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Public Law 92-225
92nd Congress, S. 382
February 7, 1972

An Act

To promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Federal Election Campaign Act of 1971".

Federal Election Campaign Act of 1971.

TITLE I—CAMPAIGN COMMUNICATIONS

SHORT TITLE

SEC. 101. This title may be cited as the "Campaign Communications Reform Act".

Citation of title.

DEFINITIONS

SEC. 102. For purposes of this title:

(1) The term "communications media" means broadcasting stations, newspapers, magazines, outdoor advertising facilities, and telephones; but, with respect to telephones, spending or an expenditure shall be deemed to be spending or an expenditure for the use of communications media only if such spending or expenditure is for the costs of telephones, paid telephonists, and automatic telephone equipment, used by a candidate for Federal elective office to communicate with potential voters (excluding any costs of telephones incurred by a volunteer for use of telephones by him).

(2) The term "broadcasting station" has the same meaning as such term has under section 315(f) of the Communications Act of 1934.

86 STAT. 3
86 STAT. 4

(3) The term "Federal elective office" means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States (and for purposes of section 103(b) such term includes the office of Vice President).

Post, p. 7.

(4) The term "legally qualified candidate" means any person who (A) meets the qualifications prescribed by the applicable laws to hold the Federal elective office for which he is a candidate, and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors.

(5) The term "voting age population" means resident population, eighteen years of age and older.

(6) The term "State" includes the District of Columbia and the Commonwealth of Puerto Rico.

MEDIA RATE AND RELATED REQUIREMENTS

SEC. 103. (a) (1) Section 315(b) of the Communications Act of 1934 is amended to read as follows:

66 Stat. 717.
47 USC 315.

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office in connection with his campaign for nomination for election, or election, to such office shall not exceed—

"(1) during the forty-five days preceding the date of a primary or primary runoff election and during the sixty days preceding the date of a general or special election in which such person is a candidate, the lowest unit charge of the station for the same class and amount of time for the same period; and



"(2) at any other time, the charges made for comparable use of such station by other users thereof."

74 Stat. 894.
47 USC 312.

(2) (A) Section 312(a) of such Act is amended by striking "or" at the end of clause (5), striking the period at the end of clause (6) and inserting in lieu thereof a semicolon and "or", and adding at the end of such section 312(a) the following new paragraph:

"(7) for willful or repeated failure to allow reasonable access to or to permit purchase of reasonable amounts of time for the use of a broadcasting station by a legally qualified candidate for Federal elective office on behalf of his candidacy."

66 Stat. 717.
47 USC 315.
Nonbroadcast
media rates.

(B) The second sentence of section 315(a) of such Act is amended by inserting "under this subsection" after "No obligation is imposed".

(b) To the extent that any person sells space in any newspaper or magazine to a legally qualified candidate for Federal elective office, or nomination thereto, in connection with such candidate's campaign for nomination for, or election to, such office, the charges made for the use of such space in connection with his campaign shall not exceed the charges made for comparable use of such space for other purposes.

86 STAT. 4
86 STAT. 5

LIMITATIONS OF EXPENDITURES FOR USE OF COMMUNICATIONS MEDIA

SEC. 104. (a) (1) Subject to paragraph (4), no legally qualified candidate in an election (other than a primary or primary runoff election) for a Federal elective office may—

(A) spend for the use of communications media on behalf of his candidacy in such election a total amount in excess of the greater of—

(i) 10 cents multiplied by the voting age population (as certified under paragraph (5)) of the geographical area in which the election for such office is held, or

(ii) \$50,000, or

(B) spend for the use of broadcast stations on behalf of his candidacy in such election a total amount in excess of 60 per centum of the amount determined under subparagraph (A) with respect to such election.

Primaries.

(2) No legally qualified candidate in a primary election for nomination to a Federal elective office, other than President, may spend—

(A) for the use of communications media, or

(B) for the use of broadcast stations,

on behalf of his candidacy in such election a total amount in excess of the amounts determined under paragraph (1) (A) or (B), respectively, with respect to the general election for such office. For purposes of this subsection a primary runoff election shall be treated as a separate primary election.

Presidential
primaries.

(3) (A) No person who is a candidate for presidential nomination may spend—

(i) for the use in a State of communications media, or

(ii) for the use in a State of broadcast stations,

on behalf of his candidacy for presidential nomination a total amount in excess of the amounts which would have been determined under paragraph (1) (A) or (B), respectively, had he been a candidate for election for the office of Senator from such State (or for the office of Delegate or Resident Commissioner in the case of the District of Columbia or the Commonwealth of Puerto Rico).

(B) For purposes of this paragraph (3), a person is a candidate for presidential nomination if he makes (or any other person makes on his behalf) an expenditure for the use of any communications medium on behalf of his candidacy for any political party's nomination for election to the office of President. He shall be considered to be such a candidate during the period—

(i) beginning on the date on which he (or such other person) first makes such an expenditure (or, if later, January 1 of the year in which the election for the office of President is held), and

(ii) ending on the date on which such political party nominates a candidate for the office of President.

For purposes of this title and of section 315 of the Communications Act of 1934, a candidate for presidential nomination shall be considered a legally qualified candidate for public office.

(C) The Comptroller General shall prescribe regulations under which any expenditure by a candidate for presidential nomination for the use in two or more States of a communications medium shall be attributed to such candidate's expenditure limitation in each such State, based on the number of persons in such State who can reasonably be expected to be reached by such communications medium.

66 Stat. 717;
73 Stat. 557.
47 USC 315.
Regulations.
86 STAT. 5
86 STAT. 6

(4)(A) For purposes of subparagraph (B):

(i) The term "price index" means the average over a calendar year of the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics.

"Price index."

(ii) The term "base period" means the calendar year 1970.

"Base period."

(B) At the beginning of each calendar year (commencing in 1972), as there becomes available necessary data from the Bureau of Labor Statistics of the Department of Labor, the Secretary of Labor shall certify to the Comptroller General and publish in the Federal Register the per centum difference between the price index for the 12 months preceding the beginning of such calendar year and the price index for the base period. Each amount determined under paragraph (1)(A)(i) and (ii) shall be increased by such per centum difference. Each amount so increased shall be the amount in effect for such calendar year.

Publication in Federal Register.

(5) Within 60 days after the date of enactment of this Act, and during the first week of January in 1973 and every subsequent year, the Secretary of Commerce shall certify to the Comptroller General and publish in the Federal Register an estimate of the voting age population of each State and congressional district for the last calendar year ending before the date of certification.

Publication in Federal Register.

(6) Amounts spent for the use of communications media on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of communications media by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this section, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

(7) For purposes of this section and section 315(c) of the Communications Act of 1934—

Post, p. 7.

(A) spending and charges for the use of communications media include not only the direct charges of the media but also agents' commissions allowed the agent by the media, and

(B) any expenditure for the use of any communications medium by or on behalf of the candidacy of a candidate for Federal elective office (or nomination thereto) shall be charged against the expenditure limitation under this subsection applicable to the election in which such medium is used.

(b) No person may make any charge for the use by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) of any newspaper, magazine, or outdoor advertising facility, unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies in writing to the

Certification requirement.

person making such charge that the payment of such charge will not violate paragraph (1), (2), or (3) of subsection (a), whichever is applicable.

66 Stat. 717.
47 USC 315.

(c) Section 315 of the Communications Act of 1934 is amended by redesignating subsection (c) as subsection (g) and by inserting after subsection (b) the following new subsections:

"(c) No station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate for Federal elective office (or for nomination to such office) unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate any limitation specified in paragraph (1), (2), or (3) of section 104(a) of the Campaign Communications Reform Act, whichever paragraph is applicable.

Ante, p. 5.

"(d) If a State by law and expressly—

"(1) has provided that a primary or other election for any office of such State or of a political subdivision thereof is subject to this subsection,

"(2) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election,

"(3) has provided in any such law an unequivocal expression of intent to be bound by the provisions of this subsection, and

"(4) has stipulated that the amount of such limitation shall not exceed the amount which would be determined for such election under section 104(a)(1)(B) or 104(a)(2)(B) (whichever is applicable) of the Campaign Communications Reform Act had such election been an election for a Federal elective office or nomination thereto;

then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate (or a person specifically authorized by such candidate in writing to do so) certifies to such licensee in writing that the payment of such charge will not violate such State limitation.

Penalty.

"(e) Whoever willfully and knowingly violates the provisions of subsection (c) or (d) of this section shall be punished by a fine not to exceed \$5,000 or imprisonment for a period not to exceed five years, or both. The provisions of sections 501 through 503 of this Act shall not apply to violations of either such subsection.

47 USC 501-503.

Definitions.

"(f) (1) For the purposes of this section:

"(A) The term 'broadcasting station' includes a community antenna television system.

"(B) The terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, means the operator of such system.

"(C) The term 'Federal elective office' means the office of President of the United States, or of Senator or Representative in, or Resident Commissioner or Delegate to, the Congress of the United States.

"(2) For purposes of subsections (c) and (d), the term 'legally qualified candidate' means any person who (A) meets the qualifications prescribed by the applicable laws to hold the office for which he is a candidate and (B) is eligible under applicable State law to be voted for by the electorate directly or by means of delegates or electors."

REGULATIONS

SEC. 105. The Comptroller General shall prescribe such regulations as may be necessary or appropriate to carry out sections 102, 103(b), 104(a), and 104(b) of this Act.



PENALTIES

SEC. 106. Whoever willfully and knowingly violates any provision of section 103(b), 104(a), or 104(b) or any regulation under section 105 shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than five years, or both.

TITLE II—CRIMINAL CODE AMENDMENTS

SEC. 201. Section 591 of title 18, United States Code, is amended 62 Stat. 719. to read as follows:

§ 591. Definitions

"When used in sections 597, 599, 600, 602, 608, 610, and 611 of this title—

Post, pp. 9, 10.

"(a) 'election' means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(b) 'candidate' means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal office, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

"(c) 'Federal office' means the office of President or Vice President of the United States, or Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

"(d) 'political committee' means any individual, committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

"(e) 'contribution' means—

"(1) a gift, subscription, loan, advance, or deposit of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make a contribution for such purposes;

"(3) a transfer of funds between political committees;

Exception.

