



## Iowa Democratic candidate contests loss, asks Congress to overturn her election

Christopher White

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WASHINGTON (SBG) - Iowa Democratic House candidate Rita Hart filed a petition Tuesday asking the House of Representatives to overturn the race her Republican opponent Mariannette Miller-Meeks won by a paper-thin margin.

Miller-Meeks won by only 47 votes on election night before Hart called for a recount in the 2nd Congressional District, which ended with Miller-Meeks losing votes but still winning the contest by six votes — 196,964 to 196,958. In her filing, Hart identified 22 ballots that she described as "legally cast but unlawfully excluded" from the recount.

Hart filed the petition under the Federal Contested Election Act, a law signed in 1969 allowing candidates to contest general elections by filing with the House rather than where the election took place. Democrats lost seats in 2020, dropping their majority to 222 members. Republicans ended with 212 seats, potentially putting a crimp in President-elect Joe Biden's legislative agenda.

The House Administration Committee is now tasked with reviewing Hart's filing to determine whether her objection has merits. Miller-Meeks, who called Hart's decision "shameful" in a statement Tuesday, will be allowed to respond and both sides can take depositions and subpoena witnesses.

"These 22 ballots include (i) curbside and absentee ballots that election officials accepted for counting but mistakenly omitted from the initial count and (ii) valid absentee and provisional ballots that election officials erroneously rejected," Hart noted in the filing.

One legal analyst suggested Hart's decision puts House Speaker Nancy Pelosi in a bind.

"She doesn't want something that's going to get the public convinced, from the get-go, that she's not running an honest show, and she doesn't want something where she winds up losing because ten of her members end up peeling off and say 'no the Republicans have a point'. Do a rerun," Walter Olson, a senior fellow at the libertarian-leaning Cato Institute, said in an interview with Sinclair Broadcast Group.

Olson also noted that Congress intervened in a tight election more than 35 years ago. Former Democratic Rep. Frank McCloskey prevailed over Republican Rick McIntyre in an Indiana House race in 1984 after House Democrats defeated a motion that would have seated McIntyre as the congressman from the state's 8th District.

That move helped galvanize the Republican Party, according to Olson. "It went down in history as one of the things that radicalized moderate Republicans who had been very collegial," he said, adding that the Democrats' move to seat McCloskey helped pave the way for the Republican takeover in 1995.

Congressional Republican leadership is dead-set against allowing that to happen again.

"We will never allow that to happen here. That was illegal. There was a power grab. And we will never allow that to happen. I don't care what Jamie Raskin says," House Minority Leader Kevin McCarthy told the Washington Examiner Tuesday. He referred to Rep. Jamie Raskin, D-MD., who is expected to review Hart's petition.

Olson also raised the specter that Democrats might want to avoid looking hypocritical on the issue. They have roundly mocked and criticized Republicans for demanding that the United States Supreme Court flip the outcome of the 2020 election, which saw President Donald Trump lose to President-elect Joe Biden.

Trump has engaged in multiple legal challenges to determine if widespread fraud resulted in a Biden victory. The president and some conservatives and Republicans argue that voting systems in battleground states flipped votes against Trump.