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January 16, 1986

Dear Joe:

I hope that a good game plan has been developed to implement The Commission on National Elections. It was my understanding that such an implementation plan was going to be submitted to Bob Strauss and me. As of this date, I have not seen the plan. It is certainly important to follow through on this just as we followed through with the study of the Defense Organization Project. I know I spent at least ten days on the Hill in accordance with our implementation plan and we have been very successful.

In the case of The Commission on National Elections, we have a lot of money unexpended in this account as we only expended as legitimate costs of the Commission 25% of what was raised.

Implementation after studies have been completed is just as important, if not more important, than the study and recommendations. I hope to hear from you about the plan soon.

With best wishes and kindest personal regards, I am

Sincerely,

Melvin R. Laird

Dr. Amos Jordon
Center for Strategic and International Studies
Georgetown University
1800 K Street, NW
Suite 400
Washington, D.C. 20006

bcc: The Honorable Robert S. Strauss

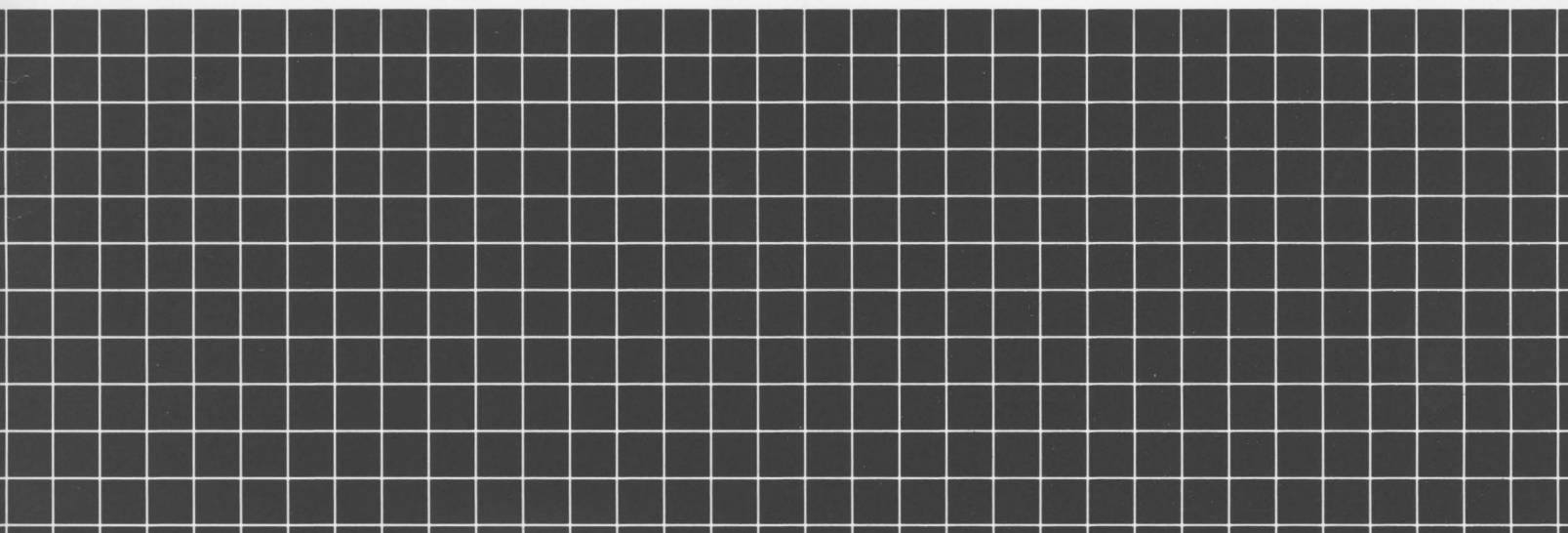
Electing the President: A Program for Reform



**Final Report of the
Commission on
National Elections**



**The Center for Strategic and International Studies
Georgetown University, Washington, D.C.**



The Commission on National Elections

Cochairmen: Melvin R. Laird
Robert S. Strauss

Members: Roone P. Arledge
Lloyd Bentsen
Michael S. Berman
Wayne L. Berman ✓ 659-2111
Charles R. Black, Jr.
Thornton F. Bradshaw
Dean Burch
Tony Coelho
William T. Coleman, Jr.
Frank J. Fahrenkopf, Jr.
Charles D. Ferris
Wendell H. Ford
Katharine Graham
Lawrence K. Grossman
Loyd Hackler
Pamela C. Harriman
John Heinz
Robert E. Hunter ✓ 2515
Hamilton Jordan
Vernon E. Jordan, Jr.
Paul G. Kirk, Jr.
Lane Kirkland
William A. Leonard
Leonard H. Marks
Lynn Martin
Charles McC. Mathias, Jr.
Richard Moe ✓ 789-7100
Edward N. Ney - 212-210-3051 Put -
John E. O'Toole
Dorothy S. Ridings - Newman
Charles S. Robb
Robert E. Rubin
John P. Sears
Richard R. Shinn
John H. Sununu
Preston Robert Tisch
Guy Vander Jagt
Lew R. Wasserman

Staff Director: John F. Kennedy

*Richard Moe
1575 I St NW
Suite 400
20005*

*Young &
Rubin*

Electing the President: A Program for Reform



Final Report of the Commission on National Elections

Robert E. Hunter
Editor

April 1986



The Center for Strategic and International Studies
Georgetown University, Washington, D.C.

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Series Editors: Amos A. Jordan
William J. Taylor, Jr.

Editors: Jean C. Newsom
Nancy B. Eddy

Managing Editor: Ann E. Ellsworth

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1800 K Street, N.W., Suite 400
Washington, D.C. 20006

Telephone: (202) 887-0200

Telex: 7108229583
Cable Address: CENSTRAT

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Foreword

Sound foreign and defense policies depend on the best possible leadership and conduct of policy that meets the needs of the American public. No task is therefore more important than the process of electing the president and vice president of the United States. During 1984 Edward N. Ney, chairman of the board of Young & Rubicam, approached the Center for Strategic and International Studies of Georgetown University (CSIS) about the conduct of U.S. national elections. He urged CSIS to undertake an analysis and make recommendations concerning the role of the media and advertising in presidential campaigns. Although this project was unusual for an institution that focuses on U.S. foreign and defense policy, CSIS has begun several projects directly relating to the problems of governance.

In February 1985, CSIS formed the Commission on National Elections in response to widespread concern about the ways in which the United States conducts its presidential elections. Building on Edward Ney's initiative, we were fortunate in being able to call upon the leadership of two of America's leading statesmen and practitioners of presidential politics: Melvin R. Laird (Republican), who served as a representative in Congress, as counsellor to the president for domestic affairs, and as secretary of defense; and Robert S. Strauss (Democrat), who served as chairman of the Democratic National Committee, U.S. special trade representative, and the president's special representative to the Middle East.

These two knowledgeable and experienced individuals assembled a bipartisan group of U.S. leaders from many walks of life, bringing together a rich variety of experience in the conduct of national elections. Commission membership included elected and appointed officials, the heads of the two national political parties, presidential campaign managers and advisers, leading representatives of both the electronic and print media, business and labor leaders, and officials of key public interest organizations. We at CSIS were privileged to have them take part, and we thank them for the time and effort they devoted to this important project.

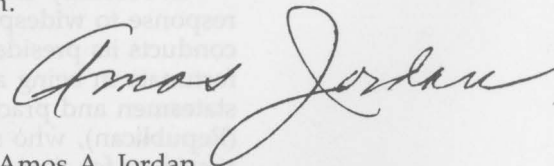
Codirectors for the Commission on National Elections were Robert E. Hunter, who is director of European studies at CSIS, was formerly director of West European and Middle East affairs at the National Security Council, and who is a veteran of six presidential campaigns; and Wayne L. Berman, currently a partner in the Washington lobbying firm of Berman, Bergner, and Boyette, and who was formerly director of corporate and political affairs at CSIS and deputy director of the Resources and Development Group of President Reagan's transition team. John F. Kennedy, deputy to the director of European studies at CSIS, served as staff director to the commission. Herbert E. Alexander, professor of political science at the University of Southern California and director of the Citizen's Research Foundation, served as special adviser to the project. Robert Hunter prepared and wrote this report.

Finally, we are deeply indebted to the following for generous support that made possible the work of the Commission on National Elections:

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It is our hope at CSIS that the commission and its final report will contribute to the debate in this country on the selection process of U.S. elected officials, and, indeed, that their work will help to improve that process for the long-term benefit of the nation.



Amos A. Jordan
President and Chief Executive Officer
April 1986

Executive Summary

When the Commission on National Elections began its work, most of its members were convinced—as is much of the general public—that there are major flaws in the system for nominating and electing the president and vice president of the United States: the campaign season lasts too long, presidential elections cost too much, and too few Americans bother to vote or otherwise take part. Yet, after the commission defined the issues, took testimony from a broad range of thoughtful Americans, debated the key issues, and considered alternatives, a somewhat different picture emerged.

Although, for example, U.S. elections have become increasingly expensive in general, in fact the cost of the presidential contest has decreased in real terms since federal funding became available after 1972. (See Appendix A.) The problem of campaign finance has more to do with the amount of time and effort that presidential aspirants must spend in raising money. Such efforts distract attention from the other, more important business of campaigning—informing the U.S. public. The commission therefore considered a major increase in the permitted level of individual contributions. It judged the limits advanced below, however, to be more politically realistic, in terms of being adopted.

Spending on campaigns for other offices has indeed increased dramatically—where there are neither federal funds nor limits on campaign spending. This issue, however, has been beyond the purview of the commission, other than to note that, to a large extent, these increases reflect the rising cost of communicating with the U.S. public, especially through the electronic media. The commission strongly endorses legislation now pending in Congress to create a bipartisan commission to consider the issue of financing congressional campaigns and to suggest appropriate reforms.

In its investigations, the commission was struck most by the facts about participation of the American people in presidential elections. Low voter turnout, which has placed the United States at or near the bottom of the list among democracies, can be largely explained by two statistics. Only about two-thirds of eligible voters are registered to vote. But the vast majority who are registered—87-89 percent in 1980—actually go to the polls in general elections.¹ The inescapable conclusion is that this nation must do far more to enable and encourage every citizen to register to vote.

In sum, although some reform is called for, most members of the Commission on National Elections have become convinced that the U.S. presidential electoral process has, by and large, served the nation well. Furthermore, the burden of proof rests on justifying proposals for change. Such proposals must be seriously explored and, in some cases, tested before it can be concluded that change would solve more old problems than create new ones. In recent years, changes in the nominating process, in particular, have often had unintended consequences.

The commission also reviewed major changes that have taken place in U.S. politics. In particular, it examined the decline of the role played by the political parties in presidential politics. Yet in the interest of producing the best possible candidates for president and vice president of the United States, the commission is convinced that the role of the political parties should be strengthened, not further weakened., the commission considered a number of key questions, as detailed in the full report. These questions included the following:

- Why has the process of electing the president become so long, and what, if anything, should be done about it?
- What is the proper role of straw ballots (informal and nonbinding candidate contests) held, in some cases, well before election year?
- What is the effect of a limited turnout for delegate-selection contests—primaries, caucuses, and state conventions—and can this distort the results? What impact do single-issue interest groups have? What, if anything, should be done to remedy shortcomings in this area?
- How can the delegate-selection contests ensure that lesser-known candidates have a chance to compete effectively?
- Should the New Hampshire (primary), Iowa (caucuses), and Michigan (convention) delegate-selection contests have pride of place? Or does this inhibit the nomination of the best candidates for president and vice president? Should this be changed?
- Should any changes be made in the pace and timing of delegate-selection contests—in particular, holding regional primaries or a national primary, grouping contests on a limited number of dates, or setting criteria for geographic and demographic balance in state contests on any particular day?
- Should the parties make provisions to include at the nominating conventions both party officials and public office-holders as delegates?
- Why are national elections so expensive and what, if anything, should be done about it?
- Has federal funding of presidential elections and the \$1 income-tax checkoff worked or not? What are the proper limits, if any, on personal, political action committees, and other contributions to political campaigns?
- Have requirements for public disclosure of campaign contributions and spending worked or not? What should be done about them? Are there new forms of raising money for campaigns that should also be scrutinized?
- Should the electronic media be required to provide free time for presidential candidates and parties? Are there better ways of informing the American people about issues and candidates?
- Should restrictions be imposed on media advertising by presidential candidates, political parties, and others? Should, for example, 30-second and 60-second TV spots be banned? Should candidates be required to appear in all their TV ads? Should negative TV and radio advertising be banned?
- Have televised candidate forums such as debates proved their worth, both before and after the nominating conventions? Should they be institutionalized? What should be their format? Who should organize and sponsor them? What about fairness to third-party or nonparty candidates?
- How should access to the polls be eased? What kinds of registration procedures will help? Should election day be held on the weekend? Should it be made a holiday? Would extending the hours the polls are open help?
- What is the impact of media coverage on election day on decisions by voters, especially in the West, to go to the polls? Should any restrictions be imposed on the media's projecting of results, through exit polling or other techniques? Should other steps be considered?

The findings that follow are grouped according to the overview and the seven major topics that the Commission on National Elections decided were most important to consider.

Findings

General Findings

- The members of the Commission on National Elections are convinced that the process of electing the president and vice president of the United States can be improved. Nevertheless, by and large, this process has served us well. Some changes can be valuable, but the system is not in need of wholesale reform.
- Any proposed changes must also be scrutinized to determine that they would not have unintended consequences that would work against the goal of improving the electoral system. Presidential elections have changed dramatically through the opening up of the delegate-selection process to anyone who chooses to take part. Yet few Americans actually do so. Indeed, a successful candidate for the presidential nomination of his or her party may have received the endorsement of 10 percent or less of the electorate. The commission judges that the health and integrity of the process depend on encouraging a much higher voter turnout for caucuses, primaries, and state conventions. This is necessary to ensure that debate and delegate selection will reflect a broad range of interests and will not be dominated by single-issue interest groups. Reducing the role of the political parties without significantly increasing public participation is self-defeating. In the final analysis, active citizen involvement, not changes in process, is the single most important element for success in electing the best possible president and vice president.
- In the commission's judgment, the political parties continue to have a central—indeed, indispensable—role in national elections. The commission supports a strengthened role for the parties and urges their chairmen to become deeply involved in developing ways to make that possible.

Findings on the Length of Presidential Campaigns

- To provide the widest range of choice to the U.S. public in selecting candidates for president and vice president and to test the qualities and the views of these candidates, there should be no artificial shortening of the campaign. Its formal length—from the first delegate-selection contest to general election—continues to be about the same as in past elections.
- The unfortunate decline of the role of the parties in mediating between candidates and voters requires a lengthy campaign season. Shortening the season, now that parties no longer play their traditional roles in candidate selection, would inhibit the ability of lesser-known candidates to compete and would unduly limit the choices available to the American people.
- Nevertheless, the commission strongly believes that, because of their unrepresentative nature and timing before the results are meaningful as

a barometer of public attitudes, early straw ballots distort and damage the political process by prematurely focusing public attention on the horse-race aspect of the contest. The straw ballots also have the effect of artificially lengthening the nominating process. The commission therefore urges the chairmen of the Democratic and Republican National Committees to discourage the state political parties and others from holding either straw ballots or delegate-selection contests before January 1 of election year.

Findings on the Timing and Structure of State Primaries, Caucuses, and Conventions

- There should be broad participation in selecting convention delegates, whether by primaries, caucuses, or state conventions. Nevertheless, delegate selection contests that are open to everyone, regardless of political affiliation, can defeat the goal of nominating candidates who represent the interests of people who identify with one or another political party. Although it recognizes that political traditions vary among the states, the commission encourages the state parties to restrict participation in these contests to people who are willing to identify with that political party.
- The commission encourages Iowa, New Hampshire, and Michigan to hold their delegate-selection contests during the same week. The process of nominating presidential candidates would be improved if the first delegate-selection contests included a broader and more representative distribution of states, both regionally and demographically. For example, this first group of contests should also include a state from the South and one from the West.
- The historical trend is toward the grouping of primaries on one Tuesday a month, from March through June. The commission encourages this trend.
- The commission believes that the role of the parties could be strengthened and the nominating process could be improved if the delegate-selection process encouraged balanced participation at the national conventions—without setting quotas—of elected leaders, party officials, and party members.
- The commission discourages nationally imposed regional primaries and caucuses as defeating the goal of broad geographic representation in testing candidates. It also opposes a national primary, which among other things would increase the length and cost of the campaign and would work against lesser-known candidates.
- Filing deadlines for presidential candidates in primaries, caucuses, and state conventions should be no more than 30 days before the event. Early filing dates, such as that of Illinois in the December before the election year, can inhibit free access of candidates to the nominating process.

Findings on the Cost and Financing of Presidential Elections

- Although beyond its mandate, the commission believes that the cost of elections, other than that for president, should be carefully reviewed and appropriate remedies considered. In the contest for the presidency, however, spending by the candidates and the parties has actually declined in real terms since federal funding became available. Considering the stakes involved—the selection of the U.S. president—it is the commission's judgment that this investment in the nation's future is not excessive, especially in ensuring that Americans are as fully informed as possible about candidates, parties, and issues. Like the length of the total campaign period, the cost of elections has had to increase because of the reduced role of the political parties in selecting the candidates and the need for candidates to become known to the American people.
- Public financing of presidential elections has clearly proved its worth in opening up the process, reducing undue influence of individuals and groups, and virtually ending corruption in presidential election financing. This major reform of the 1970s should be continued.
- The income tax checkoff of \$1 per taxpayer should be retained, and Congress should change the formulas for federal campaign funding to increase substantially the public funds made available for the pre-convention, convention, and general election periods of presidential campaigns. In the pre-nomination period, the limit on individual contributions eligible for federal matching should be raised from \$250 to \$500. Today's income tax deductions and credits for individual contributions to political campaigns should be retained.
- The most complete and timely public disclosure lies at the heart of effective campaign finance reform. The reporting requirements for campaign contributions have played a valuable role. They should be further strengthened to guarantee timely reporting of all campaign contributions, including those made at the state party level in so-called soft money (contributions not regulated by federal limits and reporting requirements but used to affect federal campaigns) that is applied to campaigns for federal office. Every effort should be made to modernize and improve the disclosure process. Options such as direct electronic or computerized reporting to the Federal Election Commission (FEC) by candidates and committees should be considered. Congress should provide the FEC with the funds needed to increase its ability to provide information.
- Since the limit on personal contributions to presidential campaigns was set, inflation has increased more than 100 percent. The commission judges that this limit should be increased from \$1,000 to \$2,500. Contribution limits on political action committees should not be increased, however.
- In recent years, undeclared aspirants for the presidency have made increasing use of tax-exempt organizations for direct mail fund-raising and other purposes directly or indirectly related to the eventual running of a full-scale presidential campaign. The commission believes that Congress should review whether this is an appropriate use of tax-exempt institutions for political purposes. At the very least, Congress should require

that, at the time the prospective candidate actually declares, he or she must fully and retroactively disclose the source of all funds provided to such tax-exempt institutions.

