

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Commission on Presidential Debates,)
Frank Fahrenkopf, Jr., Michael D. McCurry,)
Howard G. Buffett, John C. Danforth,)
John Griffen, Antonia Hernandez,)
John I. Jenkins, Newton N. Minow,)
Richard D. Parsons, Dorothy Ridings,)
Alan K. Simpson, and Janet Brown)

EXHIBITS TO COMPLAINT: VOLUME I

EXHIBITS 1 - 55

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*Attorneys for Complainants Level the
Playing Field and Peter Ackerman*

Exhibit 1

Men are slightly more likely than women to believe that U.S. elections are fair to voters. But they're also more likely to believe Congress members are reelected because the rules are rigged to benefit them and that a randomly selected group would do a better job.

Forty-seven percent (47%) of Republicans and 44% of Democrats believe U.S. elections are fair, a view shared by only 26% of voters not affiliated with either major party.

Republicans are slightly more likely than Democrats and unaffiliateds to believe Congress members are reelected because they do a good job, though a majority still think it's because election rules are rigged.

Democrats, on the other hand, are nearly three times as likely as Republicans and unaffiliated voters to think the federal government has the consent of the governed.

Not surprisingly, most voters who believe elections are rigged to benefit congressional incumbents think elections are unfair.

Just eight percent (8%) of all voters rate Congress's overall performance as good or excellent, and only 25% think their local representative deserves to be reelected.

Fifty-four percent (54%) of voters expect the GOP to take control of the Senate this November, but no matter which party wins control of Congress, more than half of voters believe it will lead to a noticeable change in the lives of most Americans.

Additional information from this survey and a full demographic breakdown are available to Platinum Members only.

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in Politics

The survey of 1,000 Likely Voters was conducted on July 9-10, 2014 by Rasmussen Reports. The margin of sampling error is +/- 3 percentage points with a 95% level of confidence. Field work for all Rasmussen Reports surveys is conducted by Pulse Opinion Research, LLC. See methodology.

Exhibit 2

Independents and the Presidential Debate System

Douglas E. Schoen, LLC

August 29, 2014

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Overview

- Douglas E. Schoen, LLC conducted a survey with a random sample of 1,000 likely voters across the country from July 14 – 28, 2014.
- The purpose of this survey was to test voter opinion on reforming presidential debates to include independent candidates.
- The margin of sampling error for this poll is +/-3%.

Overview

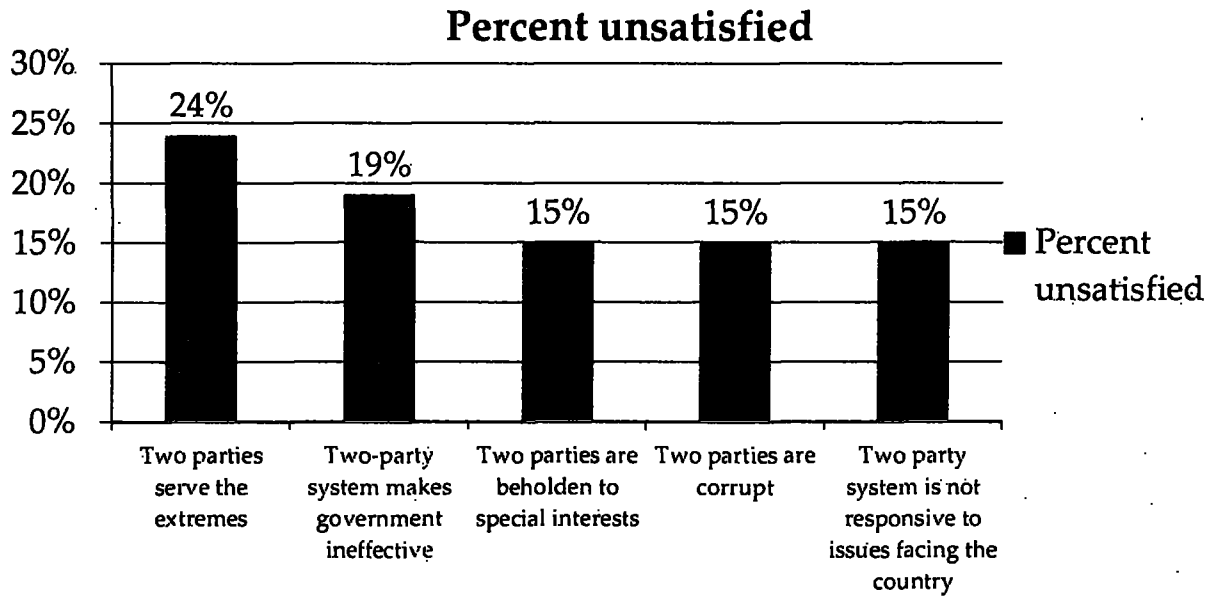
- There is overwhelming support for making changes to the Presidential debate system.
 - **Sixty-six percent of voters think the debates could do a better job informing the public**
 - **A majority of voters want Independent candidates to be included in Presidential debates**
 - **Nearly three quarters of voters agree that the debate system actually "sabotages the electoral process," as Walter Cronkite put it**

Overview

- Our survey found that there is deep dissatisfaction with the two-party system in America.
 - **Two-thirds of voters feel the political process has gotten worse in the last few years**
 - **Over 80 percent (83%) say that we need substantial political reforms in America**
 - **A majority of voters (53%) report to be unsatisfied with the two-party system**

Overview: Voter Dissatisfaction with the Two-Party System

- A plurality of voters (24%) say they are dissatisfied with the two party system because they feel the two parties only serve the extremes.



Overview

- Voters give negative ratings to both Republicans and Democrats.
 - The Democratic Party's negative ratings have steadily increased over the past two years, going from 40% in Sept. 2012 to 45% in June 2013 to 48% today.
 - The Republican Party's negative ratings have followed a similar pattern, going from 50% in Sept. 2012 to 55% in June 2013 to a record high 64% today.

Overview

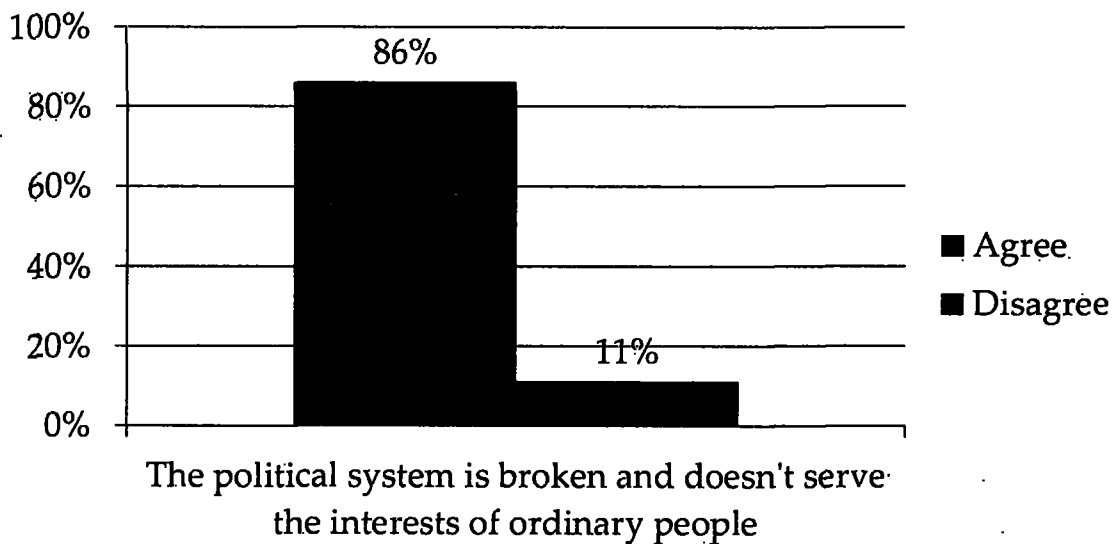
- Disapproval of Congress is at record highs:
 - 83% of Americans disapprove of the job Congress is doing, up from 69% in March 2014.
 - Close to 60% disapprove of the job Congressional Democrats are doing, up from 57% at this time last year.
 - And 68% of Americans disapprove of the job Congressional Republicans are doing, up from 62% in 2012.

Overview

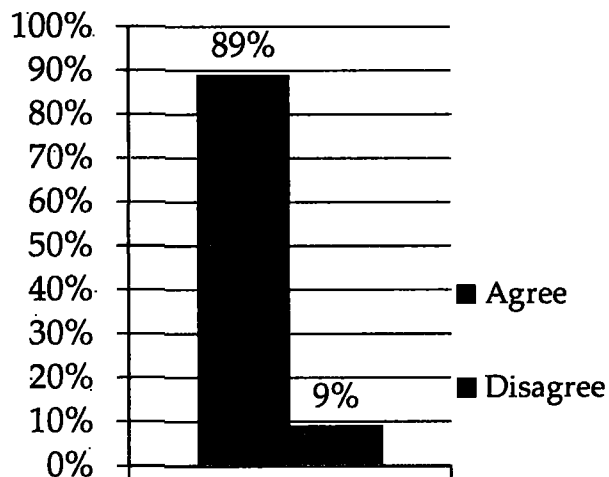
- Dissatisfaction is rooted in out-of-touch political parties that are perceived to only fight and not compromise.
 - Americans feel that the two-party system is broken because it serves the extremes of their parties and not the middle. Ninety-one percent of Americans are frustrated that elected officials fight as opposed to addressing our major problems. And 89% wish that politicians would work together and compromise.

Overview: Our Political System is Broken

- Taken together, an overwhelming majority (86%) see our political system as broken and no longer serving the interests of ordinary people.



Overview: Voters are Frustrated with Elected Officials



Politicians should work together and compromise so we can move forward

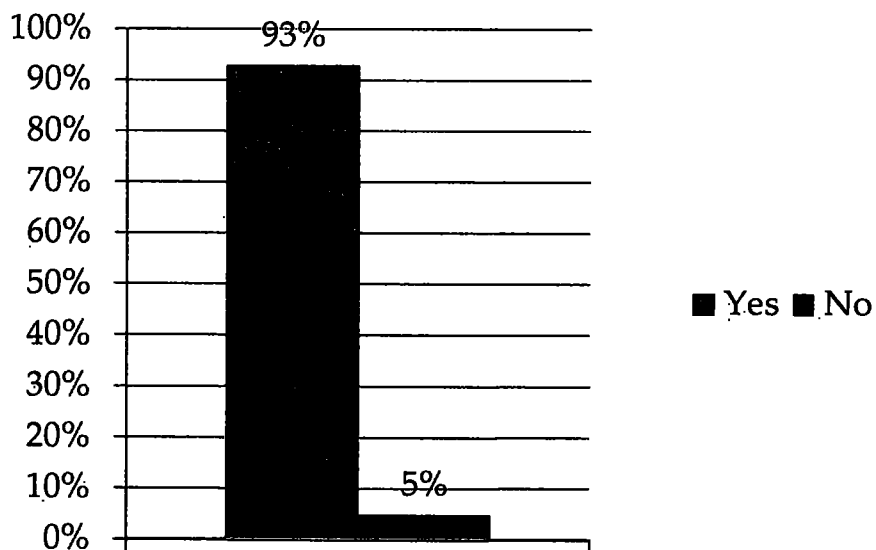
- And 89% wish that politicians would work together and compromise so that we can move forward.

Overview

- Almost all of those surveyed (93%) are familiar with presidential debates.
- However, there is an overwhelming feeling that the debates don't do enough to inform the general public and could be improved.
- 66% of respondents said that the debates could do a better job in informing the electorate while only 27% said they have done as good a job as possible.

Overview: Presidential Debates

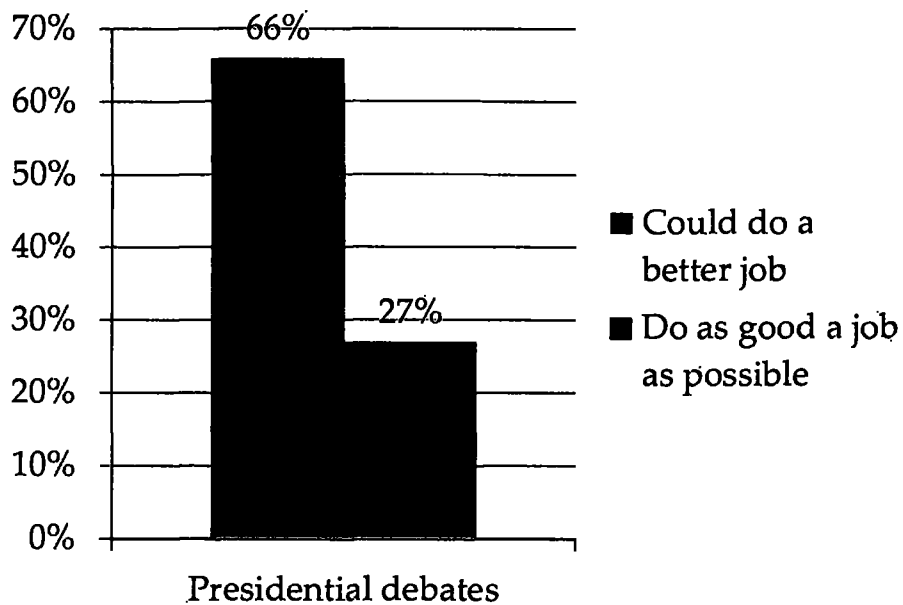
- Virtually all respondents (93%) are familiar with Presidential debates.



• Are you familiar with Presidential debates?

Overview: Presidential Debates

- And while almost all of those surveyed are familiar with presidential debates, close to two-thirds (66%) feel the debates could do a better job informing the public.

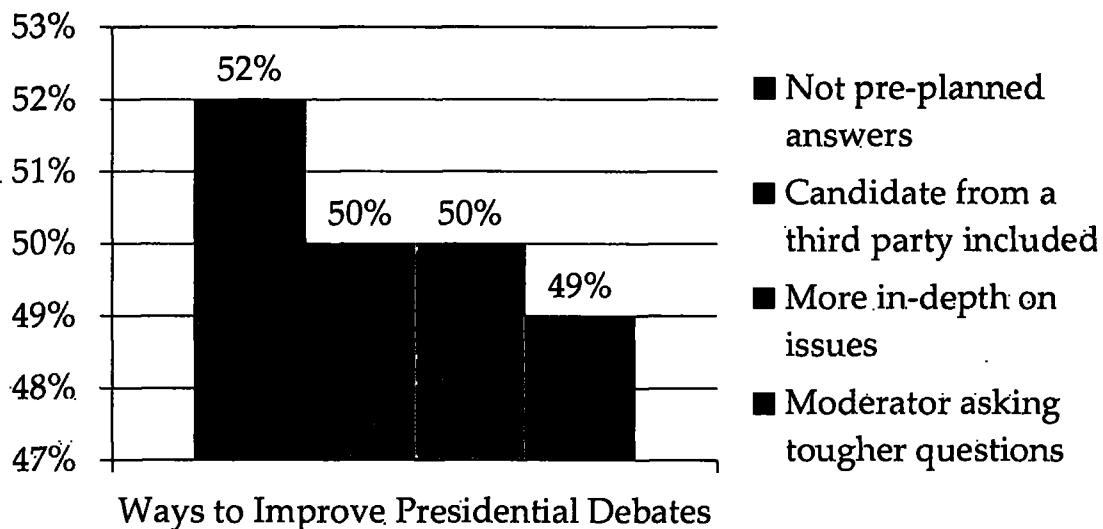


Overview: Improving Presidential Debates

- We asked voters what innovations they thought would improve the debates. The top five innovations were:
 1. If the candidates' responses didn't feel pre-planned (52%)
 2. **If a candidate from outside the two parties was included in the debates (50%)**
 3. If the candidates went into more depth on the issues (50%)
 4. If the moderator asked more hard-hitting questions (49%)
 5. If a wider range of issues were discussed (48%)

Overview: Improving Presidential Debates

- A majority of voters (52%) say they would like it if the candidates' answers weren't pre-planned. And 50% of voters said they'd like to see a candidate from outside the two main parties and if the candidates went more in-depth on the issues.

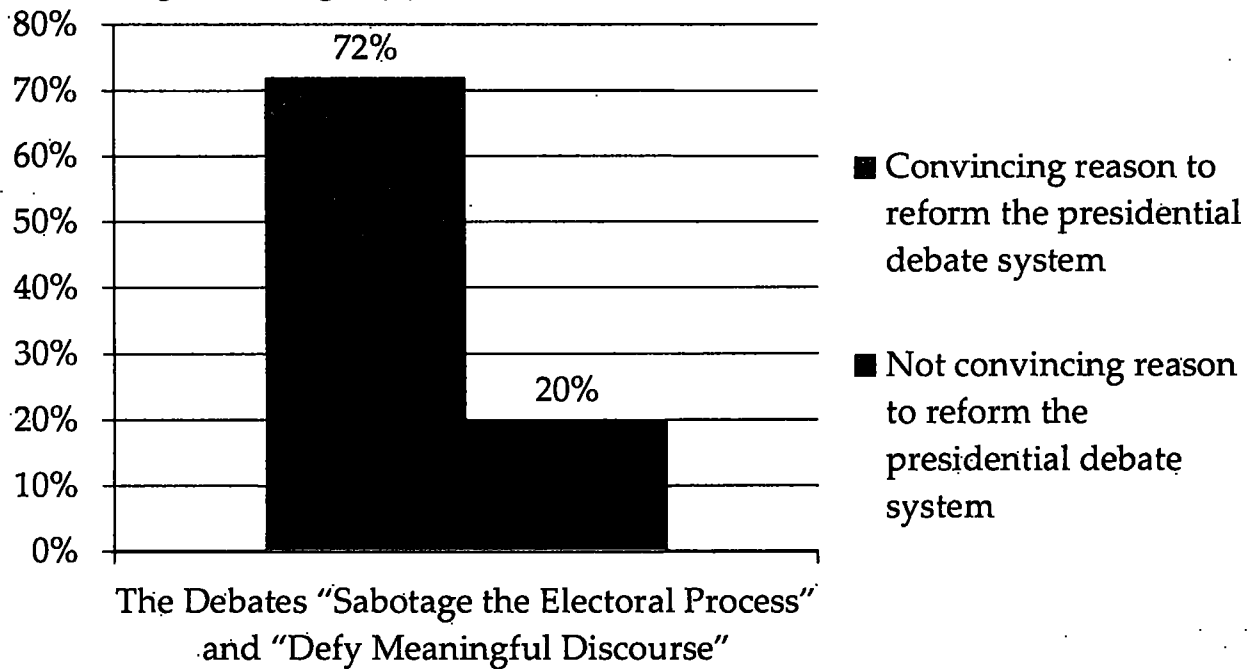


Overview:

- We tested two arguments for reforming the presidential debate system to include candidates from outside the two parties. Both were convincing to a majority of voters.
- **Seventy-two percent** found Walter Cronkite's argument that the **debates actually "sabotage the electoral process"** and "defy meaningful discourse" a convincing reason to reform the presidential debate system.
- **Fifty-five percent** found the fact that the current Co-Chair of the Commission on Presidential Debates has said that the **goal of the debates is to build up the main two parties** to be a convincing reason to reform the presidential debate system.

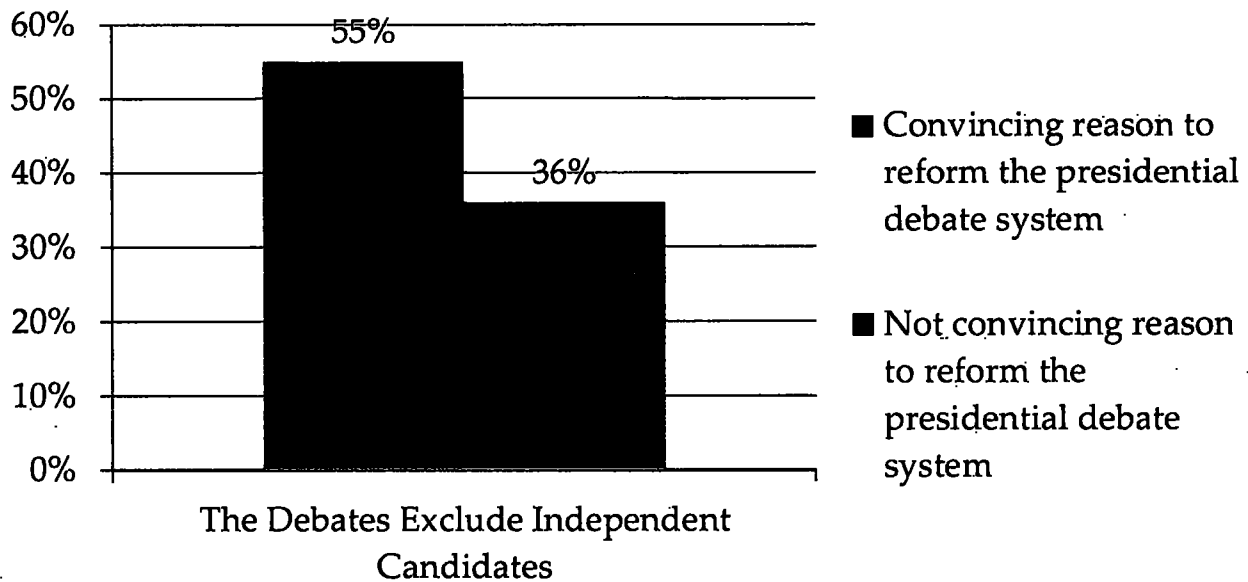
Overview: Reforming Presidential Debates

- Cronkite's argument for reforming the Presidential debate system gets strong support from 72% of voters.



Overview: Reforming Presidential Debates

- And the fact that current Co-Chair of the Commission on Presidential debates has said that the goal in running the Presidential debates is to exclude independent candidates was a convincing argument to reform the Presidential debate system for 55% of voters.



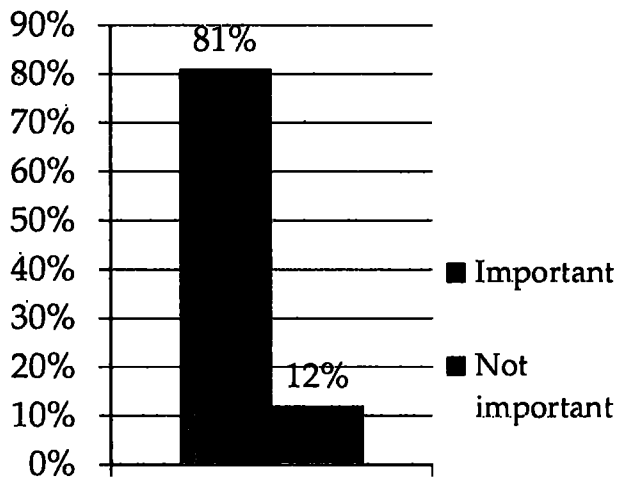
Overview

- To a large degree, voters hold the media responsible for poor coverage of the candidates and issues.
- A solid majority (60%) do not have confidence that the media will provide good coverage of all relevant candidates and issues during the next presidential election.

Overview: Support for Independent candidates

- There is a great deal of support for independent candidates to participate more in the political process.
 - **Eighty-one percent say it's important to have independent candidates run for office.**
 - **Sixty-five percent often feel that the Democrat candidate is too far left and the Republican candidate is too far to the right and would like the option to vote for an independent candidate.**
 - **And over three quarters (76%) say it is important to elect independents to break the partisan gridlock in Washington.**

Overview: Voters Want Independent Candidates to Run for Office



Is it important to have independent candidates run for office?

- It is important to a strong majority (81%) of the American people to have independent candidates run for office.

Overview: Independent Candidates

- Moreover, 62% say that they are likely to vote for an independent candidate in the 2016 presidential election.
- But at the same time, 64% of voters worry that if they vote for an independent candidate they will be wasting their vote and end up with the candidate or party they least prefer.

Overview: Arguments for Independents

- There are a number of persuasive arguments as to why voters feel we need to elect Independent candidates:
 - ✓ **91% of Americans believe we need to elect someone who can produce real change and who isn't a career politician.**
 - ✓ **86% feel that the parties control who gets elected to office, not the voters.**
 - ✓ **86% believe that the main two parties are too beholden to special and corporate interests to create any meaningful change.**
 - ✓ **67% think that the Democrats and Republicans have both failed to solve the country's problems**

Overview: Independents

- A plurality of voters (42%) feel that having an Independent president would **improve the situation in Washington.**
- And nearly two thirds (63%) think that an independent president could be **more effective** or **just as effective** as a president from the two major parties.

Overview: Key Conclusions

- The messages that will work best in favor of independent candidates are:
 1. That they will produce real change
 2. That they aren't career politicians
 3. That they aren't beholden to special or corporate interests
 4. That the voters are in charge of the electoral process, not the Democrats or Republicans
 5. That Democrats and Republicans haven't solved American's problems

Overview: Key Conclusions

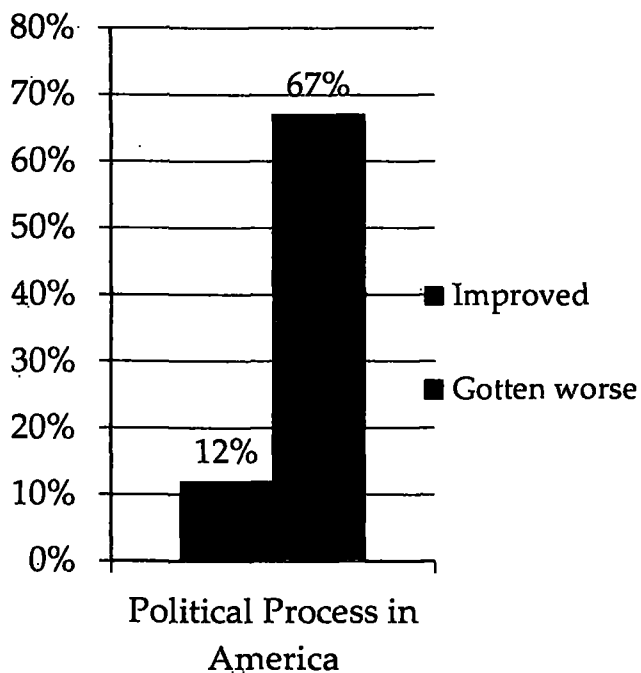
- There is strong interest in reforming the presidential debate process in America so that it better informs the public.
- A majority of Americans support integrating Independent candidates into presidential debates and feel it would improve the debates for a majority of voters, making it a worthwhile endeavor.

Overview

- The following slides present the main findings from the survey.

Summary of Main Findings ...

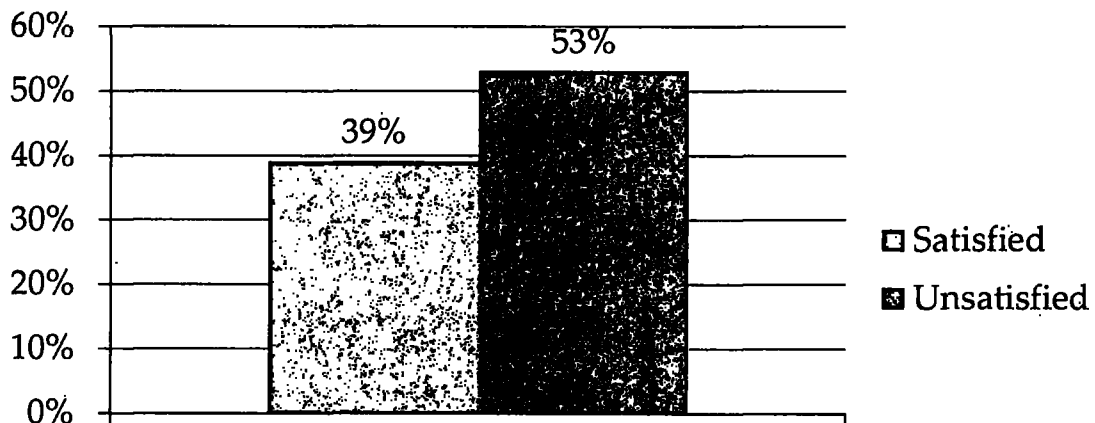
Voters Unsatisfied with the Political System



- Voters feel strongly that the political process in America has gotten worse in the last few years.

Voters Unsatisfied with the Political System

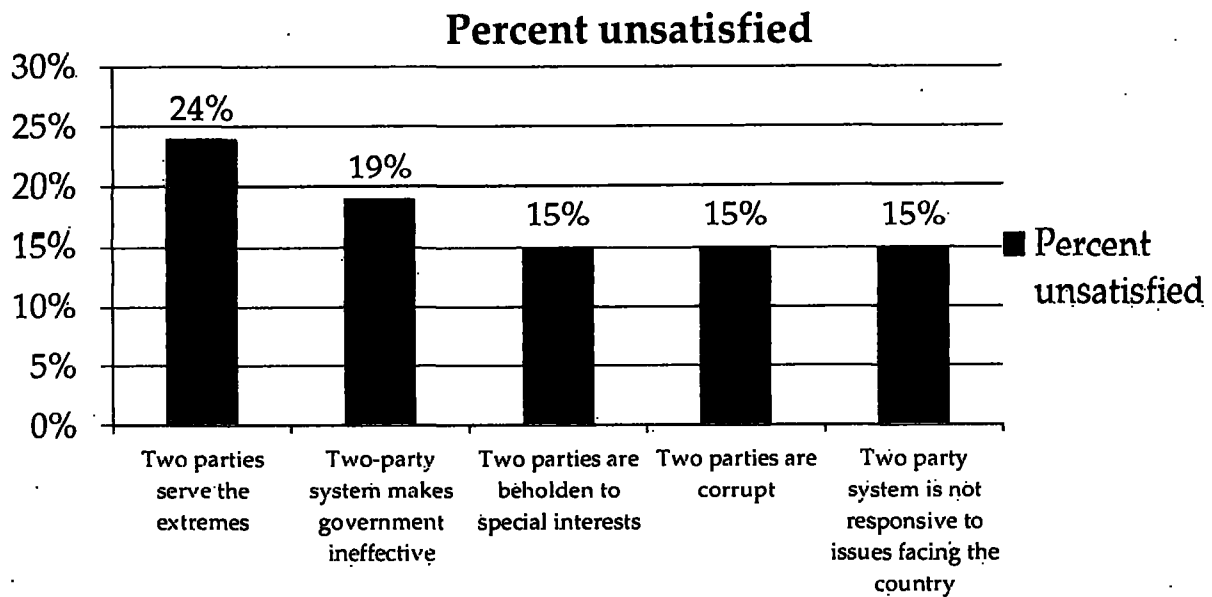
- A majority (53%) of voters report to be unsatisfied with the political system.



Are you satisfied or unsatisfied with the two-party system?

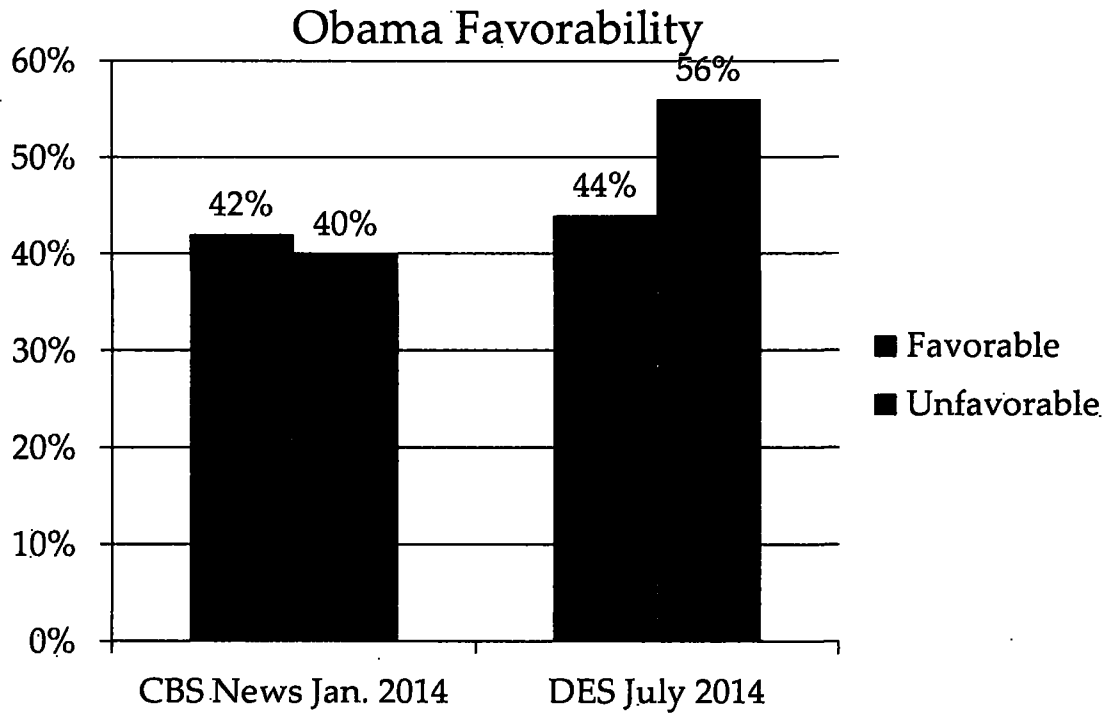
Main Reasons Americans are Unsatisfied with the Two-Party System

- A plurality of voters (24%) say they are unsatisfied with the two party system because they feel the two parties only serve the extremes.



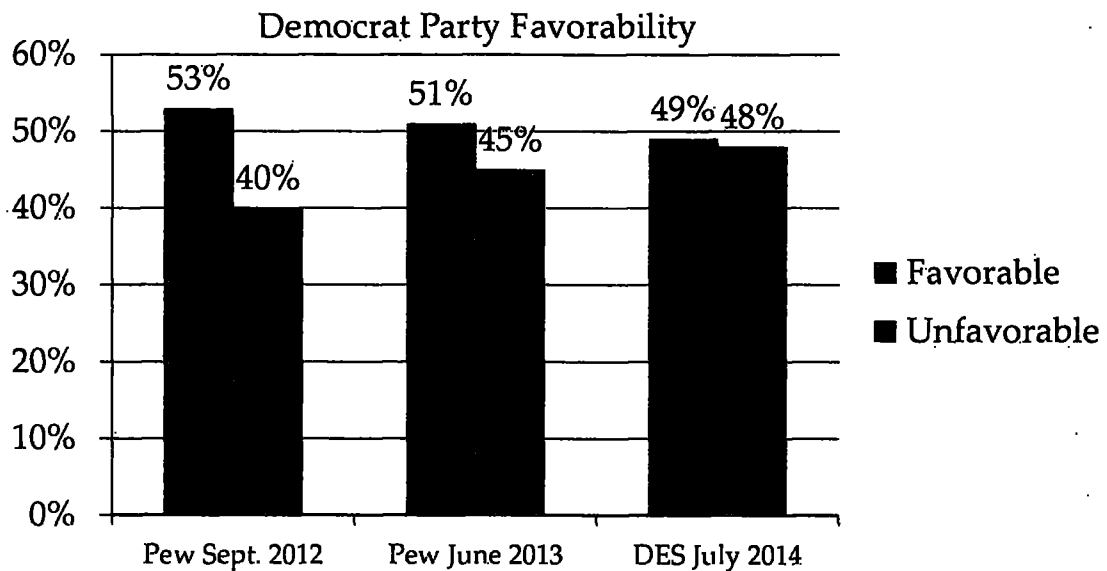
President Obama's Negative Ratings are Increasing

- Between January and July of 2014, President Obama's Unfavorable rating increased from 40% to 56%.



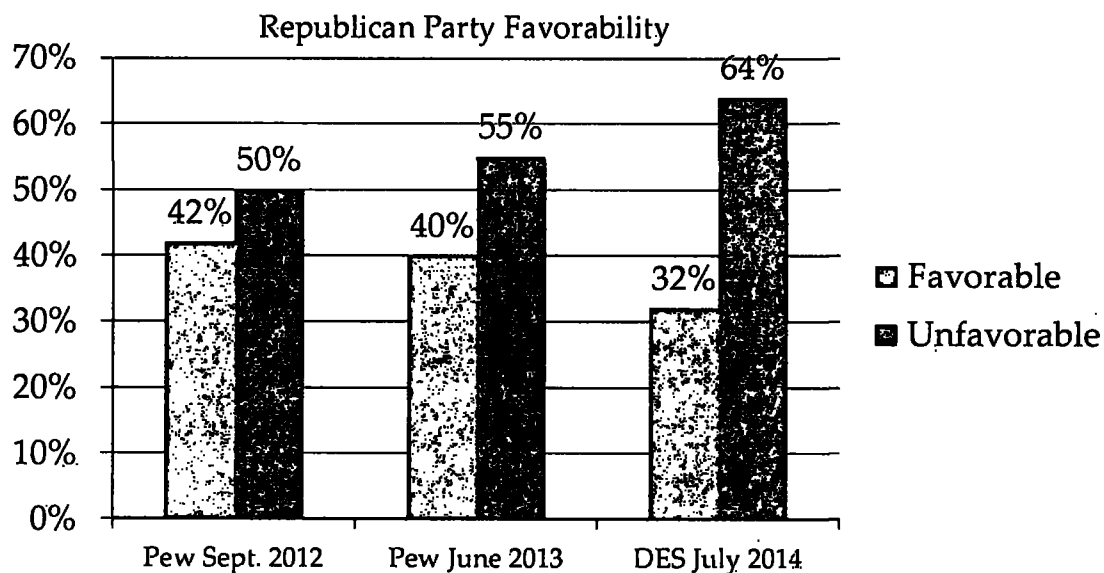
Democrat Party's Negative Ratings are Increasing

- The percentage of voters who rate the Democrat Party unfavorably has grown from 40% in 2012 to 48% today. What used to be a clear favorable rating for the Democrats has disappeared.



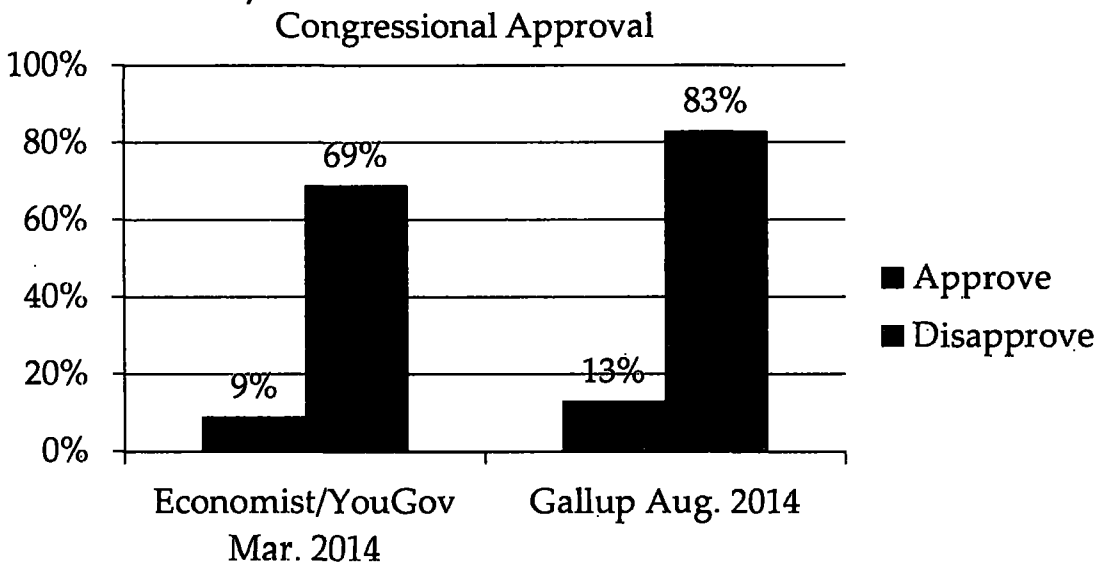
Republican Party's Negative Ratings is at a Record High

- The Republican Party's negative ratings have increased even more than the Democrats', currently at record high 64%.



Disapproval of Congress at All Time High

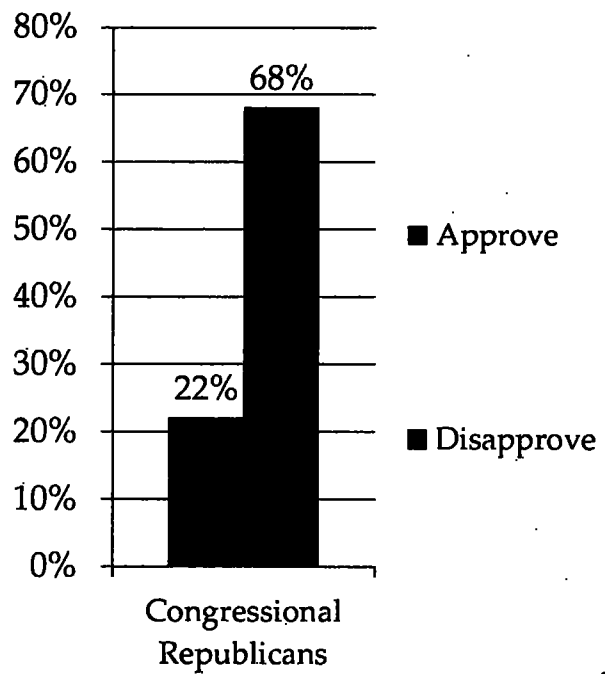
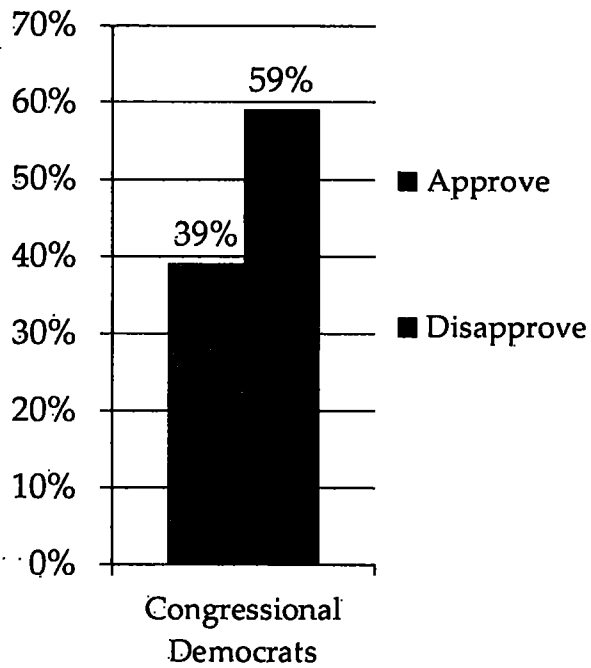
- Today, more than 80% of American disapprove of the job Congress is doing. This is a 14 point increase from earlier this year.



Job Approval Republicans and Democrats

- A majority of Americans disapprove of the job both Congressional Democrats and Republicans are doing.

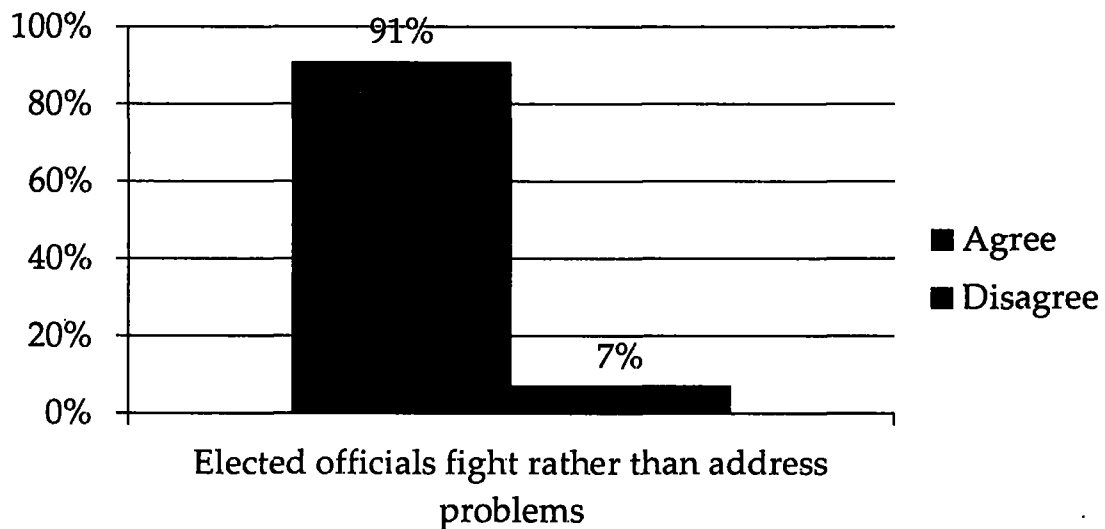
Congressional Job Approval



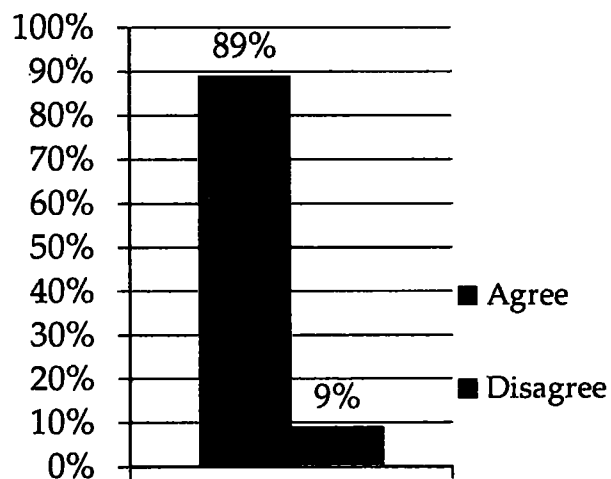
NEWSFOUNDOUTH

Frustration with Elected Officials

- Ninety-one percent of Americans are frustrated that elected officials only seem to fight instead of addressing major problems.



Frustration with Elected Officials

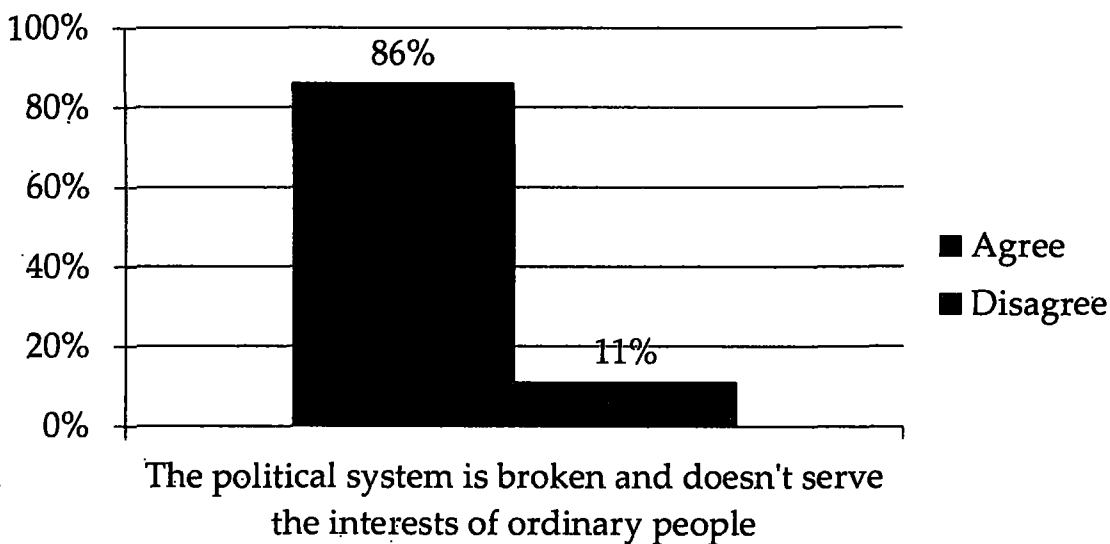


Politicians should work together and compromise so we can move forward

- And 89% wish that politicians would work together and compromise so that we can move forward.

The Broken Political System

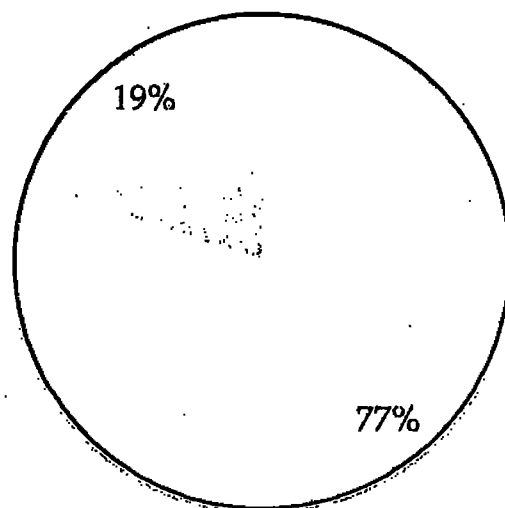
- Taken together, an overwhelming majority (86%) see our political system as broken and no longer serving the interests of ordinary people.



The Broken Political System

- Over three-quarters of voters (77%) are angry at elected officials and want them out of office.

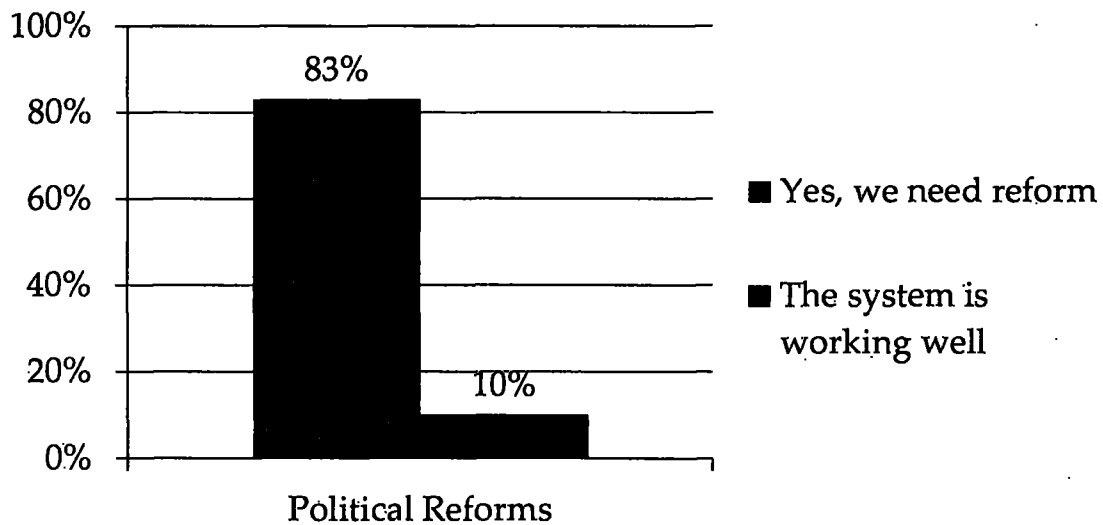
I am angry and want to throw them all out



- Agree
- Disagree

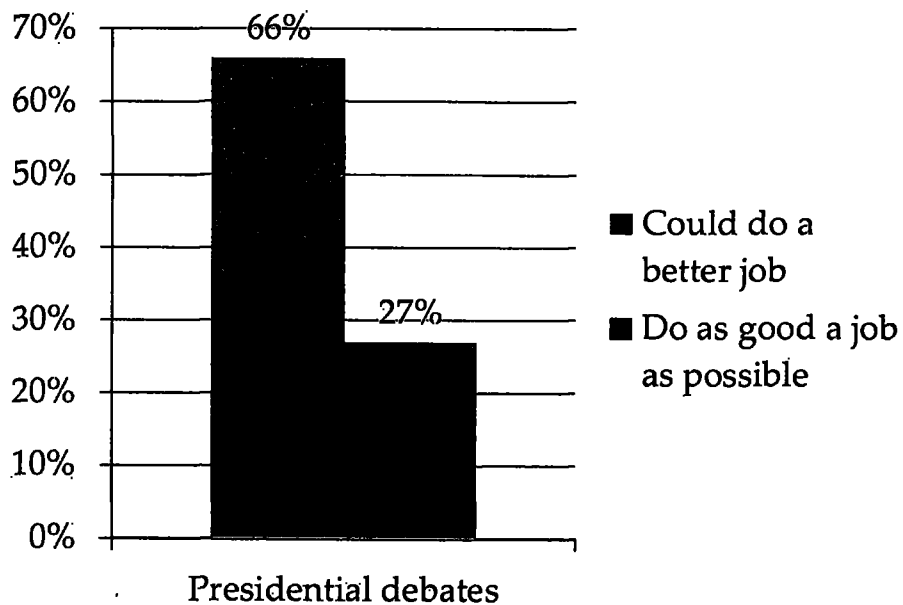
The Broken Political System

- Moreover, 83% believe that we need substantial political reforms as opposed to only 10% who think the system is working well.