"(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or political committee without charge for any such purpose; and

"(5) notwithstanding the foregoing meanings of 'contribution', the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee;

"(f) 'expenditure' means—

"(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business), made for the purpose of influencing the nomination for election, or election, of any person to Federal office, for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

"(2) a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure; and

"(3) a transfer of funds between political committees;

"(g) 'person' and 'whoever' mean an individual, partnership, committee, association, corporation, or any other organization or group of persons; and

"(h) 'State' means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States."

62 Stat. 721.

SEC. 202. Section 600 of title 18, United States Code, is amended to read as follows:

"§ 600. Promise of employment or other benefit for political activity

"Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined not more than \$1,000 or imprisoned not more than one year, or both."

62 Stat. 723.

SEC. 203. Section 608 of title 18, United States Code, is amended to read as follows:

"§ 608. Limitations on contributions and expenditures

"(a) (1) No candidate may make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election, or election, to Federal office in excess of—

"(A) \$50,000, in the case of a candidate for the office of President or Vice President;

"(B) \$35,000, in the case of a candidate for the office of Senator; or

"(C) \$25,000, in the case of a candidate for the office of Representative, or Delegate or Resident Commissioner to the Congress.

"(2) For purposes of this subsection, 'immediate family' means a candidate's spouse, and any child, parent, grandparent, brother, or sister of the candidate, and the spouses of such persons.

"Immediate family."

"(b) No candidate or political committee shall knowingly accept any contribution or authorize any expenditure in violation of the provisions of this section.

"(c) Violation of the provisions of this section is punishable by a fine not to exceed \$1,000, imprisonment for not to exceed one year, or both."

Penalty.

SEC. 204. Section 609 of title 18, United States Code, is repealed.

Repeal.

SEC. 205. Section 610 of title 18, United States Code, relating to contributions or expenditures by national banks, corporations, or labor organizations, is amended by adding at the end thereof the following paragraph:

62 Stat. 723.

"As used in this section, the phrase 'contribution or expenditure' shall include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value (except a loan of money by a national or State bank made in accordance with the applicable banking laws and regulations and in the ordinary course of business) to any candidate, campaign committee, or political party or organization, in connection with any election to any of the offices referred to in this section; but shall not include communications by a corporation to its stockholders and their families or by a labor organization to its members and their families on any subject; nonpartisan registration and get-out-the-vote campaigns by a corporation aimed at its stockholders and their families, or by a labor organization aimed at its members and their families; the establishment, administration, and solicitation of contributions to a separate segregated fund to be utilized for political purposes by a corporation or labor organization: *Provided*, That it shall be unlawful for such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction."

"Contribution or expenditure."

SEC. 206. Section 611 of title 18, United States Code, is amended to read as follows:

62 Stat. 724.

"§ 611. Contributions by Government contractors

"Whoever—

"(a) entering into any contract with the United States or any department or agency thereof either for the rendition of personal services or furnishing any material, supplies, or equipment to the United States or any department or agency thereof or for selling any land or building to the United States or any department or agency thereof, if payment for the performance of such contract or payment for such material, supplies, equipment, land, or building is to be made in whole or in part from funds appropriated by the Congress, at any time between the commencement of negotiations for and the later of (1) the completion of performance under, or (2) the termination of negotiations for, such contract or furnishing of material, supplies, equipment, land or buildings, directly or indirectly makes any contribution of money or other thing of value, or promises expressly or impliedly to make any such contribution, to any political party, committee, or candidate for public office or to any person for any political purpose or use; or

"(b) knowingly solicits any such contribution from any such person for any such purpose during any such period; shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

SEC. 207. The table of sections for chapter 29 of title 18, United States Code, is amended by—

(1) striking out the item relating to section 608 and inserting in lieu thereof the following:

"608. Limitations on contributions and expenditures.";

(2) striking out the item relating to section 609 and inserting in lieu thereof the following:

"609. Repealed.";

(3) striking out the item relating to section 611 and inserting in lieu thereof the following:

"611. Contributions by Government contractors."

TITLE III—DISCLOSURE OF FEDERAL CAMPAIGN FUNDS

DEFINITIONS

SEC. 301. When used in this title—

(a) "election" means (1) a general, special, primary, or runoff election, (2) a convention or caucus of a political party held to nominate a candidate, (3) a primary election held for the selection of delegates to a national nominating convention of a political party, (4) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (5) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(b) "candidate" means an individual who seeks nomination for election, or election, to Federal office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, if he has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(c) "Federal office" means the office of President or Vice President of the United States; or of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress of the United States;

(d) "political committee" means any committee, association, or organization which accepts contributions or makes expenditures during a calendar year in an aggregate amount exceeding \$1,000;

(e) "contribution" means—

(1) a gift, subscription, loan, advance, or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office or as a presidential or vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expres-

sion of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make a contribution for any such purpose;

(3) a transfer of funds between political committees;

(4) the payment, by any person other than a candidate or political committee, of compensation for the personal services of another person which are rendered to such candidate or committee without charge for any such purpose; and

(5) notwithstanding the foregoing meanings of "contribution", the word shall not be construed to include services provided without compensation by individuals volunteering a portion or all of their time on behalf of a candidate or political committee; Exception.

(f) "expenditure" means—

(1) a purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person to Federal office, or as a presidential and vice-presidential elector, or for the purpose of influencing the result of a primary held for the selection of delegates to a national nominating convention of a political party or for the expression of a preference for the nomination of persons for election to the office of President, or for the purpose of influencing the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States;

(2) a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure; and

(3) a transfer of funds between political committees;

(g) "supervisory officer" means the Secretary of the Senate with respect to candidates for Senator; the Clerk of the House of Representatives with respect to candidates for Representative in, or Delegate or Resident Commissioner to, the Congress of the United States; and the Comptroller General of the United States in any other case;

(h) "person" means an individual, partnership, committee, association, corporation, labor organization, and any other organization or group of persons; and

(i) "State" means each State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or possession of the United States.

ORGANIZATION OF POLITICAL COMMITTEES

SEC. 302. (a) Every political committee shall have a chairman and a treasurer. No contribution and no expenditure shall be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of chairman or treasurer thereof. No expenditure shall be made for or on behalf of a political committee without the authorization of its chairman or treasurer, or their designated agents.

(b) Every person who receives a contribution in excess of \$10 for a political committee shall, on demand of the treasurer, and in any event within five days after receipt of such contribution, render to the treasurer a detailed account thereof, including the amount, the name and

86 STAT. 13

address (occupation and the principal place of business, if any) of the person making such contribution, and the date on which received. All funds of a political committee shall be segregated from, and may not be commingled with, any personal funds of officers, members, or associates of such committee.

Recordkeeping.

(c) It shall be the duty of the treasurer of a political committee to keep a detailed and exact account of—

- (1) all contributions made to or for such committee;
- (2) the full name and mailing address (occupation and the principal place of business, if any) of every person making a contribution in excess of \$10, and the date and amount thereof;
- (3) all expenditures made by or on behalf of such committee; and
- (4) the full name and mailing address (occupation and the principal place of business, if any) of every person to whom any expenditure is made, the date and amount thereof and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made.

Receipts, preservation.

(d) It shall be the duty of the treasurer to obtain and keep a receipted bill, stating the particulars, for every expenditure made by or on behalf of a political committee in excess of \$100 in amount, and for any such expenditure in a lesser amount, if the aggregate amount of such expenditures to the same person during a calendar year exceeds \$100. The treasurer shall preserve all receipted bills and accounts required to be kept by this section for periods of time to be determined by the supervisory officer.

Unauthorized activities, notice.

(e) Any political committee which solicits or receives contributions or makes expenditures on behalf of any candidate that is not authorized in writing by such candidate to do so shall include a notice on the face or front page of all literature and advertisements published in connection with such candidate's campaign by such committee or on its behalf stating that the committee is not authorized by such candidate and that such candidate is not responsible for the activities of such committee.

Funds solicitation, notice.

(f) (1) Any political committee shall include on the face or front page of all literature and advertisements soliciting funds the following notice:

"A copy of our report filed with the appropriate supervisory officer is (or will be) available for purchase from the Superintendent of Documents, United States Government Printing Office, Washington, D.C. 20402."

Annual report.

(2) (A) The supervisory officer shall compile and furnish to the Public Printer, not later than the last day of March of each year, an annual report for each political committee which has filed a report with him under this title during the period from March 10 of the preceding calendar year through January 31 of the year in which such annual report is made available to the Public Printer. Each such annual report shall contain—

(i) a copy of the statement of organization of the political committee required under section 303, together with any amendments thereto; and

(ii) a copy of each report filed by such committee under section 304 from March 10 of the preceding year through January 31 of the year in which the annual report is so furnished to the Public Printer.

(B) The Public Printer shall make copies of such annual reports available for sale to the public by the Superintendent of Documents as soon as practicable after they are received from the supervisory officer.

REGISTRATION OF POLITICAL COMMITTEES; STATEMENTS

SEC. 303. (a) Each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall file with the supervisory officer a statement of organization, within ten days after its organization or, if later, ten days after the date on which it has information which causes the committee to anticipate it will receive contributions or make expenditures in excess of \$1,000. Each such committee in existence at the date of enactment of this Act shall file a statement of organization with the supervisory officer at such time as he prescribes.

(b) The statement of organization shall include—

- (1) the name and address of the committee;
- (2) the names, addresses, and relationships of affiliated or connected organizations;
- (3) the area, scope, or jurisdiction of the committee;
- (4) the name, address, and position of the custodian of books and accounts;
- (5) the name, address, and position of other principal officers, including officers and members of the finance committee, if any;
- (6) the name, address, office sought, and party affiliation of (A) each candidate whom the committee is supporting, and (B) any other individual, if any, whom the committee is supporting for nomination for election, or election, to any public office whatever; or, if the committee is supporting the entire ticket of any party, the name of the party;
- (7) a statement whether the committee is a continuing one;
- (8) the disposition of residual funds which will be made in the event of dissolution;
- (9) a listing of all banks, safety deposit boxes, or other repositories used;
- (10) a statement of the reports required to be filed by the committee with State or local officers, and, if so, the names, addresses, and positions of such persons; and
- (11) such other information as shall be required by the supervisory officer.

