

# Declaration of Intent

As a Member of Congress it is my sworn duty to uphold and defend the US Constitution. Being mindful of that oath, I believe that the single moral tenet on which that document, and therefore the nation, rests is the principle that government power can only be derived from the consent of the governed.

Consequently, the right of the People to have confidence that they are being afforded free and fair elections for their government officials is a right that no other consideration can supersede. A free and fair election is one in which all citizens have been afforded equal access and opportunity to cast their vote and have that vote accurately counted.

I choose to make this declaration at this time because it has now become clear to me that several states have, to this point in time, failed to fully provide for what would generally be regarded as a free and fair election for their citizens. And consequently, they have generated an insufficient level of confidence in their official result.

There can be no arbitrary point in time -- whether it be a date scheduled for appointing electors, electoral voting, or electoral vote counting -- that can limit the right of the People to have their consent justly measured and expressed. An election is a survey not a contest.

With these principles in mind I would urge the duly authorized election officials in each and every state to make every effort -- whether it be ballot recounting, independent auditing, reopening voting, or even judicially-sanctioned statistical adjustment of results -- to assure that their election truly reflects the will of the citizens of their state.

I wish to recognize that efforts are ongoing in some states -- by candidates, election officials, the news media, and citizens groups, through recounts and other means -- to clarify and adjust the official results in order to increase the level of public confidence. These efforts are necessary, however, they cannot be sufficient.

This is true because by far the most disturbing circumstances that have occurred in this election are the confirmed cases of disparate treatment being afforded to certain classes of voters. If systemic barriers to exercising the franchise existed that correlate to a citizen's age, race, religion, gender, socio-economic status, military status, partisan status, absentee status, immigration status, or other identifiable characteristic, the election was neither free and fair, nor lawful in the absence of any corrective remedy being applied.

Therefore, in keeping with my oath of office, I publicly declare my intention to act on January 6th 2005 and object to any presidential electors that I believe to have been unlawfully appointed. To do less would make me complicit with a violation of our shared democratic principles.

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Member of Congress

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Date