

**Testimony of Sean Parnell
Senior Director, Save Our States Action**

to the

**Committee on Elections
Michigan House of Representatives**

on

**HB 4156
The National Popular Vote interstate compact**

March 7, 2023

Chairwoman Tsernoglou, members of the committee, thank you for allowing me to testify today. I am here on behalf of Save Our States Action, an organization focused on defending the Electoral College and opposing the National Popular Vote interstate compact.

I'd like to focus most of my time on the most critical technical defect in the compact, but first I'd like to point out the obvious problem with this bill – if it passes and ever goes into effect, Michigan's voters would no longer be entrusted with the power to choose which presidential candidate deserves the state's support and electoral votes. Instead, that power will be given away to voters in other states who will make that choice for Michigan, even overruling the choice of voters in your state. In my view eliminating Michigan's voice in the presidential election process would be unfortunate, as I believe Electoral College preserves and protects the vital role that states play in our federal nation.

You should have a red folder that contains supporting documentation for the problems with the compact I'm about to outline – as you might imagine, the folks at National Popular Vote do not always agree with what I'm about to say, although in a handful of cases they do. So I thought it might be helpful to provide you with evidence for what I'm about to say.

The first few pages in the folder briefly outline how the compact is supposed to operate, and the remaining pages document the problems related to the core defect of the compact, which is that there is no official national vote count that can be used for this compact. No national agency, commission, or official will produce a certified vote total for every presidential candidate, and the compact does not create an agency, commission, or official that will do so. Instead the compact leaves it to the chief election official of each member state, acting independently, to obtain vote totals from other states and tabulate them to determine which candidate received the most votes nationally.

It sounds like an easy task, and I know the other side will claim it is. As one of the lobbyists for the compact stated in a hearing in Minnesota a few weeks ago, "We can all do the math."

This simplistic hand-waving tries to hide the fact that votes in every state are cast, counted, recounted, and reported in different ways according to fifty-one different sets of election codes, some of which cause serious problems for National Popular Vote and will lead to confusion, controversy, chaos, crisis, and a lack of a conclusive determination of the winner if the national vote is close, as four of the last sixteen presidential elections have been.

A few examples of the ways in which just saying "we can all do the math" doesn't address the problem of there not being an official national vote count:

- NPV requires member states to accept vote totals from other states if they are on an “official statement,” which would include either a Certificate of Ascertainment or a statewide canvas. But these documents can contain significant errors. New York’s last four Certificates of Ascertainment have been missing tens or hundreds of thousands of votes, including 425,000 missing votes in 2012 and 102,000 missing votes in 2016.
- Ranked choice voting, which Alaska and Maine will use for president in 2024, poses a challenge because “official statements” from those two states will include both the initial and final vote totals, with no guidance in the compact on which vote totals are to be used in tabulating the national vote. Because initial and final vote totals can differ by tens or even hundreds of thousands of votes, the choice of which totals to use could determine the outcome under NPV in a close election.
- Another problem is what happens when a third-party or independent candidate finishes ahead of the Democratic or Republican candidate in a state using ranked choice voting. In this instance, the final vote total from that state for that third-place candidate will be zero votes, meaning hundreds of thousands or even millions of votes erased from the national vote count for the third-place Democrat or Republican. I’ll note that NPV’s leadership insists that the final vote count in RCV states is what must be used, and that they accept and are OK with the erasure of hundreds of thousands or millions of votes for the Democratic or Republican candidate in the national vote count.
- If for some reason there is not an “official statement” available to obtain vote totals by the time the compact needs them – for example, if there is a recount still underway or court challenges to results, or if a state is simply refusing to cooperate with the compact, then the chief election official in NPV member states has the power to estimate vote totals for that state using any methodology they think appropriate. Several of the methods that could be used to estimate vote totals that NPV’s own lobbyists described in a 2021 North Dakota hearing would have been off by tens or hundreds of thousands of votes.
- States can sometimes just do strange things that would pose a serious problem for the compact. Because of an odd ballot design in 2016, California wound up doubling the vote total for Donald Trump on its Certificate of Ascertainment, crediting him with an extra 4,483,810 votes. Had the compact been in effect in that election, it seems Donald Trump would still have won because the extra votes from California would have been included in the national vote total.

- The compact stipulates that votes will only be included from states that hold a “statewide popular election.” As explained in the book *Every Vote Equal*, published by National Popular Vote, this doesn’t actually mean every state where people vote for presidential electors, it means every state where people vote for presidential electors according to National Popular Vote’s definition of a “statewide popular vote.” For example, if any state allows voters to vote for individual electors, all of the votes in that state will be excluded from the national vote count. In 1960 seven states allowed people to vote for individual electors and as a result roughly eleven million votes would have been excluded from the national vote count in that election under the compact’s vote-counting process. According to National Popular Vote’s definition, Richard Nixon won the popular vote by more than 600,000 votes in 1960.

It's also worth noting that, even without national popular vote’s defective vote counting process, historians still argue whether Richard Nixon or John Kennedy won the popular vote in 1960, owing largely to uncertainty over how to count votes from Alabama that year. It’s an interesting bit of historical trivia because of course Kennedy won the Electoral College vote regardless of the Alabama issues, but under National Popular Vote not being able to conclusively determine a winner would be a national crisis.

These examples all illustrate the problem with attempting to cobble together vote totals from fifty-one separate elections and then pretend that twenty or so officials in compact member states can produce an accurate, uniform, and conclusive national vote count when they are all acting independently using their own judgment to determine how to deal with problematic, ambiguous and unclear situations.

I’ll note that there are a number of very knowledgeable people sympathetic to NPV that understand some of the significant problems with the compact. Just a few examples include:

- Professor Vikram Amar of the University of Illinois College of Law and one of three law professors who initially developed the NPV concept. He has described NPV as having “dangerous gaps” that could lead to “electoral crisis.”
- Former Rhode Island Secretary of State Nellie Gorbea told a conference of fellow NPV supporters that she and her colleagues still “need to figure out how we’re going to count the votes,” if the compact ever goes into effect, and noted that she didn’t have the answers to that question yet and that there were “different proposals on how the mechanics would work.”

- Rob Richie, head of FairVote and probably the nation's leading expert on ranked choice voting, was lead author on a 2021 paper that stated "...using RCV for Presidential elections in states might seem incompatible with [NPV]. Most fundamentally, which votes should be reported out for the purpose of [NPV]? Would it be the first choices among all the candidates? Or would it be the final "instant runoff" totals after the RCV tallies are completed? If that latter choice were made, what if one of the two strongest national candidates was eliminated during the RCV tally in a given state?"

I don't want to misrepresent any of these three people's position. All of them continue to support the compact, at least to the best of my knowledge. Professor Amar encourages states passing the compact to include a 10-year delay, which he hopes will give Congress enough time to fix its defects. Former Secretary Gorbea encourages her counterparts to continue discussing the issue so they can be prepared if the compact goes into effect and they have to figure out how to count the votes. And Mr. Richie proposes to resolve the problem that ranked choice voting creates for the compact by either having Congress mandate every state provide voters with a ranked-choice ballot or that states using ranked choice voting create another compact to report results that would be compatible with NPV.

I'll wrap up by saying that those of you who have worked on election policy understand that disputes over who won are not generally a matter of an inability to "do the math." They're typically about which votes to count or recount, which votes to include or exclude, and whether the returns from some jurisdictions are accurate or not. Given the problems laid out here, there is a very high likelihood that, if there is ever another presidential election with a close national margin – and again, by my count four of the last sixteen have been close – the National Popular Vote compact will produce confusion, controversy, chaos, and crisis, but it will not produce a conclusive outcome and clear winner. I urge you to reject this bill.

Thank you, and I'm happy to answer any questions the committee may have.

**National Popular Vote
interstate compact: How is it
supposed to work?**



TEXT OF THE NATIONAL POPULAR VOTE INTERSTATE COMPACT

Article I—Membership

Any State of the United States and the District of Columbia may become a member of this agreement by enacting this agreement.

Article II—Right of the People in Member States to Vote for President and Vice President

Each member state shall conduct a statewide popular election for President and Vice President of the United States.

Article III—Manner of Appointing Presidential Electors in Member States

Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine the number of votes for each presidential slate in each State of the United States and in the District of Columbia in which votes have been cast in a statewide popular election and shall add such votes together to produce a “national popular vote total” for each presidential slate.

The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the “national popular vote winner.”

The presidential elector certifying official of each member state shall certify the appointment in that official’s own state of the elector slate nominated in that state in association with the national popular vote winner.

At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within 24 hours to the chief election official of each other member state.

The chief election official of each member state shall treat as conclusive an official statement containing the number of popular votes in a state for each presidential slate made by the day established by federal law for making a state’s final determination conclusive as to the counting of electoral votes by Congress.

In event of a tie for the national popular vote winner, the presidential elector certifying official of each member state shall certify the appointment of the elector slate nominated in association with the presidential slate receiving the largest number of popular votes within that official’s own state.

If, for any reason, the number of presidential electors nominated in a member state in association with the national popular vote winner is less than or greater than that state’s number of electoral votes, the presidential candidate on the presidential slate that has been designated as the national popular vote winner shall have the power to nominate the presidential electors for that state and that state’s presidential elector certifying official shall certify the appointment of such nominees.

The chief election official of each member state shall immediately release to the public all vote counts or statements of votes as they are determined or obtained.

This article shall govern the appointment of presidential electors in each member state in any year in which this agreement is, on July 20, in effect in states cumulatively possessing a majority of the electoral votes.

Article IV—Other Provisions

This agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state.

Any member state may withdraw from this agreement, except that a withdrawal occurring six months or less before the end of a President's term shall not become effective until a President or Vice President shall have been qualified to serve the next term.

The chief executive of each member state shall promptly notify the chief executive of all other states of when this agreement has been enacted and has taken effect in that official's state, when the state has withdrawn from this agreement, and when this agreement takes effect generally.

This agreement shall terminate if the electoral college is abolished.

If any provision of this agreement is held invalid, the remaining provisions shall not be affected.

Article V—Definitions

For purposes of this agreement,

"chief executive" shall mean the Governor of a State of the United States or the Mayor of the District of Columbia;

"elector slate" shall mean a slate of candidates who have been nominated in a state for the position of presidential elector in association with a presidential slate;

"chief election official" shall mean the state official or body that is authorized to certify the total number of popular votes for each presidential slate;

"presidential elector" shall mean an elector for President and Vice President of the United States;

"presidential elector certifying official" shall mean the state official or body that is authorized to certify the appointment of the state's presidential electors;

"presidential slate" shall mean a slate of two persons, the first of whom has been nominated as a candidate for President of the United States and the second of whom has been nominated as a candidate for Vice President of the United States, or any legal successors to such persons, regardless of whether both names appear on the ballot presented to the voter in a particular state;

"state" shall mean a State of the United States and the District of Columbia; and

"statewide popular election" shall mean a general election in which votes are cast for presidential slates by individual voters and counted on a statewide basis.

National Popular Vote Tabulation Process

- 1. Every state and Washington DC will conduct its own election under its own laws, and tabulate and report votes according to their own laws, policies, and practices.**
- 2. The chief election official of each member state will transmit to the chief election official of other member states an “official statement” that includes their own state’s vote totals for every presidential elector slate.**
- 3. The chief election official of each member state must also obtain or determine vote totals from non-member states that held a “statewide popular vote” for presidential electors, relying on an “official statement” if one is available.**
- 4. If no “official statement” is available from a non-member state, the chief election official is empowered to estimate the vote totals for that state using any method they deem appropriate.**
- 5. Once the chief election official of each member state has obtained or estimated vote totals for every state that held a “statewide popular vote” for presidential electors, they will aggregate vote totals for every “presidential slate,” determine “national popular vote winner” and appoint the electors in their state pledged to the “national popular vote winner.”**
- 6. The chief election official of each member state determines the “national popular vote winner” independently of their colleagues in other member states – no coordination is required.**

What is an “official statement” that can be used to obtain vote totals?

The compact does not provide a definition for what constitutes an “official statement.” However, the text of the compact, the book *Every Vote Equal*, as well as memos, letters, testimony and other documents from leadership and lobbyists for the National Popular Vote organization have described a wide range of documents that can be used, including:

- 1. The document produced by member states’ chief election officer and transmitted to counterparts in other member state, described in Section III, Article 4 of the compact.**
- 2. A state’s Certificate of Ascertainment**
- 3. A statewide election canvas/certified results**
- 4. Any other “official” document from the state containing vote totals**
- 5. Local (town/city/county) level canvass**
- 6. Precinct-level returns**
- 7. Minutes of a county board of canvassers**
- 8. Minutes of the state board of elections**

New York routinely leaves tens or hundreds of thousands of votes off of its Certificate of Ascertainment

2008: 85,403 missing votes

2012: 424,775 missing votes

2016: 101,762 missing votes

2020: 28,881 missing votes





I, Andrew M. Cuomo, Governor of the State of New York, do hereby certify, that the statement containing the Canvass and Certificate of Determination by the State Board of Canvassers of the State of New York, as to ELECTORS of PRESIDENT and VICE PRESIDENT hereto annexed, and certified by the Co-Chairs of the State Board of Elections of New York, under their seal of office, contains a true and correct setting forth the names of Electors of President and Vice-President, elected in New York, at the General Election held in New York on the Tuesday after the First Monday in November (November Sixth) in the year two thousand twelve, pursuant to the Constitution and the Laws of the United States and of the State of New York, to wit:

Andrew M. Cuomo
Robert Duffy
Eric Schneiderman
Tom DiNapoli
Sheldon Silver
Keith L.T. Wright
Stephanie Miner
Sheila Conar
Joseph Morelle
Christine C. Quinn
Grace Meng
George Gresham
Ruben Diaz, Jr.
Mario Cilento
Irene Stein

Ken Jenkins
Steve Bellone
Hakeem Jeffries
Felix Ortiz
Anne Marie Anzalone
William Thompson
Scott Stringer
Bill DeBlasio
Byron Brown
Gerald D. Jennings
Archie Spigner
Emily Giske
Scott Adams
Walter Cooper

And further that the Statement of Canvass and Certificate of Determination certified by the Co-Chair of the State Board of Elections of New York, as aforesaid, correctly sets forth the Canvass of Determination under the Laws of the State of New York, of the number of votes given or cast for each person for whose elections any and all votes have been given or cast at said election as aforesaid.