Findings on Television Advertising

- Media advertising by candidates should continue to be subject to the standards of ethics and good taste demanded by the American people. In the commission's judgment, however, there must be no censorship. Protected by the First Amendment, candidates should remain free to choose the means for presenting their case to the American people who, in turn, can exert pressure by voting against those candidates of whose advertising they disapprove. Well before the beginning of the formal presidential campaigning season, the two parties should adopt a code of ethics on television advertising and ask all party candidates to be bound by it.

Findings on Presidential Forums

- In the commission's judgment, candidate forums in the prenomination period have now become a fact of political life. The process of selecting presidential nominees can be enhanced by using them more rather than less. They can be structured usefully in many ways. Indeed, popular interest can be increased by testing the candidates in a variety of ways.
- In the postnomination period, the commission believes that American citizens have come to expect joint appearances by the major party nominees for the presidency. These joint appearances should be made a permanent part of the electoral process. They are such an important factor that they should not be left to the vagaries and uncertainties of each presidential election but rather, to the extent possible, should be institutionalized.
- The commission believes that this institutionalization is most likely to take place if the two political parties assume direct responsibility for sponsoring the joint appearances. Although each nominee must ultimately decide whether to take part, the parties are in the strongest position to enlist their participation by attempting to secure commitments before they are nominated. In 1988, for the first time in 20 years, there will be no incumbent president running for reelection, thus offering a unique opportunity for the two parties to state well in advance of the 1988 election their commitment to ensuring that joint television appearances will be held in the general election period of that and subsequent presidential election years.
- The commission therefore urges the two parties to assume responsibility for sponsoring and otherwise ensuring that presidential candidate joint appearances are made a permanent and integral part of the presidential election process. If they do so, the commission believes that the parties will strengthen both the process and themselves. The parties may decide to delegate sponsorship or to involve other groups or the television networks, but ultimate responsibility should rest with the parties.
- To achieve this goal, the commission urges the two parties to set up a mechanism, such as a joint committee. Although some details, such as

format, will most likely have to await approval by the participants, the commission urges that, before the nominating conventions, the joint committee deliberate and settle as many of the arrangements as possible, such as the number, dates, and locations of the joint appearances, the subject matter to be discussed, and how the panels of questioners, if any, are to be selected.

- At least three joint presidential candidate appearances should be made between Labor Day and Election Day, approximately one month apart. They should be designed not only to elicit the candidates' views on important issues, but also, to the extent possible, to test other qualities and characteristics essential to a successful presidency.
- To provide the U.S. voter with a better chance to judge the qualities of contenders for the vice presidency, there should also be at least one televised joint appearance by the nominees for vice president.
- Major questions remain regarding the equal time requirements for television coverage of party versus independent or third-party candidates. Yet in the commission's judgment, the importance of television forums argues for erring on the side of favoring the party nominating processes rather than the rights of other candidates. This judgment, however, may need to be reviewed during each presidential election, depending on circumstances at the time.
- Although television forums are growing in importance, there is no perfect format to inform the American public of the qualities, views, and overall fitness of presidential candidates. Additional means must continually be sought to increase public awareness of issues and the candidates' abilities to be president and vice president.

Findings on Access to the Polls

- The commission believes that the most effective way to increase popular participation in national elections is to ensure that as many citizens as possible are registered. The commission thus strongly urges the president and Congress to designate National Registration Day, to be held each election year on a weekday in late September or early October, to promote both increased registration and public education about the importance of elections. Each state legislature should make a similar designation of the same date, as should individual county and local governments. Meanwhile, the president should appoint a bipartisan group of citizens, from all walks of life and all parts of the nation, to explore the best means to promote registration, while taking into account the customs and practices of individual states. Governors, county executives, mayors, and city councils should appoint similar groups, to ensure that, on National Registration Day, everyone will have every opportunity to register.
- The states should be encouraged to adopt a variety of means, of their own choosing, to make it easier to register to vote. These could include extended hours, dates, and places for formal registration; mobile registration facilities; registration in neighborhoods and on Sundays; postcard registration; the forwarding of voter information by the U.S. Postal Service for people who have moved; the mailing of registration forms to unregistered voters; registration for Selective Service as automatic voter registration; and election day registration at polling places.

- Where it is not already the case, the states should permit at least two hours off from work for purposes of voting as well as for registering.
- Congress should make general election day in 1988—Tuesday, November 8—a national holiday as a one-time experiment, to test whether this step will increase voter turnout. This plan should include a half-holiday in the public schools for purposes of civic education.

Findings on the Role of the Media: The Campaign and Election Day

- The commission judges that it is vital to the process of electing the president that the American people be as fully informed as possible about both issues and candidates. The media should be encouraged to provide full and fair coverage of important presidential campaign events and increased opportunities for the candidates and parties to present themselves, including televised candidate forums both before and after the national nominating conventions. To this end, Section 315 of the Communications Act, which requires "equal time" for all qualified candidates, should be waived in presidential campaigns for the post-nomination period and in the prenominating period to permit coverage and access for any candidate who has qualified for federal matching funds.
- Media coverage of election day must not be censored. Although the commission took some testimony that questioned the role of exit polling, members concluded that the evidence is inconclusive that early projections of voting results, done by the media on the basis of exit polling, affects people's decisions whether or how to vote. The commission does, however, strongly encourage the electronic media to fulfill a dual responsibility: to inform the public and to protect the integrity of the electoral process. Steps should include adhering to self-imposed limits on projecting the outcome of races in individual states before the polls have closed in those states.
- Serious consideration should be given to simultaneous poll-closing across the nation, thus helping to reduce any unfairness for voters in the Western states during presidential elections. Under the electoral college system, a candidate can win enough states to secure 270 electoral votes while the polls are still open in several states. Closing the polls simultaneously across the nation would do much to eliminate any suggestion that existing differences in poll-closing times affect voter turnout.

Comments and Dissents

Lloyd Bentsen
U.S. Senate

I believe that the Commission on National Elections has produced a very comprehensive and useful study of the process by which we in the United States elect our president. Their findings are incisive and their suggestions for reform would for the most part improve this uniquely American process. I am concerned about two aspects of the report, however.

The first area of concern is the commission's suggestion that the states limit participation in the primary process to those who declare themselves members of a party. Unless a person declared himself or herself a member of one party or another that person could not participate in the primary process. In Texas we have open primaries. I believe that such open primaries help to increase public participation and to keep the parties more attuned to the mood of the public. If the goal of reform of the presidential election process is to increase participation, I believe we should make it as easy as possible for as many people as possible to participate at any level. Limiting participation in the primary process does not lead to greater participation in the general elections.

The second area of concern is the commission's recommendation that the individual contribution limit be raised from \$1,000 to \$2,500. I believe that any change in the campaign financing provisions should be examined closely for any negative affects it may produce. Many times, even the most well-intentioned efforts can have unintended negative effects. Again, the goal of campaign reform is to encourage participation by a greater number of people who have become disaffected from the process. I believe that there is a real question as to whether allowing the more affluent of our society to have an even greater impact on the electoral process will help to achieve that goal.

While I agree with the great majority of this report, I must respectfully disagree with the suggestions that the primary process be limited to party members and that the individual contribution limit for presidential elections be increased from \$1,000 to \$2,500.

Frank J. Fahrenkopf, Jr.
Chairman of the Republican National Committee

I admire the diligent work of my colleagues and staff of the Commission on National Elections. In my opinion, the commission's report deserves attention and careful review by everyone actively involved or interested in our electoral process. Although I generally agree with most of the commission's report, there are certain specific points with which I have sufficient disagreement to compel me to state my divergent views.

The commission's report states: "that the role of the parties could be strengthened and the nominating process could be improved if the delegate-selection process encouraged balanced participation at the national conventions—without setting quotas—of elected leaders, party officials, and party members." The rules of the Republican Party specify that no elected official shall be an automatic delegate to the national convention by virtue of his or her elective office. Our rules also specify that there shall be no quota system of any type employed in the delegate selection process. Although I agree that elected leaders and party officials should be encouraged to participate in the process, the Republican Party's national conventions in 1980 and 1984 had a large contingent of our elected party leaders who actively participated without providing any forms of specific preferential treatment. I would not like this report to be interpreted as any indication that I believe the Republican Party's rules or procedures need modification to encourage the participation of our party leadership in the process.

The findings of the commission state that the filing deadlines for presidential candidates to participate in primaries, caucuses, or state party conventions should be no more than 30 days before the event in any state. I agree with the intent of this proposal, which was that the presidential nomination process should permit later entry by candidates, but I do not believe the commission

had sufficient information to support a specific deadline of no more than 30 days from an election or caucus for the filing of new candidacies. I support a flexible process, but fear the 30-day limitation might pose unmanageable burdens on the election process in some states.

My most serious disagreement with the commission's report is in its findings on access to the polls. The Republican Party's commitment to increasing registration rolls cannot be seriously doubted. In the 1984 campaign, the Republican Party conducted what I believe were the most extensive and successful nationwide voter registration campaigns in our nation's history. It is generally concluded that our registration efforts in 1984 outstripped those sponsored by all other organizations. So, I share the commission's goal of increasing the number of Americans participating in the electoral process and agree that increasing registration levels may partially effectuate that goal.

However, our zeal to increase the percentage of Americans registered cannot outweigh our need to protect the integrity of the process. Election day registration and the mass mailing of registration forms to unregistered individuals raise serious questions of election fraud. I wish that election fraud were only a historical anecdote from a dim political past. It is not. Election fraud continues to be a serious problem in our country. As an example, testimony at a Senate hearing indicated that, in the 1982 election in Illinois, more than 100 thousand fraudulent votes may have been cast in the city of Chicago. The gubernatorial race was decided by less than 5,000 votes. It is important to encourage more Americans to participate, but it is equally important to ensure that their participation is not debased and that their votes are not taken away from them through a system that does not ensure total integrity of the franchise. My divergent views on presidential forums are expressed in the document that follows this section.

Paul Kirk
Chairman, Democratic National Committee

Allow me to commend the Commission on National Elections for its comprehensive and diligent effort at reviewing and offering constructive recommendations on the conduct of our presidential electoral process. I commend the commission for its proposals, and I feel confident that the American public would be better served through their swift implementation. I must, however, take exception to three specific proposals in the final report.

First, the commission's recommendation that encourages Iowa, New Hampshire, and Michigan to hold their delegate selection contests during the same week conflicts with the recommendations of the Democratic Party's Fowler Commission, as adopted by the full Democratic National Committee on March 8, 1986. Our rules allow for Iowa and New Hampshire to schedule their contests before the second Tuesday in March, but would not allow Michigan to go outside the three-month window that requires other contests to be held between the second Tuesday in March and the second Tuesday in June.

Second, our rules stipulate that filing deadlines for presidential candidates must be within a 30-75 day time frame prior to primary or caucus, but not before the beginning of the calendar year, which conflicts with the commission's recommendation that all filing deadlines be within 30 days of a primary or caucus.

Third, the Commission's recommendation to raise the limits of individual contributions from \$1,000 to \$2,500 is a source of concern to the Democratic Party, which historically has served the interests of the average American. As

thorough and well-intentioned as the Commission's work has been, this proposal warrants further study and debate. We must assure that it does not reward the more affluent in our society with a disproportionate influence in the electoral process.

In respect to our views on the holding of presidential debates, the views of the two national political party chairmen are expressed in an attached memorandum.

My divergent views on presidential forums are expressed in the document that follows this section.

Lane Kirkland
President, AFL-CIO

I dissent from the recommendation to increase the limitation on individual contributions from \$1,000 to \$2,500. It is the AFL-CIO's view that large contributions from a single source, whether it be a small number of wealthy individuals or a group of political committees that represent common interests, have a deleterious effect on the integrity of the political process.

U.S. Senate candidates for the 1984 election raised 13 percent—\$23 million—of their total receipts from \$1,000 contributions by individuals. Only 23 percent of their total receipts came from individual contributions of under \$100 each. I believe that raising the individual contribution limit will only serve to increase the already disproportionate role of affluent members of our society while providing no incentive, where it is most needed, to encourage the participation of individuals who would make small contributions.

In addition, I dissent from the recommendation to increase the limit on individual contributions eligible for federal matching from \$250 to \$500 because such an increase will only serve to further maximize the role of wealthy contributors while decreasing the importance of small contributions. My views on this subject are explained in further detail in my dissent to the commission's recommendation to increase the Federal Election Campaign Act's limits on individual contributions from \$1,000 to \$2,500.

Finally, I dissent from the recommendation discouraging nationally imposed regional primaries and caucuses. In my view, this recommendation is inconsistent with other recommendations made by the commission. Furthermore, I believe that regional primaries might well increase voter participation and should at least be tried.

Charles McC. Mathias, Jr.
U.S. Senate

The commission properly notes the need to study ways to reform the current system of congressional campaign finance. To this end, the commission strongly endorses legislation before the Congress to create a bipartisan commission to examine the way congressional campaigns are financed and how the process might be changed. I note for the record that the Senate Committee on Rules and Administration, of which I am chairman, has held a series of hearings on just these issues. The most recent, on November 5, 1985, looked at extending to Senate general elections the same system of public finance now in place for presidential general elections. In sum, congressional campaign finance does pose troubling issues—ones that currently are being addressed through the congressional hearing process.

Second, I reserve judgment on the commission's findings that presidential campaigns are neither too long nor too costly. I agree we should be wary of the

consequences of artificially shortening the campaign, yet I have long been concerned that the increasing length of campaigns has created a climate in which campaign rhetoric all too often displaces serious debate on public policy. Likewise, the cost of campaigns has escalated to the point that I believe public confidence in the system is undermined. It may be true that today's campaign technologies are costly, but I am yet to be persuaded that the vastly greater sums spent on political communication have led to a better informed or more highly motivated electorate.

John E. O'Toole
Chairman, Foote, Cone & Belding Communications

Although concurring in general with the commission's findings, I have to dissent in regard to the findings on the television advertising.

I continue to believe that the absence of restrictions traditionally placed on television advertising for products and services, an absence the viewing public is generally unaware of, too often encourages advertising for political candidates that appears to inform while either misinforming or not informing at all. To avoid violating any candidate's First Amendment rights, I advocate providing free television time to the parties or candidates in time increments that will not be confused with formats used for traditional advertising.

Dorothy S. Ridings
President, League of Women Voters

The League of Women Voters dissents from the finding that calls on the two political parties to sponsor joint appearances of presidential candidates. Parties cannot—and should not—sponsor presidential forums for the following reasons:

Because political parties are by definition partisan, they are hardly suitable sponsors of nonpartisan presidential forums. In planning for such events, parties would naturally put the interest of their candidates, not the electorate, first.

Party-sponsored presidential forums would probably never take place. The moment conflicting demands by the candidates surfaced, who would fill the role of a third party "honest broker" to resolve those conflicts? The forums could be cancelled at a moment's notice each time one candidate's demands were not met. And as this report notes, no party can ensure its candidates' participation—each candidate will ultimately make that decision for herself or himself.

Finally, if future presidential forums are sponsored only by the two major parties, it stretches the imagination to think that significant independent or third party candidates would ever be included in such debates.

In sum, sponsorship of presidential forums should be the province of an independent, nonpartisan organization whose prime concern is providing information for the American voter, not advancing partisan interests.

John H. Sununu (Governor of New Hampshire), joined by Wayne L. Berman (Berman, Bergman and Boyette), Charles Black (President of Black, Manafort, Stone & Kelly), and Frank J. Fahrenkopf, Jr.

Proposing to change the current Iowa caucus and New Hampshire primary schedule is not consistent with the other findings of this commission. The proposed change would not improve the present electoral system, would not en-

courage higher voter turnout, and would not strengthen the parties' role in developing ways to improve the system.

It is clear from many of the comments of witnesses that the delegate-selection processes in Iowa and New Hampshire depend on direct contact with voters, promote citizen involvement, and reduce the importance of backroom political kingmakers. These two delegate-selection events provide all candidates, including relative unknowns, a fair opportunity to present themselves not only directly to the voters of these states, but also to the whole nation through national media coverage.

There was much support in testimony before the commission for, and there is considerable merit in, continuing to develop a nomination process based on a crescendo of delegate-selection contests, starting small and building up to primary weeks that include an ever-growing number of primaries, caucuses, or state conventions.

This process, which begins with a modest resource requirement and moves on to the more expensive primaries, must be maintained to ensure that all ideas will have the chance to be debated, to allow modestly funded candidates to have a fair opportunity, and to promote personal campaigning by the candidates.

The commission reaches the wise conclusion that our system of nominating presidential candidates works well and should not be changed. This conclusion should fully apply to the primary and caucus calendar. Iowa and New Hampshire should continue to stand alone on the schedule.

**Memorandum of Agreement on
Presidential Candidate Joint Appearances
November 26, 1985**

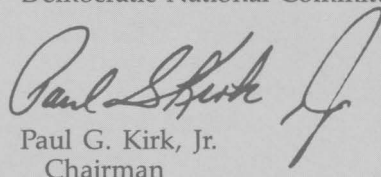
Frank J. Fahrenkopf, Jr., Chairman of the Republican National Committee, and Paul G. Kirk, Jr., Chairman of the Democratic National Committee, acknowledge and recognize that nationally televised joint appearances by the presidential nominees of both parties have often played an important and constructive role in recent presidential campaigns. We hope that they will play a similar role in future presidential campaigns, and we hereby commit ourselves toward achieving that goal. We recognize, of course, that the ultimate decision regarding participation in joint appearances will necessarily be made by the nominees themselves. Nonetheless, this memorandum of agreement is intended to express our strong belief that joint appearances deserve to be made a permanent and integral part of the presidential election process and our determination to bring that about.