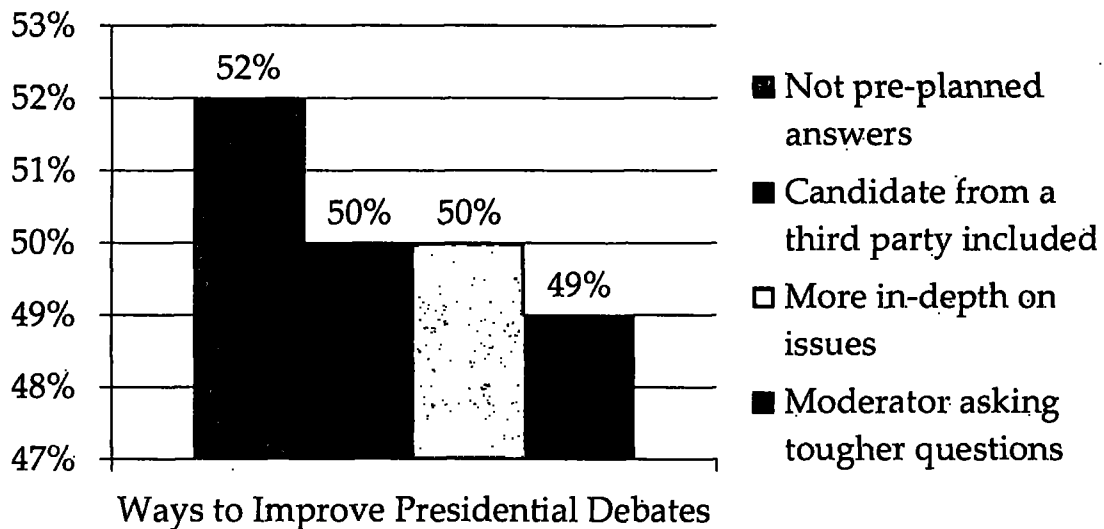
Presidential Debates

- While almost all of those surveyed are familiar with presidential debates, close to two-thirds (66%) feel the debates could do a better job informing the public.



Improving Presidential Debates

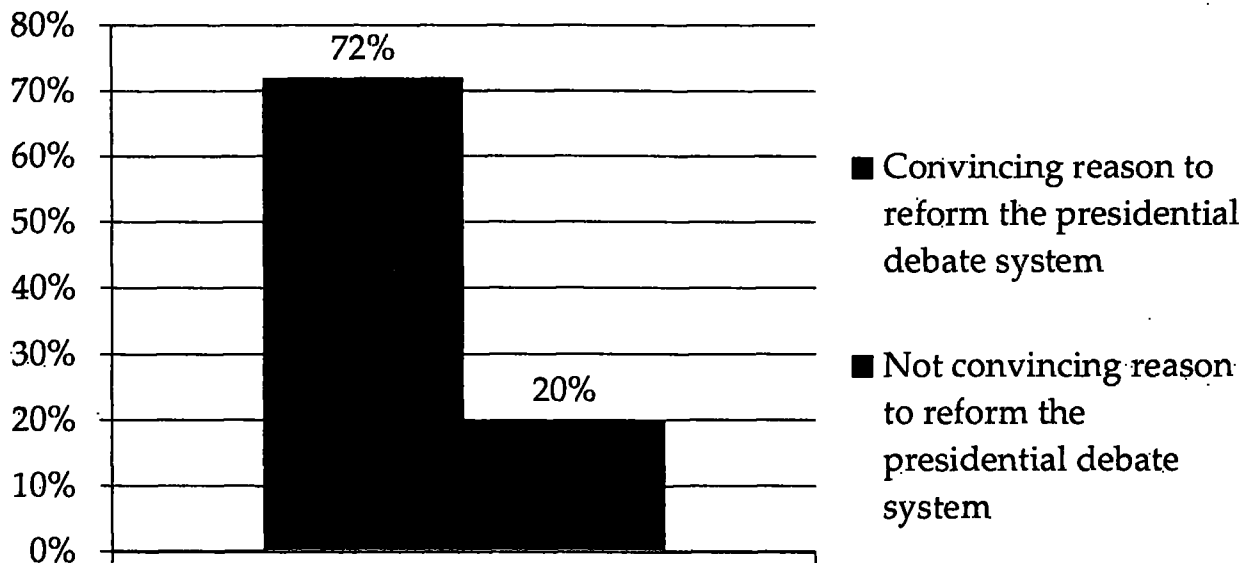
- A majority of voters (52%) say they would like it if the candidates' answers weren't pre-planned. And 50% of voters said they'd like to see a candidate from outside the two main parties and if the candidates went more in-depth on the issues.



Reforming Presidential Debates

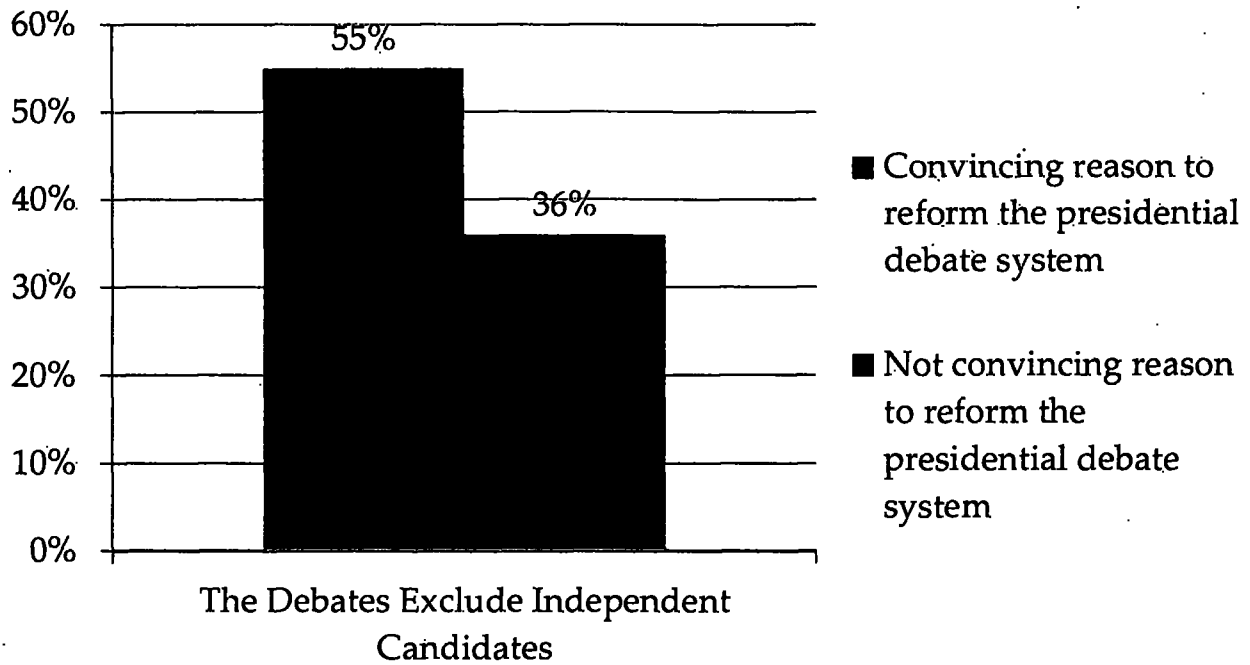
- We tested two arguments for reforming the presidential debate system to include candidates from outside the two parties. Both were convincing to a majority of voters.
- Seventy-two percent found Walter Cronkite's argument that the debates actually "sabotage the electoral process" and "defy meaningful discourse" a convincing reason to reform the presidential debate system.
- Fifty-five percent found the fact that the current Co-Chair of the Commission on Presidential Debates has said that the goal of the debates is to build up the main two parties to be a convincing reason to reform the presidential debate system.

Reforming Presidential Debates



The Debates "Sabotage the Electoral Process" and "Defy Meaningful Discourse"

Reforming Presidential Debates

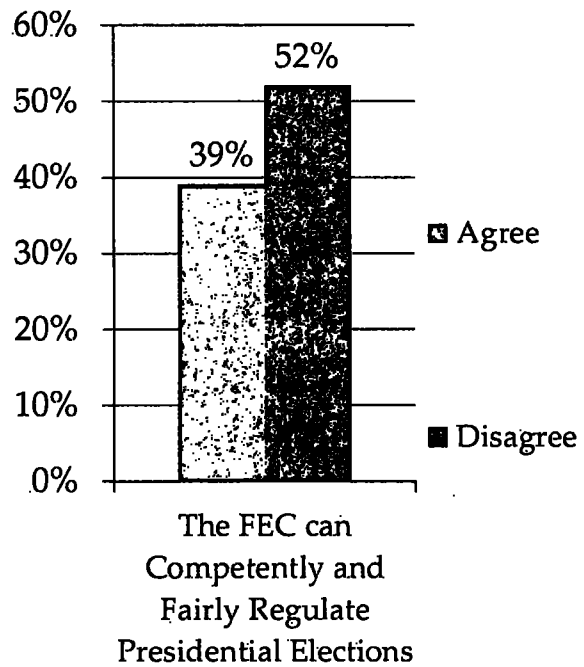
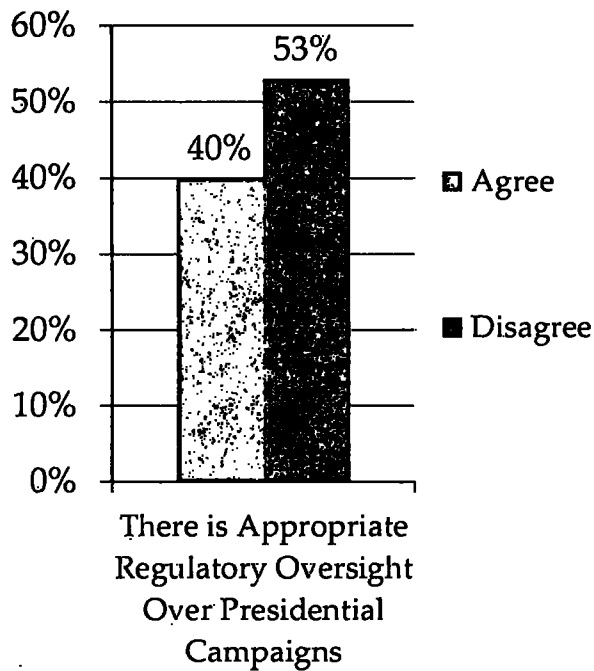


The Debates Exclude Independent Candidates

Reforming Presidential Campaigns and Elections

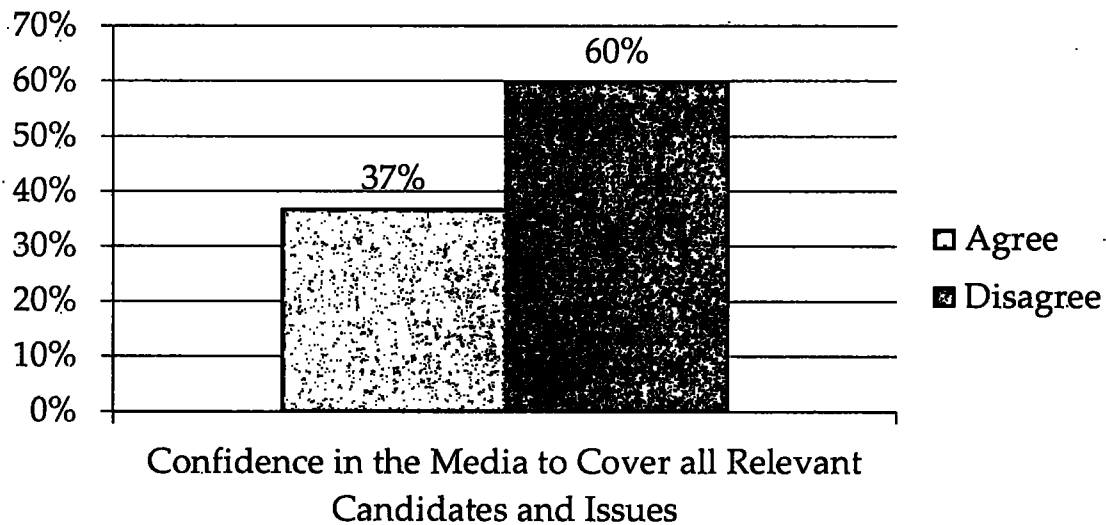
- Debates aren't the only problem: **voters feel that the campaigns and elections themselves need to be reformed.**
- A majority of voters (53%) do not believe that there is appropriate regulatory oversight of presidential campaigns or think that they are conducted with an eye towards fairness.
- And 52% of voters do not have confidence in the FEC to competently and fairly regulate presidential elections.

Reforming Presidential Campaigns and Elections



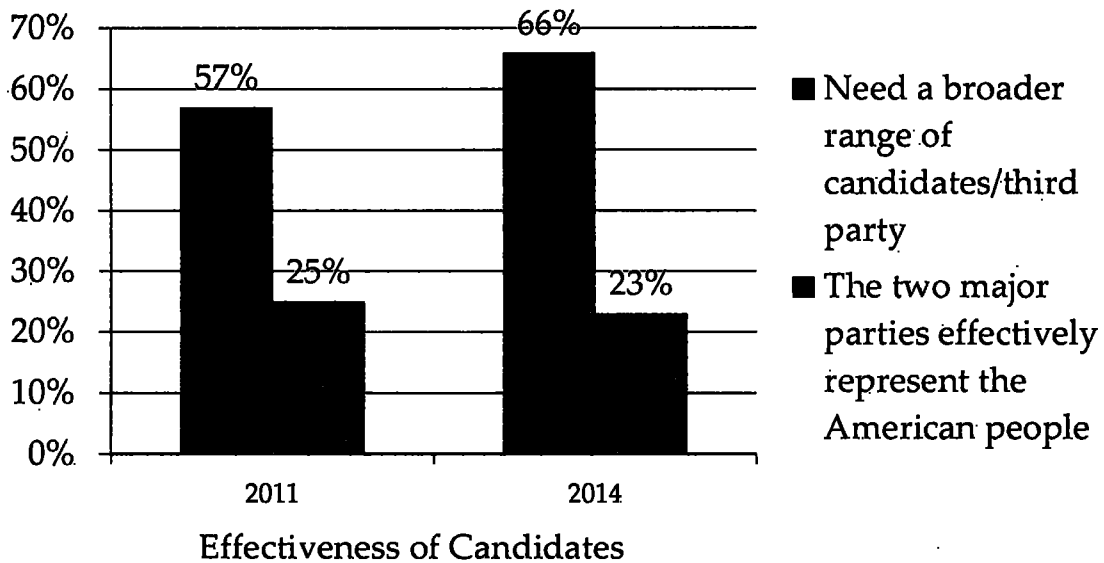
Low Confidence in the Media

- We asked respondents if they have confidence that the media will provide good coverage of all relevant candidates and issues during the next presidential election and found that 60% did not.

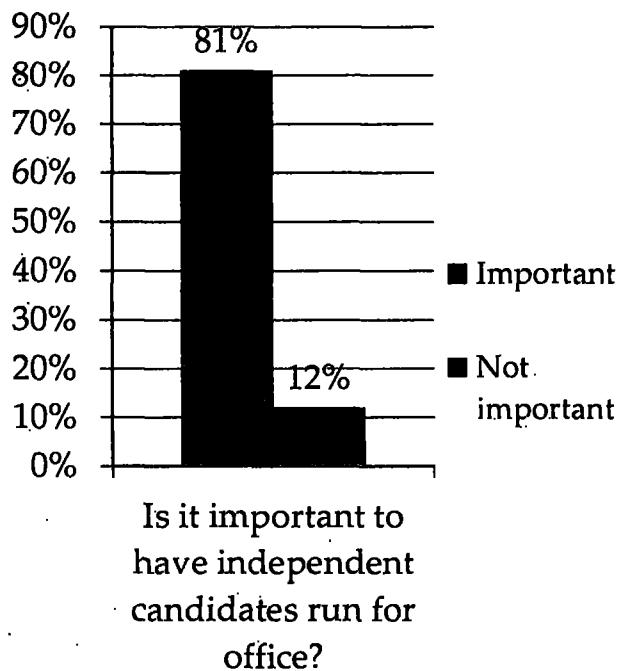


Americans Want Change

- The vast majority of voters do not think candidates from the two major parties effectively represent the American people. Sixty-six percent of voters say we need a broader range of candidates while only 23% believe the main two parties represent the American people, up from 57% in 2011.



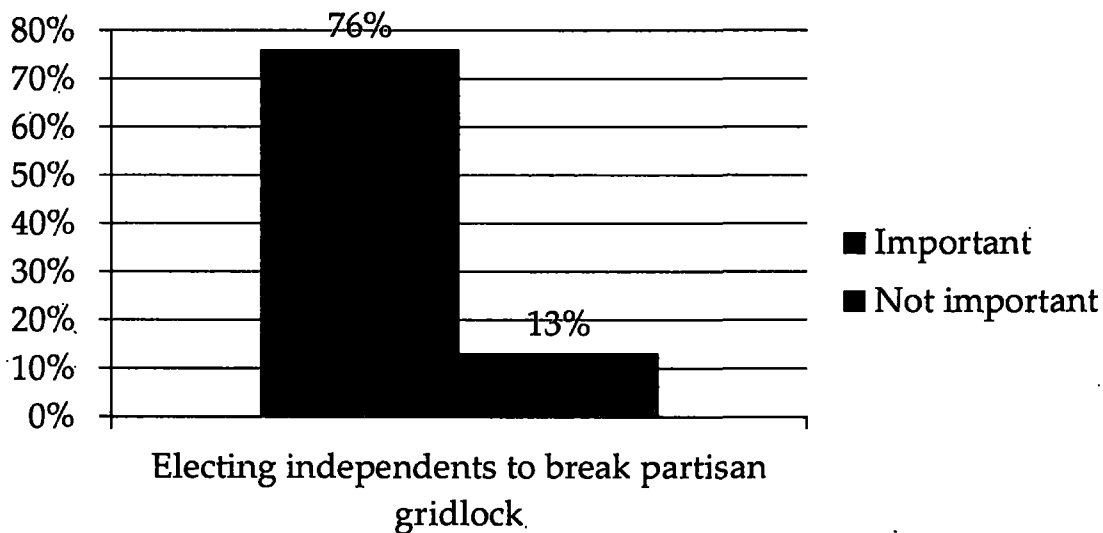
Voters Want Independent Candidates to Run for Office



- It is important to a strong majority (81%) of the American people to have independent candidates run for office.

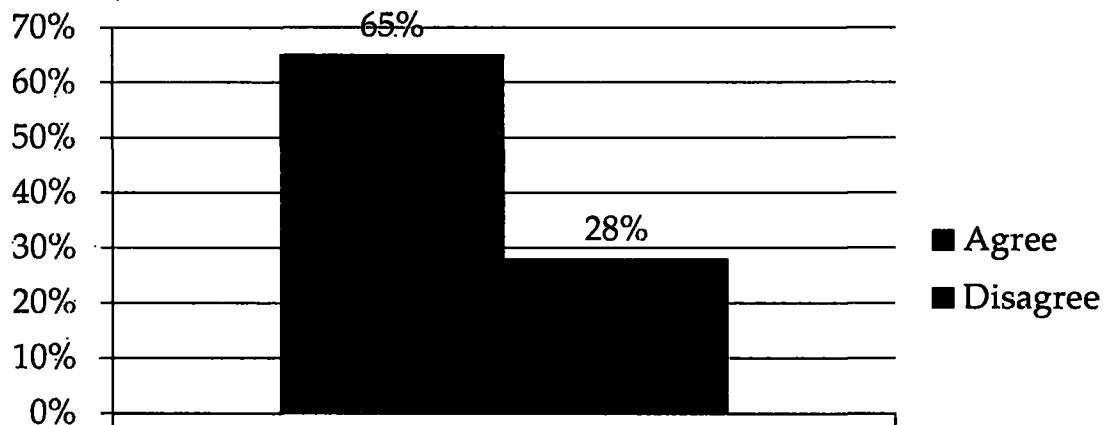
Independents Can Break Partisan Gridlock

- Over three quarters of voters (76%) believe it is important to elect independents to break partisan gridlock in Washington.



Independents Will Cover the Middle

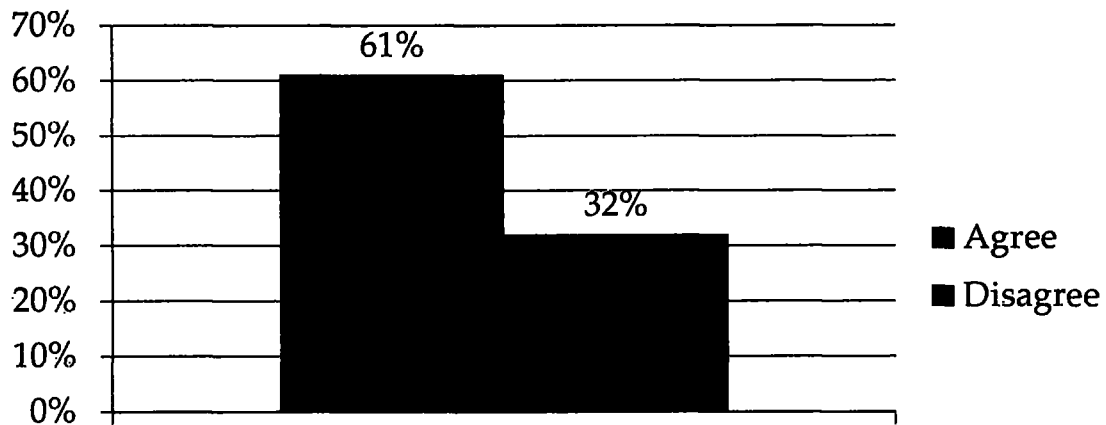
- Americans feel that Democrat candidates are too far left and Republican candidates too far to the right in presidential elections. They want the option to vote for an independent in the middle.



Would like the option to vote for an independent candidate in the middle of the political spectrum

Independents Will Cover the Middle

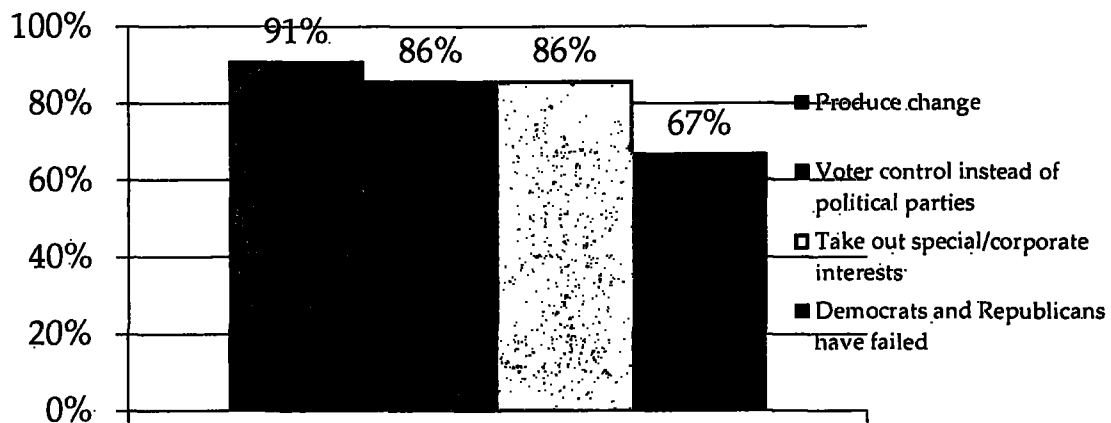
- The same is true in local and statewide office elections.



Would like the option to vote for an independent candidate in the middle of the political spectrum

Why Voters Want Independent Candidates

- Voters want to elect independents to produce change (91%); so that voters will have control over who gets into office instead of the parties (86%); and to get around special and corporate interests (86%).

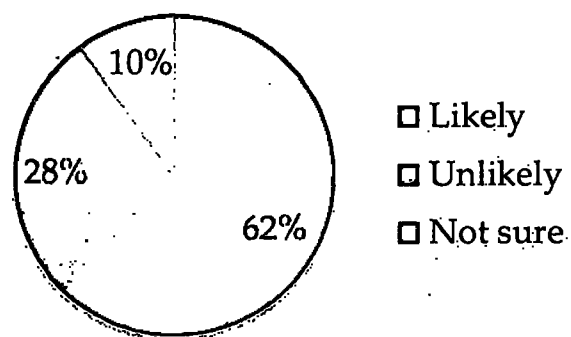


Reasons to vote for an independent

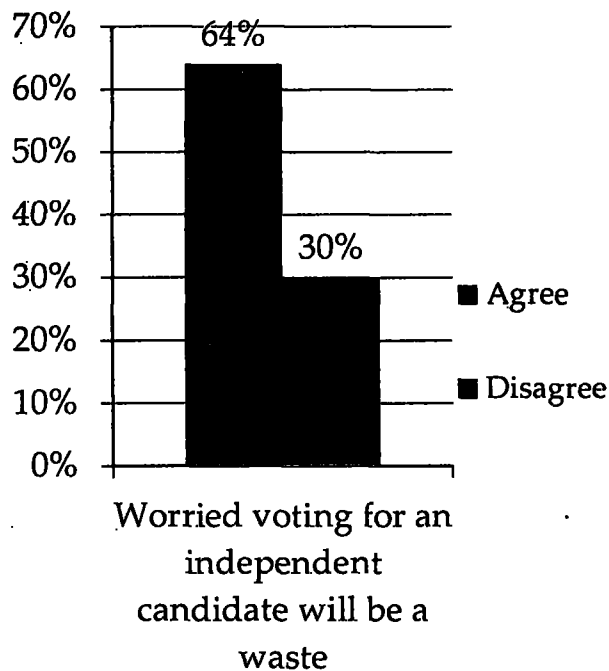
Voting for an Independent Candidate for President

- Sixty-two percent of voters are likely to vote for an independent candidate for president.

Vote for an Independent Candidate for President



But Voters are Worried About Wasting Their Vote on an Independent Candidate



- A majority of voters (64%) reported that they worry that voting for an independent candidate will be wasting their vote and they will get the party they like the least.

Strong Support for an Independent President

- Nevertheless, a plurality of voters (42%) think that having an independent president would improve the situation in Washington.
- Nearly two thirds (63%) think an independent president would be more or just as effective as a Democrat or Republican president.

Strong Support for Independent Candidates

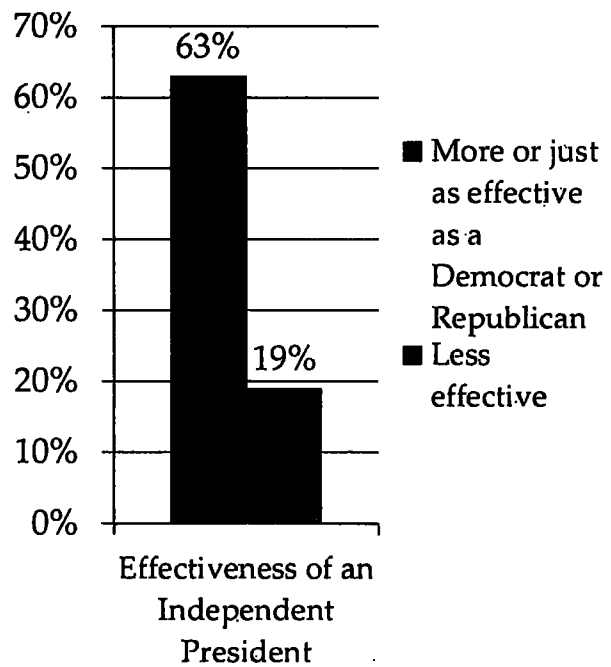
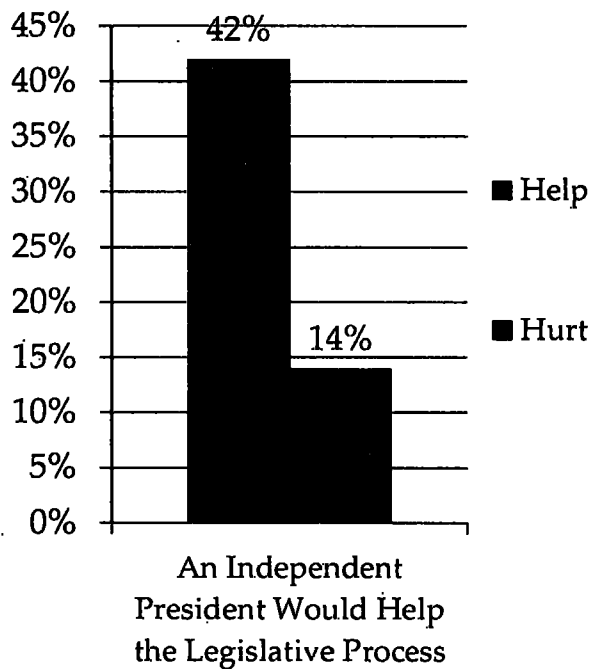


Exhibit 3

EXHIBIT D

News from the...
DEMOCRATIC AND REPUBLICAN NATIONAL COMMITTEES

Release: Wednesday, February 18, 1987

Contact: Robert P. Schmermund, RNC
202/863-8550

Terry Michael, DNC
202/863-8020

RNC AND DNC ESTABLISH
COMMISSION ON PRESIDENTIAL DEBATES

WASHINGTON, D.C.--Republican National Committee Chairman Frank J. Fahrenkopf, Jr. and Democratic National Committee Chairman Paul G. Kirk, Jr. announced the creation of the Commission on Presidential Debates at a joint press conference today at the Capitol.

The 10-member commission is a bipartisan, non-profit, tax exempt organization formed to implement joint sponsorship of general election presidential and vice presidential debates, starting in 1988, by the national Republican and Democratic committees between their respective nominees.

In launching this new initiative, the two party chairmen said, "A major responsibility of both the Democratic and Republican parties is to inform the American electorate on their philosophies and policies as well as those of their respective candidates. One of the most effective ways of accomplishing this is through debates between their nominees. By jointly sponsoring these debates, we will better fulfill our party responsibilities to inform and educate the electorate, strengthen the role of political parties in the electoral process and, most important of all, we can institutionalize the debates, making them an integral and permanent part of the presidential process."

In emphasizing the bipartisan nature of the commission, both chairmen noted the contributions to the debate process by the League of Women Voters: "We applaud the League for laying a foundation from which we can assume our own responsibilities. While the two party committees will be sponsors for all future presidential general election debates between our party nominees, we would expect and encourage the League's participation in sponsoring other debates, particularly in the presidential primary process."

Kirk and Fahrenkopf, in stressing the need to institutionalize the debates, said it will be the Commission's goal to recommend the number of presidential and vice presidential debates, as well as the dates and locations of those debates, before the 1983 nominating conventions. Potential candidates for the parties' respective nominations have committed to support party-sponsored debates. The Commission's recommendations will be forwarded to all potential candidates for concurrence as soon as they are completed.

more

END

"This degree of certainty about the debates going into the general election," the chairmen said, "is an historic breakthrough in institutionalizing them. It means that we won't spend most of the general election campaign debating about debates, as we have too often in the past. The American people have an expectation that debates will occur every four years; this process is designed to assure that that expectation will be realized."

Fahrenkopf and Kirk will serve as co-chairs of the new Commission. They appointed as vice chairs:

- Richard Moe, Washington lawyer and partner in the firm of Davis, Polk & Wardwell;
- David Norcross, Washington lawyer and partner in the firm of Myers, Matteo, Rabil, Pluse & Norcross.

Others named to the Commission are:

- U.S. Rep. Barbara Vucanovich (R-NY);
- former U.S. Senator John Culver (D-IA), now a partner in the Washington law firm of Arent, Fox, Kintner, Plotkin & Kahn;
- Republican Gov. Kay Orr of Nebraska;
- Vernon Jordan, a Democrat, former president of the Urban League, now a partner in the law firm of Akin, Gump, Strauss, Mauer & Feld;
- Pamela Harriman, chairman of Democrats for the '80's;
- U.S. Senator Pete Wilson (R-CA).

The two chairmen said the Commission will hire staff and open a Washington office shortly. They said articles of incorporation for the Commission have been filed in the District of Columbia as well as an application for tax exemption with the Internal Revenue Service.

Kirk and Fahrenkopf concluded by saying, "We have no doubt that with the help of the Commission we can forge a permanent framework in which all future presidential debates between the nominees of the two political parties will be based. It is our responsibility as Party chairmen to have an informative and fair presidential process. The establishment of the Commission on Presidential Debates will go a long way toward achieving that goal."

Today's announcement stems from a recommendation of the Commission on National Elections, which during 1985 studied the presidential election system. On Nov. 26, 1985, Kirk and Fahrenkopf signed a joint memorandum agreeing in principle to pursue the party sponsorship concept.

Exhibit 4

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Our Mission

The Commission on Presidential Debates (CPD) was established in 1987 to ensure that debates, as a permanent part of every general election, provide the best possible information to viewers and listeners. Its primary purpose is to sponsor and produce debates for the United States presidential and vice presidential candidates and to undertake research and educational activities relating to the debates. The organization, which is a nonprofit, nonpartisan, 501(c)(3) corporation, sponsored all the presidential debates in [1988](#), [1992](#), [1996](#), [2000](#), [2004](#), [2008](#), and [2012](#).

To meet its ongoing goal of educating voters, the CPD is engaged in various activities beyond producing and sponsoring the presidential debates. Its staff prepares educational materials and conducts research to improve the quality of debates.

Further, the CPD provides technical assistance to emerging democracies and others interested in establishing debate traditions in their countries. In recent years, the staff worked with groups from Bosnia, Burundi, Colombia, Côte d'Ivoire, Ghana, Haiti, Jamaica, Lebanon, Niger, Nigeria, Peru, Romania, Trinidad and Tobago, Uganda, and the Ukraine, among others. Finally, the CPD coordinates post-debate symposia and research after many of its presidential forums ([1996 Post-Debate Symposium](#), [1992 Post-Debate Research](#), [1988 Post-Debate Symposium](#)).

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Exhibit 5

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2012 Debates

There were three presidential debates and one vice presidential debate during the 2012 general election.



Courtesy Mark Abraham

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General Election Presidential Debate

Barack Obama (D), President and

<http://www.debates.org/index.php?page=2012-debates>

Mitt Romney (R), Former Massachusetts Governor

Date: October 3, 2012

Location: University of Denver

City: Denver, Colorado

Time: 9:00 - 10:30pm Eastern

Sponsor: Commission on Presidential Debates

Moderator: Jim Lehrer, PBS

Topic: Domestic Policy

Viewership: 67.2 million (Data provided by Nielsen Media Research)

Format: 90-minute debate with candidates standing at podiums. Divided into six time segments of approximately 15 minutes, with topics selected and announced beforehand by the moderator. Each segment opened with a question, after which each candidate had two minutes to respond. The moderator used the balance of the time in the segment for a discussion of the topic.

Pool coverage provided by: ABC

Transcript

Video

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Vice Presidential Debate

Joe Biden (D), Vice President and
Paul Ryan (R), Member, United States House of Representatives (WI)

Date: October 11, 2012

Location: Centre College

City: Danville, Kentucky

Time: 9:00 - 10:30 Eastern

Sponsor: Commission on Presidential Debates

Moderator: Martha Raddatz, ABC

Topic: All Topics

Viewership: 51.4 million (Data provided by Nielsen Media Research)

Format: 90-minute debate with candidates seated at table with moderator. Divided into nine segments of approximately 10 minutes each. Each segment opened with a question, after which each candidate had two minutes to respond. The moderator used the balance of the time in the segment for a discussion of the topic.

Pool coverage provided by: CNN

[Transcript](#)

[Video](#)

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General Election Presidential Debate

Barack Obama (D), President and
Mitt Romney (R), Former Massachusetts Governor

Date: October 16, 2012

Location: Hofstra University

City: Hempstead, NY

Time: 9:00 - 10:30pm Eastern

Sponsor: Commission on Presidential Debates

Moderator: Candy Crowley, CNN

Topic: All Topics

Viewership: 65.6 million (Data provided by Nielsen Media Research)

Format: 90-minute town hall meeting debate. Candidates questioned by uncommitted voters from Nassau County, NY identified by the Gallup Organization. Candidates each had two minutes to respond, and an additional two minutes for the moderator to facilitate a discussion.

Pool coverage provided by: FOX

[Transcript](#)

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General Election Presidential Debate

Barack Obama (D), President and
Mitt Romney (R), Former Massachusetts Governor

Date: October 22, 2012

Location: Lynn University

City: Boca Raton, FL

Time: 9:00 - 10:30pm Eastern

Sponsor: Commission on Presidential Debates

Moderator: Bob Schieffer, CBS

Topic: Foreign Policy

Viewership: 59.2 million (Data provided by Nielsen Media Research)

Format: 90-minute debate with candidates seated at table with moderator. Divided into six time segments of approximately 15 minutes, with topics selected and announced beforehand by the moderator. Each segment opened with a question, after which each candidate had two minutes to respond. The moderator used the balance of the time in the segment for a discussion of the topic.

Pool coverage provided by: ABC

[Transcript](#)

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Exhibit 6

Return of Organization Exempt From Income Tax
Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

2012

Open to Public Inspection

Department of the Treasury Internal Revenue Service

The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2012 calendar year, or tax year beginning 2012, and ending

B Check if applicable: Address change, Name change, Initial return, Terminated, Amended return, Application pending. C COMMISSION ON PRESIDENTIAL DEBATES, 1200 NEW HAMPSHIRE AVENUE, NW #445 WASHINGTON, DC 20036-6802. D Employer identification number 52-1500977. E Telephone number 202-872-1020. G Gross receipts \$ 2,711,803. F Name and address of principal officer SAME AS C ABOVE. H(a) Is this a group return for affiliates? Yes No. H(b) Are all affiliates included? Yes No. I Tax-exempt status X 501(c)(3) 501(c) () (insert no) 4947(a)(1) or 527. J Website: DEBATES.ORG. K Form of organization X Corporation Trust Association Other. L Year of formation 1987. M State of legal domicile DC.

Part I Summary

Table with 3 columns: Description, Prior Year, Current Year. Rows include: 1 Briefly describe the organization's mission or most significant activities. ORGANIZE GENERAL ELECTION PRESIDENTIAL AND VICE PRESIDENTIAL DEBATES. 2 Check this box if the organization discontinued its operations or disposed of more than 25% of its net assets. 3 Number of voting members of the governing body (Part VI, line 1a) 11. 4 Number of independent voting members of the governing body (Part VI, line 1b) 11. 5 Total number of individuals employed in calendar year 2012 (Part V, line 2a) 9. 6 Total number of volunteers (estimate if necessary) 0. 7a Total unrelated business revenue from Part VIII, column (C), line 12 0. 7b Net unrelated business taxable income from Form 990-T, line 34 0. 8 Contributions and grants (Part VIII, line 1h) 5,041,750. 9 Program service revenue (Part VIII, line 2g) 2,706,000. 10 Investment income (Part VIII, column (A), lines 3, 4, and 7d) 7,822. 11 Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e) -1,139. 12 Total revenue - add lines 8 through 11 (must equal Part VIII, column (A), line 12) 5,051,369. 2,704,861. 13 Grants and similar amounts paid (Part IX, column (A), lines 1-3) 394,329. 14 Benefits paid to or for members (Part IX, column (A), line 4) 621,928. 15 Salaries, other compensation, employee benefits (Part IX, column (A), lines 5-10) 19,780. 16a Professional fundraising fees (Part IX, column (A), line 11e) 400,339. 16b Total fundraising expenses (Part IX, column (D), line 25) 3,534,519. 17 Other expenses (Part IX, column (A), lines 11a-11d, 11-24e) 794,668. 18 Total expenses Add lines 13-17 (must equal Part IX, column (A), line 25) 4,156,447. 19 Revenue less expenses Subtract line 18 from line 12 4,256,701. -1,451,586. 20 Total assets (Part X, line 16) Beginning of Current Year 6,628,996. End of Year 5,277,704. 21 Total liabilities (Part X, line 26) 276,120. 372,009. 22 Net assets or fund balances Subtract line 21 from line 20 6,352,876. 4,905,695.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Signature of officer: JANET H. BROWN, EXECUTIVE DIRECTOR. Date: 11/12/13.

Paid Preparer Use Only: Preparer's name: NIEL B. JEFFERSON, CPA. Preparer's signature: [Signature]. Date: 10/30/13. Check self-employed if PTIN: P00067024. Firm's name: DENBURG & LOW, PA, CPAS. Firm's address: 1350 CONNECTICUT AVE, NW, #850 WASHINGTON, DC 20036. Firm's EIN: 52-1468002. Phone no: 202-785-5600.

May the IRS discuss this return with the preparer shown above? (see instructions) X Yes No

BAA For Paperwork Reduction Act Notice, see the separate instructions.

G17 16

Part III Statement of Program Service Accomplishments

Check if Schedule O contains a response to any question in this Part III

1 Briefly describe the organization's mission

ORGANIZE GENERAL ELECTION PRESIDENTIAL AND VICE PRESIDENTIAL DEBATES

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ?

Yes No

If 'Yes,' describe these new services on Schedule O

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services?

Yes No

If 'Yes,' describe these changes on Schedule O

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses Section 501(c)(3) and 501(c)(4) organizations and section 4947(a)(1) trusts are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4 a (Code) (Expenses \$ 3,748,084. including grants of \$) (Revenue \$)

ORGANIZE, PRODUCE, FINANCE AND PUBLICIZE THE GENERAL ELECTION DEBATES FOR CANDIDATES FOR PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES OF AMERICA AND OTHER VOTER EDUCATION ACTIVITIES.

4 b (Code:) (Expenses \$ including grants of \$) (Revenue \$)

4 c (Code) (Expenses \$ including grants of \$) (Revenue \$)

4 d Other program services (Describe in Schedule O)

(Expenses \$ including grants of \$) (Revenue \$)

4 e Total program service expenses ▶ 3,748,084.

Part IV Checklist of Required Schedules

	Yes	No
1 Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? If 'Yes,' complete Schedule A	X	
2 Is the organization required to complete Schedule B, Schedule of Contributors (see instructions)?	X	
3 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If 'Yes,' complete Schedule C, Part I		X
4 Section 501(c)(3) organizations Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? If 'Yes,' complete Schedule C, Part II		X
5 Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? If 'Yes,' complete Schedule C, Part III		X
6 Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? If 'Yes,' complete Schedule D, Part I		X
7 Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas or historic structures? If 'Yes,' complete Schedule D, Part II		X
8 Did the organization maintain collections of works of art, historical treasures, or other similar assets? If 'Yes,' complete Schedule D, Part III		X
9 Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X, or provide credit counseling, debt management credit repair, or debt negotiation services? If 'Yes,' complete Schedule D, Part IV		X
10 Did the organization, directly or through a related organization, hold assets in temporarily restricted endowments, permanent endowments, or quasi-endowments? If 'Yes,' complete Schedule D, Part V		X
11 If the organization's answer to any of the following questions is 'Yes,' then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable		
a Did the organization report an amount for land, buildings and equipment in Part X, line 10? If 'Yes,' complete Schedule D, Part VI	X	
b Did the organization report an amount for investments - other securities in Part X, line 12 that is 5% or more of its total assets reported in Part X, line 16? If 'Yes,' complete Schedule D, Part VII		X
c Did the organization report an amount for investments - program related in Part X, line 13 that is 5% or more of its total assets reported in Part X, line 16? If 'Yes,' complete Schedule D, Part VIII		X
d Did the organization report an amount for other assets in Part X, line 15 that is 5% or more of its total assets reported in Part X, line 16? If 'Yes,' complete Schedule D, Part IX		X
e Did the organization report an amount for other liabilities in Part X, line 25? If 'Yes,' complete Schedule D, Part X	X	
f Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? If 'Yes,' complete Schedule D, Part X	X	
12a Did the organization obtain separate, independent audited financial statements for the tax year? If 'Yes,' complete Schedule D, Parts XI, and XII	X	
b Was the organization included in consolidated, independent audited financial statements for the tax year? If 'Yes,' and if the organization answered 'No' to line 12a, then completing Schedule D, Parts XI and XII is optional		X
13 Is the organization a school described in section 170(b)(1)(A)(ii)? If 'Yes,' complete Schedule E		X
14a Did the organization maintain an office, employees, or agents outside of the United States?		X
b Did the organization have aggregate revenues or expenses of more than \$10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at \$100,000 or more? If 'Yes,' complete Schedule F, Parts I and IV		X
15 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of grants or assistance to any organization or entity located outside the United States? If 'Yes,' complete Schedule F, Parts II and IV		X
16 Did the organization report on Part IX, column (A), line 3, more than \$5,000 of aggregate grants or assistance to individuals located outside the United States? If 'Yes,' complete Schedule F, Parts III and IV		X
17 Did the organization report a total of more than \$15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? If 'Yes,' complete Schedule G, Part I (see instructions)		X
18 Did the organization report more than \$15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? If 'Yes,' complete Schedule G, Part II		X
19 Did the organization report more than \$15,000 of gross income from gaming activities on Part VIII, line 9a? If 'Yes,' complete Schedule G, Part III		X
20a Did the organization operate one or more hospital facilities? If 'Yes,' complete Schedule H		X
b If 'Yes' to line 20a, did the organization attach a copy of its audited financial statements to this return?		

Part IV Checklist of Required Schedules (continued)

	Yes	No
21 Did the organization report more than \$5,000 of grants and other assistance to governments and organizations in the United States on Part IX, column (A), line 1? <i>If 'Yes,' complete Schedule I, Parts I and II</i>		X
22 Did the organization report more than \$5,000 of grants and other assistance to individuals in the United States on Part IX, column (A), line 2? <i>If 'Yes,' complete Schedule I, Parts I and III</i>		X
23 Did the organization answer 'Yes' to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? <i>If 'Yes,' complete Schedule J</i>	X	
24a Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than \$100,000 as of the last day of the year, and that was issued after December 31, 2002? <i>If 'Yes,' answer lines 24b through 24d and complete Schedule K. If 'No,' go to line 25</i>		X
b Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?		
c Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?		
d Did the organization act as an 'on behalf of' issuer for bonds outstanding at any time during the year?		
25a Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in an excess benefit transaction with a disqualified person during the year? <i>If 'Yes,' complete Schedule L, Part I</i>		X
b Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? <i>If 'Yes,' complete Schedule L, Part I</i>		X
26 Was a loan to or by a current or former officer, director, trustee, key employee, highest compensated employee, or disqualified person outstanding as of the end of the organization's tax year? <i>If 'Yes,' complete Schedule L, Part II</i>		X
27 Did the organization provide a grant or other assistance to an officer, director, trustee, key employee, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity or family member of any of these persons? <i>If 'Yes,' complete Schedule L, Part III</i>		X
28 Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions for applicable filing thresholds, conditions, and exceptions):		
a A current or former officer, director, trustee, or key employee? <i>If 'Yes,' complete Schedule L, Part IV</i>		X
b A family member of a current or former officer, director, trustee, or key employee? <i>If 'Yes,' complete Schedule L, Part IV</i>		X
c An entity of which a current or former officer, director, trustee, or key employee (or a family member thereof) was an officer, director, trustee, or direct or indirect owner? <i>If 'Yes,' complete Schedule L, Part IV</i>		X
29 Did the organization receive more than \$25,000 in non-cash contributions? <i>If 'Yes,' complete Schedule M</i>		X
30 Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? <i>If 'Yes,' complete Schedule M</i>		X
31 Did the organization liquidate, terminate, or dissolve and cease operations? <i>If 'Yes,' complete Schedule N, Part I</i>		X
32 Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? <i>If 'Yes,' complete Schedule N, Part II</i>		X
33 Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? <i>If 'Yes,' complete Schedule R, Part I</i>		X
34 Was the organization related to any tax-exempt or taxable entity? <i>If 'Yes,' complete Schedule R, Parts II, III, IV, and V, line 1</i>		X
35a Did the organization have a controlled entity within the meaning of section 512(b)(13)?		X
b If 'Yes' to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? <i>If 'Yes,' complete Schedule R, Part V, line 2</i>		
36 Section 501(c)(3) organizations. Did the organization make any transfers to an exempt non-charitable related organization? <i>If 'Yes,' complete Schedule R, Part V, line 2</i>		X
37 Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? <i>If 'Yes,' complete Schedule R, Part VI</i>		X
38 Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? Note. All Form 990 filers are required to complete Schedule O	X	

BAA

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response to any question in this Part V

		Yes	No
1 a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable. 20		
1 b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable. 0		
1 c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	X	
2 a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return. 9		
2 b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns? <i>Note.</i> If the sum of lines 1a and 2a is greater than 250, you may be required to e-file (see instructions).	X	
3 a	Did the organization have unrelated business gross income of \$1,000 or more during the year?		X
3 b	If 'Yes,' has it filed a Form 990-T for this year? If 'No,' provide an explanation in Schedule O.		
4 a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		X
4 b	If 'Yes,' enter the name of the foreign country: See instructions for filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts.		
5 a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		X
5 b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		X
5 c	If 'Yes,' to line 5a or 5b, did the organization file Form 8886-T?		
6 a	Does the organization have annual gross receipts that are normally greater than \$100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?		X
6 b	If 'Yes,' did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		
7	Organizations that may receive deductible contributions under section 170(c).		
7 a	Did the organization receive a payment in excess of \$75 made partly as a contribution and partly for goods and services provided to the payor?		X
7 b	If 'Yes,' did the organization notify the donor of the value of the goods or services provided?		
7 c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		X
7 d	If 'Yes,' indicate the number of Forms 8282 filed during the year. 7 d		
7 e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		X
7 f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		X
7 g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		
7 h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		
8	Sponsoring organizations maintaining donor advised funds and section 509(a)(3) supporting organizations. Did the supporting organization, or a donor advised fund maintained by a sponsoring organization, have excess business holdings at any time during the year?		
9	Sponsoring organizations maintaining donor advised funds.		
9 a	Did the organization make any taxable distributions under section 4966?		
9 b	Did the organization make a distribution to a donor, donor advisor, or related person?		
10	Section 501(c)(7) organizations. Enter:		
10 a	Initiation fees and capital contributions included on Part VIII, line 12. 10 a		
10 b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities. 10 b		
11	Section 501(c)(12) organizations. Enter:		
11 a	Gross income from members or shareholders. 11 a		
11 b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them). 11 b		
12 a	Section 4947(a)(1) non-exempt charitable trusts. Is the organization filing Form 990 in lieu of Form 1041?		
12 b	If 'Yes,' enter the amount of tax-exempt interest received or accrued during the year. 12 b		
13	Section 501(c)(29) qualified nonprofit health insurance issuers.		
13 a	Is the organization licensed to issue qualified health plans in more than one state? <i>Note.</i> See the instructions for additional information the organization must report on Schedule O.		
13 b	Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans. 13 b		
13 c	Enter the amount of reserves on hand. 13 c		
14 a	Did the organization receive any payments for indoor tanning services during the tax year?		X
14 b	If 'Yes,' has it filed a Form 720 to report these payments? If 'No,' provide an explanation in Schedule O. 14 b		

Part VI Governance, Management and Disclosure For each 'Yes' response to lines 2 through 7b below, and for a 'No' response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes in Schedule O. See instructions.

Check if Schedule O contains a response to any question in this Part VI

Section A. Governing Body and Management

	Yes	No
1 a Enter the number of voting members of the governing body at the end of the tax year If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain in Schedule O		
1 a		11
b Enter the number of voting members included in line 1a, above, who are independent		
1 b		11
2 Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee or key employee?		X
3 Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors or trustees, or key employees to a management company or other person?		X
4 Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?		X
5 Did the organization become aware during the year of a significant diversion of the organization's assets?		X
6 Did the organization have members or stockholders? SEE SCHEDULE O	X	
7 a Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?		X
b Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or other persons other than the governing body?		X
8 Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following		
a The governing body?	X	
b Each committee with authority to act on behalf of the governing body?		X
9 Is there any officer, director or trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? If 'Yes,' provide the names and addresses in Schedule O		X

Section B. Policies (This Section B requests information about policies not required by the Internal Revenue Code.)

	Yes	No
10 a Did the organization have local chapters, branches, or affiliates?		X
b If 'Yes,' did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?		
10 b		
11 a Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	X	
b Describe in Schedule O the process, if any, used by the organization to review this Form 990 SEE SCHEDULE O		
12 a Did the organization have a written conflict of interest policy? If 'No,' go to line 13	X	
b Were officers, directors or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	X	
12 b	X	
c Did the organization regularly and consistently monitor and enforce compliance with the policy? If 'Yes,' describe in Schedule O how this is done SEE SCHEDULE O	X	
12 c	X	
13 Did the organization have a written whistleblower policy?	X	
13	X	
14 Did the organization have a written document retention and destruction policy?	X	
14	X	
15 Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?		
a The organization's CEO, Executive Director, or top management official SEE SCHEDULE O	X	
15 a	X	
b Other officers of key employees of the organization If 'Yes' to line 15a or 15b, describe the process in Schedule O. (See instructions)		X
15 b		X
16 a Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?		X
16 a		X
b If 'Yes,' did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and taken steps to safeguard the organization's exempt status with respect to such arrangements?		
16 b		

Section C. Disclosure

- 17 List the states with which a copy of this Form 990 is required to be filed NONE
- 18 Section 6104 requires an organization to make its Forms 1023 (or 1024 if applicable), 990, and 990-T (501(c)(3)s only) available for public inspection. Indicate how you make these available. Check all that apply.
 Own website Another's website Upon request Other (explain in Schedule O)
- 19 Describe in Schedule O whether (and if so, how) the organization makes its governing documents, conflict of interest policy, and financial statements available to the public during the tax year. SEE SCHEDULE O
- 20 State the name, physical address, and telephone number of the person who possesses the books and records of the organization
JANET BROWN 1200 NEW HAMPSHIRE AVE., NW WASHINGTON DC 20036-6802 202-872-1020

Part VII Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors

Check if Schedule O contains a response to any question in this Part VII

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1 a Complete this table for all persons required to be listed Report compensation for the calendar year ending with or within the organization's tax year

- List all of the organization's current officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation Enter -0- in columns (D), (E), and (F) if no compensation was paid
- List all of the organization's current key employees, if any See instructions for definition of 'key employee'
- List the organization's five current highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than \$100,000 from the organization and any related organizations
- List all of the organization's former officers, key employees, and highest compensated employees who received more than \$100,000 of reportable compensation from the organization and any related organizations
- List all of the organization's former directors or trustees that received, in the capacity as a former director or trustee of the organization, more than \$10,000 of reportable compensation from the organization and any related organizations

List persons in the following order: individual trustees or directors; institutional trustees; officers; key employees; highest compensated employees; and former such persons

Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee

(A) Name and Title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(1) FRANK J. FAHRENKOPF, JR CO-CHAIRMAN	1 0	X		X				0.	0.	0.
(2) RICHARD D. PARSONS DIRECTOR	1 0	X						0.	0.	0.
(3) NEWTON N. MINOW VICE-CHAIRMAN	1 0	X		X				0.	0.	0.
(4) JOHN C. DANFORTH VICE-CHAIRMAN	1 0	X		X				0.	0.	0.
(5) ANTONIA HERNANDEZ SECRETARY	1 0	X		X				0.	0.	0.
(6) JOHN GRIFFEN DIRECTOR	1 0	X						0.	0.	0.
(7) MICHAEL D. MCCURRY CO-CHAIRMAN	1 0	X		X				0.	0.	0.
(8) REV. JOHN I. JENKINS DIRECTOR	1 0	X						0.	0.	0.
(9) HOWARD G. BUFFET DIRECTOR	1 0	X						0.	0.	0.
(10) DOROTHY RIDINGS DIRECTOR	1 0	X						0.	0.	0.
(11) SEN. ALAN K. SIMPSON DIRECTOR	1 0	X						0.	0.	0.
(12) JANET H. BROWN EXEC. DIRECTOR	40 0			X				240,000.	0.	50,000.
(13)										
(14)										

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees (cont)

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee)						(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
		Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former			
(15) -----										
(16) -----										
(17) -----										
(18) -----										
(19) -----										
(20) -----										
(21) -----										
(22) -----										
(23) -----										
(24) -----										
(25) -----										
1 b Sub-total							240,000.	0.	50,000.	
c Total from continuation sheets to Part VII, Section A							0.	0.	0.	
d Total (add lines 1b and 1c)							240,000.	0.	50,000.	