(c) Any change in information previously submitted in a statement of organization shall be reported to the supervisory officer within a ten-day period following the change.

(d) Any committee which, after having filed one or more statements of organization, disbands or determines it will no longer receive contributions or make expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall so notify the supervisory officer.

REPORTS BY POLITICAL COMMITTEES AND CANDIDATES

SEC. 304. (a) Each treasurer of a political committee supporting a candidate or candidates for election to Federal office, and each candidate for election to such office, shall file with the appropriate supervisory officer reports of receipts and expenditures on forms to be prescribed or approved by him. Such reports shall be filed on the tenth day of March, June, and September, in each year, and on the fifteenth and fifth days next preceding the date on which an election is held, and also by the thirty-first day of January. Such reports shall be complete as of such date as the supervisory officer may prescribe, which shall not be less than five days before the date of filing, except that any contribution of \$5,000 or more received after the last report is filed prior to the election shall be reported within forty-eight hours after its receipt.

Receipts and
expenditures.

Completion
date, exception.

(b) Each report under this section shall disclose—

(1) the amount of cash on hand at the beginning of the reporting period;

(2) the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to or for such committee or candidate (including the purchase of tickets for events such as dinners, luncheons, rallies, and similar fundraising events) within the calendar year in an aggregate amount or value in excess of \$100, together with the amount and date of such contributions;

(3) the total sum of individual contributions made to or for such committee or candidate during the reporting period and not reported under paragraph (2);

(4) the name and address of each political committee or candidate from which the reporting committee or the candidate received, or to which that committee or candidate made, any transfer of funds, together with the amounts and dates of all transfers;

(5) each loan to or from any person within the calendar year in an aggregate amount or value in excess of \$100, together with the full names and mailing addresses (occupations and the principal places of business, if any) of the lender and endorsers, if any, and the date and amount of such loans;

(6) the total amount of proceeds from (A) the sale of tickets to each dinner, luncheon, rally, and other fundraising event; (B) mass collections made at such events; and (C) sales of items such as political campaign pins, buttons, badges, flags, emblems, hats, banners, literature, and similar materials;

(7) each contribution, rebate, refund, or other receipt in excess of \$100 not otherwise listed under paragraphs (2) through (6);

(8) the total sum of all receipts by or for such committee or candidate during the reporting period;

(9) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom expenditures have been made by such committee or on behalf of such committee or candidate within the calendar year in an aggregate amount or value in excess of \$100, the amount, date, and purpose of each such expenditure and the name and address of, and office sought by, each candidate on whose behalf such expenditure was made;

(10) the full name and mailing address (occupation and the principal place of business, if any) of each person to whom an expenditure for personal services, salaries, and reimbursed expenses in excess of \$100 has been made, and which is not otherwise reported, including the amount, date, and purpose of such expenditure;

(11) the total sum of expenditures made by such committee or candidate during the calendar year;

(12) the amount and nature of debts and obligations owed by or to the committee, in such form as the supervisory officer may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the supervisory officer may require until such debts and obligations are extinguished; and

(13) such other information as shall be required by the supervisory officer.

(c) The reports required to be filed by subsection (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous report during such year, only the amount need be carried forward. If no contributions or expenditures have been accepted or expended during a calendar year, the treasurer of the political committee or candidate shall file a statement to that effect.

REPORTS BY OTHERS THAN POLITICAL COMMITTEES

SEC. 305. Every person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of \$100 within a calendar year shall file with the supervisory officer a statement containing the information required by section 304. Statements required by this section shall be filed on the dates on which reports by political committees are filed, but need not be cumulative.

FORMAL REQUIREMENTS RESPECTING REPORTS AND STATEMENTS

SEC. 306. (a) A report or statement required by this title to be filed by a treasurer of a political committee, a candidate, or by any other person, shall be verified by the oath or affirmation of the person filing such report or statement, taken before any officer authorized to administer oaths.

(b) A copy of a report or statement shall be preserved by the person filing it for a period of time to be designated by the supervisory officer in a published regulation.

(c) The supervisory officer may, by published regulation of general applicability, relieve any category of political committees of the obligation to comply with section 304 if such committee (1) primarily supports persons seeking State or local office, and does not substantially support candidates, and (2) does not operate in more than one State or on a statewide basis.

Noncompliance
relief.

(d) The supervisory officer shall, by published regulations of general applicability, prescribe the manner in which contributions and expenditures in the nature of debts and other contracts, agreements, and promises to make contributions or expenditures shall be reported. Such regulations shall provide that they be reported in separate schedules. In determining aggregate amounts of contributions and expenditures, amounts reported as provided in such regulations shall not be considered until actual payment is made.

Debts, pledges,
etc., separate
schedules.

REPORTS ON CONVENTION FINANCING

SEC. 307. Each committee or other organization which—

(1) represents a State, or a political subdivision thereof, or any group of persons, in dealing with officials of a national political party with respect to matters involving a convention held in such State or political subdivision to nominate a candidate for the office of President or Vice President, or

(2) represents a national political party in making arrangements for the convention of such party held to nominate a candidate for the office of President or Vice President,

shall, within sixty days following the end of the convention (but not later than twenty days prior to the date on which presidential and vice-presidential electors are chosen), file with the Comptroller General of the United States a full and complete financial statement, in such form and detail as he may prescribe, of the sources from which it derived its funds, and the purposes for which such funds were expended.

DUTIES OF THE SUPERVISORY OFFICER

SEC. 308. (a) It shall be the duty of the supervisory officer—

(1) to develop and furnish to the person required by the provisions of this Act prescribed forms for the making of the reports and statements required to be filed with him under this title;

(2) to prepare, publish, and furnish to the person required to

Public inspection.

file such reports and statements a manual setting forth recommended uniform methods of bookkeeping and reporting;

(3) to develop a filing, coding, and cross-indexing system consonant with the purposes of this title;

(4) to make the reports and statements filed with him available for public inspection and copying, commencing as soon as practicable but not later than the end of the second day following the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, as requested by any person, at the expense of such person: *Provided*, That any information copied from such reports and statements shall not be sold or utilized by any person for the purpose of soliciting contributions or for any commercial purpose;

Preservation.

(5) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(6) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate;

Annual report.

(7) to prepare and publish an annual report including compilations of (A) total reported contributions and expenditures for all candidates, political committees, and other persons during the year; (B) total amounts expended according to such categories as he shall determine and broken down into candidate, party, and nonparty expenditures on the National, State, and local levels; (C) total amounts expended for influencing nominations and elections stated separately; (D) total amounts contributed according to such categories of amounts as he shall determine and broken down into contributions on the national, State, and local levels for candidates and political committees; and (E) aggregate amounts contributed by any contributor shown to have contributed in excess of \$100;

(8) to prepare and publish from time to time special reports comparing the various totals and categories of contributions and expenditures made with respect to preceding elections;

(9) to prepare and publish such other reports as he may deem appropriate;

Information dissemination.

(10) to assure wide dissemination of statistics, summaries, and reports prepared under this title;

(11) to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of this title, and with respect to alleged failures to file any report or statement required under the provisions of this title;

(12) to report apparent violations of law to the appropriate law enforcement authorities; and

Rules and regulations.

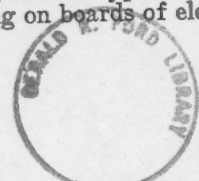
(13) to prescribe suitable rules and regulations to carry out the provisions of this title.

(b) The supervisory officer shall encourage, and cooperate with, the election officials in the several States to develop procedures which will eliminate the necessity of multiple filings by permitting the filing of copies of Federal reports to satisfy the State requirements.

Comptroller General, information and studies.

(c) It shall be the duty of the Comptroller General to serve as a national clearinghouse for information in respect to the administration of elections. In carrying out his duties under this subsection, the Comptroller General shall enter into contracts for the purpose of conducting independent studies of the administration of elections. Such studies shall include, but shall not be limited to, studies of—

(1) the method of selection of, and the type of duties assigned to, officials and personnel working on boards of elections;



- (2) practices relating to the registration of voters; and
- (3) voting and counting methods.

Studies made under this subsection shall be published by the Comptroller General and copies thereof shall be made available to the general public upon the payment of the cost thereof. Nothing in this subsection shall be construed to authorize the Comptroller General to require the inclusion of any comment or recommendation of the Comptroller General in any such study.

Publication.

(d)(1) Any person who believes a violation of this title has occurred may file a complaint with the supervisory officer. If the supervisory officer determines there is substantial reason to believe such a violation has occurred, he shall expeditiously make an investigation, which shall also include an investigation of reports and statements filed by the complainant if he is a candidate, of the matter complained of. Whenever in the judgment of the supervisory officer, after affording due notice and an opportunity for a hearing, any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this title or any regulation or order issued thereunder, the Attorney General on behalf of the United States shall institute a civil action for relief, including a permanent or temporary injunction, restraining order, or any other appropriate order in the district court of the United States for the district in which the person is found, resides, or transacts business. Upon a proper showing that such person has engaged or is about to engage in such acts or practices, a permanent or temporary injunction, restraining order, or other order shall be granted without bond by such court.

Violation.

Hearing opportunity; injunction.

(2) In any action brought under paragraph (1) of this subsection, subpoenas for witnesses who are required to attend a United States district court may run into any other district.

(3) Any party aggrieved by an order granted under paragraph (1) of this subsection may, at any time within sixty days after the date of entry thereof, file a petition with the United States court of appeals for the circuit in which such person is found, resides, or transacts business, for judicial review of such order.

Judicial review.

(4) The judgment of the court of appeals affirming or setting aside, in whole or in part, any such order of the district court shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

62 Stat. 928.

(5) Any action brought under this subsection shall be advanced on the docket of the court in which filed, and put ahead of all other actions (other than other actions brought under this subsection).