It is our bipartisan view that a primary responsibility of each major political party is to educate and inform the American electorate of its fundamental philosophy and policies as well as its candidates' positions on critical issues. One of the most effective means of fulfilling that responsibility is through nationally televised joint appearances conducted between the presidential and vice presidential nominees of the two major political parties during general election campaigns. Therefore, to better fulfill our parties' responsibilities for educating and informing the American public and to strengthen the role of political parties in the electoral process, it is our conclusion that future joint appearances should be principally and jointly sponsored and conducted by the Republican and Democratic National Committees.

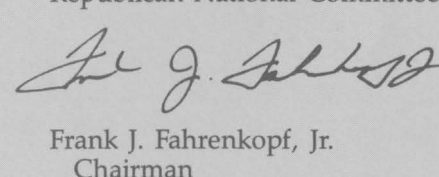
We believe that the format and most other details of joint appearances for each general election campaign should be determined through negotiations between the chairmen and the nominees of the two political parties (or their designees) following the nominating conventions of each presidential election year.

We thank the League of Women Voters for having effectively laid the ground work on which we are building today. We hope that the League will continue to offer its experience, advice, and resources to the joint appearance process.

Democratic National Committee


Paul G. Kirk, Jr.
Chairman

Republican National Committee


Frank J. Fahrenkopf, Jr.
Chairman

Introduction

From its founding in February 1985, the Commission on National Elections had three goals: to involve a wide range of Americans who have played a direct part in U.S. national elections, to be strongly bipartisan, and to seek concrete and practical means of improving the electoral process.

Because of the breadth of the subject of national elections, the commission also had to decide how to limit its purview. Thus, for example, it did not discuss the future of the electoral college—an institution much-analyzed elsewhere. The commission also decided early to concentrate on the ways in which we elect the president and vice president of the United States. This decision did not reflect lack of concern about the conduct of congressional, state, or local elections, but rather the limits of time, attention, and resources.

Concerns about congressional elections most often focus on the ways they are financed. The commission supports relevant bills introduced in Congress by Senators Warren Rudman (R-N.H.) and Thomas Eagleton (D-Mo.) and by Representatives Morris Udall (D-Ariz.) and Bill Frenzel (R-Minn.). If enacted, this legislation would create an 11-member, bipartisan commission, drawn both from within and without the Congress. The proposed commission would undertake a one-year study of the ways in which congressional elections are financed. It would be charged with determining the effect of that system on the legislative process and with trying to reach bipartisan consensus on any needed improvements.

During 1985, the Commission on National Elections held extensive public hearings to gain the insights of a broad spectrum of opinion regarding the conduct of U.S. presidential elections. The list of witnesses is included in Appendix B. (The record of testimony can be obtained from the European Studies Program at the Center for Strategic and International Studies.) Based on this testimony, the commission tried to distill the best thinking available and has added its own collective experience and judgment. Of necessity, some areas of disagreement remain, noted here in comments by individual commissioners.

Some of the commission's recommendations may require legislation by the Congress or state legislatures, concurrence of institutions outside of government and politics—such as the electronic media—or action by the two political parties. Indeed, some recommendations may apply more to one party than to the other and, because of the timing of party rules changes, some could not become effective until after the 1988 presidential election.

Background

In the world of politics and public affairs, few matters are more commented upon than the ways in which we conduct our national elections, especially those for president and vice president of the United States. It is often noted that, for a variety of reasons, fewer than three out of five adult Americans go to the polls and vote in national elections. This places us near the bottom of the list of Western democracies.

This fact is frequently attributed to widespread cynicism with the political process. For example, people frequently complain that neither the Democratic nor the Republican Party—or both—has nominated candidates who are adequate for the nation's highest offices or that there is little to choose from between the competing slates. Other themes recur: the election period goes on too long, campaigns cost too much, the whole process is dull and boring, the issues do

not get discussed, and candidates are sold like soap. Furthermore, the media focus on the horse-race aspects of the campaign instead of the issues. At times, broadcasters also report results while people are still voting.

The electoral process can, no doubt, be improved. Success can be defined in terms of results: Does the individual who is elected president prove to be an effective leader—presumably as judged by some fraction of the American people? But it also can be defined in terms of the degree to which individual Americans have a chance to take part in choosing their president and whether they actually do so.

Measuring success in the extent of voting is difficult. One standard can be the percentage of the total electorate that goes to the polls. Thus, if the fraction of the electorate that votes can be increased from the 58-60 percent prevailing in the last several presidential elections, the system can be said to have improved. Of course, that standard is not sufficient, and it could even be misleading. The political systems of many authoritarian countries are marked by almost universal voter participation, but this does not make them democratic.

In the United States, we also consider an element of quality in judging the success of a system of voting. Of course, we do not define quality to mean that only people of a certain level of intelligence or education are legitimate voters or that their votes should be accorded greater weight. Indeed, we have steadily torn down barriers to voting based on any such standards, including standards of property. Instead, we define quality in voting as the degree of access that individuals have, both to the polling booth and to tools that can help them make up their minds—for example, a free press.

According to the American experience, if people then choose not to vote, that is their business. We may regret that a large percentage of eligible Americans do not exercise the franchise. But that implies efforts to educate and motivate the citizen to vote. It does not imply devising means—such as the fines that some democracies levy on nonvoters—to compel people to vote.

Many Americans believe that elections are more than just contests among candidates competing for power and perquisites. Elections should play a vital role in drawing individuals more fully into the social compact and into charting a course for the United States in the years ahead. Elections should inform Americans as fully as possible about the issues of the day and the basic choices facing the nation. At their best, national elections are referenda on the future, on the directions the country should take on major policy issues.

There can be no single standard for judging the success of the electoral process, beyond measurements based on degree of access and information. The discussion that follows, therefore, is necessarily somewhat subjective. Partly for that reason, it includes discussion of a number of alternatives with which the commission did not agree, as well as representative comments, on different sides of the issues, from witnesses before the commission. The report's conclusions regarding those factors that are most important, as well as its recommendations, reflect the collective judgment of a number of people with broad experience in the conducting, reporting, and interpreting of presidential elections. The validity of these judgments, however, can only be tested by those most directly affected: the people of the United States.

The Changing Setting

Both the saliency and intensity of recent debate about the ways and means of conducting U.S. presidential elections reflect, in large part, the major changes that have been taking place in U.S. politics. Americans are far more mobile—

geographically, economically, and socially. Government at all levels now plays a much greater role than do the political parties in providing services to constituents. And the electronic media, especially television, have revolutionized the ways in which individual Americans relate to their society and to one another. The most important effects of these changes on U.S. politics have been the decline of the two political parties as key brokers of interests and the decline of their professional members as key arbiters in selecting national candidates. This is true even though party self-identification remains the most important indicator of how people vote.

In terms of the capacity of national leaders to govern, it is not clear that these changes have been entirely beneficial. For example, the basic political requirement of reaching compromises among contending interests—across economic, sectional, and other lines—now has far less formal structure than it did when political power was more concentrated in the hands of leaders and others who took part regularly in the work of the two major political parties. The essential brokering of political and economic interests that once took place largely before a presidential candidate was nominated now increasingly takes place after the nominee takes office.

Opening up the process of nominating candidates for president to large numbers of people who rarely take part in politics—that is, who only turn out once in four years for caucuses, primaries, and state conventions—has reduced the degree to which candidates depend on political party organizations. This has happened especially because of the increased reliance of candidates on television, both paid and unpaid, that lets them appeal directly to voters over the heads of the parties. The decline in the political parties' role has helped to broaden the base of public participation and has virtually eliminated bossism and old-style machine politics. But it also has meant that candidates are less accountable to anyone, that the winnowing-out process becomes more difficult, and that the process of reconciling competing interests is further delayed. The commission concluded that these developments have contributed to the greater length and higher cost of the prenomination period, as candidates have had to campaign longer and spend more money to become known to the American people.

Moreover, the notion of the national political party has been basically transformed. In the past a group of people banded together to nominate candidates who would have a chance to be elected president and vice president. The party had some related functions, such as developing a basic framework or platform of issues and interests. But in the main, nominating-to-win traditionally was the national party's reason for being. As a lawful and necessary association, designed for the sole purpose of seeking power for a group of people who were less than the sum of the electorate, a party was, almost by definition, somewhat exclusive. The process of democracy, in the sense of its being open to all, was assumed to take place in the period between the national nominating conventions and the November general election.

Party reforms in recent years have reflected a basic change in that notion. For many, a national political party must be judged first and foremost by its degree of openness. That is not just a matter of ending discrimination based on race, religion, sex, or national origin, where reforms, when effected, were generally long overdue. It also is seen as a matter of opening up the party process to individuals who do not necessarily have any particular allegiance to the party or its purposes. Party membership has become a state of mind and a matter of identification, not something that carries with it a responsibility to be personally and regularly involved in political activity. At the extreme, this has led

to the so-called open presidential primary or caucus, in which anyone can vote, even committed partisans of an opposing political party.

Among other implications, the role of the presidential campaign process in thrashing out competing interests has been significantly reduced. The writing of a national political party's platform, for example, no longer has much to do with determining its nominee or making trade-offs on interests that will be honored later. Instead, the platform has largely become a means for the expression of minority or constituency views. In both parties, victors now regard the platform process primarily as a potential source of embarrassment.

Major changes in party practices of selecting and electing national candidates will persist. Yet while changes adopted to achieve certain purposes, such as greater openness, can provide significant benefits, they also can bring new complexities and challenges. Proposals for reform should be carefully examined and judged to decrease the chances of steps being taken that would produce consequences that are neither intended nor desired.

Political parties continue to have a central and necessary role in national elections that too often is not well understood. For instance, a critical distinction between the two key parts of the campaign season is often lost. The period between party conventions and the November general election is about who should be president of the United States. The period before that, when each party is deciding on whom to enter in the lists, is about who should run as the party standard-bearer.

The essence of the presidential campaign, from start to finish, is about choice and acquainting the American people with the merits of contending candidates. But that is more easily said than done. It is often remarked, for example, that much of the information provided in the election campaign, by or on behalf of candidates, does not necessarily reveal their fitness to exercise the duties of the presidency. Yet much if not most of this information is available to the candidates' political peers. This role has declined, however, reflecting the basic premise of the modern U.S. political system regarding popular sovereignty: that the people, not party or elected leaders, should choose.

Resolving this dilemma should begin by seeking to strengthen the role of the political parties, as tailored to the times. In general, elected officials and leaders of the political parties are in a good position to exercise some peer review during the period in which the parties are deciding on their nominees. Notwithstanding the widespread public image of politicians, political leadership requires unique talents and imposes severe demands, not least the skill to reconcile the goals of competing interests—a trait indispensable to the proper discharge of responsibilities to the nation and to its citizenry. There must be no return to the smoke-filled room at national party conventions or to the selection of candidates by a limited and self-appointed group of political leaders. The health of the U.S. political system also requires that there be opportunities for so-called outsiders to compete for the presidency. But the American people also have much to gain in the selection of their leaders from having access to the views and judgments of individuals who have more than a passing acquaintance with contenders for the highest office in the land.

In the interest of producing the best possible candidates for president and vice president of the United States, the Commission on National Elections is convinced that the role of the political parties should be strengthened, not further weakened.

The Key Objectives and Issues

The commission sought to promote five key objectives regarding the conduct of U.S. presidential elections:

- to increase the interest and informed involvement of the U.S. public, on the broadest possible basis, in electing the president and vice president;
- to increase the ability of the voter to make informed judgments about contenders for the presidency at every stage of the process;
- to preserve and extend the opportunities for a wide variety of people to run for the presidency;
- to reduce barriers even further that remain in the way of voting, while preserving the integrity of the system; and
- to increase the chances that the candidates nominated by both parties are the best persons available, with the intelligence and the character and leadership qualities that are needed to govern the United States in the last part of the twentieth century.

Thus the commission has focused on some important issues that, in general, meet three tests. They best reflect popular discontent with the current electoral process and demand a reasoned response. They are most appropriate in addressing broader concerns. And they lend themselves to practical improvements that can be carried out in helping to secure key objectives. In approaching the following issues, the commission examined the length and cost of presidential elections; the role, timing, and structure of the primary, caucus, and convention season; the proper place of the political parties; the role of television and television advertising; and access to the polls.

Findings

- The members of the Commission on National Elections are convinced that the process of electing the president and vice president of the United States can be improved. Nevertheless, by and large, this process has served us well. Some changes can be valuable, but the system is not in need of wholesale reform.
- Any proposed changes must also be scrutinized to determine that they would not have unintended consequences that would work against the goal of improving the electoral system.
- Presidential elections have changed dramatically through the opening up of the delegate-selection process to anyone who chooses to take part. Yet few Americans actually do so. Indeed, a successful candidate for the presidential nomination of his or her party may have received the endorsement of 10 percent or less of the electorate. The commission judges that the health and integrity of the process depend on encouraging a much higher voter turnout for caucuses, primaries, and state conventions. This is necessary to ensure that debate and delegate selection will reflect a broad range of interests and will not be dominated by single-issue interest

groups. Reducing the role of the political parties without significantly increasing public participation is self-defeating. In the final analysis, active citizen involvement, not changes in process, is the single most important element for success in electing the best possible president and vice president.

- In the commission's judgment, the political parties continue to have a central—indeed, indispensable—role in national elections. The commission supports a strengthened role for the parties and urges their chairmen to become deeply involved in developing ways to make that possible.

I

The Length of Presidential Campaigns

I believe how long the process takes is not the issue, but how fair the process is and whether or not the process educates and inspires the voters.

Rev. Jesse Jackson

The task of persuasion, both in the nomination and the general election process, can hardly be compressed as long as you accept as the operative premise that you are going to have and seek mass participation in both phases of the process. These candidates are not only competing with each other but also with every other commercial message.

David Broder
Washington Post

Many Americans, whose views the media echo, complain that the process of selecting the president of the United States takes too long. Since the latter part of the 1960s, for example, it has not been uncommon for a candidate to be on the hustings for most if not all of the four years between presidential elections. (In addition to candidates who were not nominated, that was largely true for challengers Richard Nixon, Jimmy Carter, Ronald Reagan, and Walter Mondale). Major efforts to raise funds for the delegate-selection and national convention period also now tend to begin early. Several prominent candidates for president have found it necessary to be unemployed, in effect, for several years before the election. These developments further reflect the decline of the political parties and the rise of the influence of electronic and print media in the selection of candidates for president and vice president.

Certainly, that much campaigning takes a heavy physical toll on candidates and may discourage many talented individuals from competing. The American people, in general, have a limited tolerance for a process that appears to become ever longer and demands more of their time and attention. One campaign ends, the next seems to begin almost immediately.

Yet in formal campaigning—the part with a significant claim on the time of both the electronic media and the average voter—the length of the presidential election process has not, in fact, grown much in recent years. For years, the first event to attract national attention was the New Hampshire primary in late February. In the 1984 presidential campaign, save for some straw polls the

preceding year, events that gained widespread national attention and began to have a decisive effect on the nominating process of either major party did not take place before the Iowa caucuses and the New Hampshire primary in February of election year.

The presidential campaign season that precedes the primaries, caucuses, and state party conventions could be shortened through changing the time when campaign funds raised for the nominating process begin to qualify for federal matching. That date is now the start of the year before election year with payout beginning on January 1 of election year. By shifting the start of the qualifying process six months or even a year later, some campaigning might be curtailed.

Whether it is desirable to try shortening the overall campaign season is debatable, however. In the case cited here—delaying the federal matching process—some candidates would likely be forced out of the race because of lack of money. There would be nothing even approaching an equal start. The original purposes of federal funding would, in part, be defeated.

Shortening the campaign season would also probably work more against newcomers than against either established party figures or individuals with wide exposure and national name recognition. Candidates who had run for president or vice president the time before would have an advantage. No doubt seasoning and experience in senior political office are factors to be taken into account in judging whether a candidate would be a good president. Yet arbitrarily shortening the campaign would prevent the voters from determining that for themselves and can hardly be desirable.

Whether one judges recent nominees for president and vice president to be good or bad, there is little doubt that a number of early risers gained prominence and were helped in pursuing their goal because they began campaigning early. Finally, of course, in our free political system no one can be prevented from beginning to campaign as early as he or she likes. The media cannot be prevented from reporting on that campaigning. And Americans cannot be stopped from taking an interest if they choose to do so. The most important task may be to make the process interesting through the long months of campaigning.

There is one area, however, in which trying to shorten the preconvention campaign period could be useful: in eliminating the straw ballots that now take place up to a year and a half before election day. The extreme so far will be seen in the contest for the 1988 Republican presidential nomination. In Michigan, the process of choosing delegates to the convention will begin in 1986, more than two years before the presidential election.

Coming so soon in the process and reflecting so little broad-based interest in the presidential contest, straw ballots do little if anything to sharpen choices for nomination or even to winnow out the also-rans. Obviously, if these straw ballots are conducted, the media will cover them, and serious candidates must debate whether they can afford not to take part. Straw ballots can be eliminated in the interest of shortening the campaign season, but that would require resolution on the part of the national news media and political parties and possible sanctions at the nominating conventions for state parties that violated the set standards.

Findings

- To provide the widest range of choice to the U.S. public in selecting candidates for president and vice president and to test the qualities and the

views of these candidates, there should be no artificial shortening of the campaign. Its formal length—from the first delegate-selection contest to the general election—continues to be about the same as in past elections.

- The unfortunate decline of the role of the parties in mediating between candidates and voters requires a lengthy campaign season. Shortening the season, now that parties no longer play their traditional roles in candidate selection, would inhibit the ability of lesser-known candidates to compete and would unduly limit the choices available to the American people.
- Nevertheless, the commission strongly believes that, because of their unrepresentative nature and timing before the results are meaningful as a barometer of public attitudes, early straw ballots distort and damage the political process by prematurely focusing public attention on the horse race aspect of the contest. The straw ballots also have the effect of artificially lengthening the nominating process. The commission therefore urges the chairmen of the Democratic and Republican National Committees to discourage the state political parties and others from holding either straw ballots or delegate-selection contests before January 1 of election year.

