

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

April 7, 2015

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 has been enacted by 11 jurisdictions possessing 165 electoral votes—61% of the 270 electoral votes necessary to activate it, including four small jurisdictions (RI, VT, HI, DC), three medium-size states (MD, MA, WA), and four big states (NJ, IL, NY, CA). The bill has passed a total of 33 legislative chambers in 22 states—most recently by a bipartisan 28–18 vote in the Oklahoma Senate, a 57–4 vote in New York Senate, and a 102–33 vote in NY Assembly.

The shortcomings of the current system of electing the President stem from *state* winner-take-all statutes (i.e., state laws that award all of a state’s electoral votes to the candidate receiving the most popular votes in each *separate* state).

Because of these state winner-take-all statutes, presidential candidates have no reason to pay attention to the issues of concern to voters in states where the statewide outcome is a foregone conclusion. As shown on the map, two-thirds of the 2012 general-election campaign events (176 of 253) were in just 4 states (Ohio, Florida, Virginia, and Iowa). Thirty eight states were ignored.



State winner-take-all statutes adversely affect governance. “Battleground” states receive 7% more federal grants than “spectator” states, twice as many presidential disaster declarations, more Superfund enforcement exemptions, and more No Child Left Behind law exemptions.

Also, state winner-take-all statutes have allowed candidates to win the Presidency without winning the most popular votes nationwide in four of our 57 presidential elections—1 in 14 times. A shift of 59,393 votes in Ohio in 2004 would have elected John Kerry despite President Bush’s nationwide lead of over 3,000,000 votes. A shift of 214,393 votes in 2012 would have elected Mitt Romney despite President Obama’s nationwide lead of almost 5,000,000 votes.

The U.S. Constitution (Article II, Section 1) gives the 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 rule was used by only three states in 1789.

The National Popular Vote interstate compact would not take effect until enacted by states possessing a majority of the electoral votes—that is, enough to elect a President (270 of 538). Under the compact, the winner would be the candidate who received the most popular votes from all 50 states (and DC) on Election Day. When the Electoral College meets in mid-December, the national popular vote winner would receive all of the electoral votes of the enacting states.

The bill ensures that *every* vote, in *every* state, will matter in *every* presidential election.

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

National Popular Vote’s Advisory Board includes former Senators Jake Garn (R–UT), Birch Bayh (D–IN), and David Durenberger (R–MN); former Congressmen John Anderson (R–IL, D), John Buchanan (R–AL), Tom Campbell (R–CA), and Tom Downey (D–NY). Other supporters include former Senator Fred Thompson (R–TN), Governor Jim Edgar (R–IL), Cong. Tom Tancredo (R–CO), Governor Howard Dean (D–VT), and House Speaker Newt Gingrich (R–GA).

Additional information is available in the book *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* and at [www.NationalPopularVote.com](http://www.NationalPopularVote.com).

**The Only States That Received Any Attention in the 2012 General-Election Campaign  
For President Were States Within 3% of the National Outcome**

The states are listed below in order of Romney's 2012 percentage—with the most Republican (red) states at the top.

The second column shows the total number of general-election campaign events for each state (out of a nationwide total of 253). As can be seen, the only states that received any campaign events and any significant ad money (third column) were the 12 states (shown in black in the middle of the table) where the outcome was between 45% and 51% Republican—that is, within 3 percentage points of Romney's nationwide percentage of 48%.

The fourth column shows donations from each state.