2 Total number of individuals (including but not limited to those listed above) who received more than \$100,000 of reportable compensation from the organization **▶ 1**

	Yes	No
3 Did the organization list any former officer, director or trustee, key employee, or highest compensated employee on line 1a? <i>If 'Yes,' complete Schedule J for such individual</i>		X
4 For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than \$150,000? <i>If 'Yes' complete Schedule J for such individual</i>	X	
5 Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? <i>If 'Yes,' complete Schedule J for such person</i>		X

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than \$100,000 of compensation from the organization Report compensation for the calendar year ending with or within the organization's tax year

(A) Name and business address	(B) Description of services	(C) Compensation
MARTIN SLUTSKY 3136 HUNTERS HILL RD. NASHVILLE, TN 37214	EXECUTIVE PRODUCER	185,000.

2 Total number of independent contractors (including but not limited to those listed above) who received more than \$100,000 in compensation from the organization **▶ 1**

Part VIII Statement of Revenue

Check if Schedule O contains a response to any question in this Part VIII

		(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512, 513, or 514	
CONTRIBUTIONS, GIFTS, GRANTS AND OTHER SIMILAR AMOUNTS	1 a Federated campaigns	1 a				
	b Membership dues	1 b				
	c Fundraising events	1 c				
	d Related organizations	1 d				
	e Government grants (contributions)	1 e				
	f All other contributions, gifts, grants, and similar amounts not included above	1 f 2,706,000.				
	g Noncash contributions included in lns 1a-1f	\$				
	h Total. Add lines 1a-1f		2,706,000.			
PROGRAM SERVICE REVENUE	2 a	Business Code				
	b					
	c					
	d					
	e					
	f All other program service revenue					
	g Total. Add lines 2a-2f					
OTHER REVENUE	3 Investment income (including dividends, interest and other similar amounts)		5,803.		5,803.	
	4 Income from investment of tax-exempt bond proceeds					
	5 Royalties					
	6 a Gross rents	(i) Real				
		(ii) Personal				
	b Less: rental expenses					
	c Rental income or (loss)					
	d Net rental income or (loss)					
	7 a Gross amount from sales of assets other than inventory	(i) Securities				
		(ii) Other				
	b Less cost or other basis and sales expenses		6,942.			
	c Gain or (loss)		-6,942.			
	d Net gain or (loss)		-6,942.	-6,942.		
	8 a Gross income from fundraising events (not including \$ _____ of contributions reported on line 1c) See Part IV, line 18	a				
	b Less direct expenses	b				
c Net income or (loss) from fundraising events						
9 a Gross income from gaming activities. See Part IV, line 19	a					
b Less direct expenses	b					
c Net income or (loss) from gaming activities						
10 a Gross sales of inventory, less returns and allowances	a					
b Less: cost of goods sold	b					
c Net income or (loss) from sales of inventory						
Miscellaneous Revenue		Business Code				
11 a OTHER INCOME						
b						
c						
d All other revenue						
e Total. Add lines 11a-11d						
12 Total revenue. See instructions		2,704,861.	-6,942.	0.	5,803.	

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A)

Check if Schedule O contains a response to any question in this Part IX

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to governments and organizations in the United States See Part IV, line 21				
2 Grants and other assistance to individuals in the United States. See Part IV, line 22				
3 Grants and other assistance to governments, organizations, and individuals outside the United States See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees	240,000.	180,000.	48,000.	12,000.
6 Compensation not included above, to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)	0.	0.	0.	0.
7 Other salaries and wages	274,947.	228,616.	41,330.	5,001.
8 Pension plan accruals and contributions (include section 401(k) and section 403(b) employer contributions)	75,005.	55,504.	18,001.	1,500.
9 Other employee benefits				
10 Payroll taxes	31,976.	24,941.	5,756.	1,279.
11 Fees for services (non-employees):				
a Management				
b Legal	113,634.	97,851.	15,783.	
c Accounting	49,854.		49,854.	
d Lobbying				
e Professional fundraising services See Part IV, line 17				
f Investment management fees				
g Other (if line 11g amt exceeds 10% of line 25, column (A) amt, list line 11g expenses on Sch O)				
12 Advertising and promotion				
13 Office expenses	13,783.		13,783.	
14 Information technology				
15 Royalties				
16 Occupancy	87,439.		87,439.	
17 Travel	218,311.	218,311.		
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings				
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization	10,864.		10,864.	
23 Insurance	53,252.		53,252.	
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses in line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a PRODUCTION STAFF- CONTRACTED	1,680,104.	1,680,104.		
b DEBATE FACILITY AND EQUIP EXP	690,753.	690,753.		
c MEDIA FILING CENTER	368,500.	368,500.		
d MEALS	112,653.	112,653.		
e All other expenses	135,372.	90,851.	44,521.	
25 Total functional expenses. Add lines 1 through 24e	4,156,447.	3,748,084.	388,583.	19,780.
26 Joint costs. Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here <input type="checkbox"/> if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response to any question in this Part X

		(A) Beginning of year		(B) End of year	
ASSETS	1	Cash — non-interest-bearing	948,416.	1	373,751.
	2	Savings and temporary cash investments	5,551,899.	2	4,815,971.
	3	Pledges and grants receivable, net		3	
	4	Accounts receivable, net		4	1,290.
	5	Loans and other receivables from current and former officers, directors, trustees, key employees, and highest compensated employees Complete Part II of Schedule L		5	
	6	Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), persons described in section 4958(c)(3)(B), and contributing employers and sponsoring organizations of section 501(c)(9) voluntary employees' beneficiary organizations (see instructions) Complete Part II of Schedule L		6	
	7	Notes and loans receivable, net		7	
	8	Inventories for sale or use		8	
	9	Prepaid expenses and deferred charges	90,750.	9	55,832.
	10a	Land, buildings, and equipment cost or other basis Complete Part VI of Schedule D	10a 44,592.		
	b	Less accumulated depreciation	10b 20,432.	10c 31,230.	24,160.
	11	Investments — publicly traded securities		11	
	12	Investments — other securities See Part IV, line 11		12	
	13	Investments — program-related See Part IV, line 11		13	
	14	Intangible assets		14	
	15	Other assets See Part IV, line 11	6,701.	15	6,700.
16	Total assets. Add lines 1 through 15 (must equal line 34)	6,628,996.	16	5,277,704.	
LIABILITIES	17	Accounts payable and accrued expenses	48,486.	17	285,704.
	18	Grants payable		18	
	19	Deferred revenue		19	
	20	Tax-exempt bond liabilities		20	
	21	Escrow or custodial account liability Complete Part IV of Schedule D		21	
	22	Loans and other payables to current and former officers, directors, trustees, key employees, highest compensated employees, and disqualified persons Complete Part II of Schedule L		22	
	23	Secured mortgages and notes payable to unrelated third parties		23	
	24	Unsecured notes and loans payable to unrelated third parties		24	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17-24) Complete Part X of Schedule D	227,634.	25	86,305.
	26	Total liabilities. Add lines 17 through 25	276,120.	26	372,009.
NET ASSETS OR FUND BALANCES	Organizations that follow SFAS 117 (ASC 958), check here <input checked="" type="checkbox"/> and complete lines 27 through 29, and lines 33 and 34.				
	27	Unrestricted net assets	6,352,876.	27	4,905,695.
	28	Temporarily restricted net assets		28	
	29	Permanently restricted net assets		29	
	Organizations that do not follow SFAS 117 (ASC 958), check here <input type="checkbox"/> and complete lines 30 through 34.				
	30	Capital stock or trust principal, or current funds		30	
	31	Paid-in or capital surplus, or land, building, or equipment fund		31	
	32	Retained earnings, endowment, accumulated income, or other funds		32	
33	Total net assets or fund balances	6,352,876.	33	4,905,695.	
34	Total liabilities and net assets/fund balances	6,628,996.	34	5,277,704.	

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Form 990 (2012)

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response to any question in this Part XI

1	Total revenue (must equal Part VIII, column (A), line 12)	1	2,704,861.
2	Total expenses (must equal Part IX, column (A), line 25)	2	4,156,447.
3	Revenue less expenses Subtract line 2 from line 1	3	-1,451,586.
4	Net assets or fund balances at beginning of year (must equal Part X, line 33, column (A))	4	6,352,876.
5	Net unrealized gains (losses) on investments	5	-1,629.
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain in Schedule O) SEE SCHEDULE O	9	6,034.
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 33, column (B))	10	4,905,695.

Part XII Financial Statements and Reporting

Check if Schedule O contains a response to any question in this Part XII

	Yes	No
1 Accounting method used to prepare the Form 990: <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Accrual <input type="checkbox"/> Other _____ If the organization changed its method of accounting from a prior year or checked 'Other,' explain in Schedule O		
2a Were the organization's financial statements compiled or reviewed by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: <input type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis		X
b Were the organization's financial statements audited by an independent accountant? If 'Yes,' check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: <input checked="" type="checkbox"/> Separate basis <input type="checkbox"/> Consolidated basis <input type="checkbox"/> Both consolidated and separate basis	X	
c If 'Yes' to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant? If the organization changed either its oversight process or selection process during the tax year, explain in Schedule O	X	
3a As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?		X
b If 'Yes,' did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why in Schedule O and describe any steps taken to undergo such audits		

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Form 990 (2012)

SCHEDULE A
(Form 990 or 990-EZ)

Public Charity Status and Public Support

OMB No 1545-0047

2012

Complete if the organization is a section 501(c)(3) organization or a section 4947(a)(1) nonexempt charitable trust.

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

▶ Attach to Form 990 or Form 990-EZ. ▶ See separate instructions.

Name of the organization COMMISSION ON PRESIDENTIAL DEBATES	Employer identification number 52-1500977
-----------------------------------------------------------------------	-----------------------------------------------------

Part I Reason for Public Charity Status (All organizations must complete this part.) See instructions.

The organization is not a private foundation because it is (For lines 1 through 11, check only one box.)

- 1 A church, convention of churches or association of churches described in section 170(b)(1)(A)(i).
- 2 A school described in section 170(b)(1)(A)(ii). (Attach Schedule E.)
- 3 A hospital or a cooperative hospital service organization described in section 170(b)(1)(A)(iii).
- 4 A medical research organization operated in conjunction with a hospital described in section 170(b)(1)(A)(iii). Enter the hospital's name, city, and state
- 5 An organization operated for the benefit of a college or university owned or operated by a governmental unit described in section 170(b)(1)(A)(iv). (Complete Part II.)
- 6 A federal, state, or local government or governmental unit described in section 170(b)(1)(A)(v).
- 7 An organization that normally receives a substantial part of its support from a governmental unit or from the general public described in section 170(b)(1)(A)(vi). (Complete Part II.)
- 8 A community trust described in section 170(b)(1)(A)(vi). (Complete Part II.)
- 9 An organization that normally receives (1) more than 33-1/3% of its support from contributions, membership fees, and gross receipts from activities related to its exempt functions – subject to certain exceptions, and (2) no more than 33-1/3% of its support from gross investment income and unrelated business taxable income (less section 511 tax) from businesses acquired by the organization after June 30, 1975. See section 509(a)(2). (Complete Part III.)
- 10 An organization organized and operated exclusively to test for public safety. See section 509(a)(4).
- 11 An organization organized and operated exclusively for the benefit of, to perform the functions of, or carry out the purposes of one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2). See section 509(a)(3). Check the box that describes the type of supporting organization and complete lines 11e through 11h.
 - a Type I
 - b Type II
 - c Type III – Functionally integrated
 - d Type III – Non-functionally integrated
- e By checking this box, I certify that the organization is not controlled directly or indirectly by one or more disqualified persons other than foundation managers and other than one or more publicly supported organizations described in section 509(a)(1) or section 509(a)(2).
- f If the organization received a written determination from the IRS that is a Type I, Type II or Type III supporting organization, check this box
- g Since August 17, 2006, has the organization accepted any gift or contribution from any of the following persons?

- (i) A person who directly or indirectly controls, either alone or together with persons described in (ii) and (iii) below, the governing body of the supported organization?
- (ii) A family member of a person described in (i) above?
- (iii) A 35% controlled entity of a person described in (i) or (ii) above?

	Yes	No
11 g (i)		
11 g (ii)		
11 g (iii)		

h Provide the following information about the supported organization(s)

(i) Name of supported organization	(ii) EIN	(iii) Type of organization (described on lines 1-9 above or IRC section (see instructions))	(iv) Is the organization in column (i) listed in your governing document?		(v) Did you notify the organization in column (i) of your support?		(vi) Is the organization in column (i) organized in the U.S.?		(vii) Amount of monetary support
			Yes	No	Yes	No	Yes	No	
(A)									
(B)									
(C)									
(D)									
(E)									
Total									

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Schedule A (Form 990 or 990-EZ) 2012

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)

(Complete only if you checked the box on line 5, 7, or 8 of Part I or if the organization failed to qualify under Part III. If the organization fails to qualify under the tests listed below, please complete Part III.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions, and membership fees received (Do not include any 'unusual grants')	1,085,000.	20,900.	50,000.	5,266,750.	2,706,000.	9,128,650.
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						0.
3 The value of services or facilities furnished by a governmental unit to the organization without charge						0.
4 Total. Add lines 1 through 3	1,085,000.	20,900.	50,000.	5,266,750.	2,706,000.	9,128,650.
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						814,086.
6 Public support. Subtract line 5 from line 4						8,314,564.

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
7 Amounts from line 4	1,085,000.	20,900.	50,000.	5,266,750.	2,706,000.	9,128,650.
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	125,711.	10,172.	16,070.	7,822.	5,803.	165,578.
9 Net income from unrelated business activities, whether or not the business is regularly carried on						0.
10 Other income Do not include gain or loss from the sale of capital assets. (Explain in Part IV) SEE PART IV	2,598.	1,800.	2,227.	1,797.	-6,942.	1,480.
11 Total support. Add lines 7 through 10						9,295,708.
12 Gross receipts from related activities, etc (see instructions)					12	0.
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here ▶ <input type="checkbox"/>						

Section C. Computation of Public Support Percentage

14 Public support percentage for 2012 (line 6, column (f) divided by line 11, column (f))	14	89.45%
15 Public support percentage from 2011 Schedule A, Part II, line 14	15	98.45%
16a 33-1/3% support test – 2012. If the organization did not check the box on line 13, and the line 14 is 33-1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input checked="" type="checkbox"/>		
b 33-1/3% support test – 2011. If the organization did not check a box on line 13 or 16a, and line 15 is 33-1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
17a 10%-facts-and-circumstances test – 2012. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the 'facts-and-circumstances' test, check this box and stop here. Explain in Part IV how the organization meets the 'facts-and-circumstances' test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
b 10%-facts-and-circumstances test – 2011. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the 'facts-and-circumstances' test, check this box and stop here. Explain in Part IV how the organization meets the 'facts-and-circumstances' test. The organization qualifies as a publicly supported organization ▶ <input type="checkbox"/>		
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions ▶ <input type="checkbox"/>		

Part III Support Schedule for Organizations Described in Section 509(a)(2)

(Complete only if you checked the box on line 9 of Part I or if the organization failed to qualify under Part II. If the organization fails to qualify under the tests listed below, please complete Part II.)

Section A. Public Support

Calendar year (or fiscal yr beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
1 Gifts, grants, contributions and membership fees received (Do not include any 'unusual grants'.)						
2 Gross receipts from admissions, merchandise sold or services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose						
3 Gross receipts from activities that are not an unrelated trade or business under section 513						
4 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf						
5 The value of services or facilities furnished by a governmental unit to the organization without charge						
6 Total. Add lines 1 through 5						
7a Amounts included on lines 1, 2, and 3 received from disqualified persons						
b Amounts included on lines 2 and 3 received from other than disqualified persons that exceed the greater of \$5,000 or 1% of the amount on line 13 for the year						
c Add lines 7a and 7b						
8 Public support (Subtract line 7c from line 6)						

Section B. Total Support

Calendar year (or fiscal yr beginning in) ▶	(a) 2008	(b) 2009	(c) 2010	(d) 2011	(e) 2012	(f) Total
9 Amounts from line 6						
10a Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources						
b Unrelated business taxable income (less section 511 taxes) from businesses acquired after June 30, 1975						
c Add lines 10a and 10b						
11 Net income from unrelated business activities not included in line 10b, whether or not the business is regularly carried on						
12 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)						
13 Total support. (Add lns 9, 10c, 11, and 12.)						

14 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here

Section C. Computation of Public Support Percentage

15 Public support percentage for 2012 (line 8, column (f) divided by line 13, column (f))	15	%
16 Public support percentage from 2011 Schedule A, Part III, line 15	16	%

Section D. Computation of Investment Income Percentage

17 Investment income percentage for 2012 (line 10c, column (f) divided by line 13, column (f))	17	%
18 Investment income percentage from 2011 Schedule A, Part III, line 17	18	%

19a 33-1/3% support tests – 2012. If the organization did not check the box on line 14, and line 15 is more than 33-1/3%, and line 17 is not more than 33-1/3%, check this box and stop here. The organization qualifies as a publicly supported organization

b 33-1/3% support tests – 2011. If the organization did not check a box on line 14 or line 19a, and line 16 is more than 33-1/3%, and line 18 is not more than 33-1/3%, check this box and stop here. The organization qualifies as a publicly supported organization

20 Private foundation. If the organization did not check a box on line 14, 19a, or 19b, check this box and see instructions

**SCHEDULE D
(Form 990)**

Department of the Treasury
Internal Revenue Service

Name of the organization

Supplemental Financial Statements

▶ Complete if the organization answered 'Yes' to Form 990, Part IV, lines 6, 7, 8, 9, 10, 11a, 11b, 11c, 11d, 11e, 11f, 12a, or 12b.
▶ Attach to Form 990. ▶ See separate instructions.

OMB No 1545-0047

2012

Open to Public Inspection

Employer identification number

COMMISSION ON PRESIDENTIAL DEBATES

52-1500977

Part I Organizations Maintaining Donor Advised Funds or Other Similar Funds or Accounts. Complete if the organization answered 'Yes' to Form 990, Part IV, line 6.

	(a) Donor advised funds	(b) Funds and other accounts
1 Total number at end of year		
2 Aggregate contributions to (during year)		
3 Aggregate grants from (during year)		
4 Aggregate value at end of year		

- 5 Did the organization inform all donors and donor advisors in writing that the assets held in donor advised funds are the organization's property, subject to the organization's exclusive legal control? Yes No
- 6 Did the organization inform all grantees, donors, and donor advisors in writing that grant funds can be used only for charitable purposes and not for the benefit of the donor or donor advisor, or for any other purpose conferring impermissible private benefit? Yes No

Part II Conservation Easements. Complete if the organization answered 'Yes' to Form 990, Part IV, line 7.

- 1 Purpose(s) of conservation easements held by the organization (check all that apply).
- Preservation of land for public use (e.g., recreation or education) Preservation of an historically important land area
- Protection of natural habitat Preservation of a certified historic structure
- Preservation of open space
- 2 Complete lines 2a through 2d if the organization held a qualified conservation contribution in the form of a conservation easement on the last day of the tax year

	Held at the End of the Tax Year
a Total number of conservation easements	2 a
b Total acreage restricted by conservation easements	2 b
c Number of conservation easements on a certified historic structure included in (a)	2 c
d Number of conservation easements included in (c) acquired after 8/17/06, and not on a historic structure listed in the National Register	2 d

- 3 Number of conservation easements modified, transferred, released, extinguished, or terminated by the organization during the tax year ▶ _____
- 4 Number of states where property subject to conservation easement is located ▶ _____
- 5 Does the organization have a written policy regarding the periodic monitoring, inspection, handling of violations, and enforcement of the conservation easements it holds? Yes No
- 6 Staff and volunteer hours devoted to monitoring, inspecting, and enforcing conservation easements during the year ▶ _____
- 7 Amount of expenses incurred in monitoring, inspecting, and enforcing conservation easements during the year ▶ \$ _____
- 8 Does each conservation easement reported on line 2(d) above satisfy the requirements of section 170(h)(4)(B)(i) and section 170(h)(4)(B)(ii)? Yes No
- 9 In Part XIII, describe how the organization reports conservation easements in its revenue and expense statement, and balance sheet, and include, if applicable, the text of the footnote to the organization's financial statements that describes the organization's accounting for conservation easements

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets. Complete if the organization answered 'Yes' to Form 990, Part IV, line 8.

- 1 a If the organization elected, as permitted under SFAS 116 (ASC 958), not to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide, in Part XIII, the text of the footnote to its financial statements that describes these items
- b If the organization elected, as permitted under SFAS 116 (ASC 958), to report in its revenue statement and balance sheet works of art, historical treasures, or other similar assets held for public exhibition, education, or research in furtherance of public service, provide the following amounts relating to these items
- (i) Revenues included in Form 990, Part VIII, line 1 ▶ \$ _____
- (ii) Assets included in Form 990, Part X ▶ \$ _____
- 2 If the organization received or held works of art, historical treasures, or other similar assets for financial gain, provide the following amounts required to be reported under SFAS 116 (ASC 958) relating to these items.
- a Revenues included in Form 990, Part VIII, line 1 ▶ \$ _____
- b Assets included in Form 990, Part X ▶ \$ _____

Part III Organizations Maintaining Collections of Art, Historical Treasures, or Other Similar Assets (continued)

3 Using the organization's acquisition, accession, and other records, check any of the following that are a significant use of its collection items (check all that apply)

- a Public exhibition
- b Scholarly research
- c Preservation for future generations
- d Loan or exchange programs
- e Other _____

4 Provide a description of the organization's collections and explain how they further the organization's exempt purpose in Part XIII

5 During the year, did the organization solicit or receive donations of art, historical treasures, or other similar assets to be sold to raise funds rather than to be maintained as part of the organization's collection? Yes No

Part IV Escrow and Custodial Arrangements. Complete if the organization answered 'Yes' to Form 990, Part IV, line 9, or reported an amount on Form 990, Part X, line 21.

1 a Is the organization an agent, trustee, custodian, or other intermediary for contributions or other assets not included on Form 990, Part X? Yes No

b If 'Yes,' explain the arrangement in Part XIII and complete the following table

	Amount
1 c	
1 d	
1 e	
1 f	

- c Beginning balance
- d Additions during the year
- e Distributions during the year
- f Ending balance

2 a Did the organization include an amount on Form 990, Part X, line 21?

Yes No

b If 'Yes,' explain the arrangement in Part XIII. Check here if the explanation has been provided in Part XIII

Part V Endowment Funds. Complete if the organization answered 'Yes' to Form 990, Part IV, line 10.

	(a) Current	(b) Prior year	(c) Two years	(d) Three years	(e) Four years
1 a Beginning of year balance					
b Contributions					
c Net investment earnings, gains, and losses					
d Grants or scholarships					
e Other expenditures for facilities and programs					
f Administrative expenses					
g End of year balance					

2 Provide the estimated percentage of the current year end balance (line 1g, column (a)) held as

- a Board designated or quasi-endowment ▶ _____ %
 - b Permanent endowment ▶ _____ %
 - c Temporarily restricted endowment ▶ _____ %
- The percentages in lines 2a, 2b, and 2c should equal 100%

3 a Are there endowment funds not in the possession of the organization that are held and administered for the organization by

- (i) unrelated organizations
- (ii) related organizations

	Yes	No
3a(i)		
3a(ii)		
3b		

b If 'Yes' to 3a(ii), are the related organizations listed as required on Schedule R?

4 Describe in Part XIII the intended uses of the organization's endowment funds.

Part VI Land, Buildings, and Equipment. See Form 990, Part X, line 10.

Description of property	(a) Cost or other basis (investment)	(b) Cost or other basis (other)	(c) Accumulated depreciation	(d) Book value
1 a Land				
b Buildings				
c Leasehold improvements				
d Equipment		33,936.	12,803.	21,133.
e Other		10,656.	7,629.	3,027.
Total. Add lines 1a through 1e (Column (d) must equal Form 990, Part X, column (B), line 10(c).)				24,160.

BAA

Part XI Reconciliation of Revenue per Audited Financial Statements With Revenue per Return

1	Total revenue, gains, and other support per audited financial statements		1	2,704,861.
2	Amounts included on line 1 but not on Form 990, Part VIII, line 12:			
	a Net unrealized gains on investments	2a		
	b Donated services and use of facilities	2b		
	c Recoveries of prior year grants	2c		
	d Other (Describe in Part XIII)	2d		
	e Add lines 2a through 2d		2e	
3	Subtract line 2e from line 1		3	2,704,861.
4	Amounts included on Form 990, Part VIII, line 12, but not on line 1:			
	a Investment expenses not included on Form 990, Part VIII, line 7b	4a		
	b Other (Describe in Part XIII)	4b		
	c Add lines 4a and 4b		4c	
5	Total revenue Add lines 3 and 4c. (This must equal Form 990, Part I, line 12.)		5	2,704,861.

Part XII Reconciliation of Expenses per Audited Financial Statements With Expenses per Return

1	Total expenses and losses per audited financial statements		1	4,156,447.
2	Amounts included on line 1 but not on Form 990, Part IX, line 25:			
	a Donated services and use of facilities	2a		
	b Prior year adjustments	2b		
	c Other losses	2c		
	d Other (Describe in Part XIII)	2d		
	e Add lines 2a through 2d		2e	
3	Subtract line 2e from line 1		3	4,156,447.
4	Amounts included on Form 990, Part IX, line 25, but not on line 1:			
	a Investment expenses not included on Form 990, Part VIII, line 7b	4a		
	b Other (Describe in Part XIII)	4b		
	c Add lines 4a and 4b		4c	
5	Total expenses Add lines 3 and 4c. (This must equal Form 990, Part I, line 18.)		5	4,156,447.

Part XIII Supplemental Information

Complete this part to provide the descriptions required for Part II, lines 3, 5, and 9, Part III, lines 1a and 4, Part IV, lines 1b and 2b, Part V, line 4, Part X, line 2; Part XI, lines 2d and 4b; and Part XII, lines 2d and 4b. Also complete this part to provide any additional information.

PART X - FIN 48 FOOTNOTE

 THE COMMISSION PERFORMED AN EVALUATION OF UNCERTAIN TAX POSITIONS FOR THE YEAR ENDED
 DECEMBER 31, 2012, AND DETERMINED THAT THERE WERE NO MATTERS THAT WOULD REQUIRE
 RECOGNITION IN THE FINANCIAL STATEMENTS OR WHICH MAY HAVE ANY EFFECT ON ITS
 TAX-EXEMPT STATUS. THE INFORMATION RETURNS (FORM 990) FOR THE YEARS 2010 THROUGH
 2012 ARE OPEN TO EXAMINATION BY FEDERAL AND STATE AUTHORITIES.

SCHEDULE J
(Form 990)

Compensation Information

OMB No 1545-0047

2012

For certain Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

▶ Complete if the organization answered 'Yes' to Form 990, Part IV, line 23.
▶ Attach to Form 990. ▶ See separate instructions.

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization

Employer identification number

COMMISSION ON PRESIDENTIAL DEBATES

52-1500977

Part I Questions Regarding Compensation

1 a Check the appropriate box(es) if the organization provided any of the following to or for a person listed in Form 990, Part VII, Section A, line 1a. Complete Part III to provide any relevant information regarding these items

- | | |
|--------------------------------------------------------------------|--------------------------------------------------------------------------|
| <input type="checkbox"/> First-class or charter travel | <input type="checkbox"/> Housing allowance or residence for personal use |
| <input type="checkbox"/> Travel for companions | <input type="checkbox"/> Payments for business use of personal residence |
| <input type="checkbox"/> Tax indemnification and gross-up payments | <input type="checkbox"/> Health or social club dues or initiation fees |
| <input type="checkbox"/> Discretionary spending account | <input type="checkbox"/> Personal services (e.g., maid, chauffeur, chef) |

b If any of the boxes on line 1a are checked, did the organization follow a written policy regarding payment or reimbursement or provision of all of the expenses described above? If 'No,' complete Part III to explain

2 Did the organization require substantiation prior to reimbursing or allowing expenses incurred by all officers, directors, trustees, and the CEO/Executive Director, regarding the items checked in line 1a?

3 Indicate which, if any, of the following the filing organization used to establish the compensation of the organization's CEO/Executive Director. Check all that apply. Do not check any boxes for methods used by a related organization to establish compensation of the CEO/Executive Director, but explain in Part III

- | | |
|--------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> Compensation committee | <input type="checkbox"/> Written employment contract |
| <input type="checkbox"/> Independent compensation consultant | <input type="checkbox"/> Compensation survey or study |
| <input type="checkbox"/> Form 990 of other organizations | <input checked="" type="checkbox"/> Approval by the board or compensation committee |

4 During the year, did any person listed in Form 990, Part VII, Section A, line 1a with respect to the filing organization or a related organization

a Receive a severance payment or change-of-control payment?

b Participate in, or receive payment from, a supplemental nonqualified retirement plan?

c Participate in, or receive payment from, an equity-based compensation arrangement?

If 'Yes' to any of lines 4a-c, list the persons and provide the applicable amounts for each item in Part III

Only section 501(c)(3) and 501(c)(4) organizations must complete lines 5-9.

5 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the revenues of

a The organization?

b Any related organization?

If 'Yes' to line 5a or 5b, describe in Part III

6 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization pay or accrue any compensation contingent on the net earnings of

a The organization?

b Any related organization?

If 'Yes' to line 6a or 6b, describe in Part III

7 For persons listed in Form 990, Part VII, Section A, line 1a, did the organization provide any non-fixed payments not described in lines 5 and 6? If 'Yes,' describe in Part III

8 Were any amounts reported in Form 990, Part VII, paid or accrued pursuant to a contract that was subject to the initial contract exception described in Regulations section 53.4958-4(a)(3)? If 'Yes,' describe in Part III

9 If 'Yes' to line 8, did the organization also follow the rebuttable presumption procedure described in Regulations section 53.4958-6(c)?

	Yes	No
1 b		
2		
4 a		X
4 b		X
4 c		X
5 a		X
5 b		X
6 a		X
6 b		X
7		X
8		X
9		

BAA For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Schedule J (Form 990) 2012

Part II Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees. Use duplicate copies if additional space is needed.

For each individual whose compensation must be reported in Schedule J, report compensation from the organization on row (i) and from related organizations, described in the instructions on row (ii). Do not list any individuals that are not listed on Form 990, Part VII.

Note. The sum of columns (B)(i)-(iii) for each listed individual must equal the total amount of Form 990, Part VII, Section A, line 1a, applicable columns (D) and (E) amounts for that individual.

(A) Name and Title		(B) Breakdown of W-2 and/or 1099-MISC compensation			(C) Retirement and other deferred compensation	(D) Nontaxable benefits	(E) Total of columns (B)(i)-(D)	(F) Compensation reported as deferred in prior Form 990
		(i) Base compensation	(ii) Bonus and incentive compensation	(iii) Other reportable compensation				
JANET H. BROWN	(i)	200,000.	40,000.	0.	50,000.	0.	290,000.	0.
1 EXEC. DIRECTOR	(ii)	0.	0.	0.	0.	0.	0.	0.
	(i)							
2	(ii)							
	(i)							
3	(ii)							
	(i)							
4	(ii)							
	(i)							
5	(ii)							
	(i)							
6	(ii)							
	(i)							
7	(ii)							
	(i)							
8	(ii)							
	(i)							
9	(ii)							
	(i)							
10	(ii)							
	(i)							
11	(ii)							
	(i)							
12	(ii)							
	(i)							
13	(ii)							
	(i)							
14	(ii)							
	(i)							
15	(ii)							
	(i)							
16	(ii)							

20120901

SCHEDULE O
(Form 990 or 990-EZ)

Supplemental Information to Form 990 or 990-EZ

OMB No 1545 0047

2012

Complete to provide information for responses to specific questions on
Form 990 or 990-EZ or to provide any additional information.

▶ Attach to Form 990 or 990-EZ.

Open to Public
Inspection

Department of the Treasury
Internal Revenue Service

Name of the organization

Employer identification number

COMMISSION ON PRESIDENTIAL DEBATES

52-1500977

FORM 990, PART VI, LINE 6 - EXPLANATION OF CLASSES OF MEMBERS OR SHAREHOLDER

BY DEFINITION FOR FORM 990, THE DIRECTORS ARE MEMBERS.

FORM 990, PART VI, LINE 11B - FORM 990 REVIEW PROCESS

THE FORM 990 IS PREPARED BY THE COMMISSION'S INDEPENDENT ACCOUNTING FIRM AND THEN
REVIEWED BY THE COMMISSION'S EXECUTIVE DIRECTOR, AUDIT COMMITTEE AND GENERAL
COUNSEL. IT IS THEN DISTRIBUTED TO ALL MEMBERS OF THE BOARD OF DIRECTORS PRIOR TO
FILING.

FORM 990, PART VI, LINE 12C - EXPLANATION OF MONITORING AND ENFORCEMENT OF CONFLICTS

THE COMMISSION ENSURES COMPLIANCE WITH ITS CONFLICT OF INTEREST POLICY IN MULTIPLE
WAYS. THE COMMISSION'S TRANSACTIONS ARE FEW ENOUGH IN NUMBER THAT THE EXECUTIVE
DIRECTOR IS ABLE TO MONITOR FOR ANY TRANSACTION THAT MIGHT IMPLICATE THE POLICY. IN
ADDITION, THE POLICY IS REVIEWED PERIODICALLY WITH THOSE SUBJECT TO IT, INCLUDING AT
THE COMMISSION'S ANNUAL MEETING OF ITS BOARD OF DIRECTORS.

FORM 990, PART VI, LINE 15A - COMPENSATION REVIEW & APPROVAL PROCESS - CEO, TOP MANAGEMENT

THE BOARD OF DIRECTORS ENGAGED A PROFESSIONAL AND INDEPENDENT COMPENSATION
CONSULTANT TO REVIEW AND ADVISE AND THEN BASED ON THAT, THE BOARD DETERMINED THE
COMPENSATION FOR THE EXECUTIVE DIRECTOR.

FORM 990, PART VI, LINE 19 - OTHER ORGANIZATION DOCUMENTS PUBLICLY AVAILABLE

DOCUMENTS ARE AVAILABLE UPON REQUEST.

11041700010001

PART II, LINE 10 - OTHER INCOME

NATURE AND SOURCE	2012	2011	2010	2009	2008
OTHER INCOME		\$ 1,797.	\$ 427.		\$ 198.
RENT INCOME			1,800.	\$ 1,800.	2,400.
NET INCOME (LOSS) - NONINVENTORY SALES					
	\$ -6,942.				
TOTAL	\$ -6,942.	\$ 1,797.	\$ 2,227.	\$ 1,800.	\$ 2,598.

HUTCHINSON COUNTY

FORM 990, PART XI, LINE 9
OTHER CHANGES IN NET ASSETS OR FUND BALANCES

TO CORRECT FUND BALANCE

TOTAL \$ 6,034.
\$ 6,034.

NUF01400143014

Exhibit 7

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National Debate Sponsors

2012 National Sponsors

Anheuser-Busch Companies
The Howard G. Buffett Foundation
Sheldon S. Cohen, Esq.
Crowell & Moring LLP
International Bottled Water Association (IBWA)
The Kovler Fund
Southwest Airlines

2008 National Sponsors

Anheuser-Busch Companies
BBH New York
The Howard G. Buffett Foundation
Sheldon S. Cohen, Esq.
EDS, an HP Company
International Bottled Water Association
The Kovler Fund
YWCA USA

* Communications Support provided by The Kaiser Family Foundation

2004 National Sponsors

AARP
American Airlines
America's Charities
Anheuser-Busch Companies
The Howard G. Buffett Foundation
Sheldon S. Cohen - Morgan, Lewis & Bockius, LLP
Continental Airlines
Discovery Channel
EDS
JetBlue Airways
The Kovler Fund

2000 National Sponsors

Internet Sponsors

AT&T
 Harris Interactive
 Alteon WebSystems
 ZoneOfTrust
 Speche
 Communications
 Webtrends
 Tellme Networks
 3Com

General Debate Sponsors

AARP, formerly American Association of Retired Persons
 Anheuser-Busch
 The Century Foundation
 The Ford Foundation
 Ford Motor Company
 The Knight Foundation
 The Marjorie Kovler Fund
 US Airways
 3Com

1996 National Sponsors

Anheuser-Busch
 Sheldon S. Cohen - Morgan, Lewis & Bockius, LLP
 Dun & Bradstreet
 Joyce Foundation
 Lucent Technologies
 The Marjorie Kovler Fund
 Philip Morris Companies Inc.
 Sara Lee Corporation
 Sprint
 Twentieth Century Fund

1992 National Sponsors

AT&T
 Atlantic Richfield
 Sheldon S. Cohen -- Morgan, Lewis & Bockius, LLP
 Dun & Bradstreet
 Ford Motor Company
 Hallmark
 IBM
 The Marjorie Kovler Fund
 J.P. Morgan & Co.
 Philip Morris Companies Inc.
 Prudential

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Exhibit 8

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2012 Candidate Selection Criteria

Commission on Presidential Debates' Nonpartisan Candidate Selection Criteria For 2012 General Election Debate Participation

A. INTRODUCTION

The mission of the nonpartisan Commission on Presidential Debates (the "CPD") is to ensure, for the benefit of the American electorate, that general election debates are held every four years between the leading candidates for the offices of President and Vice President of the United States. The CPD sponsored a series of such debates in each of the past six general elections, and has begun the planning, preparation, and organization of a series of nonpartisan debates among leading candidates for the Presidency and Vice Presidency in the 2012 general election. As in prior years, the CPD's voter educational activities will be conducted in accordance with all applicable legal requirements, including regulations of the Federal Election Commission that require that debate sponsors extend invitations to debate based on the application of "pre-established, objective" criteria.

The goal of the CPD's debates is to afford the members of the public an opportunity to sharpen their views, in a focused debate format, of those candidates from among whom the next President and Vice President will be selected. In each of the last six elections, there were scores of declared candidates for the Presidency, excluding those seeking the nomination of one of the major parties. During the course of the campaign, the candidates are afforded many opportunities in a great variety of forums to advance their candidacies. In order most fully and fairly to achieve the educational purposes of its debates, the CPD has developed nonpartisan, objective criteria upon which it will base its decisions regarding selection of the candidates to participate in its 2012 debates. The purpose of the criteria is to identify those candidates who have achieved a level of electoral support such that they realistically are considered to be among the principal rivals for the Presidency.

In connection with the 2012 general election, the CPD will apply three criteria to each declared candidate to determine whether that candidate qualifies for inclusion in one or more of the CPD's debates. The criteria are (1) constitutional eligibility, (2) ballot access, and (3) electoral support. All three criteria shall be satisfied before a candidate will be invited to debate.

B. 2012 NONPARTISAN SELECTION CRITERIA

The CPD's nonpartisan criteria for selecting candidates to participate in the 2012 general election presidential debates are:

1. EVIDENCE OF CONSTITUTIONAL ELIGIBILITY

The CPD's first criterion requires satisfaction of the eligibility requirements of Article II, Section 1 of the Constitution. The requirements are satisfied if the candidate:

- a. is at least 35 years of age;
- b. is a Natural Born Citizen of the United States and a resident of the United States for fourteen years; and
- c. is otherwise eligible under the Constitution.

2. EVIDENCE OF BALLOT ACCESS

The CPD's second criterion requires that the candidate qualify to have his/her name appear on enough state ballots to have at least a mathematical chance of securing an Electoral College majority in the 2012 general election. Under the Constitution, the candidate who receives a majority of votes in the Electoral College, at least 270 votes, is elected President regardless of the popular vote.

3. INDICATORS OF ELECTORAL SUPPORT

The CPD's third criterion requires that the candidate have a level of support of at least 15% (fifteen percent) of the national electorate as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results at the time of the determination.

C. APPLICATION OF CRITERIA

The CPD's determination with respect to participation in the CPD's first-scheduled debate will be made after Labor Day 2012, but sufficiently in advance of the first-scheduled debate to allow for orderly planning. Invitations to participate in the vice-presidential debate will be extended to the running mates of each of the presidential candidates qualifying for participation in the CPD's first presidential debate. Invitations to participate in the second and third of the CPD's scheduled presidential debates will be based upon satisfaction of the same multiple criteria prior to each debate.

Adopted: October 20, 2011

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Exhibit 9

2012 Application of Criteria

Sep 21, 2012

President Obama and Governor Romney, Vice President Biden and Rep. Paul Ryan invited to CPD's debates

Washington, D.C. (September 21, 2012) - The non-partisan, non-profit Commission on Presidential Debates ("CPD") announced today that it has applied its Nonpartisan Candidate Selection Criteria for 2012 General Election Debate participation to determine eligibility to participate in the presidential debate to take place at the University of Denver in Denver, Colorado on October 3 and the vice-presidential debate to take place on October 11 at Centre College in Danville, Kentucky.

Pursuant to the criteria, which were publicly announced on October 31, 2011, those candidates qualify for debate participation who (1) are constitutionally eligible to hold the office of President of the United States; (2) have achieved ballot access in a sufficient number of states to win a theoretical Electoral College majority in the general election; and (3) have demonstrated a level of support of at least 15 percent of the national electorate, as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results.

The Board of Directors of the CPD convened today to apply the criteria with the assistance of the Editor-In-Chief of the Gallup Polling Organization, Dr. Frank Newport. Of the declared candidates, President Barack Obama and Governor Romney were found to have satisfied all three criteria. Accordingly, President Obama and his running mate, Vice President Joe Biden, and Governor Mitt Romney and his running mate, Representative Paul Ryan, qualify to participate in the October 3 presidential debate and the Oct. 11 vice-presidential debate, respectively. No other candidates satisfied the criteria for inclusion in the October 3 and October 11 debates.

The CPD has successfully sponsored the presidential and vice presidential general election debates since 1988. The CPD's planning for the 2012 debates has extended over a period of years and has drawn upon the CPD's now-extensive experience in sponsoring general election debates. On October 31, 2011, the CPD announced the four dates and locations for this year's debates, and on August 13, 2012, the CPD announced the four journalists who will moderate those debates: Jim Lehrer, Martha Raddatz, Candy Crowley and Bob Schieffer. The CPD is firmly committed to providing, in a professional and nonpartisan manner, debates in 2012 that will allow the American public to view the leading presidential and vice presidential candidates discuss the issues facing the country.

The candidates who have qualified to participate today previously have committed to participate in the debates sponsored by the CPD.

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Senator Obama and Senator McCain, Senator Biden and Governor Palin invited to CPD's debates

Sep 17, 2008

WASHINGTON, D.C. - The non-partisan, non-profit Commission on Presidential Debates ("CPD") announced today that it has applied its Nonpartisan Candidate Selection Criteria for 2008 General Election Debate participation to determine eligibility to participate in the presidential debate to take place at the University of Mississippi in Oxford, Mississippi on September 26 and the vice-presidential debate to take place on October 2 at Washington University in St. Louis, Missouri.

Pursuant to the criteria, which were publicly announced on November 19, 2007, those candidates qualify for debate participation who (1) are constitutionally eligible to hold the office of President of the United States; (2) have achieved ballot access in a sufficient number of states to win a theoretical Electoral College majority in the general election; and (3) have demonstrated a level of support of at least 15 percent of the national electorate, as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results.

The Board of Directors of the CPD convened today to apply the criteria with the assistance of the Editor-In-Chief of the Gallup Polling Organization, Dr. Frank Newport. Of the declared candidates, Senators Barack Obama and John McCain were found to have satisfied all three criteria. Accordingly, Senator Obama and his running mate, Senator Joe Biden, and Senator John McCain and his running mate, Governor Sarah Palin, qualify to participate in the September 26 presidential debate and the Oct. 2 vice-presidential debate, respectively. No other candidates satisfied the criteria for inclusion in the September 26 and Oct. 2 debates.

The CPD has successfully sponsored the presidential and vice presidential general election debates since 1988. The CPD's planning for the 2008 debates has extended over a period of years and has drawn upon the CPD's now-extensive experience in sponsoring general election debates. On November 19, 2007, the CPD announced the four dates and locations for this year's debates, and on August 5, 2008, the CPD announced the four journalists who will moderate those debates: Jim Lehrer, Gwen Ifill, Tom Brokaw and Bob Schieffer. The CPD is firmly committed to providing, in a professional and nonpartisan manner, debates in 2008 that will allow the American public to view the leading presidential and vice presidential candidates discuss the issues facing the country.

The candidates who have qualified to participate today previously have committed to participate in the debates sponsored by the CPD.

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Exhibit 11

2012 Application of Criteria - Second Presidential Debate

Oct 12, 2012

President Obama and Governor Romney invited to CPD's debates

Washington, D.C. (October 12, 2012) - The non-partisan, non-profit Commission on Presidential Debates ("CPD") announced today that it has applied its Nonpartisan Candidate Selection Criteria for 2012 General Election Debate participation to determine eligibility to participate in the presidential debate to take place at Hofstra University in Hempstead, New York on October 16.

Pursuant to the criteria, which were publicly announced on October 31, 2011, those candidates qualify for debate participation who (1) are constitutionally eligible to hold the office of President of the United States; (2) have achieved ballot access in a sufficient number of states to win a theoretical Electoral College majority in the general election; and (3) have demonstrated a level of support of at least 15 percent of the national electorate, as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results.

The Board of Directors of the CPD convened today to apply the criteria with the assistance of the Editor-In-Chief of the Gallup Polling Organization, Dr. Frank Newport. Of the declared candidates, President Barack Obama and Governor Romney were found to have satisfied all three criteria. No other candidates satisfied the criteria for inclusion in the October 16 debate.

The CPD has successfully sponsored the presidential and vice presidential general election debates since 1988. The CPD's planning for the 2012 debates has extended over a period of years and has drawn upon the CPD's now-extensive experience in sponsoring general election debates. On October 31, 2011, the CPD announced the four dates and locations for this year's debates, and on August 13, 2012, the CPD announced the four journalists who will moderate those debates: Jim Lehrer, Martha Raddatz, Candy Crowley and Bob Schieffer. The CPD is firmly committed to providing, in a professional and nonpartisan manner, debates in 2012 that will allow the American public to view the leading presidential and vice presidential candidates discuss the issues facing the country.

The candidates who have qualified to participate today previously have committed to participate in the debates sponsored by the CPD.

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Exhibit 12

CONFIDENTIAL

2012 Application of Criteria - Third Presidential Debate

Oct 19, 2012

President Obama and Governor Romney invited to CPD's debates

Washington, D.C. (October 19, 2012) - The non-partisan, non-profit Commission on Presidential Debates ("CPD") announced today that it has applied its Nonpartisan Candidate Selection Criteria for 2012 General Election Debate participation to determine eligibility to participate in the presidential debate to take place at Lynn University in Boca Raton, Florida on October 22.

Pursuant to the criteria, which were publicly announced on October 31, 2011, those candidates qualify for debate participation who (1) are constitutionally eligible to hold the office of President of the United States; (2) have achieved ballot access in a sufficient number of states to win a theoretical Electoral College majority in the general election; and (3) have demonstrated a level of support of at least 15 percent of the national electorate, as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results.

The Board of Directors of the CPD convened today to apply the criteria with the assistance of the Editor-In-Chief of the Gallup Polling Organization, Dr. Frank Newport. Of the declared candidates, President Barack Obama and Governor Romney were found to have satisfied all three criteria. No other candidates satisfied the criteria for inclusion in the October 22 debate.

The CPD has successfully sponsored the presidential and vice presidential general election debates since 1988. The CPD's planning for the 2012 debates has extended over a period of years and has drawn upon the CPD's now-extensive experience in sponsoring general election debates. On October 31, 2011, the CPD announced the four dates and locations for this year's debates, and on August 13, 2012, the CPD announced the four journalists who will moderate those debates: Jim Lehrer, Martha Raddatz, Candy Crowley and Bob Schieffer. The CPD is firmly committed to providing, in a professional and nonpartisan manner, debates in 2012 that will allow the American public to view the leading presidential and vice presidential candidates discuss the issues facing the country.

The candidates who have qualified to participate today previously have committed to participate in the debates sponsored by the CPD.

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Exhibit 13

CONFIDENTIAL

Commission on Presidential Debates Announces Application Of Non-Partisan Candidate Selection Criteria

Sep 24, 2004

The non-partisan, non-profit Commission on Presidential Debates ("CPD") announced today that it has applied its Non-Partisan Candidate Selection Criteria for 2004 General Election Debate participation to determine eligibility to participate in the presidential debate to take place at the University of Miami in Coral Gables, Florida on September 30 and the vice-presidential debate to take place on October 5 at Case Western Reserve University in Cleveland, Ohio.

Pursuant to the criteria, which were publicly announced on September 24, 2003, those candidates qualify for debate participation who (1) are constitutionally eligible to hold the office of President of the United States; (2) have achieved ballot access in a sufficient number of states to win a theoretical Electoral College majority in the general election; and (3) have demonstrated a level of support of at least 15 percent of the national electorate, as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results.

The Board of Directors of the CPD convened today to apply the criteria with the assistance of the Editor-In-Chief of the Gallup Polling Organization, Dr. Frank Newport. Of the declared candidates, President George W. Bush and Senator John F. Kerry were found to have satisfied all three criteria. Accordingly, President George W. Bush and his running mate, Vice-President Dick Cheney, and Senator John Kerry and his running mate, Senator John Edwards, qualify to participate in the September 30 presidential debate and the October 5 vice-presidential debate, respectively. No other candidates satisfied the criteria for inclusion in the September 30 and October 5 debates.

The CPD has successfully sponsored fourteen consecutive presidential and vice presidential general election debates, commencing in 1988. The CPD's planning for the 2004 debates has extended over a period of years and has drawn upon the CPD's now-extensive experience in sponsoring general election debates. On November 6, 2003, the CPD announced the four dates and locations for this year's debates, and on August 17, 2004, the CPD announced the four journalists who will moderate those debates: Jim Lehrer, Gwen Ifill, Charles Gibson and Bob Schieffer. The CPD is firmly committed to providing, in a professional and non-partisan manner, debates in 2004 that will allow the American public to view the leading presidential and vice presidential candidates discuss the issues facing the country.

The candidates who have qualified to participate today previously have committed to participate in the debates sponsored by the CPD.

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Exhibit 14

THE INEVITABILITY OF GERRYMANDERING: WINNERS AND LOSERS UNDER ALTERNATIVE APPROACHES TO REDISTRICTING

JUSTIN BUCHLER*

Apolitical redistricting is an impossibility. To refer to a process or institution as "political" is merely to use an empty epithet. A redistricting process can be criticized as "political" on one of two bases—the individuals to whom authority is delegated, or the geographical algorithms used by those who have redistricting authority. Given that elections in the United States are based around the winner-take-all principle, any redistricting plan will create winners and losers. Therefore, the choice between any set of redistricting algorithms is a choice about who will be winners and who will be losers. Furthermore, because the delegation of responsibility for redistricting is only relevant inasmuch as it affects the choice of redistricting algorithms, the choice of delegation is also a determination of who will win and who will lose. By definition, that choice cannot be apolitical. Moreover, any attempt to evaluate redistricting processes independently of such outcomes devolves the process into a trivial exercise in Nomic.

APOLITICAL REDISTRICTING: ALLOCATION OF RESPONSIBILITY VS. ALGORITHMIC APPROACHES

Complaints about the "political" nature of the redistricting process generally fall into two categories: complaints about who has the authority to redraw lines, and complaints about the geographic

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algorithms used to redraw district lines. With respect to the first complaint, the United States is unique among countries with single-member districts because of the frequency with which partisan officials are granted the authority to redraw district lines. The most common allocation of responsibility is to delegate redistricting authority to the state legislature, where redistricting plans are treated like any other piece of legislation. Although partisan officials have a vested interest in the placement of district lines, that does not mean that they necessarily face a conflict of interest. In fact, they face a confluence of interest—they have political incentives to draw lines in a way that actually benefits voters.¹ Nevertheless, it is possible to delegate authority to those without a stake in the process, be they judges, “special masters,” or mechanical scoring systems for independently submitted plans.