II

The Timing and Structure of the State Primaries, Caucuses, and Conventions

If you replace the alleged tyranny of small states with the tyranny of regions, you really aren't doing anything to reform the system. I think we should leave it basically as it is.

Lee Atwater
Political Consultant
Black, Manafort, Stone & Atwater

A national primary day would simplify the nominating process, eliminate the disproportionate influence of early primary and caucus states, force candidates to focus on truly national issues, and dramatically reduce the length of the primary season.

Senator John Glenn (D-Ohio)

The system of primaries, caucuses, and state conventions used by the two major political parties has, like the parent parties themselves, changed greatly in recent years. In the past, the means of selecting delegates to the national conventions, as well as selections made directly by state party committees, helped local leaders to develop and consolidate political power at the state level among the party faithful. "Favorite sons and daughters" abounded as a way of aiding state parties in bargaining at the national conventions on candidates, appointments to office, and economic and sectional interests. In many cases, rules that delegations cast their votes as a unit aided the states' leverage at the conventions. For years, the unit rule combined, in the Democratic Party, with the requirement that a candidate had to get two-thirds of the delegates' votes.

The interests of each state tended to be uppermost in the selection of delegates. Wide swings from state to state in pledges made to national candidates were common and were often relatively unaffected by prior choices of delegates in other states, even within the same region. Rarely did either party decide on its presidential nominee before the convention. Often, a clear trend was not even apparent.

In recent presidential elections, however, the primaries and caucuses have played far less of a role in state party politics. Not only have delegate contests been more open to individuals who do not take part regularly in politics, to

independents, or even to members of the opposing political party, but also delegates in each state are now mainly awarded to candidates in rough proportion to vote count, instead of winner-take-all. The large states thus have less influence at the conventions than before.

These developments help to explain why each party now effectively decides on its presidential nominee before its convention, and perhaps even before the late primaries. They also help to explain the virtual end to the custom of choosing favorite sons and daughters. Furthermore, television's rise and the parties' decline in presidential contests have probably been the most important factors in increasing the leverage of early states in the delegate-selection process and in producing early decisions by the two parties on their nominees.

Most important, radio, television, and the jet aircraft have reduced the role of sectional politics in deciding on party nominees. These politics and the interests they represent remain, but the primaries and caucuses are less important as tools for brokering differences. Candidates are now so widely reported on in the media that they risk challenges to their credibility if they take different positions on the issues in different parts of the country.

Throughout U.S. history, party political leaders and convention delegates have placed great stock in whether a candidate looks like a winner: the quality of electability. Now that the role of the parties has diminished, along with political brokering in selecting national candidates, the factor of a candidate's electability has become even more important. It is no longer an argument that is introduced at the conventions. Now it is critical in the earliest primaries, caucuses, and state conventions: indeed, in straw polls taken more than a year before. Electability is reflected in the quality called momentum; it helps to explain both the fascination with the horse-race aspect of the campaign and the rise of "beauty contests"—ballotting for candidates that does not also choose delegates.

Thus, the major issues to be decided about the timing of primaries, caucuses, and state conventions can be narrowed to two: sustaining public interest in the process and making the system fair both to candidates and to individual states. The former relates in part to the horse-race aspect of presidential politicking: when competition wanes, so does media and public interest.

Keeping public interest high as the prenomination season moves through the country is important for one critical reason: to increase turnout for primaries, caucuses, and state conventions so that a larger part of the electorate in each party is involved. Today, a candidate can win his or her party's presidential nomination with the support of perhaps only 10 percent or less of the total electorate. To increase the chances that a new president can govern, the greater openness of this stage of the process and what has become the reduced role for party professionals impose a stern requirement: More people must be encouraged to take part. Otherwise, well-organized groups gain an advantage that can dominate the rest of the presidential contest and leads, in turn, to criticism that either special interest or ideological politics holds sway. Popular discontentment with the candidates who are nominated also becomes a factor.

It is not clear, however, that a much shorter delegate-selection period, one not preceded by straw polls, would lead voters to be more interested in the presidential campaign and thus be more likely to take part. Three answers to getting more people to take part can be found in making registration easier, in encouraging a wide range of able individuals to compete for president, and in increasing public education.

The issue of fairness to individual states in the timing of delegate-selection contests is largely a throwback to the time when the process of amassing delegates—either before or at the convention—was a major and useful part of brokering diverse interests across the nation. A state holding its public primary, caucuses, or state convention in late spring may still gain less in party bargaining than if the event were held in February or March, but that is hard to prove. Remedying the problem would mean rotating the order for the contests in successive elections. Each state and state political party also would have to agree not to conduct straw polls or beauty contests before its turn came.

Debate about the timing of delegate contests is most important in terms of being fair to individual candidates and the interests they represent. Even though states and regions do not disperse their votes among different candidates as widely as they once did, differences remain. The pacing and timing of delegate-selection contests still introduce some biases, even in deciding which candidate is most electable. Most often at issue is whether the early contests—especially the Iowa caucuses and the New Hampshire primary—poorly reflect a cross section of U.S. voters and are thus unfair to some candidates, especially minority candidates.² It may even be argued that, no matter who wins, the undue influence of these contests is unfair to all candidates and to the electorate as a whole.

The pacing and timing of these contests can affect candidates in different ways. A rule of thumb among many politicians states that, as with an individual caucus, a candidate who cannot organize several states at once or raise enough money should not be considered seriously for the presidency. Although there is some merit in this view, it is too narrow in an age of greater openness in the selection process. Certainly the opposite cannot be proved: that being able to organize and raise money qualifies someone to be president.

The degree of popular participation in delegate-selection contests also has a profound effect on the results of the process. Delegate-selection contests or beauty contests may help to test a candidate's electability. That statement assumes, however, that voter interest is strong during this period of the presidential campaign process. Well-organized special or ideological interest groups can assert undue influence and provide a false view of broad-based electability, especially in a low-turnout poll. Furthermore, if these contests are open to voters who do not identify with the political party or who belong to the opposing party, the party's ability to coalesce around a candidate committed to party interests can be hampered. At the extreme, both parties could end up nominating look-alike candidates. Again, there can be no substitute for encouraging widespread participation in delegate-selection contests. Individual responsibility, for concerned citizens who identify with a political party, is no less than in the general election. The impact of an individual's taking part in delegate-selection contests can be as great or greater than voting in November.

A further limit to fairness lies in requirements that most states impose on filing deadlines for primaries and caucuses. A candidate who suddenly emerges from the pack in the early contests, for example, may thus find that it is legally too late to enter the later contests. This is particularly important where slates of delegates must be filed, not just by state but by congressional district or smaller units. Thus, it has become progressively harder for someone to decide late whether to run for president. This decision also can be influenced by the amount of money on hand early in the contest, as opposed to the period after a primary victory or two. In any case, the American voter risks being the loser.

The following ideas are often advanced as alternative means of selecting convention delegates:

- **Continue the present system, under which, in the main, the individual states and state parties decide on timing of delegate-selection contests.**

The line of least resistance is for each state and state party to decide when and how to choose delegates. Political power in the United States still has its roots deep in the states. This is reflected, for example, in constitutional requirements regarding residency for members of Congress. Federalism is perhaps most honored in the most political of all American acts, joining together to choose a president. A laissez-faire approach also recognizes that devising a fair system is difficult and that some states or state parties might defy any effort to impose order. One state—New Hampshire—even has a law that its primary must come first; another—Iowa—that its caucuses come first.

- **Rotate the early primaries, caucuses, and state conventions, and restrict, at the party level, earlier straw polls and beauty contests.**

The monopoly so far enjoyed by Iowa and New Hampshire is often criticized. Neither state is particularly urban, and, in many aspects, the composition of their populations does not reflect that of the nation as a whole, especially in minorities. Perhaps no state in the Union can truly be considered representative, perhaps criticism cannot be abated.

Yet it might be worthwhile to rotate the privilege of going first in order to share the honors. Rotation might reduce the tendency to compare how well someone did in the first state to hold its contest this time with what happened four years earlier. Today, these comparisons help produce bandwagons even though only a tiny part of the electorate has made its choice.

- **Dilute the impact of first states by holding several initial primaries and caucuses simultaneously.**

This proposal would reduce the leverage of Iowa, New Hampshire, and now Michigan, or of other states going first. It could permit some regional distribution, which would increase the chances that the first testing of candidates would have a broader base. The candidates' strategies would also be affected. For example, it would be less possible for a candidate to concentrate limited campaign finances in a single state in the hope of scoring a breakthrough. By contrast, a candidate capable of gaining broad-based support would be less likely to be knocked out of the race early by a fluke or by peculiarities in first-state attitudes.

- **Hold a single national presidential primary in each party.**

This idea, perhaps the most radical, has the advantage of reducing repetition during the delegate-selection season and of ensuring the greatest concentration of voter interest. Assuming that both parties continued to hold national conventions, it would likely mean that no candidate would gain an absolute majority and that the conventions might regain some of their deliberative function.

A single national primary has serious drawbacks, however. If it were designed to replace the nominating conventions, unless there were a run-off a candidate almost certainly would win with a plurality well short of an absolute majority. Most proposals require a run-off if no candidate receives 40 percent or more of the vote. Even if national party conventions were still held, it is not clear on what basis delegates would reach a decision, other than on the rawest reading of the public opinion polls.

Furthermore, with a national primary, the overall campaign period might actually become longer; it certainly would become more expensive. In the absence of traditional roles for the political parties, each candidate would have to visit as many states as possible as many times as possible in advance of "supreme Tuesday." In addition, unless there were major federal funding—raising great

problems of fairness—unknown candidates would have trouble getting enough money to campaign widely. With a reduced role for party organizations in choosing nominees, the long prenomination season provides the only chance for feedback to the candidates that permits them to respond to what the voter wants. And a single national primary would likely reduce even further any role for the prenomination process in helping to reconcile divergent interests. As often happens following major reform, something new would have to be invented to provide this needed political service.

- **Hold primaries, caucuses, and state conventions grouped by region.**

The Southern Governors' Conference and the Southern Legislators' Conference have been pursuing the idea of holding most southern primaries and caucuses on the same day beginning in 1988. Regional bunching of candidate tests does have the major merit of reducing travel and media costs for candidates, and it would save money for the news organizations as well. Overall cost and fatigue of the process could be reduced, and popular interest in the process might rise.

Yet grouping all states in a region together could be highly distorting to the political process. Candidates would be tempted to vary certain political messages from place to place, emphasizing the region to go first in the hope that the outcome of the contest would no longer be in doubt by the time a competing region held its events. A candidate from—or with special appeal in—the region going first could build a bandwagon without having much appeal in another region. Indeed, the race for nomination might be over before a region had cast a single vote, as now usually happens with California and other June primary states. For purposes of protection, different regions would contend to go first, either driving the delegate-selection season even earlier or producing a single, national date. And the adoption of regional primaries and caucuses would be an open invitation to reintroduce sectional politics into the United States.

- **Permit states to hold delegate-selection contests only on one of several dates—for example, the first Tuesday of each month from March to June. The parties also could encourage a sectional distribution of state contests on each date.³**

This idea has several advantages: candidates would have some breathing space, some regional distribution of contests could be created for particular dates, and public interest could be focused on a few dates. Of course, candidates with less money would be penalized as it would be harder to leapfrog staffs from state to state on a week-to-week basis. Running simultaneous campaigns would favor the campaign with more money. This proposal would, however, slightly shorten the length of the prenomination season.

- **Modify and extend the practice, adopted by the Democratic Party in 1984, of sending several elected or party officials to the national conventions, as a means of strengthening both the conventions and the political parties.**

In 1984, the Democratic Party tried to reintroduce a degree of peer review into the delegate-selection process by creating about 500 so-called super-delegates from among elected Democratic officials and party leaders. This group made up 17 percent of the San Francisco convention. In the event, these delegates rapidly committed themselves to the party's front-runner and eventual nominee months before the election. Yet this effort did have the virtue of providing added judgment on who should be nominated for president. If continued in some form, it could help to reinvigorate both the political parties and the political nominating conventions as forums for brokering political and

economic interests. Some of the valuable qualities of the parties and conventions could be recaptured. To be effective in this role, however, extra delegates should be chosen, from among elected and party officials, relatively late in the process or in tandem with selection of regular delegates in each state so that they can continue to add an element of peer review. These special delegates should attend the national conventions as members of their state delegations but, if possible, remain uncommitted until then or until a clear decision is reached in the delegate-selection process. It has also been suggested that all members of the parties' national committees go to the conventions. Of course, any judgments in this matter must be made by the individual political parties.

- **Choose convention delegates independently of the beauty contest part of primaries and caucuses.**

The goal of strengthening the parties and the role of the nominating conventions also is affected by the ways in which individual delegates are put forward for selection. In most primary and caucus states today, candidates field slates of delegates committed to them. But if a candidate later drops out of the race, delegates already chosen to support that candidate will still go to the convention, in some cases without knowing much about other candidates or representing a state party's interests as a whole.

Thus, there might be value in separating the selection of delegates from voting to indicate a preference for president. A form of this idea is practiced today in Illinois: Delegates are elected, as independent individuals, quite apart from the contest for candidate preference. Delegates also could be chosen on their own, but then be bound for one or more ballots to vote at the convention for specific candidates, in proportion to votes cast in the preference part of the poll.

- **Limit requirements that any candidate must gain a minimum percentage of total votes—the threshold—to win any delegates, where this practice unfairly discriminates against any candidate.**

For many years, political parties have had various devices to build political coalitions needed to win elections and then to govern. These have included awarding extra convention delegates to states that have elected that party's candidates in the past and setting thresholds in popular voting needed to qualify to receive any convention delegates. These devices have clear merit in helping to strengthen the role of the political parties and to encourage people to take an active part in political life. In some cases, however, they might unfairly penalize the constituency of some candidates who consistently poll near the threshold but are awarded no delegates. Techniques such as thresholds should be further examined to determine their practical impact on free entry of candidates to the process of nominating presidential candidates.

Findings

- There should be broad participation in selecting convention delegates, whether by primaries, caucuses, or state conventions. Nevertheless, delegate-selection contests that are open to everyone, regardless of political affiliation, can defeat the goal of nominating candidates who represent the interests of people who identify with one or another political party. Although recognizing that political traditions vary among the states, the commission encourages the state parties to restrict participation in these contests to people who are willing to identify with that political party.

- The commission encourages Iowa, New Hampshire, and Michigan to hold their delegate-selection contests during the same week. The process of nominating presidential candidates would be improved if the first delegate-selection contests included a broader and more representative distribution of states, both regionally and demographically. For example, this first group of contests should also include a state from the South and one from the West.
- The historical trend is toward the grouping of primaries on one Tuesday a month, from March through June. The commission encourages this trend.
- The commission believes that the role of the parties could be strengthened and the nominating process could be improved if the delegate-selection process encouraged balanced participation at the national conventions—without setting quotas—of elected leaders, party officials, and party members.
- The commission discourages nationally imposed regional primaries and caucuses as defeating the goal of broad geographic representation in testing candidates. It also opposes a national primary, which among other things would increase the length and cost of the campaign and would work against lesser-known candidates.
- Filing deadlines for presidential candidates in primaries, caucuses, and state conventions should be no more than 30 days before the event. Early filing dates, such as that of Illinois in the December before the election year, can inhibit free access of candidates to the nominating process.

James Oakes
Washington Post

Using the past few decades, the cost of conducting U.S. presidential elections has started to climb, but gone up sharply (See Appendix C.) This fact is widely displayed in public commentary. Yet when the spending figures are corrected for inflation, and especially when they are compared to spending by Americans on other things, both public and private, the costs no longer seem remarkable. For example, since 1974, when federal funding became available, the cost of presidential campaigns has actually gone down in constant dollars. (See Appendix A.) Given the importance of presidential elections, in terms of both political and economic stakes, it is inconceivable that this is a waste of money.

The role of money has become particularly important in the period prior to nomination. As with the length of the campaign, the cost of the campaign is in part a function of the declining role of the parties. More than ever before, each candidate has to appeal directly to the public. As late as 1968, it was possible for someone to be nominated for president without directly running in any primary. Now that seems impossible. It also is probably impossible for a serious candidate to sit out the period before the delegate-selection contests and expect to have a serious chance at nomination. The old rule of thumb was that there is no such thing as a free lunch for the presidential nomination. Now there is probably no such thing as a free dinner coming from behind the bush. The amount and duration of campaigning implied by this statement costs money.

Thus, as with the length of the campaign season, increased openness in the campaign process calls for more, not less, spending. The alternative would be to freeze out many candidates and in time even further the public's choices.

III

The Cost and Financing of Presidential Elections

The answer to campaign finance is timely disclosure, so that the electorate can make a judgment on whether that contribution constitutes an important aspect in their judgment and selection of their public servants.

Howard Baker
Former Senate Majority Leader

As to the cost, preliminary estimates are that all 1984 elections, from presidential on down, probably cost around \$1.8 billion, about \$6 for each man, woman or child: just a fraction of what we spend on cosmetics, pet food, and illegal drugs.

James Dickenson
Washington Post

During the past few decades, the cost of conducting U.S. presidential elections, from start to finish, has gone up sharply. (See Appendix C.) This fact is widely deplored in public commentary. Yet when the spending figures are corrected for inflation—and especially when they are compared to spending by Americans on other things, both public and private—the sums no longer seem excessive. For example, since 1972, after which federal funding became available, the cost of presidential campaigns has actually gone down in constant dollars. (See Appendix A.) Given the importance of presidential elections, in terms of both political and economic stakes, it is inconceivable that this is a waste of money.

The role of money has become particularly important in the period prior to nomination. As with the length of the campaign, the cost of the campaign is in part a function of the declining role of the parties. More than ever before, each candidate has to appeal directly to the public. As late as 1968, it was possible for someone to be nominated for president without directly running in any primaries. Now that seems impossible. It also is probably impossible for a candidate to sit out the period before the delegate-selection contests and expect to have a serious chance at nomination. The old rule of thumb was that there is no such thing as a true draft for the presidential nomination. Now there is probably no such thing as a late starter coming from behind at the finish. The amount and duration of campaigning implied by this statement costs money.