Attested by

In Testimony Whereof, The Great Seal of the State is hereunto affixed.

Witness, my hand at the City of Albany, the 10th day of December, in the year two thousand twelve.

A handwritten signature in black ink, appearing to be "A. Cuomo", written over a horizontal line.

STATE OF NEW YORK, ss:

Statement of the whole number of votes cast for all the candidates for the office of **ELECTOR OR PRESIDENT** and **VICE-PRESIDENT** at a General Election held in said State on the Sixth day of November, 2012.

The whole number of votes given for the office of **ELECTOR OF PRESIDENT** and **VICE-PRESIDENT** was **6,710,547** of which

		DEMOCRATIC	WORKING FAMILIES	TOTAL
Andrew M. Cuomo	received	4,018,385	141,056	4,159,441
Robert Duffy	received	4,018,385	141,056	4,159,441
Eric Schneiderman	received	4,018,385	141,056	4,159,441
Tom DiNapoli	received	4,018,385	141,056	4,159,441
Sheldon Silver	received	4,018,385	141,056	4,159,441
Keith L.T. Wright	received	4,018,385	141,056	4,159,441
Stephanie Miner	received	4,018,385	141,056	4,159,441
Sheila Comar	received	4,018,385	141,056	4,159,441
Joseph Morelle	received	4,018,385	141,056	4,159,441
Christine C. Quinn	received	4,018,385	141,056	4,159,441
Grace Meng	received	4,018,385	141,056	4,159,441
George Gresham	received	4,018,385	141,056	4,159,441
Ruben Diaz, Jr.	received	4,018,385	141,056	4,159,441
Mario Cilentio	received	4,018,385	141,056	4,159,441
Irene Stein	received	4,018,385	141,056	4,159,441
Ken Jenkins	received	4,018,385	141,056	4,159,441
Steve Bellone	received	4,018,385	141,056	4,159,441
Hakeem Jeffries	received	4,018,385	141,056	4,159,441
Felix Ortiz	received	4,018,385	141,056	4,159,441
Anne Marie Anzalone	received	4,018,385	141,056	4,159,441
William Thompson	received	4,018,385	141,056	4,159,441
Scott Stringer	received	4,018,385	141,056	4,159,441
Bill DeBlasio	received	4,018,385	141,056	4,159,441
Byron Brown	received	4,018,385	141,056	4,159,441
Gerald D. Jennings	received	4,018,385	141,056	4,159,441
Archie Spigner	received	4,018,385	141,056	4,159,441
Emily Giske	received	4,018,385	141,056	4,159,441
Scott Adams	received	4,018,385	141,056	4,159,441
Walter Cooper	received	4,018,385	141,056	4,159,441

NYS Board of Elections President and Vice-President Election Returns Nov. 6, 2012

DATED: March 20, 2013 (Kings* update June 9, 2013)

County	Obama Biden		Romney Ryan		Romney Ryan		Obama Biden		Stain Honkala		Lindsay Osorio		Johnson Gray		Gode Clymer	
	DEM	REP	CON	WOR	GRN	PSL	LBT	CST								
Albany	83,979	40,210	4,854	3,577	1,238	52	1,361	164								
Allegany	5,866	9,377	1,013	273	162	8	168	28								
Broome	39,971	34,708	2,933	1,999	723	21	915	106								
Cattaraugus	12,040	14,655	1,914	609	201	13	274	59								
Cayuga	16,105	11,646	1,808	902	243	11	285	81								
Chautauqua	22,463	24,266	3,705	1,349	324	17	504	58								
Chemung	16,205	16,138	1,474	592	151	4	310	73								
Chemungo	8,642	8,922	791	474	157	6	218	46								
Clinton	18,072	9,892	1,223	889	193	9	260	39								
Columbia	15,241	10,600	1,625	980	259	14	299	41								
Cortland	9,965	7,859	836	517	161	7	187	29								
Delaware	7,881	9,086	852	423	199	3	170	24								
Dutchess	62,063	48,264	7,761	3,249	785	51	1,105	146								
Erie	227,325	149,683	19,992	10,031	2,898	142	3,562	541								
Essex	9,368	6,076	571	416	107	4	134	27								
Franklin	9,532	5,231	509	362	106	7	116	20								
Fulton	8,331	9,830	984	276	111	13	159	42								
Genesee	9,092	12,814	1,793	509	115	7	363	42								
Greene	8,485	9,811	1,363	545	141	10	233	61								
Hamilton	1,092	1,771	161	36	14	0	28	11								
Herkimer	10,826	12,166	1,116	447	172	7	259	42								
Jefferson	16,231	16,435	1,687	868	151	4	271	61								
Lewis	4,530	5,129	522	194	51	2	81	13								
Livingston	11,100	12,641	1,807	605	175	6	318	49								
Madison	13,231	12,011	1,611	640	238	10	297	56								
Monroe	185,916	114,434	18,928	7,585	2,101	91	3,572	334								
Montgomery	8,106	8,046	1,288	387	93	5	161	41								
Nassau	294,661	237,862	21,446	8,034	2,068	111	2,998	294								
Niagara	41,837	38,158	5,082	2,149	560	31	864	98								
Oneida	39,031	40,532	3,998	1,437	502	17	819	168								
Onondaga	117,470	69,357	9,474	4,784	1,584	55	1,697	295								
Ontario	22,065	20,919	2,901	1,022	294	11	571	66								
Orange	70,742	58,003	7,364	2,573	700	32	1,049	162								

County	Official Presidential Write-In Candidates											Total			
	Rosa C. Anderson	Avery L. Ayers	Will Christiansen	Stephen Durham	James Harris	Tom Hoefling	Merrin Miller	Jill Reed	Kevin Thorne	Jerry White	Blank		Void	Scattering	BVS Subtotal
Orleans	0	0	0	0	0	0	1	0	0	0	70	24	39	133	14,800
Oswego	0	0	0	0	0	0	0	0	0	0	304	52	141	497	44,947
Otsego	0	0	0	0	0	0	0	0	0	1	130	1	75	206	24,270
Putnam	0	0	0	0	0	0	0	0	0	0	158	0	97	255	44,503
Rensselaer	4	0	0	0	0	0	0	0	0	0	572	10	0	582	68,572
Rockland	7	0	0	0	2	0	0	0	0	0	1,224	72	167	1,463	125,738
Saratoga	2	0	0	0	0	0	0	2	0	0	551	0	234	785	106,061
Schenectady	0	0	0	0	0	0	0	0	0	0	423	0	165	588	65,356
Schoharie	0	0	0	0	0	0	0	0	0	0	122	12	49	183	13,341
Schuyler	0	0	0	0	0	0	0	0	0	0	47	0	16	63	8,193
Seneca	0	0	0	0	0	0	0	0	0	0	51	16	51	118	13,333
St. Lawrence	0	0	0	0	0	0	0	0	0	0	409	0	124	533	37,600
Steuben	0	0	0	0	0	2	0	0	0	0	191	59	95	345	38,781
Suffolk	0	0	0	0	0	0	0	0	0	0	3,882	596	912	5,390	598,744
Sullivan	0	0	0	0	0	0	0	0	0	0	256	57	2	315	28,728
Tioga	0	0	0	0	0	3	0	0	0	0	123	1	66	190	21,713
Tompkins	21	0	0	1	1	0	0	1	0	3	272	0	0	272	39,942
Ulster	0	0	0	0	0	0	0	0	0	0	478	36	281	795	80,140
Warren	0	0	0	0	0	0	0	0	0	0	188	13	64	265	29,779
Washington	0	0	0	0	0	0	0	0	0	0	154	0	39	193	23,249
Wayne	0	0	0	0	0	0	0	0	0	0	198	57	108	363	37,802
Westchester	0	0	0	2	0	2	0	2	0	0	3,465	0	561	4,026	391,912
Wyoming	0	0	0	0	0	0	0	0	0	0	77	4	34	115	16,416
Yates	0	0	0	0	0	0	0	0	0	0	57	15	0	72	9,514
Total Outside NYC	66	0	0	3	4	33	3	9	0	7	33,354	4,250	6,970	44,574	4,661,127
Bronx	6	0	0	1	6	0	0	2	0	1	2,834	0	135	2,969	373,772
Kings *	53	0	0	9	3	0	0	0	0	7	4,546	0	510	5,056	741,528
New York	73	0	0	17	13	0	3	0	0	3	3,597	0	609	4,206	603,888
Queens	12	0	0	3	1	1	0	0	0	0	4,763	0	630	5,393	600,008
Richmond	7	0	0	1	0	0	0	1	0	1	819	0	222	1,041	154,999
Total NYC	151	0	0	31	23	1	3	3	0	12	16,559	0	2,106	18,665	2,474,195
Statewide Total	217	0	0	34	27	34	6	12	0	19	49,913	4,250	9,076	63,239	7,135,322
RECAP	217	0	0	34	27	34	6	12	0	19					



State of New York

Executive Chamber

I, Andrew M. Cuomo, Governor of the State of New York, do hereby certify, that the statement containing the Canvass and Certificate of Determination by the State Board of Canvassers of the State of New York, as to ELECTORS of PRESIDENT and VICE PRESIDENT hereto annexed, and certified by the Co-Chairs of the State Board of Elections of New York, under their seal of office, contains a true and correct list setting forth the names of Electors of President and Vice-President, elected in New York, at the General Election held in New York on the Tuesday after the First Monday in November (November Eighth) in the year two thousand sixteen, pursuant to the Constitution and the Laws of the United States and of the State of New York, to wit:

William J. Clinton
 Andrew M. Cuomo
 Kathy C. Hochul
 Thomas P. DiNapoli
 Eric T. Schneiderman
 Carl E. Heastie
 Andrea Stewart-Cousins
 Bill de Blasio
 Letitia A. James
 Scott M. Stringer
 Melissa Mark-Viverito
 Byron W. Brown
 Christine C. Quinn
 Basil A. Smikle, Jr.
 Melissa Sklarz

Mario F. Cilento
 Rhonda Weingarten
 George K. Gresham
 Daniel F. Donohue
 Stuart H. Appelbaum
 Gary S. LaBarbera
 Lovely A. Warren
 Stephanie A. Miner
 Katherine M. Sheehan
 Anastasia M. Somoza
 Sandra Ung
 Ruben Diaz, Jr.
 Hazel L. Ingram
 Rachel D. Gold

And further that the Statement of Canvass and Certificate of Determination certified by the Co-Chairs of the State Board of Elections of New York, as aforesaid, correctly sets forth the Canvass of Determination under the Laws of the State of New York, of the number of votes given or cast for each person for whose elections any and all votes have been given or cast at said election as aforesaid.

In Testimony Whereof, The Great Seal of the State is hereunto affixed.

Witness, my hand at the City of New York, the ninth day of December, in the year two thousand sixteen.



Attested by

Secretary of State

STATE OF NEW YORK, ss:

Statement of the whole number of votes cast for all the candidates for the office of **ELECTOR OR PRESIDENT** and **VICE-PRESIDENT** at a General Election held in said State on the Eighth day of November, 2016.

The whole number of votes given for the office of **ELECTOR OF PRESIDENT** and **VICE-PRESIDENT** was **7,700,223** of which

		DEMOCRATIC	WORKING FAMILIES	WOMEN'S EQUALITY	TOTAL
William J. Clinton	received	4,316,642	138,843	35,706	4,491,191
Andrew M. Cuomo	received	4,316,642	138,843	35,706	4,491,191
Kathy C. Hochul	received	4,316,642	138,843	35,706	4,491,191
Thomas P. DiNapoli	received	4,316,642	138,843	35,706	4,491,191
Eric T. Schneiderman	received	4,316,642	138,843	35,706	4,491,191
Carl E. Heastie	received	4,316,642	138,843	35,706	4,491,191
Andrea Stewart-Cousins	received	4,316,642	138,843	35,706	4,491,191
Bill de Blasio	received	4,316,642	138,843	35,706	4,491,191
Letitia A. James	received	4,316,642	138,843	35,706	4,491,191
Scott M. Stringer	received	4,316,642	138,843	35,706	4,491,191
Melissa Mark-Viverito	received	4,316,642	138,843	35,706	4,491,191
Byron W. Brown	received	4,316,642	138,843	35,706	4,491,191
Christine C. Quinn	received	4,316,642	138,843	35,706	4,491,191
Basil A. Smikle, Jr.	received	4,316,642	138,843	35,706	4,491,191
Melissa Sklarz	received	4,316,642	138,843	35,706	4,491,191
Mario F. Cilento	received	4,316,642	138,843	35,706	4,491,191
Rhonda Weingarten	received	4,316,642	138,843	35,706	4,491,191
George K. Gresham	received	4,316,642	138,843	35,706	4,491,191
Daniel F. Donohue	received	4,316,642	138,843	35,706	4,491,191
Stuart H. Appelbaum	received	4,316,642	138,843	35,706	4,491,191
Gary S. LaBarbera	received	4,316,642	138,843	35,706	4,491,191
Lovely A. Warren	received	4,316,642	138,843	35,706	4,491,191
Stephanie A. Miner	received	4,316,642	138,843	35,706	4,491,191
Katherine M. Sheehan	received	4,316,642	138,843	35,706	4,491,191
Anastasia M. Somoza	received	4,316,642	138,843	35,706	4,491,191
Sandra Ung	received	4,316,642	138,843	35,706	4,491,191
Ruben Diaz, Jr.	received	4,316,642	138,843	35,706	4,491,191
Hazel L. Ingram	received	4,316,642	138,843	35,706	4,491,191
Rachel D. Gold	received	4,316,642	138,843	35,706	4,491,191

NYS Board of Elections President and Vice-President Election Returns Nov. 8, 2016

