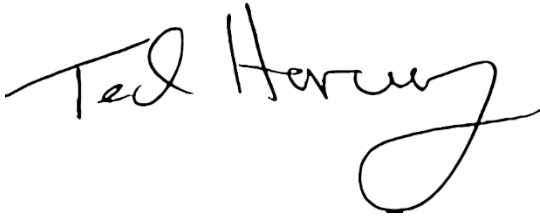
The Constitution is “the supreme Law of the Land,” which you have taken an oath to support. No further state implementing legislation is needed to confirm (nor could state legislation eliminate) your duty to act consistently with the Fourteenth Amendment. And allowing a known insurrectionist to appear on the ballot is inconsistent with your obligation and oath of office to support the U.S. Constitution.

Under Wyoming law, political parties file certificates of nomination for their presidential candidates. While this is a different method of filing than the application for a nomination by primary, it should be read *in pari materia* with the provision regarding that method, which specifies that a candidate for office must “[m]eet all applicable qualifications to be elected to office which are set forth in the United States and Wyoming constitutions.”

There is no risk of deprivation of due process of law from your determination. Vice President Harris can later challenge an adverse determination in court.

Rather than wait until the urgency of an impending election, we urge you to address this critical issue now. Vice President Harris' involvement and support of the BLM movement by praising, supporting, and encouraging BLM protestors, supporting a BLM bail fund, and participating in BLM protests/marches, renders her ineligible for any federal office, including that of president or vice president.

Sincerely,

A handwritten signature in black ink that reads "Ted Harvey". The signature is fluid and cursive, with a large, sweeping loop at the end of the last name.

Ted Harvey, Chairman
Committee to Defeat the President