National Popular Election of the President
National Popular Vote!
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# "Agreement among the States to Elect the President by National Popular Vote"

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The National Popular Vote law will guarantee the Presidency to the candidate who receives the most popular votes in all 50 states and the District of Columbia.

It will apply the one-person-one-vote principle to presidential elections, and make every vote equal.

National Popular Vote has been enacted by 15 states and the District of Columbia, including 4 small states (DE, HI, RI, VT), 8 medium-sized states (CO, CT, MD, MA, NJ, NM, OR, WA), and 3 big states (CA, IL, NY). These states have 195 of the 270 electoral votes needed to activate the law.

In addition, National Popular Vote has passed one legislative chamber in 9 states with 88 electoral votes (AR, AZ, ME, MI, MN, NC, NV, OK, VA), including the Republican-controlled Arizona House and Republican-controlled Oklahoma Senate. It has been endorsed by 3,529 state legislators.

## Why a National Popular Vote for President Is Needed

Under the current system, close vote totals in a handful of narrowly divided states repeatedly create controversy, uncertainty, recounts, hair-splitting legal disputes, and a loss of confidence in elections.

Under the current system, five of our 46 Presidents have come into office without winning the most popular votes nationwide. In the last six presidential elections, there have been two second-place Presidents (2000 and 2016) and two "near-miss" elections when this almost happened (2004 and 2020).

In the "near miss" election of 2004, if 59,393 voters in Ohio had changed their minds, President Bush would have lost, despite leading nationally by over 3 million votes.

In 2020, if 21,461 voters had changed their minds, Joe Biden would have been defeated, despite leading by over 7 million votes nationally. Each of these 21,461 voters (5,229 in Arizona, 5,890 in Georgia, and 10,342 in Wisconsin) was 329 times more important than the 7 million voters elsewhere.

Presidential candidates only pay attention to the concerns of voters in closely divided battleground states. A dozen battleground states received virtually all (94% or more) general-election campaign events in the last three elections. The politically irrelevant spectator states included almost all of the small states, rural states, agricultural states, Southern states, Western states, and Northeastern states.

## How National Popular Vote Works

The shortcomings of the current system stem from **state** "winner-take-all" laws that award all of a state's electoral votes to the candidate receiving the most popular votes in each separate state. Winner-take-all is **not** in the U.S. Constitution and was never mentioned at the 1787 Constitutional Convention.

The U.S. Constitution (Article II) gives the states exclusive control over the choice of method of awarding their electoral votes— thereby giving the states a built-in way to reform the system.

> "Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors…."

The National Popular Vote law will take effect when enacted by states with a majority of the electoral votes (270 of 538). Then, the presidential candidate receiving the most popular votes in all 50 states and DC will get all the electoral votes from all of the enacting states. That is, the candidate receiving the most popular votes nationwide will be guaranteed enough electoral votes to become President.

Under the National Popular Vote law, no voter will have their vote cancelled out at the state-level because their choice differed from majority sentiment in their state. Instead, every voter's vote will be added directly into the national count for the candidate of their choice. This will ensure that ***every*** voter, in ***every*** state, will be politically relevant in ***every*** presidential election—regardless of where they live.

The National Popular Vote law is a constitutionally conservative, state-based approach that retains the power of the states to control how the President is elected and retains the Electoral College.

## More Information

Visit www.NationalPopularVote.com. Our book *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* is downloadable for free. Questions answered at www.NationalPopularVote.com/answering-myths.