



Senator Feinstein Proposes Abolishing the Electoral College
-- Calls for direct election of President, Vice President --

December 22, 2004

Washington, DC – Senator Dianne Feinstein (D-Calif.) today announced that she will introduce legislation to abolish the Electoral College and provide for direct popular election of the President and Vice President when the Senate convenes for the 109th Congress in January.

“The Electoral College is an anachronism and the time has come to bring our democracy into the 21st Century,” Senator Feinstein said. **“During the founding years of the Republic, the Electoral College may have been a suitable system, but today it is flawed and amounts to national elections being decided in several battleground states.**

“We need to have a serious, comprehensive debate on reforming the Electoral College. I will press for hearings in the Judiciary Committee on which I sit and ultimately a vote on the Senate floor, as occurred 25 years ago on this subject. My goal is simply to allow the popular will of the American people to be expressed every four years when we elect our President. Right now, that is not happening.”

Under the current system for electing the President of the United States:

- Candidates focus only on a handful of contested states and ignore the concerns of tens of millions of Americans living in other states;
- A candidate can lose in 39 states, but still win the Presidency;
- A candidate can lose the popular vote by more than 10 million votes, but still win the Presidency;
- A candidate can win 20 million votes in the general election, but win zero electoral votes, as happened to Ross Perot in 1992;
- In most states, the candidate who wins a state’s election, wins all of that state’s electoral votes, no matter the winning margin, which can disenfranchise those who supported the losing candidate;

- A candidate can win a state's vote, but an elector can refuse to represent the will of a majority of the voters in that state by voting arbitrarily for the losing candidate (this has reportedly happened 9 times since 1820);
- Smaller states have a disproportionate advantage over larger states because of the two "constant" or "senatorial" electors assigned to each state;
- A tie in the Electoral College is decided by a single vote from each state's delegation in the House of Representatives, which would unfairly grant California's 36 million residents equal status with Wyoming's 500,000 residents; and
- In case of such a tie, House members are not bound to support the candidate who won their state's election, which has the potential to further distort the will of the majority.

“Sooner or later we will have a situation where there is a great disparity between the electoral vote winner and the popular vote winner. If the President and Vice President are elected by a direct popular vote of the American people, then every American's vote will count the same regardless of whether they live in California, Maine, Ohio or Florida,” Senator Feinstein said.

In the history of the country, there have been four instances of disputed elections where the President who was elected won the electoral vote, but lost the popular vote – John Quincy Adams in 1824, Rutherford B. Hayes in 1876, Benjamin Harrison in 1888 and George W. Bush in 2000. According to some estimates there have been at least 22 instances where a similar scenario could have occurred in close elections.

“Our system is not undemocratic, but it is imperfect, and we have the power to do something about it,” Senator Feinstein said. **“It is no small feat to amend the Constitution as it has only been done only 27 times in the history of our great nation.”**

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