However, an apolitical algorithm is another matter altogether. More than any other aspect of electoral rulemaking, the placement of district lines determines election results because party identification is the strongest determinant of vote choice. Because any election can only have a single winner, every redistricting plan creates a set of winners and losers. Therefore, the choice between any two redistricting algorithms is a choice between two sets of winners and losers. Further, not only do all redistricting plans create winners and losers, they all do so based on politically relevant criteria. Thus, all redistricting plans can be considered “gerrymanders” and an apolitical redistricting algorithm is impossible. Moreover, because the delegation of redistricting authority affects the algorithm that will be used, it follows that the choice of *who* should have redistricting authority is indistinguishable from the choice of *which* algorithms to use. Thus, the choice of delegation is itself a choice between winners and losers, and apolitical redistricting is fundamentally impossible.

This essay will examine the three broad categories of redistricting algorithms: the partisan gerrymander, the bipartisan gerrymander, and the competitive gerrymander. The essay will examine who wins and who loses under each approach, and demonstrate that the choice of algorithms is indistinguishable from the question of who should win

1. Justin Buchler, *The Redistricting Process Should Be Nonpartisan: Con*, in DEBATING REFORM 161 (Richard Ellis & Michael Nelson eds., 2010) [hereinafter Buchler, *The Redistricting Process*].

and who should lose. Then, because the delegation of authority affects the choice of algorithms, it follows that the delegation decision is also a choice about who should win and who should lose. Thus, there can be no apolitical redistricting in any meaningful sense of the term because the choice of delegation is as “political” as the choice of algorithm.

THE MANY FACES OF GERRYMANDERING

The term “gerrymander” has been used so often and in so many disparate contexts that it no longer has a specific meaning. In modern political discourse, it is little more than an epithet attached to any redistricting plan by which someone feels aggrieved. Because all redistricting plans create some aggrieved group, all redistricting plans can be considered gerrymanders.

The origin of the term “gerrymandering” does not need to be recounted here. Historically, the redistricting algorithm to which the label is most commonly attached is the partisan gerrymander. A partisan gerrymander uses a “pack and crack” strategy, so labeled because of how it groups a disadvantaged party’s voters. For example, if Republicans were to attempt a partisan gerrymander, they would do so by packing one set of districts with inefficiently large Democratic supermajorities. In the remaining districts, they would combine relatively thin Republican majorities with relatively large Democratic minorities, thereby “cracking” the minority. Doing so maximizes the efficiency with which Republican voters are allocated to districts, and minimizes the efficiency with which Democratic voters are allocated to districts. In doing so, the “pack and crack” plan allows Republicans to win a greater share of the seats than their proportion of the vote.

Of course, the partisan gerrymander is not the only type of gerrymander. “Good government” advocates also deride the bipartisan gerrymander, otherwise known as an incumbent protection gerrymander. Under a bipartisan gerrymander, each party’s voters are packed inefficiently into separate sets of districts. Hence, every district has either an inefficiently large Democratic supermajority, or an inefficiently large Republican supermajority. The result is that incumbents face no threat of loss in the general election, and each party is guaranteed a number of seats that they cannot go far above or below.

UNIVERSITY OF CALIFORNIA

Exhibit 15

Sore Loser Laws and Democratic Contestation

MICHAEL S. KANG*

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* Associate Professor, Emory University School of Law. © 2011, Michael S. Kang. Many thanks for comments on earlier drafts to Barry Burden, Julie Cho, Chris Elmendorf, Deepthy Kishore, Hillel Levin, Lori Ringhand, and Richard Winger. Thanks also to Amy Flick, Zack Crawford, Stephanie Grace, Madeline Gwyn, Mark Johanson, and Carl Marchioli for excellent research assistance.

of the selected nominees only to the degree that the coalition coheres politically following what can be difficult intraparty disputes in the primary elections.

B. THE OPPORTUNITY FOR PARTY REFORM FROM THE SUPPLY SIDE

With an understanding of intraparty politics in place, the polarization of the major parties might be understood as failures of democratic contestation within the major parties. The major parties have become more ideologically extreme in part because more extreme leaders and voters have become dominant in the internal contestations over party control. To the extent that relatively extreme and relatively moderate elements of the major parties disagree over candidates and policy, the extreme elements appear to be successfully requiring candidates to become extreme as a price of the parties' nominations. Dominance by extreme elements of the party is partially political because they have persuaded other party constituents to become more ideological; but, critical to the argument here, part of their dominance may also be a function of state law. By establishing the competitive structures within which party politics play out, state law sets the balance of power among party rivals. If major party polarization is a failure of democratic contestation within the party, we might look to state law regulation of party politics for sources of that failure.

Of course, the risk of political entrenchment through state law is just as great a threat to intraparty competition as interparty competition. Many commentators caution courts to strike down laws that dampen *interparty* competition by advantaging one major party's dominance over the other.⁹⁵ But the important insight here is that individual leaders compete constantly to advance their particular political agendas against other leaders outside and *inside* their own party. The proximity of party leaders to the levers of state law makes it equally tempting to use their control over state law to lock into place legal rules that advantage their political leverage within their party. Because intraparty competition mirrors interparty competition, individual leaders may try to impose regulations and procedures on their own party that favor their interests over their intraparty rivals'.⁹⁶ The "state" as lawmaker in these cases may merely be one party element with political interest in tilting the rules of intraparty politics against other competing elements of the party.⁹⁷

When state law locks in the dominance of one party element over others,

95. See, e.g., Michael J. Klarman, *Majoritarian Judicial Review: The Entrenchment Problem*, 85 GEO. L.J. 491, 551 (1997); Richard H. Pildes, *The Theory of Political Competition*, 85 VA. L. REV. 1605, 1610 (1999).

96. See, e.g., Nathaniel Persily, *Candidates v. Parties: The Constitutional Constraints on Primary Ballot Access Laws*, 89 GEO. L.J. 2181, 2200-01 (2001) (describing how the New York Assembly enacted new ballot access laws providing political parties with a choice between a set of procedures preferred and proposed by the Democrats and different procedures preferred and proposed by Republicans).

97. See Lowenstein, *supra* note 56, at 1758 ("[U]nlike any other private groups, political parties routinely, pervasively, and legitimately exercise their influence from within the government."); Persily,

today.

Such supply-side reforms might tilt the major parties toward the political center more effectively than reforms from the demand side. Less restrictive ballot access might moderate politics from the supply side by offering candidates greater opportunities to bypass the ideological veto of the party base. Specifically, regulation from the supply side might loosen up ballot access and allow minority dissenters in the major parties to reach the general election ballot more easily as independent or minor party candidates. But even short of actual exit from the major parties, the credible threat of exit by dissenting moderates would lend those candidates greater political leverage within intraparty politics. Such supply-side reform might give dissenting moderates better opportunities to influence party politics from within and free up more robust democratic contestation, bringing important voices and views to the table in a way that ultimately enriches party politics.

III. SORE LOSER LAWS

Sore loser laws are a powerful form of supply-side regulation. They restrict the supply of candidates in the general election by effectively disqualifying candidates who have lost a party primary election from running in the subsequent general election. Sore loser laws existed in roughly half the states twenty years ago, but now only three states permit a losing primary election candidate subsequently to file to appear on the ballot in the general election as the nominee of another party or as an independent candidate.

Though commentators focus mainly on the duopolistic effect of sore loser laws, I explain in this Part that the most significant effect of sore loser laws is their influence on *intraparty* politics and democratic contestation in the Democratic and Republican Parties. Sore loser laws close off exit opportunities for moderate candidates and thereby remove the strongest threat that rejected candidates possess in intraparty politics—the option of breaking up the party coalition and running against the party's nominee in the general election. For this reason, sore loser laws give great leverage to the ideologically demanding party base over politically moderate dissenters. They therefore preempt the natural incentives for the controlling elements within the party to compromise with their parties' more moderate dissenters and move the parties toward the political center.

A. SORE LOSER LAWS: AN INTRODUCTION

Sore loser laws, in various forms, prohibit losing candidates in one party's primary election from subsequently filing to run as the nominee of another party or as an independent candidate on the general election ballot in the same electoral cycle. Sore loser laws, in other words, block a sore loser candidate from continuing to challenge in the general election a party's nominee who has

already defeated that sore loser candidate in the preceding party primary. Sore loser laws restrict the supply of candidates in the general election by disqualifying, as a matter of state law, a large number of serious candidates who have lost the party primary election.

Sore loser laws are virtually ubiquitous today, but this was not always the case. As of 2010, sore loser candidacies are effectively barred by law in every state except Connecticut, Iowa, and New York.¹¹⁹ This near uniformity across the states, however, is a somewhat recent development in American politics. As recently as 1984, one source reported that only twenty-seven of fifty states carried sore loser provisions.¹²⁰ My own count for 1984 is higher, at thirty-seven states, but thirteen of those states had just adopted sore loser laws during the previous eight years between 1976 and 1984.¹²¹ And then between 1985 and 1994, eight additional states enacted new laws barring sore loser candidacies,¹²² which helped bring the number of states that barred sore loser candidacies to a total of forty-seven.¹²³ In other words, though almost all states have sore loser laws today, almost half the country—twenty-one states by my count—adopted sore loser laws only recently, between 1976 and 1994. The year of enactment as well as the type of sore loser restriction are listed in Table 1 for each state.¹²⁴

The most common form of sore loser law is an express prohibition on a sore loser candidacy. The majority of states have enacted explicit prohibitions forbidding a candidate that lost a primary election from appearing as a candidate on the general election ballot. Fifteen states disqualify for the general election ballot any candidate who has lost the preceding party primary for the same

119. See *infra* Table 1. See generally Schneider, *supra* note 2 (discussing the possibility of Senator Lieberman running in Connecticut's general election for U.S. Senator, despite losing the primary, and noting that as of 2006 (and thus, not taking into account Vermont's 2010 sore loser law), only four states did not have sore loser laws).

120. See PRICE, *supra* note 1.

121. The thirteen states that adopted sore loser laws or their equivalents between 1976 and 1984 are Alabama, Alaska, Delaware, Georgia, Idaho, Louisiana, Massachusetts, Minnesota, Missouri, New Hampshire, Rhode Island, South Dakota, and Wisconsin. See *infra* Table 1. Louisiana bars sore loser candidacies by virtue of nonpartisan primary elections in which party nominations are not made in the first place. See *infra* note 137 and accompanying text.

122. The eight states that adopted sore loser laws or their equivalents between 1985 and 1994 are Illinois, Kansas, Michigan, Montana, Nebraska, Oklahoma, Texas, and Utah. See *infra* Table 1.

123. The two states that adopted sore loser laws or their equivalents between 1995 and 2010 are Vermont and Washington. See *infra* Table 1. Washington bars sore loser candidacies by virtue of nonpartisan primary elections in which party nominations are not made in the first place. See *infra* note 138 and accompanying text. Connecticut, Iowa, and New York still do not have sore loser laws. See *infra* Table 1.

124. Sore loser laws generally apply to all federal, state, and local elected offices, but only four states apply their sore loser provisions to elections for presidential electors—Mississippi, Ohio, South Dakota, and Texas. See Richard Winger, *Sore Loser Laws Don't Generally Apply to Presidential Candidates*, BALLOT ACCESS NEWS (Jan. 12, 2007), <http://www.ballot-access.org/2007/01/12/sore-loser-laws-dont-generally-apply-to-presidential-candidates/>.

Table 1: Type of Sore Loser Law and Year of Original Enactment State by State¹²⁵

State	Type of Sore Loser Restriction	Year of Enactment	State	Type of Sore Loser Restriction	Year of Enactment
Alabama	CF	1977	Montana	PCF	1991
Alaska	CF	1980	Nebraska	SL	1994
Arizona	PCF	1970	Nevada	CF	1963
Arkansas	SL	1955	New Hampshire	CF	1981
California	CF	1917	New Jersey	SL	1915
Colorado	SL	1963	New Mexico	SL	1939
Connecticut	None		New York	None	
Delaware	PCF	1978	North Carolina	CF	1967
Florida	PCF	1970	North Dakota	SL	1975
Georgia	CF	1983	Ohio	CF	1929
Hawaii	CF	1967	Oklahoma	CF	1987
Idaho	SL	1976	Oregon	SL	1939
Illinois	CF	1989	Pennsylvania	CF	1937
Indiana	SL	1967	Rhode Island	CF	1981
Iowa	None		South Carolina	SL	1950
Kansas	CF	1989	South Dakota	SL	1977
Kentucky	SL	1920	Tennessee	CF	1975
Louisiana	NP	1978	Texas	SL	1985
Maine	CF	1973	Utah	CF	1994
Maryland	SL	1957	Vermont	PCF	2010
Massachusetts	CF	1976	Virginia	SL	1932
Michigan	CF	1988	Washington	NP	2004
Minnesota	CF	1981	West Virginia	CF	1919
Mississippi	CF	1906	Wisconsin	CF	1977
Missouri	CF	1977	Wyoming	CF	1973

125. "SL" denotes an express prohibition on sore loser candidacies. "CF" denotes a cross-filing prohibition or other legal requirement that effectively prohibits a candidate from losing a party primary and thereafter filing to run as an independent candidate for the same office or to run in another party primary at the same time for the same office. "PCF" denotes a partial cross-filing prohibition or other legal requirement under which a candidate (i) may run in a party primary and as an independent candidate at the same time for the same office, or (ii) may not run in a party primary and as an independent candidate at the same time for the same office, but may run in more than one primary at the same time for the same office, provided in either case that the candidate files all his or her candidacies in advance of the primary election. "NP" denotes a nonpartisan primary.

office.¹²⁶ Three other states accomplish the same effect by prohibiting independent candidacies on the general election ballot by anyone who has lost the preceding party primary, and then separately prohibiting candidates from running in more than one primary during a single election cycle.¹²⁷ Fourteen more states prohibit a candidate from running as an independent candidate on the ballot if she participates in a primary at all, while likewise prohibiting cross-filing in more than one party primary as well.¹²⁸ In short, in these states, candidates must choose to run either in a single party primary, or as independents in the general election, but they cannot do both in the same election cycle.

However, even in the absence of such explicit prohibitions, state law may similarly bar sore loser candidacies by indirect means. Eight states both bar candidates from running in more than one party primary at a time and bar candidates from running in a party primary and being listed as an independent candidate on the general election ballot at the same time, even if they do not expressly prohibit each route.¹²⁹ These states require a candidate, as a condition

126. Arkansas, Colorado, Idaho, Indiana, Kentucky, Maryland, Nebraska, New Jersey, New Mexico, North Dakota, Oregon, South Carolina, South Dakota, Texas, and Virginia all use this method. ARK. CODE ANN. 7-7-103(e) (2007); COLO. REV. STAT. § 1-4-105 (2008); IDAHO CODE ANN. § 34-704 (2008); IND. CODE ANN. § 3-8-1-5.5(a) (West 2006); KY. REV. STAT. ANN. § 118.345(1) (West 2006); MD. CODE ANN., ELEC. LAW § 5-706(b) (West 2010); NEB. REV. STAT. § 32-605 (2008); N.J. STAT. ANN. § 19:13-8.1 (West 1999); N.M. STAT. ANN. § 1-8-19 (2003); N.D. CENT. CODE § 16.1-13-06 (2009); OR. REV. STAT. § 249.048 (2009); S.C. CODE ANN. § 7-11-210 (Supp. 2009); S.D. CODIFIED LAWS § 12-7-5 (2004); TEX. ELEC. CODE ANN. § 162.015 (West 2010); VA. CODE ANN. § 24.2-520 (2006). Oregon prevents only "major party" candidates from running with a party's nomination if they lose another party's primary election. OR. REV. STAT. § 249.031(g) (2009); *see also id.* § 249.048.

127. California, Illinois, and Kansas fall into this category. CAL. ELEC. CODE §§ 8001, 8003 (West 2003); 10 ILL. COMP. STAT. 5/10-3, -7 (2008); KAN. STAT. ANN. §§ 25-202(c), -306 (2000).

128. Alabama, Alaska, Georgia, Hawaii, Maine, Michigan, Minnesota, Mississippi, Missouri, Nevada, Pennsylvania, Tennessee, Utah, and Wisconsin. ALA. CODE § 17-9-3(b) (LexisNexis 2007); ALASKA STAT. §§ 15.25.030(a)(14), .180(a)(13) (2010); GA. CODE ANN. § 21-2-137 (2008); HAW. REV. STAT. § 12-3(c) (2009); ME. REV. STAT. ANN. tit. 21-A, §§ 144(3), 351(2) (2008); MICH. COMP. LAWS ANN. §§ 168.590g, .692, .692a, .695 (West 2005 & 2008); MINN. STAT. ANN. § 204B.04 (West 2009); MISS. CODE ANN. § 23-15-359 (Supp. 2010); MO. ANN. STAT. § 115.351 (West 2003); NEV. REV. STAT. §§ 293.176(1), .177(2)(a), .200(6) (2009); 25 PA. CONS. STAT. ANN. §§ 2911(e)(5), 2936 (West 2007); TENN. CODE ANN. § 2-5-101(f) (Supp. 2010); UTAH CODE ANN. §§ 20A-9-201(2)(a)(ii), -501(2) (LexisNexis 2010); WIS. STAT. § 8.15(7) (2007-2008). Mississippi's law is not as explicit as the other states listed in this footnote, but the language of Miss. CODE ANN. § 23-15-359, as it descended from earlier codifications, has long been interpreted by Mississippi courts to prohibit a candidate from running both as an independent and in a primary. *See* Miss. State Bd. of Election Comm'rs v. Meredith, 301 So. 2d 571, 573 (Miss. 1974); Bowen v. Williams, 117 So. 2d 710, 711 (Miss. 1960) (confirming this interpretation from *Ruhr v. Cowan*, 112 So. 386 (Miss. 1927)); *Ruhr*, 112 So. at 389.

129. Massachusetts, New Hampshire, North Carolina, Ohio, Oklahoma, Rhode Island, West Virginia, and Wyoming. MASS. GEN. LAWS ANN. ch. 53, §§ 6, 48 (West 2007); N.H. REV. STAT. ANN. §§ 655:14, :43(IV) (LexisNexis 2007 & Supp. 2010); N.C. GEN. STAT. § 163-106(a)-(b) (2009); OHIO REV. CODE ANN. §§ 3513.04, .07 (LexisNexis Supp. 2010); OKLA. STAT. tit. 26, § 5-105 (1991); R.I. GEN. LAWS §§ 17-14-1.1, -2.1 (2003); W. VA. CODE ANN. §§ 3-5-7(d)(6), -23(a) (LexisNexis Supp. 2010); WYO. STAT. ANN. §§ 22-5-204(b), -302 (2009). For instance, the West Virginia law requires independent and third-party candidates to file declaration of candidacy papers at least thirty days before the election and does not allow the nomination of candidates who are already candidates in a primary election. *See* W. VA. CODE ANN. §§ 3-5-7(d)(6), -23(a). Thanks to Bob Bastress for his advice on West Virginia law. Oklahoma's law, however, is less clear. From 1987 to 2004, the state barred sore loser candidacies by

Exhibit 16



League of Women Voters

The League of Women Voters and Candidate Debates: A Changing Relationship



After a 16 year period in which there were no public presidential debates, the League of Women Voters Education Fund (LWVEF) sponsored three presidential debates in 1976. These debates between Jimmy Carter (D), former governor of Georgia and Gerald Ford (R), President of the United States, were the first to be held since 1960. In 1976 the League also sponsored one vice presidential debate between Senator Walter Mondale (D-MN) and Senator Bob Dole (R-KS).

The League continued to sponsor the presidential and vice presidential debates every four years through the 1984 elections. Following that election cycle, the Democratic and Republican national parties came together in a decision to move sponsorship of the debates under the purview of the parties.

Between 1985 and 1987 the League challenged this move and sparked widespread public debate on the matter. The LWVEF argued that a change in sponsorship that put control of the debate format in the hands of the two dominant parties would deprive voters of one of the only chances they have to see the candidates outside of their controlled campaign environment.

In 1987 the parties announced the creation of the Commission on Presidential Debates. The Commission chose LWVEF to sponsor the last presidential debate of 1988, but placed so many rules and restrictions on the possible format of the debate that the LWVEF was finally unable to agree to participate. In a press release at the time, Nancy Neuman, then LWVUS President, stated that the League had "no intention of becoming an accessory to the hoodwinking of the American public."

The nonprofit Commission on Presidential Debates sponsored all the presidential debates since 1988 (1988, 1992, 1996, 2000, 2004, 2008 and 2012).

However, the League continues to directly ask the candidates questions through our online election source

www.VOTE411.org. VOTE411.org provides information on how to watch debates with a critical eye, information on candidates, contact information for your election officials and much more. VOTE411.org not only provides information on the presidential candidates, but also on all candidates running for U.S. Senate, U.S. House, gubernatorial offices, and state legislative offices in specific communities across the country.

State and local Leagues across the country continue to host debates for candidates running at all other levels of government, from U.S. House of Representatives and Senate to statewide offices, to city government and everything in between. The grassroots nature of the League enables us to engage communities in the process by hosting debates and other election activities.

Hosting a debate watching party is one more way that the League can continue to be a catalyst for engaging communities in the election process. Regardless of who is hosting a debate, these offer one of the only opportunities for many voters to see a candidate in action for more time than a sound bite. Use these appearances to look critically at the candidates and to listen to their opinions, as they themselves put their thoughts and proposals into words.

- To learn more about your candidates and the issues, visit www.VOTE411.org
- You can also find answers to all your voting and Election Day questions at www.VOTE411.org.
- Stay informed about the League's activities through the election and beyond by [signing up for our emails](#)

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Exhibit 17

29 Harv. J. on Legis. 561

Harvard Journal on Legislation
Summer, 1992

Recent Developments

THE PRESIDENTIAL DEBATES ACT OF 1992

Susan E. Spotts

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As the candidates prepare for the 1992 presidential election campaign, few voters will have forgotten the campaign of 1988. Instead of substantive discussion of important issues, voters were informed largely through negative television advertisements and brief sound bites on the evening news.¹ Indeed, while "Willie Horton"² became a household name, it is difficult to recall any in-depth discussion of the candidates' views on crime or any proposals that were offered to address this serious problem.

Televised presidential debates provide the best opportunity for informing and educating the electorate. Televised debates attract large audiences, force the candidates to address specific concerns, and allow sufficient time for the candidates to present their views. Current law allows the candidates to decide whether or not to participate in the debates. Consequently, presidential debates are scheduled only when campaign managers find them beneficial to their candidates' campaign strategies, rather than when they would be most helpful for the voters.

The debates in 1988 reflected the problems inherent in the current ad hoc system. Since the candidates had the power to decide whether or not they would debate, they were able to dictate the terms of the debate. As a result, much of the informational value of the debates was lost. Although the debates could have been an effective medium for educating voters on the issues and defining the candidates' positions, many commentators agree that this goal was not achieved. Bernard Shaw, of CNN, stated, "#88 was a charade, these were not debates," and Walter Cronkite, of CBS, described the debates as "phony, part of an unconscionable fraud."³

An ideal system of presidential debates would not only provide some assurance that the voters will be able to hear debates, but would also guarantee that the debates themselves will be both educational and informative. The Presidential Debates Act of 1992⁴ ("the Bill") attempts to create such an ideal system. It provides two methods of reforming the current debating system. First, given that the debate forum has an enormous potential for educating voters, the Bill guarantees that debates will be held by stipulating that all presidential candidates who receive public funding from the federal matching funds program must participate in debates. In so doing, the Bill recognizes that the candidates have an obligation to inform and educate the voters because the voters' tax dollars subsidize the candidates' campaigns. Under the current system, the candidates are able to use public funds to present their views—and their opponent's views—in any manner they choose. In 1988 the Democratic and Republican candidates together spent a record fifty million dollars on television ad campaigns which allowed the candidates to shield themselves from any meaningful discussion of the issues.⁵

Second, the Bill attempts to resolve the problem of lack of substance in presidential debates by mandating nonpartisan sponsorship and allowing independent and third-party candidates who meet certain objective criteria to participate in the debates. The current debating system is under the authority of the bipartisan Commission on Presidential Debates which has demonstrated its unwillingness to allow third-party candidates to participate.⁶ By taking control of the debates from the two major parties and allowing participation by other candidates, the Bill would open up the debates to a broader spectrum of views and provoke more meaningful discussion of the issues.

Part I of this Recent Development describes the brief history of televised presidential debates and the uncertainty surrounding them which inspired the Bill. Part II describes the Bill and its purposes. Parts III and IV then examine the constitutionality of requiring candidates to debate, balancing the federal government's *563 interest in an informed electorate against the candidates' right to remain silent. Part V focuses on the potential for including third-party candidates in the debates to strengthen the government's interest in the constitutional balance. Finally, Part VI provides a brief summary and conclusion.

I. THE HISTORY OF TELEVISED PRESIDENTIAL DEBATES

Although televised presidential debates have come to be expected by the American voters, there is no guarantee that the candidates will agree to participate in them.⁷ Indeed, while many believed that the Kennedy-Nixon debates in 1960 were the sign of a "brave new age in presidential elections," sixteen years passed before there was another presidential debate.⁸ In 1964, President Johnson refused to debate; similarly, in 1968 and 1972, President Nixon declined to debate. Both candidates proceeded to win their elections.

Not only is it up to the candidates to decide whether or not to debate, but because they have this power, they can virtually dictate the conditions surrounding the debates. For example, former President Carter refused to participate in the first presidential debate in the 1980 election because the sponsor had decided to include John Anderson, the Independent Party candidate. The debate proceeded between Reagan and Anderson; the second debate in that election did not include Anderson.⁹

In 1985 the Chairmen of the Democratic and Republican parties declared their determination to make televised debates "a permanent and integral part of the presidential election process."¹⁰ In announcing the formation of the bipartisan Commission on Presidential Debates ("CPD"), Co-chairmen Paul G. Kirk, Jr. and Frank J. Fahrenkopf, Jr. stated, "It is our bipartisan view that a primary responsibility of each major political party is to educate and inform the American electorate of its *564 fundamental philosophy and policies as well as its candidates' positions on critical issues."¹¹ The chairmen acknowledged the efforts of the League of Women Voters in sponsoring past debates but stated that future debates should be conducted jointly by the Democratic and Republican National Committees. They further stated that the Democratic and Republican nominees would be allowed to negotiate the "details" of the debate format with the chairmen and left to each party's nominee the decision of whether to participate.¹²

With a bipartisan commission controlling the debates, there is a greater likelihood that the nominees of the two major parties will agree to participate. However, under the CPD proposal a candidate who does not believe he or she stands to gain from participating in a debate may still choose to decline any challenges to debate and simply focus attention on other aspects of the campaign. A statement by a senior aide to then-Vice President Bush regarding the debates in the 1988 campaign demonstrates that even CPD-sponsored debates are by no means guaranteed: "We don't want to have Dukakis on the same stage, in effect on par, with the Vice President. That makes them equal in the public's eye. We believe that tough speeches and a good program of TV commercials can win us the Presidency and debates just distract you from that task."¹³ Simply put, the decision to debate is a tactical decision left to the candidates whose main concern is winning the election and not necessarily informing the voters.

Even if having the two major parties organize and control the debates makes it more likely that the candidates of these two parties will agree to participate, it provides no guarantee that the debates will be worthwhile and informative. In fact, the League of Women Voters, which had sponsored the debates in the three previous elections, refused to host one of the debates in 1988 because the CPD conditioned the candidates' participation on the League's acceptance of guidelines for the debates described in a sixteen-page "Memorandum of Understanding."¹⁴ The Memorandum was the result of private negotiations between *565 Bush and Dukakis representatives and detailed an exhaustive list of conditions under which the candidates of the two parties

would agree to debate.¹⁵ These conditions included a procedure by which the candidates would pick the questioners, provided for a partisan audience, and limited press access.¹⁶

The President of the League, in withdrawing the League's support for the last debate, stated that "[T]he candidates' organizations aim to add debates to their list of campaign-trail charades devoid of substance, spontaneity and honest answers to tough questions."¹⁷ The League further protested that the voters' interests had been ignored by the CPD and stated that the League would not become "an accessory to the hoodwinking of the American public."¹⁸ A political commentator later compared the CPD-controlled debates to a "glorified press conference" whose format was essentially a "security blanket" for the two candidates.¹⁹ Although the CPD stated that its goals were to "educate and inform" the voters,²⁰ the fact that it is controlled by the two major parties essentially guarantees that the interests of the candidates will supersede those of the voters. Indeed, it would be poor campaign strategy for the parties to do anything that would put their own candidates at risk.

The status of the 1992 debates is uncertain. The four major news networks—ABC, NBC, CBS, and CNN—have expressed concern over allowing the party-controlled CPD to repeat its sponsorship and have announced plans to sponsor the debates themselves.²¹ The networks' plan proposes a new format in which the candidates would confront each other head-on, exchanging views with one another on the issues, with the moderator playing only a limited role.²² Furthermore, there would be no studio audience or any complex rules monitoring the *566 candidates' responses.²³ However, while these proposals may go far to improve the quality of the debates, once again there would be no guarantee that the candidates would agree to participate. In fact, a more innovative format increases the risk to the candidates, and thus lessens the likelihood that the candidates will agree to debate.

Thus the problem remains. Allowing the CPD to maintain control of the debates results in the greater likelihood that the candidates will agree to participate. But, as evidenced in 1988, allowing the two major parties to dictate the terms by which the candidates will debate provides no guarantee that the debates will be worthwhile or informative. On the other hand, while an outside, neutral sponsor may provide a better forum for substantive discussion, there is no guarantee that the candidates will even show up.

II. REFORM PROPOSAL: THE PRESIDENTIAL DEBATES ACT OF 1992

The Presidential Debates Act proposes to solve these dilemmas by requiring the candidates to participate in debates as a condition to receiving federal matching funds and by opening up the debates to qualified third-party candidates to provoke more serious discussion of substantive issues. By taking control of the debates away from the major parties and requiring debate participation, the Bill seeks to provide some guarantee that the taxpayers will receive the informative discussion to which they are entitled.

The idea of requiring presidential candidates to debate as a condition to receiving federal campaign funds is not new. Former presidential candidate John Anderson made this very suggestion after the 1980 campaign,²⁴ and the Markle Foundation recently published its recommendation for mandatory debates after concluding its research on the 1988 campaign.²⁵ In addition, several bills have been introduced in both houses which would condition public campaign funds on participation in the debates.²⁶ *567 The Presidential Debates Act of 1992, however, takes these proposals a step further by addressing not only the problem of participation but also the substantive quality of the debates.

The Bill implements its proposals by amending the Internal Revenue Code of 1986 and establishing additional eligibility requirements for candidates in order to receive matching funds under § 9037. Presidential candidates²⁷ must agree in writing to participate in not fewer than three presidential general election debates, each lasting at least ninety minutes, with at least thirty minutes devoted to direct questions and answers between the candidates.²⁸

The Bill further requires that the debates be sponsored by a nonpartisan organization²⁹ to guarantee that the debates are structured to serve the voters' best interests rather than those of the candidates. The Bill does not name a specific sponsor, nor does it outline a procedure by which to select one. However, an organization like the League of Women Voters, which has sponsored several debates in the past, would satisfy the nonpartisan criterion.

The most innovative aspect of the Bill is its requirement that the presidential candidates debate with all other candidates who meet certain objective criteria for significance.³⁰ The candidates must demonstrate their significance by qualifying to be on the election ballot in not fewer than forty states.³¹ Further, each candidate must be eligible to receive matching funds under § 9033 of the Internal Revenue Code of 1986 or raise not less than \$500,000 on or after January 1 of the calendar year immediately preceding the calendar year of the presidential election.³² This final provision was included in recognition of the fact that certain parties, such as the Libertarian Party, choose not to apply for federal matching funds on ideological grounds.

***568** Introducing the companion bill in the House, Representative Timothy Penny (D-Minn.) stressed the importance of including independent and third-party candidates in the debates:

Historically, such candidates have been fertile sources of new ideas and new programs, and provide opportunities for the American public to enter into a diverse and open dialog on the critical issues of the day. These candidates often represent views held by large segments of the disenfranchised of our population, and their inclusion will surely stimulate discussion of substantive issues. In the interests of fairness and free and open dialog, all significant candidates . . . must be included in the debates.³³

Senator Paul Wellstone (D-Minn.), sponsor of the Senate Bill, also stated the importance of including third-party candidates in the debates and urged the Senate to "act now to reclaim the faith and interest of a cynical electorate."³⁴

III. THE CONSTITUTIONAL IMPLICATIONS OF THE BILL

Because the Bill would require presidential candidates to participate in the debates, it creates the potential for a claim that it impermissibly infringes on the candidates' First Amendment right to "remain silent."³⁵ While the government cannot directly impose restraints on the candidates' fundamental rights, the Bill attempts to avoid this problem by making the requirement to debate a condition of receiving federal matching funds—funds for which the candidate may choose not to apply. This implicates the doctrine of "unconstitutional conditions," which states that the "government may not grant a benefit on the condition that the beneficiary surrender a constitutional right, even if the government may withhold that benefit altogether."³⁶ While at first glance this doctrine may appear clearly to forbid granting matching funds on the condition that the candidates forego their constitutional ***569** right to remain silent, upon further examination it is uncertain how this condition would be interpreted by the courts.

A. Unconstitutional Conditions: Contradictory Supreme Court Precedent

The Supreme Court in *Perry v. Sinderman*³⁷ stated that a public university "may not deny a benefit to a person on a basis that infringes his constitutionally protected interests—especially, his interest in freedom of speech."³⁸ In *Perry*, the Court declared unconstitutional a state college's attempt to condition a professor's continued employment on the professor's promise to refrain from exercising his First Amendment right to criticize the school's administration. In *FCC v. League of Women Voters of California*³⁹ the Supreme Court again invoked the doctrine of unconstitutional conditions by striking down a congressional act that denied eligibility for federal funding to those broadcasters who chose to editorialize. Because the government could not

Exhibit 18

CONFIDENTIAL



LEAGUE REFUSES TO "HELP PERPETRATE A FRAUD"

10/03/1988 | by LWV

NEWS RELEASE

FOR IMMEDIATE RELEASE:

October 3, 1988

LEAGUE REFUSES TO "HELP PERPETRATE A FRAUD"

WITHDRAWS SUPPORT FROM FINAL PRESIDENTIAL DEBATE

WASHINGTON, DC — "The League of Women Voters is withdrawing its sponsorship of the presidential debate scheduled for mid-October because the demands of the two campaign organizations would perpetrate a fraud on the American voter," League President Nancy M. Neuman said today.

"It has become clear to us that the candidates' organizations aim to add debates to their list of campaign-trail charades devoid of substance, spontaneity and honest answers to tough questions," Neuman said. "The League has no intention of becoming an accessory to the hoodwinking of the American public."

Neuman said that the campaigns presented the League with their debate agreement on September 28, two weeks before the scheduled debate. The campaigns' agreement was negotiated "behind closed doors" and was presented to the League as "a done deal," she said, its 16 pages of conditions not subject to negotiation.

Most objectionable to the League, Neuman said, were conditions in the agreement that gave the campaigns unprecedented control over the proceedings. Neuman called "outrageous" the campaigns' demands that they control the selection of questioners, the composition of the audience, hall access for the press and other issues.

"The campaigns' agreement is a closed-door masterpiece," Neuman said. "Never in the history of the League of Women Voters have two candidates' organizations come to us with such stringent, unyielding and self-serving demands."

Neuman said she and the League regretted that the American people have had no real opportunities to judge the presidential nominees outside of campaign-controlled environments.

"On the threshold of a new millenium, this country remains the brightest hope for all who cherish free speech and open debate," Neuman said. "Americans deserve to see and hear the men who

would be president face each other in a debate on the hard and complex issues critical to our progress into the next century."

Neuman issued a final challenge to both Vice President Bush and Governor Dukakis to "rise above your handlers and agree to join us in presenting the fair and full discussion the American public expects of a League of Women Voters debate."



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Exhibit 19

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The New York Times / George Tames

John B. Anderson with his wife, Keke, and daughter Eleanor

Anderson Declares as Independent, Vowing to Draw Many New Voters

By WARREN WEAVER Jr.

Special to The New York Times

WASHINGTON, April 24 — John B. Anderson declared his independent candidacy today in the 1980 race for the Presidency, promising to attract millions of new voters into the political process and to raise issues that he said the major parties' contenders would avoid.

"Our nation needs a choice in November," Mr. Anderson said in his announcement. "Not just a choice among candidates. I mean a choice, of course, for the nation. I want to offer that choice."

By dropping out of the Republican

competition and proposing a well-financed national campaign on his own, the Illinois Congressman injected a new, unpredictable element into the expected

contest between President Carter and Ronald Reagan, the leading candidates of their parties.

Even if Mr. Anderson does not reach his goal of carrying enough states to win the election, he could draw enough votes from either the Democratic or the Republican candidate to elect the other. Or he could carry enough states to deprive any candidate of an electoral-vote majority and force the Presidential choice into the House of Representatives.

Mr. Anderson said that he was aban-

Continued on Page A18, Column 1

The New York Times

Published: April 25, 1980

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Anderson Declares as Independent for the Presidency

Continued From Page A1

doing his Republican race because it was clear he could not win a majority of the party's delegates, and he released the delegates he had acquired — 59, according to a count by The New York Times. Mr. Anderson had competed in six primaries, none of which he won.

Democratic leaders fear that Mr. Anderson will divert enough liberal and moderate votes from Mr. Carter to assure victory for Mr. Reagan. At the same time, Republicans believe that the independent may weaken prospects for their candidates for Congress and state and local offices if moderate Republicans who desert the head of the ticket then fail to vote for the party's other candidates.

Mr. Anderson promised, if elected, a "national unity" administration composed of leaders of both parties, one that could work with a Republican or Democratic Congress. He said that he would consider "men and women of both parties and independents" when selecting his running mate later in the campaign.

First, Mr. Anderson said, a committee headed by David Garth, the New York City media consultant, would study whether an independent candidacy was really practical, whether he could have his name listed on enough state ballots to stand a real chance of winning the elec-

tion and raise enough money to conduct a national campaign.

Mr. Anderson himself seemed to have little doubt that this exploratory committee would give him a green light in a matter of a few weeks. Meanwhile, he scheduled the first trip of his new campaign, to New York City this weekend and West Virginia, Michigan and Massachusetts on three days next week.

The Congressman denied repeatedly in a 17-minute formal statement and a brief news conference that he would be a "spoiler," a candidate more dedicated to defeating others than to winning. He also maintained that he was not attacking the two-party system or dividing the nation politically.

Disclaimer on Divisive Role

"If I thought for one moment I would be a divisive force," he said in the question period, "I would not be on this platform today."

Mr. Anderson estimated that he could wage a "credible" campaign with \$10 million to \$12 million, which he said he had been assured was "out there in the country" to be raised on his behalf. His Democratic and Republican opponents will each have a \$29.4 million Federal subsidy to pay the full cost of their campaigns.

Campaign aides distributed an accounting summary of the Anderson Re-

publican effort, indicating that he would return to the Treasury \$307,000 of the \$2.7 million in matching funds he had received, leaving the campaign with \$480,000 after all the bills were paid.

It was not clear whether Mr. Anderson could legally transfer this income to his new independent effort under the provisions of the Federal campaign law, and use it to help finance the petitions that his supporters must circulate to get on the ballot in more than 40 states.

George Bush, according to his advisers, immediately responded to Mr. Anderson's announcement by writing letters to all the Anderson delegates, seeking their support.

Campaigning in Texas, Mr. Reagan professed lack of concern at the Anderson announcement, predicting that it would hurt President Carter more than him.

The New York Times

Published: April 25, 1980

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Exhibit 20

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Inside the Presidential Debates

THEIR IMPROBABLE PAST
AND PROMISING FUTURE

Newton N. Minow and Craig L. LaMay

The University of Chicago Press Chicago and London

NEWTON N. MINOW, a Chicago lawyer, served as chairman of the Federal Communications Commission by appointment of President John F. Kennedy. Minow has been involved in televised presidential debates since 1960, when he was an aide to Illinois governor Adlai Stevenson. Later he cochaired the presidential debates for the National League of Women Voters, and today he is co-vice chair of the Commission on Presidential Debates.

CRAIG L. LAMAY is an associate professor at Northwestern University's Medill School of Journalism. Minow and LaMay are coauthors of *Abandoned in the Wasteland: Children, Television, and the First Amendment*, which won the 1995 American Bar Association's Silver Gavel Award for distinguished legal writing.

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dividually, and often unmercifully, in televised public forums. There is much to admire in this: everywhere in the democratic world—including the United States—the airwaves by law belong to the public, not to the broadcasters. “Free time” is therefore a misnomer—incorrect as a matter of law and economics—for candidate time. If the public owns the airwaves to begin with, it makes no sense to talk of “free” or “donated” time. It is more accurate to call it public-service time or voters’ time, and for almost fifty years I have advocated the British approach of providing public service time to candidates.¹⁷

On the matter of televised presidential debates, however, the United States is a model for other countries. American-style debates, where the candidates face off against each other, have until recently been a rarity elsewhere. Many of the world’s emerging democracies—from Latin America, Africa, and Eastern Europe—have experimented with electoral debates, and they frequently come to the United States to learn from us. Specifically, they seek advice from the Commission on Presidential Debates.

In every democracy, the desire to hold televised political debates immediately confronts a problem of fairness discussed throughout this book. The basic policy dilemma is how to permit and encourage radio and television coverage of candidate debates while not being unfair to minority-party candidates who want to participate in them. Democracy points in the direction of both. But there is a practical problem. If a debate has to include all minority candidates, it will be reduced to a meaningless charade. In the United States, for example, more than two hundred people declare themselves presidential candidates every four years. Where do policy makers strike the balance between encouraging debates and treating legitimate minority party candidates fairly?

* * *

I have been lucky enough to participate in the American experience with televised presidential debates from the beginning. I served as assistant counsel and later as law partner to Illinois governor Adlai E. Stevenson, the man who first proposed the idea in 1960. As FCC chairman in 1962, I made a decision in a case that resulted in delaying subsequent debates until 1976—a huge mistake, I realized later, as I discuss in chapters 2 and 3 of this book. That year and again in 1980, I served as cochair of the presidential debates for the League of Women Voters. And in 1986, while a fellow at Harvard’s Kennedy School, I worked with others to create the Commission on Presidential Debates, which I serve today as a vice chairman.

didate.”³³ The League announced its new selection criteria at a press conference in New York City on August 10 and found, as the Commission on Presidential Debates would later, that the 15 percent requirement caused both confusion and controversy. Critics said the figure was simply arbitrary, with no historical precedent. Neither of those claims was quite true; after the 1976 debates Congress at one point considered a bill that used the records of third-party candidates from the 1912 (Theodore Roosevelt), 1924 (Robert LaFollette), 1948 (Henry Wallace and Strom Thurmond), and 1968 (George Wallace) presidential elections to set a standard for debate inclusion.³⁴

On August 19, a week after the Democratic Convention made Carter the party's nominee, the League formally invited both Carter and Reagan to meet in a series of three debates. Starting on August 26, the League found itself negotiating with the campaigns' representatives on the entire debate program, including the number of debates and their formats, where they would be held and when. Carter wanted earlier debates and Reagan later ones; Carter wanted more debates, Reagan fewer. But both sides were holding out to see what would happen with Anderson, and on September 9 the League announced that based on poll results Anderson would be invited to the first debate in Baltimore on September 21.³⁵ Anderson and Reagan both accepted the invitations immediately, but Carter refused, saying he would participate in a three-way debate only after a two-way debate with Reagan. There was speculation in the press, completely unfounded, that for the first debate we might put an empty chair on the stage with Jimmy Carter's name on it, and the story got enough play that the White House was extremely upset about it. No one at the League ever seriously considered putting out an empty chair; rather a *Washington Post* reporter had suggested it in an interview with a League official and then reported the negative response, making it seem as though the League was considering the idea. The League held out hope for Carter's participation to the last, going so far as to keep a third podium available should he show up at the last moment, but he did not. The Reagan-Anderson debate took place as scheduled, with a moderator and a panel of journalists asking questions, but without the president of the United States in attendance.³⁶

The negotiators for the Republicans and the Democrats that year were Robert Strauss and Jim Baker, both old political hands, both from Texas. At one meeting in Washington we were at an impasse on one issue with the League, and Baker looked at me and said, "Excuse me, I have to go to the men's room." A couple of minutes later Strauss looked at me and said, "Excuse me, I have to go to the men's room."

They were gone about ten minutes. They came back with a little piece of paper. They had solved the problem, worked out some kind of compromise, and said, "Here is the way it's going to be." They had reached an agreement without the League, but the League accepted it.

Against this kind of maneuvering, that first debate between Reagan and Anderson was both a great success and a disappointing failure for the League of Women Voters. The League had held firm to its selection criteria, establishing a precedent that is now largely forgotten but that set the standard for future presidential debates. But in holding fast to its principles the League also paid a price, failing to give voters an opportunity to see and hear all of the serious presidential contenders at the same time. And matters only got worse. Carter refused to change his terms, and with Anderson holding steady in the polls it appeared as though there would be no further debates in 1980 though the public clamored for them. Trying to rescue something from the situation, the League made a new pitch to the candidates, offering a two-way debate between Carter and Reagan if all three would agree to a three-way debate afterward. This time Carter and Anderson accepted, but Reagan did not, and the League withdrew its offer.

At the same time, the League invited the three vice-presidential candidates—Democrat Walter Mondale, Vice President George H. W. Bush, and Independent Patrick Lucey—to debate in Louisville, Kentucky. Mondale and Lucey accepted. Bush did not, leading Mondale to withdraw, with the result that the entire event was canceled.³⁷ Finally, in mid-October, a debate between Carter and Reagan was arranged after four of the five national polls taken between September 27 and October 16 showed Anderson's level of support had fallen below 15 percent.³⁸

On October 17 the League invited Carter and Reagan to debate in Cleveland on October 28, and both accepted what became, by default, a winner-take-all meeting between the two major-party candidates. Realizing the significance of the Cleveland meeting, the League of course wanted to maximize its benefits to voters, and so it urged the use of a single moderator rather than a panel of journalists. The League had used a single moderator (ABC's Howard K. Smith) in a February 1980 "presidential nominees forum" in Chicago with the seven candidates seeking the Republican nomination, with great success.³⁹ The single-moderator format, the League believed, put the burden of presentation on the candidates and thus encouraged a more robust discussion between them. The Chicago forum had also included questions from the audience.

For all of these reasons, press commentators also urged the single-

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moderator format, but both Carter and Reagan refused, insisting on a moderator and a panel of journalists to ask the questions—a virtual press conference—and threatening to walk away if they did not get it. Moreover, the candidates insisted on their right to veto any journalists the League chose for the panel, from an original roster of one hundred reporters and editors. We told them how we had done it in 1976, and they said, "That's fine, but we want to be able to strike people from the list who we don't think are fair or would be objective." The campaigns originally agreed to use their veto power sparingly, but instead each of them employed it in a show of gamesmanship intended to unnerve the other side, with the League and me in the middle.

As a result of the parties' behavior, some journalists and news organizations refused to participate in the debates. Gerald Boyd and Hedrick Smith, both of the *New York Times*, refused invitations when asked, and the newspaper's Washington editor, Bill Kovach, eventually announced that the *Times* would not allow any of its people to participate in the 1980 debates: "We cannot encourage a process that has a political saliva test administered by the candidates. We all know where that leads—to asking the White House who we can assign to cover it."¹⁰ CBS News president Ed Joyce also refused to allow his reporters to participate in the debates.

I remember spending one entire Sunday at home on the phone from 7 in the morning until 10:30 at night, alternately with the Republicans, the Democrats, and the League, trying to find panelists whom everyone would find acceptable. The last sticking point was that the League wanted to be sure we had a woman in the group. Finally, at about 10:30 at night, Strauss and Baker agreed on Barbara Walters, a great choice I thought. When I called to report the decision to the League, their negotiators said, "Barbara Walters? We were hoping we would not have a celebrity but a woman who is not so well known."

I said, "Well, if that is what you want you can negotiate this by yourself, because I've had it. Besides, Barbara Walters would do a great job."

The candidates' campaign representatives complained about everything, large and small, and never should have been allowed in the process, but at the time there was no way to avoid dealing with them. In 1980 the League had no real institutional leverage or historical experience that it could use to force the candidates to debate. The choice was to let the candidates call the shots or nothing—no debates. As a result, the three-way debate that the American public said it wanted and that the League had originally planned never happened. There was only one presidential de-

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bate between the major-party candidates, rather than three, and no vice-presidential debate.

Again, the experience was both disappointing and exhilarating. The Cleveland debate between Carter and Reagan was watched by the largest audience ever to watch a presidential debate, 80.6 million Americans in nearly 46 million households, at the time the most-watched television program in U.S. history.⁴¹ After that debate, Reagan jumped ahead in a Gallup poll, and by Election Day he had won over almost all of those voters who, before the debate, had identified themselves as undecided. The Voice of America broadcast the debates in English to a global audience, and in Spanish to all of Latin America.

The debate in Cleveland was the only one between the major-party candidates, and it proved very influential. I attended it, and I remember when President Carter made the mistake of saying he had consulted with his daughter Amy about nuclear weapons policies. That debate, many people felt, decided the election for Reagan when he asked, "Are you better off now than you were four years ago?"

The experience of 1980 was also a turning point for me. It taught me that letting the candidates have anything to say about who was on the panel was simply wrong and unacceptable. I vowed we should never do it again. The obvious solution was that in the future the sponsor should permit no participation by the candidates or parties in the selection of the journalists who participated in the debates.

Given the success of 1976, in which President Carter had played a part, I was disappointed that he did not agree to participate with both Reagan and Anderson in 1980. Anderson was a serious candidate. But the Carter campaign staff believed Anderson drew from the president's base even though he came from the Republican Party perspective, and they were adamant about not including him. Today, with the 15 percent rule used by the Commission on Presidential Debates, and having had the experience of including Ross Perot in 1992, we would not even allow a debate unless a qualified third-party candidate was included. That is, if a third-party candidate qualifies under the rules, the major parties cannot exclude him or her. If they tried to do so, the Commission should say fine, there will be no debate.

In 1984 the League of Women Voters asked me to remain on its advisory committee but not to continue as cochair. I sensed at the time that the relationship between the League and the parties was not as good as it had been in 1976, or even in 1980, when I first began to see it deteriorate.

1980-1984

Subsequently I heard that the negotiations between the parties and the League went from tense to hostile, though I did not participate in them. The campaigns were upset with the League, and the League was upset with the campaigns. The candidates would insist on conditions for their participation, then hide behind the League when critics came calling. There was a basic problem of truth in advertising, of public accountability.

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4 *The Commission on Presidential Debates and Its Critics*

As I participated in the frustrating inside negotiations for the 1980 debates, I began to think that sponsorship of the debates needed to be strengthened if they were to continue. Institutionalizing presidential debates had been the goal of the League of Women Voters, but by 1984 it was clear to me that despite its valiant efforts the League simply did not have the clout to succeed. Under its sponsorship, the debates were ad hoc affairs, often put together at the last minute. The painful negotiations that produced the 1984 debates showed that they were susceptible to behind-the-scenes manipulation by the campaigns, which would establish the terms for the debate and complain about or veto the moderators, then pretend that it was all the League's doing. In 1976, 1980, and 1984, the debates occurred only after a long period of sporadic negotiations followed by a late flurry of eleventh-hour negotiations between the leading candidates and, in an ever-diminishing role, the League.

I was very conscious of the experience of 1960, when the debates were such a huge success and everyone assumed that they would be a permanent feature of American politics, only to see the long drought that followed. 1976 was an anomaly: not only was President Ford far behind in the polls, but he had never been elected president. In 1980 the whole enterprise almost fell apart. In 1984 the League and the campaigns went through a list of 103 journalists before finding four whom all three could agree on as panelists.¹

The League had served admirably and thanklessly as a debate sponsor but could not ensure the long-term stability of the debates. The future of the debates, I believed, would require the political parties themselves to have a bigger and more public role in convening them. I am an unapolo-

getic believer in strong political parties (though as I wrote in *Voter's Time* in 1969, I do not believe the two-party system necessarily has to be this two-party system in which Republicans and Democrats are dominant.)² The best way to have a democracy is with two or maybe three strong political parties, a tradition that is part of the stability of our nation. Other countries such as France, Italy, and Israel have multiple parties. It is of course imperative that a two-party system provide opportunities for dissenting voices. Some of the most significant chapters of American history, and some of the country's most important social and political innovations, can be told in the lives of vibrant third parties, a matter I take up further in our final chapter. The Republican Party itself began as a third party. But I believe that once a democracy exceeds a certain number of parties, certainly once the number of parties gets to ten or more, stability is almost impossible. And so after 1984 I began to think that one way the parties could become more important, and more accountable for their actions, would be to make them responsible for the debates.

In that role the parties could put enough pressure on their candidates to compel a debate, even if the candidate did not want to participate. The most persistent and difficult impediment to debates, anywhere, is that the candidate who is ahead in the polls—and particularly an incumbent—will almost never want to debate, and for good reason. That candidate knows he or she would have to share the platform and the audience with an opponent and could likely be hurt by it. The leader's potential for gain is small, while the potential for the challenger is great. Moreover, because of the way the press covers debates, there are rarely any clear winners, but there are always losers. So the incentive for the candidate with a lead *not* to participate is enormous. But I thought the voters benefit from debates and so it was essential to find a way to bring pressure on the candidates to participate. The parties could do that.

