

How One Man's Vote in Nebraska Could Change the Presidential Election

A single Republican state senator appears to be holding back a push by Donald J. Trump to net a potentially pivotal electoral vote even before ballots are cast.



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By Jonathan Weisman and Reid J. Epstein

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In Eastern Nebraska, far from the presidential battleground states, a drama is playing out that could, in a perfectly plausible November scenario, have history-altering repercussions for the nation's future and the next president — and it may all come down to one man.

A single Republican state senator from Omaha, Mike McDonnell, has so far stood firm against a push by former President Donald J. Trump, national Republicans and the Nebraska G.O.P. to change Nebraska from a state that divides its electoral votes by congressional district to one that awards all of them to the statewide winner. Maine is the only other state without a winner-take-all system.

If Mr. McDonnell buckles, two other Republican senators in Nebraska's unicameral legislature who have also not yet committed to changing Nebraska's system are likely to follow his lead, according to a number of Republicans and Democrats involved in the discussions going on at the State Capitol.

The tumbling dominoes would almost certainly give the single electoral vote of Omaha and its suburbs, which Vice President Kamala Harris is favored to win, to Mr. Trump.

That might not sound like much, but if Ms. Harris were to win the so-called blue wall — Pennsylvania, Michigan and Wisconsin — while losing every other battleground state, Nevada, Arizona, Georgia and North Carolina, that one electoral vote would be the difference between a 270-268 Electoral College victory for the vice president or a 269-269 tie. And in the event of a tie, the House of Representatives would determine the winner, not by raw votes of House members but by the support of each state delegation.

With more delegations in Republican control, Mr. Trump would almost certainly win.

As of Friday, Mr. McDonnell, who is barred by Nebraska's term limits law from seeking re-election, had not changed his position.

“Senator McDonnell has heard a lot of compelling arguments for and against, but as of right now he still remains a no vote,” his spokesman, Barry Rubin, said on Friday. “The only way he would think about switching would be if someone gave him a compelling reason for why it made sense on the merits of the winner-take-all situation.”

Mr. Rubin said Mr. McDonnell was not weighing or asking for political favors from the Harris and Trump camps. “Nobody is offering anybody anything,” he said.

State Senator Mike McDonnell in 2019. Mr. McDonnell is at the center of a drama

involving Nebraska's electoral votes that could tilt the outcome of the 2024 election. Nati Harnik/Associated Press

That is not likely to end the drama. The Legislature could change the electoral vote allocation law at any point up until the day before Election Day and have it be in place for this year's presidential election.

In some sense, the Democrats share the blame for the conundrum. Mr. McDonnell, a firefighter by trade and a union leader, had once been a firm blue-collar Democrat, but his Catholic faith and social conservatism led him to support Republican bills that restricted most abortions as well as transition-related care for transgender minors.

The Nebraska Democratic Party punished him in March with a censure. Then in April, he switched parties and changed the balance of power in Lincoln, where Democrats had been able to use the Legislature's filibuster rule effectively.

Now, he is the man in the middle, and with less than seven weeks until Election Day, the pressure will no doubt be excruciating. And with Mr. McDonnell's ambitions, he has plenty of chits to play. He is eyeing a run for Omaha mayor next year.

On Wednesday, Senator Lindsey Graham, the South Carolina Republican and close ally of Mr. Trump, visited Nebraska and met with the Republican governor, Jim Pillen, and a number of state senators, including Mr. McDonnell. Mr. Trump personally called in to the meeting to express his desire for the change.

In a statement last week, the governor declared his support for awarding all five of Nebraska's electoral votes to the winner of the statewide popular vote. On Wednesday, the state's five-member all-Republican congressional delegation, including the congressman who represents Omaha, Don Bacon, signed a letter demanding the change.

"We need a president that will represent all of us, from Omaha to Scottsbluff and everywhere in between," they wrote.

Jessica Flanagain, a top adviser to Mr. Pillen who ran his campaign for governor, said on Friday that the governor would call a special session to change the state's electoral vote allocation only if he has commitments from enough legislators to do it.

During an appearance on the Fox News host Sean Hannity's radio program, Ms. Flanagain said she was optimistic that Mr. McDonnell would change his mind.

"He's still our big question, but I'm sure that he's going to land on the right side of this," she said.

But the politics of Nebraska aren't the same as the politics of Omaha, and Mr. Bacon, in an interview on Friday, did not sound as emphatic as the letter he signed. He said he was "not the one pushing for this" and would prefer that all states adopt Nebraska's method of awarding electoral votes by congressional district.

