



Grand Theft Election

How Republicans Plan to Rig the Electoral College and Steal the White House

Ian Millhiser January 23, 2013

President Barack Obama won a commanding victory in this November's elections, defeating Republican candidate and former Massachusetts Gov. Mitt Romney by nearly 4 percentage points in the popular vote.¹ In doing so, President Obama became the first president to twice win more than 51 percent of the popular vote since President Dwight D. Eisenhower did so in 1956.²

If a Republican plan to rig the Electoral College had been in effect in 2012, however, it is reasonably likely that President Romney would be the one meeting with his new cabinet officials in the Oval Office. Under current law, most states allocate all of their electoral votes to the winner of the state as a whole. This Republican Plan to rig future elections, however, would change this in several blue states where Democrats are likely to carry the state's full slate of electors. Texas, South Carolina, and other safe red states would therefore continue to deliver every single one of their electoral votes to the Republican candidate, while blue states such as Pennsylvania or Michigan would have to give away half or more of theirs to the Republican ticket. The result is a giant thumb on the scale for Republicans, enabling them to take the White House even when the electorate strongly prefers the Democratic candidate.

How the Republican election-rigging plan works

This Republican Plan would reallocate electoral votes so that a maximum of two electoral votes would go to the overall winner of several key blue states.³ The lion's share of the state's electors would then be allocated one by one to the presidential candidate who won each individual congressional district. (see Figure 1) Thus, in a blue state such as Michigan—which President Obama won by nearly 10 points in 2012⁴—Gov. Romney would have received 9 of the state's 16 electoral votes because he received more votes than the president did in nine of the state's congressional districts.⁵ In other words, the Republican candidate would receive more than half of the state's electoral votes despite being overwhelmingly defeated in the state as a whole.

FIGURE 1
The Republican election-rigging plan

Red states would remain Republican, but traditionally blue states would go red

Under the Republican plan, red states would still deliver all of their electoral votes to the Republican presidential candidate



Many blue states would also give half or more of their electoral votes to the Republican regardless of who won the state



Source: Ian Millhiser, "RNC Chair: Rig The Next Presidential Election For Republicans," ThinkProgress, January 14, 2013, available at <http://thinkprogress.org/justice/2013/01/14/1443731/rnc-chair-rig-the-next-president-election-for-republicans/>.

Cashing in on gerrymandering

The Republican Plan does not just apply one set of rules in red states and another set of rules in blue states—it also takes advantage of profoundly gerrymandered congressional maps in order to stack the deck even more for Republican presidential candidates. In 2012 Democratic House candidates received nearly 1.4 million more votes than their Republican counterparts.⁶ Yet Republican candidates currently hold a 33-seat majority in the House, due in large part to the fact that Republican state legislatures controlled the redistricting process in several key states.⁷ Indeed, Republicans were so successful in their efforts to lock in their control of the House of Representatives through gerrymandering that Democratic House candidates would have needed to win the national popular vote by more than 7 percentage points in order to receive the barest majority in the House.⁸ Republicans aren't particularly shy about touting the success of their gerrymanders either: The Republican State Leadership Committee released an extensive memo boasting about how they used gerrymanders to lock down GOP majorities in the House.⁹