Revised: 8-17-2017

County	Clinton Kaine		Trump Pence		Trump Pence		Stein Baraka		Clinton Kaine		Johnson Weld		Clinton Kaine		Johnson Weld	
	DEM	REP	CON	GRN	WOR	IND	WEP	LBT								
Albany	78,504	42,554	5,254	2,475	3,419	3,099	1,148	1,893								
Allegany	4,646	11,421	1,104	275	173	527	63	208								
Broome	37,106	37,337	3,606	1,546	1,631	2,187	475	1,059								
Cattaraugus	9,077	17,485	2,207	440	274	932	146	314								
Cayuga	12,779	15,316	2,068	501	541	1,008	202	350								
Chautauqua	18,112	27,516	4,078	757	704	1,601	275	602								
Chemung	13,277	18,347	1,750	463	326	1,012	154	435								
Chenango	6,417	10,849	1,072	358	258	634	100	282								
Clinton	14,217	13,312	1,137	613	634	964	208	348								
Columbia	14,146	11,867	1,889	598	865	626	273	318								
Cortland	8,307	8,930	970	374	309	682	155	275								
Delaware	6,194	10,827	1,115	377	333	476	100	174								
Dutchess	58,910	54,366	7,431	1,986	2,602	2,366	749	1,234								
Erie	205,773	159,742	28,561	6,367	7,302	8,463	2,381	4,257								
Essex	7,341	7,347	611	420	282	533	139	195								
Franklin	6,994	7,670	551	359	225	505	78	212								
Fulton	6,215	12,331	1,131	311	177	532	104	247								
Genesee	7,276	14,646	2,269	324	258	902	116	417								
Greene	6,914	11,620	1,453	442	365	458	126	189								
Hamilton	906	1,897	167	44	24	79	19	40								
Herkimer	7,708	15,110	1,589	403	262	740	113	262								
Jefferson	13,150	19,894	1,869	617	466	1,238	193	432								
Lewis	3,009	6,698	702	132	96	396	41	100								
Livingston	10,140	15,168	2,122	449	370	862	187	414								
Madison	10,988	14,144	1,792	516	482	1,097	197	485								
Monroe	179,142	116,476	20,106	5,289	6,588	8,640	2,862	4,565								
Montgomery	6,264	9,894	1,407	268	230	460	101	230								
Nassau	324,212	272,873	19,152	6,734	5,671	7,195	2,271	4,142								
Niagara	33,927	44,289	7,672	1,287	1,228	2,059	404	806								
Oneida	32,217	46,282	5,155	1,235	1,070	2,682	456	1,072								
Onondaga	107,049	73,700	9,949	3,185	3,781	5,853	1,507	2,671								
Ontario	21,062	22,788	3,241	852	799	1,721	372	765								
Orange	65,532	68,509	8,136	2,154	1,997	2,687	749	1,180								

County	Official Presidential Write-In Candidates											Total
	Marshall Schoenke	Ryan Alan Seck	Emilio Sotgiak	Tony Valdivia	J. J. Vogel-Wascur	Eather Walsh	Barbara Whitaker	Robert M. Wolff	Blank	Void	Scattering	
Orleans	0	0	0	0	0	0	0	0	182	7	79	16,569
Oswego	0	0	1	0	0	0	0	0	343	24	392	48,547
Otsego	0	0	1	0	0	0	0	0	221	48	253	25,937
Putnam	0	0	0	0	0	0	0	0	302	0	352	48,865
Rensselaer	0	0	0	0	0	0	0	0	558	15	651	72,135
Rockland	0	0	0	0	0	0	0	0	2,865	97	1,008	138,049
Saratoga	0	0	0	0	0	0	0	0	1,024	0	1,266	115,118
Schenectady	0	0	0	0	0	0	0	0	583	42	646	67,905
Schoharie	0	0	0	0	0	0	0	0	111	4	118	14,165
Schuyler	0	0	0	0	0	0	0	0	59	2	82	8,833
Seneca	0	0	0	0	0	0	0	0	104	6	109	14,090
St. Lawrence	0	0	0	0	0	0	0	0	474	0	397	39,632
Steuben	0	0	0	0	0	0	0	0	309	23	291	42,334
Suffolk	0	0	3	0	0	0	0	0	5,028	208	4,087	686,490
Sullivan	0	0	0	0	0	0	0	0	502	27	194	30,484
Tioga	0	0	0	0	0	0	0	0	247	9	192	22,555
Tompkins	0	0	0	2	0	0	0	0	338	23	479	43,039
Ulster	0	0	2	0	0	0	0	0	889	844	755	87,023
Warren	0	0	0	0	0	0	0	0	291	17	364	31,716
Washington	0	0	1	0	0	0	0	0	245	0	236	24,773
Wayne	0	0	0	0	0	0	0	0	289	33	208	40,009
Westchester	0	0	2	0	0	0	0	0	3,400	0	3,475	424,055
Wyoming	0	0	0	0	0	0	0	0	183	20	64	17,501
Yates	0	0	0	0	0	0	0	0	152	3	72	10,221
Total Outside NYC	2	1	23	4	0	1	0	5	56,600	3,440	33,726	5,042,062
Bronx	0	0	0	0	0	0	0	0	3,455	0	1,268	402,977
Kings	1	0	10	0	0	0	0	0	4,900	0	4,516	810,505
New York	0	2	0	0	0	0	1	0	4,172	0	5,071	673,112
Queens	0	0	2	0	0	0	0	0	4,816	0	2,880	691,209
Richmond	0	0	1	0	0	0	0	0	1,160	0	862	182,120
Total NYC	1	2	13	0	0	0	1	0	18,503	0	14,617	2,759,923
Statewide Total	3	3	36	4	0	1	1	5	77,103	3,440	48,343	7,801,985
RECAP	3	3	36	4	0	1	1	5				

**Alaska and Maine will produce
“official statements” as part of
their ranked choice voting process
that include both the initial and
final vote totals for each
candidate, which can differ by tens
of thousands of votes**



RCV Detailed Report

General Election

State of Alaska

November 08, 2022

Senate District N

Official results

Number of positions to elect is 1.

Tabulation status:

All Positions Filled

Tabulation time:

11/30/2022 1:41:09 PM

Tabulation Options	
RCV method	IRV
Exclude unresolved write-ins	True
Declare winners by threshold	False
Uses precincts	True
Previous rounds evaluation method	None
Elimination type	Single
Fixed precision decimals	0
Perform elimination transfer in last round	True
Skip overvoted rankings	False
Options to include in threshold calculation	Continuing ballots per round
Use first round suspension	False
Handling skip rankings	Exhausted on Two or More Ranks Skipped

Ties are resolved in accordance with election law.

State of Alaska

Round 1

Candidate	Votes	Percentage
Clayton, Scott D.	2,977	25.82%
Wilson, David S.	5,170	44.83%
Wright, Stephen	3,385	29.35%
Continuing Ballots Total	11,532	
Blanks	2,226	
Exhausted	0	
Overvotes	18	
Remainder Points	0	
Non Transferable Total	2,244	

Clayton, Scott D. is eliminated because the candidate had the least amount of votes.

Elimination transfer for candidate Clayton, Scott D..

2977 ballots have been transferred in the following manner:

Transferred from	Transferred to	Ballots	Votes
Clayton, Scott D.	Wilson, David S.	954	954
Clayton, Scott D.	Wright, Stephen	926	926
Clayton, Scott D.	Exhausted	1093	1,093
Clayton, Scott D.	Overvotes	4	4

Round 2

Candidate	Votes	Percentage
Clayton, Scott D.	0	0.00%
Wilson, David S.	6,124	58.69%
Wright, Stephen	4,311	41.31%
Continuing Ballots Total	10,435	
Blanks	2,226	
Exhausted	1,093	
Overvotes	22	
Remainder Points	0	
Non Transferable Total	3,341	

Wilson, David S. is elected because all other candidates have been eliminated.

Wright, Stephen is eliminated because the candidate was not elected in the last round.

RCV Detailed Report

General Election

State of Alaska

November 08, 2022

U.S. Senator

Official results

Number of positions to elect is 1.

Tabulation status:

All Positions Filled

Tabulation time:

11/30/2022 1:36:37 PM

Tabulation Options	
RCV method	IRV
Exclude unresolved write-ins	True
Declare winners by threshold	False
Uses precincts	True
Previous rounds evaluation method	None
Elimination type	Single
Fixed precision decimals	0
Perform elimination transfer in last round	True
Skip overvoted rankings	False
otes to include in threshold calculation	Continuing ballots per round
Use first round suspension	False
Handling skip rankings	Exhausted on Two or More Ranks Skipped

Ties are resolved in accordance with election law.

State of Alaska

Round 1

Candidate	Votes	Percentage
Chesbro, Patricia R.	28,233	10.73%
Kelley, Buzz A.	8,575	3.26%
Murkowski, Lisa	114,118	43.39%
Tshibaka, Kelly C.	112,101	42.62%
Continuing Ballots Total	263,027	
Blanks	3,271	
Exhausted	0	
Overvotes	499	
Remainder Points	0	
Non Transferable Total	3,770	

Kelley, Buzz A. is eliminated because the candidate had the least amount of votes.

Elimination transfer for candidate Kelley, Buzz A..

8575 ballots have been transferred in the following manner:

Transferred from	Transferred to	Ballots	Votes
Kelley, Buzz A.	Chesbro, Patricia R.	901	901
Kelley, Buzz A.	Murkowski, Lisa	1641	1,641
Kelley, Buzz A.	Tshibaka, Kelly C.	3209	3,209
Kelley, Buzz A.	Exhausted	2806	2,806
Kelley, Buzz A.	Overvotes	18	18

Round 2

Candidate	Votes	Percentage
Chesbro, Patricia R.	29,134	11.20%
Kelley, Buzz A.	0	0.00%
Murkowski, Lisa	115,759	44.49%
Tshibaka, Kelly C.	115,310	44.32%
Continuing Ballots Total	260,203	
Blanks	3,271	
Exhausted	2,806	
Overvotes	517	
Remainder Points	0	
Non Transferable Total	6,594	

Chesbro, Patricia R. is eliminated because the candidate had the least amount of votes.

Elimination transfer for candidate Chesbro, Patricia R..

29134 ballots have been transferred in the following manner:

Transferred from	Transferred to	Ballots	Votes
Chesbro, Patricia R.	Murkowski, Lisa	20571	20,571
Chesbro, Patricia R.	Tshibaka, Kelly C.	2224	2,224
Chesbro, Patricia R.	Exhausted	6301	6,301
Chesbro, Patricia R.	Overvotes	38	38

Round 3

Candidate	Votes	Percentage
esbro, Patricia R.	0	0.00%
nelley, Buzz A.	0	0.00%
Murkowski, Lisa	136,330	53.70%
Tshibaka, Kelly C.	117,534	46.30%
Continuing Ballots Total	253,864	
Blanks	3,271	
Exhausted	9,107	
Overvotes	555	
Remainder Points	0	
Non Transferable Total	12,933	

Murkowski, Lisa is elected because all other candidates have been eliminated.

Tshibaka, Kelly C. is eliminated because the candidate was not elected in the last round.





Report Name

Summary Report

Election Name

General Election

Election Date

November 8, 2022

Office Title

Rep. to Congress - District 2

Candidate Names	Round 1			Round 2		
	Votes	Percentage	Transfer	Votes	Percentage	Transfer
Bond, Tiffany	21655	06.84%	-21655	0	00.00%	0
Golden, Jared Forrest	153074	48.38%	12062	165136	53.05%	0
Poliquin, Bruce	141260	44.65%	4882	146142	46.95%	0
Write-in	393	00.12%	-393	0	00.00%	0
Ballot Exhausted						
By Overvotes	1020		68	1088		0
By Undervotes	5376		3708	9084		0
By Exhausted Choices	0		1328	1328		0
Continuing Ballots	316382		0	311278		0
TOTAL	322778		0	322778		0
Winning threshold by round	158192			155640		

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Total = Ballot Exhausted by Overvotes + Ballot Exhausted by Undervotes + Exhausted Ballot + Continuing Ballots

Winning Threshold = [Continuing ballots/(Vote for [number] +1)] + 1

**" symbol signifies elimination due to Tie Resolution.



If a third-party or independent candidate finishes ahead of either the Democratic or Republican candidate in a state using ranked choice voting, the final vote total on these states' "official statement" will show zero votes for the third-place candidate, erasing hundreds of thousands or even millions of votes from the national vote count for the Democrat or Republican





Ranked Choice Voting (RCV) Is Compatible with National Popular Vote

June 14, 2022

QUICK ANSWER:

- Ranked Choice Voting (RCV) allows the voter to rank candidates on their ballot in order of preference—first choice, second choice, and so forth. If one candidate receives an absolute majority of the first-choice votes, the counting process stops, and that candidate wins outright. Otherwise, the candidate supported by the fewest voters is eliminated and that candidate's ballots are redistributed according to the next choice indicated on those ballots. This process of eliminating the lowest candidate and redistributing that candidate's ballots is repeated until one candidate has the support of a majority of the voters expressing a choice.
- RCV is poised to be used in the 2024 presidential election by two states together possessing 0.6% of the nation's population (Maine and Alaska).
- The false claim that Ranked Choice Voting (RCV) is incompatible with National Popular Vote requires getting people to believe that the intent of a state's RCV-for-President law is to give voters a ballot that allows them to rank candidates according to their first, second, etc. preferences—but to then ignore everything on the ballot except the voter's first choice. This interpretation of a state's RCV-for-President law in a manner that ignores RCV's sole purpose, namely letting voters rank the candidates in order of their preference.
- Even if there were any legitimate uncertainty as to how to interpret a state's RCV-for-President law, the issue is **legally moot** in the only state that has ever used RCV in a presidential election (namely Maine) because Maine amended its 2019 RCV-for-President law in 2021 to eliminate any possible ambiguity. Moreover, in the only state that is currently poised to use RCV for President in 2024 (namely Alaska), the issue is **politically moot**, because the Republican presidential nominee is almost

Republican candidate, ... **the votes for that Democratic or Republican candidate gets completely erased** and will not be reported.