Romney Percent	Campaign events	TV ad spending	Donations	State	Romney (R)	Obama (D)	R-Margin	D-Margin	R-EV	D-EV
75%	0	\$0	\$11,230,092	Utah	740,600	251,813	488,787		6	
71%	0	\$0	\$2,225,204	Wyoming	170,962	69,286	101,676		3	
67%	0	\$1,300	\$7,129,393	Oklahoma	891,325	443,547	447,778		7	
66%	0	\$290	\$3,586,883	Idaho	420,911	212,787	208,124		4	
64%	0	\$100	\$1,985,666	West Virginia	417,584	238,230	179,354		5	
62%	0	\$0	\$3,296,533	Arkansas	647,744	394,409	253,335		6	
62%	0	\$400	\$6,079,673	Kentucky	1,087,190	679,370	407,820		8	
61%	0	\$80	\$6,736,196	Alabama	1,255,925	795,696	460,229		9	
61%	0	\$0	\$4,796,947	Kansas	692,634	440,726	251,908		6	
61%	0	\$0	\$3,128,691	Nebraska	475,064	302,081	172,983		5	
60%	0	\$346,490	\$844,129	North Dakota	188,320	124,966	63,354		3	
60%	0	\$1,440	\$11,967,542	Tennessee	1,462,330	960,709	501,621		11	
59%	0	\$3,990	\$7,510,687	Louisiana	1,152,262	809,141	343,121		8	
59%	0	\$1,810	\$1,267,192	South Dakota	210,610	145,039	65,571		3	
58%	0	\$2,570	\$64,044,620	Texas	4,569,843	3,308,124	1,261,719		38	
57%	0	\$0	\$2,153,869	Alaska	164,676	122,640	42,036		3	
57%	0	\$0	\$2,295,005	Montana	267,928	201,839	66,089		3	
56%	0	\$0	\$3,525,145	Mississippi	710,746	562,949	147,797		6	
55%	0	\$40,350	\$14,631,204	Arizona	1,233,654	1,025,232	208,422		11	
55%	0	\$300	\$8,210,564	Indiana	1,420,543	1,152,887	267,656		11	
55%	0	\$127,560	\$11,512,255	Missouri	1,482,440	1,223,796	258,644		10	
55%	0	\$710	\$6,686,788	SC	1,071,645	865,941	205,704		9	
54%	0	\$6,020	\$21,906,923	Georgia	2,078,688	1,773,827	304,861		16	
51%	3	\$80,000,000	\$18,658,894	NC	2,270,395	2,178,391	92,004		15	
50%	40	\$175,776,780	\$56,863,167	Florida	4,162,341	4,235,965		73,624		29
48%	73	\$148,000,000	\$20,654,423	Ohio	2,661,407	2,827,621		166,214		18
48%	36	\$127,000,000	\$32,428,002	Virginia	1,822,522	1,971,820		149,298		13
47%	23	\$71,000,000	\$20,695,557	Colorado	1,185,050	1,322,998		137,948		9
47%	27	\$52,194,330	\$4,780,400	Iowa	730,617	822,544		91,927		6
47%	13	\$55,000,000	\$6,717,552	Nevada	463,567	531,373		67,806		6
47%	13	\$34,000,000	\$4,389,577	NH	329,918	369,561		39,643		4
47%	5	\$31,000,000	\$27,661,702	Pennsylvania	2,680,434	2,990,274		309,840		20
47%	18	\$40,000,000	\$10,011,235	Wisconsin	1,410,966	1,620,985		210,019		10
46%	1	\$0	\$11,112,922	Minnesota	1,320,225	1,546,167		225,942		10
45%	1	\$15,186,750	\$19,917,206	Michigan	2,115,256	2,564,569		449,313		16
45%	0	\$1,162,000	\$5,770,738	New Mexico	335,788	415,335		79,547		5
44%	0	\$460	\$10,463,528	Oregon	754,175	970,488		216,313		7
42%	0	\$195,610	\$3,452,126	Maine	292,276	401,306		109,030		4
42%	0	\$0	\$23,600,404	Washington	1,290,670	1,755,396		464,726		12
41%	0	\$330	\$18,644,901	Connecticut	634,892	905,083		270,191		7
41%	0	\$0	\$2,141,203	Delaware	165,484	242,584		77,100		3
41%	0	\$270	\$107,928,359	Illinois	2,135,216	3,019,512		884,296		20
41%	0	\$0	\$24,062,220	New Jersey	1,478,088	2,122,786		644,698		14
38%	0	\$320	\$137,804,736	California	4,839,958	7,854,285		3,014,327		55
38%	0	\$0	\$35,927,766	Massachusetts	1,188,314	1,921,290		732,976		11
37%	0	\$1,120	\$25,579,933	Maryland	971,869	1,677,844		705,975		10
36%	0	\$55,600	\$76,743,682	New York	2,485,432	4,471,871		1,986,439		29
36%	0	\$0	\$2,226,963	Rhode Island	157,204	279,677		122,473		4
32%	0	\$0	\$2,732,572	Vermont	92,698	199,239		106,541		3
28%	0	\$0	\$3,217,863	Hawaii	121,015	306,658		185,643		4
7%	0	\$0	\$16,670,938	DC	21,381	267,070		245,689		3
48.0%	253	\$831,106,980	\$937,609,770	Total	60,930,782	65,897,727			206	332

<http://www.fairvote.org/research-and-analysis/presidential-elections/2012chart>

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