STATEMENTS FILED WITH STATE OFFICERS

SEC. 309. (a) A copy of each statement required to be filed with a supervisory officer by this title shall be filed with the Secretary of State (or, if there is no office of Secretary of State, the equivalent State officer) of the appropriate State. For purposes of this subsection, the term "appropriate State" means—

"Appropriate State."

(1) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of President or Vice President of the United States, each State in which an expenditure is made by him or on his behalf, and

(2) for reports relating to expenditures and contributions in connection with the campaign for nomination for election, or election, of a candidate to the office of Senator or Representative in,

State officer,
duties.

or Delegate or Resident Commissioner to, the Congress of the United States, the State in which he seeks election.

(b) It shall be the duty of the Secretary of State, or the equivalent State officer, under subsection (a)—

(1) to receive and maintain in an orderly manner all reports and statements required by this title to be filed with him;

(2) to preserve such reports and statements for a period of ten years from date of receipt, except that reports and statements relating solely to candidates for the House of Representatives shall be preserved for only five years from the date of receipt;

(3) to make the reports and statements filed with him available for public inspection and copying during regular office hours, commencing as soon as practicable but not later than the end of the day during which it was received, and to permit copying of any such report or statement by hand or by duplicating machine, requested by any person, at the expense of such person; and

(4) to compile and maintain a current list of all statements or parts of statements pertaining to each candidate.

PROHIBITION OF CONTRIBUTIONS IN NAME OF ANOTHER

SEC. 310. No person shall make a contribution in the name of another person, and no person shall knowingly accept a contribution made by one person in the name of another person.

PENALTY FOR VIOLATIONS

SEC. 311. (a) Any person who violates any of the provisions of this title shall be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) In case of any conviction under this title, where the punishment inflicted does not include imprisonment, such conviction shall be deemed a misdemeanor conviction only.

TITLE IV—GENERAL PROVISIONS

EXTENSION OF CREDIT BY REGULATED INDUSTRIES

SEC. 401. The Civil Aeronautics Board, the Federal Communications Commission, and the Interstate Commerce Commission shall each promulgate, within ninety days after the date of enactment of this Act, its own regulations with respect to the extension of credit, without security, by any person regulated by such Board or Commission to any candidate for Federal office (as such term is defined in section 301(c) of the Federal Election Campaign Act of 1971), or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

Ante, p. 11.

PROHIBITION AGAINST USE OF CERTAIN FEDERAL FUNDS FOR ELECTION ACTIVITIES

SEC. 402. No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity. As used in this section, the term "election" has the same meaning given such term by section 301(a) of the Fed-

78 Stat. 508.
42 USC 2701
note.

"Election."

February 7, 1972

- 17 -

Pub. Law 92-225

86 STAT. 20

eral Election Campaign Act of 1971, and the term "Federal office" has the same meaning given such term by section 301(c) of such Act.

"Federal office."
Ante, p. 11.

EFFECT ON STATE LAW

SEC. 403. (a) Nothing in this Act shall be deemed to invalidate or make inapplicable any provision of any State law, except where compliance with such provision of law would result in a violation of a provision of this Act.

(b) Notwithstanding subsection (a), no provision of State law shall be construed to prohibit any person from taking any action authorized by this Act or from making any expenditure (as such term is defined in section 301(f) of this Act) which he could lawfully make under this Act.

PARTIAL INVALIDITY

SEC. 404. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the validity of the remainder of the Act and the application of such provision to other persons and circumstances shall not be affected thereby.

REPEALING CLAUSE

SEC. 405. The Federal Corrupt Practices Act, 1925 (2 U.S.C. 241-256), is repealed.

43 Stat. 1070.

EFFECTIVE DATE

SEC. 406. Except as provided for in section 401 of this Act, the provisions of this Act shall become effective on December 31, 1971, or sixty days after the date of enactment of this Act, whichever is later.

Approved February 7, 1972.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 92-564 accompanying H.R. 11060 (Comm. on House Administration) and No. 92-752 (Comm. of Conference).

SENATE REPORTS: No. 92-96 (Comm. on Commerce), No. 92-229 (Comm. on Rules and Administration) and No. 92-580 (Comm. of Conference).

CONGRESSIONAL RECORD:

Vol. 117 (1971): July 21, 23, Aug. 2-5, considered and passed Senate.
Nov. 18, 29, 30, considered and passed House,
amended, in lieu of H.R. 11060.

Dec. 14, Senate agreed to conference report.

Vol. 118 (1972): Jan. 19, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 8, No. 7:
Feb. 7, Presidential statement.

THE WHITE HOUSE
WASHINGTON

Nov. 19, 1974

TO: DUDLEY CHAPMAN

FROM: JACK STILES
Ext. 2364



DEMOCRATIC CANDIDATES
FOR NOMINATION

September 10, 1974
GAO Report



BENTSEN

JACKSON

MONDALE

SANFORD

WALLACE



COMPTROLLER GENERAL OF THE UNITED STATES

U.S. GENERAL ACCOUNTING OFFICE

Washington, D.C.

DM0000HC 5083174 012

REPORT OF RECEIPTS AND EXPENDITURES

FOR A COMMITTEE

REPORTING ANY CANDIDATE(S) FOR NOMINATION OR ELECTION TO THE OFFICE OF PRESIDENT OR VICE PRESIDENT OF THE UNITED STATES

JACKSON PLANNING COMMITTEE

(Full Name of Committee)

Identification Number

DM 000 0HC

511 Second Street, N.E.

(Street)

Washington, D.C. 20002

(City, State, ZIP code)

State (If Primary, Convention, or Caucus)

TYPE OF REPORT

(Check Appropriate Box and Complete, if Applicable)

- March 10 report.
- June 10 report.
- September 10 report.
- January 31 report.
- Fifteenth day report preceding _____ election on _____
(Primary, general, caucus, or convention) (Date)
- Fifth day report preceding _____ election on _____
(Primary, general, caucus, or convention) (Date)
- Termination report.

VERIFICATION BY OATH OR AFFIRMATION

State of Virginia

ss.

County of Fairfax



Walter T. Skallerup, Jr., being duly sworn, depose (affirm) and say
(Full Name of Treasurer of Committee)

that this Report of Receipts and Expenditures is complete, true, and correct.

[Signature]
(Signature of Treasurer of Committee)

Subscribed and sworn to (affirmed) before me this _____ day of _____, A.D. 19____.

[Signature]
(Notary Public)

My commission expires _____

My Commission Expires October 4, 1977.

RETURN COMPLETED REPORT AND ATTACHMENTS TO:
 Office of Federal Elections
 U.S. General Accounting Office
 441 G Street, N.W.
 Washington, D.C. 20548

THE WHITE HOUSE
WASHINGTON

November 25, 1974

MEMORANDUM FOR: PHIL BUCHEN
FROM: DUDLEY CHAPMAN *DC*
SUBJECT: Registration of the President's
Candidacy for 1976

I. Legal Requirements. Under both the 1971 Act and the 1974 Amendments, the President does not become a candidate within the meaning of the law until he either: (a) qualifies under the law of a state for nomination or election, (b) receives contributions or makes expenditures to further his candidacy, or (c) gives his consent to any other person to receive contributions or make expenditures. (Sec. 301 (b)). None of these appears to have occurred insofar as I am aware.

There thus appears to be no present requirement that the President register, even though he has declared his firm intention to run.

To register now, a political committee would have to be appointed with authority to receive contributions and make expenditures. This would mean at least \$1,000 of either contributions or expenditures during what remains of calendar year 1974. Alternatively, registration could be postponed until after January 1, 1975 when the 1974 Amendments take effect. The requirements are essentially the same, except that a "principal campaign committee" would have to be designated. P. L. 93-443, Sec. 202 (a)) At that time, the administration of the Act will shift from GAO to the new commission.

II. Advantages of Registering Now. The advantages of registering now or as soon as the new law takes effect are:



(1) Avoidance of criticism for non-registration, in contrast to those candidates which have done so. (the technical reasons for not registering may not impress the public); and

(2) Lending credibility to the firmness of the President's decision to run.

III. Disadvantages of Registering Now. The disadvantages of such an early registration lie in the political connotation it would cast upon all the President's actions. The cost of travel for speech-making, for example, could be criticized as a political use of appropriated funds.

A potentially more practical problem is the question of White House use of RNC funds for certain quasi-political activities. If the President is a registered candidate he could be criticized by Republicans on the ground that he is using these funds to further his own candidacy.

If he is not registered, the President can take the position that all his actions are official except for those which may be properly charged to the party as in furtherance of party objectives. If this course is followed, some public explanation should be made (or kept ready for response to press inquiries). The announcement should state that --

(1) The President's official candidacy will not begin until sometime after January 1, 1976; and

(2) In the meantime, he will accept no contributions toward his candidacy.



2-22

February 13, 1975

MEMORANDUM FOR:

PHILIP BUCHEN
DONALD LOWITZ

I noticed the attached clipping that pointed out that President Ford is the only "announced or unannounced candidate for President" who did not file an accounting for his campaign contributions for 1974 by the January 31 deadline. Could I have a report on what the law is and whether or not we legally should have filed. I would like to have some comments on whether or not we ought to file regardless of whether it is exactly clear legally that we should have. It may be from a political standpoint that it would be smart to file.

Why don't you give me some clue as to what is supposed to be filed -- what kind of information -- who is supposed to file it, where and when.

Thank you.

fr

DONALD RUMSFELD

Attachment

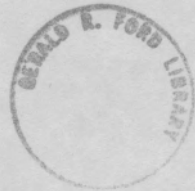


bar

Monday 3/3/75

10:25 Barbara in Mr. Rumsfeld's office called to ask if we had responded to the memo of 2/13 to you and Donald Lowitz from Don Rumsfeld re whether or not the President should have filed prior to the January 31 deadline.

I hadn't remembered it -- so attached is a copy I picked up.



Political

March 3, 1975

MEMORANDUM FOR:

DONALD RUMSFELD

FROM:

PHILIP BUCHEN

SUBJECT:

Reporting Requirements of a
Candidate for Presidency under
Federal Election Laws

Today our office received a duplicate of a February 13 memo addressed jointly to Donald Lowitz and me on the above subject. Apparently, we never received the original of this memo and upon calling Lowitz I find that he did not receive his copy.