“In 1992, for example, Ross Perot finished ahead of George Bush in Maine. George Bush would have had subtracted, or never appeared in the national vote totals about 207,000 votes. The amendment that your Secretary of State has offered does not address this problem.”¹⁷ [Emphasis added]

At a debate conducted by the Broad and Liberty group in Philadelphia, Sean Parnell said:

“If you’re just using the final votes, then if a candidate—a Democrat or Republican—ever finishes in third place in a state with ranked choice voting, ... then **what you wind up doing is literally zeroing out votes**. If you ever have a Republican candidate or Democratic candidate finishing third place in a state with ranked choice voting, then you are literally going to watch **hundreds or thousands, maybe even millions of votes, be completely erased**.”¹⁸ [Emphasis added]

Given that Save Our States vigorously defends the current state-by-state winner-take-all method of awarding electoral votes, their concern about votes being transferred away from the two major-party presidential candidates is little more than crocodile tears. Indeed, the current winner-take-all system regularly erases the votes of *every* voter in *every* state who did not vote for the candidate who received the most popular votes in the state.

In any case, **it is not the job of the State of Maine or the voters of Maine to protect the two major-party presidential nominees from the consequences of their own failure to earn enough votes to come in first or second place.**

Moreover, there is a key difference in the nature of the erasures. If RCV and National Popular Vote had been in effect in 1992 when Bush came in third in Maine, every voter in Maine would have had their vote counted for a candidate **for whom that voter actually voted**. In contrast, the current winner-take-all system routinely transfers the voter’s vote to a candidate for whom the voter did **not** vote.

¹⁷ Testimony of Sean Parnell. Maine Committee on Veterans and Legal Affairs. May 11, 2021

¹⁸ Broad and Liberty Debate. 2021. Ditching the electoral college for the national popular vote—The conservative angle. November 29, 2021. Timestamp 7:19 <https://www.youtube.com/watch?v=eH4SvE7u5FI&t=945s>

If no “official statement” is available the chief election officials of compact member states have the power to estimate vote totals using any methodology they choose, adding or subtracting tens or hundreds of thousands of votes from the real vote totals





Statement by Former Michigan Republican State Chairman Saul Anuzis on the Secret Presidential Elections Bill in North Dakota (SB2271)

February 19, 2021

North Dakota [SB2271](#) would require the state's presidential vote count to be kept secret until after the Electoral College meets (about 7 weeks after Election Day in November).

Almost identical bills were rejected unanimously by a [New Hampshire House committee](#) in 2020, defeated in the [South Dakota Senate](#) by a 31–1 vote in 2020, and died in committee in both the [Mississippi House](#) and [Mississippi Senate](#) in 2021.

- 1. Secret vote counts conflict with the principle of having public oversight of elections by watchdog groups, candidates, political parties, the media, and ordinary citizens**
 - 2. SB2271 contains no plan on how to run a system of vote counting that is half public and half secret—probably because there is no workable or practical way to do this**
 - 3. SB2271 contains no fines or jail time for the crime of revealing vote counts**
 - 4. Secret court proceedings will be necessary to keep the vote counts secret**
 - 5. Keeping the vote count secret would necessarily require trying to muzzle presidential candidates during a recounted or contested election, and could subject the state to ridicule in grand-standing proceedings**
 - 6. SB2271 will almost certainly never go into effect, because it allows a single presidential candidate to unilaterally negate the bill simply by initiating a recount or contest**
 - 7. SB2271 won't actually keep presidential vote counts secret, but will merely create an easily resolved issue involving 36 votes out of 158,224,999 cast nationally**
 - 8. Under SB2271, North Dakota would voluntarily surrender the “conclusive” status that existing federal law confers on each state’s “final determination” of its vote count**
 - 9. SB2271 violates federal law requiring a Certificate of Ascertainment containing the presidential vote count “on or before” the Electoral College meets**
 - 10. The meaning of the word “canvass” as used in existing federal law is based on plain English, historical usage, and common sense, and cannot be redefined by one state’s law**
 - 11. SB2271 denies North Dakota voters the full value of their vote for President**
 - 12. “Particularly nutty” is how *Townhall* describes this secret election bill**
 - 13. “Throwing the system into chaos” is the acknowledged purpose of the lobbyist who advocated bills like SB2271 in New Hampshire, South Dakota, and Mississippi**
 - 14. “Crazy,” “anti-democratic,” and “completely unacceptable” is how a long-time National Popular Vote opponent describes this secret election bill in the *Daily Signal***
- Detailed discussion on each of these points will be found on the following pages.

The conflict between secret elections and recounts and contests is probably irresolvable. In any case, allowing a single presidential candidate to unilaterally negate the bill is an explicit acknowledgement that the bill has no possibility of ever actually becoming operational.

7. SB2271 won't actually keep presidential vote counts secret, but will merely create an easily resolved issue involving 36 votes out of 158,224,999 cast nationally

SB2271 would require the state's presidential vote count to be kept secret until after the Electoral College meets (about 7 weeks Election Day in November).

It does, however, allow for the public release of the percentage of the vote received by each presidential candidate "to the nearest hundredth of a percentage point."²

Thus, SB2271 would not actually make North Dakota's presidential vote count secret—or even particularly mysterious—because simple arithmetic will quickly reveal the lowest possible number of votes that each presidential candidate received in the state, and the highest possible number.

In practice, this calculation could be done by anyone with a calculator, using the total number of voters who are publicly reported to have voted in the simultaneous non-secret voting for Members of Congress, state legislators, other officials, and ballot propositions.

The table below shows the number of votes received in North Dakota in 2020 by President Donald Trump; then-Vice-President Joe Biden; and other candidates, according to the North Dakota State Board of Canvasser and North Dakota's 2020 Certificate of Ascertainment.

Column 4 shows the percent of the votes received by each candidate to the nearest hundredth of a percent. This is the number that would be publicly reported if SB2271 became law.

Column 5 shows the *smallest number* of votes that a candidate could have received in North Dakota given the percentage shown in column 4, and column 6 shows the *highest*.

Column 7 shows that difference between the lowest possible number of votes from column 5 and the highest possible number from column 6. The difference is 36 votes for each candidate.

For example, give that President Trump's percentage in 2020 was 65.11% (to the nearest hundredth of a percent), then President Trump could have received anywhere between 65.105% and 65.115% of the vote. That means President Trump received between 235,562 and 235,598 votes—a difference of 36 votes.

In short, the effect of SB2271 would be—no more or less than—to create 36 votes of uncertainty in North Dakota's vote for President.

Candidate	Votes	Percent	Percent to nearest hundredth	Fewest votes candidate could have received	Most votes candidate could have received	Difference
Trump	235,595	65.11405%	65.11%	235,562	235,598	36
Biden	114,902	31.75676%	31.76%	114,895	114,931	36
Others	11,322	3.12919%	3.13%	11,307	11,343	36
Total	361,819	100.00000%	100.00%			

² As specified in the amended version of SB2271 in the Senate Committee Government and Veterans Affairs Committee.

Note that this calculation could alternatively be performed on the reported number of persons actually going to the polls or the number of voting-age persons in the state (which SB2271 does not make secret). As another alternative, if the calculation were performed on the state's entire voting-age population (from the Census Bureau), the effect of SB2271 would be to create 56 votes of uncertainty. If the calculation were performed on the state's entire population (from the Census Bureau), it would create 68 votes of uncertainty.

Sean Parnell, a lobbyist opposed to the National Popular Vote Compact, has promoted legislation such as SB2271 in New Hampshire in 2020, South Dakota in 2020, and Mississippi in 2021 as "[preemptive measures against National Popular Vote](#)."

However, SB2271 wouldn't actually have any material effect on the operation of the National Popular Vote Compact.

In determining the national popular vote count, the National Popular Vote Interstate Compact requires the chief election officials of the compacting states to give respect and deference to, and treat as "conclusive," the "final determination" of each state's vote count, provided this "final determination" is made six days before the Electoral College meets.

This is the exact same deference to each state's "final determination" that existing federal law (the Electoral Vote Count Act of 1887³) requires of Congress when Congress counts the electoral votes on January 6 after every presidential election.

In fact, the 5th clause of Article III of the National Popular Vote Compact parallels the wording of existing federal law and provides:

"The chief election official of each member state shall treat as conclusive an official statement containing the **number** of popular votes in a state for each presidential slate made by the day established by federal law for making a state's final determination conclusive as to the counting of electoral votes by Congress."

If North Dakota voluntarily waives the benefits of this conclusiveness by providing percentages instead of "numbers," the chief election officials of the two dozen or so states belonging to the Compact are not going to throw up their hands and declare that the world has come to an end.

Instead, the chief election official of each compacting state would still be required by their state's law to "determine the number" and to determine which presidential candidate received the most popular votes in all 50 states and the District of Columbia.

Despite the introduction of 36 votes of uncertainty out of 158,224,999 cast nationally, an accurate conclusion can still be confidently reached as to which presidential candidate is entitled to be designated as the "national popular vote winner" for purposes of receiving all the electoral votes from all compacting states.

Anyone contemplating litigation challenging the correctness of the designation of the "national popular vote winner" would have to establish, at the beginning of the litigation, that the 36 votes of uncertainty created by SB2271 resulted in an incorrect designation. Of course, the designation of the national popular vote winner would be correct unless the 36 votes happened to be critical to deciding the nationwide winner in an election involving 158,224,999 votes. If the 36 votes could not possibly have affected the correctness of the designation of the national popular vote winner,

³ The "safe harbor" provision is now section 5 of Title 3 of the U.S. Code.



California's 2016 Certificate of Ascertainment reported an extra 4,483,810 votes for Donald Trump, enough for him to have won if the National Popular Vote interstate compact had been in effect



Executive Department
State of California

CERTIFICATE OF ASCERTAINMENT

For

**ELECTORS OF PRESIDENT and
VICE PRESIDENT of the
UNITED STATES OF AMERICA**

2016

To the President of the Senate of the United States of America:

I, EDMUND G. BROWN JR., Governor of the State of California, herby certify, pursuant to the laws of the United States and the State of California, that a General Election was held in accordance with law in the State of California on Tuesday, the 8th day of November, 2016, for Electors of the President and Vice President of the United States.

I further certify that the votes cast for Electors at the General Election were canvassed and certified by the Secretary of State of the State of California, and the Secretary of State has certified to me the names and number of persons receiving votes as Electors.

I further certify that the following persons received the highest number of votes for Electors of the President and Vice President of the United States for the State of California, and have been appointed as Electors after the final ascertainment as required by law:

**California Democratic Party Electors Pledged to
Hillary Clinton for President of the United States and
Tim Kaine for Vice President of the United States:**

Sandra M. Aduna	Mark W. Headley	Dustin R. Reed
Saundra G. Andrews	Ana A. Huerta	Olivia A. Reyes-Becerra
Janine V. Bera	Donna M. Ireland	Priscilla G. Richardson
Jane C. Block	Christine T. Kehoe	John M. Ryan
Edward Buck	Vinzenz J. Koller	Kathleen R. Scott
Francine P. Busby	Andrew R. Krakoff	Steve J. Spinner
Laphonza R. Butler	Katherine A. Lyon	Shawn E. Terris
Benjamin Cardenas	John P. MacMurray	Gail R. Teton-Landis
Jacki M. Cisneros	Sheldon Malchicoff	Robert S. Torres
Raymond L. Cordova	Nury Martinez	Marie S. Torres
Steven D. Diebert	Gwen Moore	Dorothy N. Vann
James A. Donahue	Cathy A. Morris	David S. Warmuth
Patrick F. Drinan	Stephen J. Natoli	Karen D. Waters
Susan Eggman	Mark A. Olbert	Shirley N. Weber
Timothy J. Farley	Analea J. Patterson	Denise B. Wells
Eileen Feinstein Mariano	Christine P. Pelosi	Gregory H. Willenborg
Natalie P. Fortman	Carmen O. Perez	Laurence S. Zakson
Faith A. Garamendi	Celine G. Purcell	
Javier Gonzalez	Andres Ramos	

NUMBER OF VOTES – 8,753,788

* * *

I further certify that the following persons received votes for Electors of the President and Vice President of the United States for the State of California other than those cast for the California Democratic Party Electors:

**California Republican Party Electors Pledged to
Donald J. Trump for President of the United States and
Michael R. Pence for Vice President of the United States:**

Joel Anderson	Diane Harkey	Donna Porter
Marilyn Barke	Matthew Harmon	Dennis Revell
Jennifer Beall	Noel Irwin Hentschel	Scott Robertson
Robert Bernosky	Mark Herrick	Carla Sands
Arun Bhumitra	Tom Hudson	Truong Si
Jim Brulte	Kenneth Korbin	Robert Smittcamp
Nachhattar Chandi	Kevin Krick	Mike Spence
Claire Chiara	Jeff Lalloway	Shawn Steel
Tim Clark	Linda Lopez-Alvarez	Mark Vafiades
Greg Conlon	Robin Lowe	Marcelino Valdez
Matthew Del Carlo	Papa Doug Manchester	Errol Valladares
Harmeet Dhillon	Shirley Mark	Cyndi Vanderhorst
Elizabeth Emken	Chuck McDougald	Megan Vincent
Jean Fuller	John Musella	Elissa Wadleigh
Ted Gaines	Ron Nehring	Deborah Wilder
Ron Gold	Mike Osborn	Dave Willmon
Lisa Grace-Kellogg	Douglas Ose	John Young
Barbara Grimm Marshall	John Peck	
Howard Hakes	Pete Petrovich	

NUMBER OF VOTES – 4,483,810

* * *



**American Independent Party Electors Pledged to
Donald J. Trump for President of the United States and
Michael R. Pence for Vice President of the United States:**

Linda Lea Alsbury	Charles Edward Harrison, Jr.	Robert Ornelas
Merwyn Alsbury	Thomas Nowlen Hudson	Marilyn Plumb
The Honorable Steve Baldwin	The Honorable John LeBoutillier	Jamie Rangel
Gary Brown	The Honorable Robert Marc Levy	Jeffrey Rangel
Ruth Brown	Mary Parker Lewis	John Daniel Robertson
Mark Brownlee	Gaudencio Gene Lopez	Markham Robinson
William C. Cardoza	Judy Lopez	Mary Robinson
Joseph J. Cocchi	Raul Lopez	Stephanie Roundy
Julie Colglazier	Sheila Schultz Lopez	Terrance Arthur Rust
Kayla Colglazier	Leonard Luna	Dustin Paul Salsi
Patrick Colglazier	Kim McDermott	Richard Scott Andrew Schalo
Dr. J. Steven Davis	Eric McDermott	David James Scholl
Sallie Hansen Dorman	Arthur Loyal Morgan	Mark J. Seidenberg
The Honorable Robert K. Dorman	Matthew Justin Morgan	Chris Smentech
Wiley Drake	Richard Matthew Nettleton, Sr.	Glenn Smentech
Sally S. Easter	Julie Marie Nettleton	Michael Warnken
Ron Gold	Marc Nettleton	Jack Warren
The Honorable Virgil Goode	Jaycob Andrew Ornelas	
Jeff Grage	Melissa Ornelas	