Thus, as with the length of the campaign season, increased openness in the campaign process calls for more, not less, spending. The alternative would be to freeze out many candidates and to limit even further the public's choices.

Whether or not the amount spent on presidential campaigning is considered to be too much is not just an abstract problem. It also can be critical in determining the choices available at the conventions and in the general election. Within either party or in the effort by nonparty candidates to compete, how much a campaign costs can be the decisive element in deciding who runs and who does not. The amount can be highly important in determining who survives the early part of the campaign season—indeed, who even reaches the first caucuses, primary, and state convention.

At the early point in the process, two to four years before election day, there tends to be relatively modest campaign spending; federal matching funds are not yet available. Then, the role of individuals and political action committees (PACs)—working directly on behalf of candidates or through supportive activities—can be more significant than later on. Money invested in campaigns can then provide extra leverage. This, in turn, helps give rise to complaints about the influence of special interests and ideological activists. Indeed, if there were to be a change in the time when federal matching funds first become available, it should be made earlier and the total amounts larger, rather than made later and the purse strings pulled more tightly.

Another approach to the same problem would be to reduce the costs of running a campaign. A remedy often suggested can be gleaned from analysis of the composition of campaign spending. In recent years, the cost of campaigning has been affected, most of all, by the steeply rising importance of advertising.⁴ With an expanded electorate, and with the declining role of the parties, the need for advertising via television has increased in step with the growing sophistication and pervasiveness of that medium. With the presidency at stake, there is a simple rule of thumb: no television, no campaign. This fact helps to explain the standing in opinion polls of public figures who have little or no political experience but whose faces and names are well known.

It often is argued that the cost of campaigning would go down dramatically if television time were provided free to candidates or parties at drastically reduced cost, below the standard that now applies for selling time at the lowest unit rate available to anyone. Yet it is debatable whether providing free and thus more television time would lead to better education of Americans on the issues and interests. Instead, more advertising might obscure rather than illuminate issues. Indeed, it also can be argued that free or cheap television would simply lead to the diversion of television moneys to some other forms of campaign spending. Serious candidates will use to the fullest extent any obtainable resources.

The issue regarding free television time can be summarized as follows. On the one hand, the airwaves can be considered a public property and are merely licensed to individuals and corporations to use, subject to regulations that include providing a minimum amount of public service broadcasting. Thus, the reasoning goes, the stations should be expected to make some small portion of their air time, beyond news coverage, available to candidates and parties either for free or for token payment. On the other hand, broadcasting is also a business that involves costs and must make a profit. The burden of free or reduced-cost time would be imposed less upon the networks than upon local stations. To require broadcasters, solely among American institutions, to divert resources to politics would, by this reasoning, be grossly unfair.

Three other questions arise: Which candidates would receive free or cheaper media time and which would not? When would this practice begin? And which third-party or nonparty candidates would have to be accorded some fair access?

Furthermore, the viewers might not want politics intruding into so much of their television viewing time.

In addition to the high costs of the presidential election process—with its question, "Who can afford to run?"—the source of funding for candidates is one of the most vexing issues in U.S. politics. Americans generally believe that imposing limits both on the amounts that contributors can give and on how much campaigns can spend helps candidates to preserve their independence. (See Appendix D.)

During the period between the nominating conventions and the November general election, this concern no longer has much basis because of federal funding that, so far, all nominees have elected to accept rather than raise money on their own.

Despite reforms that brought federal funding into presidential campaigns, it has not proved possible to limit spending in the general election to the equal amounts provided to the campaigns of the two major political parties. The First Amendment protects freedom of speech, and the Supreme Court has affirmed that it applies to independent expenditures by individuals and groups to promote their political beliefs. That this position may violate one of the ends of federal funding is beside the point. Freedom of speech is the more important value.

On today's annual federal income tax form, individual Americans are permitted to check whether they want \$1 of their taxes, at no increased taxes to themselves, to go to a presidential campaign fund.⁵ Only about 25 percent of U.S. taxpayers do so, a fact that neither confirms nor confounds the notion that public financing of presidential campaigns has popular support. From time to time, this provision is questioned. No doubt, the benefits to different campaigns of repealing this provision would not be equal. Nevertheless, the checkoff and federal funding are in line with a major principle of trying to reduce distortions in the political process based on money.

Of all the reforms in the presidential election process in recent years, the 1974 amendment to the Federal Elections Campaign Act that made possible federal funding for both the prenomination and postnomination periods must be considered one of the most important. It has been a clear success, virtually eliminating the potential for corruption and greatly reducing opportunities for anyone or any group to exercise undue influence in presidential selection. It has opened up the process to more candidates than would otherwise have been possible. By providing federal funds in the prenomination phase only on a matching basis, it has required that candidates prove that they have serious support. This is a reform that has worked to the lasting public benefit. Federal funding should be continued.

The success of public financing also depends on the effectiveness of the Federal Election Commission. The FEC determines the eligibility of candidates seeking public funds and monitors candidate compliance with legal conditions on the receipt and use of federal funds. It also conducts the required post-campaign audits. But the FEC needs enough money to assure that it can attract and hold the high quality legal and accounting personnel that it needs to administer the law vigorously without unduly burdening the conduct of campaigns.

As noted earlier, postponing the date on which presidential candidates begin to receive federal matching funds would tend to work for better known candidates and against those lesser known. The principle of fairness would be defeated.

Yet there is considerable support in the United States for the view that lack of controls on the sources and amounts of funding for candidates during the prenomination period would unfairly favor those interests and individuals better able to contribute. For example, a limited tax credit for political contributions—up to \$100 for a married couple—is permitted to broaden the base of participation. But beyond this provision, which may be repealed, campaign contributions may not be deducted from income tax.

This view has led to some specific limits: to qualify for federal matching funds, a presidential candidate must raise a modest amount of money from a number of individuals in several states.⁶ Corporations and unions, as such, are not permitted to make contributions. They may, however, establish political action committees, and individuals in corporations or labor unions cannot be prevented from contributing either their own time or their own money to political campaigning. Limits on campaign spending in each state during the prenomination period, as well as an overall ceiling, have been enacted and are generally adhered to, although these limits, too, can be circumvented by individuals acting on their own or by candidate subterfuge.

Furthermore, in any entire presidential prenomination campaign, individuals may not make contributions to any one candidate of more than \$1,000; contributions made by political action committees are limited to \$5,000.

In theory, these reforms should limit any one person's or PAC's influence on elections, and they in fact do so. This should be all the more true for the presidency than for other offices, where campaigns are relatively less expensive but total PAC contributions may be relatively large compared to total spending.

Again, potential donors have been creative in their response. Again, freedom of speech is the higher value. It is no accident that political action committees have proliferated at the very time that the law has limited individual contributions to political candidates and campaigns.⁷

Even if there were consensus on the value of restricting the role of individuals and groups in financing campaigns, it would be difficult to enforce such limits. In any event, limits on individual contributions have held constant since 1974 and should be increased to account for inflation. Seeking an ideal of stringent restrictions on contributions to campaigns, direct or indirect, could lead to such infringement of other rights that it would not be constitutional.

Yet the problem remains: how to limit undue influence in presidential campaigns of a few individuals or interest groups? The answer lies in the U.S. political aphorism that "sunlight is the best disinfectant." Moneys that must be reported, on a timely basis, can be inspected by all and reported by the media—as no doubt they will be, certainly by opposing candidates and parties. Indeed, current disclosure requirements have been a boon to the presidential election process.

The emphasis on disclosure rather than overly rigid limits is an imperfect compromise, but it is most likely to succeed in preserving the essence of competing values.

Congress and the FEC should help modernize and improve disclosure by candidates and committees. The effort should be cooperative: the FEC needs to emphasize working with candidates and committees to improve the timeliness and accuracy of public disclosure, rather than only penalizing performances that fall short of the statutory standard. The overriding goal should be to improve the speed and quality of disclosure to benefit the general public and the overall health of the campaign finance laws. For example, candidates and committees may soon be able to report to the FEC through a computerized hookup, thus permitting almost immediate disclosure of financial data after collection by the

reporting committees. This and other options for improved public disclosure should be given continued and serious attention, as well as the necessary funding.

Findings

- Although beyond its mandate, the commission believes that the cost of elections, other than that for president, should be carefully reviewed and appropriate remedies considered. In the contest for the presidency, however, spending by the candidates and the parties has actually declined in real terms since federal funding became available. Considering the stakes involved—the selection of the U.S. president—it is the commission's judgment that this investment in the nation's future is not excessive, especially in ensuring that Americans are as fully informed as possible about candidates, parties, and issues. Like the length of the total campaign period, the cost of elections has had to increase because of the reduced role of the political parties in selecting the candidates and the need for candidates to become known to the American people.
- Public financing of presidential elections has clearly proved its worth in opening up the process, reducing undue influence of individuals and groups, and virtually ending corruption in presidential election financing. This major reform of the 1970s should be continued.
- The income tax checkoff of \$1 per taxpayer should be retained, and Congress should change the formulas for federal campaign funding to increase substantially the public funds made available for the pre-convention, convention, and general election periods of presidential campaigns. In the prenomination period, the limit on individual contributions eligible for federal matching should be raised from \$250 to \$500. Today's income tax deductions and credits for individual contributions to political campaigns should be retained.
- The most complete and timely public disclosure lies at the heart of effective campaign finance reform. The reporting requirements for campaign contributions have played a valuable role. They should be further strengthened to guarantee timely reporting of all campaign contributions, including those made at the state party level in so-called soft money (contributions not regulated by federal limits and reporting requirements but used to affect federal campaigns) that is applied to campaigns for federal office. Every effort should be made to modernize and improve the disclosure process. Options such as direct electronic or computerized reporting to the Federal Election Commission (FEC) by candidates and committees should be considered. Congress should provide the FEC with the funds needed to increase its ability to provide information.
- Since the limit on personal contributions to presidential campaigns was set, inflation has increased more than 100 percent. The commission judges that this limit should be increased from \$1,000 to \$2,500. Contribution limits on political action committees should not be increased, however.

- In recent years, undeclared aspirants for the presidency have made increasing use of tax-exempt organizations for direct mail fund-raising and other purposes directly or indirectly related to the eventual running of a full-scale presidential campaign. The commission believes that Congress should review whether this is an appropriate use of tax-exempt institutions for political purposes. At the very least, Congress should require that, at the time the prospective candidate actually declares, he or she must fully and retroactively disclose the source of all funds provided to such tax-exempt institutions.

IV Television Advertising

I am offended by what I see as I travel around the country covering a campaign: the 30-second spot that is a totally phony, staged act that has no bearing in reality. . . the misleading spot, the negative spot. . . Maybe you should abolish the 30-second spot or, if you permit it, all you permit is the candidate to stand there and deliver a message on behalf of himself.

Hal Bruno
ABC News

It is not true that a candidate cannot communicate an effective message in 30 seconds. When General Eisenhower said "I will go to Korea," or Richard Nixon said "I will end the war in Vietnam," their messages were conveyed in three or four seconds.

Joseph Napolitan
President & CEO
Public Affairs Analysts

One of the most frequent criticisms made of the presidential campaign process is that candidates sell themselves like soap, especially on television. The half-hour "straight-from-the-shoulder" talk to the nation is largely a thing of the past. Campaigns would rather present a made-in-Hollywood image of the best that the candidates have to offer or to relate them to images that may have little to do with their qualifications for office. The five-minute television commercial also is far less used. In the main, television is used for 30-second or one-minute commercials, sandwiched in between others advertising commercial products.

There is a widespread view that this approach to the advertising of candidates and their messages is essentially misleading. The time available is too short for more than a single image, often a single slogan, and reality is thereby distorted. According to this criticism, even a succession of single-line messages does not add up to a whole. If this were not bad enough—the criticism goes—candidates only rarely appear in these TV spots, and then usually because they have the physical presence to make that an asset. Negative advertising is often used. It does sometimes backfire, but, in general, subtle negative messages are used effectively.

One proposal is that the parties agree to make far less use of the 30-second and one-minute TV spot and far more use of the five-minute or longer presentation. Where the shorter ads continue, candidates should be required to appear in each of their advertisements, and they should be limited to presentations about themselves and their stands on the issues. No negative advertising about their opponents, sponsored by them or paid for through independent expenditures, should be allowed. This requirement could be enforced by awarding to any aggrieved candidate free time on television to answer any negative TV ads

or programs, no matter who sponsored or financed them. The stations could make up the cost by charging double for negative broadcasting.

These views are, however, very much in dispute. For example, with regard to negative advertising, standards would be difficult if not impossible to set. This would be especially true in distinguishing such advertising from fair comment that might also be negative, and the process of administering any such system would be extremely cumbersome.

In general, opponents of new limits on TV advertising argue that American voters are smarter than they are often given credit for; that the cumulative effect of radio and television commercials for candidates is, over time, usually very revealing; and that the great issues of the past few campaigns have, indeed, been reducible to a few slogans or general themes of national purpose.

Furthermore, by this line of reasoning, longer ads on television may cost more to produce and, depending on rate structure, can cost more to air. Finally, to tell candidates what they can and cannot say on airtime that they have paid for—within limits of libel and good taste—is inappropriate meddling. The candidates will stand or fall at the polls by the results. In any event, they are fully protected by the First Amendment.

Findings

- Media advertising by candidates should continue to be subject to the standards of ethics and good taste demanded by the American people. In the commission's judgment, however, there must be no censorship. Protected by the First Amendment, candidates should remain free to choose the means for presenting their case to the American people who, in turn, can exert pressure by voting against those candidates of whose advertising they disapprove. Well before the beginning of the formal presidential campaigning season, the two parties should adopt a code of ethics on television advertising and ask all party candidates to be bound by it.

V

Presidential Forums

The more debates there are the better. There is no need to structure the format because that will create no room for diversity.

Susan Spencer
CBS News

Debate sponsorship will continue to be attained by those most able to perform the functions. Debate rules will continue to be of legitimate strategic concern to individual presidential candidates and will continue to be the subject of intense negotiation.

Carol Parr
Executive Director
League of Women Voters

Debates between political candidates in the United States have a long history. The Lincoln-Douglas debates of 1858 are often cited as precedents for today's televised debates between presidential and vice presidential candidates, although political circumstances are now much different.

Since the first modern set of debates between Senator John F. Kennedy and Vice President Richard M. Nixon in 1960, the question of whether they should be held at all has turned in large part on judgments made by each candidate—whether he or she stands to gain or lose by either debating or not debating. These judgments have not always been right, but that has not changed their importance.

More recently, televised forums also have become popular during the pre-convention period. Because of the need for the public to see something of several candidates, pre-convention forums may be as important for the political process as those held afterwards. In view of the reduced role of the political parties in the winnowing-out process, the only effective means some candidates have of becoming known is to take advantage of the free television time and the chance of scoring a breakthrough that is made possible by candidate forums. Indeed, there should be more, not fewer, such forums.

By the 1980 Republican delegate-selection season and that of the Democrats in 1984, these forums were well on their way to becoming an institution. In the future, it will be hard for contending candidates for either party's nomination—except perhaps when a president is running for reelection—to avoid this trial by television. Most will relish the opportunity.

The same has not yet become true for debates between the two parties' nominees. Whether to hold debates is still a part of campaign strategy, as is their number, where they are held, the subject matter, the format, the outside participants, and the sponsorship. Nevertheless, given that debates have been

held in the last three presidential campaigns and that pressure to hold them mounts as the campaign season progresses, it is likely that holding some form of televised candidate confrontation will become the rule.

This is not to say that television forums are the best way of acquainting the American people with the relative qualities of contenders for national office. The ability to think quickly on one's feet, to make a forceful presentation, to be convincing in terms the public can understand, to show reasonable command of facts and issues, and to be able to avoid major error—these are qualities that can stand any president in good stead. But they measure only a few qualities of the candidates or the demands of the office.

Presidential-nominee forums do happen and will happen for two reasons: First, they are now expected to happen, and a candidate dodging them may be at some disadvantage. Whether this is public clamor or largely an invention of the media cannot readily be discerned, however. Lyndon Johnson in 1964 and Richard Nixon in 1968 and 1972 did avoid debating. Second, a televised joint appearance by the candidates is one of the infrequent occasions during the election campaign in which they are seen directly, beyond the stage-managing that is the hallmark of the modern presidential campaign. One hundred million citizens simultaneously observe the candidates in an environment not totally controlled by their organizations.

Even though pressures on party nominees may not yet be irresistible, there is value in deciding, well in advance of election year, that joint candidate TV appearances of some kind will take place. In 1988, for the first time in 20 years, there will be no incumbent standing for election as president. The last three sitting presidents have been willing to debate; that might not always be so. Now is the ideal time to make these appearances an institution.

Joint candidate appearances should be institutionalized not to increase their importance as arbiters of the election, but perhaps to temper it somewhat, by removing the drama inherent in decisions whether they will take place. In addition, the more joint TV appearances there are involving the nominees, the less impact any one of them will have, the greater the information that all of them together will provide the American people, and the less chance that a slip of the tongue in one debate will sink a candidacy. When novelty wears off, viewer sophistication tends to increase.

Beyond the question of whether to debate, there is the question, "Who runs it?" There are three general possibilities for sponsorship of the candidate forums. They can be organized by nonpartisan groups, such as the League of Women Voters, by the national networks, or by the political parties. Yet only the political parties are in a position to determine, in advance of election year, that there will be candidate forums. They alone have the ability to commit candidates in advance to take part. Furthermore, this choice would enhance the role of the political parties, as part of strengthening their ability to be effective in aiding the broader public in choosing the best candidates to be president and vice president.

Finally, how should the forums be structured? Many formats have been suggested: one or two nominee-forums versus a series of them, with each linked to a theme; forums sponsored by organizations chosen well in advance or negotiated on a case-by-case basis; forums in which each nominee is asked questions by reporters; or a debate between themselves with perhaps only a moderator to keep time. Joint appearances of the candidates in conversation with leading media political commentators might reveal a great deal more about the instincts, character, and values of the next president than a restrictive debate

format. All of these approaches show merit. Different candidates will undoubtedly prefer one format over another.

Unfortunately, in the past, the value of debates has sometimes been reduced by the restrictive formats adopted. Much of the disagreement has been about format. Leverage in negotiations between political campaign staffs has usually reflected the relative eagerness of the campaigns, depending upon calculations of advantage: who is ahead and has much to lose, who is behind and has much to gain. To be sure of getting a debate at all, the candidate who believes himself or herself to be behind may have to settle for a format that would reduce opportunities for the viewing audience to form valid impressions about the instincts, character, and values of the candidates.

