

Senator Flexer, Senator McLachlan, Representative Fox and distinguished members of the Government Administration and Elections Committee, my name is Ray Haynes. I am the Senior Consultant to National Popular Vote; former member California State Assembly and California State Senate, serving as Assistant Republican leader and Republican Whip, respectively; and past National Chairman, ALEC. I also serve as the President of the Institute for Research on Presidential Elections. I'm providing testimony to express my enthusiastic support for HB 5421 AN ACT ADOPTING THE INTERSTATE COMPACT TO ELECT THE PRESIDENT OF THE UNITED STATES BY NATIONAL POPULAR VOTE.

As Tuesday night's special election in Pennsylvania's 18th Congressional District approached, the nation's political watchers, pundits and the voting public were again focused on Pennsylvania, a perennial battleground state. This is a reminder that in the 2020 presidential election, Pennsylvania and a handful of battleground states will, once again, be the focus of the presidential campaigns.

Yes, Pennsylvania is an important state. The needs and issues of concern to Pennsylvania voters matter, but in reality, should Pennsylvania be the center of the political universe regarding a special election in a soon-to-be defunct congressional district and the upcoming presidential election cycle? Unfortunately, the current system of electing the President and the state-based, winner-take-all awarding of electors gives battleground states such as Pennsylvania an out-sized influence in presidential elections.

"Battleground" states receive 7% more federal grants than "spectator" states, twice as many presidential disaster declarations, additional Superfund enforcement exemptions, and increased No Child Left Behind exemptions. A recent example of federal policy being implemented to pander to a battleground electorate is the newly imposed tariffs on foreign steel and aluminum. While a 25% tariff might be good for a small segment of Pennsylvania voters, those in the steel industry, this increase does not help Pennsylvanian or American farmers, manufacturers, brewers and a host of other businesses who depend on access to the foreign steel markets. These increased costs of production will invariably be passed on to consumers, including consumers in Pennsylvania. Congressman David Young (IA-3) recently stated when discussing the impact steel tariffs have on agriculture, "there's not a day on the farm when a farmer doesn't touch steel." As history shows, when U.S. trade policy targets imported industrial goods, such as steel; the agriculture sector feels the effects. In 2017 America sold approximately \$1 billion in grain to China. How will a retaliatory Chinese tariff on grain affect Midwestern farmers? The European Union is considering tariffs on orange juice, bourbon, cranberries and peanut butter. How will this impact Florida orange growers, Southern distillers and grain producers, the Wisconsin cranberry market or Georgia peanut growers? What happens when foreign countries and markets retaliate against these new tariffs? What will be the economic impact on automakers, motorcycle companies, the agriculture sector and the myriad of other businesses that export products to the foreign markets?

Do you see the snowball effect when presidential electoral math dictates trade policy that is detrimental to the business community and the country as a whole?

Under our current system of state-based, winner-take-all contests, electoral politics circumvents public policy, while ignoring the voters in 35-40 states.

There is a solution – the National Popular Vote.

National Popular Vote is an interstate compact wherein, compacting states, through their constitutionally provided powers, agree to award their electors en bloc to the candidate who gets the most votes in all 50 states. Article II, Section 1 of the U.S. Constitution is clear on the state power and interest in awarding electors. It says, “Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors...” State legislatures and ONLY state legislatures are empowered to choose the method of awarding electors. National Popular Vote simply asks the legislative bodies in each of the states if it’s in their best interest to award their electors on the basis of the National Popular Vote. It preserves the state-based power to award electors, but makes every voter, in every state politically relevant in every presidential election.

Ten states and the District of Columbia (165 electoral votes) have enacted National Popular Vote legislation. This legislation has passed 35 state legislative chambers in 23 states.

National Popular Vote will make every voter, in every state, relevant in every presidential election.

National Popular Vote is the constitutionally appropriate way to provide systemic reform of our presidential election system and right size the power and influence of battleground states. This is not about making battleground states and their voters irrelevant. It is about making all voters in all states relevant.

National Popular Vote is non-partisan.

A National Popular Vote for President is not a Republican or Democrat idea and it is not being driven by simply the two major parties. In 2016, 154 Republican legislators and 162 Democrat legislators sponsored National Popular Vote legislation. The compact enjoys the support of Michael Steele and Howard Dean; Nancy Pelosi and Newt Gingrich. Many conservatives, liberals and moderates believe the current system is broken and believe their ideas can win support from a majority of the American people.

I urge state legislatures across our nation to take action, to exert their plenary powers, to reform our presidential election process to make every voter, in every state, relevant in every presidential election.

Sincerely,

Ray Haynes