NUMBER OF VOTES – 4,483,810

* * *

**Libertarian Party Electors Pledged to
Gary Johnson for President of the United States and
Bill Weld for Vice President of the United States:**

Alexander Appleby	Jonathan Jaech	Shashi Ramchandani
Baron Bruno	Sandra Kallander	Joe Reynoso
Arman Chahal	John Kendall	Honor Robson
Alicia Garcia Clark	David Kettering	Brian W. Ryman
Edward Clark	Manuel S. Klausner	Brian Schar
Tracy Cramer	Janine Kloss	David Schrader
Joseph W. Dehn, III	Tyler Kuskie	Kurt Schultz
Barbara Engelhardt	Paul Lazaga	John Stagliano
Keith Ericson	Roberto Leibman	Aaron Starr
Richard Fields	Thomas Lippman	Brian Thiemer
Aubrey Freedman	Benjamin T. Maes	Emily Tilford
Nicholas Gerber	Michael Martin	Jarrett Tilford
Joshua Glawson	Alex Mattis	Susan Marie Weber
Noel R. Gregorio	Denise Mehulic	Robert G. Weber
Harland Harrison	Catherine Mellor	Randall Weissbuch
Jane Heider	Gale Morgan	William C. White
Nathan Hoffman	Samuel W. Oglesby	Martha de Forest
John Hoop	Kenneth Brent Olsen	
Linden Hsu	Gardner Osborne	

NUMBER OF VOTES – 478,499

* * *



National Popular Vote gives member states the power to reject votes from states that don't satisfy the compact's definition of a "statewide popular election."

In 1960 the compact would have rejected 11,002,601 votes from seven states, including New York, giving Richard Nixon a popular vote win over John Kennedy by 617,188 votes



EVERY VOTE EQUAL:

A State-Based Plan for Electing the President by National Popular Vote

**John R. Koza
Barry F. Fadem
Mark Grueskin
Michael S. Mandell
Robert Richle
Joseph F. Zimmerman**

FOREWORDS BY

**John B. Anderson
Tom Campbell
Laura Brod
Joseph Griffo
Dean Murray**

**Birch Bayh
Gregory G. Aghazarian
James L. Brulte
Ray Haynes
Thomas L. Pearce
Jake Garn**

**John Buchanan
Saul Anuzis
B. Thomas Golisano
Robert A. Holmes
Christopher Pearson**

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Fourth Edition—First Printing

displaying the names of candidates for presidential elector on the ballot (as a small number of states currently do). It simply requires that the names of the presidential candidates appear on the ballot. The term “presidential slate” is defined in Article V of the compact as

“a slate of two persons, the first of whom has been nominated as a candidate for President of the United States and the second of whom has been nominated as a candidate for Vice President of the United States, or any legal successors to such persons. . . .”

The continued use of the short presidential ballot permits the aggregation, from state to state, of the popular votes that have been cast for the various presidential slates. If, for example, the voters in a particular state were to cast separate votes for individual presidential electors (say, as they did in 1964 as shown by the Vermont ballot in figure 2.1 and discussed in section 2.2.6 or as they did in 1960 as shown by the Alabama ballot in figure 2.13 and discussed in section 2.11), the winning presidential electors from that state would each inevitably receive a (slightly) different number of votes. Thus, there would not be any single number available to add into the nationwide tally being accumulated by the presidential slates running in the remainder of the country.

6.3.3 EXPLANATION OF ARTICLE III—MANNER OF APPOINTING PRESIDENTIAL ELECTORS IN MEMBER STATES

Article III of the compact is the heart of the compact. It establishes the mechanics of a nationwide popular election by prescribing the “manner of appointing presidential electors in member states.”

The National Popular Vote compact is state legislation that exercises existing state power under Article II, section 1, clause 2 of the U.S. Constitution:

“Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.”³ [Emphasis added]

The first three clauses of Article III are the main clauses for implementing nationwide popular election of the President and Vice President.

The first clause of Article III of the compact provides:

“Prior to the time set by law for the meeting and voting by the presidential electors, the chief election official of each member state shall determine

of the two Nader “presidential slates” in New York in 2004. Existing New York law treated and counted Nader’s Independence Party votes separately from Nader’s Peace and Justice Party votes.

³ U.S. Constitution. Article II, section 1, clauses 1 and 2.

STATE OF ALABAMA
EXECUTIVE DEPARTMENT

I, John Patterson, Governor of the State of Alabama, hereby certify that, as provided by the laws of the State of Alabama, the Governor, the Secretary of State, and the Attorney General of the State of Alabama, did, on the 18th day of November 1960, canvass the vote in the State of Alabama cast for Electors for President and Vice-President of the United States in the election held on November 8, 1960, and did ascertain that the vote for electors was as follows:

G. S. Allen	received	318,303 votes
Leve Archer	received	317,171 votes
C. L. (Leonard) Beard	received	318,266 votes
Edmund Blair	received	322,593 votes
J. E. Brantley	received	317,226 votes
(Gov) Frank M. Dixon	received	324,050 votes
Karl Harrison	received	316,934 votes
James Henderson	received	323,018 votes
G. E. Hornsby, Jr.	received	322,124 votes
T. R. Malone, Jr.	received	322,084 votes
Frank Mizell	received	320,957 votes
Grover C. Allen	received	1,485 votes
Mrs. Marie W. Bailey	received	1,274 votes
Grover Banks	received	1,205 votes
James H. Hollie	received	1,077 votes
Eddie Jones	received	1,185 votes
James Marsh	received	1,017 votes
Will Mike	received	994 votes
Isaac Nicholson	received	1,154 votes
Ernest Thomas Taylor	received	1,143 votes
Jasper J. Thomas	received	1,063 votes
James C. Williams	received	1,077 votes
George E. Allen	received	4,357 votes
Annette M. Bartee	received	3,769 votes
Lodwick H. Bartee	received	3,775 votes
Lee J. Crowder	received	3,757 votes
Therman De Lee	received	3,735 votes
Mrs. Lila Evans	received	3,484 votes
Willie Bazzell Garrett	received	2,796 votes
John Douglas Knowles	received	3,555 votes
Sanford D. Rudd	received	3,396 votes
Jack Andrew Tomlinson	received	3,477 votes
Ernest Wilson	received	3,460 votes
L. E. Barton	received	2,106 votes
William E. Brown	received	2,032 votes
L. J. Chambliss	received	1,960 votes
Leona B. Frans	received	1,868 votes
Joe Frost	received	1,914 votes
Kathryne E. Gardner	received	1,962 votes
O. A. Gardner	received	2,045 votes
A. D. Peck	received	1,835 votes
Phoebe Shoemaker	received	1,868 votes
C. E. Stewart	received	1,915 votes
R. Draw Wolcott	received	1,919 votes

Robert S. Cartledge	received	236,110 votes
Charles H. Chapman, Jr.	received	237,370 votes
J. N. Dennis	received	236,765 votes
Cecil Durham	received	237,981 votes
W. H. Gillespie	received	236,915 votes
Perry O. Hooper	received	234,976 votes
W. J. Kennamer	received	235,411 votes
Tom McNaron	received	234,856 votes
Mrs. John Simpson	received	234,002 votes
T. B. Thompson	received	233,450 votes
George Witcher	received	230,951 votes

Hubert Stewart	received	2 votes
Walter C. Givhan	received	30 votes
Sam M. Johnson	received	29 votes
Lawrence E. McNeil	received	28 votes
John D. McQueen	received	30 votes
John P. Newsome	received	39 votes
Walter C. Graham	received	9 votes
Sam W. Johnson	received	9 votes
Clarence E. McNeal	received	9 votes
John D. McQueen, Jr.	received	9 votes
C. T. Kelley	received	2 votes

J. B. Stalworth	received	1 vote
J. W. Staggers	received	1 vote
Clarence Latham	received	1 vote
James Murry	received	1 vote
John Hays	received	1 vote
John Patterson	received	3 votes
Sam Engelhardt	received	3 votes
Bill Agee	received	3 votes
Stanley Pace	received	3 votes
H. A. Waites	received	1 vote
"Red" Waites	received	2 votes
Matt Lawson	received	3 votes

M. A. Keith	received	2 votes
Tom Strong	received	2 votes
Chambliss Keith	received	2 votes
Harmon Carter	received	2 votes
Tom McBryde	received	2 votes
J. E. Hood	received	1 vote
J. S. Powell	received	1 vote
Tom Smith	received	1 vote
James Johnson	received	1 vote
Bob Brown	received	1 vote
Tom Anderson	received	1 vote
J. R. Bennett, Jr.	received	1 vote

I further certify that it was ascertained from the canvass of said vote, as above shown, that the following were elected as Electors for President and Vice-President of the United States of America in Alabama:

C. G. Allen
 Dave Archer
 C. L. (Leonard) Beard
 Edmund Blair
 J. E. Brantley
 (Gov.) Frank M. Dixon
 Karl Harrison
 Bruce Henderson
 C. E. Hornsby, Jr.
 W. W. Malone, Jr.
 Frank Mizell

IN TESTIMONY WHEREOF I have caused this certificate to be signed and the Seal of the State of Alabama to be hereto affixed on this the 21st day of November 1960.



John Patterson
GOVERNOR

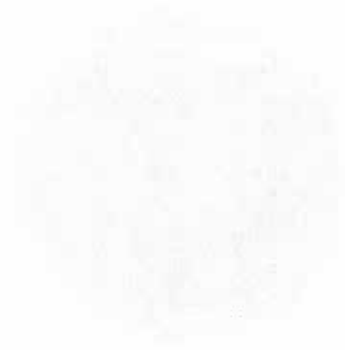
ATTEST:

Bettie Finley
Secretary of State

**



1000



EXECUTIVE ORDER

BY THE GOVERNOR:

WHEREAS: The Presidential election having been held on the 8th day of November in the State of Georgia and the results having been consolidated by the State and certified by him as provided by law; and

WHEREAS: It appears that the persons whose names are set forth below received the majority of the votes cast for the office of Presidential Elector of the State of Georgia; now

THEREFORE: I, S. Ernest Vandiver, Governor of Georgia, do hereby proclaim the following-named persons be and they are hereby proclaimed as Presidential Electors for the State of Georgia.

STATE AT LARGE		VOTES
	S. Ernest Vandiver	458,638
	Peter G. Meyer	455,202
1st District	James L. ...	455,720
2nd District	James H. ...	455,576
3rd District	Lamar Sizemore	455,378
4th District	David Arnold	455,484
5th District	Ivy Duggan	455,251
6th District	Tom Carr	455,099
7th District	J. Battle Hall	455,191
8th District	Robert E. ...	455,241
9th District	Glenn W. ...	455,255
10th District	Charlie ...	455,510

And it is so proclaimed on the 28th day of November, 1960.

Under my hand and Great Seal of the State of Georgia at the Capitol in the City of Atlanta on the 28th day of November in the year of our Lord, One Thousand, Nine Hundred and Sixty.

S. Ernest Vandiver
GOVERNOR

Peter Zack Gann
SECRETARY, EXECUTIVE DEPARTMENT

BY THE GOVERNOR:

Bon W. Johnson
SECRETARY OF STATE

EXECUTIVE ORDER

BY THE GOVERNOR:

WHEREAS: The Presidential Election having been held on the 8th day of November, 1960, in the State of Georgia and the returns from said election having been consolidated by the Secretary of State and certified by him to the Governor as provided by law; and

WHEREAS: It appears that the persons whose names are set forth below received a majority of the votes cast for the office of Presidential Elector of the State of Georgia; now

THEREFORE: I, S. Ernest Vandiver, Governor of Georgia, do hereby proclaim that the following-named persons be and they are hereby appointed as Presidential Electors for the State of Georgia:

STATE AT LARGE	NAME	VOTES
	S. Ernest Vandiver	458,638
	Peter Zack Geer	455,202
1st District	James L. Gillis	455,720
2nd District	James H. Gray	455,576
3rd District	Lamar Sizemore	455,378
4th District	David Arnold	455,484
5th District	Ivy Duggan	455,251
6th District	Tom Carr	455,099
7th District	J. Battle Hall	455,191
8th District	Robert E. Lee	455,241
9th District	Glenn W. Ellard	455,255
10th District	Charlie Baldwin	455,510

And it is so proclaimed this 28th day of November, 1960.

Given under my hand and Great Seal of the State of Georgia at the Capitol in the City of Atlanta on the 28th day of November in the year of our Lord, One Thousand, Nine Hundred and Sixty.

S. Ernest Vandiver
GOVERNOR

Peter Zack Geer
SECRETARY, EXECUTIVE DEPARTMENT

BY THE GOVERNOR:

Glenn W. Ellard
SECRETARY OF STATE

STATE OF GEORGIA)
 COUNTY OF FULTON) CREDENTIALS OF PRESIDENTIAL ELECTORS

TO ADMINISTRATOR OF GENERAL REGISTRATION, WASHINGTON, D. C.

