

FOR PUBLICATION

**UNITED STATES COURT OF
ELECTION REVIEW**

IN RE MARCH SENATE
ELECTION

No. 3:18-_____

F.E.C. No.
y1olHVHf

ORDER

Submission from the Federal Elections Commission
acting through its Congressional Committee
LordiousHulaios, Chairman, Presiding

Submitted March 12, 2018
Via Trello

Filed March 12, 2018

Before: Bob561, President, KOTwarrior, and
SamuelKing22, Judges.

Per Curiam Order

ORDER**PER CURIAM:**

The Constitution declares that “[n]o person shall be arbitrarily deprived of their vote in elections.” Amend. XXVIII. It continues that “Congress shall enforce this article by appropriate legislation.” *Ibid.* Acting dutifully, Congress passed several laws regulating the process by which votes are filtered in congressional elections (i.e. the Congressional Electoral Law (CEL), the Election Integrity Act (EIA), the Electoral Reform Act (ERA), and the Clean Elections Act (CEA)). We have long recognized that these laws are controlling in the process of voter disqualification. Any disqualification done outside the carefully circumscribed limits established by Congress is presumptively “arbitrar[y]” (some done within those limits may also be arbitrary) and therefore unconstitutional.

Congress has instructed this court and the Federal Elections Commission to apply “the rules of precedent and logic” when filtering votes. CEA § 103(b)(3). More relevantly, Congress has commanded the FEC to “filter for alternative accounts and submit their list” to the court “no later than 24 hours after [an] election has concluded.” ERA § 202(e). Beyond that timeframe, as we recognized above, any proposed disqualification

must be considered arbitrary and disallowed. More than twenty-four hours have passed since the voter list was transmitted to the FEC* and no list has been received by this court. Any list submitted after this point would thus be inherently contradicted by “the Constitution and current federal electoral law.” *Displead v. Federal Elections Commission*, No. 3:18-1321 (CER 2018), at p. 3. The government’s application is considered filed and consists of the following names:

- *List intentionally left blank.*

We **GRANT** the FEC’s application to disqualify the votes of those in the list above and **REMAND** for certification of the election’s results.

* The FEC received the voter list at 8:13 pm on March 11, 2018.