

Background on the National Popular Vote (NPV) Proposal and Compact

The Constitution requires states to select electors to vote for President. Since electors are selected by voters, the winner of the electoral vote usually also wins the popular vote. However, in 2000 this was not the case: Gore won the popular vote but Bush won the electoral vote.

The NPV Proposal would not replace the Electoral College, as this would require a constitutional amendment; instead it attempts to ensure that the College would always elect the candidate who had won the national popular vote. The Proposal is that each individual state would agree to select electors that would follow the national popular votes rather than the popular vote in their home state. When enough states to control the outcome of the Electoral College (270 votes) agree to such a compact (the NPV Compact), then it would go into effect.

Visit www.LWV.org/NPV for links to a more detailed statement of the NPV Proposal and to pro and con arguments for this change. Also see the article en.wikipedia.org/wiki/National_Popular_Vote_Interstate_Compact for overview information.

A study committee of the League of Women Voters of Lafayette (Rosemary Aycock-Domingues, Sally Donlon, Mary Morrison, and Alicia Towster, Chair) reviewed material on the NPV Proposal and, using consensus questions provided by LWVUS, surveyed LWV-Lafayette members for their input.

NPV Consensus Survey Response

About 44% of the membership responded to the consensus survey.

The LWVUS has for a number of years supported direct popular election of the President, and this survey focused on whether the organization ought to support the NPV Compact as a way of achieving this goal, rather than (or perhaps in addition to) amending the Constitution to achieve it.

Most respondents favored change in presidential election procedures, but their desire for change was tempered by caution about the NPV Proposal itself. About three-fourths of members were concerned about procedures, precedent, and enforceability of the NPV Proposal. Tabulation of responses is below; the percent of respondents selecting a particular item is given in parentheses preceding that item.

NPV Consensus Response Questionnaire

Amending the Constitution

1. Which statement best reflects your opinion? Select one.

- a. (73%) Action to alter a basic element of the Constitutional framework, which is achievable by amendment to the Constitution, should be accomplished by amendment to the Constitution.
- b. (27%) Action by states through a compact process is an acceptable way to alter the method for electing the President and Vice-President.

2. Which statement best reflects your opinion? Select one.

- a. **(80%)** Because a compact has never before been used to address a fundamental constitutional issue such as voting, the chance that it might set a precedent for the future leads to the conclusion that it is better that the League continue to work for an amendment to the Constitution to establish the direct popular election of the President and the abolition of the Electoral College.
- b. **(20%)** Despite the novelty of the use of the compact approach to address a fundamental constitutional issue such as voting, the League should support the NPV Compact as a way of achieving an important goal.

Congressional Consent

3. Which statement best reflects your opinion? Select one.

- a. **(25%)** The possibility that the NPV Compact will require congressional consent is not of sufficient concern to block the implementation of the plan.
- b. **(75%)** The possibility that the NPV Compact will require congressional consent is sufficient to conclude that the plan should not be implemented without obtaining such consent.

Enforcement

4. Which statement best reflects your opinion? Select one.

- a. **(7%)** The NPV Compact contains sufficient enforcement provisions to assure smooth operation of the plan.
- b. **(11%)** Although it is not possible to determine whether the enforcement provisions will be sufficient to assure smooth operation of the plan, the plan should be passed anyway.
- c. **(20%)** Enforcement of the plan is likely to add uncertainty and bring the courts into the presidential election in ways that raise substantial concerns.
- d. **(60%)** The lack of adequate enforcement provisions is sufficient to conclude that the NPV is not a viable plan.

Uniformity

5. Which statement best reflects your opinion? Select one.

- a. **(80%)** The uniformity of voting systems is more important to American democracy than the possibility that the NPV Compact can be adopted.
- b. **(20%)** The NPV Compact is more important than uniformity of voting systems because it would succeed in achieving the popular election of the president.

Popular Election of the President

6. Which statement best reflects your opinion? Select one.

- a. **(27%)** It is more important to achieve the goal of national popular election of the President than it is to achieve the goal of abolition of the Electoral College.
- b. **(73%)** It is more important to amend the Constitution to abolish the Electoral College than it is to achieve the goal of popular election of the President by alternative methods, such as the NPV Compact.

Achievability

Do you agree or disagree with these statements:

- 7a. The NPV Compact will have problems being passed because of the need for congressional consideration and the need for action by so many states.
(93%) Agree **(7%)** Disagree

- 7b. A constitutional amendment to establish the direct popular election of the President

and the abolition of the Electoral College will continue to have problems being passed.

(73%) Agree

(27%) Disagree