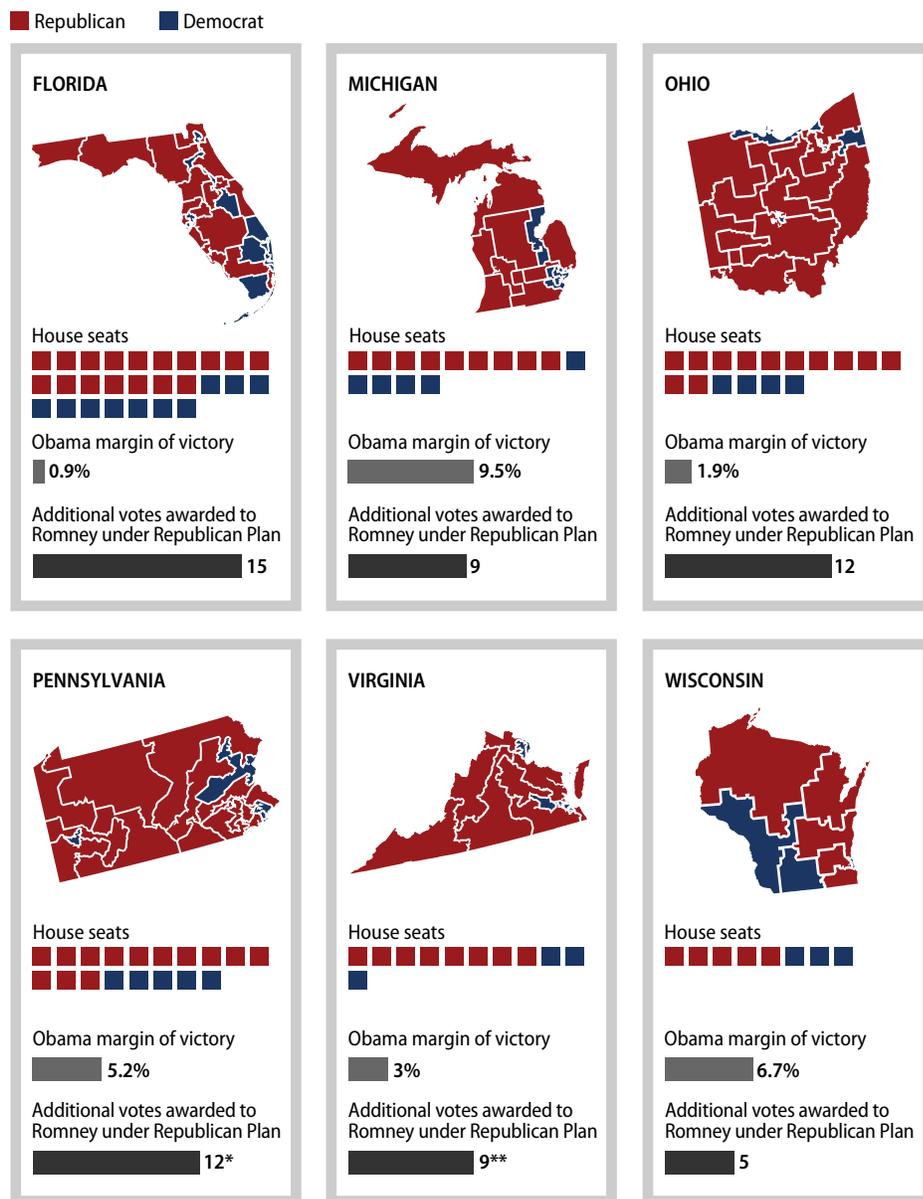
The impact of the current congressional maps is most profound in six key states. As explained above, President Obama did win Michigan by nearly 10 points, but

Democratic candidates won only 5 of the state’s 14 congressional seats.¹⁰ Likewise, President Obama won Florida, Ohio, Pennsylvania, Virginia, and Wisconsin—in some cases by comfortable margins—but Republicans dominate the congressional delegations from these states.¹¹

Notably, all six of these states are currently controlled by Republican governors and legislatures, meaning that all six of them could implement the Republican election-rigging plan before the 2016 election.

FIGURE 2
Six likely targets for the Republican Plan

Republicans control these six states, all of which supported President Obama in 2012



* Pennsylvania: one vote uncertain.

** Virginia: Republicans proposed a modified election-rigging plan that would likely award two additional votes to Republican candidates.

Source: David Wasserman, Cook Political Report.

Why the Republican Plan is a real threat

Lest there be any doubt, the Republican Plan is not some speculative proposal with no support outside of conservative think tanks and the pages of the *National Review*. It is widely endorsed by many leading Republicans.

The Republican Plan was first proposed by Pennsylvania Gov. Tom Corbett (R) and Republican State Senate Majority Leader Dominic Pileggi in 2011.¹² Later that year a Wisconsin lawmaker circulated a copycat plan to his fellow Republicans, which Gov. Scott Walker (R-WI) called an “interesting idea.”¹³ Ohio’s top elections official, Republican Secretary of State John Husted, endorsed the plan during a post-election conference, although he later backed off that endorsement following significant criticism.¹⁴ A version of the election-rigging plan is currently pending in the Virginia State Senate,¹⁵ and it was recently reintroduced in the Pennsylvania House.¹⁶

