



Answers to Common Questions about National Popular Vote

League of Women Voters of Oregon, February 2019

1. What is the National Popular Vote Compact and why is it needed?

The National Popular Vote Compact (NPV), is an agreement among the states to guarantee the presidency to the candidate who receives the most votes in all 50 states and D.C. It ensures that *every* vote, in *every* state, will matter in *every* presidential election. It has already been enacted into law in 13 jurisdictions (12 states and D.C.), representing 181 electoral votes. The Compact will become binding when the total electoral votes of the states signing onto the compact reaches 270, which is enough to win the presidency.

The current Electoral College system is badly flawed due to state winner-take-all laws enacted in all but two states. These laws allow a state to award all its electoral votes to the presidential candidate who receives the most popular votes within that state. In effect, this means that the votes of those who belong to a state's minority party don't matter, and those voters feel disenfranchised.

It is a sad fact that under today's system only a handful of states are truly competitive, so presidential campaigns tend to ignore the rest. Candidates are able to win the presidency without winning the most votes nationwide, which has happened four times in our nation's history, most recently in 2016.

2. Would NPV require a Constitutional Amendment?

No, NPV does not abolish the Electoral College or otherwise change the Constitution, so a Constitutional Amendment is not needed. The Founding Fathers decided to give each state the right to choose its method of selecting presidential electors. The 10th Amendment to the Constitution states: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people." Each state that joins the Compact agrees to replace its state winner-take-all law with a new law that guarantees all its electoral votes to the presidential candidate receiving the most popular votes in all 50 states and D.C.

3. Is NPV counter to the wishes of the Founding Fathers?

The New York Times (Editorial Board Nov 2017) provides the answer to this question:

"Defenders of the Electoral College argue that it was created to protect the interests of smaller states, whose voters would otherwise be overwhelmed by the much larger populations living in urban areas along the coasts. That's wrong as a matter of history. The framers of the Constitution were concerned primarily with ensuring that the president wasn't selected by uneducated commoners. The electors were meant to be a deliberative body of intelligent, well-informed men who would be immune to corruption. (The arrangement was also [a gift to the Southern states](#), with their large, unenfranchised populations of slaves.)"

Thus, the compromise crafted by the Founding Fathers was to count slaves as 2/3 of a person when determining the number of representatives, even though slaves had no voting rights. The Founding Fathers never envisioned winner-take-all laws that were enacted during the 1800s for the purpose of maximizing the power of each state's dominant political party. It is difficult to believe they would approve of our current, very flawed system.

4. Would NPV give big states a greater advantage?

No, big states actually have a greater advantage under the current winner-take-all system, which is used in all states except Maine and Nebraska. The 11 biggest states control 270 out of 538 electoral votes, so even small majorities in those states can be enough to tip an election. Twelve of the 13 smallest states are considered one-party states and thus are virtually ignored by presidential candidates. However, under NPV, every vote in every state is equally important. Campaigns would no longer focus most of their attention on voters who happen to live in competitive states with large numbers of electoral votes.

5. Would NPV favor urban areas over rural and suburban areas?

No, every vote is equal under NPV, so rural and suburban votes would have just as much value as urban votes. The combined population of the 100 biggest cities is about one-sixth of the population, which is roughly the same as the population of rural America. Two-thirds of Americans live in suburban areas, which have remained evenly divided as to party affiliation over the last twenty years.

7. What is the status of NPV in Oregon?

The NPV bill has passed the Oregon House four separate times, but each time it has been blocked in the Senate. At least two NPV bills have been introduced in 2019 thus far, and we hope to make this the year that Oregon's 7 electoral votes will be added to the nationwide count. Stay tuned for updates.