

2020 Presidential election

Despite recognizing prior to the 2020 election that the Vice President had no power to refuse to count certain electoral votes, [John] Eastman nevertheless drafted memoranda 2 months later proposing that Pence could do exactly that on January 6th — refuse to count certified electoral votes from Arizona, Georgia, Michigan, Nevada, New Mexico, Pennsylvania and Wisconsin. ... Even after Eastman proposed his theories in December and January memoranda he acknowledged in conversations with Vice President Pence's counsel Greg Jacobs that Pence could not lawfully do what his own memoranda proposed [by telling Jacobs] "he would lose 9-0 at the Supreme Court."

January 6 Committee Report - Summary