After the 1984 campaign, two distinguished national organizations, the Georgetown Center for Strategic and International Studies and the Harvard University Institute of Politics, independently conducted detailed studies of the presidential election process generally and the presidential debates specifically. I took a leave from my law firm to lead the Harvard study, which was funded by the Twentieth Century Fund (today known as the Century Fund). I persuaded a former Harvard law student, Clifford Sloan, to work with me. Cliff had studied at Harvard under my daughter Martha and had served as a law clerk for Supreme Court Justice John Paul Stevens.³

The Georgetown and Harvard projects were separate, though as it turned out each group focused on the same four issues: the impact of the

debates on the public, the sponsorship of the debates, their format, and the problem of how to fairly accommodate third-party and independent candidates. Both institutions issued reports that recommended finding some way to institutionalize the debates.⁴ The report of the Georgetown group, led by Republican Mel Laird and Democrat Bob Strauss, advised that the parties be much more involved in organizing them. Not long after, the respected political communications scholar Kathleen Hall Jamieson urged institutionalizing the debates under party sponsorship because doing so "would minimize the likelihood that the stronger candidate would force the weaker to debate on his or her terms or give up the advantages gained by debates."⁵

Our report followed with much the same conclusion, though we added operational details by which the parties would have responsibility for the debates. Cliff and I drafted a proposal for the creation of a new debates sponsor, and we organized a national conference at Harvard to discuss the plan. We knew that many people would disagree with us on the role the parties should play. Certainly not all the conference participants endorsed our proposal, and Harvard's Institute of Politics remained neutral on our recommendations. But most of the participants believed with us that in 1988 we had a historic opportunity. It would be the first time since 1960 that no incumbent president would be in the debates. Several Republicans were seeking the nomination, and it was by no means a foregone conclusion that George H. W. Bush was going to be his party's nominee. No one knew yet who the Democratic nominee might be. So it was one of those rare moments when the identity of even one of the debaters was not already known and when it would be possible to make significant changes to the debates without the powerful resistance of a sitting president. And, we thought, there was a final factor on our side. It did not appear that there would be a significant third-party challenge for the presidency in 1988. John Anderson was behind us, and Ross Perot was not yet on the horizon. We had no intent to squelch third parties, but we also knew that in the past their presence had served as a pretext for reluctant major-party candidates who wanted to avoid debates entirely.

The country thus had a rare opportunity to institutionalize the debates, and we thought it imperative to take advantage of it. In our report we recommended the creation of a nonpartisan "Presidential Debates Organization" to organize and sponsor the presidential debates. In response, the then-chairmen of the Democratic and Republican National Committees, Paul G. Kirk Jr. and Frank J. Fahrenkopf Jr. respectively, jointly called for the creation of the independent Commission on Presidential Debates

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(CPD). The Twentieth Century Fund provided seed funding for the idea, and the Commission was incorporated in Washington, DC, on February 19, 1987, as a private, not-for-profit organization that would "organize, manage, produce, publicize and support debates for the candidates for President of the United States."

Today the Commission is housed in a small office suite that it shares with two other organizations near DuPont Circle in Washington, DC. Except for the busy several months right before the debates, its staff consists of one person, a talented woman named Janet Brown, whom I recommended to run the Commission when it was created and who is still there as the institution's executive director. In election years Brown has two assistants and a receptionist, but that's it. Including its two cochairs, there are currently twelve members of the Commission's board of directors, of whom I am one.⁶ Early on most of the board members lived or worked in Washington, but now they are scattered across the country, so we usually talk by phone with Janet and with one another. The full board meets at least once per year, in April, but rarely do we or can we meet together in person; the bylaws allow for the board to meet by conference call. Directors are nominated by a subcommittee of the board and serve four-year terms. We serve with no compensation.

Since the Commission's incorporation in 1987, its board membership has turned over in its entirety at least twice. Kirk and Fahrenkopf, though their terms as chairs of their respective parties ended in 1989, have several times been reelected to the board in the same way as any other board member would be. They have served as cochairs of the Commission since the beginning, for recurring two-year terms. When they eventually step down, they can be replaced either by an existing board member or by someone entirely new to the Commission. The other members of the board of directors can succeed themselves, and several have. None is a member of either the Republican or Democratic national committee, and at least one board member—Dorothy Ridings, a former Knight Ridder newspaper executive and a former president of the League of Women Voters—is not identified with any political party. Most of the board members have other jobs and other board commitments, and frequently they will leave because of real or perceived conflicts of time or interest. Former Missouri senator John Danforth, for example, left the board when he became U.S. ambassador to the United Nations in 2004. After his service at the UN, he returned to the Commission. I was asked to become a member of the board in 1992 to take the place of attorney Vernon Jordan, a former executive di-

views known and to respond to or rebut the arguments of their opponents. In both cases, for example, participants have to make their arguments within strict time limits. Those limits give each side a fair opportunity to speak, and in political debates featuring incumbents, they give challengers a meaningful opportunity to question their opponents' past performance and to propose alternative policies. That opportunity may not be enough to legitimize unpopular ideas, but it does allow the public to hear and judge them, an important activity in a vital democracy.

The requirement that debates be bound by rules ensures that they do not disintegrate into incoherent and unproductive shouting matches. Reasonable people can disagree about how debates should be structured, and in a series of debates formats can vary (as they do, for example, with the popular "town hall" debates in presidential elections, in which questions come from audience members). But whatever the rules are, they must be determined in advance, accepted by all the debate participants, and made public.

In this respect, the televised presidential debates are actually much less structured than formal academic debates, where both sides know what to expect. The candidates may agree to discuss foreign policy, for example, but they do not know what the moderator or any other questioner will actually ask on the subject. Journalist Jim Lehrer, who has served as the principal moderator for several presidential debates, says that out of respect to viewers he not only asks the candidates questions about issues they have chosen to campaign on but also pursues topics the candidates have ignored if he believes there is strong public interest in them. Neither Lehrer nor any other moderator or questioner shares his or her questions with the candidates in advance of the debates. Moreover Lehrer is emphatic that his job is to moderate—to enforce the rules the campaigns themselves have established—not to act as a journalist at a press conference.³⁷

Nonetheless, the issue of the debates' rules, how they are determined and who enforces them, has consistently been part of the criticism that the televised presidential debates are not "real." In 1976, 1980, 1984, 1988, 1992, 1996, and 2000, the candidates did their utmost to haggle about dates, places, formats, questions, camera placement, audience reaction shots, even the temperature in the auditorium—seeking advantage for their own campaigns. They entered into "memoranda of understanding," one of which (2004) is included here as an appendix. But in 2004, the Commission asserted its authority by announcing nonnegotiable dates, places, formats, and moderator in advance. In response, President George Bush and Senator John Kerry entered into negotiations with each

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other, produced a memorandum of understanding, and gave the Commission a deadline to accept it. The Commission rejected the memorandum unanimously.

Commentary on these memoranda of understanding sometimes borders on the hysterical. A recent critic of the Commission is George Farah, a 2005 Harvard Law School graduate, the founder of an organization called Open Debates, and the proponent of an alternative debates sponsor he calls the "Citizens Debate Commission," mentioned earlier in this chapter. Farah's argument is summed up in his 2004 book *No Debate: How the Republican and Democratic Parties Secretly Control the Presidential Debates*, in which he claims that the existing Commission is a "fraud," a bipartisan rather than a nonpartisan organization whose principal concern is insulating the major parties both from challengers and from serious questioning, and which acts in "secret" and "covert" ways to ensure that outcome.³⁸ In 2004, Open Debates joined with ten other groups—a significant number—to issue a report highly critical of the Commission, "Deterring Democracy: How the Commission on Presidential Debates Undermines Democracy."³⁹ The report's executive summary argued that

behind closed-doors, negotiators for the major party nominees jointly draft debate contracts called Memoranda of Understanding that dictate precisely how the debates will be run—from decreeing who can participate, to selecting who will ask the questions, to ordaining the temperature in the auditoriums. Masquerading as a nonpartisan sponsor, the CPD obediently implements and conceals the contracts. . . .

The consequences of such deceptive major party control are distressing. Candidates that voters want to see are often excluded. . . . Issues the American people want to hear about are often ignored, such as free trade and child poverty. And the debates have been reduced to a series of glorified bipartisan news conferences, in which the Republican and Democratic candidates exchange memorized soundbites.⁴⁰

The Commission on Presidential Debates was indeed conceived as a bipartisan organization, and some of the Commission's earliest documents refer to it as such. But those documents also make clear the Commission's concern, from the beginning, for nonpartisan rules for including significant minor-party candidates. The campaigns also negotiate many important details between them, though today they have absolutely no discretion about who is invited to participate in the debates (the subject of chapter 5) or what specific questions are asked. In their negotiations the candidates decide a lot of trivial things. The candidates will argue about

Much of what critics find to fault in the televised presidential debates, then, has nothing to do with the Commission. Rather it is the legacy of the many historical, political, and legal impediments that once made the debates impossible. But there is another, more important aspect of this legacy. The League of Women Voters and later the Commission spent many years negotiating with the campaigns from a position of weakness. But their combined success in sponsoring the debates for more than a quarter-century has now put the Commission in a position of relative strength vis à vis the campaigns. The campaigns will always want to negotiate terms prior to the debates, but those negotiations are not as important as they once were for a simple reason: the candidates can no longer refuse to debate, so there are limits on the conditions they can place on their participation. The Commission now has the opportunity and the obligation to assert its authority over the debates in ways that will most benefit the public.

The Commission declared its independence in 2004 by announcing that the dates, places, formats, and moderators for the debates were non-negotiable. The Commission refused to sign a memorandum of agreement prepared by the representatives of the Democratic and Republican candidates. From now on, it was saying, the Commission is in charge.

GENERAL ELECTION PRESIDENTIAL DEBATE

Jimmy Carter (D), U.S. President, and Ronald Reagan (R), Former California Governor

Date October 28, 1980
Location Public Music Hall
City Cleveland, OH
Time 9:30-11:00 p.m. Eastern
Sponsor League of Women Voters
Moderator Howard K. Smith, ABC News
Panelists Marvin Stone, *U.S. News & World Report*; Harry Ellis, *Christian Science Monitor*; William Hilliard, *Portland Oregonian*; Barbara Walters, ABC News
Viewership 80.6 million (data provided by Nielsen Media Research)
Format First half: same questions posed to both candidates, who had two minutes to reply; follow-up by panelist permitted; each candidate allowed one-minute rebuttal. Second half: same questions posed to both candidates; no follow-up; each candidate given two opportunities per question for rebuttal
Topic Domestic, economic, foreign policy, and national security issues

1984

GENERAL ELECTION PRESIDENTIAL DEBATE

Walter Mondale (D), Former U.S. Vice President, and Ronald Reagan (R), U.S. President

Date October 7, 1984
Location Center for the Performing Arts
City Louisville, KY
Time 9:00-10:30 p.m. Eastern
Sponsor League of Women Voters
Moderator Barbara Walters, ABC News
Panelists James Wieghart, *New York Daily News*; Diane Sawyer, ABC News; Fred Barnes, *New Republic*
Viewership 65.1 million (data provided by Nielsen Media Research)
Format Same questions posed to each candidate, who had two and a half minutes to respond; follow-up by panelists permitted; one-minute rebuttal; four-minute closing statements
Topics Economic and domestic issues

GENERAL ELECTION PRESIDENTIAL DEBATE

Walter Mondale (D), Former U.S. Vice President, and Ronald Reagan (R), U.S. President

Date October 21, 1984
Location Music Hall, Municipal Auditorium
City Kansas City, KS
Time 8:00-9:30 p.m. Eastern

<i>Sponsor</i>	League of Women Voters
<i>Moderator</i>	Edwin Newman, <i>Baltimore Sun</i>
<i>Panelists</i>	Georgie Anne Geyer, Universal Press Syndicate; Marvin Kalb, NBC News; Morton Kondracke, <i>New Republic</i>
<i>Viewership</i>	67.3 million (data provided by Nielsen Media Research)
<i>Format</i>	Same questions posed to each candidate, who had two and one half minutes to respond; one-minute follow-up; one-minute rebuttal; four-minute closing statements
<i>Topics</i>	Defense and foreign policy issues

VICE-PRESIDENTIAL DEBATE

George Bush (R), U.S. Vice President, and Geraldine Ferraro (D), U.S. Congresswoman (NY)

<i>Date</i>	October 11, 1984
<i>Location</i>	Pennsylvania Hall Civic Center
<i>City</i>	Philadelphia
<i>Time</i>	9:00-10:30 p.m. Eastern
<i>Sponsor</i>	League of Women Voters
<i>Moderator</i>	Sander Vanocur, ABC News
<i>Panelists</i>	John Mashek, <i>U.S. News & World Report</i> ; Jack White, <i>Time</i> ; Norma Quarles, NBC News; Robert Boyd, Knight-Ridder Newspapers
<i>Viewership</i>	56.7 million (data provided by Nielsen Media Research)
<i>Format</i>	Same questions posed to each candidate, who had two and a half minutes to respond; follow-up permitted by panelists; one-minute rebuttal; four-minute closing statements
<i>Topics</i>	First half: domestic affairs. Second half: foreign affairs

 1988

GENERAL ELECTION PRESIDENTIAL DEBATE

George Bush (R), U.S. Vice President, and Michael Dukakis (D), Massachusetts Governor

<i>Date</i>	September 25, 1988
<i>Location</i>	Wait Chapel, Wake Forest University
<i>City</i>	Winston-Salem, NC
<i>Time</i>	8:00-9:30 p.m. Eastern
<i>Sponsor</i>	Commission on Presidential Debates
<i>Moderator</i>	Jim Lehrer, PBS
<i>Panelists</i>	John Mashek, <i>Atlanta Constitution</i> ; Peter Jennings, ABC; Ann Groer, <i>Orlando Sentinel</i>
<i>Viewership</i>	65.1 million (Data provided by Nielsen Media Research)
<i>Format</i>	No opening statements; each candidate questioned in turn with two minutes to respond; one-minute rebuttal; follow-up questions permitted by panelists; two-minute closing statements
<i>Topic</i>	Questions divided between foreign and domestic policy

[Back to Article](#)[Click to Print](#)**TIME**

Monday, Oct. 22, 1984

Press: In Search of Questioners

By William A. Henry III

The League runs into problems putting together a panel

Nearly every candidate for national office complains at some point that the press spends too much time pursuing its own vision of the issues and not enough allowing the candidate's message to get through to voters. Yet when offered the opportunity to debate on TV, the campaigners have spurned proposals for head-to-head confrontation and insisted instead that reporters ask questions, as the Reagan campaign demanded this year. Participation by journalists turns what could be an unpredictable, even uncontrolled, exchange into a variation on the safe, familiar format of a press conference.

Despite reporters' growing misgivings about becoming too much a part of the campaign process, journalists have been a part of every presidential debate since the first Kennedy-Nixon encounter in 1960. To all outward appearances, there have been only cosmetic changes in the debate structure established then and adapted in 1976, 1980 and 1984. But behind the scenes, a new factor this year caused major news organizations to threaten to boycott future debates: for the first time, both campaigns misused their veto power over the selection of questioners in an effort to secure a friendly panel.

The League of Women Voters has accorded campaigns veto power since it began sponsoring the debates in 1976. Explains President Dorothy Ridings: "If a candidate feels there is some reporter who is totally opposed to him as a person or to his positions, it will affect his performance." There was a general understanding that the veto would be used only in extreme circumstances. In 1976 neither side objected to any reporter. In 1980 a handful were excluded, but not enough in any debate to force the League to expand beyond its usual slate of about twelve potential participants. For the exchange between Ronald Reagan and Walter Mondale, however, 83 journalists were considered and only three were acceptable to the campaigns and also willing to appear. Each side knocked out about an equal number. Said Ridings: "There was abuse of the process by both campaigns. The letter of the agreement was lived up to, but the spirit was not."

League organizers say that what may have started as gamesmanship to unnerve the other side simply got out of hand. Says one participant: "A certain dynamism took over. One party became very harsh, and the other side then said, 'All right, we'll do the same thing.' " Of the first dozen names submitted, the Democrats reportedly agreed to five, the Republicans to just one: James Wieghart, national political correspondent for the Scripps-Howard newspapers and former editor of the New York Daily News. After rejecting another group proposed by the League, each campaign countered with suggested names: some were rejected by the other side and some by the League, which wanted a mix of sex and race of reporters and in type of news organizations represented. A senior White House official said that the Reagan campaign had excluded three reporters, on what appeared to be a political basis: William Greider of Rolling Stone, whose Atlantic Monthly interviews with Budget Director David Stockman raised questions about the integrity of the Reagan budget-planning process; Nashville Tennessean Editor John Siegen-thaler, who served in the Kennedy Administration; and Jerrold Schechter of Esquire, a former TIME correspondent who served in the Carter Administration.

As it turned out, the two members finally added had stronger ideological ties than most potential questioners: CBS News Correspondent Diane Sawyer worked for Richard Nixon at the White House and after he resigned, and Baltimore Sun Reporter Fred Barnes writes a column for the conservative monthly American Spectator. A fourth seat was offered to two New York Times reporters, Gerald Boyd and Hedrick Smith, who refused because they disapproved of the extensive vetoes. The Times's Washington editor, William Kovach, announced that the newspaper would boycott further debates this year: "We cannot encourage a process that has a political saliva test administered by candidates. We all know where that leads—to asking the White House who we can assign to cover it." CBS News President Edward Joyce also pulled his reporters out of contention for subsequent debates.

The selection process for the vice-presidential forum Thursday was less tortuous. Ridings insisted that the slate be chosen largely from an original list of twelve, and to complete the process, she presented each campaign with pairs of potential panelists who had to be accepted in tandem. That approach produced a balanced group whose questions seemed a bit sharper in tone and follow-up than those posed by the presidential inquisitors. Its members: Robert Boyd, Washington bureau chief of the Knight-Ridder newspapers, Norma Quarles of NBC News, John Mashek of U.S. News and World Report and Jack White of TIME.

Despite the slight improvement in the approval process, Ridings said that she would not deal with campaign subordinates but would seek to discuss the process and perhaps establish a list during a conference telephone call with Mondale Campaign Chairman James Johnson and White House Chief of Staff James Baker. After the campaign is over, the League is considering meeting with reporters and political figures to work out a new system that will give candidates less leeway in exercising a veto. Says Ridings: "We do not expect journalists to be political eunuchs. We all have our thoughts and beliefs, but we can separate that from our duties."

-By William A. Henry III. Reported by Kathleen Brady/New York and John E. Yang/Washington

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Exhibit 22

EXHIBIT A

II ELECTIONS THE PRESIDENT

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

Frank J. Fahrenkopf, Jr., Chairman of the Republican National Committee, and Paul G. Kirk, Jr., Chairman of the Democratic National Committee, acknowledge and recognize that nationally televised joint appearances by the presidential nominees of both parties have often played an important and constructive role in recent presidential campaigns. We hope that they will play a similar role in future presidential campaigns, and we hereby commit ourselves toward achieving that goal. We recognize, of course, that the ultimate decision regarding participation in joint appearances will necessarily be made by the nominees themselves.

Nonetheless, this memorandum of agreement is intended to express our strong belief that joint appearances deserve to be made a permanent and integral part of the presidential election process and our determination to bring that about.

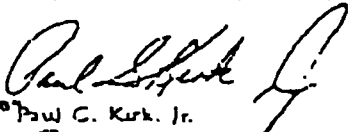
It is our bipartisan view that a primary responsibility of each major political party is to educate and inform the American electorate of its fundamental philosophy and policies as well as its candidates' positions on critical issues. One of the most effective means of fulfilling that responsibility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

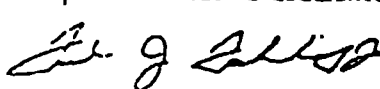
We believe that the format and most other details of joint appearances for each general election campaign should be determined through negotiations between the chairmen and the nominees of the two political parties (or their designees) following the nominating conventions of each presidential election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

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

Democratic National Committee

Republican National Committee


Paul G. Kirk, Jr.
Chairman


Frank J. Fahrenkopf, Jr.
Chairman



HANWOUNDGUTH

UNIVERSITY OF CALIFORNIA

Exhibit 23

The New York Times

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January 26, 1986

G.O.P. SEEKS A CITY FOR '88

UPI

WASHINGTON, Jan. 25— The Republican National Committee has begun the process of selecting the city for the Republican National Convention of 1988. Atlanta, Kansas City, Las Vegas, Philadelphia, San Diego, Seattle, St. Louis, Los Angeles, Houston and several Florida cities have applied, Frank J. Fahrenkopf Jr., the party's chairman, told his executive committee this week. The committee ratified an agreement between him and Paul G. Kirk Jr., the Democratic national chairman, for the parties to take over Presidential debates, sponsored in the past by the League of Women Voters.

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News from the...
 DEMOCRATIC AND REPUBLICAN NATIONAL COMMITTEES

Release: Wednesday, February 18, 1987

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RNC AND DNC ESTABLISH
COMMISSION ON PRESIDENTIAL DEBATES

WASHINGTON, D.C.--Republican National Committee Chairman Frank J. Fahrenkopf, Jr. and Democratic National Committee Chairman Paul G. Kirk, Jr. announced the creation of the Commission on Presidential Debates at a joint press conference today at the Capitol.

The 10-member commission is a bipartisan, non-profit, tax exempt organization formed to implement joint sponsorship of general election presidential and vice presidential debates, starting in 1988, by the national Republican and Democratic committees between their respective nominees.

In launching this new initiative, the two party chairmen said, "A major responsibility of both the Democratic and Republican parties is to inform the American electorate on their philosophies and policies as well as those of their respective candidates. One of the most effective ways of accomplishing this is through debates between their nominees. By jointly sponsoring these debates, we will better fulfill our party responsibilities to inform and educate the electorate, strengthen the role of political parties in the electoral process and, most important of all, we can institutionalize the debates, making them an integral and permanent part of the presidential process."

In emphasizing the bipartisan nature of the commission, both chairmen noted the contributions to the debate process by the League of Women Voters: "We applaud the League for laying a foundation from which we can assume our own responsibilities. While the two party committees will be sponsors for all future presidential general election debates between our party nominees, we would expect and encourage the League's participation in sponsoring other debates, particularly in the presidential primary process."

Kirk and Fahrenkopf, in stressing the need to institutionalize the debates, said it will be the Commission's goal to recommend the number of presidential and vice presidential debates, as well as the dates and locations of those debates, before the 1988 nominating conventions. Potential candidates for the parties' respective nominations have committed to support party-sponsored debates. The Commission's recommendations will be forwarded to all potential candidates for concurrence as soon as they are completed.

"This degree of certainty about the debates going into the general election," the chairmen said, "is an historic breakthrough in institutionalizing them. It means that we won't spend most of the general election campaign debating about debates, as we have too often in the past. The American people have an expectation that debates will occur every four years; this process is designed to assure that that expectation will be realized."

Fahrenkopf and Kirk will serve as co-chairs of the new Commission. They appointed as vice chairs:

- Richard Moe, Washington lawyer and partner in the firm of Davis, Polk & Wardwell;
- David Norcross, Washington lawyer and partner in the firm of Myers, Matteo, Rabil, Pluse & Norcross.

Others named to the Commission are:

- U.S. Rep. Barbara Vucanovich (R-NV);
- former U.S. Senator John Culver (D-IA), now a partner in the Washington law firm of Arent, Fox, Kintner, Plotkin & Kahn;
- Republican Gov. Kay Orr of Nebraska;
- Vernon Jordan, a Democrat, former president of the Urban League, now a partner in the law firm of Akin, Gump, Strauss, Mauer & Feld;
- Pamela Harriman, chairman of Democrats for the '80's;
- U.S. Senator Pete Wilson (R-CA).

The two chairmen said the Commission will hire staff and open a Washington office shortly. They said articles of incorporation for the Commission have been filed in the District of Columbia as well as an application for tax exemption with the Internal Revenue Service.

Kirk and Fahrenkopf concluded by saying, "We have no doubt that with the help of the Commission we can forge a permanent framework in which all future presidential debates between the nominees of the two political parties will be based. It is our responsibility as Party chairmen to have an informative and fair presidential process. The establishment of the Commission on Presidential Debates will go a long way toward achieving that goal."

Today's announcement stems from a recommendation of the Commission on National Elections, which during 1985 studied the presidential election system. On Nov. 26, 1985, Kirk and Fahrenkopf signed a joint memorandum agreeing in principle to pursue the party sponsorship concept.

EXHIBIT 25

Exhibit 25

The New York Times

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February 19, 1987

DEMOCRATS AND REPUBLICANS FORM PANEL TO HOLD PRESIDENTIAL DEBATES

By PHIL GAILEY, Special to the New York Times

WASHINGTON, Feb. 18— The two major political parties today announced the creation of a bipartisan commission to sponsor Presidential debates in the 1988 general election campaign.

The move provoked a sharp response from the League of Women Voters, which announced plans to hold its 1988 debates in the primary and general elections.

"I think they're trying to steal the debates from the American voters," the league's president, Nancy M. Neuman, said of the agreement by the Democratic and Republican Parties to assume control of the general election debates.

At a news conference, Paul G. Kirk Jr., the Democratic national chairman, and Frank J. Fahrenkopf Jr., the Republican national chairman, said they had the support of all the 1988 Presidential hopefuls for the new arrangement, which they said would "institutionalize" the debates and strengthen the role of the political parties in the electoral process. **Move Underscores Importance**

The parties' effort to take control of the Presidential debates underscores the central and potentially decisive role the nationally televised debates have come to play in both primary and general election campaigns. Political experts note, for example, that Ronald Reagan scored a breakthrough in his 1980 debate with President Carter. Four years later Mr. Reagan fumbled badly in his first debate with his Democratic challenger, Walter F. Mondale, but was able to recoup in a second debate.

In response to questions, Mr. Fahrenkopf indicated that the new Commission on Presidential Debates, a nonprofit group made up of representatives from each party, was not likely to look with favor on including third-party candidates in the debates. He said the issue was a matter for the commission to consider when it worked out the format, timing and other details of the debates with the candidates.

Mr. Kirk was less equivocal, saying he personally believed the panel should exclude third-party candidates from the debates. But he said he could not speak for the commission.

At her news conference, Mrs. Neuman said the need to assure legitimate third-party candidates a place in the debates was one of the reasons the league should be in charge. She said that, unlike the two political parties, the league "does not have a stake in the outcome of the election." She also contended the league's sponsorship of debates in the past three Presidential elections had earned it "public trust."

Mrs. Neuman said she had written the major Presidential contenders asking them to participate in league-sponsored debates but had not received a response. Even so, Mrs. Neuman said the league was proceeding with plans to sponsor eight primary campaign debates, four in each party, and two Presidential debates and one Vice Presidential debate in the general election. Debate Formats Called Staid

Critics of the league-sponsored debates have contended that the formats were staid and did not allow the candidates to question each other. Instead, the candidates made opening and closing statements and were questioned by a panel of journalists selected by league officials and the candidates.

Mr. Fahrenkopf said the bipartisan commission would raise \$1 million to finance the Presidential and Vice Presidential debates and would have the responsibility of working out the debate arrangements before the two nominating conventions.

In his statement, Mr. Kirk said, "We believe the Democratic and Republican Parties are making history today by assuming their rightful responsibility for the single most effective voter education project" in Presidential elections.

Mr. Fahrenkopf asserted, "The extremely competitive nature of the two parties will ensure that we will reach the best possible agreement for all concerned, most importantly for the voters of this nation."

The party chairmen said today the commission would not become involved in primary debates and invited the league to play an advisory role in the commission's work. But Mrs. Neuman rejected the offer and invited Mr. Kirk and Mr. Fahrenkopf to serve as ex-officio members of the League of Women Voters Education Fund.

Turning over the sponsorship of Presidential debates to the two major parties was the main recommendation of the National Commission on Elections, a bipartisan group that studied the election process in 1985. Although it is ultimately up to the candidates to decide whether to debate, the panel said the two parties had the best chance of making debates a regular part of Presidential election campaigns.

CONFIDENTIAL

Exhibit 26

MEMORANDUM OF UNDERSTANDING

This document constitutes an agreement between Vice President Bush's representatives and Governor Dukakis' representatives regarding the rules that will govern any Presidential and Vice Presidential debates [sic] in 1988.

1. Number

There will be two (2) Presidential debates and one (1) Vice Presidential debate. The parties further agree that they will not issue and challenge for additional debates during the broadcast of any of the three debates.

2. Dates

The parties agree that the Presidential debates will be held on Sunday, September 25, 1988 and Thursday, October 13, 1988, unless there is a 7th game of the American League play-offs in which case the second Presidential debate will be held on October 14, 1988.

The parties further agree that the Vice Presidential debate will be held on Wednesday, October 5, 1988.

3. Sponsorship

The first Presidential debate and the Vice Presidential debate will be offered to the Commission on Presidential Debates for their sponsorship. The second Presidential debate will be offered to the League of Women Voters for their sponsorship. Sponsorship will be conditioned upon agreement to all provisions of this Memorandum of Understanding. In the event that either the Commission or the League does not accept the conditions of sponsorship per this agreement, representatives of the two candidates will immediately use their best efforts to obtain a mutually agreeable alternate sponsor.

4. Location

The cities of Winston-Salem, North Carolina; Omaha, Nebraska; and Los Angeles, California will be the sites of the first presidential debate, the Vice Presidential debate and the second Presidential debate respectively.

5. Times

The first Presidential debate will begin at 8:00 p.m. Washington, D.C. time. The Vice Presidential debate will begin at 8:00 p.m. Omaha time. The beginning time of the second Presidential debate will be either 6:00 p.m. or 6:30 p.m. Los Angeles time as determined by the sponsor.

6. Format

The parties agree that the following format will be in effect for both Presidential debates as well as for the Vice Presidential debates [sic]:

- a. Each debate will last for a total of ninety (90) minutes, including all questions, answers and closing statements subject to the provisions in 6(a) in this section.
- b. The moderator will open and close the debate and will be responsible for strictly enforcing all the time limits. The moderator will use his best efforts to ensure that the questions asked of the candidates will be approximately equally divided between domestic and foreign policy. In addition, the moderator will identify each topic before the questions are asked by the panelists and will ensure that the agreed upon format is adhered to. If mutually agreed upon by representatives of both candidates, the moderator may, if he chooses, ask the first question of each candidate.
- c. There will be no opening statement by either candidate.
- d. Each candidate will have the option to make a closing statement that will not exceed two minutes in duration. In the first Presidential debate the first closing statement will be made by President Bush and the second closing statement will be made by Gov. Dukakis. These positions will be reversed in the second Presidential debate.
- e. Irrespective of whether or not the debate broadcast runs beyond the planned ending

Memorandum of Understanding for 1988 Debates

time, each candidate will be entitled to make a closing statement not to exceed two minutes in duration. The sponsors will use their best efforts to ensure that the networks will carry the entire debate even if it runs past the specified ending time.

- f. The question and answer sequence will be as follows:
1. The moderator will indicate the topic, such as "arms control."
 2. A panelist will ask a question of *Candidate "A"*. (NOTE: The questions asked by the panelists will not exceed 45 seconds in duration.)
 3. *Candidate "A"* will have 2 minutes to respond.
 4. *Candidate "B"* will have 1 minute to rebut.
 5. The same panelist will then ask a question on the same subject of *Candidate "B"*.
 6. *Candidate "B"* will have 2 minutes to respond.
 7. *Candidate "A"* will have 1 minute to rebut.
 8. The moderator will then indicate a second topic for questioning and the process will continue. The order in which the candidates are asked questions will be reversed for the Second Round and so forth throughout the debate. For example, on all odd numbered topics the first question will be directed to Candidate "A" and on all even numbered topics the first question will be directed to Candidate "B."

NOTE: A coin flip has determined that in the first Presidential debate Vice President Bush will be Candidate "A" and Gov. Dukakis will be candidate "B." In the second Presidential debate Gov. Dukakis will be Candidate "A" and Vice President Bush will be Candidate "B."

- g. A coin flip for the Vice Presidential debate will be held as soon as possible with representatives of each candidate present. The coin flip will determine which candidate will receive the first question. That same candidate will make the first closing statement.
- h. The order of questioning by the panelists will be determined by a draw supervised by the sponsor with representatives of each candidate in attendance.
- i. There will be no direct candidate-to-candidate questioning.
- j. It is further agreed that excerpts from the debate programs will not be used out of context and will not be used in a false or deceptive manner.
- k. Each candidate will determine the manner by which he prefers to be addressed by the panelists and the moderator and will communicate this to the sponsor.

7. Selection of a Moderator

- a. Representatives of each candidate will submit a list of one (1) to two (2) possible moderators to each other. Each side will then have the opportunity to approve or delete names from the others proposed list. When one (1) or more possible moderators on each side are agreed upon, then these two (2) or more names will be submitted to the sponsor who will then select one of these individuals to be the moderator for the first Presidential debate. If necessary, this process will be repeated until the agreed upon number of names are submitted to the sponsor.
- b. This same process will be followed for the second Presidential debate.
- c. There will be a different moderator for each of the three debates.
- d. As indicated in 6 (b), the role of the moderator will be to open the program, introduce the panelists, keep time on the length of answers, identify each topic before the questions are asked and close the program. The moderator can ask the first question of each candidate if this is mutually agreed upon by representatives of the two candidates. The moderator will also use his best efforts to ensure that the questions asked of the candidates will be approximately equally divided between domestic and foreign policy.

8. Selection of Panelists

- a. Representatives of each candidate will submit a list of at least 6 (six) and not more than ten (10) possible panelists to each other. Each side will then have the opportunity to approve or delete names from the other's proposed list. When two (2)

Memorandum of Understanding for 1988 Debates

- or more possible panelists are agreed upon from each list, these final two (2) names on each list will be submitted to the sponsor who will then select one from each list to be a panelist for the first Presidential debate. If, necessary, this process will be repeated until the agreed upon number of names are submitted to the sponsor.
- b. To select the third panelist, the sponsor will submit a list of ten (10) possible panelists to representatives of each of the candidates. These representatives will then mutually agree on two (2) or more possible panelists from the sponsor's list. The sponsor will then pick one (1) panelist from this list and that individual added to the two (2) selections from the process indicated in the previous paragraph will constitute the three (3) panelists for the first Presidential debate.
 - c. The same process will be followed for each of the three debates.
 - d. There will be different panelists for each of the three debates.
 - e. All discussions, lists, or other writings between the parties regarding the inclusion or exclusion of potential moderators and/or panelists shall remain confidential between representatives of the candidates.

9. Staging (see attached diagram)

- a. After the debate program goes on the air the candidates will proceed simultaneously onto the stage from opposite wings per a verbal cue (to be determined) from the moderator.
- b. The candidates will each stand at a separate podium for both Presidential debates as well as for the Vice Presidential debate.
- c. The sponsor will construct podiums identical to view for the candidates to use. These podiums will be constructed in a style mutually agreed upon by representatives of both candidates. Specifically the Vice President's podium will measure 48 inches from the stage floor to the outside top of his podium facing the audience. Gov. Dukakis' podium will not exceed 48 inches when measured from the stage floor to the outside top of his podium facing the audience. Neither candidate's height will exceed 74 inches above the stage floor when the candidates are standing at their podiums. Other requirements for these podiums will be verbally transmitted to the sponsor by representatives of the two candidates. There will be no writings or markings of any kind on the front of these podiums.
- d. The microphones for each candidate will be attached to the podium. In no case will any microphone be physically attached to either candidate.
- e. For both Presidential debates, the Vice President will be standing at the stage right podium and Governor Dukakis will be standing at the stage left podium. For the Vice Presidential debate, Senator Bentsen will be standing at the stage right podium and Senator Quayle will be standing at the stage left podium.
- f. The candidates' podiums will be equally canted to the center of the stage at a degree to be determined by the producer and will not be more than 10 feet apart. (see attached diagram)
- g. Camera placement shall be as indicated on the attached diagram unless changed by mutual agreement.
- h. All cameras shall be locked into place during all three debates. They can, however, tilt or rotate as needed.
- i. TV coverage will be limited to shots of the candidates, panelists or moderator during the question and answer period of each debate. In no case shall any television shots be taken of any member of the audience (including candidate's family members) from the time the first question is asked until the conclusion of the closing statements.
- j. All members of the audience shall be requested by the moderator before the debate goes on the air and by the moderator after the program goes on the air not to applaud or otherwise participate in the debate by any means other than by silent observation.
- k. Each camera to which a candidate will direct his answer shall be outlined with a distinctively lighted color so that each candidate can clearly determine where he should direct his remarks if desiring to do so into the camera.
- l. The moderator and the panelists shall be seated so as to be positioned between the

candidates and the cameras to which the candidates may direct their answers.
(see attached diagram)

- m. A *green light*, clearly visible to the candidates, will be on when the candidates are asked their question. It will be a constant light and not a blinking one. The time cue given to indicate 30 seconds remaining for a candidate's answer shall be an *amber light* that will go on when that time remains. It will be a constant light and not a blinking one. Similarly, a *red light* shall go on at the same location as the green and amber lights 15 seconds before a candidate's time has expired. It will be a constant light and not a blinking one. There shall be two sets of these lights (one for each candidate) and these lights shall be large and in each candidate's direct line of sight to the camera to which he is giving his answer. The candidates shall not be required to look up, down or sideways to see these lights.
- n. Each candidate shall be permitted to have a complete production and technical briefing at the location of the debate on the day of the debate. Each candidate can have a maximum of one hour for this briefing. Production lock down will not occur for either candidate until that candidate has had his technical briefing and walk-through.
- o. There will be no taping allowed during the candidates' technical briefing at the location of the debate on the date of the debate.
- p. All of Vice President Bush's representatives shall vacate the debate site while Governor Dukakis has his technical briefing and vice versa.
- q. No press will be allowed into the auditorium where the debate will take place during the candidates production briefing.
- r. Each candidate may use his own makeup person.
- s. The candidates can take notes during the debate on the size, color and type of paper each prefers. Neither candidate will be permitted to take any notes or other material into the debate.
- t. Neither candidate shall have any staff member in the wings nor backstage later than five minutes after the debate has begun nor sooner than five minutes before the program concludes.
- u. Other than security personnel not more than 2 aides will accompany each candidate to the stage before the program begins.
- v. There will be no cut-aways to the candidate who is not responding to a question while his opponent is answering a question nor to the candidate who is not giving his closing statement while his opponent is doing so.
- w. The color of the backdrop will be mutually determined.
- x. The set will be completed and lit no later than 3 p.m. on the day before the debate will occur.
- y. There will be no tally lights lit on any of the cameras during the broadcast of the debate.

10. Ticket Distribution & Seating Arrangements

- a. Each candidate shall directly receive one-third of the tickets with the remaining one-third going to the debate sponsors.
- b. The candidates' families and supporters shall be given seats on the side of the auditorium from which their candidate is speaking. Each candidate shall have the first four rows for his personal use and succeeding rows will be made available for supporters of that particular candidate.
- c. Any press seated in the auditorium can only be accommodated in the furthest two rows of the auditorium. Two still photo pool stand's can be positioned near either side of the TV camera stands located in the audience. (A press center with all necessary feeds will be otherwise available.)
- d. Tickets will be delivered by the sponsor to the Chairman of each candidate's campaign by 12 noon on Monday, September 19 preceding the first Presidential debate unless other arrangements are made between each candidate and the Commission. Tickets for the succeeding two debates will be made available in a similar manner no later than six days before each debate.

11. Dressing Rooms/Holding Rooms

- a. Each candidate shall have a dressing room available of adequate size so as to permit private seclusion for that candidate and adequate space for whatever number of staff that candidate desires to have in this area. An equal number of other backstage rooms will be available for other staff members of each candidate. All of these rooms can be furnished as deemed necessary by the candidate's representatives. The number of individuals allowed in these rooms shall be self-imposed by each candidate. Backstage passes (if needed) will be issued to the candidate's representatives as requested. The sponsor will not restrict the issuance of these passes.

The rooms mentioned in the preceding paragraph shall be available at least 84 hours in advance of each debate. For example, if the first debate is held at 8 p.m. on September 25 then these rooms shall be available to the candidate representatives no later than 8 a.m. on Thursday September 22.

- b. Each candidate shall have dressing and staff holding rooms on opposite sides of the stage from those designated for the opposing candidate. If sufficient space is not available, the sponsor will rent a trailer of agreeable size for each candidate to use as desired by representatives of the candidates.

12. *Miscellaneous*

- a. Each candidate shall be allowed to have a photographer present on stage before the program begins, in the wings during the debate as desired, and on the stage immediately upon conclusion of the debate. Photos taken by these photographers may or may not be distributed to the press as determined by each candidate.
- b. Each candidate shall receive not less than 30 passes for The Press Center and more if mutually agreed upon.
- c. Each candidate shall be allowed to have an unlimited number of people in The Press Center upon the conclusion of the debate.
- d. The sponsor of each debate shall be responsible for all press credentialing.
- e. The sponsor will invite from their allotment (two tickets each) an agreed upon list of office holder's such as tile U.S. Senate and House Majority and Minority Leaders, the Governor and the Lieutenant Governor of the state holding the debate, that state's congressional delegation, appropriate state legislative representatives and the Mayor and City Council members of the city holding the debate.

13. *Announcement of Agreement*

This agreement shall not be announced publicly until signed by all parties and until a time for an announcement is mutually agreed upon.

James A. Baker, III

Date

Paul P. Broutas

Date

BRUNNEN

Exhibit 27

The New York Times

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November 12, 2003

End the Debates Before They Start

By Paul Weyrich and Randall Robinson

WASHINGTON— Last week the Commission on Presidential Debates announced its schedule for next year. Debates among the presidential candidates are the most important events of the campaign, and they should be the most effective forum possible for the education of American voters. But they won't be, as long as the commission continues to organize them.

The commission -- which is a private, nonprofit corporation -- represents the interests of the Republican and Democratic parties. Despite its stated commitment to "provide the best possible information to viewers and listeners" about the election, the commission consistently abdicates its responsibility by allowing the major-party candidates to control the debates. The debates -- and democracy -- would be better served by a less partisan, more responsive organization.

From 1976 to 1984, the presidential debates were sponsored by the League of Women Voters. In 1986, however, the Democratic National Committee and the Republican National Committee ratified their agreement to take over the presidential debates. The commission was established in 1987.

The commission describes itself as nonpartisan, but it is actually bipartisan: its co-chairmen are Frank Fahrenkopf and Paul Kirk, former chairmen of the Republican and Democratic parties, respectively. For several months after the commission was formed, each man served as the chairman of a major political party and as co-chairman of the commission itself.

The commission's bias toward the two major parties is most evident during the debate negotiation process. Every four years, the commission publicly proposes a debate schedule and publishes candidate selection criteria. Questions concerning third-party participation and debate formats, however, are ultimately resolved behind closed doors among Republican and Democratic negotiators. The commission, posing as an independent sponsor, then enforces these rules, shielding the major-party candidates from public criticism.

In 1996, for example, Bob Dole and President Bill Clinton maneuvered to keep Ross Perot from the presidential debates, even though Mr. Perot had received almost \$30 million in federal matching funds and a substantial majority of likely voters wanted him included.

The commission allows the two major parties even greater control over the selection of format. Candidates must agree on panelists and moderators. They can also prohibit candidate-to-candidate questioning, require the screening of town-hall questions, artificially limit response times and ban follow-up questions. The result is a series of glorified bipartisan news conferences, where the major-party candidates merely recite prepackaged sound bites and avoid discussing many important issues.

Imagine a new, genuinely nonpartisan debate sponsor -- a Citizens Debate Commission -- operating with full transparency and resisting the antidemocratic demands of participating candidates. Popular third-party candidates that the American people want to see participate in the debates would be included. Exchanges among the candidates and follow-up questions would be allowed. Our organization, Open Debates, is working to make this dream a reality.

Real presidential debates would energize voters, broaden the presentation of issues and give a more accurate portrayal of the candidates for the most important job in the world.

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Exhibit 28



September 28, 2004

THE DEBATES

Panel Won't Sign Agreement but Will Enforce Stipulations

By JIM RUTENBERG

WASHINGTON, Sept. 27 - The Commission on Presidential Debates said Monday that it would enforce many of the stipulations agreed to by the campaigns of President Bush and Senator John Kerry, but that it would not sign the agreement itself - which aides to Mr. Bush had indicated was a prerequisite for his participation in the debates.

The 32-page agreement, released last Monday, included a provision that gave the candidates the right to walk away from its terms if the commission did not sign it. Mr. Kerry's campaign aides indicated last week that they would not make an issue of whether the commission signed the agreement, something it has never been asked to do before. Mr. Bush's campaign indicated that it might.

But after the commission said Monday that its decision not to sign the agreement was final, Mr. Bush's campaign said it was satisfied with a statement the commission posted on its Web site that said "the debate format rules will be enforced as stated in the Sept. 20 memorandum."

Mark Wallace, Mr. Bush's deputy campaign manager, said, "We're pleased that the commission has agreed to uphold the terms of the agreement."

Still, officials of the debate commission said they were agreeing primarily to those things Mr. Bush's aides had emphasized as especially important to them: a strict time limit on candidate responses, an electronic warning when candidates exceed their speaking time that can be seen and heard by viewers at home, and a prohibition against the candidates' directly posing questions to each other.

One official said the commission would probably not abide by the agreement's stipulation that the audience at the Oct. 8 town-hall-style debate in Missouri be composed of people who are "soft supporters" of Mr. Kerry and Mr. Bush, meaning they had not solidly made up their minds but were leaning one way or another. The commission had proposed that the audience be filled with strictly undecided voters.

But a senior Bush campaign official noted that the commission said in its statement, "There will be no departure from the terms of the memorandum without prior consultation with and approval by the appropriate campaign representatives."

"I'm unaware of any such prior approval or consultation," said the official, who said he expected the point to be worked out between the parties.

Debate commission officials also said they could not and would not enforce the agreement's stipulation that network cameras refrain from showing Mr. Bush when Mr. Kerry was speaking, and vice versa.

"There are certain things that are clearly beyond our control," said Frank J. Fahrenkopf Jr., a co-chairman of the commission. "We don't control the feed so we don't know what the networks are going to show; that's not within our purview."

Paul Schur, a spokesman for the Fox News Channel, which is telecasting the first debate on Thursday for the major news networks planning to carry it, said, "Because of journalistic standards, we're not going to follow outside restrictions."

Mr. Fahrenkopf also said that the debate moderators had no plans to sign the agreement either, despite a provision in the memorandum allowing the campaigns to replace those who refuse to sign. Aides to both candidates indicated that they would not push the issue.

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COMMISSION ON
PRESIDENTIAL DEBATES



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September 24, 2004

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Gentlemen:

We are enclosing a press release issued today by the Commission on Presidential Debates announcing the results of the application of its Non-Partisan Candidate Selection Criteria for 2004. We are pleased to advise you that President Bush and Senator Kerry, as well as Vice President Cheney and Senator Edwards, have met the requirements for participation under the Criteria.

On September 20, 2004, you jointly announced President Bush and Senator Kerry's commitment to participate in a series of three presidential debates and Vice President Cheney and Senator Edwards' commitment to participate in one vice presidential debate, as proposed by the Commission. The September 20 announcement also adopted the Commission's proposals regarding the debates' locations, dates, times, moderators and 90-minute lengths.

The Commission is extremely pleased that highly respected journalists Jim Lehrer, Gwen Ifill, Charles Gibson and Bob Schieffer have agreed to serve as moderators for the 2004 debates. Their participation will greatly enhance the integrity, fairness and professionalism of the debates.

We have reviewed the terms of the memorandum released by the campaigns on September 20. As we go forward with our debate planning, and in order to ensure that the 2004 debates proceed in an orderly, fair and informative way, we will make every good faith effort to accommodate those terms. If departure from the terms becomes necessary, we certainly will confer with the appropriate campaign representatives.

Cu-chairmen

Frank J. Fahrenkopf, Jr.
Paul G. Kirk, Jr.

Executive Director
Janet H. Brown

Honorary Cu-chairmen

Gerald R. Ford
Jimmy Carter
Ronald Reagan
William J. Clinton

Directors

Howard G. Buffett
Representative Jennifer Dunn
Antonia Hernandez
Caroline Kennedy

Newton N. Minow
Dorothy Ridings
H. Patrick Swygert

Exhibit 30

1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Commission on Presidential Debates) MUR 4987

DECLARATION OF JANET H. BROWN

I, Janet H. Brown, Executive Director of the Commission on Presidential Debates ("CPD"), give this declaration based on personal knowledge.

Background

1. I have been the Executive Director of the CPD since March 1987. Under the supervision of the Board of Directors, I am primarily responsible for planning and organizing the debates the CPD intends to sponsor in 2000.

2. Prior to serving as Executive Director of the CPD, I served on the staffs of the late Ambassador Elliot Richardson and former U.S. Senator John Danforth. Additionally, I have held appointments at the White House Domestic Council and the Office of Management and Budget. I am a graduate of Williams College and have a master's degree in public administration from Harvard University.

3. The CPD is a private, nonpartisan, not-for-profit corporation dedicated solely to the sponsorship of general election presidential and vice presidential debates and related voter education functions. The CPD was organized in February 1987, under the laws of the District of Columbia, and has its sole office in the District of Columbia. CPD's Articles of Incorporation identify its purpose as "to organize, manage, produce, publicize and support debates for the candidates for President of United States . . ." The CPD has been granted

tax-exempt status by the Internal Revenue Service under §501(c)(3) of the Internal Revenue Code. Consistent with its §501(c)(3) status, the CPD makes no assessment of the merits of any candidate's or party's views, and does not advocate or oppose the election of any candidate or party.

4. The CPD has sponsored presidential and vice presidential debates in 1988, 1992 and 1996. The CPD's debates have been viewed by tens of millions of Americans and have served a valuable voter education function. Prior to CPD's sponsorship in 1988, televised presidential debates were produced in only four general election years: by the networks in 1960, and by the non-profit League of Women Voters in 1976, 1980, and 1984. No televised presidential debates were held in the general election in 1964, 1968 or 1972.

5. The CPD receives no government funding; nor does it receive funds from any political party. The CPD obtains the funds to produce its debates from the universities and communities that host the debates, and it relies on corporate and private donations to augment contributions from the debate hosts and to support the CPD's ongoing voter education activities. The CPD currently is attempting to raise funds and in-kind contributions from a variety of corporate and non-profit entities specializing in interactive application of the Internet in order to enable the CPD to expand and improve upon the voter education opportunities it provides on its website. None of the organizations that have donated to the CPD have sought or had any input whatsoever in the promulgation of CPD candidate selection criteria or in the selection of debate participants.

6. The CPD has a twelve-member, all volunteer Board of Directors ("CPD Board"). The Co-Chairmen of the CPD Board, Frank J. Fahrenkopf, Jr. and Paul G. Kirk, Jr.,

each are distinguished civic leaders with extensive records of public service. Mr. Fahrenkopf has served as Co-Chairman of the Rivlin Commission, which investigated and reported on the government of the District of Columbia, was a founder of the National Endowment for Democracy, is a member of the Board of Trustees of the National Judicial College, the ABA-sponsored judicial education center for federal and state judges, and is the Chairman of the American Bar Association's Coalition for Justice, a group coordinating the ABA's initiative to improve the American system of justice. Mr. Fahrenkopf also serves on the Board of Trustees of the E. L. Wiegand Foundation and is a member of the Greater Washington Board of Trade, the Economic Club of Washington and the Federal City Council. Mr. Kirk has served as the Co-Chairman of the National Student/Parent Mock Election and on numerous civic and corporate boards. Mr. Kirk currently is the Chairman of the Board of Directors of the John F. Kennedy Library Foundation and is Of Counsel to the law firm of Sullivan & Worcester, LLP of Boston, Massachusetts.

7. The remaining members of the CPD Board are:

Clifford L. Alexander, Jr., President of Alexander & Associates; former Chairman of the Equal Employment Opportunity Commission.

Howard G. Buffett, Chairman of GSI, Inc.

The Honorable Paul Coverdell, Member of the U.S. Senate from Georgia.

John C. Danforth, Lawyer and Partner, Bryan Cave; Retired U.S. Senator from Missouri.

The Honorable Jennifer Dunn, Member of the U.S. House of Representatives from Washington.

Antonia Hernandez, President, Mexican American Legal Defense Fund.

Caroline Kennedy, Author.

Paul H. O'Neill, Chairman of the Board of Aluminum Company of America; former Deputy Director of the Office of Management and Budget.

Newton Minow, Lawyer and Partner, Sidley & Austin; former Chairman of the Federal Communications Commission.

Dorothy Ridings, President and CEO of the Council on Foundations; former President, League of Women Voters.

8. Former Presidents Gerald Ford, Jimmy Carter and Ronald Reagan serve as Honorary Co-Chairmen of CPD.

History of the Commission on Presidential Debates

9. CPD was organized in response to the recommendations of two separate studies on presidential elections and debates: (1) the April 1986 Final Report of the Commission on National Elections, entitled Electing the President: A Program for Reform, a nine-month study of presidential elections by a distinguished group of news executives, elected officials, business people, political consultants, and lawyers conducted under the auspices of the Georgetown University Center for Strategic and International Studies, and (2) the Theodore H. White Conference on Presidential Debates held in March 1986 at the Harvard Institute of Politics and chaired by Newton Minow, former chairman of the Federal Communications Commission.

