

Another shortcoming of the winner-take-all rule is that it has permitted 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 Senator John Kerry despite President Bush’s nationwide lead of over 3,000,000 votes. A shift of 214,390 votes in 2012 would have elected Governor Romney despite President Obama’s nationwide lead of almost 5,000,000 votes.

Article II, Section 1 of the U.S. Constitution 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 is not in the Constitution. It was used by only three states in our nation’s first election in 1789. It was never debated at the Constitutional Convention and never discussed in the *Federalist Papers*. The Founding Fathers were dead for decades before the winner-take-all rule became widespread.

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

The winner-take-all rule adversely affects governance. Sitting Presidents (whether contemplating their own re-election or the election of their preferred successor) pay inordinate attention to closely divided “battleground” states. “Closely divided “battleground” states receive over 7% more grants (and over 5% more grant dollars) than other states. A closely divided “battleground” state can expect to receive twice as many presidential disaster declarations as an uncompetitive state. The locations of Superfund enforcement actions reflect a state’s battleground status. Federal exemptions from the No Child Left Behind law have been characterized as “no swing state left behind.” For details on the studies cited above, see the recently published 4th edition of *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote* (available for reading or downloading for free at www.Every-Vote.Equal.com).

A survey of 800 Oregon voters conducted on December 16-17, 2008 showed 76% overall support for a national popular vote for President. Support was 82% among Democrats, 70% among Republicans, and 72% among independents. By age, support was 67% among 18-29 year olds, 68% among 30-45 year olds, 82% among 46-65 year olds, and 76% for those older than 65. By gender, support was 81% among women and 71% among men. The survey has a margin of error of plus or minus 3 1/2%.

The National Advisory Board of National Popular Vote includes former Senators Jake Garn (R–UT), Birch Bayh (D–IN), and David Durenberger (R–MN); and former Cong. John Anderson (R–IL, I), John Buchanan (R–AL), Tom Campbell (R–CA), and Tom Downey (D–NY). Backers include former Senator Fred Thompson (R–TN), former Governor Jim Edgar (R–IL), and former Congressman Tom Tancredo (R–CO).

Detailed answers to 131 myths concerning the National Popular Vote bill may be found in the recently published 4th edition of *Every Vote Equal: A State-Based Plan for Electing the President by National Popular Vote*. Additional information is available at www.NationalPopularVote.com.