Fursuant to the provisions of Chapter 1 of Title 3, United States Code (62 Stat. 1000), Ernest Vandiver, Governor of Georgia, as Chief of the State Department, do hereby certify that the following electors are qualified to vote for Presidential Electors in Georgia by virtue of receiving a majority of the votes in the election held in the State of Georgia on the 10th day of November, 1960, as shown by the consolidation of the returns filed in the Executive Department of the State of Georgia as required by Section 34-2502, Ga. Code Ann.:

STATE AT LARGE		VOTES
	S. Ernest Vandiver	458,638
	Peter G. Beer	455,202
1st District	James H. Harris	455,720
2nd District	James H. Harris	455,576
3rd District	Lamar Smith	455,378
4th District	David Arnold	455,484
5th District	Ivy Duggan	455,251
6th District	Tom Carr	455,099
7th District	J. Battle	455,191
8th District	Robert E. ...	455,241
9th District	Glenn W. E. ...	455,255
10th District	Charlie Ball	455,510

I hereby further certify that the consolidated returns of the aforesaid election returns filed in the Executive Department of the State of Georgia shows the following additional candidates for Presidential Electors and the votes received by each:

NAMES OF REPUBLICAN CANDIDATES FOR PRESIDENTIAL ELECTORS

STATE AT LARGE	NAME	VOTES
	Robert R. Snodgrass	472
	William B. Shartz	346
1st District	James L. Sundry	80
2nd District	Russell E. Kaliha	2,992
3rd District	James M. Brophy	72,907
4th District	Paul Cobb	272,962
5th District	Charles A. Moye	272,865
6th District	J. Marvin Elliott	272,968
7th District	C. Eugene Hughes	272,901
8th District	James M. Kent	273,041
9th District	Cecil G. Hartn	272,902
10th District	Eugene T. Gill	272,859

MISCELLANEOUS WRITE-IN CANDIDATES

NO PARTY SPECIFIED

Tom Anderson	2
T. Coleman Andrews	2
Hoyt Arlington	1
Ellis Arnall	1
David Arnold	1

STATE OF GEORGIA)
 COUNTY OF FULTON) CREDENTIALS OF PRESIDENTIAL ELECTORS

TO ADMINISTRATOR OF GENERAL SERVICES, WASHINGTON, D. C.

Pursuant to the provision of Section 6, Chapter 1 of Title 3, United States Code (62 Stat. 672, as amended) I, S. Ernest Vandiver, Governor of Georgia, as Chief Executive of said State, do hereby certify that the following electors have been appointed according to law as Presidential Electors from the State of Georgia by virtue of receiving a majority of the votes cast in the General Election held in the State of Georgia on the eighth day of November, 1960, as shown by the consolidation of the returns of said election filed in the Executive Department of the State of Georgia as required by Section 34-2502, Ga. Code Ann.:

STATE AT LARGE	NAME	VOTES
	S. Ernest Vandiver	458,638
	Peter Zack Geer	455,202
1st District	James L. Gillis	455,720
2nd District	James H. Gray	455,576
3rd District	Lamar Sizemore	455,378
4th District	David Arnold	455,484
5th District	Ivy Duggan	455,251
6th District	Tom Carr	455,099
7th District	J. Battle Hall	455,191
8th District	Robert E. Lee	455,241
9th District	Glenn W. Ellard	455,255
10th District	Charlie Baldwin	455,510

I hereby further certify that the consolidation of the aforesaid election returns filed in the Executive Department of the State of Georgia shows the following additional candidates for Presidential Electors and the votes received by each:

NAMES OF REPUBLICAN CANDIDATES FOR PRESIDENTIAL ELECTORS

STATE AT LARGE	NAME	VOTES
	Robert R. Snodgrass	274,472
	William B. Shartzler	273,346
1st District	James L. Sundy	273,080
2nd District	Russell E. Kaliher	272,992
3rd District	James M. Brophy	272,907
4th District	Paul Cobb	272,962
5th District	Charles A. Moye, Jr.	272,885
6th District	J. Marvin Elliott	272,968
7th District	C. Eugene Hughes	272,901
8th District	James M. Kent	273,041
9th District	Cecil G. Hartness	272,902
10th District	Eugene T. Gilbert	272,859

MISCELLANEOUS WRITE-IN CANDIDATES

NO PARTY SPECIFIED

Tom Anderson	2
T. Coleman Andrews	2
Hoyt Arlington	1
Ellis Arnall	1
David Arnold	1

Wee Willie B	1
Willie B	1
Willie B., Jr.	1
John Sammons Bell	1
Richard Bell	1
Nick Belluso	4
Iris Blitch	1
E. S. Bower	1
J. M. Branch	1
Hugh Brent	1
Dr. S. Y. Brown	1
Louis L. Brown	1
Lester Burns	1
Robt. J. Carter	1
Chas. R. Crisp	1
Davis	1
Earl Davis	1
James Davis	1
James C. Davis	1
Jeff Davis, C.S.A.	1
R. L. Decker, Prohibition	1
"Different Slates - no 2 Alike"	24
Carl Duncan	1
Bruce Edwards	1
Orvil F. Fabus	6
Farbous	2
Faubus	1
Orval Faubus	1
Jule W. Felton	1
Huckelberry Finn	1
E. L. Forrester	2
E. L. (Tic) Forrester	1
Tic Forrester	1
Peter Z. Geer	1
Peter Zack Geer	1
Barry Goldwater	1
Harry Goldwater	1
James Gray	2
James Grey	1
A. L. Hadden, Jr.	1
J. Battle Hall	1
Harris	1
Roy Harris	2
Roy V. Harris	1
J. B. Hatchett	1
Bob Humphreys	1
Independent	11
William Ingram	1
Ralph Ivie	2
Country Johnson	1
M. C. Johnston	1
Bob Jones	1
Bill Kennedy	2
King	1
Lamar Knight	1
Geo. D. Lawrence	1
Wade Leonard	1
George Lilly	1
Forrester Little	1
Judge Oscar Long	1
H. W. Lott	1
James Mackey	2
Lester Maddox	1
W. O. McCord	1
Bob McDyer	1
Roy McLain	1
J. A. Milteer	1
Thomas H. Mitchell	1
Virlyn B. Moore, Jr.	1

Walter Morrison	1
Geo. V. Mosley	1
J. D. Muse	2
Marshall Nelms	1
Richard Nixon	1
Fred Orr	1
J. L. Pilcher	1
Sallie Lou Rabun	2
Mary A. Rambo	1
C. C. Ramsey	1
A. Phillip Randolph	1
Dick Russell	1
Richard Russell	3
Richard B. Russell	7
Richard B. Russell, President	2
Tom Sawyer	1
V. M. Scott	2
Joc Smith	1
Sam Smith	1
Charles E. Stewart	1
Eugene Talmadge	1
Herman Talmadge	28
Herman Talmadge, V. P.	1
Herman E. Talmadge	1
Norman Thomas	1
S. Thurmond	1
Strom Thurmond	1
Undecided	1
Ernest Vandiver	43
Carl Vinson	1
James H. Whitaker	1
Gene Yawn	1
Bernard A. Young	1
Billy Young	1

I further certify that it is the purport and intent of this certificate to comply with all the requirements of the law as set forth in Section 6, Chapter 1 of Title 3, United States Code (62 Stat. 672).

Given under my hand and the Great Seal of the State at the Capitol, in the City of Atlanta, the 28th day of November in the year of our Lord One Thousand, Nine Hundred and Sixty.

S. Ernest Vandiver
GOVERNOR

Pate Zack Deew
SECRETARY, EXECUTIVE DEPARTMENT

BY THE GOVERNOR:

Ben W. Fortson
SECRETARY OF STATE

STATE OF LOUISIANA
EXECUTIVE DEPARTMENT

Pursuant to the laws of the United States of America, I, Jimmie H. Davis, Governor of the State of Louisiana, do hereby certify that Frank B. Ellis, Edmund M. Reggie, Theodore Hickey, Clyde F. Bel, Leon Gary, Mrs. Ruth Cockerham, William C. Feazel, Jack P. F. Gremillion, Edward M. Carmouche and Leo Coco were duly elected Electors for President and Vice-President of the United States, on the part of the State of Louisiana, agreeably to the provisions of the laws of the State of Louisiana, and in conformity with the Constitution of the United States of America, for the purpose of giving their votes for President and Vice-President of the United States for the term prescribed by the Constitution of the United States, to begin on the 20th day of January, A. D., 1961.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the State of Louisiana, at the City of Baton Rouge, this 29th day of November in the year of our Lord nineteen hundred and sixty and of the Independence of the United States of America, the one hundred and eighty-fourth and of the State of Louisiana the one hundred and forty-eighth.




GOVERNOR OF THE STATE OF LOUISIANA

BY THE GOVERNOR:


SECRETARY OF STATE

**CREDENTIALS OF PRESIDENTIAL ELECTORS
STATE OF LOUISIANA**

STATE OF LOUISIANA
EXECUTIVE DEPARTMENT

THIS IS TO CERTIFY, that at an election held on the eighth day of November, 1960, it being the first Tuesday next following the first Monday of said month, by virtue of and in obedience to the proclamation of Honorable Jimmie H. Davis, Governor of the State of Louisiana, dated the fifteenth day of September, A.D., 1960, issued in accordance with Chapter 3, Title 18 of the Louisiana Revised Statutes of 1950, it appears from the returns of said election recorded in the office of the Secretary of State of the State of Louisiana, and compiled by him on the 28th day of November, A.D., 1960, that the following named persons have each received the votes set opposite their respective names for the offices of Electors for President and Vice-President of the United States, for the State of Louisiana, for the term beginning January 20, 1961, viz:

Frank B. Ellis, At Large.....	407,339
Edmund M. Reggie, At Large.....	284,889
Theodore Hickey, First District.....	383,984
Clyde F. Bal, Second District.....	381,372
Leon Gary, Third District.....	381,420
Mrs. Ruth Cockerham, Fourth District.....	381,653
William C. Pezsol, Fifth District.....	380,659
Jack P. F. Gremillion, Sixth District.....	381,048
Edward M. Carmouche, Seventh District.....	379,515
Leo Coco, Eighth District.....	379,064
Harold B. Judell, At Large.....	230,980
Edward L. Smiley, At Large.....	214,097
Mrs. Edward J. Pettibon, First District.....	214,071
Paul Ramos, Second District.....	213,265
J. Paulin Duhe, Third District.....	212,678
Charles J. Beard, Fourth District.....	212,738
John S. Fox, Fifth District.....	212,878
Arthur James Holland, Sixth District.....	213,102
Aubrey C. Tatman, Seventh District.....	212,402
George B. Hall, Eighth District.....	212,282
David C. Treen, At Large.....	169,572
William M. Rainach, At Large.....	163,967
Leander H. Peres, Sr., First District.....	160,977
Emile A. Wagner, Jr., Second District.....	162,044
Ben K. Freeman, Third District.....	160,785
Marlin W. Drake, Jr., Fourth District.....	160,431
Clifton E. Hester, Fifth District.....	160,361
Jared Y. Sanders, Jr., Sixth District.....	160,825
Edward Dubuisson, Seventh District.....	159,912
E. Otis Edgerton, Jr., Eighth District.....	158,088

From it results: Frank B. Ellis and Edmund M. Reggie for the State At Large; Theodore Hickey for the First District; Clyde F. Bal for the Second District; Leon Gary for the Third District; Mrs. Ruth Cockerham for the Fourth District; William C. Pezsol for the Fifth District; Jack P. F. Gremillion for the Sixth District; Edward M. Carmouche for the Seventh District; and Leo Coco for the Eighth District; have received the greatest number of votes cast at the said election for the offices of Electors for President and Vice-President of the United States, for the State of Louisiana, for the term beginning January 20, 1961.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the great seal of the State of Louisiana, at the City of Baton Rouge, this 28 day of November in the year of our Lord nineteen hundred and sixty and of the Independence of the United States of America, the one hundred and eighty-fourth and of the State of Louisiana the one hundred and forty-eighth.



[Signature]
GOVERNOR OF THE STATE OF LOUISIANA

BY THE GOVERNOR:

[Signature]
SECRETARY OF STATE

STATE OF NEW YORK

BY

NELSON A. ROCKEFELLER

GOVERNOR

I, NELSON A. ROCKEFELLER, Governor of the State of New York, do hereby certify, that the statement containing the Canvass and Certificate of Determination by the State Board of Canvassers of the State of New York, as to ELECTORS of PRESIDENT and VICE-PRESIDENT hereto annexed, and certified by the Secretary of State of said State, under her seal of office, contains a true and correct List setting forth the names of Electors of President and Vice-President, elected in the said State, at the General Election held in said State on the Tuesday after the first Monday in November (November eighth), in the year nineteen hundred and sixty, pursuant to the Constitution and Law of the United States and of the State of New York, to wit:

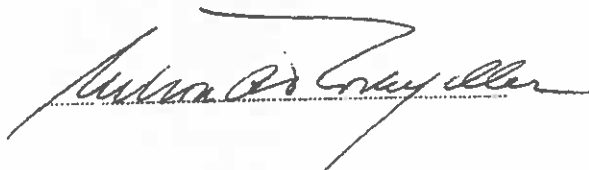
HARRY VAN ARSDALE, Jr.
AVERELL HARRIMAN
ARTHUR LEVITT
HERBERT H. LEHMAN
MICHAEL H. PRENDERGAST
CARMINE G. DeSAPIO
CHARLES A. BUCKLEY, Jr.
ROSE DOLLINGER
HARRY FOGLER
DANIEL V. SULLIVAN
HELEN A. SHARKEY
EDYTHE CASHMORE
LILYAN STARK
JOHN J. LYNCH
ARTHUR ROSENCRANS
R. RISLEY DENT, Jr.
EDWARD D. RE
ROBERT S. BENJAMIN
HERBERT TENZER
WILLIAM O. DAPPING
WILLIAM H. MORGAN
FRANK E. BARRY
MONROE GOLDWATER

HAROLD T. GARRITY
JOHN I. SNYDER, Jr.
PAUL R. HAYS
WILLIAM A. ZECK
WILLIAM N. POSNER
FRANK R. BARBARITA
MARION LEAMY
MARIE FERMOILE
JAMES T. HEALEY
JOHN J. PURCELL
KARL V. JONES
MAE GUREVICH
JOSEPH ZARETZKI
JULIO FLORES
HENRY A. TOPPIN
FRANK A. SEDITA
PATRICK J. McGRODER, Jr.
WALTER WARD
JOSEPH J. DeMONTE
JOSEPH SPADARO
IRVING SCHLEIN
JOHN C. O'BRIEN

And further that the Statement of Canvass and Certificate of Determination certified by the Secretary of State of said State, as aforesaid, correctly sets forth the Canvass or Determination under the Laws of said State of New York, of the number of votes given or cast for each person for whose election any and all votes have been given or cast at said election as aforesaid.