"If everybody did it the same way, I think it would be better," Mr. Bacon said. "When you're only one of two, it creates distortions and it undermines the leverage that we have."

He also said he wasn't sure how Mr. McDonnell and the two other holdout Republicans would vote. Recent polling suggests Mr. Bacon will be fighting for his political life against a Democrat, State Senator Tony Vargas, come November.

Representative Don Bacon, Republican of Nebraska, during a television interview in Washington last October. Mr. Bacon said he would prefer that all states adopt Nebraska's method of awarding electoral votes by congressional district. Anna Rose Layden for The New York Times

Democrats dearly cherish what they call “the blue dot” — that Omaha electoral vote that brings Nebraska into the national political conversation every four years.

“Senator McDonnell has consistently talked about the economic impact of presidential candidates competing in Nebraska,” Jane Kleeb, the chairwoman of the Nebraska Democratic Party, said on Friday, responding to the new push by Republicans. “It brings energy to the ticket down-ballot as well, and nothing that they have said has convinced him to change his long and strong positions on a fair electoral vote system.”

Mr. McDonnell is also the president of the Omaha Federation of Labor and is hearing from union members pressing him to hold on to the “blue dot.” The Nebraska State A.F.L.-C.I.O. passed a resolution on Friday opposing a winner-take-all “system that will silence those participating in their civic duty, voting.”

The umbrella labor organization’s president, Sue Martin, said that “several people have had conversations” with Mr. McDonnell.

“I believe he will stand with labor,” she said.

Then there are the mayoral politics. Omaha’s mayor, Jean Stothert, is a Republican who has said she will vote for Mr. Trump. To beat her in a nonpartisan election next year, Mr. McDonnell would most likely have to appeal to Democrats. Eradicating their blue dot would not help on that front.

Ms. Stothert was mum on Friday about her own position. “We are allowing the process to play out with the state senators and governor,” she wrote in a text, “and I have no comment at this time.”

The drama around the electoral system is just one piece of a surprisingly vibrant political season in Nebraska. An independent labor activist, Dan Osborn, is running a surprisingly tough race against an incumbent Republican senator, Deb Fischer. A measure to legalize abortion has made the ballot, along with one to allow for the medical use of marijuana, although Republicans are suing to block the cannabis measure. The Bacon-Vargas contest is one of a handful of true tossup races that will help determine control of the House.

But none of those have the potential impact of the battle for Mr. McDonnell's vote.

Nebraska Republicans have tried for years to change the state's method of awarding electoral votes in presidential elections, which Democrats helped implement before the 1992 election. But a strong filibuster rule that requires a two-thirds majority in the State Legislature has allowed Democrats to block it. Republican operatives in the state said the latest effort to change the rules was being driven by the Trump campaign and others from back east.

"This is classic Washington, D.C.," said Perre Neilan, a former executive director of the Nebraska Republican Party. "If you don't like the way the table is set, flip the table."

Democrats have taken one of Nebraska's electoral votes twice since the system was put in place. Barack Obama did it in 2008. President Biden did it in 2020. Some Democrats have looked to Maine, the only other state with a similar system, to nullify a change in Nebraska, but that would be almost impossible.

Maine is controlled by Democrats, but only “emergency” legislation can be implemented immediately, and such legislation takes two-thirds majorities in both Maine chambers. Democrats do not have nearly those numbers. They could pass legislation making the state winner-take-all, but it would take effect 90 days after being signed — well after the November election.

Mr. McDonnell did not return phone calls or emails, and his spokesman, Mr. Rubin, said he did not wish to be interviewed. Friends in Omaha indicate that the state senator is torn.

For now, his phone is blowing up with texts, said one person close to Mr. McDonnell who did not want to be named because of the intensity of the debate. A Facebook group in Omaha, Blue Dot Energy, has issued a plea to followers: “We need EVERYONE to give him a call or write him a letter of support urging him to hold tough!”

Meantime, on Nebraska’s right flank, State Senator Loren Lippincott on Friday called on Trump supporters to pray and fast to sway the holdouts. “We really need churches to get involved and fight the spiritual warfare that is going on in the political arena,” he wrote on social media.

Jonathan Weisman is a politics writer, covering campaigns with an emphasis on economic and labor policy. He is based in Chicago. [More about Jonathan Weisman](#)

Reid J. Epstein covers campaigns and elections from Washington. Before joining The Times in 2019, he worked at The Wall Street Journal, Politico, Newsday and The Milwaukee Journal Sentinel. [More about Reid J. Epstein](#)

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