This leverage has been reduced through modification of Section 315 of the Communications Act. Section 315 precludes broadcast stations from giving or selling time to a candidate for political office without providing an equal opportunity to all other candidates for that office. It protects candidates against favoritism and broadcasters from suspicion of favoring one candidate over another. Since 1976, however, broadcasters have been able to cover a "presidential debate" as a "newsworthy event"—the latter always having been an exemption to the equal opportunity provisions of Section 315. The theory behind the change was that a third party—not the broadcaster—was arranging the debate, which was then covered as news.

The networks will likely be prepared to provide three or four 90-minute prime time segments between Labor Day and Election Day for simultaneous coverage of presidential and vice presidential candidate forums. The networks could rotate responsibility for taking the lead in covering these events.

Coupled with early agreement by the chairmen of the two political parties to institutionalize joint candidate appearances in 1988, the early announcement of a waiver of Section 315 for coverage of these events would virtually ensure that they will take place, regardless of who the nominees are.

Findings

- In the commission's judgment, candidate forums in the prenomination period have now become a fact of political life. The process of selecting presidential nominees can be enhanced by using them more rather than less. They can be structured usefully in many ways. Indeed, popular interest can be increased by testing candidates in a variety of ways.
- In the postnomination period, the commission believes that American citizens have come to expect joint appearances by the major party nominees for the presidency. These joint appearances should be made a permanent part of the electoral process. They are such an important factor that they should not be left to the vagaries and uncertainties of each presidential election but rather, to the extent possible, should be institutionalized.
- The commission believes that this institutionalization is most likely to take place if the two political parties assume direct responsibility for sponsoring the joint appearances. Although each nominee must ultimately decide whether to take part, the parties are in the strongest position to enlist their participation by attempting to secure commitments before they are nominated. In 1988, for the first time in 20 years, there will be no incumbent president running for reelection, thus offering a unique opportunity for the two parties to state well in advance of the 1988 election their com-

mitment to ensuring that joint television appearances will be held in the general election period of that and subsequent presidential election years.

- The commission therefore urges the two parties to assume responsibility for sponsoring and otherwise ensuring that presidential candidate joint appearances are made a permanent and integral part of the presidential election process. If they do so, the commission believes that the parties will strengthen both the process and themselves. The parties may decide to delegate sponsorship or to involve other groups or the television networks, but ultimate responsibility should rest with the parties.
- To achieve this goal, the commission urges the two parties to set up a mechanism, such as a joint committee. Although some details, such as format, will most likely have to await approval by the participants, the commission urges that, before the nominating conventions, the joint committee deliberate and settle as many of the arrangements as possible, such as the number, dates, and locations of the joint appearances, the subject matter to be discussed, and how the panels of questioners, if any, are to be selected.
- At least three joint presidential candidate appearances should be made between Labor Day and Election Day, approximately one month apart. They should be designed not only to elicit the candidates' views on important issues, but also, to the extent possible, to test other qualities and characteristics essential to a successful presidency.
- To provide the voter with a better chance to judge the qualities of contenders for the vice presidency, there should also be at least one televised joint appearance by the nominees for vice president.
- Major questions remain regarding the equal time requirements for television coverage of party versus independent or third-party candidates. Yet in the commission's judgment, the importance of television forums argues for erring on the side of favoring the party nominating processes rather than the rights of other candidates. This judgment, however, may need to be reviewed during each presidential election, depending on circumstances at the time.
- Although television forums are growing in importance, there is no perfect format to inform the American public of the qualities, views, and overall fitness of presidential candidates. Additional means must continually be sought to increase public awareness of issues and the candidates' abilities to be president and vice president.

VI Access to the Polls

The entire election system should be based on the philosophy that elections are conducted for the benefit of the voters. Voting ought not be a fitness test for voters to see how many obstacles they can surmount. The entire system should be designed to facilitate voter access and participation.

Joan Growe
Secretary of State
Minnesota

Currently all Americans have the right to register to vote but (having failed to register) not the right to vote.

Bruce Nelson
Democratic State Chairman
Montana

(We should) extend election day to 24 hours, open and close the polls simultaneously across the nation, and make election day a national holiday. . . . These actions would . . . expand voting opportunities for millions of Americans.

Barry Goldwater (R-Ariz.)
United States Senate

The figures often cited about the low turnout of Americans to vote in a presidential election do not tell the whole story. In fact, figures often cited—turnout of 50 to 55 percent—can be somewhat misleading. These percentages relate not just to those Americans who could have voted but did not. Rather they compare voter turnout with the total population of 18 years of age or older. The comparison is thus skewed to a degree because figures for the base population often include noncitizens, others legally ineligible to vote, and individuals who have moved and not yet met state minimum residency requirements. Corrections made here raise the voting figures to 59.2 percent in 1980 and 59.9 percent in 1984.⁸ More important, however, the comparisons make no allowance for the fact that about one-third of eligible Americans are not registered to vote.⁹ When that correction is made, it becomes clear that the percentage of voter turnout in presidential elections *among the registered population* has been consistently in the high eighties: 89.9 percent in the presidential election of 1984.¹⁰ These figures would be respectable in any other Western democracy.

The requirement that voters must register prior to election day—in effect requiring two efforts to vote instead of one—has had many rationales. These have included the need to prepare voter lists, to purge them of the names of individuals who have died or left the community, and to reduce the risks of voter fraud. There also is the argument that voting, as a civic duty, should not be all

that simple. A two-stage process is more likely to lead individual Americans to prize the vote more than a one-stage process.

These reasons can hardly prevail, however, in face of the importance, as a matter of public policy, that barriers to voting be reduced as much as humanly possible. The reduction of barriers supports the principle that the right to vote should be made available to all—a principle that has been steadily pursued throughout American history.

The means exist to do the job. Modern data processing and record keeping have vastly reduced the burdens of creating and maintaining voter lists, voter fraud through false identification has gone down radically in recent years, and there are now many ways for individuals to prove who they are. With election-day registration, means would be needed to verify identity and the absence of cross registration in other jurisdictions.

In short, there is no reason that the process of registering to vote should not be easy. Indeed, in some other democracies registering people to vote is a state responsibility, done automatically. Practice also varies within the United States. For example, registering through the mails is already permitted in 25 states and the District of Columbia. Four states—Maine, Minnesota, Oregon, and Wisconsin—have adopted means to register on election day, and one, North Dakota, has no registration at all. In the opinion of officials charged on a bipartisan basis to conduct these elections, election day registration has worked well.

More than any other single action, taking steps to make possible voter registration on election day would increase the number of Americans who vote for president and vice president.

To increase voter registration and to promote public education about elections, there would be great merit in the Congress's designating a weekday in late September or early October in all even-numbered years to be National Registration Day. The date should be sufficiently far in advance of election day to ensure that registration is still possible in all 50 states and the District of Columbia.

On National Registration Day, each state and locality should work within its laws and traditions to increase opportunities for voter registration to the extent possible—at the court house, city hall, polling places, schools, and work place. With imagination and dedication, this day for voter registration can become second only to election day as a symbol of practical democracy, public education, and involvement.

It is sometimes argued that many Americans do not vote either because election day is on a Tuesday or because the polls are open during the wrong hours. There is nothing magic about Tuesday as election day or about the times decided by each state for opening and closing the polls. These times in general embrace the ordinary workday, plus a few hours before and after. At the same time, evidence also demonstrates that hours and days for voting are not critical in determining the size of voter turnout.¹¹

Several ideas have been suggested for changing the day and hours for voting, including the following:

- National election day could be made a public holiday. This would have the advantage of reducing unequal access based on hours when some potential voters have to work or the distances they have to travel between home and work. There are, however, some problems. For example, employers would have to pay for an extra holiday, and there is debate whether many potential voters would simply use the holiday as a vacation away from both home and the polling place.

- Election day could be moved to the weekend. This idea has the merit of making use of one of two days when most Americans do not work. This would avoid problems of another national holiday or the expense of longer polling hours. As with making election day a special holiday, however, voter turnout might go down rather than up. Furthermore, both Saturday and Sunday are holy days for major religions. To meet their concerns, a weekend election period would need to embrace at least some part of both Saturday and Sunday—ideally all of both days. But the lengthening of polling hours would increase the cost of conducting and supervising elections, costs that, in the main, are borne by local communities.
- The polls could be kept open for a 24-hour period. This idea, which might be adopted along with a different election day, would provide greater equality in access to the polls, and it would give people more flexibility in planning when to vote. This step, too, would be expensive: local communities would have to foot the bill. It should also be looked at in relation to the idea of opening and closing all the nation's polls at the same time.

Findings

- The commission believes that the most effective way to increase popular participation in national elections is to ensure that as many citizens as possible are registered. The commission thus strongly urges the president and Congress to designate National Registration Day, to be held each election year on a weekday in late September or early October, to promote both increased registration and public education about the importance of elections. Each state legislature should make a similar designation of the same date, as should individual county and local governments. Meanwhile, the president should appoint a bipartisan group of citizens, from all walks of life and all parts of the nation, to explore the best means to promote registration, while taking into account the customs and practices of individual states. Governors, county executives, mayors, and city councils should appoint similar groups to ensure that, on National Registration Day, everyone will have every opportunity to register.
- The states should be encouraged to adopt a variety of means, of their own choosing, to make it easier to register to vote. These could include extended hours, dates, and places for formal registration; mobile registration facilities; registration in neighborhoods and on Sundays; postcard registration; the forwarding of voter information by the U.S. Postal Service for people who have moved; the mailing of registration forms to unregistered voters; registration for Selective Service as automatic voter registration; and election day registration at polling places.
- Where it is not already the case, the states should permit at least two hours off from work for purposes of voting as well as for registering.
- Congress should make general election day in 1988—Tuesday, November 8—a national holiday as a one-time experiment, to test whether this step will increase voter turnout. This plan should include a half-holiday in the public schools for purposes of civic education.

VII

The Role of the Media: The Campaign and Election Day

The news media, and particularly television, still tend to be too superficial in covering the presidential campaign. We spend far too much time writing and talking about who's going to win the horse race, and we go overboard when there is a goof or a gaffe by one of the candidates. Neither one of these would be a problem if they occurred in isolation, but it is when they take up valuable space and airtime that should be devoted to a careful and thorough study of the candidates' characters, the evolution of their positions on the issues, and examination of the records of those candidates who have already held major public office.

Judy Woodruff
MacNeil/Lehrer NewsHour

The real problem of early projections lies in the demoralizing effect on the voters who feel that their sacred right to vote has been diminished, even robbed from them by those who announce election results even before they have gone to the polls. . . . (But) analysis falls upon guesswork, and it is our guess that any negative impact of early projections is probably evenly distributed among contending candidates and issues.

Karen Marchioro, Chairwoman
Democratic Party of Washington

The Campaign

Popular criticism of the ways we elect our presidents has not been directed only at candidates, political parties, and interest groups. Media organizations have also received their share. Part of this criticism is directed at coverage of the campaign: its horse-race aspects, the focus on the candidate's cameo appearance or catchphrase, the isolated mistake in the midst of a long day's campaigning, the editorializing that is represented as objective commentary. Nevertheless, an amazing amount of information does reach the average American. Political issues and choices do become sharpened in the electorate's minds by polling day.

The media, like every other participant in the political process, can no doubt do a better job. Indeed, those brilliant moments of television and

newspaper coverage show that a higher standard can be met. Television, the all-pervasive medium, must continue to look for new techniques to educate Americans about basic issues and interests. More time and effort can be devoted to in-depth coverage of national issues. The initiative for making these changes can only come from the media. Long recognized as the "fourth branch of government," the media are unique in not being subject to checks and balances. As the cornerstone of a free society, this is a necessary exception—mandated by the First Amendment. Thus, there can be no requirement regarding the ways in which the media perform their role. An increased commitment to inform the American public about the great issues of the day must be solely the media's own responsibility.

To an extent, the media and the candidates play a competitive game of which all are aware. Candidates want to put their best foot forward and get their message across on the evening news. The media, especially television, want to present the campaigns in their own ways. Both sides compete to see which "sound bite" of a few seconds will be used. All politicians complain about their media coverage, but all delight in availing themselves of the chance to look good on television. Over time, the American people have become increasingly adept at telling what is happening. Television in politics is not the wonder it once was; neither is it the bogeyman some critics believe it to be.

Political leaders also share responsibility for improving the ways in which the media inform the public about key national issues and the quality of presidential candidates. If the parties were to ban meaningless straw polls, there would be none for the media to cover. If changes in the ways delegates are selected meant that the conventions would again offer some promise of deliberating, then choices facing the nation—and not just a send-off for preselected candidates—could become media fare.

The decline in the role of the political parties was caused in part by the rise of the role of television and by the use made of it by candidates for president. But the parties' decline as the brokers of presidential candidacies also stemmed from their own decisions: Television filled a vacuum it did not create. Its impact as surrogate for the parties has been significant. Strengthening the political parties could, therefore, mean that television would not be so influential.

Election Day

From the standpoint of the electoral process, the role that radio and television plays on election day is of considerable concern. Throughout the campaign, the media place heavy emphasis on public opinion polls, but so do political leaders. Television can indeed help make a bandwagon, but seasoned politicians are themselves either trying to create a bandwagon or to sidetrack someone else's. Everyone knows the rules of the game, however, including most Americans.

Yet there is the serious question of whether the electronic media's role on election day interferes in the process in a way that is not helpful. By noon, exit polling is available for the media to begin predicting the outcome of an exercise of the franchise that has hardly begun. These predictions, based on a limited sample of voters and considerable research into voting behavior, may prove to be accurate, but that is beside the point. The issue is whether early projections are an intrusion into the process that distorts its outcome. Do they, for example, discourage people from voting by seeming to show that their votes will not count?

By the same token, the television networks have been criticized for predicting the outcome of the national election before the polls have closed in different parts of the country. Beginning with the 1984 elections, networks did agree not to project the results of races in any state until its polls closed. But predicting the national results while the polls were still open in the West was irresistible—and certainly unavoidable with regard to Alaska and Hawaii.

The last two elections were not close. Indeed, in a landslide, the winning candidate is likely to have amassed the 270 electoral votes needed to be elected before polls close in the Pacific time zone and possibly in the mountain time zone, as well. But would there be a difference—in terms of voter response in the West—in a close election? What would be the impact on state and local races?

These considerations should not simply be dismissed; they do merit deeper study. The use of election projections and election day polling involves difficult and complex issues that all network news organizations and many journalists and scholars have agonized over, researched, and discussed. The issue is too important to be addressed merely by conventional wisdom. There is, in fact, little hard evidence to indicate that many voters decide whether to go to the polls on the basis of what they hear from radio and television on election day.¹² For the voters, after all, election day is merely the culmination of many weeks or months of being exposed to vast amounts of polling data of varying quality. Almost always, as well, other offices below that of the president are to be filled in the same election—offices that affect the lives of every citizen.

More important, the First Amendment offers protection for exit polling and for projecting the outcome of races. Changing that fact would be neither desirable nor practical. The networks, however, may want to exercise some self-discipline by not projecting races before the polls have closed in a state.

Indeed, since the 1984 elections, the major networks have all stated that they will not project or characterize election results on the basis of data collected on election day, before the majority of polls in a state have closed. This pledge, made in relation to congressional consideration of simultaneous poll closings in the 48 contiguous states during presidential elections, would provide one answer to the problem of early projections.¹³ This process has also been helped by tacit agreement of the two political parties that they will encourage presidential candidates not to claim victory or concede defeat before polls close in the far West.

Findings

- The commission judges that it is vital to the process of electing the president that the American people be as fully informed as possible about both issues and candidates. The media should be encouraged to provide full and fair coverage of important presidential campaign events and increased opportunities for the candidates and parties to present themselves, including televised candidate forums both before and after the national nominating conventions. To this end, Section 315 of the Communications Act, which requires "equal time" for all qualified candidates, should be waived in presidential campaigns for the postnomination period and in the prenomination period to permit coverage and access for any candidate who has qualified for federal matching funds.
- Media coverage of election day must not be censored. Although the commission took some testimony that questioned the role of exit polling,

members concluded that the evidence is inconclusive that early projections of voting results, done by the media on the basis of exit polling, affects people's decisions whether or how to vote. The commission does, however, strongly encourage the electronic media to fulfill a dual responsibility: to inform the public and to protect the integrity of the electoral process. Steps should include adhering to self-imposed limits on projecting the outcome of races in individual states before the polls have closed in those states.

- Serious consideration should be given to simultaneous poll-closing across the nation, thus helping to reduce any unfairness for voters in the Western states during presidential elections. Under the electoral college system, a candidate can win enough states to secure 270 electoral votes while the polls are still open in several states. Closing the polls simultaneously across the nation would do much to eliminate any suggestion that existing differences in poll-closing times affect voter turnout.

Afterword

Looking back over 200 years of political evolution, the United States has not done badly in the election of the president and vice president. Today, however, new requirements are imposed by the changing nature of our society and the tools at our disposal both for taking part in politics and for being informed about them.

The essence of the U.S. system is its growth, its ability to adapt to new times, its resilience, and, most important, its continued commitment to basic ideals. The commission members believe that the ideas presented here can have an important impact on national debate and that, if put into practice, they will improve the process of electing the president and vice president of the United States. This, in turn, can help to recapture the imagination of the American people concerning elections and help to reduce the widespread cynicism about both the process and its results. The ideas presented here will help this generation of Americans to press forward with its quest to fulfill basic national ideals.

Appendixes

Appendix A:	Spending on Presidential Campaigns
Appendix B:	Commission Witnesses
Appendix C:	The High Cost of Politics
Appendix D:	Contribution Limits and Presidential Campaigns
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Appendix A

Spending on Presidential Campaigns

Herbert E. Alexander

Actual spending in presidential campaigns increased at a rate of 1,083 percent from 1960 to 1984. When the value of the dollar is held constant and adjusted for inflation—with 1960 as the base year—the rate of increase is 321 percent, however (see table 1). When adjusted for inflation, spending on presidential campaigns actually went down between 1972, the last campaign before federal financing, and 1984.