I can now report, however, that as a result of an earlier discussion in the Oval Office, when I believe you were present, we came to the conclusion that it was not necessary or appropriate for the President presently to form and register a political committee for the purpose of receiving contributions or making expenditures to fund his candidacy in 1976. Also, we subsequently analyzed the effect of having the R.N.C. continue to support certain activities of the President in the interest of the Republican party as a whole and concluded that the reporting requirements under Federal Election Law then applied only to the R.N.C. and called for no separate reporting in behalf of the President.

The results of our previous research as to legal issues will be incorporated in a definitive memo for your information but I have indicated to Donald Lowitz that we will await submitting it until he returns to Washington next week.

cc: Donald Lowitz

bcc: Dudley Chapman



Pending

Monday 3/3/75

10:25 Barbara in Mr. Rumsfeld's office called to ask if we had responded to the memo of 2/13 to you and Donald Lowitz from Don Rumsfeld re whether or not the President should have filed prior to the January 31 deadline.

I hadn't remembered it -- so attached is a copy I picked up.



2-22

February 13, 1975

MEMORANDUM FOR:

PHILIP BUCHEN
DONALD LOWITZ

I noticed the attached clipping that pointed out that President Ford is the only "announced or unannounced candidate for President" who did not file an accounting for his campaign contributions for 1974 by the January 31 deadline. Could I have a report on what the law is and whether or not we legally should have filed. I would like to have some comments on whether or not we ought to file regardless of whether it is exactly clear legally that we should have. It may be from a political standpoint that it would be smart to file.

Why don't you give me some clue as to what is supposed to be filed -- what kind of information -- who is supposed to file it, where and when.

Thank you.

PS

DONALD RUMSFELD

Attachment



bar

Monday 3/10/75

Meeting
3/12/75
1:30 p.m.

12:00 I see you have Don Lowitz scheduled for 1:30 p.m.
on Wednesday 3/12. Is that for lunch?

No, but Lazarus
should be invited to
attend and advised
that it will be on the
timing & requirements of
Committee designation
& filings ~~at~~ on candidacy
in 1976 of Pres. Ford.
P



*Robert
Tawitz*

EDITORIALS/COMMENTS ON RECENT NEWS
March 12, 1975

FROM WEDNESDAY'S PAPERS

John Herbers, New York Times, Washington: President Ford, who has tried to build a reputation for candor and forthrightness, appears to be facing his first major credibility problem since he assumed office seven months ago. The problem has arisen because members of his administration have been giving in private a more pessimistic assessment of the situation in Cambodia than Mr. Ford's public assessment.

Loye Miller, Jr., Knight News Service, Concord, N.H.: There is a time bomb ticking under President Ford's reelection prospects here in snow-covered New Hampshire. Although it will be a whole year until the state holds the first of the 1976 presidential primary elections, Republican Gov. Meldrim Thomson has already announced that he is fed up with the Ford Administration policies. Thomson...says that he plans to support former Gov. Ronald Reagan....In a more normal situation, that wouldn't make much difference...But both Ford and New Hampshire are special cases; Ford because he has never stood for election to the White House before and currently has shaky poll ratings, New Hampshire because its cranky electorate has felled political giants before. President Lyndon Johnson's poor showing against Sen. Eugene McCarthy...left Johnson so battered that within a few weeks he decided not to seek reelection. Ford could be similarly vulnerable....

EDITORIALS

Philadelphia Inquirer, "CIA Assassination Charges Must be Thoroughly Probed."The allegations are not new, really. It is the nature of international political activities, and of the deeply popular fantasies that have flourished around them from ancient Greek dramas through James Bond and beyond, that the most sinister implications are beguiling. But the allegations have taken on new intensity lately, largely as a result of justified public concern about the management of the Central Intelligence Agency. President Ford and a number of members of the Senate committee have been reported to be privately concerned about the damage disclosure of alarming activities by the CIA might do to America's national image and public confidence. Far more damaging, we believe, would be that damage that could be done by the disclosure...that neither the American intelligence community nor its congressional overseers had been willing or able to face the truth head on.



THE WHITE HOUSE
WASHINGTON

March 17, 1975

Don:

The attached is follow-up of my memorandum to you of March 3.

Don Lowitz agrees that this is a matter which should be pursued further only by persons outside the White House.

Phil

Attachment



THE WHITE HOUSE
WASHINGTON

March 14, 1975

MEMORANDUM FOR: DON RUMSFELD
THROUGH: PHIL BUCHEN
FROM: DUDLEY CHAPMAN *10C*
SUBJECT: Registration of the President's
Candidacy

1. Legal requirements. The President has not registered under the 1971 Act or the 1974 Amendments and there is no requirement that he do so. The President does not become a candidate within the meaning of the law until he either (a) qualifies under the law of a state for nomination or election, (b) receives contributions or makes expenditures of \$1,000 or more to further his candidacy, or (c) gives his consent to any other person to receive contributions or make expenditures. (Sec. 301(b))^{*/} None of these steps have yet been taken.
2. Timing of registration. The President could at any time become a candidate and register by appointing a Committee with the powers described above. The disadvantage of doing this any sooner than necessary is the political connotation that it would cast upon all of the President's actions. The cost of travel for speech making, for example, could be criticized as a political use of appropriated funds. The White House use of RNC funds for certain quasi political activities could also be criticized on the ground that he is using party funds to further his own candidacy. By remaining unregistered, the President can take the position that all his actions are official except for those which may be properly charged to the party as in furtherance of party objectives.

^{*/} Section numbers refer to the 1971 Act, as amended in 1974



3. Requirements effective on registration. When he begins his formal candidacy, the President must designate a "Principal Campaign Committee", which may, if he chooses, be his party's National Committee. (Sec. 302(f)(1)) There may be in addition any number of political committees, each of which must have a Chairman and Treasurer. (Sec. 302(a)) All persons who receive contributions or make expenditures of \$1,000 or more of political funds must be members of a committee. (Sec. 301(d)) Extensive reports on organization and financing are required. (Secs. 303, 304, 305, 306, 307) All Committees other than the Principal Committee make their reports to the Principal Campaign Committee which in turn files with the Federal Election Commission. (Sec. 302(f)(3)) Statements must also be filed with State officers in every State. (Sec. 317) Each candidate must designate one or more banks as campaign depositories, the use of which is mandatory for both deposits and expenditures of political funds. (Sec. 309)

4. Interim enforcement. Until the Federal Election Commission is activated, the GAO continues as the enforcement agency. (Sec. 315(c))



Thursday 5/22/75

3:50 Governor Scranton stopped by.

He said to tell you to get Michigan organized for the campaign next year. They have Pennsylvania.

The two key states are Michigan and California.

They want to be sure we have Michigan organized and we'll work toward California and Gov. Reagan.

Said to give you his very best!!



Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

Ford's '76 Unit

[June 1975?]

Campaign Team Selections Near

By Fred Barnes

Washington Star Staff Writer

President Ford's political strategists are making plans to quickly enlist top Republican leaders around the country in Ford's election campaign in 1976.

The six men picked by the Presi-

THOUGH SOME conservative Republicans have complained about Ford's alleged liberal tendencies, Burch said that "if I'm any indication, and if my conservative friends are indications, President Ford stands very well with these people."

Burch, who was Republican na-



Monday, June 9, 1975 5A

THE NEWS AMERICAN

Baroody Starts Bandwagon Rolling For Ford

WASHINGTON — (UPI) — William J. Baroody Jr. is directing a sophisticated, little-publicized campaign to build a national political power base for President Ford, who didn't have one when he entered the White

administration" eager to know what people are thinking so it can respond better to their needs. "I don't like the term selling," he said in an interview. "But sure, that's what it is — we're trying to convince peo-

ple. To sell Ford and his policies to the public, Baroody has arranged "field conferences" with local sponsorship in eight cities, usually where the President was previously scheduled to appear.

These sessions, originally held only in the morning, have proved so popular they have spilled over into the afternoon to meet the demand. More exclusive, and equally private, are the

about the decline in car sales. Others are arranged simply to let Ford talk privately with representatives of a minority group or, say, a trade association with problems, and to show that his demand

There has been some criticism that the audiences have lacked fair numbers of the poor and unorganized elements of society. Baroody responds that free tickets are given to those who cannot

used politically and not necessarily being 'supportive' of the Republican Party either." Baroody prefers to stay out of the White House limelight, and his precise official

*Presidential
Campaign*

THE WHITE HOUSE

WASHINGTON

June 16, 1975

MEMORANDUM FOR: Gwen Anderson

FROM: Philip Buchen *P.W.B.*

Attached is a copy of a letter from Frank E. Thompson, which I have referred to Eliska Hasek for possible preparation of a Presidential letter.

For your information, I would like to call your attention to the first paragraph of Mr. Thompson's letter.

Attachment



THE WHITE HOUSE

WASHINGTON

June 16, 1975

MEMORANDUM FOR: Eliska Hasek

FROM: Philip Buchen

P.W.B.

I am attaching a letter from Frank E. Thompson requesting a letter from the President to be read at the testimonial dinner on June 20th for Chief Reginald W. Cooley of Santa Barbara, California.

Attachments



California Conservation Association

2800 STATE STREET, SANTA BARBARA, CALIFORNIA 93105

FRANK E. THOMPSON, PRESIDENT

June 10, 1975

Mr. Philip Buchen
Counsel to the President
The White House
Washington, D. C.

Phil:

Many encouraging programs are evolving that will benefit the President and the Party in next year's election. I have more to write you shortly on the Evelle Younger situation. Virginia and I have been active in his campaigns and he is presently carrying the ball for the President.

The attached letter from Alfred Trembly, Chief of Police of Santa Barbara, is self-explanatory. Chief Reginald W. Cooley is a staunch Republican, a longtime supporter of Evelle Younger and has been an outstanding citizen of California.

