



Electoral blockage: Will Congress trump your vote for president?

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When you vote in November, you and people like you will decide who the next president will be, right?

Not so fast.

As wacky as the 2016 election season has been so far, it could once again blow your mind.

Here's how: If no candidate wins a certain number of electoral college votes, it is Congress — yes, that Congress, the one with the single-digit approval rating — [that gets to decide](#).

The magic number of electoral votes for any candidate, be it either of the major party nominees or anyone else, is 270. If one candidate gets those 270 votes, then it's wrapped up.

But, if two candidates tie at exactly 269 votes, or if three or more of them split the electoral college vote, it's called a "contingent election" — and various electoral college math equations could lead us down that path.

If no candidate gets 270 electoral college votes, says University of South Florida political scientist Susan MacManus, "the presidential contest is decided by the House of Representatives." At that point, "each state [delegation] gets one vote [on] the top three candidates. And the one that wins, wins."

Right now in the House, well over half the states have a majority of Republican representatives — so perhaps you should practice saying "President Donald Trump."

After that, each U.S. Senator would vote for vice president from the top two candidates, MacManus explains. Republicans have a majority in the Senate: 54 to 44 Democrats and two independents.

But due to the timeline of such a vote, it might not be President Trump and Vice President Christie (or Gingrich, or... Palin) after all.

Under such a scenario, the current Congress wouldn't even be the one that votes for prez and vee next Jan. 6. Instead, the new Congress would vote — including newly elected senators and representatives, who will have gotten sworn in just three days earlier on Jan. 3.

If either the House or Senate flips to the Democrats in November, that could result in a president and vice president being from different parties.

“It's not out of the realm of reality,” Mac Manus said.

If any independent party candidates earn a state's electoral college votes, it makes it more likely neither of the major party candidates will get a majority.

Aubrey Jewett, a professor of political science at the University of Central Florida in Orlando, said the GOP's love-hate relationship with Trump may yet rear its head in November.

“Some Republicans, particularly conservatives, who are not comfortable at all with Donald Trump have suggested that maybe they would run someone independently,” he said.

The unpopularity of the two likely nominees — Trump and Hillary Clinton — could be an opening for strong independent challengers to emerge. An NBC News/SurveyMonkey online poll in May found nearly 60 percent of Americans either “dislike” or “hate” Clinton; about 63 percent feel the same about Trump.

Names like Jeb Bush or Michael Bloomberg have been tossed around as possible independent conservative general election challenges. In late May, *Bloomberg Politics* reported that conservative pundit Bill Kristol [wanted to recruit](#) lawyer and Operation Iraqi Freedom veteran David French to run, [but French declined](#).

Could a well-funded independent conservative with mainstream backing win a red state or two away from Trump? If so, Jewett says, “It's possible no one would end up with the majority” of electoral college votes.

Then there are the Libertarians.

In late May during its convention in Orlando, the Libertarian Party nominated former New Mexico Governor Gary Johnson for president and former Massachusetts Governor Bill Weld for vice president. Johnson got about 1 percent of the popular vote when he was the Libertarian nominee in 2012 and he's likely to be on the ballot in all 50 states this year, and at least one major national survey suggests he'd garner a good hunk of votes in November.

In a [Quinnipiac University poll from late May](#), Johnson came in third in a hypothetical four-way race at 5 percent. Ed Crane, co-founder of the Cato Institute, a D.C.-based libertarian think tank, told Politico that he would revive the PurplePAC to fund the Johnson-Weld ticket. Millions of political action committee dollars like that could help the Libertarian Party get some support from fiscal conservatives who won't vote for Trump or from social liberals not

interested in Clinton, perhaps giving the #NeverTrump and #NeverHillary movements an electoral outlet.

Meanwhile, if Sanders loses the Democratic nomination to Hillary Clinton (as now seems likely after her primary victories on Tuesday), the #BernieorBust crowd might try to get the U.S. Senator from Vermont to run in November.

“It’s certainly possible that Bernie Sanders could decide to run as an independent or to run at the top of the Socialist ticket or the Green Party ticket or something like that,” Jewett says. “And once again, the scenario would be that if he has enough passionate supporters that he could actually win some states when there were three or four candidates actually splitting votes, then it’s possible that no one would get a majority of electoral college votes and it would be thrown to the House of Representatives.”

Likely Green Party presidential nominee Jill Stein has taken to Twitter to try to convince Sanders to join her on a Green ticket. Stein [registered 3 percent support](#) in the recent Quinipiac four-way poll.

Would it be that farfetched to imagine Stein-Sanders winning a few electoral votes from progressive states like Washington or Vermont?

Adding to the possibility of a contingent election is the fact that a minor-party or independent candidate could pick up electoral votes in “a couple of states that are proportionally decided,” MacManus points out.

In Maine and Nebraska, she points out, “electoral votes are given out on the basis of — it’s not winner take all — but by Congressional district, proportionally.”

That could mean something as rare as the House of Representatives trumping your vote to decide who becomes the next president.

“Anything’s possible, and this electoral season has been so strange I would put almost no result out of reach,” says Jewett. “We haven’t seen anything like it in quite some time, that’s for sure.”