

Congress of the United States
Washington, DC 20515

September 10, 2020

The Honorable Ron Johnson
Chairman
Senate Committee on Homeland Security
and Governmental Affairs
Washington, DC 20510

Chairman Johnson:

We are greatly concerned about a smooth transfer of power if President Trump loses the election in November. The Administration is trying to ensure that he wins at all costs, for example slowing down the U.S. Postal Service and halting election security briefings to Congress. If Vice President Biden wins and the President cannot dispute the results, we are greatly concerned that he will not relinquish power and try to stay illegally in office.

Chairman of the Joint Chiefs of Staff, General Mark Milley, in written comments to Congress, stated, “I believe deeply in the principle of an apolitical U.S. military,” and promised to respect the peaceful transition of presidential authority under the Constitution. We applaud the Chairman’s support of the rule of law and the Constitution.

We want to ensure that the Department of Homeland Security Secretary-nominee Chad Wolf will also uphold the Constitution. While performing the duties of Acting Secretary, Mr. Wolf sent the Federal Protective Service as a paramilitary force into cities without the consent of the local authorities. In many cases, FPS seems to be there to increase tensions or for political reasons.

In an opinion piece for the Washington Post, titled “What’s the worst that could happen?” Georgetown University law professor, Rosa Brooks, outlines several potential outcomes for the 2020 presidential election, including the possibility that President Trump could refuse to concede if he loses, resulting in a less than “orderly” transition of power. Brooks says, “military and law enforcement leaders can prepare for the possibility that politicians will seek to manipulate or misuse their coercive powers. Partisans, including Trump, may try to deploy law

enforcement... to “restore order”... The federal response to this summer’s protests in D.C.’s Lafayette Square and Portland, Ore., suggests that this is not purely speculative.”

During his confirmation hearing before your Committee, we urge you to ask Secretary-nominee Wolf on the record to make the same commitment that General Mark Milley made, namely the promise to respect the peaceful transition of presidential authority under the Constitution. We need to ensure that he will follow the U.S. Constitution regardless of who wins the Presidential election.

Thank you in advance for your consideration of this request and for your efforts to protect our Democracy.

Sincerely,



J. Luis Correa
Member of Congress



Darren Soto
Member of Congress



Alan Lowenthal
Member of Congress



Nanette Diaz Barragán
Member of Congress

cc The Honorable Gary C. Peters
Ranking Member