

PA State Legislators Ask U.S. Supreme Court to Allow a Challenge to ‘Bidenbucks’ & State Executive Overreach

April 23, 2024. *Harrisburg, PA* – Pennsylvania Legislators are fighting back against President Biden’s Executive Order 14019, ‘Bidenbucks’, which weaponizes federal agencies by directing them to participate in a federalized get-out-the-vote effort in states with no authority from the states’ legislators. The federal lawsuit, *Keefer v. Biden*, is much more than a case of executive branch overreach, it’s a violation of the US Constitution which says state legislatures have the authority to determine the manner of elections including the registration of voters. EO 14019 is an end-around Pennsylvania law as a means of putting Biden’s thumb on the scales of the 2024 Election in favor of Democrats using the taxpayer dollars of all Americans. The legislators are also asking the court to rule on the overreach by the Commonwealth of Pennsylvania’s executive branch.

The Supreme Court petition for certiorari states: “The executive action taken by the President, nullifies the votes of the individual legislators, nullifies the enactment of the Legislature, violates the Electors Clause, violates the Elections Clause, deprives the legislators of their particular rights, and jeopardizes candidates’ rights to an election free from fraud and abuse.”

Representative Joe Hamm said, “I am the voice of the people I represent and, as such, vote for laws that I believe will provide my constituents the best opportunities and quality of life in this Commonwealth. When an Executive exceeds his authority by changing laws or making new laws, it violates the Constitution and takes the voice of the Legislative Branch away --effectively leaving the people of Pennsylvania with no voice.”

Last month, a Federal Court dismissed the lawsuit for a lack of standing. The legislators have appealed the case to the U.S. Court of Appeals for the Third Circuit. Given the urgency of resolving this issue prior to the 2024 Election and the pace of the judicial system, the legislators are now asking the Supreme Court to decide on the issue of standing so the case can proceed on the issues.

The plaintiffs are not asking the Supreme Court to review the merits of the case, but rather to decide on the critical issue of legislator standing: ***Do individual lawmakers have the right to challenge federal executive branch usurpation of their Constitutional duties?***

The legislators are requesting expedited review from the Supreme Court on the critical issue of standing. They believe the Supreme Court must take this case and resolve the judicial confusion resulting from conflicting interpretation of individual legislator standing by state and federal courts.

Attorneys Erick Kaardal, from Mohrman, Kaardal and Erickson, and Karen DiSalvo, from the Election Research Institute, believe that if they are permitted to proceed on the merits, they will secure an injunction prohibiting both Biden’s overreach as well as state executive overreach in Pennsylvania’s elections. To quote the writ, “Petitioners ask this Court to resolve the nationwide conflict over individual legislator standing. Petitioners have no other recourse. The stakes could not be higher.”

DiSalvo commented, “The case law on individual legislator standing is sparse. However, we believe the injury to the Pennsylvania legislators is similar to the judicially cognizable injuries in the *Coleman, Dennis* and *Fumo* cases. In each of those cases, non-legislative officials usurped the duty of the legislators and the individual legislators had standing to sue. This makes sense because the ‘legislature’ is the entity, but the legislators are the real people who make up the legislature. We believe rights are granted to the people - the legislators, and they should be able to protect those rights.”

Kaardal added: “The Constitution was written to prevent the President from using the federal agencies to gain his own re-election. In EO 14019, President Biden rips up the constitutional playbook for elections in order to assist with his own re-election campaign. It’s constitutionally wrong. Using American taxpayer dollars to create secret federal-agency-led operations to target likely Democrat voters with hand-picked leftist non-governmental organizations approved by the White House isn’t on the up and up. And, as the Department of Justice admits, EO 14019 is without congressional delegation or funding, and conducted merely by executive fiat.”

Lead Plaintiff in the case, Representative Dawn Keefer, remarked, “I think Justice Thomas was right when he said that changing the rules in the middle of the game is bad enough—but rule changes by officials who lack authority to do so is even worse. We are optimistic that the Court will take our case and make it clear that legislators have standing to sue when executive officials try to unconstitutionally change the manner of elections. If we don’t resolve this issue, there is no way to restore the balance of power. We are confident that the Court will agree.”

Erick Kaardal, a partner of Mohrman, Kaardal & Erickson, P.A., has been representing people and businesses to level the playing field with the government for over 30 years. Kaardal has 66 election integrity successes, including 2 U.S. Supreme Court victories, here: www.mklaw.com

Karen DiSalvo is the Vice President of the Election Research Institute and their lead counsel. ERI is a nonpartisan nonprofit working to restore confidence in the election system through research, education, and litigation when necessary. Election Research Institute: electionresearchinstitute.org

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