

“Agreement among the States to Elect the President by National Popular Vote”

March 16, 2018

The National Popular Vote bill would guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia. The bill would ensure that every vote will be equal throughout the U.S. and that *every* vote, in *every* state, will matter in *every* presidential election.

Since 2006, the bill has been enacted into law in 11 jurisdictions possessing 165 electoral votes, including 4 small states (RI, VT, HI, DC), 3 medium-sized states (MD, MA, WA), and 4 large states (NJ, IL, NY, CA). The bill will take effect when enacted by states with 105 more electoral votes. The bill has passed at least one chamber in 12 additional states with 96 electoral votes, including recent approvals by the New Mexico Senate, Oregon House, Arizona House, Oklahoma Senate, and unanimous committee votes in Georgia and Missouri. A total of 3,115 state legislators from all 50 states have endorsed it.

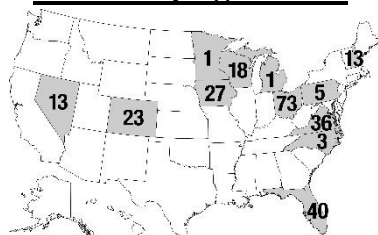
The shortcomings of the current system of electing the President stem from “winner-take-all” laws that have been enacted at the state level by 48 of the 50 states. These laws award 100% of a state’s electoral votes to the candidate receiving the most popular votes in each state.

Because of these state winner-take-all laws, five of our 45 Presidents have come into office without having won the most popular votes nationwide. Moreover, candidates have no reason to campaign in, advertise in, or pay attention to voters in states where they are safely ahead or hopelessly behind.

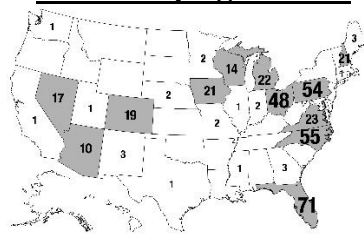
In 2012, *all* of the general-election campaign events and virtually all expenditures were concentrated in 12 closely divided “battleground” states where Romney’s support was 45%–51%. Two-thirds of the events (176 of 253) were concentrated in just 4 states (OH, FL, VA, IA). Thirty-eight states were ignored, including 12 of the 13 smallest states and almost all rural, Western, Southern, and New England states.

In 2016, almost all campaign events (94%) were in the 12 states where Trump’s support was 43%–51%. Two-thirds of the events (273 of 399) were in just 6 states (OH, FL, VA, NC, PA, MI).

2012 Campaign Events



2016 Campaign Events



Battleground states receive 7% more presidentially controlled grants, twice as many disaster declarations, and numerous favorable actions from Presidents, as detailed in Hudak’s recent book *Presidential Pork*, Hecht and Schultz’s book *Presidential Swing States: Why Only Ten Matter*, Morrissey’s book *Going Red: The Two Million Voters Who Will Elect the Next President*, Doherty’s book *The Rise of the President’s Permanent Campaign*, and Kriner and Reeves’s book *The Particularistic President*.

The U.S. Constitution (Article II, Section 1) gives states exclusive control over awarding their electoral votes: “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors....” The winner-take-all method of awarding electoral votes is *not* in the U.S. Constitution. It was neither debated at the 1787 Constitutional Convention or mentioned in the *Federalist Papers*. It was used by only three states in the first presidential election. It is purely state law that the states may change.

The National Popular Vote interstate compact will go into effect after being enacted by states possessing a majority of the electoral votes—that is, enough to elect a President (270 of 538). When the compact is in effect, all of the presidential electors appointed by all of the compacting states will be party supporters of the presidential candidate receiving the most popular votes in all 50 states and DC. Because the compacting states possess at least 270 electors, the President will be the candidate who won the national popular vote.

The National Popular Vote bill retains the Electoral College and preserves state control of elections.

For additional information, see our book *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* (downloadable for free at www.NationalPopularVote.com).