

Congress of the United States
Washington, DC 20515

November 9, 2020

Ms. Emily Murphy, Administrator
General Services Administration
1800 F St NW
Washington, D.C. 20405

Dear Ms. Murphy:

As we write you, President-elect Joe Biden’s overwhelming election victory grows by the day.¹ Mr. Biden and Vice President-elect Kamala Harris won a decisive popular vote margin as well as a majority of the Electoral College to become our 46th President and Vice President. It is now essential you uphold your responsibilities under the Presidential Transition Act (“Act”) of 1963. Yet, the Washington Post reports that your office is withholding certification of President-elect Biden’s victory, thereby blocking the expedient and peaceful commencement of the presidential transition.² We write to request an immediate briefing on the implementation of the Presidential Transition

A candidate becomes “President-elect” and “Vice President-elect” when they “are the successful candidates for the office of the President and Vice President, respectively, as ascertained by the Administrator” of the General Services Administration.³

The law explicitly states that the purpose of a presidential transition is to “assure continuity in the faithful execution of the laws” because any disruption “could produce results detrimental to the safety and well-being of the United States and its people.”⁴ Your actions delaying “the orderly transfer of the executive power” fly in the face of congressional intent and ignore the will of the American people while endangering public health and national security.⁵

The American people resoundingly voted to remove Donald Trump from office. By failing to ascertain Biden’s and Kamala Harris’ clear victory, you are undermining the urgent need for a prompt and effective transition of power in the midst of a global pandemic that must be focused on the safety and well-being of our citizens.

¹ New York Times, *Presidential Election Results: Tracking the Vote Count* (online at www.nytimes.com/interactive/2020/11/03/us/elections/results-president.html) (accessed on Nov. 9, 2020).

² Washington Post, *A Little-Known Trump Appointee is in Charge of Handling Transition Resources to Biden — and She Isn’t Budging* (Nov. 8, 2020) (online at www.washingtonpost.com/politics/trump-gsa-letter-biden-transition/2020/11/08/07093acc-21e9-11eb-8672-c281c7a2c96e_story.html)

³ 3 U.S.C. 102 note Secs. 3(c); (h)(2)(D)

⁴ 3 U.S.C. 102 note Sec. 2.

⁵ *Id.*

We ask that you immediately provide us a briefing on your plans to implement the Presidential Transition Act and provide the following information in writing by close of business Wednesday November 11, 2020:

- Please outline why you believe the clear 2020 Presidential election outcome is not “apparent” and what actions you are taking to “ascertain” who the President-elect and Vice President-elect are.
- Have Donald Trump, adjutants of Mr. Trump, or other White House officials directed you to block commencement of the presidential transition? Please detail any interactions you have had with White House personnel on the presidential transition.

Donald Trump will be vacating the White House by January 20, 2021. You are directly responsible for executing the Presidential Transitions Act, as amended, and ensuring a smooth, effective, and peaceful transition of power during a very difficult time in our nation. We demand that you provide answers to our questions, immediately release congressionally-appropriated funds for the incoming Biden Administration, and cease obstructing the transition to our 46th Presidential Administration.

Sincerely,



Bill Pascrell, Jr.
Member of Congress



Gerry Connolly
Member of Congress



Dina Titus
Member of Congress