Perhaps most ominously of all, Republican National Committee Chair Reince Priebus endorsed the plan, and he did not even hide his intention to implement it only in blue states, where it will help the Republican presidential candidate and hurt the Democratic candidate. In Priebus’s words, “I think it’s something that a lot of states that have been consistently blue that are fully controlled red ought to be looking at.”¹⁷

Conclusion

When voters gave Republicans temporary control of several state legislatures in 2010, they did not sign away their right to elect different leaders in future elections. Yet Republicans have already wielded their short-lived mandate to draw legislative maps that lock in the GOP’s gains, and many Republicans are poised to implement a new plan that would make it virtually impossible for a Democrat to win the presidency. If the Republican Party can’t win elections fair and square, then their backup plan appears to be nothing more than cheating.

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Endnotes

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- 2 Greg Giroux, "Final Tally Shows Obama First Since '56 to Win 51% Twice," *Bloomberg*, January 4, 2013, available at <http://www.bloomberg.com/news/2013-01-03/final-tally-shows-obama-first-since-56-to-win-51-twice.html>.
- 3 Millhiser, "RNC Chair: Rig The Next Presidential Election For Republicans."
- 4 Ian Millhiser, "Michigan GOP Considering Republican Plan To Rig The Presidential Election," ThinkProgress, January 18, 2013, available at <http://thinkprogress.org/justice/2013/01/18/1468831/michigan-gop-considering-republican-plan-to-rig-the-presidential-election/>.
- 5 Ibid.
- 6 Ian Millhiser, "Thanks To Gerrymandering, Democrats Would Need To Win The Popular Vote By Over 7 Percent To Take Back The House," ThinkProgress, January 2, 2013, available at <http://thinkprogress.org/justice/2013/01/02/1382471/thanks-to-gerrymandering-democrats-would-need-to-win-the-popular-vote-by-over-7-percent-to-take-back-the-house/>.
- 7 Ian Millhiser, "Why Americans Actually Voted For A Democratic House," ThinkProgress, November 7, 2012, available at <http://thinkprogress.org/justice/2012/11/07/1159631/americans-voted-for-a-democratic-house-gerrymandering-the-supreme-court-gave-them-speaker-boehner/>.
- 8 Ibid.
- 9 Scott Keyes, "Republicans Brag They Won House Majority Because Of Gerrymandering," ThinkProgress, January 17, 2013, available at <http://thinkprogress.org/justice/2013/01/17/1459991/rslc-gerrymandering-house/>.
- 10 Millhiser, "Michigan GOP Considering Republican Plan To Rig The Presidential Election."
- 11 Ian Millhiser and Josh Israel, "Ohio's GOP Secretary of State Already Has A Plan To Rig The 2016 Election For Republicans," ThinkProgress, November 9, 2012, available at <http://thinkprogress.org/justice/2012/11/09/1169761/ohios-gop-secretary-of-state-already-has-a-plan-to-rig-the-2016-election-for-republicans/>.
- 12 Ian Millhiser, "GOP Pennsylvania Gov. Tom Corbett Proposes Rigging The Electoral College For Republicans," ThinkProgress, September 14, 2011, available at <http://thinkprogress.org/justice/2011/09/14/318718/gop-pennsylvania-gov-tom-corbett-proposes-rigging-the-electoral-college-for-republicans/>.
- 13 Steve Peoples, "Electoral College Changes Eyed By Republicans In State Legislatures Following Obama Win," *Huffington Post*, January 18, 2013, available at http://www.huffingtonpost.com/2013/01/18/electoral-college_n_2501887.html; Ian Millhiser, "Wisconsin GOP Now Considering Pennsylvania-Style Election Rigging Plan," ThinkProgress, October 13, 2011, available at <http://thinkprogress.org/justice/2011/10/13/342534/wisconsin-gop-now-considering-pennsylvania-style-election-rigging-plan/>.
- 14 Millhiser and Israel, "Ohio's GOP Secretary of State Already Has A Plan To Rig The 2016 Election For Republicans."
- 15 "Electoral College; State's electoral votes shall be allocated by congressional district," Virginia S.B. 723 (December 13, 2012), available at <http://leg1.state.va.us/cgi-bin/legp504.exe?131+sum+SB723>.
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- 17 Ian Millhiser, "RNC Chair: Rig The Next Presidential Election For Republicans."