Table 1

Presidential Spending: 1960-1984
(Adjusted for Inflation, 1960=100)

Year	Actual Spending ^a	CPI (1960 Base)	Adjusted Spending ^a
1960	30.0	100.0	30.0
1964	60.0	104.7	57.3
1968	100.0	117.5	85.1
1972	138.0	141.2	97.7
1976	160.0	192.2	83.2
1980	275.0	278.1	98.9
1984	325.0	337.4	96.3

Source: Herbert Alexander, Citizens' Research Foundation.

^aAll spending figures are in millions of dollars and include prenomination, convention, and general election costs.

Appendix B

Commission Witnesses

(In order of appearance)

The Honorable Howard Baker
Former Senate Majority Leader

David Broder
Political Columnist
The Washington Post

Howell Raines
News Editor
The New York Times

Jules Witcover
Syndicated Columnist
Baltimore Evening Sun

Hal Bruno
Director of Political Coverage
ABC News

Susan Spencer
Correspondent
CBS News

Sid Davis
Radio Correspondent
NBC News

Judy Woodruff
Chief Washington Correspondent
The MacNeil-Lehrer NewsHour

Patrick Caddell
President
Cambridge Survey Research

Lance Tarrance
President
Tarrance & Associates

Lee Atwater
Partner
Black, Manafort, Stone and Atwater

Robert Squier
President
The Communication Company

Sander Vanocur
Senior Correspondent
ABC News

The Honorable John H. Glenn, Jr.
United States Senate

Bruce Nelson
Montana Democratic State Chairman

Richard Wiener
President
Association of State Democratic Chairs
Michigan Democratic State Chairman

Jeanie Austin
Chairman, Republican Party of Florida

Don W. Adams
Chairman, Republican Party of Illinois

Peter G. Kelly
Partner
Black, Manafort, Stone and Kelly

Richard A. Viguerie
Former Publisher of Conservative Digest
President, The Viguerie Company

Karen Marchioro
Washington State Democratic Chair

George H. Watson
Vice President and Washington Bureau
Chief
ABC News

Robert Chandler
Senior Vice-President, Director of
Administration
CBS News, New York

The Honorable Morris K. Udall
U.S. House of Representatives

Carol Parr
Executive Director
League of Women Voters of the U.S.

Ralph Goldberg
Vice President and Assistant to the
President
CBS News, New York

Joseph Napolitan
President and Chief Executive Officer
Public Affairs Analysts, Inc.

Thomas B. Cookerly
President and General Manager
WJLA-TV

Warren Mitofsky
Director of Election & Survey Unit
CBS News, New York

Herbert E. Alexander
Director, Citizens' Research Foundation
and Special Advisor to the
Commission on National Elections

Henry Geller
Director
The Washington Center for Public
Policy Research

The Honorable Barry Goldwater
United States Senate

Richard G. Hatcher
Mayor
City of Gary, Indiana

Joan Grove
Secretary of State, Minnesota

James V. Chiavaroli
Former New York Elections Official

Reverend Jesse L. Jackson
Chairman, National Rainbow
Coalition, Inc.

Robert Beckel
President
National Strategies and Marketing
Group

Appendix C

The High Cost of Politics

Herbert E. Alexander

In recent years, there has been much comment about the high cost of politics. In 1984, total political spending at all levels—for candidates, for the maintenance of the political party system, and on ballot issues—reached about \$1.8 billion. That amount includes all party and elective activity—nomination and election campaigns—in the 1983-1984 election cycle. It represents a 50 percent increase over 1980, well beyond the inflation rate. The political bill, however, needs to be put in perspective: In FY 1984, governments at all levels—national, state, county, and municipal—spent a total of \$1,426 billion of taxpayers' money. The dollars spent on election campaigns, whose outcomes determine who will make decisions on, among other things, how such enormous sums of tax money are spent, amount to only *one-tenth of one percent of the total*.

In 1984, the costs of electing a Congress—\$374.1 million—were higher than those of electing a president—\$325 million. In all, \$699.1 million was spent to elect our national government. Lest the total appear inordinately high, the nation's leading commercial advertiser, Procter & Gamble Company, spent \$872 million promoting its products in 1984.

Considered in the aggregate, American politics is not overpriced but underfinanced. Political costs tend to be high because the political season for concentrated advertising is relatively short, and intensity must be high for each candidate just before an election. The U.S. system of elections creates a highly competitive political arena within a universe full of nonpolitical sights and sounds that also seek attention. Candidates and parties are not just in competition with each other, but also with commercial advertisers possessed of large budgets, who advertise on a regular basis, often through popular entertainment programs on television and radio.

Still, the amounts considered necessary for any single campaign are often unattainable. Political money is a relatively scarce resource, and fund-raising simply has not kept pace with the rising costs of running an effective campaign. The professionalization of politics, brought about by the application of high technology, has forced serious candidates for major office to employ expensive campaign consultants, pollsters, media specialists, and computer experts. Complex laws have caused candidates to hire lawyers and accountants to ensure compliance. A number of legal decisions have come down on the side of escalating spending. The Supreme Court ruled in the *Buckley v. Valeo* case that limits on campaign spending are unconstitutional except for publicly funded campaigns. The courts have sanctioned independent expenditures even when expenditure limits can be applied. The only ceilings that are accepted constitutionally are contribution limits, and these are an indirect way to help keep spending down. Without public funding, candidates are free to spend unlimited amounts of personal funds on their own campaigns—raising the ante for their opponents. The constitutional issue has to be foremost: How far may the Congress go in protecting the purity of elections without abridging freedoms guaranteed by the First Amendment?

Campaign spending should be considered the tuition fee the American people must spend for their education on the issues. Admittedly, many campaigns are not edifying, but through all the political verbiage, issues are

brought forward and the nation determines its agenda. The people elected to office then determine public policies that affect us all, which is certainly an educational, if not always pleasing, process.

In every society in which free elections are held, someone has to incur expenses—and someone has to pay the bills. In sum, Americans are willing to devote to politics only sparingly from our immense resources. Ample testimony on this point is provided by the personal contributions candidates make to their own campaigns, the debts they are willing to assume, and their continual efforts to raise money.

Appendix D

Contribution Limits and Presidential Campaigns

Herbert E. Alexander

In 1974, Congress amended the 1971 Federal Election Campaign Act (FECA) to include a variety of limits on contributions by individuals and organized groups to federal election campaigns. Under the 1974 FECA Amendments, individuals are permitted to contribute no more than \$1,000 per candidate per election and no more than \$25,000 to all federal candidates annually. (See table 1 for contribution and spending limits.) These limits were intended to control large donations, with their potential for corruption, and to minimize financial disparities among candidates. An earlier law, the Revenue Act of 1971, provided for public funding of presidential general election campaigns and prohibited major-party nominees who accept public funding from accepting other funds. This was intended to eliminate the need of major-party presidential nominees for money from wealthy donors and interest groups.

After a decade of experience with the individual contribution limits in the presidential prenomination period and the ban on private contributions to publicly funded major-party presidential nominees, a number of facts and events suggest reevaluation of the limits and the prohibition.

Prenomination Campaigns

Unlike FECA's expenditure limits imposed on publicly funded campaigns, the contribution limits are not indexed to account for inflation. When the Consumer Price Index (CPI) is used as a measure, a \$1,000 contribution to a candidate in 1984 was worth \$488 when compared with the buying power of \$1,000 when the limit went into effect in 1975.

While the value of contributions expressed in constant dollars has decreased, the costs of many of the items and services campaigns must purchase has increased far beyond the rate of inflation. As political campaigning becomes more professionalized, and as candidates take increasingly to the airwaves to present their messages, the costs of campaigning have grown dramatically. Between 1976 and 1980, for example, the costs of television advertising time in some markets increased by as much as 80 to 100 percent; the cost of gasoline doubled. The rate of inflation during the four-year period was about 37 percent. Between 1980 and 1984, national television advertising costs for commercial advertisers increased in general about 56 percent, and the increase in costs to political advertisers was even greater. During the same period, however, the CPI rose 37.4 percent.

Not only have the costs of items and services required for campaigns increased, but so have the number of states holding primaries and other expensive campaign contests. In 1972, the last presidential election conducted without effective contribution limits, 23 states conducted presidential primaries; in 1976, the number had increased to 30. In 1980, 35 states, Puerto Rico, and the District of Columbia held presidential primary elections. In 1984, the number of delegate-selection primaries dropped to 25, although seven other states held nonbinding primaries, or beauty contests. Moreover, the number of preprimary

contests, such as straw polls conducted in a number of states and competitions for group endorsements, also has increased. Candidates feel obliged to participate to establish credibility and fund-raising momentum, and to break out ahead of the other contestants.

Although the individual contribution limits have reduced the possibilities that wealthy donors may exert special political influence through their contributions, the limits also have had several less desirable consequences.

- The contribution limits have made it difficult for candidates to raise sufficient money to conduct their campaigns. For example, every major Democratic candidate concluded his 1984 prenomination campaign with a debt—some substantial—and total indebtedness for all these candidates combined reached as much as \$15 million. Prenomination debt-reduction activities continued through the general election period, distracting attention and draining resources from the Democratic election campaign.
- The low contribution limits prevent potential candidates from mounting campaigns late in the prenomination season, as Robert F. Kennedy was able to do in February 1968. Instead, they force all candidates, particularly those who are not well known, to begin their fund-raising earlier than ever, thereby lengthening the campaign period.
- By minimizing the role of wealthy contributors, the low contribution limits have forced candidates to turn to other persons upon whom the candidates may become equally dependent for campaign funds: direct mail consultants with access to mailing lists of proven donors to campaigns, entertainment industry promoters who can persuade their clients to volunteer their services for benefit concerts for favored candidates, and "elite solicitors" who can tap into networks of individuals capable of contributing up to the maximum amount allowed.
- The low contribution limits, together with the expenditure limits imposed on publicly funded presidential candidates, encourage the development of ways to frustrate the intent of the limits, including draft committees in 1980, preannouncement presidential PACs, independent expenditures, and delegate committees. All of these means allow money to be spent to help candidates without the money's being counted as contributions to or expenditures by the candidates.

A solid case may be built, then, for raising the individual contribution limit of \$1,000 and for repealing or increasing the aggregate annual contribution limit of \$25,000 to all federal campaigns. If the current public matching-fund system remains in place, the contribution limit might be raised to \$5,000. An even higher limit might be allowed for the collection of "seed money"—the funds candidates need to get their campaigns off the ground—until a candidate raises a specified amount, say, \$1 million or even more. These changes might help shorten campaigns, because candidates would no longer feel it necessary to begin their fund-raising as early as two years before their parties' nominating conventions to gather sufficient money to mount competitive campaigns. Given the large sums now required to conduct such campaigns—in 1984, Walter Mondale spent some \$20 million in campaign funds and Gary Hart more than \$16.5 million—a \$5,000 contribution by an individual cannot reasonably be thought to give a contributor undue influence. Raising the contribution limit also might make independent expenditures of campaign money less attractive and less necessary, because it would permit wider direct financial participation in the presidential campaigns. Finally, repealing the aggregate annual \$25 thou-

sand limit might make more campaign money available by permitting some donors to participate in a greater number of campaigns.

If, as proposed in President Reagan's tax simplification plan, the income tax checkoff and therefore presidential public funding were to be eliminated, the need to raise the individual contribution limit—perhaps beyond \$5,000 per contributor—would become a matter of great urgency. The alternative would be grossly underfunded campaigns unable to stimulate public discussion and debate of important issues, and an overwhelming advantage to well-known candidates able to exploit well-developed methods of raising numerous small contributions from many contributors.

General Election Campaigns

In the general election period, public funding, combined with a prohibition on private campaign contributions to the major-party nominees, was intended to equalize spending between nominees, to control or limit campaign spending, and to eliminate the possibility of large individual or interest group contributions influencing presidential election results. In 1976, when the law was newly enacted, those purposes mainly appear to have been achieved. But by 1980, and again in 1984, political partisans diverted a variety of private money into the campaigns: contributions to state and local party committees of soft money, to benefit presidential and other federal candidates; contributions to tax-exempt organizations conducting nominally nonpartisan voter drives that actually have the effect of benefitting the nominee of one or the other of the political parties; independent expenditures; and spending by labor unions and other organizations on internal communications and other activities to help nominees.

The last two presidential general election campaigns strongly suggest that in a political system such as that of the United States, which is animated by a variety of competing interests each of which is guaranteed freedom of expression, prohibiting private contributions and establishing strict spending limits does not work well. Those restrictions have served only to constrain the presidential campaign leadership because they have limited the amounts the central campaign organizations are able to spend directly but have placed outside the campaigns' control potentially unlimited sums disbursed, quite legally, to influence the election result.

In fact, a case may be made for eliminating the overall expenditure limit imposed on publicly funded general election candidates and replacing the current system with a system of public funding floors without spending ceilings. Candidates would be given public treasury grants and be allowed to spend as much beyond that amount as they could legally raise. The amount of the public grant to the nominees would have to be sufficient—perhaps \$25 million each—to provide them with at least threshold exposure to the electorate and give them the financial stability to reject questionably motivated private contributions. A grant of the same or lesser amounts also could be made to significant independent or minor-party candidates who achieve a stipulated degree of campaign support measured in money raised, signatures or registered voters collected, or a combination of the two. Or independent and minor-party candidates could be offered public matching funds using a screening system similar to that now used in the prenomination campaigns. Full disclosure would remain the chief instrument to control campaign spending.

In any case, allowing private contributions to presidential general election campaigns might open up a significant avenue for personal involvement in the

campaigns. If the contributions were limited to \$5,000 per contributor, as suggested for prenomination campaigns, no contributor would be likely to exert undue influence over a nominee. Permitting direct private contributions also might make means currently used to introduce private money into the campaign process less attractive. In particular, it might make independent expenditures less likely. Such expenditures often represent a desire on the part of interested citizens and groups to participate financially in the election process. Permitting those interested persons or groups to contribute directly to the presidential campaigns they want to aid might satisfy that desire without the individuals and groups having to resort to independent spending that, however well intentioned, may be harmful to candidates on whose behalf it is done, because candidates cannot control it.

The elimination of presidential public funding, as proposed in President Reagan's tax simplification plan, raises several questions.

- What individual contribution limit would be appropriate for a presidential general election campaign completely funded by private contributions? General election campaigns are more expensive than prenomination campaigns and allow far less time for fund-raising. Would a higher contribution limit be called for? What, if any, is the highest limit that still would allow contributors and nominees to avoid charges of seeking or accepting improper influence?
- How would elimination of public funding affect political party spending? National party committees were permitted to spend a maximum of \$6.9 million on coordinated expenditures in 1984 to help their nominees. Should the party limit be repealed or raised? Would that give an unfair advantage to well-financed parties? How could parties help ease their nominees' fund-raising burdens?
- What effect would the elimination of public funding have on political action committee participation in financing presidential campaigns? After public funding of presidential campaigns was enacted, interest group money, in the form of PAC contributions, moved from presidential to congressional campaigns. Would more PAC money move back to presidential campaigns if those campaigns were funded entirely by private contributions? What PAC contribution limit is desirable?

The implications of eliminating public funding of presidential campaigns are profound. The proposal requires careful consideration to assure that whatever system is adopted be fair and open and permit the widest possible dissemination of information and opinion on election issues. But with or without public funding, consideration can be given to raising individual contribution limits. Because of the relatively large number of \$1,000 contributors to presidential campaigns, a 35 percent increase in campaign funding could be expected if the contribution limit were raised to \$5,000.

Appendix E Biographies

Members of the Commission on National Elections

Herbert E. Alexander (commission special adviser) is professor of political science at the University of Southern California and director of the Citizens' Research Foundation. He has written extensively on matters relating to money in politics, including *Financing the 1984 Election* (Lexington, Mass.: Lexington Books), which will be the seventh in his quadrennial series.

Roone Arledge was recently named group president for ABC News and Sports. He created many news and sports broadcasts including: "World News Tonight," "20/20," "Nightline," "Viewpoint," "ABC Wide World of Sports," and "Monday Night Football." He has produced coverage of nine Olympic games.

Lloyd Bentsen is a three-term U.S. Senator from Texas. He is ranking member of the Committee on Environment and Public Works, a member of the Joint Economic Committee, the Senate Finance Committee, the Senate Intelligence Committee, and the Joint Committee on Taxation.

Michael S. Berman is a partner in the Washington, D.C., law firm of Kirkpatrick & Lockhart. He has worked extensively with former Vice President Walter Mondale, as transition director (January 1981-June 1981), as legal counsel and deputy chief of staff to the Vice President (1977-1981), and as special assistant and executive assistant to Senator Mondale (1967-1972). Berman was treasurer for the Mondale presidential campaign in 1983.

Wayne L. Berman (commission codirector) is currently a partner in the firm of Berman, Bergner and Boyette, Inc.. He was director of Corporate and Political Affairs at CSIS and deputy director of the Resources and Development Group of President Reagan's transition team. Berman contributed to *The Critical Link: Energy and National Security in the 1980s* (Cambridge, Mass.: Ballinger, 1982), published by the CSIS Project on Energy and National Security, and he coauthored, with Robert Hunter, *Making the Government Work: Legislative-Executive Reform* (Washington, D.C.: The Center for Strategic and International Studies, 1985).

Charles R. Black, Jr. is president of the firm of Black, Manafort, Stone & Kelly. He served as senior adviser to the Reagan-Bush Campaign (1984) and as political director of the Reagan Campaign (1979-1980).

Thornton F. Bradshaw is chairman of the Board of Directors of RCA, a company he joined in 1981 after 24 years with the Atlantic Richfield Corporation, having served as its president. He is chairman of the Center for Communications and vice chairman of the Aspen Institute.

Dean Burch is a partner in the Washington, D.C., law firm of Pierson, Ball & Dowd. He was chairman of the Federal Communications Commission (1969-1974) and counsellor to Presidents Nixon and Ford (1974). Burch has served as chairman of the U.S. delegation to the first session of the 1985 World Administration Radio Conference on the Use of the Geostationary-Satellite Orbit and the Planning of Space Services Utilizing It (Space WARC).

Tony Coelho is a four-term U.S. Representative from the Fifteenth Congressional District of California. Congressman Coelho was elected chairman of the Democratic Congressional Campaign Committee in 1981, serves as majority whip-at-large, and was a member of the Democratic Steering and Policy Committee (1981-1984).