10. Both of those studies underscored the importance presidential debates had assumed in American electoral politics. Rather than permit the existence of debates to turn on the vagaries of each election, the studies recommended that the debates be "institutionalized." More specifically, both studies recommended that the two major political parties create a mechanism designed to ensure, to the greatest extent possible, that debates become a permanent and integral part of the presidential election process.

11. Frank J. Fahrenkopf, Jr. and Paul G. Kirk, Jr., then-chairmen of the Republican and Democratic National Committees respectively, responded by initiating CPD as a not-for-profit corporation separate and apart from their party organizations.

While Messrs. Kirk and Fahrenkopf served as the chairs of the major national party committees at the time CPD was formed, they no longer do so; nor do the current chairs of those committees sit on CPD's Board of Directors. No CPD Board member is an officer of the Democratic or Republican National Committee. Although some CPD Board members, like the majority of this country's civic leaders, identify with the Republican or Democratic party, that certainly is not the case with every Board member. For example, I am not aware of what party, if any, Board members Dorothy Ridings or Howard Buffett would identify with if asked.

1988: The CPD Successfully Launches Its First Debates

12. On July 7, 1987, over one year prior to the sponsorship of the CPD's first debates, CPD formed an advisory panel of distinguished Americans, including individuals not affiliated with any party, in order to provide guidance to CPD with respect to several areas, including non-major party candidate participation in CPD-sponsored debates. From virtually the beginning of CPD's operations, CPD's Board recognized that, although the leading contenders for the offices of President and Vice President of the United States historically have come from the major parties, CPD's educational mission would be furthered by developing criteria by which to identify any non-major party candidate who, in a particular election year, was a leading candidate for the office of President or Vice President of the United States, and to whom an invitation should be extended to participate in one or more CPD-sponsored debate.

13. The individuals serving on that advisory panel (and their then-current principal affiliation) included:

Charles Benton, Chairman, Public Media Inc.;

Ambassador Holland Coors, 1987 Year of the Americas;

Marian Wright Edelman, President, Children's Defense Fund;
Mary Hatwood Futrell, President, National Education Association;
Carla A. Hills, Partner, Weil, Gotshall & Manges;
Barbara Jordan, Professor, LBJ School of Public Affairs, University of Texas;
Melvin Laird, Senior Counselor, Readers' Digest;
Ambassador Carol Laise;
William Leonard, former President, CBS News;
Kate Rand Lloyd, Managing Editor, Working Woman Magazine;
Newton Minow, Partner, Sidley & Austin;
Richard Neustadt, Professor, Kennedy School of Government, Harvard University;
Ed Ney, Vice Chairman, Paine Webber Inc.;
Paul H. O'Neill, Chairman and Chief Executive Officer, Aluminum Company of America;
Nelson W. Polsby, Professor, University of California at Berkeley;
Jody Powell, Chairman and Chief Executive Officer, Ogilvy & Mather Public Affairs;
Murray Rossant, Director, Twentieth Century Fund;
Jill Ruckelshaus, director of various non-profit entities;
Lawrence Spivak, former Producer and Moderator, "Meet the Press";
Robert Strauss, Partner, Akin, Gump, Strauss, Hauer & Feld;
Richard Thornburgh, Director, Institute of Politics, Harvard University;
Marietta Tree, Chairman, Citizen's Committee for New York City;
Anne Wexler, Chairman, Wexler, Reynolds, Harrison & Schule;
Mrs. Jim Wright.

14. The advisory panel convened in Washington on October 1, 1987 to discuss the issues of its mandate, including the candidate selection criteria, after which the CPD

Board appointed a subcommittee of the advisory panel, headed by Professor Richard Neustadt of the Kennedy School of Government, Harvard University, to draw on the deliberations and develop nonpartisan criteria for the identification of appropriate third-party candidates to participate in CPD sponsored debates.

15. On November 20, 1987, Professor Neustadt's subcommittee recommended to the CPD Board the adoption of specific nonpartisan candidate selection criteria intended to identify those candidates other than the nominees of the major parties with a realistic chance of becoming President or Vice President of the United States. The Neustadt subcommittee reported that the adoption and application of such criteria would help ensure that the primary educational purpose of the CPD -- to ensure that future Presidents and Vice Presidents of the United States are elected after the voters have had an opportunity to hear them debate their principal rivals -- would be fulfilled.

16. While the 1987 candidate selection criteria themselves were quite detailed, they included a review of three types of factors: (1) evidence of national organization; (2) signs of national newsworthiness and competitiveness, and (3) indicators of national public enthusiasm or concern, to determine whether a candidate had a realistic chance of election.

17. On February 4, 1988, the CPD Board unanimously adopted the selection criteria proposed by Professor Neustadt's subcommittee. The sole objective of the criteria adopted by the CPD in 1988 was to structure the CPD debates so as to further the nonpartisan educational purpose of those debates, while at the same time complying fully with applicable law. An Advisory Committee to the CPD Board, chaired by Professor

Neustadt, was created for the purpose of applying the 1988 candidate selection criteria to the facts and circumstances of the 1988 campaign.

18. Professor Neustadt's Advisory Committee met in advance of the debates and carefully applied the candidate selection criteria to the facts and circumstances of the 1988 campaign. The Advisory Committee unanimously concluded that no non-major party candidate satisfied the criteria and, accordingly, the Advisory Committee recommended to the CPD Board that no non-major party candidate be extended an invitation to participate in the CPD's 1988 debates. The CPD Board of Directors, after carefully considering the Advisory Committee's recommendation, the criteria and the facts and circumstances of the 1988 campaign, voted unanimously to accept the Advisory Committee's recommendation.

19. Although the Bush and Dukakis campaigns reached an agreement that addressed certain production aspects of the 1988 debates, that agreement in no sense impaired the voter education value of those debates, in which a number of prominent journalists participated, including Jim Lehrer, Peter Jennings, Tom Brokaw and Bernard Shaw.

1992: The CPD's Debates Include Three Candidates

20. On or about January 16, 1992, the CPD Board requested that the Advisory Committee, again chaired by Professor Neustadt, assist the CPD in promulgating nonpartisan candidate selection criteria in connection with the 1992 election. Pursuant to the Advisory Committee's recommendation, the CPD Board adopted substantially the same selection criteria used in 1988, with minor technical changes.

21. The 1992 Advisory Committee, consisting of Professor Neustadt; Professor Diana Carlin of the University of Kansas; Dorothy Ridings, Publisher and President of the Bradenton Herald and former President of the League of Women Voters; Kenneth

Thompson, Director of the Miller Center, University of Virginia; and Eddie Williams, President, Joint Center for Political and Economic Studies, met on September 9, 1992 to apply the candidate selection criteria to the 100-plus declared presidential candidates seeking election in 1992. At that time, it was the unanimous conclusion of the 1992 Advisory Committee that no non-major party candidate then seeking election had a realistic chance in 1992 of becoming the next President of the United States. Ross Perot, who had withdrawn from the race in July 1992, was not a candidate for President at the time of this determination.

22. On October 5, 1992, the Advisory Committee reconvened at the request of the CPD Board to update its application of the 1992 criteria to include subsequent developments, including Ross Perot's October 1, 1992 reentry into the campaign. The Advisory Committee concluded that Mr. Perot satisfied the selection criteria, and based on that recommendation, the CPD Board extended invitations to Mr. Perot and his running mate, Admiral James B. Stockdale, to participate in its first two 1992 debates. When it became clear that the debate schedule -- four debates in eight days -- would prevent any meaningful reapplication of the selection criteria, the CPD extended its original recommendation that the Perot/Stockdale campaign participate in two debates to all four debates. See October 6 and 7, 1992 letters (attached at Tab A). Thereafter, the CPD produced three presidential debates involving President Bush, Governor Clinton, and Mr. Perot, and one vice presidential debate between Vice President Quayle, Senator Gore, and Admiral Stockdale.

23. When the Advisory Committee applied the 1992 criteria to Mr. Perot, it faced the unprecedented situation in which a candidate, whose standing in the polls had

been approximately 40%, had withdrawn from the race, but then rejoined the campaign shortly before the debates, with unlimited funds to spend on television campaigning. The Advisory Committee found that it was unable to predict the consequences of that combination, but agreed that Mr. Perot had a chance of election if he did well enough that no candidate received a majority of electoral votes and the election was determined by the United States House of Representatives. Although the Advisory Committee viewed Mr. Perot's prospect of election as unlikely, it concluded that the possibility was not unrealistic, and that Mr. Perot therefore met the CPD's 1992 criteria for debate participation. See September 17, 1996 letter (attached at Tab B).

24. The Complainants in MUR 4987 suggest that, at the time the CPD decided to include Ross Perot in its 1992 debates, Mr. Perot's support was at 7% in national polls. In fact, some polls available at the time the CPD made its decision showed Mr. Perot's support at as high as 17-20%. In any event, before his abrupt withdrawal from the campaign, Mr. Perot's public support had been almost 40%.

1996: The CPD's Criteria are Upheld as Objective and Nonpartisan

25. After evaluation of the prior debates and careful consideration of how best to achieve its educational mission, on September 19, 1995, the CPD Board adopted the same selection criteria, with minor changes, for use in the 1996 debates, and appointed a 1996 Advisory Committee consisting of the same members as the 1992 committee.

26. On September 16, 1996, the Advisory Committee met to apply the candidate selection criteria to the more than 130 declared non-major party presidential candidates seeking election in 1996. Although the 1996 candidate selection criteria did not expressly require it to do so, the 1996 Advisory Committee independently applied the criteria to the Democratic and Republican party nominees. In light of its findings, the Advisory

Committee recommended to the CPD's Board that only President Clinton and Senator Dole be invited to participate in the CPD's 1996 presidential debate, and that only Vice President Gore and Congressman Kemp be invited to participate in the CPD's 1996 vice presidential debate. The CPD Board unanimously accepted the 1996 Advisory Committee's recommendation.

27. In a letter from Professor Neustadt, the Advisory Committee explained that after careful consideration of the circumstances in the 1996 campaign, it found that neither Mr. Perot nor any other non-major party candidate had a realistic chance of being elected president that year. With respect to Mr. Perot, the Advisory Committee emphasized that the circumstances of the 1996 campaign differed from the unprecedented circumstances of 1992, and that Mr. Perot's funding was limited by his acceptance of a federal subsidy. See September 17, 1996 letter, Tab B.

28. Just prior to the CPD's 1996 debates, Perot '96, Ross Perot's campaign committee, and the Natural Law Party (the "NLP") filed separate administrative complaints with the Federal Election Commission (the "FEC") alleging, among other things, that the CPD was in violation of the FEC's debate regulations because it provided an "automatic" invitation to its debates to the major party nominees and because it employed impermissibly "subjective" candidate selection criteria. Perot '96 and the NLP then filed lawsuits against the CPD and the FEC in federal court seeking to halt the scheduled debates. After expedited briefing, the District Court dismissed the suits. See Hagelin v. Federal Election Commission, 1996 WL 566762 (D.D.C. Oct. 1, 1996) (NO. CIV. A. 96-2132, CIV. A. 96-2196) (attached at Tab C). The U.S. Court of Appeals for the D.C. Circuit upheld the lower

court's decision, see Perot v. Federal Election Commission, 97 F.3d 553 (D.C. Cir. 1996) (attached at Tab D), and the Supreme Court declined to hear the matter.

29. Subsequently, in 1998, the FEC found that there was no reason to believe that the CPD had violated any of the Commission's regulations, and the administrative complaints were dismissed. In brief, the FEC agreed that the requirement that decisions be made based on "objective criteria" did not mean the criteria must be capable of mechanical application. Rather, it was sufficient that the CPD's criteria "reduce a debate sponsor's use of its own personal opinions in selecting candidates," and are not "arranged in some manner as to guarantee a preordained result." See Statement of Reasons, MURs 4451 and 4473 (April 6, 1998) (attached at Tab E). As to the contention that the criteria prohibited "automatic" invitations to the nominees, the FEC, again agreeing with the CPD, explained that the regulations do not prohibit such invitations; rather they require that other criteria exist to identify candidates other than the major party nominees who qualify for invitation. The CPD's criteria satisfied this requirement.

30. In October 1996, following the dismissal of the lawsuits, the CPD sponsored two presidential debates between President Clinton and Senator Dole and one vice-presidential debate between their running mates.

2000: The CPD Adopts More Streamlined Criteria

31. After each election cycle, the CPD has examined a wide-range of issues relating to the debates. These reviews have considered format, timing and other issues, including the candidate selection process. The review the CPD conducts after each election is part of the CPD's ongoing effort to enhance the contribution the debates make to the process by which Americans select their next President. After very careful study and deliberation, the CPD adopted more streamlined criteria in January 2000 for use in the 2000

general election debates. In summary, the CPD Nonpartisan Candidate Selection Criteria for 2000 General Election Debate Participation (the "2000 Criteria") are (1) constitutional eligibility; (2) appearance on a sufficient number of state ballots to achieve an Electoral College majority; and (3) a level of support of at least fifteen percent of the national electorate as determined by five selected national public opinion polling organizations, using the average of those organizations' most recent publicly-reported results at the time of the determination. See 2000 Criteria (attached at Tab F). As I understand the Reform Party's complaint, it takes issue with only the third criterion.

32. The CPD believes that the approach to candidate selection it has adopted for 2000 will enhance the debates and the process by which we select our President. The approach is faithful to the long-stated goal of the CPD's debates -- to allow the electorate to cast their ballots after having had an opportunity to sharpen their views of the leading candidates. The approach also has the virtue of clarity and predictability. The CPD also hopes and expects that the criteria will further enhance the public's confidence in the debate process.

33. The CPD's 2000 Criteria were not adopted with any partisan (or bipartisan) purpose. They were not adopted with the intent to keep any party or candidate from participating in the CPD's debates or to bring about a preordained result. Rather, the 2000 Criteria were adopted to further the legitimate voter education purposes for which the CPD sponsors debates.

34. The CPD's selection of fifteen percent as the requisite level of support was preceded by careful study and reflects a number of considerations. It was the CPD's considered judgment that the fifteen percent threshold best balanced the goal of being

sufficiently inclusive to invite those candidates considered to be among the leading candidates, without being so inclusive that invitations would be extended to candidates with only very modest levels of public support, thereby creating an unacceptable risk that leading candidates with the highest levels of public support would refuse to participate.

35. Prior to adopting the 2000 Criteria, the CPD conducted its own analysis of the results of presidential elections over the modern era and concluded that a level of fifteen percent support of the national electorate is achievable by a significant third party or independent candidate. Furthermore, fifteen percent was the figure used in the League of Women Voters' 1980 selection criteria, which resulted in the inclusion of independent candidate John Anderson in one of the League's debates. In making this determination, the CPD considered, in particular, the popular support achieved by George Wallace in 1968 (Mr. Wallace had achieved a level of support as high as 20% in pre-election polls from September 1968); by John Anderson in 1980 (Mr. Anderson's support in various polls reached fifteen percent when the League of Women Voters invited him to participate in one of its debates); and by Ross Perot in 1992 (Mr. Perot's standing in 1992 polls at one time was close to 40% and exceeded that of the major party candidates, and he ultimately received 18.7% of the popular vote).

36. The CPD considered, but rejected, the possibility of using public funding of general election campaigns, rather than polling data, as a criterion for debate participation. That criterion is itself both potentially overinclusive and underinclusive. Eligibility for general election funding is determined based on performance in the prior presidential general election. The CPD realized that such an approach would be underinclusive to the extent that it would automatically preclude participation by a prominent newcomer (such as

Ross Perot in 1992), but also would be overinclusive to the extent it would mandate an invitation to the nominee of a party that performed well in a prior election, but who did not enjoy significant national public support in the current election. In addition, while the United States Congress determined that five percent was a sufficient level of support for purposes of determining eligibility for federal funding as a "minor" party (at a level that is substantially lower than that received by the "major" parties), as noted, a debate host hoping to present the public with a debate among the leading candidates (none of whom are required to debate) must necessarily take into account a different set of considerations. Moreover, unlike the CPD's fifteen percent standard, the standard of qualification for federal funding in the general election has a preordained result: it automatically includes the Reform Party candidate but necessarily precludes participation by any other third party candidate.

37. The CPD has retained Frank Newport, the Editor-in-Chief of the Gallup Poll, as a consultant to advise the CPD in connection with the implementation of the 2000 Criteria. Mr. Newport is a well-respected expert in the areas of polling methodology and statistics.

38. I understand that the complainants challenge the CPD's 2000 Criteria on the grounds that they are impermissibly subjective in that they are designed to exclude Patrick Buchanan from participating in the CPD's 2000 debates, and to limit the debate participants to the nominees of the Democratic and Republican parties. Those claims are false. The CPD adopted the 2000 Criteria for the sole purpose of furthering its educational mission. On their face, the criteria are pre-established and objective within the meaning of the FEC's debate regulations. The CPD, as a non-profit, nonpartisan debate sponsor, is

entitled to select its own objective criteria and nothing about its decision to use the 2000 Criteria, including its fifteen percent standard, is contrary to the guidelines the FEC has provided to debate sponsors. In fact, before the CPD announced the 2000 Criteria, Mr. Buchanan himself identified fifteen percent as a reasonable level of support for debate inclusion. See Transcript of NBC News' October 31, 1999 "Meet the Press" (attached at Tab G).

39. I am aware that the complainants cite statements attributed to George Stephanopolous, former advisor to President Clinton, that the Democratic and Republican party nominees in 1996 each wanted to exclude Mr. Perot from the CPD's 1996 debates. See Complaint at 18. I do not know if this is true, but it most certainly is true that the major party nominees had no input into the CPD's candidate selection decision in 1996. In 1988, 1992 and 1996, the CPD's decisions regarding which candidates to invite to its debates were made by the CPD's Board's unanimous adoption of the recommendations of independent Advisory Committees charged with the task of applying the CPD's pre-established, objective criteria. At no time did any campaign or the representative of any campaign have a role in the Advisory Committees' or the CPD Board's decision-making process.

40. Currently, the CPD is well along in its preparations for the production of the 2000 debates. On January 6, 2000, the CPD announced the following schedule for its 2000 debates:

- First presidential debate: Tuesday, October 3, University of Massachusetts, Boston, MA
- Vice presidential debate: Thursday, October 5, Centre College, Danville, KY
- Second presidential debate: Wednesday, October 11, Wake Forest University.

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- **Third presidential debate: Tuesday, October 17, Washington University in St. Louis, MO**

41. In addition to sponsorship of the 1988, 1992, 1996 debates and its planned sponsorship of the 2000 debates, the CPD has engaged in a number of other related voter education activities, each intended in a nonpartisan manner to enhance the educational value of the debates themselves. In 1988, the CPD, in conjunction with the Library of Congress and the Smithsonian Institution, prepared illustrated brochures on the history and role of political debates. In 1990, the CPD sponsored a symposium on debate format attended by academic experts, journalists, political scientists and public policy observers. Also in 1990, the CPD produced a videotape and brochure giving guidance to schools and civic groups on how to sponsor debates. In 1992, the CPD produced a viewers' guide to debates in cooperation with the Speech Communication Association. In connection with the 1996 Debates, the CPD sponsored DebateWatch '96, in which over 130 organizations (including numerous cities and town, high schools, presidential libraries, civic associations, universities and chambers of commerce) participated by hosting forums in which citizens viewed the debates together and had the opportunity to discuss the debates afterwards with other viewers and listeners. In connection with the 2000 election, the CPD is planning to

increase the numerous voter education opportunities available on or through its website, and to produce a two-hour PBS special, "Debating our Destiny," in conjunction with McNeil/Lehrer Productions.

42. I know of no other debate sponsor that plans to host televised presidential debates in 2000. If the CPD is prevented from acting as a debate sponsor, debates including the major party candidates may not take place this year. If that were the case, in addition to the immeasurable injury to the American public and the electoral process, the time, energy and effort of an enormous number of people would have been expended for naught. Among those who would be injured are the CPD's many contributors, Debate Watch hosts and participants, and the communities hosting the debates themselves (the University of Massachusetts and Boston; Centre College and Danville, Kentucky; Wake Forest University and Winston-Salem, North Carolina; and Washington University and St. Louis).

43. I declare under penalty of perjury that the foregoing is true and correct.

Executed this 13th day of May, 2000.


JANET H. BROWN

Mr. Robert M. Teeter
Mr. Mickey Kantor
October 6, 1992
Page 2

that, if it subsequently determines not to invite Mr. Perot to additional debates under its sponsorship, you each reserve the right to seek an alternative sponsor for these debates;

- (3) The Commission understands that Mr. Perot finds the terms of the Memorandum to be acceptable; and
- (4) The Commission has undertaken to provide an opportunity for the University of Richmond community to participate in the October 15 debate. The Commission's acceptance is subject to the understanding that suitable arrangements will be made for a modest number of representatives of the University of Richmond to attend the debate in Richmond. The Commission, working with University officials, will take all reasonable measures to attempt to ensure that the attendees do not interfere with the debate.

Please advise us at your earliest opportunity if these conditions are acceptable to you.

Yours sincerely,

COMMISSION ON PRESIDENTIAL DEBATES

By: 

Paul G. Kirk, Jr.
Co-Chairman

By: 

Frank J. Fahrenkopf, Jr.
Co-Chairman

cc: R. Clayton Mulford, Esq. (via facsimile)
Bobby Burchfield, Esq. (via facsimile)
Tom Donilon, Esq. (via facsimile)



**COMMISSION ON
PRESIDENTIAL DEBATES**

601 Thirteenth St. NW • Suite 311 South • Washington DC 20004 • (703) 477-1020

October 7, 1992

VIA FACSIMILE

**Mr. Robert M. Teeter
Campaign Chairman
Bush/Quayle '92
1030 18th Street, N.W.
Washington, D.C. 20005**

**Mr. Mickey Kantor
National Campaign Chair
Clinton/Gore '92
National Campaign Headquarters
P.O. Box 615
Little Rock, AK 72203**

Gentlemen:

The Board of Directors of the Commission on Presidential Debates convened a special meeting today to review changed circumstances since our letter to you of October 6, 1992. Paragraph (2) of the aforementioned letter of October 6 is hereby amended by the Commission to provide as follows:

- (2) The Commission has determined that W. Ross Perot should be invited to participate in the October 11, 15, and 19 presidential debates and that Admiral James Stockdale should be invited to participate in the October 13 vice presidential debate.

Co-Chairman

**Paul J. Manafort II
Senate Majority
Political Committee Chairman
Louis J. Kirk II
House Committee
National Committee Chairman**

Member Co-Chairmen

**Carol R. Ford
Jimmy Carter
Concave Director
Janet M. Brown**

Directors

**John C. Egan
Patricia Mann
Thomas E. Heller
Richard M...**

David Norcross

**Ray Orr
Representative Richard V. Allen, Jr.
Governor Pete Wilson**

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Mr. Robert H. Tester
Mr. Mickey Kentor
October 6, 1992
Page 2

In all other respects, our letter of October 5, 1992 stands as submitted. If we do not hear from you to the contrary by 4:00 p.m. today, we will assume you are in full agreement and we will proceed accordingly.

Yours sincerely,

COMMISSION ON PRESIDENTIAL DEBATES

By:


Paul G. Kirk, Jr.
Co-Chairman

By:


Frank J. Palkenhopf, Jr.
Co-Chairman

cc: R. Clayton Mulford, Esq. (via facsimile)
Sobby Burchfield, Esq. (via facsimile)
Tom Donilon, Esq. (via facsimile)

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Chairman Kirk and Chairman Fahrenkopf
September 17, 1996
Page 2

observers we have consulted think otherwise. Some point to possibilities of extraordinary events later in the campaign, but grant that those possibilities do not change the likelihoods as of today.

Four years ago, we confronted an unprecedented condition when Mr. Perot rejoined the campaign in October. We were mindful that the preceding Spring, before his withdrawal, he had registered approximately 40 percent in the polls, and that upon rejoining the campaign, he could spend unlimited funds on television campaigning. Unable to predict the consequences of this combination, we agreed that he must be presumed to have a remote chance of election, should he do well enough so that no one else won a majority of electoral votes. His chances in the House of Representatives we found incalculable. So, we concluded that his prospect of election was unlikely but not unrealistic.

With the 1992 results and the circumstances of the current campaign before us, including Mr. Perot's funding limited by his acceptance of a federal subsidy, we see no similar circumstances at the present time. Nor do any of the academic or journalistic individuals we have consulted.

Moving on to the other minor party candidates, we find no one with a realistic chance of being elected President this year. Applying the same standard and criteria to them individually as to Mr. Perot, our response is again "no" in each case. The observers we have consulted take the same view. Three of the minor party candidates, in addition to Mr. Perot, do have a theoretical chance of election in November, by virtue of placement on the ballots of enough states to produce an Electoral College majority. We do not, however, see their election as a realistic possibility.

Therefore, the Advisory Committee unanimously concludes at this time that only President Clinton and Senator Dole qualify for admission to CPD's debates. We stand ready to reconvene should present circumstances change.

Sincerely yours,



Richard E. Neustadt
For the Advisory Committee on Candidate Selection

Richard E. Neustadt, Chairman
Diana Prentice Carlin
Dorothy S. Ridings
Kenneth W. Thompson
Eddie N. Williams

Exhibit 31

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The New York Times

**TOM
HARDY**

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October 2, 1992

THE 1992 CAMPAIGN: The Debates; Bush and Clinton Camps Agree on Debate Details

By RICHARD L. BERKE,

WASHINGTON, Oct. 1— After 16 hours of talks, Democratic and Republican negotiators agreed late tonight to have three Presidential debates and one Vice Presidential debate, officials in both camps said.

The negotiators for President Bush and Gov. Bill Clinton announced that they reached a tentative agreement shortly before 11 P.M. but refused to disclose the dates of the debates or any other details. And they would not say how the renewed candidacy of Ross Perot fits into their plans.

But officials with the Clinton campaign said tonight that the dates selected were Oct 11, 15 and 19 for the Presidential candidates and Oct. 13 for their running mates.

And Orson Swindle, head of United We Stand, America, the Perot organization, said on ABC's "Nightline" that Mr. Perot had been invited to take part.

Officials close to the negotiations said they expected that two of the Presidential debates would be led by a single moderator. At the third, a panel of journalists are expected to question the candidates.

The Bush campaign had vigorously opposed the single-moderator format, first proposed by a bipartisan Commission on Presidential Debates, fearing that the spontaneity of the arrangement would place their candidate at a disadvantage. But the agreement reached tonight seemed strikingly similar to the original proposal of the debates commission: three Presidential and one Vice-Presidential debates, each led by a single moderator. Details on Saturday

Speaking to reporters after he emerged from the face-to-face negotiations at a Republican law firm here, Robert M. Teeter, the Bush campaign chairman, said: "We have made substantial progress on the basic terms of an agreement, including the number of debates, the dates and the format. While no agreement is final until the details are worked out, we anticipate that negotiations will be completed tomorrow."

Mr. Teeter and Mickey Kantor, the Clinton campaign chairman, said they expected to announce final details of their agreement on Saturday morning. Mr. Kantor said there would be several

meetings on Friday "to take care of the details." He added, "I'm encouraged."

In the hours of haggling, officials in both campaigns said the biggest stumbling block was to be over whether to schedule the final debate close to Election Day, Nov. 3. It appeared that a compromise had been reached over that issue.

The talks took place without a Perot representative.

Mr. Bush has already said he would welcome Mr. Perot as a player in the debates, a position that reflected his advisers' view that anything that shakes up the contest could help Mr. Bush's trailing campaign.

Mr. Clinton has not offered such an invitation, but his aides said today that he would not stand in the way.

"We have no problem if Ross Perot wants to debate," said George Stephanopoulos, the Clinton communications director.

A senior Bush adviser said that while "we haven't had an indication that he's interested in the intricacies" of debate talks, "if he said he wanted a seat at the negotiating table, I can't imagine that we wouldn't say 'fine.' "

Paul G. Kirk Jr., co-chairman of the bipartisan Commission on Presidential Debates, said a commission panel was on "red alert" to decide whether Mr. Perot meets the criteria to take part.

While he said Mr. Perot would probably be allowed to take part, it was not clear if that mattered. The negotiations are not under the auspices of the commission, and the campaigns have yet to agree over whether the commission should put on the debates. Inching Toward Election Day

If the commission becomes involved, it would decide whether Mr. Perot could participate based on three factors: "evidence of national organization; signs of national newsworthiness and competitiveness; indicators of national public enthusiasm or concern."

Before Mr. Perot's re-entry into the race, officials of the Bush and Clinton campaigns said the most serious sticking point was the Republicans' proposal that the final debate take place on Nov. 1, two days before the election. The Democrats are insisting that the final meeting be held in mid-October, according to the officials.

The Bush campaign had proposed four debates on consecutive Sundays beginning Oct. 11, as well as two Vice-Presidential debates. The Clinton campaign had endorsed a plan by the commission for three Presidential debates and one Vice-Presidential debate.

Four years ago, it was the Bush team that fought off efforts by Michael S. Dukakis, the Democratic nominee, to schedule debates late in the campaign.

James A. Baker 3d, the chief Bush negotiator in 1988, contended that the earlier the debates, the sooner Mr. Bush could "freeze" his lead over Mr. Dukakis and give the Democrat less opportunity to alter the dynamic in the closing days of the campaign.

Photo: The biggest stumbling block in haggling over the debates has been whether to schedule the final one close to Election Day. Richard G. Darman, left, and Robert M. Teeter, Republican negotiators, returned to the White House after meeting with representatives of Gov. Bill Clinton. (Jose R. Lopez/The New York Times)

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PLANTATION

Exhibit 32

EXHIBIT D

PRESIDENTIAL DEBATES

HEARING
BEFORE THE
SUBCOMMITTEE ON ELECTIONS
OF THE
COMMITTEE ON
HOUSE ADMINISTRATION
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRD CONGRESS
FIRST SESSION

JUNE 17, 1982, WASHINGTON, DC



Printed for the Committee on House Administration

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This is the same process used in the past few Presidential elections which serve the public interest and the interest of the candidate well.

Therefore, I will not be attending any meeting involving the Commission on Presidential Debates until the two campaigns have agreed on the terms and conditions under which they will debate, and have selected the Commission as the sponsor, and the Commission has agreed to sponsor the debate on debate is accordance with these terms and conditions.

Simultaneously, Mr. Foster wrote to Mickey Kantor, chairman of the Clinton/Dove campaign, inviting discussions of debate, and stating further:

"We strongly believe that in the General Election Campaign the candidates themselves should determine the criteria upon which they debate and then each a separate one will agree to the terms and conditions of the candidate. No one organization or group should be able to arrange into itself the authority to unilaterally make decisions that can be so critical to the final election result. A considerable amount of time and effort has gone into arriving at these debate terms [used in prior Presidential debates] by good Democrats and Republicans over a period of sixteen years."

From our perspective, it was unfortunate that the media and the public appeared to misunderstand what the CFB is and the scope of its authority. Indeed, many in the public -- and I dare say in the media -- erroneously believed that the self-named "Commission on Presidential Debates" was either a government-created entity or an entity sponsored by the two political parties.

Not surprisingly, and this is not a criticism, the Clinton/Dove campaign took full advantage of this situation. Governor Clinton opposed at the outset proposed by the CFB for

TO HAVE AN OPENING IN THE FOLLOWING THE TWO REQUIRING CONVENTIONS." (emphasis in original).

On June 11, 1992, the CFB issued the following proposal for three presidential and one vice presidential debates:

Debate	Date	Format
First Presidential Debate	Sept. 13	Single Moderator
Second Presidential Debate	Sept. 20	Single Moderator
Third Presidential Debate	Oct. 4	Single Moderator
Fourth Presidential Debate	Oct. 11	Single Moderator

As the Bush campaign viewed this proposal as just that -- one proposal to be considered in direct negotiations between the candidates, and certainly not a mandate, in contrast, the Clinton campaign immediately accepted the CFB's proposal as tendered.

By August, the dynamics of the race had changed dramatically. Governor Clinton, previously trailing both President Bush and H. Ross Perot in most polls, had become the frontrunner. On August 10, 1992, the Friday before the Republican Convention, the CFB announced sites for the four debates it had proposed: East Lansing, Michigan; Louisville, Kentucky; San Diego, California; and Richmond, Virginia, respectively. On September 14, Bush-Dukakis '92 campaign Chairman Bob Foster responded to the CFB on behalf of President Bush:

"As in past campaigns, it is our belief the appropriate site for presidential debates are open to the subject of Clinton and Perot. I have been in contact with Governor Clinton's campaign."

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Continued on next page

- 3 -

The first presidential debate (New London, Michigan on September 27) and the vice presidential debate (Lansing, Michigan on September 28). Having obtained a tactical advantage (or adhering slavishly to the GOP's proposal, the Clinton/Dove campaign refused even to meet with representatives of the Bush campaign).

Only after President Bush's challenge on September 29 to Governor Clinton to debate at each of the last four Sundays before the election did the two campaigns finally sit down together, as the candidates' representatives had done in each of the preceding four elections, to negotiate a debate agreement. The negotiations began on September 30, and the outlines of an agreement were reached on October 1, including the agreement concerning the next four days.

From my experience in many negotiations over the years, it is surprising to discover that the few points of controversy there were in these negotiations. The Bush team declared the negotiations with the following goals:

First, we wanted a debate, preferably four but at least three.

Second, we wanted Ross Perot to be included if, as expected, he received the vote.

Third, it was important to us that each debate cover all topics, with a balanced treatment of both domestic and foreign policy issues.

Continued on next page

- 4 -

Fourth, we preferred debates of one hour versus ninety minutes, although we recognized that inclusion of Ross Perot would likely require expansion to ninety minutes.

Fifth, the President was adamant in his refusal to sit at a table.

Sixth, we wanted the first debate to be in the traditional format featuring a moderator with a panel.

Finally, if audiences were allowed -- and we believed that audiences created a number of problems -- they should be strictly controlled, and each candidate should receive an equal share of the tickets.

The primary jockeying during the negotiations concerned the scheduling of the debate. As in any negotiation, both sides spent the amount of time they thought necessary to probe the contours of the other side's position. Once it became clear that President Bush was unwilling to debate before October 11, and that Governor Clinton was unwilling to debate after October 19, the schedule fell promptly into place. Harry Thomas, Governor Clinton's media adviser in the negotiations, persuaded everyone that, like a television mini-series, the compact schedule of five debates in eight days would engage the public and build viewer-ship from debate to debate. This would, he opined, reverse the trend in recent years in which viewership declined with each debate.

Discussion of format, while extensive, was much less problematic. The Clinton campaign proposed, and we accepted, the

"Town Hall" format for one of the debates. Since 1977 in his first run for the presidency, George Bush had held "Ask George Bush" forums in which members of the audience would directly ask him questions; he liked the format, and had historically performed very well in it. However, both campaigns recognized that the popularity of radio and television call-in shows during the 1992 campaign indicated considerable potential public interest and support for such a format.

On October 1, while the negotiations were in progress, Bush Press announced his return into the presidential race. At that point, Mr. Perot stood at less than ten percent in every national poll, and few if any commentators gave him a chance of winning. Under the CFR's criteria for determining whether a major party candidate would be included in the debates, it was far from clear that Mr. Perot would qualify. For example, those criteria required confirmation of such factors as whether the candidate had declared his candidacy before the major party political conventions, or after the convention "by default" (like from the party's national conventions and competitive caucus states) or such factors as the opinions of Washington Bureau chiefs of major newspapers, news magazines, and networks and national public opinion polls or concern as shown by "significant public opinion polls" and reported attendance at campaign meetings and rallies. Although other criteria favored Mr. Perot's participation, we were not able to predict with any confidence the result of applying these criteria. Therefore, the

both campaign included, and the Clinton campaign agreed, that Mr. Perot and Admiral Stoenfels be invited to participate in the debates.

The final agreement was announced on October 1. It included the following schedule:

Debate	Date	Location	Format
First Presidential Debate	Oct. 11	St. Louis, MO	Panel
White House/White House	Oct. 13	Atlanta, GA	Moderator
Second Presidential Debate	Oct. 15	Richmond, VA	Town Hall
Third Presidential Debate	Oct. 17	East Lansing, MI	Panel-Moderator, Half-Panel

On October 3, the two campaigns submitted the agreement to the CFR and invited it to sponsor all the debates on a "take it or leave it" basis. The CFR expressed concern about the requirement that Mr. Perot be included, and ultimately asked its advisory committee, chaired by Professor Richard Neustadt of Harvard, to evaluate Mr. Perot's participation under the CFR's criteria. On October 6, the CFR wrote to Messrs. Justice and Justice suggesting their invitation to sponsor the debates "subject to [their] conditions and understandings." The second such condition was:

"The Commission has determined, pursuant to the recommendation of its non-partisan advisory committee on candidate selection, that Mr. Perot and Adm. James Stoenfels should be invited to participate in the October 11 and 13, 1992 debates, respectively. The Commission will take its candidate participation determination regarding the October 15 and 17 debates after the initial debate. The Commission understands that, if it subsequently determines not to invite Mr.

Continuation of a document

need to address) debate under the sponsorship, you each reserve the right to seek an alternative sponsor for those debates.

The campaign responded that placement sponsorship of the debates was unacceptable. Accordingly, the CTR reconsidered its position and referred Henry, Traylor and Ranker by letter dated October 7 that:

"The Commission has determined that R. Ross Perot should be invited to participate in the October 11, 12, and 13 Presidential debates and that Senator James Blumenthal should be invited to participate in the October 13 Vice Presidential debate.

Meanwhile, on October 6, Mr. Traylor and Richard Ranker's last paragraph the campaign's invitation "to participate in the debates in accordance with the Agreement." The debate presented as agreed by the participants, under the sponsorship of the CTR, and achieved none of the highest ratings in the history of televised.

LEGISLATIVE SESSION

The need to "Institutionalize" Presidential debates by legislation

One of the by products of the 1992 campaign is that, so long as public institutions for debates to help, the political process to participate in debates will be an effective outcome.

- * Letter from Paul G. Allen, Jr. and Frank J. Robinson, Jr. to Robert B. Traylor and Henry Ranker dated October 6, 1992.
- * Letter from Paul G. Allen, Jr. and Frank J. Robinson, Jr. to Robert B. Traylor and Henry Ranker dated October 7, 1992.
- * Letter from R. Clayton Ranker to Henry Ranker and Robert B. Traylor dated October 7, 1992.

Continuation of a document

and for candidates to debate. For each of the last five presidential elections -- 1976, 1980, 1984, 1988, and 1992 -- the major party presidential candidates have debated each other during the fall campaign. Candidates who were perceived, whether accurately or inaccurately, as unwilling to debate (President Carter in 1980 and President Bush in 1992) paid a heavy price as a result of that perception. Not only did such candidates appear to lose support due to the uncertainty of whether he would debate, but the public and media focus on whether he would debate interfered with his campaign.

But public expectations of presidential candidates evolve over time, and it is not a foregone conclusion that the public will always be enamored of face-to-face candidate debates. Some persons have expressed the view that debates are not, in the final analysis, all that informative. Someday, the public might conclude that other formats are more effective at testing the candidates' positions and merits. Although I personally believe that public institutions for debates will continue (see the foreseeable future), it is possible at best to provide the public expectation three years hence.

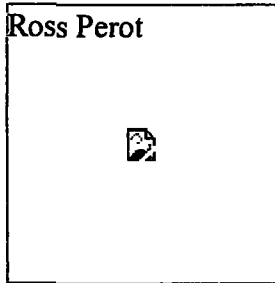
Executive Summary, Dr. Johnson

Even mandating debates are clearly in the public interest, attempts to require participation in such debates would present serious Constitutional and practical difficulties. Section 703 of the Congressional Campaign Spending Limit and Revision Act of 1993 would add a new Section 1191(b)(1)(A)



Will Perot Be Invited To The Debate Party?

By Brooks Jackson/CNN



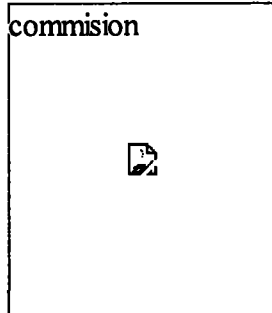
WASHINGTON (Sept. 16) -- Is he in or is he out? A decision on whether Ross Perot should be included in televised presidential debates is almost at hand.

Bob Dole told ABC's "Good Morning America" Monday he prefers Perot out. "I don't think he's a viable candidate," Dole

said. "And I'd like to have one-on-ones with President Clinton. I know he'd like to have Perot in because he thinks it takes votes from the Republicans."

But it's not up to Dole or the president -- both are in automatically. The decision on whether to include any other candidates is up to the nonpartisan Commission on Presidential Debates, which has sponsored these events since 1988.

Monday, a panel of five experts, headed by Harvard professor Richard Neustadt, confer by telephone after talking informally to dozens of journalists, pollsters and others. The panel advises the Commission itself, and the Commission is supposed to decide Tuesday.



The big question for the panel and the Commission: Can Perot win? The Commission's guidelines require at least some chance.

Co-Chair Committee on Presidential Debates Frank Fahrenkopf said, "The purpose of the criteria is to identify non-major party candidates, if any, who have a realistic, i.e., more than theoretical, chance of being elected the next president of the United States."

Perot is getting \$29 million in public funds -- taxpayers have a investment in him. But the Commission's advisers are taking a hard

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look at recent polls which don't bode well for Perot.

In the latest CNN/USA Today/Gallup poll, only 7 percent of likely voters said they favored Perot. Other polls show he's not getting more than 10 percent in any state and wouldn't get a single electoral vote.

Bob Dole



And while about one voter in five says there is some chance they would switch to Perot, nearly three out of four say there is no chance whatsoever they would end up voting for him.

But the Commission is also considering that when voters are asked whether Perot should be included in debates, 60 percent

of them say yes.

One worry: If Perot is excluded he might be seen as a martyr and get more votes than if he's included. And here's another worry: If the commission modifies its guidelines to let Perot in, what about Green Party candidate Ralph Nader? Or Natural Law party candidate John Hagelin? Polls show they have even less chance of winning.

Meanwhile, the Dole and Clinton campaigns haggled over the timing of the first debate. The Dole campaign says Sept. 26th would work, but today the Clinton campaign said that date is "not acceptable." The later the debate, the less time Dole would have to capitalize if Clinton stumbles.

This story originally appeared on CNN's "[Inside Politics](#)."

Related Stories:

- [Perot Stirs Up Christian Coalition](#) -- Sept. 13, 1996
- [Dole Wants Four Debates With Clinton -- And Only Clinton](#) -- Sept. 12, 1996

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Exhibit 34

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 5414
The Commission on Presidential Debates)

DECLARATION OF JANET H. BROWN

I, Janet H. Brown, Executive Director of the Commission on Presidential Debates ("CPD"), give this declaration based on personal knowledge.

Background

1. I have been the Executive Director of the CPD since March 1987. Under the supervision of the Board of Directors, I am primarily responsible for planning and organizing the debates the CPD intends to sponsor in 2004, as I have been in 1988, 1992, 1996 and 2000.

2. Prior to serving as Executive Director of the CPD, I served on the staffs of the late Ambassador Elliot Richardson and former U.S. Senator John Danforth. Additionally, I have held appointments at the White House Domestic Council and the Office of Management and Budget. I am a graduate of Williams College and have a master's degree in public administration from Harvard University.

3. The CPD is a private, nonpartisan, not-for-profit corporation dedicated solely to the sponsorship of general election presidential and vice presidential debates and related voter education functions. The CPD was organized in February 1987, under the laws of the District of Columbia, and has its sole office in the District of Columbia. CPD's Articles of Incorporation identify its purpose as "to organize, manage, produce, publicize and support debates for the candidates for President of United States . . ." The CPD has been granted

tax-exempt status by the Internal Revenue Service under §501(c)(3) of the Internal Revenue Code. Consistent with its §501(c)(3) status, the CPD makes no assessment of the merits of any candidate's or party's views, and does not advocate or oppose the election of any candidate or party.

4. The CPD has sponsored presidential and vice presidential debates in 1988, 1992, 1996 and 2000. The CPD's debates have been viewed by tens of millions of Americans and have served a valuable voter education function. Prior to CPD's sponsorship in 1988, televised presidential debates were produced in only four general election years: by the networks in 1960, and by the non-profit League of Women Voters in 1976, 1980, and 1984. No televised presidential debates were held in the general elections in 1964, 1968 or 1972.

5. The CPD receives no government funding; nor does it receive funds from any political party. The CPD obtains the funds to produce its debates from the universities and communities that host the debates, and it relies on corporate, foundation and private donations to augment contributions from the debate hosts and to support the CPD's ongoing voter education activities. None of CPD's donors has sought or had any input whatsoever in the promulgation of CPD's candidate selection criteria, in the selection of debate participants, or in any other substantive aspect of the debates.

6. The CPD has an eleven-member, all volunteer Board of Directors ("CPD Board"). The Co-Chairmen of the CPD Board, Frank J. Fahrenkopf, Jr. and Paul G. Kirk, Jr., each are distinguished civic leaders with extensive records of public service. Mr. Fahrenkopf has served as Co-Chairman of the Rivlin Commission, which investigated and reported on the government of the District of Columbia, was a founder of the National Endowment for Democracy, was a member of the ABA-sponsored judicial education center for federal and

state judges, and was the Chairman of the American Bar Association's Coalition for Justice, a group coordinating the ABA's initiative to improve the American system of justice. Mr. Fahrenkopf also serves on the Board of Trustees of the E. L. Wiegand Foundation and is a member of the Greater Washington Board of Trade, the Economic Club of Washington and the Federal City Council. Mr. Kirk has served as the Co-Chairman of the National Student/Parent Mock Election and on numerous civic and corporate boards. Mr. Kirk currently is the Chairman of the Board of Directors of the John F. Kennedy Library Foundation and is Of Counsel to the law firm of Sullivan & Worcester, LLP of Boston, Massachusetts.

7. The remaining current members of the CPD Board are:

Howard G. Buffett, Chairman of the Howard G. Buffet Foundation.

John C. Danforth, Lawyer and Partner, Bryan Cave LLP; Retired U.S. Senator from Missouri.

The Honorable Jennifer Dunn, Member of the U.S. House of Representatives from Washington.

Antonia Hernandez, CEO, California Community Foundation.

Caroline Kennedy, Author.

Newton Minow, Lawyer, Sidley Austin, Brown & Wood, LLP; former Chairman of the Federal Communications Commission.

Dorothy Ridings, President and CEO of the Council on Foundations; former President, League of Women Voters.

H. Patrick Swygert, President, Howard University

Alan Simpson, Retired Senator from Wyoming.

8. Former Presidents Gerald Ford, Jimmy Carter, Ronald Reagan and Bill

Clinton serve as Honorary Co-Chairmen of CPD.

History of the Commission on Presidential Debates

9. CPD was organized in response to the recommendations of two separate studies on presidential elections and debates: (1) the April 1986 Final Report of the Commission on National Elections, entitled Electing the President: A Program for Reform, a nine-month study of presidential elections by a distinguished group of news executives, elected officials, business people, political consultants, and lawyers conducted under the auspices of the Georgetown University Center for Strategic and International Studies, and (2) the Theodore H. White Conference on Presidential Debates held in March 1986 at the Harvard Institute of Politics and chaired by Newton Minow, former chairman of the Federal Communications Commission.

10. Both of those studies underscored the importance presidential debates had assumed in American electoral politics. Rather than permit the existence of debates to turn on the vagaries of each election, the studies recommended that the debates be "institutionalized." More specifically, both studies recommended that the two major political parties create a mechanism designed to ensure, to the greatest extent possible, that debates become a permanent and integral part of the presidential election process.

11. Frank J. Fahrenkopf, Jr. and Paul G. Kirk, Jr., then-chairmen of the Republican National Committee ("RNC") and Democratic National Committee ("DNC") respectively, responded by initiating CPD as a not-for-profit corporation separate and apart from their party organizations. While Messrs. Kirk and Fahrenkopf served as the chairs of the major national party committees at the time CPD was formed, they no longer do so. Indeed, since Mr. Fahrenkopf stepped down as RNC chair, in 1989, there have been eight subsequent RNC chairmen; none has held any position with the CPD. Similarly, since Mr. Kirk stepped down as chairman of the DNC, there have been ten subsequent chairman;

none has held any position with the CPD. No CPD Board member is an officer of the Democratic or Republican National Committee. Although some CPD Board members, like the majority of this country's civic leaders, identify with the Republican or Democratic Party, that certainly is not the case with every Board member. For example, I am not aware of what party, if any, Board members Dorothy Ridings or Howard Buffett would identify with if asked.

1988: The CPD Successfully Launches Its First Debates

12. On July 7, 1987, over one year prior to the sponsorship of the CPD's first debates, CPD formed an advisory panel of distinguished Americans, including individuals not affiliated with any party, in order to provide guidance to CPD with respect to several areas, including non-major party candidate participation in CPD-sponsored debates. From virtually the beginning of CPD's operations, CPD's Board recognized that, although the leading contenders for the offices of President and Vice President of the United States historically have come from the major parties, CPD's educational mission would be furthered by developing criteria by which to identify any non-major party candidate who, in a particular election year, was a leading candidate for the office of President or Vice President of the United States, and to whom an invitation should be extended to participate in one or more CPD-sponsored debate.

13. The individuals serving on that advisory panel (and their then-current principal affiliation) included:

Charles Benton, Chairman, Public Media Inc.;

Ambassador Holland Coors, 1987 Year of the Americas;

Marian Wright Edelman, President, Children's Defense Fund;

Mary Hatwood Futrell, President, National Education Association;

Carla A. Hills, Partner, Weil, Gotshall & Manges;

25-04-409-4354

Barbara Jordan, Professor, LBJ School of Public Affairs, University of Texas;
Melvin Laird, Senior Counselor, Readers' Digest;
Ambassador Carol Laise;
William Leonard, former President, CBS News;
Kate Rand Lloyd, Managing Editor, Working Woman Magazine;
Newton Minow, Partner, Sidley & Austin;
Richard Neustadt, Professor, Kennedy School of Government, Harvard University;
Ed Ney, Vice Chairman, Paine Webber Inc.;;
Paul H. O'Neill, Chairman and Chief Executive Officer, Aluminum Company of America;
Nelson W. Polsby, Professor, University of California at Berkeley;
Jody Powell, Chairman and Chief Executive Officer, Ogilvy & Mather Public Affairs;
Murray Rossant, Director, Twentieth Century Fund;
Jill Ruckelshaus, director of various non-profit entities;
Lawrence Spivak, former Producer and Moderator, "Meet the Press";
Robert Strauss, Partner, Akin, Gump, Strauss, Hauer & Feld;
Richard Thornburgh, Director, Institute of Politics, Harvard University;
Marietta Tree, Chairman, Citizen's Committee for New York City;
Anne Wexler, Chairman, Wexler, Reynolds, Harrison & Schule; and
Mrs. Jim Wright.

14. The advisory panel convened in Washington on October 1, 1987 to discuss the issues of its mandate, including the candidate selection criteria, after which the CPD Board appointed a subcommittee of the advisory panel, headed by the now-late Professor Richard Neustadt of the Kennedy School of Government, Harvard University, to draw on the deliberations and develop nonpartisan criteria for the identification of appropriate third-party candidates to participate in CPD sponsored debates.

15. On November 20, 1987, Professor Neustadt's subcommittee recommended to the CPD Board the adoption of specific nonpartisan candidate selection criteria intended to identify those candidates other than the nominees of the major parties with a realistic chance of becoming President or Vice President of the United States. The Neustadt subcommittee reported that the adoption and application of such criteria would help ensure that the primary educational purpose of the CPD -- to ensure that future Presidents and Vice Presidents of the United States are elected after the voters have had an opportunity to hear them debate their principal rivals -- would be fulfilled.

16. While the 1987 candidate selection criteria themselves were quite detailed, they included a review of three types of factors: (1) evidence of national organization; (2) signs of national newsworthiness and competitiveness, and (3) indicators of national public enthusiasm or concern, to determine whether a candidate had a realistic chance of election.

17. On February 4, 1988, the CPD Board unanimously adopted the selection criteria proposed by Professor Neustadt's subcommittee. The sole objective of the criteria adopted by the CPD in 1988 was to structure the CPD debates so as to further the nonpartisan educational purpose of those debates, while at the same time complying fully with applicable law. An Advisory Committee to the CPD Board, chaired by Professor Neustadt, was created for the purpose of applying the 1988 candidate selection criteria to the facts and circumstances of the 1988 campaign.

18. Professor Neustadt's Advisory Committee met in advance of the debates and carefully applied the candidate selection criteria to the facts and circumstances of the 1988 campaign. The Advisory Committee unanimously concluded that no non-major party candidate satisfied the criteria and, accordingly, the Advisory Committee recommended to

the CPD Board that no non-major party candidate be extended an invitation to participate in the CPD's 1988 debates. The CPD Board of Directors, after carefully considering the Advisory Committee's recommendation, the criteria and the facts and circumstances of the 1988 campaign, voted unanimously to accept the Advisory Committee's recommendation. Thereafter, the CPD successfully produced three presidential debates between Vice President Bush and Governor Dukakis and one vice presidential debate between Senator Bentsen and Senator Quayle.

1992: The CPD's Debates Include Three Candidates

19. On or about January 16, 1992, the CPD Board requested that the Advisory Committee, again chaired by Professor Neustadt, assist the CPD in promulgating nonpartisan candidate selection criteria in connection with the 1992 election. Pursuant to the Advisory Committee's recommendation, the CPD Board adopted substantially the same selection criteria used in 1988, with minor technical changes.