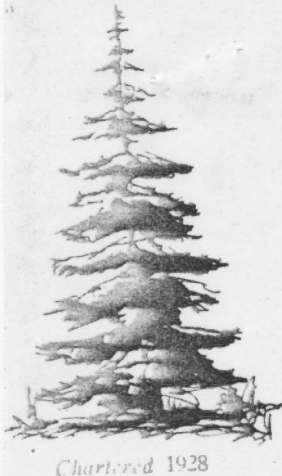
It would be nice if we could secure a letter from the President, as requested by Chief Trembly, that could be read at a testimonial dinner being held for Chief Reginald W. Cooley on Friday evening, June 20th, at the Miramar Hotel in Santa Barbara. Six hundred seventy-five responses have been received from law enforcement officials and prominent citizens throughout California. This is the same auditorium where I introduced Jerry to a Lincoln Day crowd in 1964.

I will personally appreciate anything that can be done on this.

Best to the family and kindest regards.

FRANK E. THOMPSON
Frank E. Thompson

Encl. various





City of Santa Barbara

California



POLICE DEPARTMENT

YOUR REFERENCE

IN REPLY REFER
TO OUR CASE NO.

5 June 1975

A. W. TREMBLY
CHIEF OF POLICE

215 EAST FIGUEROA
MAIL: P.O. BOX 539
SANTA BARBARA
93102

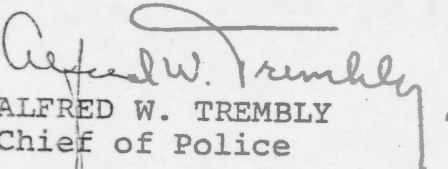
Frank Thompson
2800 State Street
Santa Barbara, CA 93105

Dear Frank:

As you know, our dear friend Chief Reginald W. Cooley retired from the Santa Barbara Police Department on 2 June 1975 after thirty-eight years and eight months of service to his community and the country. I think it would be entirely appropriate if you could prevail upon the President of the United States to send Chief Cooley a letter of commendation for his exceptional service.

Attached is a City Council Resolution that delineates his achievements in a life-long contribution to humanity. In addition, Chief Cooley served in the United States Army in the European Theater during World War II in the 12th Armored Division and was honorably discharged.

Yours truly,


ALFRED W. TREMBLY
Chief of Police

AWT:jba



1 RESOLUTION NO. 8077

2 A RESOLUTION OF THE COUNCIL OF THE
3 CITY OF SANTA BARBARA HONORING
4 REGINALD W. COOLEY ON THE OCCASION
5 OF HIS RETIREMENT FROM SERVICE WITH
6 THE CITY OF SANTA BARBARA

7 WHEREAS, Reginald W. Cooley has been an employee of the
8 Santa Barbara Police Department for a continuous period of
9 thirty-eight years and eight months; and

10 WHEREAS, Reginald W. Cooley has served in every rank of
11 service in the Police Department and during said years of service
12 has devoted over one-third of a million hours of his life to his
13 City and his profession and has done so with an outstanding
14 attendance record of negligible lost time and by such years of
15 service and hours of duty, has served the City of Santa Barbara
16 longer than any other employee; and

17 WHEREAS, Reginald W. Cooley has served as Chief of the
18 Police Department from 1953 to 1959, and has also served as
19 Acting Chief on four different occasions and Assistant Chief on
20 five different occasions; and

21 WHEREAS, Chief Cooley has continually improved his
22 personal and professional capabilities including graduating with
23 highest honors from the FBI National Academy and the Northwest
24 Traffic Institute; and

25 WHEREAS, Chief Cooley has been vitally concerned with
26 the development of modern law enforcement techniques and procedures
27 within the Santa Barbara Police Department for many years; and

28 WHEREAS, Chief Cooley's career has been the epitome of
personal integrity, the utmost personal dedication to his City
and his profession of law enforcement; and



1 WHEREAS, such length of service and personal perfor-
2 mance serves as an outstanding example and source of inspiration
3 not only to his colleagues in the Police Department but to all
4 other City employees and citizens of Santa Barbara; and

5 WHEREAS, the City Council of the City of Santa Barbara
6 desires to acknowledge Chief Cooley's unique and valuable con-
7 tribution to both the welfare and history of our City,

8 NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE
9 CITY OF SANTA BARBARA does hereby on behalf of the citizens of
10 the City of Santa Barbara officially commend and recognize
11 Chief Reginald W. Cooley for his outstanding service to the
12 citizens of this City, and

13 BE IT FURTHER RESOLVED that the City Council extends
14 to Chief Reginald W. Cooley on the occasion of this, his retire-
15 ment from public service, best wishes for an active and satisfying
16 retirement and continuation of his good health and disposition.

17
18
19 Adopted June 3, 1975



28

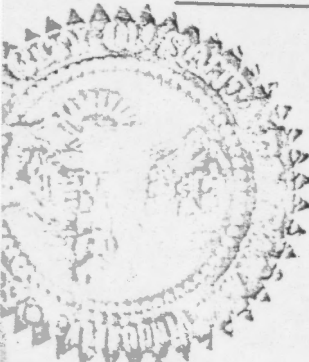
I, JOYCE SNIDER, City Clerk in and for the City of Santa Barbara, California, do hereby certify that the foregoing Resolution No. 8077 was adopted by the City Council at the meeting held June 3, 1975, 9:00 A.M., by the following vote on roll call:

AYES: COUNCILMEMBERS:
G. Chavalas L. Martinez Mayor D. Shiffman
S. Eyman L. Schatz
S. Lodge N. Utterback

NAYS: COUNCILMEMBERS:
none

ABSENT: COUNCILMEMBERS:
none

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Santa Barbara this 3rd day of June, 1975.



Joyce Snider
City Clerk of Said City

I HEREBY APPROVE this Resolution this 3rd day of June, 1975.

D. Shiffman
Mayor of Said City



Presidential
Campaign

Santa Cruz, California 95060,
17 June, 1975

The Honorable Phil Buchen,
The White House,
Washington, D.C. 20500

Dear Mr. Buchen:-

This is a reply to President Ford's announcement that he has chosen vice-President Nelson A. Rockefeller as his running mate in the 1976 Presidential elections.

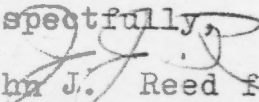
We Republicans of Northern California under no circumstances, will accept Nelson A. Rockefeller as the vice-President of the United States.

President Ford cannot win the 1976 general election unless the State of California votes for him...

We will never vote for President Ford with Nelson A. Rockefeller as his running mate, in fact, we will support the Democratic ticket to prevent California going to President Ford.

Our decision is final.

Respectfully,


John J. Reed for the
Republican Party of
Northern California,
Santa Cruz branch.



Presidential
Campaign

Santa Cruz, California 95060,
17 June, 1975

The Honorable Phil Buchen,
The White House,
Washington, D.C. 20500

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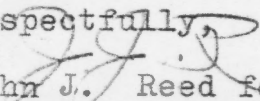
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Respectfully,


John J. Reed for the
Republican Party of
Northern California,
Santa Cruz branch.



THE WHITE HOUSE
WASHINGTON

June 27, 1975

*Fed'l
Campaign
Elec. Law*

MEMORANDUM TO: ROBERT T. HARTMANN

FROM: JACK CALKINS *JC*

You will remember the vitriolic anti-Ford quarter-page ad which appeared in the Washington Post of Monday, June 23, a copy of which I previously gave you. Maureen Drummy of Rep. Bill Steiger's office informs me that their office made inquiry of the Washington Post and ascertained that the cost of the ad to Mr. Lemon was \$2,368. Thus, there is a strong possibility that Mr. Lemon has violated the Federal Election Campaign Act by his expenditure in excess of \$1,000. The spending limitation per individual is generally thought of to be an inhibitor of larger contributions in behalf of a particular candidate's efforts but would likely apply also in expenditures aimed at trying to stop the nomination or election of another candidate.

Miss Drummy believes that the Federal Elections Commission is unlikely to rule on this issue unless pushed to do so, but it is something which we should keep in mind.

cc: Philip Buchen ✓





OFFICE OF THE VICE PRESIDENT

WASHINGTON

July 2, 1975

P.M. Activities

MEMORANDUM TO: ✓ Philip Buchen
Rod Hills

FROM: Peter J. Wallison

SUBJECT: Ripon Society, et al. v. Republican National
Committee: A Challenge by the Ripon Society to
the Constitutionality of the Delegate Apportion-
ment Formula for the 1976 Republican National
Convention

As you may be aware, on March 5, 1975, the United States Court of Appeals for the District of Columbia entered a 2 to 1 decision, with an opinion by Chief Judge Bazelon which declared among other things that the formula for the allocation of delegates to the 1976 Republican Convention is unconstitutional. Simultaneously, the Court vacated the decision and ordered the case reargued before all Judges of the Court.

Reargument occurred on May 16, 1975, and a decision of the full Court may be expected at any time.

If the full Court adopts the March 5 decision, which I believe likely, it will require the Party to apportion delegates to the 1976 and later Conventions on a basis which insures that deviations in the representation accorded Republicans of every State, when measured by both population and party voting strength, do not exceed the deviations reflected in the apportionment of Electors in the Electoral College.

Even if the full Court does not go so far as to mandate this standard it is very likely to hold at least that the victory bonus arrangement in the formula is unconstitutional. In either event, the large industrial States will be the beneficiaries of the ruling and the smaller States' representation at the 1976 Convention will be proportionately reduced. Thus, assuming any determination by the Court that the 1976 formula is unconstitutional, the President's position at the 1976 Convention will be improved.

This means that the RNC, if it appeals to the Supreme Court, will be taking a position adverse to that of the President; it also means that if the RNC is eventually compelled by Court order to modify the 1976 formula the formula it ultimately chooses will carry a great deal of political freight and will quickly become a controversial issue within the Party.

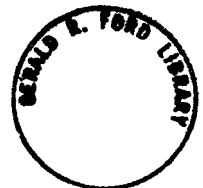


This is illustrated by the attached charts which I prepared a few years ago. The relative strengths of the States and regions at the 1976 Convention under the existing formula are shown in Formula B; eight other formulas (C through J on the attachment) demonstrate the degree to which representation of the States at the 1976 Convention can be affected by other allocation arrangements.