In Testimony Whereof, The Great Seal of the State is hereunto affixed.

Witness my hand at the City of Albany, the 15th day of December, in the year of our Lord one thousand nine hundred and sixty.



Attested by

Pauline K. Simon
Secretary of State

State of New York, ss:

We, the Attorney-General, State Senators, and Members of Assembly, constituting the State Board of Canvassers, having canvassed the whole number of votes given for the office of ELECTOR OF PRESIDENT AND VICE-PRESIDENT, at the general election held in said State, on the eighth day of November, 1960, according to the certified statements of the said votes received by the Secretary of State, in the manner directed by law, do hereby determine, declare and certify that

HARRY VAN ARSDALE, JR.
AVERELL HARRIMAN
ARTHUR LEVITT
HERBERT H. LEHMAN
MICHAEL H. PRENDERGAST
CARMINE G. DeSAPIO
CHARLES A. BUCKLEY, JR.
ROSE DOLLINGER
HARRY FOGLER
DANIEL V. SULLIVAN
HELEN A. SHARKEY
EDYTHE CASHMORE
LILYAN STARK
JOHN J. LYNCH
ARTHUR ROSENCRANS
R. RISLEY DENT, JR.
EDWARD D. RE
ROBERT S. BENJAMIN
HERBERT TENZER
WILLIAM O. DAPPING
WILLIAM H. MORGAN
FRANK E. BARRY
MONROE GOLDWATER

HAROLD T. GARRITY
JOHN I. SNYDER, JR.
PAUL R. HAYS
WILLIAM A. ZECK
WILLIAM N. POSNER
FRANK R. BARBARITA
MARION LEAMY
MARIE FERMOILE
JAMES T. HEALEY
JOHN J. PURCELL
KARL V. JONES
MAE GUREVICH
JOSEPH ZARETZKI
JULIO FLORES
HENRY A. TOPPIN
FRANK A. SEDITA
PATRICK J. McGRODER, JR.
WALTER WARD
JOSEPH J. DeMONTE
JOSEPH SPADARO
IRVING SCHLEIN
JOHN C. O'BRIEN

were, by the greatest number of votes, given at the said election duly appointed ELECTOR OF PRESIDENT AND VICE-PRESIDENT of the United States.

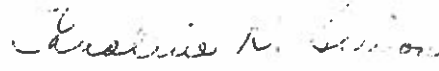
Given under our hands at the Department of State in the City of Albany, the 12th day of December in the year of our Lord one thousand nine hundred and sixty.

LOUIS J. LEFKOWITZ, *Attorney-General*
~~GILBERT T. SEEBER~~, *State Senator*
JULIAN B. ERWAY, *State Senator*
CHARLES A. SCHOENECK, JR., *Member of Assembly*
HARVEY M. LIPSET, *Member of Assembly*

State of New York } ss:
DEPARTMENT OF STATE }

I certify that I have compared the foregoing with the original certificate filed in this department, and that the same is a correct transcript therefrom and of the whole of such original.

Given under my hand and official seal of office, at the City of Albany, this 12th day of December, 1960.


CAROLINE K. SIMON,
Secretary of State

STATE OF NEW YORK, ss.

STATEMENT of the whole number of votes cast for all the candidates for the office of ELECTOR OF PRESIDENT AND VICE-PRESIDENT, at a General Election held in said State on the eighth day of November, 1960.

The whole number of votes given for the office of ELECTOR OF PRESIDENT AND VICE-PRESIDENT was 331,590,904 of which

MARGARET M. PEABODY	received	3,446,418	MARION LEAMY	received	3,423,908
ARTHUR W. HOUGHTON	"	3,446,420	MARIE FERMOLE	"	3,423,908
RICHARD W. HAWKINS	"	3,446,419	JAMES T. HEALEY	"	3,423,909
LEONARD W. HALL	"	3,446,420	JOHN J. PURCELL	"	3,423,908
J. RUSSELL SPRAGUE	"	3,446,419	KARL V. JONES	"	3,423,908
FRED STARK	"	3,446,420	MAE GUREVICH	"	3,423,908
JOSEPH R. WEIBOLDT	"	3,446,418	JOSEPH ZARETZKI	"	3,423,908
WILLIAM ADAM SCHULZ	"	3,446,420	JULIO FLORES	"	3,423,908
ROY M. D. RICHARDSON	"	3,446,418	HENRY A. TOPPIN	"	3,423,908
FLORENCE M. CREWS	"	3,446,419	FRANK A. SEDITA	"	3,423,908
FRANK PALS	"	3,446,419	PATRICK J. MCGRODER, JR.	"	3,423,908
SAMUEL ZIRN	"	3,446,419	WALTER WARD	"	3,423,908
JACOB L. HOLTZMANN	"	3,446,418	JOSEPH J. DeMONTÉ	"	3,423,908
HELEN PARISI	"	3,446,420	JOSEPH SPADARO	"	3,423,908
GEORGE C. TEXTOR	"	3,446,419	IRVING SCHLEIN	"	3,423,908
SAMUEL ROSENTHAL	"	3,446,419	JOHN C. O'BRIEN	"	3,423,909
CHARLES S. HILL	"	3,446,419	HARRY VAN ARSDALE, JR.	"	406,176
FRANCIS DEAN	"	3,446,419	AVERELL HARRIMAN	"	406,176
REGALADA TORRES	"	3,446,419	ARTHUR LEVITT	"	406,176
VINCENT A. MARSICANO	"	3,446,419	HERBERT H. LEFMAN	"	406,176
MELVIN H. OSTERMAN	"	3,446,419	MICHAEL H. PRENDERGAST	"	406,176
SAMUEL E. LEPLER	"	3,446,419	CARMINE G. DeSAPIO	"	406,176
HERMAN WINNER	"	3,446,419	CHARLES A. BUCKLEY, JR.	"	406,176
PELLIGRINO D'ANGELICA	"	3,446,419	ROSE DOLLINGER	"	406,176
JOHN M. DISERIO	"	3,446,419	HARRY FOGLER	"	406,176
JAMES E. BORDES	"	3,446,419	DANIEL V. SULLIVAN	"	406,176
CLIFFORD T. WEHMAN	"	3,446,418	HELEN A. SHARKEY	"	406,176
ORREL NOBLE	"	3,446,419	EDYTHE CASHMORE	"	406,176
JENNIE GROSSINGER	"	3,446,419	LILYAN STARK	"	406,176
HELEN C. BELL	"	3,446,419	JOHN J. LYNCH	"	406,176
NATHAN M. MEDWIN	"	3,446,418	ARTHUR ROSENCRANS	"	406,176
STANLEY MAC ARTHUR	"	3,446,419	R. RISLEY DENT, JR.	"	406,176
A. AUGUSTUS LOW	"	3,446,419	EDWARD D. RE	"	406,176
H. EDMOND MACHOLD	"	3,446,419	ROBERT S. BENJAMIN	"	406,176
ROBERT C. ROBERTS	"	3,446,419	HERBERT TENZER	"	406,176
THAD L. COLLUM	"	3,446,419	WILLIAM O. DAPPING	"	406,176
WILLIAM WILKINSON	"	3,446,419	WILLIAM H. MORGAN	"	406,176
JOEL H. CARROLL	"	3,446,419	FRANK E. BARRY	"	406,176
T. CARL NIXON	"	3,446,419	MONROE GOLDWATER	"	406,176
FRED C. STEVENS	"	3,446,419	HAROLD T. GARRITY	"	406,176
PAUL SCHOELLKOPF, JR.	"	3,446,419	JOHN I. SNYDER, JR.	"	406,176
LEWIS G. HARRIMAN, SR.	"	3,446,419	PAUL R. HAYS	"	406,176
JOHN H. COOKE	"	3,446,419	WILLIAM A. ZECK	"	406,176
GUSTAF A. LAWSON	"	3,446,418	WILLIAM N. POSNER	"	406,176
HARRY VAN ARSDALE, JR.	"	3,423,908	FRANK R. BARBARITA	"	406,176
AVERELL HARRIMAN	"	3,423,908	MARION LEAMY	"	406,176
ARTHUR LEVITT	"	3,423,909	MARIE FERMOLE	"	406,176
HERBERT H. LEFMAN	"	3,423,908	JAMES T. HEALEY	"	406,176
MICHAEL H. PRENDERGAST	"	3,423,908	JOHN J. PURCELL	"	406,176
CARMINE G. DeSAPIO	"	3,423,907	KARL V. JONES	"	406,176
CHARLES A. BUCKLEY, JR.	"	3,423,909	MAE GUREVICH	"	406,176
ROSE DOLLINGER	"	3,423,908	JOSEPH ZARETZKI	"	406,176
HARRY FOGLER	"	3,423,908	JULIO FLORES	"	406,176
DANIEL V. SULLIVAN	"	3,423,909	HENRY A. TOPPIN	"	406,176
HELEN A. SHARKEY	"	3,423,908	FRANK A. SEDITA	"	406,176
EDYTHE CASHMORE	"	3,423,909	PATRICK J. MCGRODER, JR.	"	406,176
LILYAN STARK	"	3,423,908	WALTER WARD	"	406,176
JOHN J. LYNCH	"	3,423,909	JOSEPH J. DeMONTÉ	"	406,176
ARTHUR ROSENCRANS	"	3,423,908	JOSEPH SPADARO	"	406,176
R. RISLEY DENT, JR.	"	3,423,908	IRVING SCHLEIN	"	406,176
EDWARD D. RE	"	3,423,908	JOHN C. O'BRIEN	"	406,176
ROBERT S. BENJAMIN	"	3,423,908	ANNA CHESTER	"	14,319
HERBERT TENZER	"	3,423,908	MARVEL DOBBS	"	14,319
WILLIAM O. DAPPING	"	3,423,908	BERNARD GOODMAN	"	14,319
WILLIAM H. MORGAN	"	3,423,908	REBA G. HANSEN	"	14,319
FRANK E. BARRY	"	3,423,908	THOMAS L. KERRY	"	14,319
MONROE GOLDWATER	"	3,423,908	LILLIAN KIEZEL	"	14,319
HAROLD T. GARRITY	"	3,423,908	HARRY RING	"	14,319
JOHN I. SNYDER, JR.	"	3,423,908	MORRIS WEISS	"	14,319
PAUL R. HAYS	"	3,423,908	CONSTANCE F. WEISSMAN	"	14,319
WILLIAM A. ZECK	"	3,423,908	MORRIS ZUCKOFF	"	14,319
WILLIAM N. POSNER	"	3,423,908	BLANK, VOID AND SCATTERING	"	4,005,076
FRANK R. BARBARITA	"	3,423,908	WHOLE NUMBER OF VOTES	"	331,590,904

Given under our hands at the Department of State in the City of Albany, the 12th day of December in the year of our Lord one thousand nine hundred and sixty.

LOUIS J. LEFKOWITZ, Attorney-General
~~GILBERT T. SEELYE, State Senator~~
 JULIAN B. ERWAY, State Senator
 CHARLES A. SCHOENECK, JR., Member of Assembly
 HARVEY M. LISSET, Member of Assembly

State of New York }
 DEPARTMENT OF STATE } ss.

I certify that I have compared the foregoing with the original certificate filed in this department, and that the same is a correct transcript therefrom and of the whole of such original.

Given under my hand and the Seal of Office of the Department of State, at the City of Albany, this 12th day of December, in the year one thousand nine hundred and sixty.

Pauline K. Simon
 Secretary of State

1. The first part of the document is a list of names and addresses.

2. The second part of the document is a list of names and addresses.

3. The third part of the document is a list of names and addresses.

4. The fourth part of the document is a list of names and addresses.

5. The fifth part of the document is a list of names and addresses.

6. The sixth part of the document is a list of names and addresses.

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9. The ninth part of the document is a list of names and addresses.



STATE OF SOUTH CAROLINA

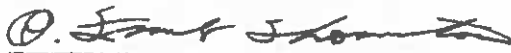
EXECUTIVE DEPARTMENT

OFFICE OF SECRETARY OF STATE

THIS IS TO CERTIFY that a General Election for Presidential and Vice Presidential Electors was held in this State on November 8, 1960, the certified candidates received the following votes as certified to this office by the Board of State Canvassers.

<u>NAME OF ELECTOR</u>	<u>VOTE</u>
DEMOCRAT: JOHN F. KENNEDY-LYNDON B. JOHNSON	
PETER H. McEACHIN	198,121
MRS. ALLEN LAMBRIGHT	198,129
J. C. HARE	198,106
ROY A. POWELL	198,098
JOHN C. PRACHT, SR.	198,081
EDWARD R. HAMER	198,075
PAUL A. SANSBURY	198,057
S. C. LITTLEJOHN	197,982
REPUBLICAN: RICHARD M. NIXON-HENRY CABOT LODGE	
MRS. A. D. BARNES	188,558
W. T. C. BATES	188,526
ROBERT F. CHAPMAN	188,501
DAVID DOWS	188,467
J. C. HAMBRIGHT, JR.	188,473
WILLIAM B. PITTS	188,456
FRED SCOTT	188,459
GREG D. SHOREY, JR.	188,436
TOTAL NUMBER OF VOTES CAST FOR PRESIDENTIAL AND VICE PRESIDENTIAL ELECTORS	<u>386,687</u>

GIVEN UNDER MY HAND AND THE SEAL OF THE STATE
AT COLUMBIA, THIS 30TH DAY OF NOVEMBER, A. D.,
ONE THOUSAND NINE HUNDRED AND SIXTY


O. FRANK THORNTON, SECRETARY OF STATE





1. The first part of the document discusses the importance of maintaining accurate records of all transactions. This is essential for ensuring the integrity of the financial statements and for providing a clear audit trail.

2. The second part of the document outlines the various methods used to collect and analyze data. These methods include direct observation, interviews, and the use of specialized software tools.

3. The third part of the document describes the results of the data collection and analysis. It shows that there are significant differences in the way that different departments handle their data, which can lead to inconsistencies and errors.