William T. Coleman, Jr. is a senior partner in the law firm of O'Melveny & Myers of Washington, D.C., Los Angeles, and New York. Prior to joining the firm, he served in the cabinet of President Ford as secretary of transportation (1975-1977) and was a distinguished fellow at the Woodrow Wilson International Center for Scholars.

Frank J. Fahrenkopf, Jr. is chairman of the Republican National Committee. Prior to his election in 1983, he served as national chairman of the Republican State Chairmen's Association, chairman of the Western States Republican Chairmen's Association, and state chairman of the Nevada Republican Party (1975-1983).

Charles D. Ferris has been a partner of the law firm of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo since 1981. He is former chairman of the Federal Communications Commission (1977-1981). Ferris also served as general counsel to the speaker of the House (1977) and chief counsel to the Senate majority leader (1963-1976).

Wendell H. Ford is a two-term U.S. Senator from Kentucky. He is ranking member of the Committee on Rules and Administration, and he also serves on the Commerce, Science and Transportation and on the Energy and Natural Resources committees. Senator Ford was governor of Kentucky, lieutenant governor, and member of the Kentucky Senate.

Katharine Graham has been chairman and chief executive officer of The Washington Post Company since 1973. She has also served as publisher of the *Washington Post* (1969-1979) and as president of The Washington Post Company (1963-1973).

Lawrence K. Grossman became president of NBC News in April 1984. He was president and chief executive officer of the Public Broadcasting Service from 1976 to 1984 and prior to that, he headed his own advertising and production company and was vice president for advertising at NBC.

Loyd Hackler has been president of the American Retail Federation since 1975. Before that, he was administrative assistant to Senator Lloyd Bentsen (1971-1975). Hackler also served as assistant press secretary to President Johnson.

Pamela C. Harriman is a member of the National Finance Council of the Democratic National Committee, the Executive Committee of the Democratic House and Senate Council, Senate Leadership Committee, the Advisory Board of the Democratic Media Center, and the Democratic National Committee Board of Directors. She is cofounder of Democrats for the '80s.

John Heinz is a two-term U.S. Senator from Pennsylvania. He serves as chairman of the Senate Special Committee on Aging, and he is a member of the Committee on Banking, Housing and Urban Affairs and the Committee on Finance. Senator Heinz also served in the House of Representatives for six years (1970-1976).

Robert E. Hunter (commission codirector) is director of European studies and senior fellow in Middle Eastern studies at CSIS. He served on the staff of the National Security Council as director of West European affairs (1977-1979) and director of Middle East affairs (1979-1981). He was also foreign policy adviser to Senator Edward Kennedy (1973-1977), adviser to Vice President Hubert Humphrey, and member of the Johnson White House staff.

Hamilton Jordan is currently a political commentator for Cable News Network and a candidate for the U.S. Senate from Georgia. He was chief of staff to President Jimmy Carter (1977-1981) and principal architect of the 1976 Carter presidential campaign.

Vernon E. Jordan, Jr. is currently a partner in the law firm of Akin, Gump, Strauss, Hauer & Feld. He has held numerous public positions and written a weekly syndicated newspaper column. Jordan previously served as president of the National Urban League, Inc., and as executive director of the United Negro College Fund.

John F. Kennedy (commission staff director) is currently deputy to the director of European studies at CSIS (1983-present) and formerly deputy to the directors of the Executive-Legislative Relations Project (1983-1985). Before joining CSIS, he was a development consultant with the Martin J. Moran Company (1978-1982).

Paul G. Kirk, Jr. has been chairman of the Democratic National Committee (DNC) since 1985. He was treasurer of the DNC (1983-1985), national political director of the Kennedy for President Committee (1979-1980), and special assistant to Senator Edward Kennedy (1971-1977).

Lane Kirkland was elected president of the AFL-CIO in 1979. Before that, he had served for 10 years as secretary-treasurer for the AFL-CIO. He is a member of the International Organization of Masters, Mates, and Pilots and has served on numerous presidential commissions.

Melvin R. Laird (commission cochairman) is currently senior counsellor for national and international affairs, The Reader's Digest Association. In almost 40 years of public life, Laird has served as secretary of defense (1969-1973), as counsellor to the president for domestic affairs (1973-1974), as congressman (1952-1968), and as Wisconsin state senator (1946-1952). He is the author or editor of several public affairs volumes and the recipient of numerous awards, including a citation from the National Press Corps, Washington, D.C. as the Best Secretary of Defense in the DoD's history (1979).

William Leonard is a consultant to CBS, following his retirement as president of CBS News in 1982. His long career with CBS included "CBS Reports," heading the CBS News Election Unit and CBS News programming, vice president for government relations, and executive vice president. He is winner of a George Foster Peabody award and several Emmys.

Leonard H. Marks has practiced law since 1939 and has been a member of the firm of Cohn & Marks from 1946-1965 and from 1969-present. Former director of the U.S. Information Agency, Marks is currently chairman of the Foreign Policy Association and chairman of the CSIS Executive Committee.

Lynn Martin is a three-term U.S. Representative from the Sixteenth District of Illinois. She serves on the Committee on Armed Services and the Committee on Budget and is the fourth ranking Republican in the House leadership. Prior to her election in 1981, Representative Martin was an Illinois State Senator.

Charles McC. Mathias, Jr. is a three-term U.S. Senator from Maryland. He is chairman of the Committee on Rules Administration, which oversees the Federal Election Commission and laws governing campaign finance. Senator Mathias also serves on the Committees on Foreign Relations, Judiciary, and Governmental Affairs.

Richard Moe has been a lawyer at Davis, Polk & Wardell since 1981. He was chief of staff to Vice President Walter Mondale during the Carter administration and administrative assistant to Senator Mondale (1972-1977). He has also served as chairman of the Minnesota Democratic-Farmer-Labor Party (1969-1972).

Edward N. Ney is chairman of Young & Rubicam, Inc. He was appointed to the Board of International Broadcasting by President Reagan in 1984. He also served on the President's Private Sector Survey on Cost Control (the Grace Commission) and on the Services Policy Advisory Committee of the U.S. Trade Representative. Ney is currently vice chairman of both the Advertising Council and the Foreign Policy Association.

John E. O'Toole is chairman of Foote, Cone & Belding Communications, a company he joined in 1954. He is former chairman of the American Association of Advertising (1984-1985) and is the author of *The Trouble with Advertising* (New York, N.Y.: Random House, 1981).

Dorothy S. Ridings was elected president of the League of Women Voters in 1982. She founded her own firm, Ridings Communications, in 1983. Ridings served as editor of the *Kentucky Business Ledger* (1980-1983) and as its news editor (1977-1980).

Charles S. Robb was elected governor of Virginia in 1981. Previously, he served as lieutenant governor and president of the Virginia Senate (1978-1982). He is immediate past chairman of the Southern Governors' Association and the Democratic Governors' Association.

Robert E. Rubin is a general partner of Goldman, Sachs & Company. He served as New York State finance chairman of the Mondale Campaign (1983-1984) and as chairman of the Democratic Congressional Dinner (1982).

John P. Sears is currently a lawyer in his own practice and a leading political commentator. He was campaign manager of the Reagan for President Committee (1979-1980) and Citizens for Reagan (1975-1976). John Sears was deputy counsel to President Nixon (1969) and political adviser (1965-1966).

Richard P. Shinn retired in 1983 as chairman of Metropolitan Life Insurance Company, after 44 years with the company, becoming president in 1969 and chief executive officer in 1973. He continues to serve on the Metropolitan board of directors and with a wide variety of business, civic, educational, and cultural institutions.

Robert S. Strauss (commission cochairman) is a founding lawyer of the firm Akin, Gump, Strauss, Hauer & Feld and has served as chairman of the Democratic National Committee (1973-1976). He was U.S. special trade representative and the president's personal representative to the Middle East peace negotiations. He received the Presidential Medal of Freedom in 1981.

John H. Sununu is the two-term governor of New Hampshire. He is a member of the Executive Committee of the National Governors' Association and vice chairman of the Republican Governors' Association. Prior to 1982, he was president of JHS Engineering Company and Thermal Research Inc.

Preston Robert Tisch has been president and chief operating officer of Loews Corporation since 1960. He is also chairman of the Executive Committee of the Board of Directors. Tisch is chairman of the New York Convention & Visitors Bureau and in 1976 and 1980 was chairman of the Citizens Committee for the Democratic National Convention.

Guy Vander Jagt is a 10-term U.S. Representative from Michigan's Ninth Congressional District. He has been chairman of the National Republican Congressional Committee since 1975 and serves on the House Ways and Means Committee. Congressman Vander Jagt also served in the Michigan State Senate.

Lew R. Wasserman is chairman of the board and chief executive officer of MCA, Inc. He has been with MCA since 1936 and became its president in 1946 and chairman in 1973. Wasserman is a trustee of the Lyndon Baines Johnson Foundation and the John F. Kennedy Library.

Notes

1. Statistics on this point vary, depending on assumptions about the number of eligible voters. These figures are drawn from the 1980 Voter Supplement of the Census Bureau's Current Population Survey in U.S. Bureau of the Census, *Current Population Reports*, Series P-20, N. 370, pp. 31-32 (88.6 percent), and the Vote Validation Study of the University of Michigan's Center for Political Studies, *The American National Election Study, 1980* (86.8 percent), as cited by Dr. Raymond E. Wolfinger, David P. Glass, and Peverill Squire in "Predictors of Electoral Turnout: An International Comparison." In 1984, the University of Michigan estimated that 84.9 percent of registered voters went to the polls.

2. The composition of the population of New Hampshire fits more closely a national profile of the Republican Party than of the Democratic Party.

3. The following indicates a possible distribution of delegate-selection contests by date for the 1984 campaign, representing a variant of a plan suggested by Representative Morris Udall in testimony before the commission, that would have provided a season from early February to June 12 (dates chosen are for the most "visible" part of the selection process in each state):

February 20&28	March 13	April 3	May 8	June 5	
Iowa New Hampshire (Maine)	American Somoa Alabama Florida Georgia Hawaii Massachusetts Nevada Oklahoma Rhode Island Washington (Alaska) (Arkansas) (Delaware) (Kentucky) (Illinois) (Michigan) (Minnesota) (Mississippi) (Puerto Rico) (South Carolina)	Lousiana New York Wisconsin (Connecticut) (Virgin Islands) (Pennsylvania) ((Arizona)) ((Kansas)) ((North Dakota)) ((Montana)) ((Virginia))	Indiana Maryland North Carolina Ohio (Colorado) (District of Columbia) (Louisiana) (Nebraska) (Oregon) (Tennessee) (Texas) ((Guam)) ((Utah)) ((Vermont))	California New Jersey New Mexico South Dakota West Virginia ((Idaho))	
Totals	3	21	11	14	6

(Note: Jurisdictions in parentheses are those that fell within one week either side of the column date; jurisdictions in double parentheses fell outside that window.)

Of a total of 55 jurisdictions that held some form of "visible" process involving the presidential nominations in 1984, 22 (excluding Iowa and New Hampshire) would have been asked to move the date less than a week to conform to this schedule. Only nine would have to move more than one week. The delegate selection season could have been reduced to a total of three months, plus the early February date to accommodate Iowa and New Hampshire in their desire to be "first," while grouping the remaining jurisdictions on four dates. These groups, as shown above, reflect a good regional mix to avoid being regional primaries, while providing a breathing space between the primary dates to give candidates more time for reflection, rest, and planning. Of course, far too many would have occurred on one date, March 13, thus arguing for more spreading out.

4. For example, television costs at all political campaign levels rose from \$10.1 million in 1960 to \$180 million in 1984, an increase of 1,782 percent. In presidential general election campaigns, television costs increased from \$5.1 million in 1960 to \$40 million in 1984, a rise of 784 percent.

5. The tax checkoff has been on federal income tax forms since 1972 and is used to earmark \$1 on individual returns and \$2 on joint returns for the Presidential Election Campaign Fund. The money is aggregated each year, with the payout every presidential election year, in the form of public funding for presidential campaigns. The money is distributed to qualified candidates as matching funds in the prenomination campaigns and as flat grants for the general election. It is also available to the major parties to fund their national nominating conventions. After paying out approximately \$133.5 million in 1984 to 11 prenomination candidates and the Democratic and Republican Parties, \$92.7 million was left in the public fund. Tax year 1984 checkoffs of \$35 million plus tax year 1985 checkoffs should provide enough money to fund publicly the 1988 presidential primaries, nominating conventions, and general election.

6. The requirement is to raise \$5,000 in each of 20 states in individual contributions of no more than \$250 each. This means a minimum of 400 people nationwide and a total of \$100,000. No funds raised before January 1 of the year preceding election year count toward the total.

7. According to the Federal Election Commission, the total number of Political Action Committees registered with the FEC grew from 608 in 1974 to 3,371 in 1982. Growth was greatest in corporate PACs (89 to 1,467) and less so for labor unions (201 to 380) and associations (318 to 628).

8. These figures and those cited below are taken from U.S. Department of Commerce, Bureau of the Census, *Current Population Reports*, Series P-20, No. 397, January 1985.

9. Registration figures—1976: 66.7 percent; 1980:66.9 percent; 1984:68.3 percent.

10. See footnote 1.

11. Wolfinger, Glass, and Squire point out in "Predictors of Electoral Turnout" that, since the overwhelming majority of people who are registered actually vote, changing the hours and dates of voting are unlikely to have much impact. Making registration easier could have an impact, especially in moving the closing date closer to election day.

12. Critics of election projections have suggested that calling a race before all the polls close in every state results in a significant drop in voter turnout on the West Coast, which could affect the outcome of the presidential race, or at least the outcome of some close local races. Other observers disagree. On November 13, 1984, the *Christian Science Monitor* reported the following: "William C. Adams, a professor of public administration at George Washington University attempted to take a scientific look at the effect of exit polls on (election night). Using public polling techniques, Dr. Adams's team of researchers contacted 1,256 people in Oregon to measure the impact of TV polls and projections. Adams's findings surprised some critics. First, he concluded that there was no evidence that the early announcement depressed turnout anywhere near the extent that has been popularly believed. 'Our research,' Dr. Adams said, 'was unable to uncover any significant damage in Oregon due to projections.'"

13. Several uniform regional poll closing-time bills have been introduced in Congress. On October 10, 1985, the House Administration Committee's Subcommittee on Elections amended and approved HR-3525, which provides that all polling places in the continental United States would close at 9 p.m. eastern standard time, and that daylight saving time would be extended for two weeks in the Pacific time zone in presidential election years. This translates to 9 p.m. in the eastern time zone, 8 p.m. in the central time zone, and 7 p.m. in the mountain and Pacific time zones. The bill passed the full committee in late October.

CSIS Titles of Related Interest

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—From the Foreword

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CSIS conducted an 18-month Legislative-Executive Relations Project (1983-1985) to examine the state of relations between these two branches of government and to suggest appropriate reforms. A bipartisan steering committee with a wide range of experience in Congress or the executive branch reviewed, discussed, and debated analytical case studies written by respected academics. The committee then identified underlying problems and proposed possible corrective measures which are presented here in summary form.

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Congressional Leadership: Seeking a New Role

by Richard Cohen

Mr. Cohen analyzes the influence of House and Senate party leaders on the work of Congress, gives a brief history focussing on the most effective figures, and discusses the breakdown in the 1970s of the old power relationships—typified by the seniority system. He not only reviews the role leaders have played in the diffusion of congressional power but also how these changes have affected the leaders and institution.

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Foreign Policy Makers: President vs. Congress

by David M. Abshire

Dr. Abshire examines the history of America's predilection for congressional government and its subsequent alternating periods of congressional and presidential domination in foreign policy—a pattern that was interrupted by the ascendancy of the Executive in foreign policy during World War II. He analyzes in detail the breakdown of that power after 1965, the pros and cons of the recent period of neocongressional government, and examines the decentralization of the Congress and the decline of party discipline. He then suggests a possible synthesis to carry out foreign policy more effectively—with more certainty and predictability for allies and adversaries alike.

78pp.; 1979; paperback

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**Memorandum of Agreement on
Presidential Candidate Joint Appearances
November 26, 1985**

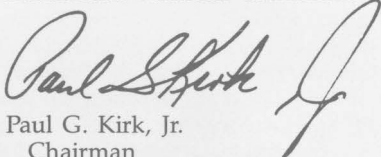
Frank J. Fahrenkopf, Jr., Chairman of the Republican National Committee, and Paul G. Kirk, Jr., Chairman of the Democratic National Committee, acknowledge and recognize that nationally televised joint appearances by the presidential nominees of both parties have often played an important and constructive role in recent presidential campaigns. We hope that they will play a similar role in future presidential campaigns, and we hereby commit ourselves toward achieving that goal. We recognize, of course, that the ultimate decision regarding participation in joint appearances will necessarily be made by the nominees themselves. Nonetheless, this memorandum of agreement is intended to express our strong belief that joint appearances deserve to be made a permanent and integral part of the presidential election process and our determination to bring that about.

It is our bipartisan view that a primary responsibility of each major political party is to educate and inform the American electorate of its fundamental philosophy and policies as well as its candidates' positions on critical issues. One of the most effective means of fulfilling that responsibility is through nationally televised joint appearances conducted between the presidential and vice presidential nominees of the two major political parties during general election campaigns. Therefore, to better fulfill our parties' responsibilities for educating and informing the American public and to strengthen the role of political parties in the electoral process, it is our conclusion that future joint appearances should be principally and jointly sponsored and conducted by the Republican and Democratic National Committees.

We believe that the format and most other details of joint appearances for each general election campaign should be determined through negotiations between the chairmen and the nominees of the two political parties (or their designees) following the nominating conventions of each presidential election year.

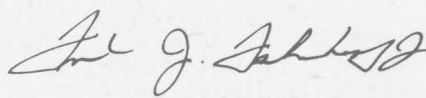
We thank the League of Women Voters for having effectively laid the ground work on which we are building today. We hope that the League will continue to offer its experience, advice, and resources to the joint appearance process.

Democratic National Committee



Paul G. Kirk, Jr.
Chairman

Republican National Committee



Frank J. Fahrenkopf, Jr.
Chairman



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