

Testimony from Christopher Pearson
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May 19, 2010

I am a former State Representative from the state of Vermont serving from 2006 to 2008. As is the case in the District of Columbia, Vermont has three electoral votes. A nationwide popular election of the President would be advantageous to the nation's least populous states. In fact, it is the *only* way to provide small states with any influence in presidential elections.

While the smallest population states have a slight mathematical advantage in the Electoral College, this does not translate to having political influence. Consider: 12 of 13 smallest states are almost totally ignored in presidential elections because they are politically non-competitive. Idaho, Montana, Wyoming, North Dakota, South Dakota, and Alaska regularly go Republican, and Rhode Island, Delaware, Hawaii, Vermont, Maine, and the District of Columbia regularly go Democratic. These 12 states together contain 11 million people. Because of the two electoral-vote bonus that each state receives, the 12 non-competitive small states have 40 electoral votes. However, the two-vote bonus is entirely illusory. Ohio has 11 million people and has "only" 20 electoral votes. The 11 million people in Ohio are the center of attention in presidential campaigns, while the 11 million people in the 12 non-competitive small states are completely taken for granted. Nationwide election of the President would make each of the voters in the 12 smallest states as important as a voter in Ohio or Florida.

On the other hand, in 2008 the small state of New Hampshire was competitive. Of the 300 events hosted by presidential candidates during the general election 12 of them were in New Hampshire. Clearly, the size of a state does not matter. The only important factor is whether or not a state is closely divided or considered a "battleground" state.

Another example that demonstrates how small states will gain under a popular vote system comes from the 2008 election in Nebraska. Nebraska (like Maine) uses the Congressional District (CD) system to award its five electoral votes. This means the candidate with the most votes in each CD earns one vote per district and the statewide winner earns the extra two electors. Since 1992, when Nebraska first used this system, all five votes have gone to the Republican candidate in each election. In 2008, Obama became the first to interrupt this trend, winning one vote from the 2nd CD.

The National Popular Vote bill sponsor in Nebraska, Senator Ken Haar, lives in a state senate district that covers part of the 2nd CD and part of the 1st CD. He reports a night and day comparison between the two sides of his district. On the 2nd CD side there were lawns signs, volunteers going door to door, mailers, phone banks, ad campaigns, candidate visits and more. In the 1st CD it was a total black out. Clearly campaigns are prepared to go great lengths even if the prize is just one electoral vote. If every vote is in play all across the country we can expect a vigorous campaign everywhere.

Today we must realize that the smallest states are intentionally left aside. When a candidate wants to know the opinion of voters about any given issue they deliberately leave most states out of the poll. Candidates have no reason to poll voters in the 35 states where he/she is comfortably ahead or hopelessly behind. This means Washington DC and all the small states, except New

Hampshire, are intentionally left out. Under a popular vote for president candidates will poll your opinions. And, particularly since you are the nation's capital city, you will have attention from candidates eager to get your support.

The fact that the bonus of two electoral votes is an illusory benefit to the small states has been widely recognized for some time. In 1966, Delaware led a group of 12 predominantly low-population states (North Dakota, South Dakota, Wyoming, Utah, Arkansas, Kansas, Oklahoma, Iowa, Kentucky, Florida, Pennsylvania) in suing New York in the U.S. Supreme Court, arguing that New York's use of the winner-take-all rule for awarding electoral votes effectively disenfranchised voters in the other states. The Court declined to hear the case (presumably because of the well-established constitutional provision that the manner of awarding electoral votes is exclusively a state decision). Ironically, New York is no longer an influential battleground state (as it was at one time). A vote in New York today is equal to vote in any of the 12 small non-competitive states—all are ignored in presidential elections. In a 1979 Senate speech, Senator Henry Bellmon (R-Oklahoma) described how his views on the Electoral College had changed while he had served as Governor, Senator, National Campaign Director for Richard Nixon, and a member of the American Bar Association's commission studying electoral reform.

“While the consideration of the electoral college began—and I am a little embarrassed to admit this—I was convinced, as are many residents of smaller States, that the present system is a considerable advantage to less populous States such as Oklahoma ...[A]s the deliberations of the American Bar Association Commission proceeded and as more facts became known, I came to the realization that the present electoral system does not give an advantage to the voters from the less populous States. Rather, it works to the disadvantage of small State voters who are largely ignored in the general election for President.

A nationwide popular vote is the only way to make every vote equal throughout the United States. The current winner-take-all rule negates the influence of every voter (of both the winning and losing political party) in every non-competitive state (small, medium, or large). The District of Columbia can help create a system where every vote is equal and where every American voter will be able to play a meaningful role in the election of our President. 76% of Washington DC's voters support this idea and I hope you will too.

Thank you.