



**OFFICE OF THE ARIZONA ATTORNEY GENERAL**  
**STATE OF ARIZONA**

**KRIS MAYES**  
ATTORNEY GENERAL

October 14, 2025

***VIA EMAIL***

The Honorable Michael Johnson, Speaker of the House  
United States House of Representatives  
5140 O'Neil House Office Building  
Washington, DC 20515-6532  
c/o Matthew Berry, General Counsel  
Matthew.Berry@mail.house.gov  
c/o Rachel Kaldahl, General Counsel  
Rachel.Kaldahl@mail.house.gov

**Copy to:**

The Honorable Jeanine Ferris Pirro  
United States Attorney for the District of Columbia  
601 D Street, N.W.  
Washington, DC 20579  
c/o Brian Hudak, Civil Division Chief  
Brian.Hudak@usdoj.gov

Re: Congressional representation for Arizona's Seventh Congressional District

Dear Speaker Johnson:

On behalf of the State of Arizona, I demand that the Honorable Adelita Grijalva be sworn into office as the representative for Arizona's Seventh Congressional District and be allowed to assume her seat without further delay. Failing to seat Ms. Grijalva immediately or to otherwise provide a reasonable explanation as to when she will be seated will prompt legal action.

The House of Representatives' uniquely democratic function makes frustrating the will of the voters in selecting their representative particularly egregious. A member of the House of Representatives holds the only proportionally and directly elected position in the federal government, and "it is particularly essential that [the House] should have an immediate dependence on, and an intimate sympathy with, the people." The Federalist No. 52 (James Madison). The House's sole power to originate certain consequential matters, such as revenue bills, follows from this status. *See, e.g.*, The Federalist Nos. 58 (James Madison) (revenue); 65, 66, 81 (Alexander Hamilton) (impeachment).

As you know, on September 23, 2025, Arizona's Seventh Congressional District held a special election to replace the late Raúl Grijalva. Ms. Grijalva was elected with nearly 70% of the vote, and unofficial results were provided to you by the Arizona Secretary of State. Ms. Grijalva and the State expected that you would follow your usual practice and swear her into office at the earliest opportunity, just as you had done with five previous members elected in special elections. Specifically, you followed this process after Celeste Maloy was elected by Utah's Second District, after Vince Fong was elected by California's 20th District, after Jimmy Patronis was elected by Florida's First District, after Randy Fine was elected by Florida's Sixth District, and after James Walkinshaw was elected by Virginia's 11th District. Yet the House and its leadership have yet to swear Ms. Grijalva into office.

Today, the Arizona Secretary of State will complete the canvas and the Governor will transmit to the House a certificate of election. Ms. Grijalva no longer needs a House resolution to be sworn into office. With the House in possession of the certificate of election, it is now a simple ministerial duty to administer the oath of office.

The effect of your failure to follow usual practice is that Arizona is down a representative from the number to which it is constitutionally entitled. And the more than 813,000 residents of Arizona's Seventh Congressional District currently have no representation in Congress. The "loss of a Representative to the United States Congress undoubtedly satisfies the injury-in-fact requirement of Article III standing." *Dep't of Com. v. United States House of Reps.*, 525 U.S. 316, 331 (1999). The question of entitlement to a seat in the House is justiciable and is not a political question. *Powell v. McCormack*, 395 U.S. 486, 522 (1969); *see Baker v. Carr*, 369 U.S. 186, 217 (1962).

The House and its leadership have acted ultra vires and in violation of the Constitution. "[T]he Constitution leaves the House without authority to exclude any person, duly elected by [her] constituents, who meets all the requirements for membership expressly prescribed in the Constitution." *Powell*, 395 U.S. at 522. The House's power to exercise control over its membership is limited to its role as the "Judge of the Elections; Returns and Qualifications of its own Members." *Id.*; *see* U.S. Const. art. 1, § 4.

No one questions Ms. Grijalva's election or its returns, or raises an issue of her qualifications. *See* U.S. Const. art. VI; 5 U.S.C. § 3331. The House is without authority to refuse her oath and admission.

You and your staff have provided ever-shifting, unsatisfactory, and sometimes absurd stories as to why Ms. Grijalva has not been sworn in. In a particularly worrisome comment, an aide connected the swearing-in and admission to the ongoing budget fight, suggesting that the House is trying to use Arizona's constitutional right to representation in the House as a bargaining chip.<sup>1</sup> Arizona's right to a full delegation, and the right of the residents of CD 7 to representation

---

<sup>1</sup> Morgan Rimmer, et al., *Speaker Johnson Said He'd Swear in New House Democrat "As Soon as She Wants."* *Now Republicans are Backtracking*, CNN Politics (updated Oct. 7, 2025), <https://www.cnn.com/2025/10/07/politics/johnson-adelita-grijalva-swearing-in>.

from the person they recently voted for, are not up for debate and may not be delayed or used as leverage in negotiations about unrelated legislation.

We thus demand that Ms. Grijalva be immediately sworn into office and admitted to her rightful seat. We ask that within two days of the date of this letter, you provide this Office with your assurance of when and where that will take place, which must be immediate and prior to the date the House comes back into regular session. Should you fail to provide such assurance, we will be forced to seek judicial relief to protect Arizona and the residents of its Seventh Congressional District.

Thank you for your attention and timely response,

A handwritten signature in blue ink, appearing to read 'K. Mayes', with a long horizontal flourish extending to the right.

Kristin K. Mayes  
Attorney General