20. The 1992 Advisory Committee, consisting of Professor Neustadt; Professor Diana Carlin of the University of Kansas; Dorothy Ridings, Publisher and President of the Bradenton Herald and former President of the League of Women Voters; Kenneth Thompson, Director of the Miller Center, University of Virginia; and Eddie Williams, President, Joint Center for Political and Economic Studies, met on September 9, 1992 to apply the candidate selection criteria to the 100-plus declared presidential candidates seeking election in 1992. At that time, it was the unanimous conclusion of the 1992 Advisory Committee that no non-major party candidate then seeking election had a realistic chance in 1992 of becoming the next President of the United States. Ross Perot, who had withdrawn from the race in July 1992, was not a candidate for President at the time of this determination.

21. On October 5, 1992, the Advisory Committee reconvened at the request of the CPD Board to update its application of the 1992 criteria to include subsequent developments, including Ross Perot's October 1, 1992 reentry into the campaign. The Advisory Committee concluded that Mr. Perot satisfied the selection criteria, and based on that recommendation, the CPD Board extended invitations to Mr. Perot and his running mate, Admiral James B. Stockdale, to participate in its first two 1992 debates. When it became clear that the debate schedule -- four debates in eight days -- would prevent any meaningful reapplication of the selection criteria, the CPD extended its original recommendation that the Perot/Stockdale campaign participate in two debates to all four debates. See October 6 and 7, 1992 letters (attached at Tab A). Thereafter, the CPD produced three presidential debates involving President Bush, Governor Clinton, and Mr. Perot, and one vice presidential debate between Vice President Quayle, Senator Gore, and Admiral Stockdale.

22. When the Advisory Committee applied the 1992 criteria to Mr. Perot, it faced the unprecedented situation in which a candidate, whose standing in the polls had been approximately 40%, had withdrawn from the race, but then rejoined the campaign shortly before the debates, with unlimited funds to spend on television campaigning. The Advisory Committee found that it was unable to predict the consequences of that combination, but agreed that Mr. Perot had a chance of election if he did well enough that no candidate received a majority of electoral votes and the election was determined by the United States House of Representatives. Although the Advisory Committee viewed Mr. Perot's prospect of election as unlikely, it concluded that the possibility was not unrealistic, and that Mr. Perot therefore met the CPD's 1992 criteria for debate participation. See September 17, 1996 letter (attached at Tab B).

23. National polls available at the time the CPD made its decision with respect to Ross Perot's participation in 1992 varied significantly, perhaps due to the unprecedented events surrounding Mr. Perot's withdrawal and reentry into the presidential race very shortly before the debates commenced. Polling data made available to the Advisory Committee at the time it made its recommendation to invite Mr. Perot reported national support for Mr. Perot ranging from 9 percent to 20 percent.

1996: The CPD's Criteria are Upheld as Objective and Nonpartisan

24. After evaluation of the prior debates and careful consideration of how best to achieve its educational mission, on September 19, 1995, the CPD Board adopted the same selection criteria, with minor changes, for use in the 1996 debates, and appointed a 1996 Advisory Committee consisting of the same members as the 1992 committee.

25. On September 16, 1996, the Advisory Committee met to apply the candidate selection criteria to the more than 130 declared non-major party presidential candidates seeking election in 1996. Although the 1996 candidate selection criteria did not expressly require it to do so, the 1996 Advisory Committee independently applied the criteria to the Democratic and Republican party nominees. In light of its findings, the Advisory Committee recommended to the CPD's Board that only President Clinton and Senator Dole be invited to participate in the CPD's 1996 presidential debate, and that only Vice President Gore and Congressman Kemp be invited to participate in the CPD's 1996 vice presidential debate. The CPD Board unanimously accepted the 1996 Advisory Committee's recommendation.

26. In a letter from Professor Neustadt, the Advisory Committee explained that after careful consideration of the circumstances in the 1996 campaign, it found that neither Mr. Perot nor any other non-major party candidate had a realistic chance of being elected

president that year. With respect to Mr. Perot, the Advisory Committee emphasized that the circumstances of the 1996 campaign differed from the unprecedented circumstances of 1992 – which included the fact that at a point before his withdrawal from the race in 1992, Mr. Perot had registered support at a level of 40% in the polls and that, in 1996 unlike 1992, Mr. Perot’s funding was limited by his acceptance of a federal subsidy. See September 17, 1996 letter, Tab B.

27. In October 1996, the CPD sponsored two presidential debates between President Clinton and Senator Dole and one vice-presidential debate between their running mates.

2000: The CPD Adopts More Streamlined Criteria

28. After each election cycle, the CPD has examined a wide range of issues relating to the debates. These reviews have considered format, timing and other issues, including the candidate selection process. The review the CPD conducts after each election is part of the CPD’s ongoing effort to enhance the contribution the debates make to the process by which Americans select their next President. After very careful study and deliberation, the CPD adopted more streamlined criteria in January 2000 for use in the 2000 general election debates. In summary, the CPD Nonpartisan Candidate Selection Criteria for 2000 General Election Debate Participation (the “2000 Criteria”) were as follows: (1) constitutional eligibility; (2) appearance on a sufficient number of state ballots to achieve an Electoral College majority; and (3) a level of support of at least fifteen percent of the national electorate as determined by five selected national public opinion polling organizations, using the average of those organizations’ most recent publicly-reported results at the time of the determination. See 2000 Criteria (attached at Tab C).

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29. The CPD adopted its candidate selection for 2000 in the belief that the streamlined criteria would enhance the debates and the process by which Americans select the President. The approach adopted in 2000 is faithful to the long-stated goal of the CPD's debates -- to allow the electorate to cast their ballots after having had an opportunity to sharpen their views of the leading candidates. The approach also has the virtue of clarity and predictability, which the CPD believed would further enhance the public's confidence in the debate process.

30. The CPD's 2000 Criteria were not adopted with any partisan (or bipartisan) purpose. They were not adopted with the intent to keep any party or candidate from participating in the CPD's debates or to bring about a preordained result. Rather, the 2000 Criteria were adopted to further the legitimate voter education purposes for which the CPD sponsors debates.

31. The CPD's selection of fifteen percent as the requisite level of support was preceded by careful study and reflects a number of considerations. It was the CPD's considered judgment that the fifteen percent threshold best balanced the goal of being sufficiently inclusive to invite those candidates considered to be among the leading candidates, without being so inclusive that invitations would be extended to candidates with only very modest levels of public support, thereby creating an unacceptable risk that leading candidates with the highest levels of public support would refuse to participate.

32. Prior to adopting the 2000 Criteria, the CPD conducted its own analysis of the results of presidential elections over the modern era and concluded that a level of fifteen percent support of the national electorate is achievable by a significant third party or independent candidate. Furthermore, fifteen percent was the figure used in the League of Women Voters' 1980 selection criteria, which resulted in the inclusion of independent

candidate John Anderson in one of the League's debates. In making this determination, the CPD considered, in particular, the popular support achieved by George Wallace in 1968 (Mr. Wallace had achieved a level of support as high as 20% in pre-election polls from September 1968); by John Anderson in 1980 (Mr. Anderson's support in various polls reached fifteen percent when the League of Women Voters invited him to participate in one of its debates); and by Ross Perot in 1992 (Mr. Perot's standing in 1992 polls at one time was close to 40% and exceeded that of the major party candidates, and he ultimately received 18.7% of the popular vote).

33. The CPD considered, but rejected, alternate standards, including the possibility of using eligibility for public funding of general election campaigns, rather than polling data, as a criterion for debate participation. That criterion is itself both potentially overinclusive and underinclusive. Eligibility for general election funding is determined based on performance in the prior presidential general election. The CPD realized that such an approach would be underinclusive to the extent that it would automatically preclude participation by a prominent newcomer (such as Ross Perot in 1992), but also would be overinclusive to the extent it would mandate an invitation to the nominee of a party that performed well in a prior election, but who did not enjoy significant national public support in the current election. In addition, while the United States Congress determined that five percent was a sufficient level of support for purposes of determining eligibility for federal funding as a "minor" party (at a level that is substantially lower than that received by the "major" parties), as noted, a debate host hoping to present the public with a debate among the leading candidates (none of whom are required to debate) must necessarily take into account a different set of considerations.

34. In 2000, the CPD retained Dr. Frank Newport, the Editor-in-Chief of the Gallup Poll, as a consultant to advise the CPD in connection with the implementation of the 2000 Criteria. Dr. Newport is a well-respected expert in the areas of polling methodology and statistics.

35. The CPD adopted the 2000 Criteria for the sole purpose of furthering its educational mission. On their face, the criteria are pre-established and objective within the meaning of the FEC's debate regulations. The CPD, as a non-profit, nonpartisan debate sponsor, is entitled to select its own objective criteria and nothing about its decision to use the 2000 Criteria, including its fifteen percent standard, is contrary to the guidelines the FEC has provided to debate sponsors.

36. In 2000, the CPD sponsored presidential debates held in Boston on October 3, 2000, in Winston-Salem, North Carolina on October 11, and in St. Louis on October 17, and a single vice presidential debate in Danville, Kentucky on October 5, 2000. Eligibility to participate in the debates was determined by the CPD Board, with the assistance of Dr. Frank Newport of Gallup, based solely on the application of the CPD's published Nonpartisan Candidate Selection Criteria for 2000 General Election Debate Participation. Those determinations were made at CPD Board meetings conducted on September 26, October 8 and October 14, 2000.

37. The CPD's debates in 2000 were viewed by millions and lauded as "illuminating," of "enormous help" to voters, and "lively and informative." A few examples of contemporaneous favorable editorials on the debates are attached at Tab D.

2004: The CPD Plans for General Election Debates

38. The CPD is well along in its planning for the debates it plans to host in connection with the 2004 general election campaign. As it has done in connection with

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previous election cycles, after the 2000 debates, the CPD Board examined its approach to candidate selection. After careful study and deliberation, the CPD determined that the criteria it had employed in connection with the 2000 debates had served well the voter education purposes for which the CPD sponsors debates. Accordingly, on September 24, 2003, the CPD announced its Nonpartisan Candidate Selection Criterion for 2004 General Election Debate Participation. Those criteria are the same as those used in 2000 and are attached hereto at Tab E. Once again, Dr. Frank Newport, Editor-in-Chief of the Gallup Poll, will serve as a consultant to the CPD in connection with the application of the criteria.

39. On November 6, 2003, the CPD announced the following schedule and sites for the 2004 debates: first presidential debate on September 30, 2004 at the University of Miami in Coral Gables, Florida; vice presidential debate on October 5, 2004 at Case Western Reserve University in Cleveland, Ohio; second presidential debate on October 8, 2004 at Washington University in St. Louis, Missouri; and third presidential debate on October 13, 2004 at Arizona State University in Tempe, Arizona. The CPD anticipates making further announcements concerning its planned debates over the coming months.

40. I am aware that the complainants in MUR 5414 cite statements attributed to a variety of individuals associated with various campaigns over the years intended to support the assertion that the major party nominees in prior election cycles have had substantial input into, or even controlled, the CPD's candidate selection decisions. This is completely untrue. The CPD's candidate selection decisions have been made in 1988, 1992, 1996 and 2000 based on a good faith application of the CPD's published candidate selection criteria, as described earlier in this Declaration. In 1988, 1992 and 1996, the CPD's decisions regarding which candidates to invite to its debates were made by the CPD's Board. In each instance, the CPD Board unanimously adopted the recommendations of the independent

2000. Attached at Tab G are CPD press releases documenting CPD's various announcements made during the twenty-four months leading up to the 2000 debates concerning its planning and proposals for the debates. As those press releases demonstrate, the dates, number, formats and locations for the 2000 debates ultimately agreed on by the major party nominees in their bilateral agreement attached at Tab F are as the CPD had earlier proposed.

43. In addition to sponsorship of the 1988, 1992, 1996 and 2000 debates and its planned sponsorship of the 2004 debates, the CPD has engaged in a number of other related voter education activities, each intended in a nonpartisan manner to enhance the educational value of the debates themselves. In 1988, the CPD, in conjunction with the Library of Congress and the Smithsonian Institution, prepared and distributed illustrated brochures on the history and role of political debates. In 1990, the CPD sponsored a symposium on debate format attended by academic experts, journalists, political scientists and public policy observers. Also in 1990, the CPD in Partnership with the National Association of Broadcasters produced a videotape and brochure giving guidance to schools, media organizations and civic groups on how to sponsor debates. In 1992, the CPD produced a viewers' guide to debates in cooperation with the Speech Communication Association. In connection with the 1996 Debates, the CPD sponsored DebateWatch '96, in which over 130 organizations (including numerous cities and town, high schools, presidential libraries, civic associations, universities and chambers of commerce) participated by hosting forums in which citizens viewed the debates together and had the opportunity to discuss the debates afterwards with other viewers and listeners. In 2000, the CPD's voter education projects reached millions of Americans, primarily through an aggressive Internet effort. More than 6 million people visited the CPD's website, www.debates.org for: online surveys (completed by 44,500 citizens); issue forums on

election topics; an online debate history; educational resources for teachers and civic leaders; and services for non-English speakers including education materials in Spanish and debate transcripts in six foreign languages. In addition to online outreach, the CPD also conducted the DebateWatch program, through which citizens gathered in communities nationwide to watch the debates, discuss them, and share feedback with the CPD. The CPD partnered with over 200 organizations, schools, and technology companies in order to complete these tasks. In 2000, the CPD also produced a two-hour PBS special, "Debating our Destiny," in conjunction with McNeil/Lehrer Productions. For 2004, the CPD plans to expand the scope of DebateWatch through online outreach and collaborations with civic groups nationwide. By partnering with voter education organizations including the Smithsonian Institution, AARP, Congressional Black Caucus Institute, Lifetime Television, and KidsVoting USA, the CPD is reaching out to citizens both here and those posted overseas to maximize the educational value of the debates. In addition, the CPD hopes to conduct a series of youth debates using the sets from past presidential debates.

* * *

I declare under penalty of perjury that the foregoing is true and correct. Executed this 29 day of March, 2004.


JANET H. BROWN

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Exhibit 35

The New York Times

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July 19, 1992

THE 1992 CAMPAIGN: Ross Perot; Noncandidate Tells His Supporters to Look for Real Candidates to Support

By STEVEN A. HOLMES.

DALLAS, July 18— Ross Perot, who ended his short-lived Presidential campaign this week, told his state coordinators today that for the moment he would stick with his decision not to seek the White House. But he told the leaders of the grass-roots movement that supported him that he would leave his name on the ballot in states where he had qualified, and he encouraged them to continue their petition drives.

Mr. Perot met for about two and a half hours with a delegation of his state leaders at the headquarters of his stillborn campaign here. The group of several dozen had traveled to Dallas to try to persuade Mr. Perot to reconsider his decision and re-enter the race.

"His response was that he didn't want to run for President," said Bob Hayden, who was the state coordinator for the Perot Committee in California. He said Mr. Perot told them that if the major parties' candidates failed to discuss their issues, he would be available to run for President.

Available to Help

Mr. Perot told the group they should build a grass-roots movement that would reform the political process. The Dallas businessman, who said Thursday that he was dropping out because he feared his campaign would throw the race into the House of Representatives, also said that his grass-roots organization should develop its own platform, hold a convention and endorse candidates in races from the Presidential election all the way down to municipal contests.

Mr. Perot told the delegation that he would be available "full time" to aid in the building of this network. But he would not commit a specific amount of money to their efforts. He also told them he was virtually shutting down the Dallas headquarters and the telephone bank that served as the nerve center of his campaign.

"He indicated he would help us financially, but we did not get into any specific discussion about how much we could expect," Mr. Hayden said. "We know that we're going to have to do a lot of fund raising ourselves."

Mr. Hayden spoke to reporters in a news conference at a local hotel after the group's meeting with

Mr. Perot. Mr. Perot did not attend the news conference.

Today's meeting followed Mr. Perot's announcement on Friday night that he would consider leaving his name on the ballot so that his supporters could use it as a means of lodging a protest vote in November against President Bush and Gov. Bill Clinton of Arkansas, the Democratic nominee. But, in making the announcement on the CNN program "Larry King Live," Mr. Perot repeated the vow he had made Thursday that he would not be a candidate. Keeping Some 'Leverage'

"I have not gone away," Mr. Perot told Mr. King. "But I have concluded that I should not be the candidate."

However, Mr. Perot said that by keeping his name on the ballot, his forces could exert "leverage" on the major party candidates. Mr. Perot said his presence on the ballot would say, "Look, you guys, if you'll do this, this, this and this for the good of the country and just stop talking about it, stop the gridlock, cut all these funny things that you're doing, then we will go forward with you. Otherwise, we have a protest vote, and that could take one of the two of you through the tank."

Mr. Perot's sudden announcement that he would allow his name to stay on the ballots caught even his closest associates by surprise. Morton H. Meyerson, who served as senior adviser for Mr. Perot's campaign, did not know about Mr. Perot's plans beforehand, according to knowledgeable members of the campaign staff.

On Thursday, Mr. Meyerson said he "guessed" that Mr. Perot would remove his name from the ballot. Contacted Friday night after Mr. Perot's appearance on the Larry King show, Mr. Meyerson would not comment.

Exhibit 36

The New York Times

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October 2, 1992

THE 1992 CAMPAIGN: The Overview; PEROT RE-ENTERS THE CAMPAIGN, SAYING BUSH AND CLINTON FAIL TO ADDRESS GOVERNMENT 'MESS'

By ROBIN TONER.

DALLAS, Oct. 1— Ross Perot jumped back into the race for the Presidency today, instantly creating new risks, opportunities and uncertainties for Gov. Bill Clinton and President Bush in the final 33 days before Election Day.

Mr. Perot, who bolted from the race in July, asserted he was reactivating his independent campaign at the plea of his supporters. "I thought that both political parties would address the problems that face the nation," he said. "We gave them a chance. They didn't do it."

Despite new polls showing his support vastly diminished, Mr. Perot dismissed the notion that he could function only as a spoiler or that he was motivated by animosity toward Mr. Bush. Playing Familiar Themes

He presented his candidacy as a de facto nomination from the grass roots, declaring: "I would like to thank the American people. By choosing me as your candidate, you have given me the highest honor I could ever receive." [Excerpts from the news conference, page A20.]

With his running mate, retired Vice Adm. James B. Stockdale, at his side, Mr. Perot struck many of the same themes that he rode to sudden political prominence last spring, assailing a "Government in gridlock" that has let the deficit and other critical national needs go unresolved.

"The American people are good," he said, "but they have a Government that is a mess. Everybody in Washington makes excuses. Nobody takes responsibility even when they have direct responsibility." Slapping at News Media

The Perot camp declared that it expected Mr. Perot to be included in upcoming Presidential debates, and both Bush and Clinton campaigns said they were willing to do so. Negotiators said tonight that they had reached a tentative agreement on the debates. Officials close to the negotiations said there would be three debates, with the first one on Oct. 11. [Page A18.]

In a remarkably combative news conference for an announcement day, Mr. Perot, a Texas billionaire, also lambasted the news media for investigating his past and his political practices and

asserted that he would keep his campaign focused solely on the issues he wanted to highlight.

"I don't care what you do," he told the reporters present. "Just have fun, get raises and bonuses, play gotcha. I don't care. I care about this country, I care about the American people, and I love them, and I will do whatever I can to serve them."

Strategists in the Bush and Clinton campaigns were quick to say that Mr. Perot would not be the formidable presence he was last spring, when he briefly shot to the head of the pack after a campaign waged largely on television talk shows. They predicted that Mr. Perot's candidacy would fare much as other recent third-party candidates have fared, pulling a vote percentage in the teens or single digits.

But they acknowledged that, in a close race, Mr. Perot would be an important variable in some of the most important states, like California and Texas, perhaps even tilting a state to one candidate or the other. Moreover, it was clear that Mr. Perot would affect the tone and the dynamic of the dialogue.

Mr. Perot, whose personal fortune has fueled the petition drive that has placed his name on the ballot in all 50 states, is expected to wage a campaign heavily oriented toward television. "I think you will see a heavy emphasis on the media, television," said Orson Swindle, head of United We Stand, America, the Perot organization. "You will see issues discussed in a way you have not seen in the past."

Unlike the campaigns of the two major party candidates, Mr. Perot's will not be publicly financed.

A new poll for CNN and USA Today suggested that Mr. Perot faced a skeptical and largely unfriendly public for his revived campaign. The poll, conducted Monday through Wednesday by The Gallup Organization, found that 60 percent of the 1,052 registered voters polled said Mr. Perot should not re-enter the race, while 33 percent said he should. In contrast, the Gallup Poll found in late June that 69 percent of those asked wanted Mr. Perot to be a Presidential candidate.

The CNN/USA Today poll also showed Mr. Clinton with a formidable lead, 52 percent, as against 35 percent for Mr. Bush and 7 percent for Mr. Perot. It had a margin of sampling error of plus or minus three percentage points.

In his speech today, Mr. Perot apologized to his supporters for leaving the race this summer and hinted that after months of being portrayed as a temperamental quitter, he wanted to begin anew. "My decision in July hurt you," he said. "I apologize."

Then he added, "Looking back won't solve our problems. Looking forward, working together, we can fix anything."

Responding to Mr. Perot's re-entry, Mr. Clinton said in Wisconsin, "My fight is with George Bush, and I'm going to take it to him." The Governor said he still believed he had the best economic plan

in the campaign and argued that Mr. Perot's re-entry would have little effect on the way he ran his race.

"The problem I have with the Perot plan," Mr. Clinton said in a interview with a television station in Cincinnati, "is that it puts deficit reduction ahead of generating jobs."

The Bush and Clinton campaigns today remained locked in negotiations over debates, with a main sticking point the Bush team's desire for a late debate, on the Sunday before Election Day, and the Clinton campaign's resistance to one. Should Mr. Bush succeed in tightening the race, a late debate would give the President a final chance to project a reassuring presence and make his case to the public..

Mr. Bush took a day off the campaign trail today but escalated his advertising offensive with a new attack on Mr. Clinton as a risky and dangerous taxer. "You can't trust Clinton economics," an announcer says in the new commercial, which focuses on five Americans and the additional taxes they would supposedly pay under a Clinton Administration. "It's wrong for you. It's wrong for America."

The Clinton campaign reacted to the commercial quickly and forcefully. "It is blatantly false, and nobody else in the world claims that," Mr. Clinton declared. "George Bush has said time and again that he would say whatever it takes to be elected President, and this is an example."

The Democrats, for their part, were broadcasting a new commercial that resurrects the broken campaign promise from 1988 that haunted Mr. Bush in the primaries this year: "Read my lips: no new taxes."

Both campaigns have treaded carefully around Mr. Perot in recent days, but Senator Al Gore, the Democratic Vice-Presidential nominee, hinted at the contrast the Democrats would draw on economics. Campaigning in Wisconsin today, Mr. Gore said Democrats shared Mr. Perot's concern for the reducing the deficit, but the Tennessee Senator added: "He raises taxes on middle-income people in a way that we think is very unwise. We stimulate economic growth." Reporting a Different Perot

Stan Greenberg, the poll taker for Mr. Clinton, asserted today that the Clinton campaign's polls showed Mr. Perot slipping throughout the week. He also argued that Perot II was drawing a very different -- and more Republican -- constituency than Perot I was last spring.

"He was drawing the shake-up-politics voters last spring," Mr. Greenberg said. "Now he's drawing support from voters who want to get spending under control. And that's a very different share of the electorate."

But the Bush forces continued to hope that Mr. Perot succeeded in shaking up the race and perhaps opening up some states where Mr. Clinton has a formidable lead.

"We welcome him to the race," said Charles Black, a senior adviser to the Bush campaign. "He says he wants to talk about the economy and the deficit, and we welcome that."

In general, Mr. Perot's entry is seen as a risk and an opportunity for both Mr. Bush and Mr. Clinton. He poses a problem for Mr. Bush in Texas, a must-win state for the President, for example, but he could cut into Mr. Clinton's support in California and some Northern states like Michigan.

Perhaps foreshadowing an appeal to keep anti-Bush voters from straying, Mr. Clinton said in an interview with a Raleigh, N.C., television station: "I hope that it won't divide the vote of those who know that Mr. Bush should not be given another term."

In his announcement today, Mr. Perot did not go into the details of the economic plan he issued after he left the race on July 16, when he said he did not want to be a disruptive force.

Photos: Ross Perot announcing his re-entry into the Presidential race. At his side at the news conference in Dallas was his wife, Margot; at rear were the Vice-Presidential candidate, James B. Stockdale, and his wife, Sybil. (Associated Press) (pg. A1); President Bush walking to the Oval Office yesterday after returning from a trip to Camp David. (Jose R. Lopez/The New York Times) (pg. A18)

11-20-2014

Exhibit 37

The New York Times

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October 7, 1992

THE 1992 CAMPAIGN: Polls; Despite Perot's Re-entry, Clinton Retains Big Lead

Gov. Bill Clinton continues to lead in the Presidential race, according to five nationwide polls taken since the re-entry last Thursday of Ross Perot raised the possibility of changing the dynamics of the race.

When the five polls are averaged, the result is 48 percent for Mr. Clinton, 36 percent for President Bush and 10 percent for Mr. Perot.

A New York Times/CBS News Poll taken over the weekend found Mr. Clinton leading Mr. Bush by eight percentage points. That was virtually unchanged from the Times/CBS Poll taken in mid-September, when Mr. Perot was not an announced candidate, though his name was on the ballot in all 50 states. In the latest poll, 934 registered voters were weighted to reflect a "probable electorate." Support was 46 percent for Mr. Clinton, 38 percent for Mr. Bush and 7 percent for Mr. Perot.

Other polls had similar results. A Newsweek poll placed Mr. Clinton's lead in the three-way race at eight points. In late September Mr. Clinton held a nine-point advantage in the Newsweek poll. The latest poll was taken with 752 registered voters.

A Washington Post/ABC News Poll of 799 likely voters reported an 13-point lead for the Arkansas Governor.

A Harris Poll of 1,015 likely voters had the largest margin for Mr. Clinton, 17 points.

Most polls are conducted over several days, and the resulting random sampling of voters is then weighted to reflect national demographics. But during an election season some organizations conduct "tracking polls," in which a new, smaller sampling of voters is surveyed each day. Usually, the results of several days are then combined.

In a tracking poll for CNN and USA Today, Mr. Clinton leads by 12 points. The three-day survey was conducted with 1,011 registered voters.

The margin of sampling error for The Washington Post-ABC News Poll and the CNN-USA Today Poll was plus or minus four percentage points. The potential error for the other polls was three percentage points.

Chart: "Recent Polls" New York Times/CBS News Oct. 2-4 Bush/Quayle: 38 Clinton/Gore: 46
Perot: 7 Washington Post/ABC News Oct. 2-4 Bush/Quayle: 35 Clinton/Gore: 48 Perot: 9 Gallup
for CNN/USA Today Oct. 2-4 Bush/Quayle: 35 Clinton/Gore: 47 Perot: 10 Harris Oct. 1-4
Bush/Quayle: 36 Clinton/Gore: 53 Perot: 9 Gallup for Newsweek Oct. 1-2 Bush/Quayle: 36
Clinton/Gore: 44 Perot: 14

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Exhibit 38

Pew Research Center for the People & the Press

SEPTEMBER 13, 1996

Solid Clinton Lead, Small Gain for Congressional Democrats

Increased Support For Incumbents

Introduction and Summary

As the fall campaign begins, Bill Clinton holds a solid lead over challengers Bob Dole and Ross Perot. But the race for control of Congress remains close. While the Democrats have gained some ground on the GOP over the course of the summer, American voters have a more positive view of incumbents than they did two years ago and the Congressional vote seems more dependent on local matters than in 1994.

Nature of Candidate	Support Sept 1996 %
Total Clinton	52
Pro-Clinton	35
Anti-Others	15
Don't know	2
Support is:	
Strong	26
Moderate	26
Total Dole	34
Pro-Dole	16
Anti-Others	17
Don't know	1
Support is:	
Strong	17
Moderate	17
Total Perot	8
Pro-Perot	3
Anti-Others	5
Don't know	0
Support is:	
Strong	3
Moderate	5

At the top of the ticket, Clinton's lead is impressive. Not only do more voters now back him than did in mid-summer, but a greater proportion say they would be casting a vote for Clinton rather than against Dole and Perot, if the election were being held today.

The latest Pew Research Center survey finds 52% of a national sample of registered voters saying they would vote for Clinton, compared to 34% for Dole and 8% for Ross Perot. Six weeks ago, prior to the political conventions, Clinton led by a significantly smaller margin (44% vs. 34% and 16%, respectively). In the current survey, half of Clinton backers say they support him strongly and most say they are voting for him, not against his opponents.

In contrast to Clinton, the net effect of the conventions has been to weaken Dole's position. While half the GOP candidate's backers say they strongly support him, much of his backing is based on opposition to Clinton and Perot. More ominously, the proportion of voters saying that they have decided definitely not to vote for the former Senate majority leader has risen from 40% in late July to 47% in the current poll. Four years ago, a Center survey found about as many voters (44%) saying they had definitely decided not to vote for George Bush who then trailed Clinton by 15%. By way of comparison, no fewer than 78% of respondents in the new survey have firmly decided against voting for Ross Perot.

Despite a short-lived post convention bounce, Dole has not rallied the expected numbers of Republicans to his side. Only 81% of Republicans and 59% of Independents who lean Republican back him. Clinton gets 90% of Democrats and 79% of Independents who lean Democratic.

Dole has gained no ground either with regard to his personal image or perceived abilities relative to Clinton. As was the case prior to the conventions, Clinton is picked over Dole as personally likable and connecting well with ordinary people by margins of 3 to 1 or better. The President is chosen over his challenger by nearly 2 to 1 for having new ideas and caring about people. Clinton is also graded better than Dole for using good judgement in a crisis, sharing the voter's values and for being a strong leader. Dole barely rates better than Clinton on character dimensions. A slim plurality of respondents (7 percentage points) choose Dole over Clinton for being honest and truthful, and about equal percentages select the two candidates for keeping promises.

Phrase Better Describes ...	Bill Clinton Bob Dole Both/Neither DK		
	%	%	%
Would use good judgment in a crisis	51	34	15
July, 1996	47	35	18
Personally likable	67	20	13
July, 1996	64	20	16
Honest and truthful	30	37	33
July, 1996	25	40	35
Has new ideas	52	27	21
July, 1996	49	28	23
Cares about people like me	51	29	20
July, 1996	48	30	22
Keeps his promises	35	30	35
July, 1996	29	35	36
Shares my values	46	36	18
July, 1996	45	36	19
Connects well with ordinary Americans	68	21	11
July, 1996	63	22	15
A strong leader	47	38	15

Generally, the President has a lesser advantage on abilities than on personal characteristics. But he wins over Dole by significant pluralities on seven out of eight performance dimensions. The exception is that Dole is credited as potentially better able to cut taxes (by a 42% to 34% margin). Essentially the same proportion favors Clinton as Dole for balancing the budget (41% and 38%, respectively). By a 57% to 29% margin, voters have more confidence in Clinton to improve education, which is typically a Democratic strength, but they also favor him over Dole for protecting and strengthening families (50% to 36%), normally a GOP strong point.

Compared to late July, Clinton enjoys a slightly wider margin over Dole for improving economic conditions (49% to 35%), reflecting voters' views about abortion (46% to 28%), and making wise decisions about foreign policy (44% to 39%). Despite Dole's attacks on Clinton following the release of a government report indicating increased drug use among teens, voters think that the President is better able to deal with the drug problem than his opponent (44% to 32%).

Republican Defectors

Underscoring Dole's problem with defections from the GOP, significant percentages of Republicans and Independents who lean Republican have more faith in Clinton than in their party's standard bearer to improve education and to better represent their views on abortion. The desertion pattern is even more striking on the

personal dimension. By margins of almost 2 to 1, Independents who lean Republican think that Clinton is more likeable than Dole and connects better with ordinary people.

Clinton's gains in support since mid-summer have been greatest among Independents. His lead among Independents who lean Democratic has increased, while at the same time he has retained his pre-convention margin among Independents who lean Republican.

Demographically, the President also polls much better than six weeks ago among younger voters, whites, and middle and lower income groups. He also gained support among white evangelical Protestants over this period, but Dole continues to lead among this largely Republican, socially conservative group. Clinton has a comfortable lead among white Catholics and a smaller yet significant one among white mainline Protestants.

Dole support has increased since late July only among one sizeable demographic group — white Southern men. Clinton, in contrast, has gained support among white men outside the South and among white women in all parts of the country in the past six weeks.

Democratic Gains

As Clinton's lead has increased, support for his party's Congressional candidates also has grown somewhat. Voters in the Pew Research Center sample were inclined to vote for Democrats over Republicans in House races by a margin of 51% to 43%, up from 47% to 46% in late July. But a number of crosscurrents undercut that small lead. In particular, the poll found much more support for incumbents than two years ago. Fully 62% of respondents said they would like to see their own incumbent Congressional representative reelected compared to 49% in early October 1994. Similarly, while that same 1994 survey found a strong majority of 56% to 28% against the reelection of most members, voters in the current survey divided 43% to 43% on this question.

Voters are also more inclined than two years ago to say that local issues will make the biggest difference in how they vote in their district (42% vs. 27%). In the current survey, only 18% said that national issues would have the largest bearing on their choice. Most respondents (51%) said Clinton would not be a factor in their vote for Congress. Of those who said he would be a factor, votes for his party's candidate slightly out weighed votes against (24% vs. 18%). Two years ago that margin was reversed (17% for to 23% against).

An Eye On Newt

Newt Gingrich may be more of a factor than Clinton in the battle for Congress. Fully 57% of respondents said he would be a consideration in their vote. More than half of them (36%) said they would be voting against the speaker, compared to 21% who said they will be voting for him. Gingrich in this way threatens to be a greater negative for the GOP than Clinton would be a positive value for the Democrats. For example, both Clinton and Gingrich are cited as positive factors by 44% of respondents who will vote for the Democratic and Republican Congressional candidates, respectively; but fully 62% of those backing Democrats said they were voting against the Speaker and only 37% of those voting for Republicans said they were voting against the President.

Factors in Congressional Voting?			
		Those Supporting	
		Rep.	Dem.
	Total	Cong.	Cong.
	%	Cand.	Cand.
		%	%
Newt Gingrich a factor?			
For	21	44	3
Against	36	8	62
Not a factor	36	45	28
DK/Refused	7	3	7
	100	100	100
Bill Clinton a factor?			
For	24	4	44
Against	18	37	4
Not a factor	51	55	47
DK/Refused	7	4	5
	100	100	100

Gingrich's unpopularity may be diluted to some extent by support for the idea that the Presidency and the Congress should not be in the hands of the same party. Many believe that if Clinton should win, it would be better if the GOP controls Congress. Republicans put a higher priority on keeping control of the legislature than do Democrats (86% vs. 77%), with Independents tending to favor GOP rather than Democratic control (46% vs. 42%).

Flagging Interest

Given the closeness of the Congressional race and conflicting voter attitudes, turnout may be a decisive factor. And it may well work to the GOP's advantage. Measures of interest in the campaign and turnout indicators are significantly lower than they were four years and even eight years ago. Only 48% of respondents said they have given a lot of thought to the presidential election, compared to 63% in September 1992 and 57% in September 1988. In the new poll, just 24% said they were paying close attention to campaign news compared to 42% in September 1992.

Analysis suggests that lower turnout would help both Dole and perhaps more meaningfully, Republican Congressional candidates. Support levels are shown below for all registered voters, for likely voters if turnout is comparable to 1992, and for likely voters if turnout is comparable to 1988.

Voter Turnout and Candidate Standing			
		If turnout is comparable to:	
	All	1992	1988
	%	%	%
Presidential Preference:			
Clinton	52	52	51
Dole	4	37	38
Perot	8	7	7
Other/Undecided	6	5	5
	100	100	100
Congressional Preference:			
Republican	43	45	46
Democrat	51	51	50
Other/Undecided	6	4	4
	100	100	100

One-Worders For Kemp and Gore

One word descriptions of the vice presidential candidates indicate that the public sees both men, incumbent Al Gore and challenger Jack Kemp, in mostly positive terms. Gore was most often called "intelligent;" Kemp's list led with "football." In second place for both men was "good." In comparison, the public in August offered a mix of positive and negative words for Clinton, led by "good" and "wishy-washy." Dole was most often described in terms of his age, "old," then "good."

Al. Gore "Top 20"		Jack Kemp "Top 20"	
	Frequency*		Frequency*
1. Intelligent	20	1. Football	20
2. Good	16	2. Good	18
3. Environmentalist	15	3. Leader	16
4. Honest	14	4. Energetic	13
5. Leadership	14	5. OK	11
6. Smart	14	6. Unknown	11
7. Quiet	13	7. Honest	10
8. Stiff	13	8. Strong	10
9. Fair	12	9. Athletic	8
10. Boring	11	10. Intelligent	7
11. Follower	11	11. Capable	7
12. Nice	11	12. Alright	6
13. Alright	9	13. Dynamic	6
14. Dull	9	14. Conservative	6
15. Personable	9	15. Charismatic	5
16. Sincere	9	16. Integrity	5
17. Wimp	8	17. Moderate	5
18. OK	7	18. Nice	5
19. Politician	6	19. Aggressive	4
20. Puppet	5	20. Enthusiastic	4
Number of interviews (758)		Number of interviews (750)	
* This table shows the number of respondents who offered each response; the numbers are not percentages.			

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U.S. Presidential Election Center

Review the 2012 race and compare it with elections dating back to 1936.

Nov 1-4, 2012	Obama	Romney
Registered Voters	49% +1	46% -2
Likely Voters	48% +2	49% -2

RACES CANDIDATES 2012 DEMOGRAPHICS

Click a maximum of two races to compare. Once you have selected two races, you will need to unselect a race before selecting another.

2012 data are based on seven-day rolling averages.

From 1952 to 1988, only Gallup's final pre-election survey was among likely voters. Starting in 1992, Gallup reported likely voter percentages more frequently.

Data for each year do not include Gallup's final allocation of undecided voters.

Historical Presidential Candidate Support by Group

Subgroup data are based on likely voters from Gallup's final pre-election surveys, excluding "no opinion" responses and support for minor third-party candidates. If needed, support for each candidate is adjusted to match the actual election result. Gallup started tracking demographic groups in 1952.

	2008		2004		2000			Clinton
	Obama	McCain	Kerry	Bush	Gore	Bush	Nader	
Men	50	50	44	56	45	52	3	45
Women	57	43	52	48	53	45	2	54
White (incl. Hispanic)	45	55	44	56	43	55	3	46
Nonwhite	90	10	83	17	87	9	4	82
Non-Hispanic white	44	56	43	57	42	56	2	44
Nonwhite (incl. Hispanic)	86	14	78	22	80	17	3	80
Black	99	1	93	7	95	3	2	96

U.S. Presidential Election Center

Under 30 years of age	61	39	60	40	47	47	6	54
30 to 49 years	53	47	43	57	45	53	2	49
50 to 64 years	54	46	48	52	50	48	2	47
65 years and older	46	54	52	48	56	42	2	51
50 years and older	51	49	50	50	53	45	2	50
College	55	45	48	52	46	51	3	47
High school	47	53	54	46	52	46	2	52
Grade school	67	33	69	31	55	42	3	58
Postgraduate	65	35	53	47	53	43	4	50
College grad only	51	49	42	58	44	55	1	46
Some college	52	48	44	56	44	53	3	46
High school or less	51	49	54	46	53	45	2	52
East	57	43	58	42	55	42	3	60
Midwest	53	47	48	52	48	49	3	46
South	50	50	43	57	45	54	1	44
West	55	45	48	52	48	47	5	51
Urban	-	-	56	44	62	35	3	58
Suburban	-	-	46	54	47	51	2	47
Rural	-	-	46	54	38	60	3	44
Republican	7	93	5	95	7	92	1	10
Democrat	93	7	93	7	89	10	2	90
Independent	51	49	52	48	44	49	7	48
Conservative	23	77	20	80	27	71	2	27
Moderate	63	37	63	37	57	41	2	63
Liberal	94	6	88	12	84	9	7	89
Protestant	47	53	38	62	42	55	3	44
Catholic	53	47	52	48	52	46	2	55
Attend church weekly	45	55	37	63	41	56	2	-
Attend church monthly	51	49	45	55	47	51	2	-
Attend church seldom/never	62	38	60	40	52	41	7	-
Married	44	56	40	60	40	57	2	44
Not married	65	35	60	40	59	36	3	57
Married men	42	58	39	61	37	59	3	40
Married women	47	53	42	58	41	56	2	47
Unmarried men	63	37	55	45	49	42	5	51
Unmarried women	66	34	64	36	66	31	2	62
With minor children	51	49	-	-	-	-	-	46
Without minor children	54	46	-	-	-	-	-	51
Prof. and business	-	-	-	-	-	-	-	-
White collar	-	-	-	-	-	-	-	-
Manual	-	-	-	-	-	-	-	-
Union family	64	36	67	33	68	31	2	-
Veteran	41	59	40	60	-	-	-	-
Military household	47	53	43	57	-	-	-	-
Gun owner	36	64	35	65	38	59	2	-
Gun non-owner	63	37	56	44	56	41	3	-

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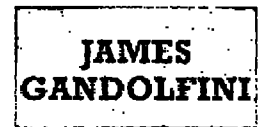
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September 19, 1996

POLITICS: THE DEBATES

Should Journalists Be Perot Judges?

By NEIL A. LEWIS

WASHINGTON, Sept. 19— In delivering its verdict that Ross Perot could not win the election and thus should not be invited to this year's debates, the Commission on Presidential Debates said it relied in part on the "professional opinions of the Washington bureau chiefs of major newspapers, news magazines and broadcast networks."

But a check today of a number of people fitting that description turned up no one who said he or she had been contacted by the commission.

The Washington bureau chiefs of The New York Times, The Wall Street Journal, The Los Angeles Times, The Chicago Tribune, Time magazine, Newsweek and The Atlanta Constitution said today that they were not interviewed by the commission. Similarly, the bureau chiefs of NBC, CNN and ABC said they had not been contacted by the commission. The bureau chief of CBS did not return telephone calls.

Richard E. Neustadt, a professor of government at Harvard University who headed an advisory panel for the commission, said he spoke with several journalists he knew along with some fellow political scientists to evaluate whether Mr. Perot had a realistic chance of winning, the commission's standard to be included in the Presidential debates. On the basis of those interviews, he said, he felt confirmed in his judgment that Mr. Perot could not win the election.

But he said the requirement that the commission canvass Washington bureau chiefs of leading news organizations, one of 11 criteria used to evaluate a candidate's viability, was left to the commission staff.

Robert Neuman, a spokesman for the commission, said several people in that category were interviewed by members of the commission's staff but that they all asked for and were granted anonymity. He said he would not disclose their names.

Professor Neustadt said he would not identify those to whom he spoke, but added that two journalists declined to offer their opinions, believing it inappropriate to play a role in the process of who would get invited to participate in the debates. But others identified the two as E. J. Dionne, a columnist for The Washington Post, and David Shribman, the bureau chief of The

Boston Globe.

Some journalists who acknowledged speaking with Professor Neustadt are commentators and analysts who regularly offer their opinions in their writings, including William Safire of The New York Times and David Broder of The Post.

Mr. Broder said Professor Neustadt had asked him two questions: whether Mr. Perot had a realistic chance of being elected President (to which he replied "no") and whether he could win a single state (also "no"). He said that, nonetheless, he has written a column arguing that Mr. Perot be included in at least the first debate.

Mr. Safire wrote a column about his discussion with Professor Neustadt and urged that Mr. Perot be excluded.

Russell J. Verney, the national coordinator of the Perot campaign, criticized the reliance on journalists in deciding whether Mr. Perot could be elected, saying they were ill-equipped to evaluate the campaign's strategy and were often agents of the status quo.

But Mr. Neustadt defended both the commission's standard of inviting only candidates who have a "realistic" chance of being elected and the use of journalists to help determine that.

"Political journalists and columnists of a certain caliber are people with developed judgment and a tremendous flow of current information and impressions, so that their opinions about a candidate's prospects at any particular time are valuable," he said.

He also said it was impracticable for anyone to decide who should be eligible without some subjective evaluation. "If one is going to hold to the commission's standard that only candidates with a realistic chance of election be included, there is no alternative to having to make some judgments," he added. "The only way to avoid making a judgment is to use some mechanical standard."

Professor Neustadt said that the commission was created after a general dissatisfaction with mechanical standards, and that members of the commission had "attempted to frame as many useful criteria as they could think of to feed into the judgment, and one of the criteria is the opinions of journalists."

He also said that in his long career as a political scientist he had regularly been asked by journalists for his views, and saw no reason why he should not seek their advice in turn.

One veteran political analyst at a major television network said he thought he could hardly decline to speak with Professor Neustadt, from whom he said he had received wise judgments over the years. The journalist, who spoke on the condition of anonymity, said he told Professor Neustadt that Mr. Perot had no realistic chance of being elected, but he strongly believed that Mr. Perot nonetheless should be included in the debates.

Fred I. Greenstein, a professor of government at Princeton University, said that it was thoroughly reasonable of the commission to try to invite to the debates only those candidates who have a realistic chance of becoming President, and that was inherently a subjective judgment. He also said that to rely heavily on such factors as organization and presence on enough state ballots may seem an objective approach but could be misleading.

"Such a system looks like democracy but it is really artificially tilted to intense organization and money," he said.

Andrew Glass, the bureau chief of Cox newspapers, which publishes The Atlanta Constitution, said he would not have cooperated with the commission if he had been called.

"My job is to cover the news and on a good day to explain it, not to be a part of what's happening," he said. "Journalists have enough problems about the proper boundaries, and this just adds to the problem."

Chart: "AT ISSUE: Selection Criteria" lists the criteria the Commission on Presidential Debates used to exclude Ross Perot. (Source: Commission on Presidential Debates)

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CAMPAIGN FOR PRESIDENT

The Managers Look at '96

Edited by

The Institute of Politics ★ Harvard University

with an Introduction by David S. Broder

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Why do you pick people who aren't interested in politics to go to a political discussion and then expect them to be interested in the big-picture questions? Not one person asked about foreign policy. I don't understand why you didn't have a debate about who is going to be head of state of the United States.

From the Floor: They didn't care about that.

Chris Matthews: Well, that's the problem they have got. Did you guys want to have a debate?

Tony Fabrizio: No, I don't think it hurt us. Do I think it was our best format, no.

George Stephanopoulos: Chris, the simple answer to your whole question is, they didn't have leverage going into the negotiations. They were behind, they needed to make sure Perot wasn't in it. As long as we would agree to Perot not being in it we could get everything else we wanted going in. We got our time frame, we got our length, we got our moderator.

Tony Fabrizio: And the fact of the matter is, you got the number of dates.

Chris Matthews: How can an underdog candidate like Bob Dole, who is 20 points back, win in an environment which is a town meeting, when the minute you go negative on your opponent the hissing starts and the whole room temperature changes? How do you deal with that?

Tony Fabrizio: This is hard, Chris.

Chris Matthews: Go ahead. Do you feel that the candidates are constrained in the environment of a town meeting from going negative?

Jill Hanson: But in the town hall meetings in San Diego, they didn't have to. I think Dole did a very good job because I think everybody thought he was going to come across as being mean. Town hall format was not his best format. He did very well and we were very cognizant of the fact that we had to make sure that with a live audience like that, his answers were such that they didn't provoke boos and hisses from the audience.

George Stephanopoulos: But that showed your dilemma. They couldn't do what they needed to do. They couldn't go negative. Dan Balz was one of the first people to write it — the day before the second debate, I think. You guys had a five-day debate before the second debate on whether or not you were going to go negative. We thought the only way we could ever actually win one of the two debates was if Dole went too negative and we could say, he is going negative and we're talking about the issues.

Exhibit 42

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Exhibit 43

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Our Team



Michael D. McCurry
Partner

Mike McCurry is a partner at Public Strategies Washington, Inc., where he provides counsel on communications strategies and management to corporate and non-profit clients. He is also a Distinguished Professor of Public Theology at the Wesley Theological Seminary in Washington, DC.

McCurry is a veteran political strategist and spokesperson with nearly four decades of experience in the nation's capital. McCurry served in the White House as press secretary to President Bill Clinton (1995-1998). He also served as spokesman for the U.S. Department of State (1993-1995) and director of communications for the Democratic National Committee (1988-1990). McCurry held a variety of leadership roles in national campaigns for the Democratic ticket from 1984 to 2004.

McCurry began his career on the staff of the United States Senate, working as press secretary to the Senate Committee on Labor and Human Resources and to the committee's chairman, Senator Harrison A. Williams, Jr. (1976-1981). He also served as press secretary to Senator Daniel Patrick Moynihan (1981-1983).

McCurry serves on numerous boards or advisory councils including Share Our Strength, the Children's Scholarship Fund, the White House Historical Association and the Executive Committee of the Global Health Initiative of the United Methodist Church. He is co-chairman of the Commission on Presidential Debates which sponsors the general election debates between candidates for President and Vice President of the United States.

McCurry received his Bachelor of Arts from Princeton University in 1976, a Master of Arts in Liberal Studies from Georgetown University in 1985, and a Master of Arts from Wesley Theological Seminary in 2013.

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John Woolley and Gerhard Peters

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WILLIAM J. CLINTON
XLII President of the United States: 1993-2001

Press Briefing by Mike McCurry
September 23, 1996

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The Briefing Room

1:57 P.M. EDT

MR. MCCURRY Anything else, any other subjects? Yes, ma'am?

Q You know, all this -- we're getting every five minutes, talking about the Republicans saying that Clinton hasn't done enough to curb narcotics. Why doesn't he answer that? Why doesn't he come out and say -- the last two or three days around here there's been documented evidence that it was George Bush and Oliver North and the CIA that was bringing in the narcotics, and they're still doing it. The CIA is still bringing in the narcotics through Mesa, Arkansas. And why in the devil doesn't -- excuse me for saying that -- but why in the world doesn't Clinton come out and say the Republicans are the ones who have been bringing in the narcotics?

MR. MCCURRY Well, the President is on the --

Q Will you ask the President for me, that question?

MR. MCCURRY The first part of that question, the President is satisfied, as Director Deutch has indicated, that they are conducting an independent review of those allegations at the CIA, and that is underway, as has been announced.

Secondly, the President is --

Q I didn't quite understand what you said just then.

MR. MCCURRY What I just said just then is as Director of Central Intelligence John Deutch has said and assured members of Congress, an independent inspector general at the CIA is looking into some of the allegations that you just referenced.

Q They're looking into the allegations? Is that what you said, that they are looking into the allegations?

MR. MCCURRY They're conducting an independent inspector general's review of the matter.

On the first part of the question, the President is happy to talk about his record during the time he has been President; and, frankly, his commitment going back to all the years he's been in public service to combat drug trafficking and drug use. This President has requested more funding from the Congress for anti-drug efforts than his predecessors did. He has put together a drug strategy now at the leadership of a four-star general. He supported the death penalty for drug kingpins. And he's worked vigorously to combat drug use and spoken to the issue publicly.

Q Why doesn't he just come out and tell the Republicans, after all, you have been bringing them in for years --

MR. MCCURRY Well, I believe that's what we're in the process of doing. I think we're attempting as effectively as you can during a political season in which many misbegotten charges get made, to rebut some of that information.

Q No one's saying that he's -- allegations -- inspector general to find out something. All he has to do is turn around in his office and find it.

MR. MCCURRY That's exactly what he's doing. Helen.

Q Did the President make any news at the Lehrer interview, I mean, touch on any new subjects?

MR. MCCURRY That'll be your judgment and not mine. He touched on a lot of relevant subjects.

Q Do we wait until that's broadcast?

Q They've announced the plans to make it available.

MR. MCCURRY They're going to make it available themselves.

Q Mike, forgive me if I missed, because I didn't hear the President's remarks on the signing of the Defense Authorization Bill, but is one of the notions the administration has in signing this, with the additional \$11 billion, whatever, in spending he does not believe necessary for defense. I realize there are many others reasons in the bill that he signed it. But does that money now become part of, in his eyes, a negotiable pot that could be used for these various things like airline security, these things that were mentioned at the time that terrorism measures were proposed?

MR. MCCURRY The President has indicated and did indicate that these are ceiling figures and he would expect, in the appropriations process itself reflecting this authorization bill, to be in a position to negotiate with Congress on overall funding levels that match our defense needs, but also address some of the other priorities the President has put forward. And, indeed, some of our discussions so far with the Congressional Republican leadership and the appropriators on the Hill -- we have some reason to believe that that would be the disposition of Congress.

Q Just to finish up on the U.N., what things in the speech would we here specifically geared to a U.S. domestic audience?

MR. MCCURRY Well, this is a -- he's speaking, in a sense, to a global audience. So it'll be a speech that appropriately articulates central themes in U.S. foreign policy, but they are very directly relevant to the American people -- zero tolerance for lawless behavior, terrorism, drug trafficking. Those things the President has put at the front of the foreign policy agenda as we go through the changes we now go through in the post-Cold War era will be very much on his mind.

He certainly will be addressing those and also the continuing interest in a disarmament agenda that includes the Non-Proliferation Treaty, the ratification of the Comprehensive Test Ban, our work to combat anti-personnel land mines, the need for a chemical weapons convention, for biological weapons negotiations.

All of these things you'll expect the President to address in this setting. These are all, the President would suggest, deeply relevant to the American people who care about the position of the United States in this changing world and care about things like terrorism, drug trafficking, environmental degradation, international crime. These are -- the U.N. is one place among many in which we see tools available to combat all of these scourges of the post-Cold War era.

