



Issue History

The President and Vice President of the United States are the only public officials not elected by the popular vote. Rather, states elect the president through powers granted in the U.S. Constitution giving them sole authority in instructing their electors how to vote for the President, which is commonly based on who wins the most votes in that state. As a result, it is possible for a candidate to win the majority of votes nationally, but not gather the requisite electoral votes needed to win the presidency (270), as has happened five times in our nation's history.

Over the past 40 years, public opinion polls consistently show that a large majority of Americans believe the presidency should be decided by whoever wins the national popular vote. Changing or even abolishing the electoral system (commonly referred to as the Electoral College, which does not appear as a term in the Constitution nor is it a place) would require a Constitutional amendment, which many believe is difficult or even impossible to achieve.

However, a national popular vote can be achieved through the electoral system established by our Founders and does not require a change to the Constitution. This process would make use of both the authority granted to the states in directing electors as well as a provision in the Constitution that allows states to enter into compacts with one another.

This is how the concept of the National Popular Vote Compact was born. States that enact local national popular vote legislation instructing their electors to vote for the candidate who wins the national popular vote become members of the Compact. It will be activated when states accounting for at least 270 electoral votes have enacted identical state laws.