The allocation of delegates under Rule 30 adopted by the 1972 Convention, here referred to as the 1976 formula, is shown on Exhibit A attached. 1,605 delegates are apportioned on a basis which gives each state a basic delegation of three delegates for each Electoral College vote. Neither Ripon nor the Court questioned this part of the formula. In addition, the formula apportions 607 delegates on the basis of two types of "victory bonus." A series of "uniform" victory bonuses would give each state regardless of size up to nine additional delegates for carrying for Republican candidates for President, Governor, Senator or a majority of the state's House delegation. A "proportional" victory bonus would increase by 20% the basic delegation of each state which casts its Electoral College votes for Richard Nixon in 1972.

Significant rulings by the Court include the following:

1. The apportionment of delegates to a national convention of a major political party is not an internal party matter, and that the "courts may intervene into the affairs of major, national political parties to ensure that delegates to their conventions are apportioned fairly..."
2. The "victory bonus" concept, used by the Republican Party for more than 25 years, is unconstitutional in toto..."
3. The victory bonus formula would create disparities in the representation afforded Republicans of different states which vastly exceed the disparities reflected in the Electoral College. At the present time, there are disparities of up to 4.4 to 1 in the population represented by members of the Electoral College from different states. The Court concluded that "victory bonuses" as used in the 1976 formula would create deviations of more than 11 to 1 in the number of 1972 Republican Presidential votes that would be represented by delegates from different states, and more than 7.4 to 1 in the population that would be represented by delegates from different states.
4. The Circuit Court's decision included the following language:



"any legitimately justified deviations from the one person-one vote standard must be reasonably tailored to the justification offered... Such a principle is merely a reflection of the increasing tendency to eschew reliance on fictional asserted justifications or purposes in favor of a more searching inquiry into the true purpose...

"The purpose of the victory bonus, both uniform and proportional, as set forth by the defendants is not based on an approximation of party strength but rather on ideological considerations."

"A subsidiary justification offered by the defendants and considered by the District Court is that the victory bonus is designed to spur party effort by promising the reward of a greater 'say' in party affairs. This justification seems wholly irrational since it does nothing to reward exceptional party effort in a heavily Democratic state which almost produces a Republican victory while 'rewarding' a sub-par effort in a heavily Republican state... the justification of spurring party effort seems mostly a cover for an allocation based on ideological concerns. The real spur to party effort is the implicit recognition that the party orders its political process in a way that accentuates the power of certain territorial interests and thereby is a self-fulfilled prophesy that the right people are being rewarded."

"The right to an equal vote is the starting place for battle over the proper weight to be given economic, social, historical and ideological interests in the legislative process; the right to vote is not merely another arena in which those various interests may assert their power. The right to an equal vote serves to prevent an entrenchment of any one group of interests to the exclusion of others, even if freely chosen in the most democratic fashion, because such an entrenchment in the very process of political choice is contrary to the democratic ideal. In each election, warring interest groups must theoretically recontest the balance struck at the last election...

"The policy against entrenchment operates solely to insure 'full and effective participation by all citizens'; it does not operate to control what ideological



shading or interest group balance that citizen participation produces. The one person-one vote standard is simply the starting line which all interest groups must toe. So viewed, the one person-one vote standard is implicit in the concept of a democracy, as necessary to representative government as the concept that individuals may not be disenfranchised because of their social or economic views and as such a constitutional principle of the highest order."

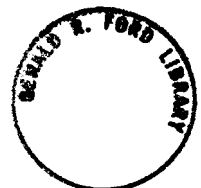
"... the victory bonus operates to entrench the prevailing powers of the Republican Party through a territorial discrimination that weights the votes of some actual and potential Republicans more than others."

"... the apportionment of delegates is not a subject mete for control by major party ideology."

"There is, to be sure, some overlap between the process of apportionment and the process of determining the ideological orientation of the party, an overlap which lies in the process of ascertaining actual and potential party strength... Of course, there is a clearly justifiable distinction between a true attempt to ascertain party strength in terms of actual and potential party adherents and an attempt to entrench certain party interests which have been successful in past disputes over the ideological orientation of the party."

"... the Electoral College principle does permit a malapportion[ment] of delegates in regard to either total population or party vote... under the Electoral College system the only deviation from one person-one vote is the uniform grant of two Electoral votes representing the state's senators. That marginal increase is permitted... We do not think any greater deviation can be permitted simply by analogy to the United States Senate."

I would only add the following: the RNC's authority to modify the 1976 formula expires at the end of October 1975. If a determination by the Supreme Court has not been secured before then, and a new formula adopted, the original 1976 formula will govern the number of delegates



each state can send to the Convention. In this event, Ripon will probably seek a decree which weights delegate votes in accordance with the representation to which the state would be entitled under a constitutional apportionment formula. This would mean, for example, that each delegate from Alaska might be entitled to cast $3/4$ of one vote while a delegate from New York might be able to cast $1-1/8$ votes. Try explaining that to a television audience.

This would appear to argue in favor of settling the suit without an appeal to the Supreme Court; this may indeed be the only way to get a clear resolution, because the Supreme Court would not consider an application for Certiorari, and so is unlikely to have decided the matter on its merits, before the end of October.

However, because the President's interests in the outcome of any settlement are so clear, the politics of a settlement begin to get rather sensitive. Indeed, even after a settlement dissenting states could prosecute an appeal as intervenors, although their chances of success on the merits are small.

Attachments

EXHIBIT A

Apportionment under the 1976 Formula
based on 1972 election results

	1972 Electoral College Vote	At Large	Three per House Seat	Presidential Bonus:		Other Bonus:			Total
				4.5	60%	Sen.	Gov.	H.R.	
<u>Northeast</u>									
Me.	4	6	6	4.5	2.4	-	-	1	20
N.H.	4	6	6	4.5	2.4	-	1	1	21
Vt.	3	6	3	4.5	1.8	-	-	1	17
Mass.	14	6	36	-	-	1	-	-	43
R.I.	4	6	6	4.5	2.4	-	-	-	19
Conn.	8	6	18	4.5	4.8	-	-	1	35
N.Y.	41	6	117	4.5	24.6	-	-	1	154
N.J.	17	6	45	4.5	10.2	1	-	-	67
Del.	3	6	3	4.5	1.8	-	-	1	17
Md.	10	6	24	4.5	6.0	-	-	1	42
Pa.	27	6	75	4.5	16.2	-	-	-	102
W. Va.	6	6	12	4.5	3.6	-	1	-	28
	<u>141</u>	<u>72</u>	<u>351</u>	<u>55</u>	<u>76</u>	<u>2</u>	<u>2</u>	<u>7</u>	<u>565</u>
<u>Middle West</u>									
Ohio	25	6	69	4.5	15.0	-	-	1	96
Mich.	21	6	57	4.5	12.6	1	-	1	83
Ind.	13	6	33	4.5	7.8	-	1	1	54
Ill.	26	6	72	4.5	15.6	1	-	1	101
Wis.	11	6	27	4.5	6.6	-	-	-	45
Minn.	10	6	24	4.5	6.0	-	-	1	42
Iowa	8	6	18	4.5	4.8	-	1	1	36
Mo.	12	6	30	4.5	7.2	-	1	-	49
N. Dak.	3	6	3	4.5	1.8	-	-	1	17
S. Dak.	4	6	6	4.5	2.4	-	-	1	20
Nebr.	5	6	9	4.5	3.0	1	-	1	25
Kansas	7	6	15	4.5	4.2	1	-	1	32
	<u>145</u>	<u>72</u>	<u>363</u>	<u>60</u>	<u>88</u>	<u>4</u>	<u>3</u>	<u>10</u>	<u>600</u>
<u>South</u>									
Va.	12	6	30	4.5	7.2	1	-	1	50
N.C.	13	6	33	4.5	7.8	1	1	-	54
S.C.	8	6	18	4.5	4.8	1	-	-	35
Ga.	12	6	30	4.5	7.2	-	-	-	48
Fla.	17	6	45	4.5	10.2	-	-	-	66
Ky.	9	6	21	4.5	5.4	-	-	-	37
Tenn.	10	6	24	4.5	6.0	1	-	1	43
Ala.	9	6	21	4.5	5.4	-	-	-	37
Miss.	7	6	15	4.5	4.2	-	-	-	30
Ark.	6	6	12	4.5	3.6	-	-	-	27
La.	10	6	24	4.5	6.0	-	-	-	41
Okla.	8	6	18	4.5	4.8	1	-	-	35
Texas	26	6	72	4.5	15.6	1	-	-	100
	<u>147</u>	<u>78</u>	<u>303</u>	<u>65</u>	<u>88</u>	<u>6</u>	<u>1</u>	<u>2</u>	<u>603</u>



West

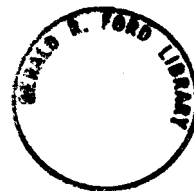
Mont.	4	6	6	4.5	2.4	-	-	1	20
Idaho	4	6	6	4.5	2.4	1	-	1	21
Wyo.	3	6	3	4.5	1.8	1	-	-	17
Colo.	7	6	15	4.5	4.2	-	-	1	31
Utah	4	6	6	4.5	2.4	-	-	-	19
Nev.	3	6	3	4.5	1.8	-	-	1	17
N. Mex.	4	6	6	4.5	2.4	1	-	1	21
Ariz.	6	6	12	4.5	3.6	-	-	1	28
Wash.	9	6	21	4.5	5.4	-	1	-	38
Oreg.	6	6	12	4.5	3.6	1	-	1	29
Calif.	45	6	129	4.5	27.0	-	-	-	167
Alaska	3	6	3	4.5	1.8	1	-	-	17
Hawaii	4	6	6	4.5	2.4	-	-	-	19
	<u>102</u>	<u>78</u>	<u>228</u>	<u>65</u>	<u>60</u>	<u>5</u>	<u>1</u>	<u>7</u>	<u>444</u>
D.C.	<u>3</u>	<u>14</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>14</u>
TOTAL	538	314	1,305	245	312	17	7	26	2,226
P.R.	0	8							8
V.I.	0	4							4
Guam	0	4							4
									<u>2,242</u>



Delegate apportionment formulas and suggested formulas

- A. 1976 formula using 1968 and 1970 voting statistics
- B. 1976 formula based on 1972 election results
- C. Straight GOP popular vote, both parties using 2400 total delegates
- D. Using basis of 2400 total delegates, 75% (1800) for electoral vote and 25% (600) for GOP vote
- E. Using basis of 2400 total delegates, 50% (1200) for electoral vote and 50% (1200) for GOP vote
- F. Using basis of 2400 total delegates, 25% (600) for electoral vote and 75% (1800) for GOP vote
- G. 3 delegates for every Congressman + 2 for every GOP Congressman;
2 delegates for every senator + 2 for every GOP senator;
1 delegate for every 40,000 GOP presidential votes
- H. 1976 formula for delegates but a victory bonus equal to 75% of electoral vote -- 1972 returns
- I. 1976 formula for delegates but a victory bonus equal to 75% of electoral vote for 1 of the following: presidential victory, GOP governor, GOP senator, GOP house delegate -- 1968 returns.
- J. Straight electoral vote, assuming 2242 delegates (same number as 1976 formula)

Only plans A and B show delegates for Guam, Puerto Rico and the Virgin Islands.



