

Brave New Presidential Contest

November 12, 2026

"The Democrats Now Have a Path to Sidestep the Electoral College," declared Sunday's *New York Times* headline.

For years, states have been joining the National Popular Vote Interstate Compact (NPVIC). The compact commits these states to award all their Electoral College presidential votes to the winner of the popular vote nationwide, even if a majority of their own state voters choose a different candidate.

It kicks in once enough states sign up to equal the 270 Electoral College votes required to win the presidency.

Before the election, 18 states had joined, speaking for 222 Electoral College votes. In the election, Democrats gained full control of both legislatures and governorships in Arizona, Michigan, Nevada, Pennsylvania, and Wisconsin. These states represent another 61 votes — over the 270-majority mark!

If they all embrace the compact, the next president will be chosen by popular vote — not on the state-by-state basis used these past two centuries plus.

There are legal disagreements about whether the compact is constitutional. But if it happens — and the Democrats have the necessary state legislative votes — there is an additional aspect that may come into play.

Once we elect the president purely on the total vote nationally, will sanctuary state California give the nearly five million non-citizens living there the vote for president? Those additional voters would constitute about two percent of the electorate in the entire country.

Constitutionally, states do indeed decide — so says Article 2, Section 1, for president; Article 1, Section 2, for the U.S. House; and the 17th Amendment for the U.S. Senate.

Will non-citizens in California help decide the next president in 2028?

Republicans should have forced a vote on the U.S. Citizens Vote Amendment, to constitutionally ensure federal election are citizen-only. It was introduced in both the House and Senate but not acted on.

It could still be acted on.

This is Common Sense. I'm Paul Jacob.