



Written by [Selwyn Duke](#) on November 11, 2020

## How Trump Can Win WITHOUT 270 Electoral Votes

While Democrats are busying measuring White House drapes and making lists of political opponents to [persecute](#), some observers are saying that you shouldn't count your chickens, well, when they may actually be coming home to roost.

Even if the vote fraud this election was as massive as appearances indicate, the chances of President Trump flipping enough states to get him the 38 electoral votes required (I'm counting North Carolina and Alaska in his current total) to reach the 270 needed to win may seem remote. After all, vote "fraud on the scale seen this week can hardly be quantified between today and when the Electoral College casts its vote," as American Thinker's Jay Valentine [points out](#).



AP Images

(This process could be accelerated, however, if the Trump team embraced the idea [I wrote about Monday](#): Offering \$1 million and full immunity to each of the first 100 Democrats who come forward with actionable vote fraud evidence.)

"Lawsuits take time, discovery is a slow [process]," Valentine continues. "We cannot trust our own Justice Department, the FBI, and intelligence community who [sic] have been implicated trying to destroy the current President." Yet there is another possibility.

While the "legal proof" may be a high bar, states Valentine, "common-sense proof" is a different matter — and is "off the charts."

For sure. We've witnessed "the jump-the-shark version of vote fraud," as I put it Monday. "Scores of bloggers are publishing lists of the Dead Vote," Valentine explains. "Statistical algorithms used to identify voter fraud in third world countries, applied to this vote, show massive fraud."

"It is only going to get uglier every day as more people come forward with fraud testimony, photos of trucks delivering ballots, and records of software that stops in the middle of the night," he also avers.

Now, not-president-elect Joe Biden currently has 259 electoral votes, [according](#) to RealClearPolitics, which correctly lists Pennsylvania as undecided. Moreover, the "fights in Wisconsin, Michigan, Georgia, Arizona, Minnesota and other states go on," Valentine further tells us, with litigation burgeoning. So what if, just perhaps, the writer theorizes, a number of state legislatures refuse to appoint electors and no candidate has 270?

The race would then be decided by *Congress*, in accordance with the 12th Amendment.

"But wait," you say, "the Democrats control Congress!" Well, this is where it gets interesting.

That's irrelevant, because when Congress decides who'll be president, each state delegation gets only *one* vote no matter its size. And currently, Republicans control *26 of 50* state delegations.



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But there's more. It's not the current Congress that matters but the incoming one, which takes office *January 3*, more than two weeks before the president does.

And the Democrats have just *lost three delegations*, and may lose a fourth. This means the actual Republican-Democrat split will be 26-20 or 27-20 with, respectively, four or three tied.

This is significant "because in some universe it is conceivable that a 26-24 delegation with a couple of liberal RINO R delegation flips could possibly go Biden," American Thinker also relates. "Since it will actually be either 26-20 or 27-20, there is no way Biden could ever win the House voting by delegations under the 12th Amendment, because he actually has a 6 or 7 delegation deficit, NOT merely a 2 delegation deficit."

But would the election actually get to Congress? Valentine thinks so. "State legislatures in six or seven or more states, run by Republicans, have a choice," he explains: "certify an election that was clearly fraudulent, certify a different slate of electors who will vote against the popular, but fraudulent vote, or just fail to certify."

"My bet is several may choose option 3," he concludes. If just a couple of key states go this route, the ball is in Congress's court.

I'll add that the Pennsylvania General Assembly has an especially good reason to not certify: The Pennsylvania Supreme Court — in violation of the U.S. Constitution, which dictates that state legislatures establish election law — ignored the Assembly's ballot-receipt deadline, extending it by three days. The Assembly could credibly argue that this renders the vote invalid and unconstitutional.

Valentine is optimistic about Trump's chances, pointing out that state legislators are very close to their constituents, seeing them "daily at the grocery store, in church, at the Kiwanis Club." And given that these politicians almost universally have aspirations for higher office and high community standing, what "Republican state legislator wants to see MAGA-nation pillory them with '...Jack's vote put Joe Biden in office!'" Valentine asks rhetorically.

I'm not quite as optimistic as Valentine that GOP politicians will act "outside the box" (the box here being that of pseudo-elite expectation and conditioned, status-quo behavior). But a lot will depend on the impressiveness of the emerging vote-fraud evidence.

What's for sure is that, whatever the outcome, a large part of the electorate will feel aggrieved — either rightly or wrongly.



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