Figures are Stated in Percentages of Total Delegates
8 LARGEST STATES

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
<u>CALIFORNIA</u>	8.4	7.4	9.9	8.9	9.2	9.6	9.2	8.3	7.6	8.4
<u>NEW YORK</u>	6.2	6.9	9.1	8.1	8.4	8.7	8.4	7.6	8.3	7.6
<u>PENNSYLVANIA</u>	4.1	4.5	5.9	5.3	5.5	5.7	5.6	5.0	5.6	5.6
<u>TEXAS</u>	3.9	4.5	4.5	4.8	4.7	4.6	4.4	4.8	3.8	4.8
<u>ILLINOIS</u>	5.0	4.5	6.0	5.2	5.5	5.7	5.6	4.8	5.0	4.8
<u>OHIO</u>	4.8	4.3	5.2	4.8	5.0	5.0	5.4	4.6	5.0	4.6
<u>MICHIGAN</u>	3.2	3.7	4.1	4.0	4.0	4.0	4.3	3.9	4.0	3.9
<u>NEW JERSEY</u>	<u>3.3</u>	<u>3.0</u>	<u>3.9</u>	<u>3.4</u>	<u>3.5</u>	<u>3.7</u>	<u>3.5</u>	<u>3.1</u>	<u>3.3</u>	<u>3.2</u>
<u>TOTALS</u>	38.9	38.8	48.6	44.5	45.8	47.0	46.4	42.1	42.6	42.9



MIDDLE WEST

Figures are Stated in Percentages of Total Delegates.

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
<u>OHIO</u>	4.8	4.3	5.2	4.8	5.0	5.0	5.4	4.6	5.0	4.6
<u>MICHIGAN</u>	3.2	3.7	4.1	4.0	4.0	4.0	4.3	3.9	4.0	3.9
<u>INDIANA</u>	2.6	2.4	3.1	2.6	2.7	2.9	2.7	2.4	2.5	2.4
<u>ILLINOIS</u>	5.0	4.5	6.0	5.2	5.5	5.7	5.6	4.8	5.0	4.8
<u>WISCONSIN</u>	2.3	2.0	2.2	2.1	2.1	2.1	2.0	2.1	2.3	2.1
<u>MINNESOTA</u>	1.5	1.9	1.9	1.9	1.9	1.9	1.8	1.9	1.9	1.9
<u>IOWA</u>	1.7	1.6	1.5	1.5	1.5	1.5	1.4	1.5	1.7	1.5
<u>MISSOURI</u>	2.4	2.2	2.5	2.3	2.4	2.4	2.0	2.2	2.3	2.2
<u>NO. DAKOTA</u>	0.8	0.8	0.4	0.5	0.4	0.3	0.4	0.5	0.8	0.5
<u>SO. DAKOTA</u>	1.0	0.9	0.4	0.6	0.5	0.4	0.5	0.7	0.8	0.8
<u>NEBRASKA</u>	1.2	1.1	0.8	0.9	0.9	0.8	1.0	0.9	1.0	0.9
<u>KANSAS</u>	1.5	1.4	1.3	1.3	1.3	1.3	1.5	1.3	1.6	1.3
<u>TOTALS</u>	28.0	26.8	29.4	27.7	28.2	28.3	28.6	26.8	28.9	26.9



Figures are Stated in Percentages of Total Delegates

SOUTH

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
<u>VIRGINIA</u>	2.4	2.2	2.1	2.2	2.2	2.2	2.4	2.2	2.3	2.2
<u>NORTH CAROLINA</u>	2.6	2.4	2.3	2.4	2.4	2.3	2.3	2.4	3.0	2.4
<u>SOUTH CAROLINA</u>	1.7	1.6	1.0	1.4	1.2	1.1	1.2	1.5	1.5	1.5
<u>GEORGIA</u>	1.8	2.1	1.7	2.1	2.0	1.8	1.7	2.2	1.8	2.2
<u>FLORIDA</u>	3.3	2.9	3.8	3.4	3.5	3.7	3.3	3.1	2.7	3.2
<u>KENTUCKY</u>	1.9	1.7	1.5	1.6	1.6	1.4	1.5	1.7	1.7	1.7
<u>TENNESSEE</u>	2.1	1.9	1.8	1.9	1.8	1.8	1.9	1.9	2.1	1.9
<u>ALABAMA</u>	1.4	1.7	1.5	1.6	1.6	1.5	1.5	1.7	1.5	1.7
<u>MISSISSIPPI</u>	1.1	1.3	1.1	1.2	1.2	1.1	1.1	1.3	1.1	1.3
<u>ARKANSAS</u>	0.9	1.2	0.9	1.1	1.0	0.9	0.9	1.1	0.9	1.1
<u>LOUISIANA</u>	1.5	1.8	1.5	1.8	1.7	1.6	1.5	1.9	1.5	1.9
<u>OKLAHOMA</u>	1.7	1.6	1.6	1.5	1.5	1.5	1.5	1.5	1.5	1.5
<u>TEXAS</u>	3.9	4.5	4.5	4.8	4.7	4.6	4.4	4.8	3.8	4.8
<u>TOTALS</u>	26.3	26.9	29.3	27.0	26.4	25.5	25.2	27.3	25.4	27.4



NORTHEAST

Figures are Stated in Percentages of Total Delegates

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
<u>MAINE</u>	0.6	0.9	0.5	0.7	0.6	0.6	0.5	0.7	0.6	0.8
<u>NEW HAMPSHIRE</u>	1.0	0.9	0.5	0.7	0.6	0.5	0.6	0.7	0.8	0.8
<u>VERMONT</u>	0.8	0.8	0.3	0.5	0.4	0.3	0.5	0.5	0.6	0.5
<u>MASSACHUSETTS</u>	2.1	1.9	2.4	2.5	2.5	2.4	2.4	2.1	2.1	2.6
<u>RHODE ISLAND</u>	0.6	0.8	0.5	0.7	0.5	0.5	0.4	0.7	0.6	0.8
<u>CONNECTICUT</u>	1.2	1.6	1.7	1.5	1.6	1.6	1.6	1.5	1.2	1.5
<u>NEW YORK</u>	6.2	6.9	9.1	8.1	8.4	8.7	8.4	7.6	8.3	7.6
<u>NEW JERSEY</u>	3.3	3.0	3.9	3.4	3.5	3.7	3.5	3.1	3.3	3.2
<u>DELAWARE</u>	0.8	0.8	0.3	0.5	0.4	0.3	0.4	0.5	0.5	0.5
<u>MARYLAND</u>	1.5	1.9	1.7	1.8	1.8	1.7	2.0	1.9	1.9	1.9
<u>PENNSYLVANIA</u>	4.1	4.5	5.9	5.3	5.5	5.7	5.6	5.0	5.6	5.0
<u>WEST VIRGINIA</u>	<u>0.9</u>	<u>1.2</u>	<u>1.0</u>	<u>1.1</u>	<u>1.0</u>	<u>1.0</u>	<u>0.9</u>	<u>1.1</u>	<u>1.3</u>	<u>1.1</u>
<u>TOTALS</u>	23.1	25.2	27.8	26.8	26.8	27.0	26.8	25.4	26.8	26.3



WEST

Figures are Stated in Percentages of Total Delegates

	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>
<u>MONTANA</u>	1.0	0.9	0.4	0.6	0.5	0.4	0.5	0.7	0.8	0.8
<u>IDAHO</u>	1.0	0.9	0.4	0.6	0.5	0.4	0.6	0.7	0.8	0.8
<u>WYOMING</u>	0.8	0.8	0.2	0.4	0.4	0.2	0.3	0.5	0.6	0.5
<u>COLORADO</u>	1.5	1.4	1.2	1.2	1.2	1.2	1.3	1.3	1.2	1.3
<u>UTAH</u>	1.0	0.8	0.7	0.7	0.7	0.7	0.6	0.7	0.8	0.8
<u>NEVADA</u>	0.8	0.8	0.3	0.5	0.4	0.3	0.3	0.5	0.6	0.5
<u>NEW MEXICO</u>	1.0	0.9	0.5	0.7	0.6	0.5	0.6	0.7	0.8	0.8
<u>ARIZONA</u>	1.4	1.2	0.8	1.0	1.0	0.9	1.1	1.1	1.0	1.1
<u>WASHINGTON</u>	1.4	1.7	1.5	1.6	1.6	1.5	1.4	1.7	1.7	1.7
<u>OREGON</u>	1.4	1.3	1.1	1.1	1.1	1.0	1.0	1.1	1.2	1.1
<u>CALIFORNIA</u>	8.4	7.4	9.9	8.9	9.2	9.6	9.2	8.3	7.6	8.4
<u>ALASKA</u>	0.8	0.8	0.1	0.4	0.3	0.2	0.3	0.5	0.5	0.5
<u>HAWAII</u>	0.7	0.8	0.4	0.6	0.5	0.4	0.5	0.7	0.6	0.8
<u>TOTALS</u>	21.2	19.7	17.5	18.3	18.0	17.3	17.7	18.5	18.2	19.1