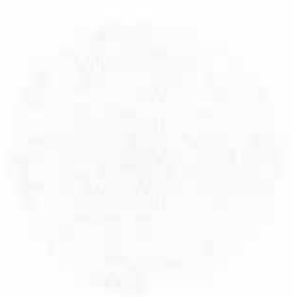
4. The fourth part of the document discusses the implications of these findings and provides recommendations for how to improve the data collection and analysis process.

5. The fifth part of the document concludes the report and summarizes the key findings and recommendations.



The following table shows the results of the data collection and analysis for each department.

Department	Method	Results
Sales	Direct Observation	High accuracy, low error rate
	Interviews	Low accuracy, high error rate
Marketing	Direct Observation	Low accuracy, high error rate
	Interviews	High accuracy, low error rate
Finance	Direct Observation	High accuracy, low error rate
	Interviews	Low accuracy, high error rate
Operations	Direct Observation	Low accuracy, high error rate
	Interviews	High accuracy, low error rate



CERTIFICATE OF ASCERTAINMENT OF ELECTORS APPOINTED

I, Buford Ellington, Governor of the State of Tennessee, do hereby certify that the following persons were appointed Electors for President and Vice-President of the United States of America, for the State of Tennessee, at the General Election hold on Tuesday, November 8, 1960, agreeably to the Constitution and laws of the United States and of this State:

Claude Acuff
Joe Appleby
Roy Hall
Lehman Keith
Harry L. Kelly
W. R. Landrum
Lon A. Price
E. B. Maupin, Jr.
Judge T. L. Seeber
James D. Estep, Jr.
Walker Welford

I further certify that the following is the canvases of the number of votes cast for each person for whose appointment any and all votes have been cast:

Electors for Richard M. Nixon, candidate for President, and
Henry Cabot Lodge, candidate for Vice-President:

Claude Acuff	556,577
Joe Appleby	556,103
Roy Hall	556,114
Lehman Keith	556,057
Harry L. Kelly	556,147
W. R. Landrum	556,080
Lon A. Price	556,054
E. B. Maupin, Jr.	556,069
Judge T. L. Seeber	556,063
James D. Estep, Jr.	556,108
Walker Welford	556,059

Electors for John F. Kennedy, candidate for President and Lyndon B. Johnson, candidate for Vice-President:

Malcolm Brandon	481,453
G. Hilton Butler	480,787
John Ford Canale	480,487
B. B. Gullett	480,653
Keith Hampton	480,515
Richard Hawkins	480,693
Mrs. Damon Headden	480,577
James P. Lanier	480,617
Everett Lewallen	480,619
Earl Reasor	480,577
Charlie Walker	480,624

Electors for Crval E. Faubus, candidate for President and Admiral John G. Crommelin, candidate for Vice-President:

Jack W. Brown	11,304
Plese W. Bunch	11,218
Milton W. Henderson	11,218
John R. Humpston	11,224
Russell D. Hurst	11,220
Barney I. Loftin, Sr.	11,221
W. L. Morrow	11,224
James H. Patterson, Jr.	11,225
George A. Somervill	11,218
J. H. Sullivan	11,226
Mrs. Robert Wray	11,226

Electors for Rutherford L. Decker, candidate for President and E. Harold Munn, candidate for Vice-President:

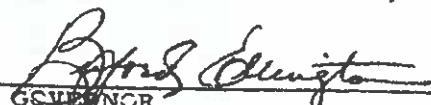

Curtis E. Dearing	2,458
Lawrence Green	2,431
H. A. Harvey	2,421
W. C. Jones	2,444
Boyd LeCroy	2,416
H. Evan McKinley	2,475
S. A. Murphy	2,422
Amy L. Person	2,423
Betty Mae Shorts	2,416
W. Earle Stevens	2,429
W. E. Templeton	2,422

In witness whereof I have hereunto set my hand and caused the

Great Seal of the State of Tennessee to be affixed, this 30th day of

November, 1960.




GOVERNOR

SECRETARY OF STATE



Certificate of Election of Electors for President and Vice-President

STATE OF VERMONT
Executive Department, ss.

Pursuant to the laws of the United States of America, I, ROBERT T. STAFFORD, Governor of the State of Vermont, do hereby certify that the final ascertainment, under and by virtue of the laws of the State of Vermont, show that the following named persons, residing in the towns indicated received the number of votes set opposite their respective names for Electors of President and Vice-President of the United States, cast at the election held on the Tuesday next after the first Monday in November, 1960, for the purpose of electing said Electors, pursuant to the Constitution and laws of the United States and the State of Vermont:

DEANE C. DAVIS, Montpelier	98,131
JOSEPH B. JOHNSON, Springfield	97,960
MRS. MORTIMER R. PROCTOR, Proctor	97,959
FREDERICK J. FAYETTE, South Burlington	69,186
ROBERT W. LARROW, Burlington	68,962
WILLIAM J. RYAN, Montpelier	68,901
Scattering votes	7

And I do hereby certify and declare


DEANE C. DAVIS
JOSEPH B. JOHNSON
MRS. MORTIMER R. PROCTOR

the three persons having the greatest number of votes, duly elected Electors of President and Vice-President of the United States for the State of Vermont, chosen at an election for the purpose held therein on the Tuesday next after the first Monday in November, in the year of our Lord, one thousand nine hundred and sixty, agreeably to the provisions of the laws of the said State, and in conformity with the Constitution and laws of the United States, for the purpose of giving in their votes for President and Vice-President of the United States for the respective terms prescribed by the Constitution of the United States, to begin on the twentieth day of January in the year of our Lord, one thousand nine hundred and sixty-one.


Witness my hand and the Great Seal of the State of Vermont hereunto affixed

Done in the Executive Chamber at Montpelier, this twenty-first day of November, in the year of our Lord, one thousand nine hundred and sixty, and of the independence of the United States, the one hundred and eighty-fifth.




Governor

By the Governor,


Secretary of State



1. $\sqrt{16}$
2. $\sqrt{25}$



3. $\sqrt{36}$
4. $\sqrt{49}$





State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE BRIAN BECKER
19TH ASSEMBLY DISTRICT

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VICE CHAIR
COMMERCE COMMITTEE

MEMBER
ENERGY AND TECHNOLOGY COMMITTEE
FINANCE, REVENUE & BONDING COMMITTEE
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

Statement of Brian S. Becker
State Representative for the 19th Assembly District
before the
Committee on Government Administration and Elections
of the
Connecticut General Assembly
February 24, 2014
in opposition to
HB 5126

An Act Concerning An Agreement Among the States to Elect the President of the United States by
National Popular Vote

Chairman Musto, Chairman Jutila, Ranking Member McLachlan, Ranking Member Hwang, and the other distinguished members of the Government Administration and Elections Committee, thank you for taking the time to read my testimony in opposition to HB 5126, An Act Concerning An Agreement Among the States to Elect the President of the United States by National Popular Vote.

I oppose this bill because I believe it is procedurally flawed. The procedural flaws could create great uncertainty for the chief elected officials of member states who are charged with certifying the results of the presidential election. Even more troubling, the bill's defects could disenfranchise the voters in those states who join the compact. Allow me to explain.

The first flaw can be found in Article III of the bill, which states in relevant part:

The chief election official of each member state shall designate the presidential slate with the largest national popular vote total as the "national popular vote winner"...

At least six days before the day fixed by law for the meeting and voting by the presidential electors, each member state shall make a final determination of the number of popular votes cast in the state for each presidential slate and shall communicate an official statement of such determination within twenty-four hours to the chief election official of each other member state.

Federal law (3 U.S.C. §5) also provides that each state must make a final determination of its electors *at least six days before* the day fixed for the meeting of the electors (the "Safe Harbor Deadline").

Here is the problem: How is a state's chief election official supposed to make a final determination of her state's electors by the Safe Harbor Deadline when she may not have all of the election results she needs to determine the national popular vote until twenty-four hours later (per the procedural rules set forth in Article III of the compact)? Advocates for the National Popular Vote have said that this situation could not happen because all states determine their popular vote well in advance of the Safe Harbor Deadline. Even if we were to assume for purposes of discussion that such determinations have always been made in advance of the Safe Harbor Deadline (which I doubt), it does not guaranty that they always will be. Under current law, this is not a problem as each state's chief election official only has to determine the results in her own state to certify the electors for her state. I certainly would not want to put our Secretary of State into an ambiguous legal position by passing the National Popular Vote as it is currently drafted.

Assuming that each compact state's chief election official would face the same situation, it is quite possible that no compact state will be able to designate its electors. If that were to happen, no candidate would receive a majority of the electoral votes and the election would be decided by the U.S. House of Representatives. This would effectively disenfranchise millions of people.


The second flaw is in Article IV of the bill. Article IV states, in part, that "[t]his agreement shall take effect when states cumulatively possessing a majority of the electoral votes have enacted this agreement in substantially the same form and the enactments by such states have taken effect in each state." Article IV also permits a state to withdraw from the compact. The bill fails, however, to state what would happen should one or more states withdraw and bring the total number of electoral votes of the states remaining in the compact to fewer than a majority of electoral votes. Many claim that the compact would cease to exist. This is not expressly stated. It should be. In the alternative, a provision could be added that would allow the remaining states to stay part of the agreement, but not be bound by its provisions until such time as states cumulatively possessing a majority of the electoral votes have once again joined the compact. Having this latter provision would avoid the need for advocates to start the process from scratch.

Advocates for the National Popular Vote have told me that we cannot change the bill because 9 or 10 states have already passed it "as is" and it would be too hard to get them to change it. I say we should pass it in a form that corrects the issues I have identified and then seek to have the 9 or 10 states that have already passed it tweak their statutes to match Connecticut's law rather than having us pass an inherently flawed bill.

Those same advocates also have told me that the courts would have to resolve the issues set forth herein. I think that is a bad approach to legislation. I do not think we should pass legislation that we know in advance is defective in the hopes that a court will later be able to solve a problem that we could not.

Please do not vote this bill out of committee. Thank you.

Sincerely,



Brian Becker
State Representative

Ranked-Choice Voting vs. National Popular Vote

Sean Parnell

Ranked Choice Voting vs. National Popular Vote: The Conflict Explained

There is a fundamental incompatibility between the National Popular Vote interstate compact (NPV) and an election process used by some states called Ranked Choice Voting (RCV). NPV anticipates that every state will produce a single vote total for each candidate, but RCV produces at least two: an initial vote count, before the RCV process of transferring votes, and the final vote count at the conclusion of the RCV process. This would produce uncertainty, litigation, and opportunities for manipulation if NPV took effect.

The following two scenarios demonstrate the fundamental conflict between NPV and RCV.

Scenario 1: Utah 2016

In 2016 Evan McMullin ran as an independent against Hillary Clinton and Donald Trump. In most states he received less than one percent of the vote. In his home state of Utah, however, he received 243,690 of the 1,131,430 votes cast, finishing in third place behind Clinton (310,676) and Trump (515,231). Several other independent and third-party candidates received a combined 61,833 votes in Utah.

What if Utah had used RCV in 2016? We can't know for sure how voters would have ranked their second, third, or other choices, but we can make some reasonable guesses.¹ Here's how that might have played out:

	Initial	Intermediate	Final	Difference
Trump	515,231	530,689	660,263	+145,032
Clinton	310,676	326,134	390,921	+80,245
McMullin	243,690	259,148	0	-243,690
Others	61,833	0		-61,833

¹ Assumes in Round 2 "Others" split evenly between Trump, Clinton, McMullin, and those not ranking any further candidates, and in Round 3 McMullin's votes split 50 percent for Trump, 25 percent for Clinton, and 25 percent did not rank either.

How many popular votes did Trump and Clinton receive from Utah in 2016? There is no obviously correct or legally conclusive answer. Using just the initial and final numbers, Trump received either 515,231 or 660,263 votes, a difference of roughly 145,000 votes. Clinton received either 310,676 or 390,921, a difference of about 80,000 votes. If the final numbers are used, Trump has a net gain of approximately 65,000 votes in the national vote count.

Scenario 2: Maine 1992

In 1992, independent Ross Perot ran against Bill Clinton and George H.W. Bush, finishing in third place in most states. In Maine though, Perot finished second with 206,820 of 679,499 votes cast, behind Clinton (263,420) but ahead of Bush (206,504). A few third-party and write-in candidates received another 2,755 votes between them.

What if Maine had used RCV in 1992? Again using reasonable assumptions regarding how voters might have ranked the candidates, here’s how that election might have looked:²

	Initial	Intermediate	Final	Difference
Clinton	263,420	264,109	333,104	+69,684
Perot	206,820	207,509	276,504	+69,684
Bush	206,504	207,193	0	-206,504
Others	2,755	0		-2,755

Under this scenario, how many votes did Clinton and Bush receive from Maine in 1992? Again, there is no obviously correct and conclusive answer. Using just the initial and final numbers, Clinton would have received either 263,420 or 333,104, a difference of just under 70,000 votes. For Bush, however, the consequence of coming in third place would be dire – his 206,504 votes in the initial round become zero in the final tabulation and Clinton has a net gain of more than 276,000 votes in the national vote count.

Conclusion

The NPV compact was drafted at a time when RCV was not used in any states in presidential elections. Since then, Alaska and Maine have adopted RCV and other states are considering it. NPV assumes every state will use simple plurality voting that produces a single vote count for each presidential candidate. States using RCV may produce two totals that can be significantly different and could, in a close election, change the winner.

NPV provides no guidance on which vote totals to use in calculating the national vote total. The choice is left to the chief election official within each compact state, and NPV provides no mechanism for resolving differences or disputes in which numbers should be used. In a close election, this could give a group of often obscure state officials the power to manipulate the national vote count based on which vote totals they use from other states.

This is too much power to vest in any official, and will lead to confusion, controversy, and chaos. NPV’s failure to anticipate the conflict between the compact and RCV, and its additional failure to provide any guidance or process for resolving this and similar issues, makes it fatally flawed and dangerous to democracy.

² Assumes in Round 2 “Others” split evenly between Clinton, Perot, Bush, and those not ranking any further candidates, and in Round 3 Bush’s votes split one third for Clinton, one third for Perot, and one third did not rank either.