Q It seems like it's going to be very similar to last year's speech.

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MR. MCCURRY Well, it'll reflect on many of the same things, note the progress we've made on many of those goals and priorities the President articulated last year at the General Assembly.

Q Is the Clinton Campaign at all worried about what seems to be a popular negative in the Dole Campaign, calling the President a closet liberal and drudging up a four year old MTV interview?

MR. MCCURRY It's a negative campaign as they try various ways in which to engage the American public and fail utterly. They have gone negative. And that is a source of concern mostly because it degrades the prospects for a vigorous debate about the two different visions for the future that are out there -- the President's versus Mr. Dole's.

Q Do you think your campaign's being run differently, less negatively?

MR. MCCURRY I think that our campaign is run consistent with the President's admonition that we try to focus on issues and not insults.

Q Mike, what are the President's goals in meeting with Hashimoto tomorrow and what do you think they might talk about in the way of trade?

MR. MCCURRY Well, they'll have a bilateral meeting that will follow up on, obviously, the signing of the Comprehensive Test Ban itself. I expect them to review that very significant matter because the Japanese will play a role in the discussion about ratification and leadership and towards that end. The Japanese have lent the United States critical support on two very urgent issues, Iraq and Bosnia, and I expect the two leaders to review those subjects.

And, certainly, they will discuss Okinawa and some of the steps that are being taken there to relocate the Marine bases and the current deployment pattern on Okinawa. And then we do have some economy issues that are outstanding, the civil aviation issue and the insurance issue. I expect them to review that.

The participants in the meeting are the Secretary of State and the National Security Advisor. To my knowledge, they are not meeting with trade ministers present. So the focus will be on some of these security issues, our global cooperation, our global agenda that we pursue together with the government of Japan and then also, some economy issues as well.

Q This is a more limited schedule than the President's had in the past when he's gone up to address the U.N. Is that because it's an election year or why?

MR. MCCURRY Sure. He'll be leaving the United Nations after some of the meetings, his speech, some of the work that he will do. And he is making a campaign stop later in the day. And that does reflect the fact that we are in the midst of a general election period here in the United States. But I think other members of the world community would certainly understand that.

Q Does the campaign have to pick up the costs of the U.N. part of the trip?

MR. MCCURRY All travel now during the period in which the President is the designated candidate of the Democratic Party is deemed political travel. The specific costs associated with his presence at the United Nations is judged by the Federal Election Commission to be an official expense since it's in pursuit of U.S. foreign policy. But all the costs of getting there and then getting to New Jersey and conducting the campaign travel associated with that our political expenses.

Q Mike, this morning in the Oval Office when the President answered Helen's question about Ross Perot, did he mean to say, in talking about the agreement, that without Perot there is not going to be a debate?

MR. MCCURRY The Dole campaign, it is my understanding, made it quite clear that Perot's participation or Pat Choate's participation, there would not be any debate in which Dole would be willing to participate. The President believes the debates are an important feature of the electoral democratic process we're going through now. And there would have been no opportunity for him to contrast his views with those of his major opponent if Mr. Perot had been included. That was the view expressed by the Dole campaign, and we had to reluctantly and with some regret accept that view.

Q Now North Korea provocation is proven. Is there any changing U.S. policy towards North Korea?

MR. MCCURRY No, there is no change in our view that violations of the armistice are unnecessarily provocative and dangerous. And it continues to be the United States's view that the four-party talk proposal put forward by President Kim and President Clinton at Cheju Island represents an effective way to limit tensions on the Korean Peninsula.

Q Mike, just to go back over your thinking on the debates, Dole is the guy who is obviously behind, hoping the debates might give people a chance to give him a fresh look. Why is the President not in a stronger bargaining position and able to enforce his view of how the debates should be held? He doesn't need them as badly as Dole would appear to, and the Dole camp has indicated it does need them.

MR. MCCURRY Well, the President believes that presidential debates have become a valued part of the electoral process now, and he has long maintained that he would be willing to participate. We have participated in a fashion -- or we will participate in a fashion that meets the President's view that there ought to be a defined period in which these debates occur. And they will occur between the 6th of October and the 16th of October. They will occur in settings in which the President believes help the American people see the contrasting views of the candidates, and hear from individual Americans, the town hall format that we urged be adopted. And they are limited to two direct engagements between the two candidates for 90 minutes apiece, on two nights. I think --

Q It doesn't sound like you fought very hard for your viewpoint on Perot, though, does it?

MR. MCCURRY Well, I would suggest that we were able to get some other things that were important to the President in thinking about the debates that reflects the wisdom and skill of our negotiator, Secretary Kantor.

Q Mike, can I follow up on Claire's question. What's the difference between Dole calling you all -- or the President a liberal, and the White House repeatedly calling Dole an extremist? Why is one more negative than the other?

MR. MCCURRY I believe that we have said that the proposals put forward by the Republican Congress, and in some cases endorsed by Mr. Dole when he was Majority Leader, represent a fairly extreme view of what Americans think is proper policy direction for the country.

Q And do you think it's positive that you have your campaign spokesman saying Dole's record is do nothing, and you all are running black-and-white ads of a shifty-eyed Dole is positive campaigning?

MR. MCCURRY I think it's necessary any time you face a direct attack to effectively rebut the attack.

Q Or counter-attack. Wouldn't that be more a counter-attack than a rebuttal?

MR. MCCURRY I said, "effectively rebut."

Q Do you think that "liberal" is a bad word? When he was talking in the Oval Office, he called it a --

MR. MCCURRY No, it's just an old, tired -- there are too many old, tired ideas in this debate. The President has been putting forth new approaches on how we solve the problems Americans face. Sometimes they come from what some may call liberalism. Some others may come from what people used to call conservatism. It used to be a conservative view that you need to balance the budget, cut taxes for the American working class and middle income, live within your means. And the President has certainly embraced that conservative view, as opposed to Mr. Dole, who has walked away from those matters.

So I don't -- what is conservative, what is liberal?

Q So is he a conservative?

MR. MCCURRY He is conservative on many issues.

Q Then is he liberal on many issues?

MR. MCCURRY Maybe on some.

Q Mike, just to follow up a little bit on the question, really, it would seem that on the debates, if the President just wanted to be a stinker, he could be the world's biggest stinker on this point about his terms, and he would -- no debates would happen. Does he feel that the idea of having debates is important

enough that he should set aside whatever --

MR. MCCURRY There have been many quadrennial campaign cycles in which people played a lot of games about debates. The President has long ago concluded that the debates are important. They are of value to the American people as they make their own judgments about the candidates. He enjoyed participating in them in 1992, fully expected to participate in 1996 and, frankly, wanted to go ahead and get the schedule set so we could go ahead and have these debates without a lot of negotiating back and forth.

As I suggested in answer to Brit, I think we came away with some things about the format, the structure, the timing of these debates that are more than satisfactory from the perspective of the President.

Q On the subject of the President's supporting middle class tax cuts, the Joint Committee on Taxation on Friday came out with a second study of the President's tax cut proposal and still concludes that it would raise taxes, not cut them over time.

MR. MCCURRY Well, I'll check with Gene Sperling, but I believe that we've had strong disagreements with that study and I'll have to look into it further.

Q Mike, late Friday the Pentagon put out a report on the School of the Americas about a training manual that was used from 1982 to 1991, which advocated intimidation, coercion, interrogation, elimination. Then a report was made. The question is, as the Commander-in-Chief of the armed forces, this is a very damning report. The School of the Americas trained thousands of Latin American officers, quite a few of them violated their human rights. What does the President feel about the report and --

MR. MCCURRY Well, the President felt it was very appropriate for the Bush administration, which discovered and investigated the use of this inappropriate training manual, to discontinue its use and to retrieve and destroy those manuals that were in existence during the Bush administration. This obviously is a matter that predates the President's arrival here at the White House.

We have, by the way, since that time, undertaken considerable reforms at the school. Its focus has been redirected towards issues that connect to human rights and to how to best protect the individual rights of citizens that will interact with the civilian and military leaders of the countries that participate in the curriculum of the school.

In short, the School for the Americas is not the school that would have entertained the use of these very inappropriate manuals long ago.

Q Let me ask you, Joseph Kennedy, Congressman Kennedy is asking for the School of the Americas to be eliminated.

MR. MCCURRY Well, we see that this -- the school is a way by which we can advance our values in that region as we interact with the military leadership of countries that are participating in the curriculum of the schools. In short, a way in which we can help advance some of our key interests in that region and, by engaging with them, we hope to instill new values and a new respect for fundamental things like international human rights and the types of values that have in the past been abrogated.

Q Can you talk a little bit about the strategy for debate preparation? After the end of this week, is he going to be pretty much in Washington preparing, what's the plan?

MR. MCCURRY He will do what candidates customarily do. He will prepare, he'll read briefing books, he'll have some discussion with aids, and he'll hold the debate.

Q Well, will he spend more time in Washington, will he do less travel?

MR. MCCURRY He will spend time here in Washington and on the road, a combination of both. Obviously, before any major debate there's some sufficient downtime so that he can prepare for what are very central moments in the life of the campaign. But I don't expect him to do anything that's out of the ordinary.

Q -- go to the various debate cities in the immediate preceding hours, like a day before?

MR. MCCURRY Sure may, right.

Q Possibly go to Hartford on Saturday?

MR. MCCURRY Go out to Hartford early, go out to San Diego early, I'd expect him to do that.

Q Do you have any comment on the Greek elections?

MR. MCCURRY We obviously congratulate Prime Minister Simitis on the victory. The two leaders, President Clinton and Prime Minister Simitis, have a very good working relationship. We expect to have very close, cordial relationships with our key ally, Greece, as we continue to address all the issues of relevance to us, both within NATO and as we address our very extensive bilateral agenda together.

Q Do you have a tentative time for that meeting with the CEO from welfare --

MR. MCCURRY Not that I've heard. No.

Q -- over the weekend that President Clinton, Secretary of the Treasury, Robert Rubin, will unveil the inflation index bonds on Wednesday. Is this, in fact, going to happen and can you give us any information on some of the terms of the bond?

MR. MCCURRY The President is very interested in ways in which we can make savings for college educations more accessible to the American people. If you're interested in that, it'd be a good idea for you to go with the President when he speaks in Pennsylvania on Wednesday.

Q Can you tell us, is he going to introduce anything new in New Jersey when he talks about the Family and Medical Leave law?

MR. MCCURRY He'll be talking about the record of the Family and Medical Leave act, and talk about his own proposal recently in Nashville to extend some of that so we can help the American people be successful both at work and at home as they meet their obligations as parents, as family members and also work to be more productive in the work place.

He'll reflect a little more on some of the things he advanced at the family conference in Nashville.

Q What town are they going --

MR. MCCURRY I believe it's Freehold, out in Monmouth County.

Q One of the things that Perot has argued is that he felt that he was going to come out at the end and sort of make a big dent in his gap in the polls. Does the President sort of -- does he agree with him in that respect, that if he would have been included in the debates he could have made a big difference?

MR. MCCURRY I have to leave Mr. Perot's imaginations about his political strategy to him. We're focused on our own strategy, on our own plan to advance the President's ideas in front of the American people and leave it to Mr. Perot to decide on how to do likewise.

Okay. Thank you.

END 2 16 P.M. EDT

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Exhibit 45

Debate Commission's Own Hot Topic

by Harrison Wills on October 2, 2012

Tomorrow, when the curtain rises on the first of three head-to-head debates between President [Barack Obama](#) and GOP nominee [Mitt Romney](#), it is Romney who will have the most to gain or lose in what could be some fiery exchanges, most experts agree.



But the organization sponsoring the verbal wrangles has been taking its own share of incoming. The Commission on Presidential Debates (CPD), which has been organizing the events since 1988, has lost three of the debates' 10 original corporate sponsors in recent days: Philips Electronics, British advertising firm BBH New York, and the YWCA.

The reason? While the CPD maintains it is nonpartisan, its work "may appear to support bi-partisan politics," a Phillips company spokesman said in a statement to *Politico*. "We respect all points of view and, as a result, want to ensure that Phillips doesn't provide even the slightest appearance of supporting partisan politics."

The withdrawal by Philips and the others comes amid pressure from supporters of candidates outside the Republican and Democratic parties to force the CPD to include those candidates in the debates. Last month, Libertarian Party nominee [Gary Johnson](#) sued the commission and the two major parties, alleging antitrust violations and calling for debate access for qualified candidates who are on enough ballots to win the election, which would include himself and the Green Party's [Jill Stein](#).

Indeed, the CPD's history indicates that third-party candidates were looked on with disfavor from the beginning. During the three presidential campaigns prior to 1988, the nonpartisan League of Women Voters hosted the debates. But in 1987, the Democratic and Republican parties got together and created the commission, a bipartisan organization that the party chairmen said would strengthen the role of political parties in the election process. The League responded that the new system ceded all control over aspects of the debates to the major party candidates and would "perpetrate a fraud on the American voter."

In 1992, Reform Party candidate Ross Perot was allowed to participate in the presidential debates, but the campaigns of Bill Clinton and Bob Dole prevented him from being on the stage in 1996.

Two-party system, two-party donors

The board of directors of CPD, a tax-exempt 501(c)(3) organization, certainly seems far more bipartisan than nonpartisan. It's co-chaired by Frank Fahrenkopf, who headed the RNC from 1983-1989. Fahrenkopf is now president and CEO of the [American Gaming Association](#) — the trade group for the casino industry — and has given \$23,750 to GOP candidates and \$1,750 to Democrats since 2008. A registered lobbyist for the AGA, Fahrenkopf has been quoted saying "We're not going to apologize for trying to influence political elections." The AGA had spent a bit under \$1.4 million on lobbying by midway through 2012, which could put the group on pace to spend more than the \$2.2 million it laid out in 2011.

The other co-chairman is Democrat Mike McCurry, White House press secretary under President Bill Clinton and now a partner with the lobbying firm [Public Strategies Washington](#). McCurry was a lobbyist for Hands Off the Internet, a group that opposed net neutrality and had backing from such major corporations as [AT&T](#) and the [National Association of Manufacturers](#). OpenSecrets.org research shows that McCurry has given nearly \$85,000 to Democrats since 2008.

Richard Parsons, another member of the board, is former chairman of [Citigroup](#) as well as of [Time Warner](#), and was an economic adviser to Obama's transition team. But Parsons also gave \$25,000 to John McCain's Victory Committee in 2008, and \$22,700 to the RNC the same year. Overall Parsons and his wife, Laura, have given \$119,000 to candidates and party committees since 2008, mostly to Republicans.

Others on the CPD board include two former GOP senators — John Danforth of Missouri and Alan Simpson of Wyoming. Danforth and his wife have given a combined \$85,000 to Republicans since 2008, while Simpson, who co-chaired Obama's National Commission on Fiscal Responsibility and Reform, has donated \$4,250.

The donations from all of the CPD's board members are shown in the chart below:

Commission on Presidential Debates: A Word from Our Corporate Sponsors

Federal Campaign Donations by Current Members Since 2008

	Dem	Rep	PACs
Frank Fahrenkopf*	\$23,750	\$1,750	\$1,000
Michael McCurry*	\$0	\$41,450	\$6,250
Howard Buffett	\$0	\$0	\$0
John C. Danforth	\$83,700	\$0	\$1,313
John Griffin	\$0	\$0	\$0
Aracosta Hernandez	\$0	\$0	\$0
Rev. John L. Jenkins	\$0	\$0	\$0
Newton N. Minnow	\$0	\$17,250	\$0
Richard D. Parsons	\$63,000	\$12,300	\$5,000
Dorothy Ridings	\$0	\$1,250	\$0
Alan K. Simpson	\$4,250	\$0	\$0

* co-chairmen



The CPD has a handful of sponsors: a collection (smaller now than it was) of heavy-hitting companies, two foundations (Howard G. Buffett Foundation and the Kovler Fund), a trade group (the International Bottled Water Association) and an individual (former IRS Commissioner Sheldon S. Cohen). But some of those backers provide only in-kind contributions, rather than cash, and the commission has been reluctant to reveal the sources of the millions of dollars it uses to fund debates in presidential election years.

According to the CPD's 990 forms filed with the IRS, the commission brought in \$6.8 million in 2007 and 2008, and spent \$2.3 million in 2008. But the form does not require the organization to reveal its donors.

As for the current corporate backers, one is [Anheuser-Busch](#). The maker of Budweiser has given more than \$13.5 million since 1989, according to [OpenSecrets.org](#) data, with 48 percent going to Republicans and the rest to Democrats. Another of this year's sponsors, law firm [Crowell & Moring](#), has given \$1.1 million, with 71 percent going to Democratic causes, and the third corporation is [Southwest Airlines](#), which has donated more than \$2.3 million in that time period, 62 percent of it to the GOP, [OpenSecrets.org](#) found.

An estimated 52.4 million Americans tuned in to the first round of the 2008 presidential debates, so

PHOTO COURTESY OF THE COMMISSION ON PRESIDENTIAL DEBATES

it's fair to estimate that tens of millions will watch the first general election debate of 2012 on Wednesday. The only fireworks viewers are likely to see will be those on the stage. But the controversy surrounding the CPD, which boils to the surface every four years, doesn't seem likely to quit.

Categories: Campaign finance Influence & Lobbying Lobbying Political Parties Politicians & Elections Presidential Election

Tags: alan simpson, american gaming association, anheuser-busch, antonia hernandez, at&t, barack obama, bbh new york, budwelsor, citigroup, commission on presidential debates, crowell & moring, dorothy ridings, frank fahrenheit, green party, hands off the internet, harrison willis, howard buffett foundation, international bottled water association, john danforth, john griffen, john jenkins, john mccain, kovier fund, laura parsons, league of women voters, libertarian party, mike moccurey, mit romney, national association of manufacturers, national commission on fiscal responsibility and reform, newton minow, philips electronics, public strategies washington, reform party, richard parsons, ross perot, sheldon s. cohen, southwest airlines, time warner, ywca

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The Center for Responsive Politics

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Exhibit 46

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Individual Contributions Arranged By Type, Giver, Then Recipient

Contributions to Political Committees

FAHRENKOPF, FRANK
 ARLINGTON, VA 22207
 AMERICAN GAMING ASSOC

CAMPBELL, THOMAS J
VIA TOM CAMPBELL FOR CONGRESS
 11/18/1997 250.00 98032760011

FAHRENKOPF, FRANK
 MC LEAN, VA 22101
 AMERICAN GAMING ASSOC

BUNNING, JIM
VIA CITIZENS FOR BUNNING
 12/12/2002 1000.00 23020022066

FAHRENKOPF, FRANK
 MC LEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

BLUEGRASS COMMITTEE
 02/06/2012 1000.00 12951417174

FERGUSON, MIKE
VIA MIKE PAC
 10/20/2004 500.00 25980355775

MACK, CONNIE
VIA MACK PAC
 03/23/2010 250.00 10990542346

PORTER, JON C SR

VIA PORTER FOR CONGRESS

03/21/2008

500.00

28990832654**FAHRENKOPF, FRANK**

MC LEAN, VA 22101

AMERICAN GAMING ASSOCIATION/PRES.

MORELLA, CONSTANCE AVIA CONNIE MORELLA FOR CONGRESS COMMITTEE

08/05/2002

500.00

22991678509**FAHRENKOPF, FRANK**

MCLEAN, VA 22101

AMERICAN GAMING ASSOCIATION

NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE

09/01/2010

1000.00

10991787441NATIONAL REPUBLICAN SENATORIAL COMMITTEE

10/19/2010

1000.00

10021020883**FAHRENKOPF, FRANK**

WASHINGTON, DC 20001

AMERICAN GAMING ASSOCIATION

WARNER, JOHN WILLIAMVIA SENATOR JOHN WARNER COMMITTEE

03/12/2002

1000.00

22020210589**FAHRENKOPF, FRANK**

WASHINGTON, DC 20004

AMERICAN GAMING ASSOCIATION/PRESI

NATIONAL RESTAURANT ASSOCIATION PAC (RESTAURANT PAC)

10/25/2007

250.00

27990946698**FAHRENKOPF, FRANK**

WASHINGTON, DC 20007

AMERICAN GAMING ASSOCIATION

ALLEN, GEORGEVIA FRIENDS OF GEORGE ALLEN

05/01/2000

1000.00

20020163111**FAHRENKOPF, FRANK J**

MC LEAN, VA 22101

AMERICAN GAMING ASSOCIATION

SNOWE, OLYMPIA J

VIA OLYMPIA'S LIST

08/12/2011

500.00

11020371480**FAHRENKOPF, FRANK J**

MCLEAN, VA 22101

AMERICAN GAMING ASSOCIATION/ASSOC

NATIONAL RESTAURANT ASSOCIATION PAC (RESTAURANT PAC)

10/07/2002

350.00

22992461874**FAHRENKOPF, FRANK J JR**

ARLINGTON, VA 22207

HOGAN & HARTSON L L P

HOGAN LOVELLS POLITICAL ACTION COMMITTEE

03/18/1997

1050.00

97031954568**FAHRENKOPF, FRANK J JR**

MC LEAN, VA 22101

AMERICAN GAMING ASSOC.

PORTMAN, ROBVIA PORTMAN FOR SENATE COMMITTEE

06/24/2009

1000.00

29020260162**FAHRENKOPF, FRANK J JR**

MC LEAN, VA 22101

INFORMATION REQUESTED

HATCH, ORRIN GVIA HATCH ELECTION COMMITTEE INC

06/30/2011

500.00

12020420297**FAHRENKOPF, FRANK J JR**

MCLEAN, VA 22101

FOLEY, THOMAS CVIA TOM FOLEY FOR SENATE INC

12/09/2009

-2400.00

10020641763**FAHRENKOPF, FRANK J JR**

MCLEAN, VA 22101

AGA

FOLEY, THOMAS CVIA TOM FOLEY FOR SENATE INC

07/02/2009

2400.00

10020641574

07/02/2009

2400.00

10020641574

FAHRENKOPF, FRANK J JR
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

DESANTIS, RONALD D
 VIA RON DESANTIS FOR CONGRESS

07/21/2012	500.00	<u>12952607775</u>
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REID, HARRY
 VIA FRIENDS FOR HARRY REID

06/26/2003	1000.00	<u>23020280478</u>
07/16/2009	1500.00	<u>29020351297</u>

FAHRENKOPF, FRANK J JR
 WASHINGTON, DC 20044

TIBERI, PATRICK J.
 VIA TIBERI FOR CONGRESS

02/13/2000	250.00	<u>20035294661</u>
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FAHRENKOPF, FRANK J JR
 WASHINGTON, DC 20044
 AMERICAN GAMING ASSN

GLENN, DYLAN C
 VIA FRIENDS OF DYLAN GLENN

03/25/1998	250.00	<u>98032961379</u>
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FAHRENKOPF, FRANK J JR
 WASHINGTON, DC 20044
 AMERICAN GAMING ASSOCIATION

DAVIS, THOMAS M III
 VIA TOM DAVIS FOR CONGRESS

06/05/2000	1000.00	<u>20035861945</u>
------------	---------	--------------------

FAHRENKOPF, FRANK J MR
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

GILLESPIE, EDWARD W
 VIA ED GILLESPIE FOR SENATE

03/31/2014	2000.00	<u>14020184721</u>
------------	---------	--------------------

FAHRENKOPF, FRANK J MR JR
 MCLEAN, VA 22101
 SELF-EMPLOYED

NATIONAL REPUBLICAN SENATORIAL COMMITTEE

04/07/2014

5000.00

14020371682

FAHRENKOPF, FRANK J MR. JR.
 MC LEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

BUSH, GEORGE WVIA BUSH-CHENEY '04 (PRIMARY) INC

06/16/2003

2000.00

24962731798

FAHRENKOPF, FRANK J MR. JR.
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE

06/23/2009

1000.00

29992437339

FAHRENKOPF, FRANK J. JR.
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

COMSTOCK, BARBARA J.VIA COMSTOCK FOR CONGRESS

06/28/2014

1000.00

14950083961

FAHRENKOPF, FRANK J. JR.
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION/CONSU

WHITE MOUNTAIN PAC

11/04/2002

1000.00

22993073444

FAHRENKOPF, FRANK J. MR. JR.
 MC LEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

UPTON, FREDERICK STEPHENVIA UPTON FOR ALL OF US

03/08/2011

1000.00

11930685928

FAHRENKOPF, FRANK J. MR. JR.
 MCLEAN, VA 22101
 AMERICAN GAMING ASSOCIATION

MCCAIN, JOHN S.VIA JOHN MCCAIN 2008 INC.

07/08/2008

2300.00

13941052251

FAHRENKOPF, FRANK J. MR. JR.

MCLEAN, VA 22101
HOGAN & HARTSON

REPUBLICAN NATIONAL COMMITTEE

06/24/2014	15000.00	<u>14941903460</u>
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FAHRENKOPF, FRANK J. MR. JR.
WASHINGTON, DC 20004
HOGAN & HARTSON

REPUBLICAN NATIONAL COMMITTEE

02/25/2011	15400.00	<u>12950559108</u>
07/31/2013	15000.00	<u>14960574692</u>

FAHRENKOPF, FRANK JR
MCLEAN, VA 22101
THE AMERICAN GAMING ASSOC

ALLEN, GEORGE
VIA FRIENDS OF GEORGE ALLEN

09/22/2000	1000.00	<u>20020302575</u>
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FAHRENKOPF, FRANK JR
WASHINGTON, DC 20004
AMERICAN GAMING ASSOC

FUND FOR A FREE MARKET AMERICA

10/20/2000	250.00	<u>20036543148</u>
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FAHRENKOPF, FRANK JR.
MC LEAN, VA 22101
AMERICAN GAMING ASSOCIATION

QUAYLE, BEN
VIA QUAYLE FOR CONGRESS

05/21/2010	500.00	<u>10991829619</u>
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FAHRENKOPF, FRANK MR
MC LEAN, VA 22101
AMERICAN GAMING ASSOCIATION

NORTON, JANE BERGMAN
VIA JANE NORTON FOR COLORADO INC

05/21/2010	500.00	<u>10020980439</u>
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FAHRENKOPF, FRANK MR
MC LEAN, VA 22101
AMERICAN GARNING ASSOCIATION

MACK, CONNIE
VIA MACK PAC

03/22/2012

500.00

12020393046

FAHRENKOPF, FRANK MR
MC LEAN, VA 22101
THE AMERICAN GAMING ASSOC.

ALLEN, GEORGE
VIA GEORGE ALLEN FOR US SENATE

10/26/2011

1000.00

12020283988

FAHRENKOPF, FRANK MR
MCLEAN, VA 22101
AMERICAN GAMING ASSOCIATION

NATIONAL REPUBLICAN SENATORIAL COMMITTEE

08/15/2012

2000.00

12020670746

Total Contributions: 85000.00

Joint Fundraising Contributions

These are contributions to committees who are raising funds to be distributed to other committees. The breakdown of these contributions to their final recipients may appear below

FAHRENKOPF, FRANK J. MR. JR.
MCLEAN, VA 22101
AMERICAN GAMING ASSOCIATION

BOEHNER FOR SPEAKER

04/30/2012

2500.00

12952642189

TFP-FOJB COMMITTEE

02/23/2011

2500.00

11930690338

Total Joint Fundraising: 5000.00

Recipient of Joint Fundraiser Contributions

These are the Final Recipients of Joint Fundraising Contributions

FAHRENKOPF, FRANK
WASHINGTON, DC 20004

FREEDOM PROJECT; THE

03/31/2011

1250.00

11931238481

FAHRENKOPF, FRANK J. JR.
MCLEAN, VA 22101
AMERICAN GAMING ASSOCIATION

<u>BOEHNER, JOHN A.</u>		
<u>VIA FRIENDS OF JOHN BOEHNER</u>		
03/31/2011	1250.00	<u>11930695055</u>

FAHRENKOPF, FRANK J. MR. JR.
MCLEAN, VA 22101
AMERICAN GAMING ASSOCIATION

<u>BOEHNER, JOHN A.</u>		
<u>VIA FRIENDS OF JOHN BOEHNER</u>		
04/30/2012	1250.00	<u>13962204543</u>
<u>NATIONAL REPUBLICAN CONGRESSIONAL COMMITTEE</u>		
04/30/2012	1250.00	<u>12940372809</u>

Recipient Total: 5000.00

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DUPLICATE

Exhibit 47

8-button Tufted Jojo
Tangelo Headboard
\$229.99

Shop

POLITICO

Don't repeat error of picking Steele

By: Frank Fahrenkopf and Jim Nicholson
January 12, 2011 04:37 AM EDT

The Republican National Committee is charged with many responsibilities. However, its biggest job, by far, is the hiring and firing of its chief executive officer, chairman of the Republican Party. On Friday, the 168 RNC members (three per state and territory) are due to gather in Washington to choose the party leader for the next two years.

In 2008, the committee erred in electing Michael Steele as its chairman. We all make mistakes. However, that mistake must not be repeated this year.

The RNC is the backbone of the party. Its chairman is its chief executive officer. The committee's role is to provide support and financial resources to help the party organization across the nation and its candidates for office — from the White House to the courthouse. In 2010, under Steele's leadership, the RNC failed miserably to meet its obligations.

While the GOP won tremendous electoral victories in November, they were achieved not because of the RNC but in spite of it. The RNC failed to raise sufficient funds to cover its own overhead — ending the electoral cycle at least \$20 million in debt.

According to the Federal Election Commission, the RNC raised \$250 million less than it raised two years ago. Other elements of the Republican Party team, writ large — the Republican Governors Association and the Senate and House committees — attempted to pick up the slack, along with outside groups like the U.S. Chamber of Commerce, American Crossroads and the American Action Network. However, those dedicated efforts could not make up the shortfall as a result of the RNC's failure.

The real importance of the 2010 fundraising failure is that the RNC is the entity that state parties look to for help in funding their voter identification and get-out-the-vote programs — the critical "ground game." In military parlance, if you liken the 2010 election to a battle, the RNC fired off a dud — a round that failed to explode, a functional failure. Such failure has been the hallmark of the Steele administration.

Knowledgeable observers, including former key RNC staff executives, believe that had the committee provided even nominally sufficient support to state parties for their ground game in the midterm elections, two additional Senate seats (Washington and Colorado), 21 additional House seats and three governorships (Connecticut, Minnesota and Vermont) would have been won.

In 2012, as a result of uniquely complicated federal election laws, only the RNC can coordinate and provide the required funds for the presidential campaign, the national convention and other campaigns across the country. The RNC must have the leadership and

wherewithal to perform its tasks over the next two years — or the party will be at an even greater disadvantage.

Unfortunately, Steele has not shown he has the ability or will to provide that leadership. He refused to solicit the party's fertile major-donor base while steadfastly defending his own "personal fundraising" through paid speeches and personal book sales.

Similarly, in his self-seeking leadership, he failed or refused to recognize that the biggest job in the party structure is not about the man or woman occupying it; it is about the mission and the furtherance of Republican principles and the success of GOP candidates and officeholders.

RNC members, while considering the excessive spending for lavish office remodeling, private jets, plush parties, "rich" salaries and expense accounts for political cronies, should focus on the dollars that were not available for the political battles of the 2010 election cycle.

It will take an inspiring, dynamic and hardworking new chairman to repair the damage of the past two years and to win back the trust and support of all Republicans — including our major-donor base. Sadly, Steele is not, in our view, that leader.

The members must learn from the mistake of 2010 and pick someone who has the stature and self-confidence to lead and rebuild the tattered reputation and organization of our great party. Happily, they seem to have good people from whom to pick. But he or she needs to be a fundraiser par excellence — and possess the common sense and communication skills needed to keep America informed that the Grand Old Party is the beacon and herald of freedom and conservative principles and able to lead the way back to fiscal reality.

As former RNC chairmen, we wish you good luck in your big decision Friday.

A lot is riding on your good judgment.

*Jim Nicholson served as Republican National Committee chairman from 1997 to 2001.
Frank Fahrenkopf served as RNC chairman from 1983 to 1989.*

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EXHIBIT 48

Exhibit 48

Details for Committee ID : C00309146

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Export Options: [Metadata](#) [XML](#) [CSV](#) [JSON](#)

2012 COMMITTEE INFORMATION C00309146
Name: AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE
Address: 1299 PENNSYLVANIA AVE NWSUITE 1175, WASHINGTON, DC 20004.
Treasurer Name: Patterson, Judy Layne
Type: N - Non-Qualified Non-Party
Designation: B - Lobbyist/Registrant Pac
Party:

FINANCIAL SUMMARY - AMERICAN GAMING ASSOCIATION POLITICAL ACTION COMMITTEE

From: 01/01/2011 To: 12/31/2012 ?

I. RECEIPTS

<u>Itemized Individual Contributions</u>	\$15,000
Unitemized Individual Contributions	\$0
Total Individual Contributions	\$15,000
<u>Party Committees Contributions</u>	\$43,000
<u>Other Committees Contributions</u>	\$58,000
TOTAL CONTRIBUTIONS	\$116,000
Transfers from Affiliated Committees	\$0
Loans Received	\$0
Loan Repayments Received	\$0
Offsets to Operating Expenditures	\$0
<u>Refunds</u>	\$1,000
<u>Other Receipts</u>	\$6,652
Non-Federal Transfers	\$0
Levin Funds	\$0
Total Transfers	\$0
Total Federal Receipts	\$123,652
TOTAL RECEIPTS	\$123,652

Receipts

- Itemized Individual Contributions
- Party Committees Contributions
- Other Receipts
- Refunds
- Other Committees Contributions

II. DISBURSEMENTS

Allocated Operating Expenditures - Federal	\$0
Allocated Operating Expenditures - Non-Federal	\$0
Other Federal Operating Expenditures	\$0
TOTAL OPERATING EXPENDITURES	\$0
Transfers To Affiliated Committees	\$0
<u>Contributions to Committees</u>	\$152,250
Independent Expenditures	\$0

Disbursements

- Contributions to Committees

Committee/Candidate Details:

Coordinated Party Expenditures	\$0
Loans Made	\$0
Loan Repayments Made	\$0
Individual Refunds	\$0
Political Party Refunds	\$0
Other Committee Refunds	\$0
TOTAL CONTRIBUTION REFUNDS	\$0
Other Disbursements	\$0
Allocated Federal Election Activity - Federal Share	\$0
Allocated Federal Election Activity - Levin Share	\$0
Federal Election Activity - Federal Only	\$0
TOTAL FEDERAL ELECTION ACTIVITY	\$0
Total Federal Disbursements	\$152,250
TOTAL DISBURSEMENTS	\$152,250
III. CASH SUMMARY	
Beginning Cash On Hand	\$33,801
Ending Cash On Hand	\$5,203
Net Contributions	\$116,000
Net Operating Expenditures	\$0
Debts/Loans Owed By	\$0
Debts/Loans Owed To	\$0

FUNDING ACCOUNTS

What We Do

Strategic Planning

We anticipate legislative and regulatory activity so that clients are ready when challenges and opportunities arise. We help each client develop a unique federal policy agenda and plan with clearly defined goals.

Communications

We provide the highest level of strategic public relations counsel and help clients develop and execute effective media outreach plans.

Advocacy

We help our clients play an active role in the decision-making process by developing effective political and policy arguments. Our extensive network on both sides of the aisle helps clients communicate with key decision makers in Congress and Executive Branch agencies.

Coalition Management

We have a proven track record quarterbacking large-scale, integrated, successful advocacy campaigns. Our principals are among the most seasoned managers of national campaigns, business coalitions and grassroots advocacy in the country.

2014 Clients

AARP

Anheuser-Busch InBev

AT&T

Bain Capital, LLC

Bill and Melinda Gates Foundation

Bristol-Myers Squibb Co.

Canadian National

Cleveland Clinic

DEPA

E.ON

Economic Ministry of the Government of Mexico

Edison Electric Institute

Energy Future Holdings

Fight SMA Coalition

Liberty Mutual Group

Lockheed Martin Corp.

NASDAQ OMX Group, Inc.

NextNav, LLC

Retail Industry Leaders Association

Southwest Airlines Co.

U.S. Chamber of Commerce

United Technologies

UPS

independence. experience. results.

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Exhibit 50

Details for Committee ID : C00034488

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2012 COMMITTEE INFORMATION C00034488

Name: ANHEUSER-BUSCH COMPANIES INC. POLITICAL ACTION COMMITTEE
Address: ONE BUSCH PLACE 202-7, ST. LOUIS, MO 631181852
Treasurer Name: Adams, Raymond J
Type: Q - Qualified Non-Party
Designation: B - Lobbyist/Registrant Pac
Party: Unknown

FINANCIAL SUMMARY - ANHEUSER-BUSCH COMPANIES INC. POLITICAL ACTION COMMITTEE
 From: 01/01/2011 To: 12/31/2012 ?

I. RECEIPTS

<u>Itemized Individual Contributions</u>	\$511,750
<u>Unitemized Individual Contributions</u>	\$213,489
Total Individual Contributions	\$725,240
Party Committees Contributions	\$0
Other Committees Contributions	\$0
TOTAL CONTRIBUTIONS	\$725,240
Transfers from Affiliated Committees	\$0
Loans Received	\$0
Loan Repayments Received	\$0
<u>Offsets to Operating Expenditures</u>	\$729
<u>Refunds</u>	\$2,500
<u>Other Receipts</u>	\$11
Non-Federal Transfers	\$0
Levin Funds	\$0
Total Transfers	\$0
Total Federal Receipts	\$728,481
TOTAL RECEIPTS	\$728,481

Receipts

■ Itemized Individual Contributions	70.2%
■ Unitemized Individual Contributions	29.3%
■ Refunds	
■ Other	

II. DISBURSEMENTS

Allocated Operating Expenditures - Federal	\$0
Allocated Operating Expenditures - Non-Federal	\$0
<u>Other Federal Operating Expenditures</u>	\$2,036
TOTAL OPERATING EXPENDITURES	\$2,036
Transfers To Affiliated Committees	\$0
<u>Contributions to Committees</u>	\$1,228,881
Independent Expenditures	\$0
Coordinated Party Expenditures	\$0
Loans Made	\$0

Disbursements

■ Individual Refunds	96.9%
■ Other Disbursements	
■ Other Federal Operating Expenditures	
■ Contributions to Committees	

Committee/Candidate Details

Loan Repayments Made	\$0
Individual Refunds	\$5,761
Political Party Refunds	\$0
Other Committee Refunds	\$0
TOTAL CONTRIBUTION REFUNDS	\$5,761
Other Disbursements	\$32,054
Allocated Federal Election Activity - Federal Share	\$0
Allocated Federal Election Activity - Levin Share	\$0
Federal Election Activity - Federal Only	\$0
TOTAL FEDERAL ELECTION ACTIVITY	\$0
Total Federal Disbursements	\$1,268,733
TOTAL DISBURSEMENTS	\$1,268,733
III. CASH SUMMARY	
Beginning Cash On Hand	\$1,715,961
Ending Cash On Hand	\$1,175,709
Net Contributions	\$719,479
Net Operating Expenditures	\$1,306
Debts/Loans Owed By	\$0
Debts/Loans Owed To	\$0

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Exhibit 51

|

Details for Committee ID : C00341602

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[XML](#)
[CSV](#)
[JSON](#)

2012 COMMITTEE INFORMATION

C00341602

Name: SOUTHWEST AIRLINES CO. FREEDOM FUND.
Address: P O BOX 36611, HDQ 4GA, DALLAS, TX-752351611
Treasurer Name: Sanchez, Jose Luis Mr
Type: Q - Qualified Non-Party
Designation: B - Lobbyist/Registrant Pac
Party:

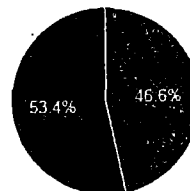
FINANCIAL SUMMARY - SOUTHWEST AIRLINES CO. FREEDOM FUND

From: 01/01/2011 To: 12/31/2012 ?

I. RECEIPTS

<u>Itemized Individual Contributions</u>	\$142,325.
Unitemized Individual Contributions	\$0
Total Individual Contributions	\$142,325
Party Committees Contributions	\$0
Other Committees Contributions	\$0
TOTAL CONTRIBUTIONS	\$142,325
<u>Transfers from Affiliated Committees</u>	\$162,851
Loans Received	\$0
Loan Repayments Received	\$0
Offsets to Operating Expenditures	\$0
Refunds	\$0
Other Receipts	\$0
Non-Federal Transfers	\$0
Levin Funds	\$0
Total Transfers	\$0
Total Federal Receipts	\$305,176
TOTAL RECEIPTS	\$305,176

Receipts

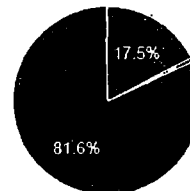


Itemized Individual Contributions
 Transfers from Affiliated Committees

II. DISBURSEMENTS

Allocated Operating Expenditures - Federal	\$0
Allocated Operating Expenditures - Non-Federal	\$0
<u>Other Federal Operating Expenditures</u>	\$1,093
TOTAL OPERATING EXPENDITURES	\$1,093
Transfers To Affiliated Committees	\$0
<u>Contributions to Committees</u>	\$124,900.
Independent Expenditures	\$0

Disbursements



Other Disbursements
 Other Federal Operating Expenditures
 Contributions to Committees
 Other

Coordinated Party Expenditures	\$0
Loans Made	\$0
Loan Repayments Made	\$0
Individual Refunds	\$180
Political Party Refunds	\$0
Other Committee Refunds	\$0
TOTAL CONTRIBUTION REFUNDS	\$180
Other Disbursements	\$26,800
Allocated Federal Election Activity - Federal Share	\$0
Allocated Federal Election Activity - Levin Share	\$0
Federal Election Activity - Federal Only	\$0
TOTAL FEDERAL ELECTION ACTIVITY	\$0
Total Federal Disbursements	\$152,973
TOTAL DISBURSEMENTS	\$152,973
III. CASH SUMMARY	
Beginning Cash On Hand	\$69,583
Ending Cash On Hand	\$221,787
Net Contributions	\$142,145
Net Operating Expenditures	\$1,093
Debts/Loans Owed By	\$0
Debts/Loans Owed To	\$0

Exhibit 52

UNIVERSITY OF CALIFORNIA

The New York Times



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May 30, 1984

FORMALIZE DEBATES

By Newton N. Minow and Lee M. Mitchell ; Newton N. Minow, an attorney and a former chairman of the Federal Communications Commission, was co-chairman of the League of Women Voters' presidential debates project in 1976 and 1980. Lee M. Mitchell, president of Field Enterprises, which has had holdings in communications and real estate, has been a member of the League's presidential debates advisory committees.

CHICAGO— If the acceptance of televised debates as an important part of running for the Presidency can be carried into the general election, the voters, who have benefited from the Democratic candidates' debates, will benefit yet again. But as the primary season draws to a close, televised Presidential debates are far from assured. This year, the Republican and Democratic Parties can make them possible. In future years, we need an institutional mechanism that will insure that debates are part of every Presidential campaign.

As always, contenders' enthusiasm for Presidential debates hinges on assessments of the potential impact on their candidacies rather than on the extent to which the nation might benefit. Although the public appears to want debates, there is no organized public constituency to convince the candidates to participate. Moreover, the Federal Communications Commission and a court of appeals have ruled that, in addition to sponsors such as the League of Women Voters, broadcasters can organize TV debates without having to give equal time to candidates who are not invited. This could lead to forum-shopping by principal candidates anxious to find a sponsor who will give them the most control over debates, and furnish a pretext for not participating in any debates.

TV debates between the principal candidates are too useful to the electorate to be left to chance, candidates' self-interest and jockeying among sponsors.

The League of Women Voters, which has done an outstanding job attempting to regularize debates, deserves the nation's gratitude for its contributions in 1976, 1980 and this round of primaries. The League, however, lacks the power and resources needed to create a national political institution, and, just as importantly, accountability to the electorate for its decision-making. Remember the criticism it received in 1980 after deciding to include, then exclude, John B. Anderson in one Presidential debate.

Broadcasters and newspapers have made significant contributions by sponsoring other debates. But the media's job is to observe and report on the political process, not conduct what should be an integral part of the process. They should no more sponsor debates than cabinet meetings. Because debates are political events, responsibility for them should rest with the political system - with the Democratic and Republican Parties. After years of seeing their role weakened by

candidates' reliance on TV campaigning, both parties can serve themselves, and the electorate, by taking responsibility for Presidential debates. Television has enabled candidates to avoid party organizations by taking their case directly to the people. To the extent that this has reduced the parties' ability to produce a consensus, it has hurt the efficiency of the legislative process. Even more important, the reduction in party power diminishes the need to resolve policy issues in the party and increases the likelihood of factionalization in a two-party political system that has functioned well. The Democrats and Republicans now have an opportunity to recover lost ground. Frank Fahrenkopf, Republican National Chairman, and Charles Manatt, Democratic National Chairman, are considering whether to act as sponsor of the debates. They could design and mandate a series of debates, including not only the Presidential and Vice Presidential candidates but also perhaps designated supporters and likely cabinet appointees. Although entrusting such debates to the major parties is likely to exclude independent and minor party candidates, this approach is consistent with the two-party system. Moreover, if the Democratic and Republican nominees agreed, other candidates could be included. Indeed, failure to do so could generate a public backlash, especially if other candidates sparked public curiosity. As members of a task force on Presidential debates organized last year by the Twentieth Century Fund, a public-policy foundation, we urged an early start on debate negotiations between the parties. The task force declared: "The public is not well served when debates are negotiated in the heat of the fall campaign and when the candidates' tactical advantage becomes more central to the negotiations than the public interest." We believe both parties should act quickly to develop a plan for Presidential debates this year.

UTNCOOLWOLWDAACDUTL

Exhibit 53

FORMER MALDEF CHIEF ANTONIA HERNANDEZ SPEAKS AT HLS

NEWS / NOVEMBER 16, 2007 /

BY ANDREA SAENZ



Antonia Hernandez advised students to use the law as a tool.

Antonia Hernandez decided to go to law school without knowing a single lawyer, inspired by walkouts at East Los Angeles high schools in the late 1960s where students agitated for better educations. “I went to change the world,” she told an audience of students Monday night. And through a career that includes being counsel to the Senate Judiciary Committee, President and General Counsel of the Mexican American Legal Defense and Education Fund, and now head of the California Community Foundation, Hernandez has had a major influence over the course of civil rights advocacy in America.

Hernandez spoke of her career path through legal services and impact litigation work, including an invitation from Sen. Ted Kennedy’s staff to interview for the Senate Judiciary position, although at the time she had no idea what the job entailed or how coveted it was. After working in D.C. both with the Senate and the D.C. office of MALDEF, Hernandez and her husband, now-California Superior Court judge Michael Stern returned to their home of California to raise a family. Hernandez ascended to the leadership of MALDEF and served as the organization’s head for 18 years, coordinating litigation, media outreach, and community organizing around education, voting rights, immigration, and many other issues.

Hernandez discussed a wide range of issues, including scapegoating of immigrants, the problem of rising higher education costs, the presidential race, and affirmative action. She also warned against seeing the courts as the solution to all problems.

“The law is but a tool,” she said, “It’s a skill set. Lawyers are problem solvers. But litigation should be

the last resort, because it's the most expensive, and it's like playing roulette. You only litigate when you've explored all other options." She illustrated this by talking about the failure of a court consent decree against the L.A. school district to gain traction without efforts to organize parents to pack school board meetings to show support for it.

Hernandez also encouraged students in a wide variety of career paths. "I have a wide definition of public interest," she said. "Public interest means U.S. attorneys – we need progressive attorneys prosecuting the laws – public defenders, city attorneys." She also noted the value of having public-minded lawyers in the private sector. "There's nothing wrong with a law firm. Make money honestly, volunteer, and give it back to the public interest. When I was raising money for MALDEF, I was looking for those rich Latinos."

Above all, Hernandez stressed having pride in one's work, and the importance of education and a sense of dignity for poor and minority youth. "What we need," she said, repeating what she tells audiences of low-income children, "is a bit of attitude that we belong."

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Presented by the Federal Election Commission

Individual Contributions Arranged By Type, Giver, Then Recipient

Contributions to Political Committees

BUFFETT, HOWARD
CHICAGO, IL 60681
PTT

OBAMA, BARACK
VIA OBAMA FOR AMERICA

10/30/2008	260.00	<u>11953109562</u>
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BUFFETT, HOWARD
DECATUR, IL 62521

OSBORNE, THOMAS WILLIAM
VIA TOM OSBORNE FOR US CONGRESS

01/30/2001	300.00	<u>21990328208</u>
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BUFFETT, HOWARD
DECATUR, IL 62521
COCA-COLA ENTERPRISES INC

COCA-COLA REFRESHMENTS USA, INC NONPARTISAN POLITICAL ACTION
COMMITTEE FOR GOOD GOVERNMENT

02/11/1997	1000.00	<u>97032190692</u>
01/21/1998	1000.00	<u>98032911869</u>
02/11/1999	1000.00	<u>99034543684</u>
04/07/2000	1000.00	<u>20035940418</u>

BUFFETT, HOWARD
DECATUR, IL 62521
COCA-COLA ENTERPRISES INC.

COCA-COLA REFRESHMENTS USA, INC NONPARTISAN POLITICAL ACTION
COMMITTEE FOR GOOD GOVERNMENT

05/08/2003

2000.00

23991570509**BUFFETT, HOWARD**

DECATUR, IL 62521

COCA-COLA ENTERPRISES INC./BOARD

COCA-COLA REFRESHMENTS USA, INC NONPARTISAN POLITICAL ACTION
COMMITTEE FOR GOOD GOVERNMENT

03/13/2001

1000.00

21990377912**BUFFETT, HOWARD**

DECATUR, IL 62521

SELF

CONNEALY, MATTHEW JAMESVIA CONNEALY 04

11/05/2004

1000.00

26930562233**BUFFETT, HOWARD**

DECATUR, IL 62521

SELF/FARMER

OSBORNE, THOMAS WILLIAMVIA TOM OSBORNE FOR US CONGRESS

06/27/2002

300.00

22991293541**BUFFETT, HOWARD**

DECATUR, IL 62521

THE GSI GROUP

FITZGERALD, PETER GVIA FITZGERALD FOR SENATE INC

12/04/1997

1000.00

98020012334

03/03/2000

1000.00

20020251028

10/31/2000

1000.00

21020041771**BUFFETT, HOWARD MR.**

DECATUR, IL 62521

SELF

OSBORNE, THOMAS WILLIAMVIA TOM OSBORNE FOR US CONGRESS

09/30/2004

300.00

24962897183**BUFFETT, HOWARD G**

DECATUR, IL 62521

FITZGERALD, PETER GVIA FITZGERALD FOR SENATE INC

08/31/2001 -1000.00 22020022321

OBAMA, BARACK
VIA OBAMA FOR AMERICA

01/18/2008 1000.00 28932706226

BUFFETT, HOWARD G
DECATUR, IL 62521
GSI GROUP

NELSON, E BENJAMIN
VIA NELSON 2000

06/17/1998 500.00 98020174140

BUFFETT, HOWARD G
DECATUR, IL 62521
THE GSI GROUP

MOORE, SCOTT DALE
VIA MOORE FOR US SENATE

03/16/2000 1000.00 20020121251

BUFFETT, HOWARD MR.
DECATUR, IL 62521
BUFFETT FARMS

DAVIS, RODNEY L
VIA RODNEY FOR CONGRESS

04/19/2013 1000.00 13964097859

Total Contributions: 14660.00

TRY A: NEW QUERY
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Exhibit 55

PLANNING AND DESIGN

Presented by the Federal Election Commission

Individual Contributions Arranged By Type, Giver, Then Recipient

Contributions to Political Committees

RIDINGS, DOROTHY

ARLINGTON, VA 22203

COUNCIL ON FOUNDATIONS

BAESLER, HENRY SCOTT

VIA BAESLER FOR CONGRESS

05/23/2000

500.00

20035842395

JORDAN, ELEANOR

VIA ELEANOR JORDAN FOR CONGRESS

10/21/2000

1000.00

20036523953

WALKER, MARTHA YEAGER

VIA MARTHA WALKER FOR CONGRESS

06/25/1999

500.00

99034561088

RIDINGS, DOROTHY

ARLINGTON, VA 22203

RETIRED

WALKER, MARTHA YEAGER

VIA MARTHA WALKER FOR CONGRESS

04/19/2000

500.00

20035560581

RIDINGS, DOROTHY S

ARLINGTON, VA 22203

COWAN, FREDERIC J

VIA COWAN FOR US SENATE

02/19/2004

-360.00

24020241413

RIDINGS, DOROTHY S

ARLINGTON, VA 22203
COUNCIL ON FOUNDATIONS

BAESLER, HENRY SCOTT
VIA BAESLER FOR SENATE COMMITTEE

11/03/1998 1000.00 98020273649

COWAN, FREDERIC J
VIA COWAN FOR US SENATE

10/27/2003 1000.00 24020082680

RIDINGS, DOROTHY S
LOUISVILLE, KY 40206
N/A

CONWAY, JOHN WILLIAM (JACK)
VIA CONWAY FOR SENATE

08/10/2010 500.00 10020830144

YARMUTH, JOHN A
VIA YARMUTH FOR CONGRESS

10/05/2006 1000.00 27930218725
03/31/2007 1000.00 28994120196
09/23/2007 250.00 28935205381
08/17/2008 500.00 28994179752
08/14/2010 250.00 10931493336

Total Contributions: 7640.00

TRY A: NEW QUERY
RETURN TO: FEC HOME PAGE

11/03/1998 1000.00 98020273649