

**DEMOCRATIC NATIONAL COMMITTEE
COMMISSION ON PRESIDENTIAL NOMINATION
TIMING AND SCHEDULING**

Capital Hilton
1601 K Street, N.W
Washington, D.C.
Saturday, October 1, 2005

CO-CHAIRS: HON. ALEXIS M. HERMAN,
Former U.S. Secretary of Labor
- and -
HON. DAVID E. PRICE,
U.S. Representative, North Carolina

Members Present:

Hon. Alexis Herman and Hon. David Price, Co-chairs

Also Present:

Vida Benavides
Donna Brazile
Roxanne Conlin
Jerry Crawford
Debbie Dingell
Maria Echaveste
Cuauhtemo "Temo" Figueroa
Hartina Flournoy
Donald L. Fowler
Carol Khare Fowler
Linda Honold
Harold Ickes

Hon. Carl Levin
Hon. Blanche Lincoln
Steve Murphy
Spencer Overton
James Roosevelt, Jr.
Hon. Jeanne Shaheen
Hon. Terry Shumaker
Mike Stratton
Ed Turlington
Hon. Jennifer Veiga
Josh Wachs

JOSEPH SANDLER, General Counsel, DNC

PHIL McNAMARA, Staff, DNC

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Co-Chair Herman: Good morning.

Voices: Good morning.

Co-Chair Herman: And welcome to the fourth meeting of the Presidential Nomination Timing and Scheduling Commission. Such a long name. I'm Alexis Herman and I'm pleased to serve as the co-chair of this Commission along with this distinguished gentleman, Congressman David Price, and we are looking forward to a very productive and very engaged session today. But before we move to the business of the day and reviewing of the agenda, I'd like to call for the Pledge of Allegiance so if we could please stand.

[Pledge of Allegiance]

Co-Chair Herman: I need not tell the members of the Commission that this is obviously a very important meeting for us today and I'm delighted that we have such strong attendance for the discussions that we will take up today. I'm going to ask Congressman Price to call the roll but before doing that, I'd like draw your attention Carol Khare and where is Commissioner Don Fowler. Are they in the room? There he is. I want to say on behalf of the Commission members that we're delighted that we had a union of two Commission members and I would like to say that it speaks well of the work of this Commission.

[Laughter].

Demonstrating our ability to collaborate.

[Laughter].

Demonstrating our ability to set aside our differences. The real issue here, of course, is that we have two members from the same state -- I don't think there's any confusion about the day of your state's contest, and of course, they are from the same Party, but we're delighted to congratulate and to recognize the marriage of Carol Khare and Don Fowler.

[Applause].

And we have a special token for you. You may come up and get your gift.
Congratulations

[Applause].

So without further adieu, Congressman Price, I'll ask that you call the roll to determine if we have a quorum.

Co-Chair Price: Thank you. That's a great upbeat way to start the meeting. Before I call the roll thought I do want to turn our attention to a more sobering and sad matter and that is the tragedy of Hurricanes Katrina and Rita, the widespread suffering, dislocation that our fellow citizens have suffered in the Gulf States. And I also want to mention, I know a lot of you know this but I want to just underscore it here, that two of our Commission members have been particularly affected personally by Hurricane Katrina.

One of them, our Co-chair, Alexis Herman. Alexis you probably know is originally from Mobile, Alabama. She initially had 17 missing family members. Now, they've all been found, thankfully and they're currently staying with various other family members.

Her husband, Dr. Charles Franklin, has family in New Orleans and he lost an elderly aunt in the aftermath of the storm.

Donna Brazile has family in New Orleans. Most of them were displaced by the hurricane. Donna's father, three of her sisters and their families were missing for about a week. They were found. They're now in Baton Rouge. Donna's brother and his family were evacuated to Columbia, South Carolina, where I understand Donna and Carol were instrumental in getting them settled.

[Applause].

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So on behalf of all of us we express our good wishes to our friends, Alexis and Donna, and the many others who are affected by this and who for a long time will be in the face of recovery.

As we look back over this year and the meetings that we've -- well, let me -- let me first call the roll and then I do have a few things to say as we launch our discussions. First, the calling of the roll.

[Roll called]

All right, Phil, what do you say about a quorum? Quorum is present and accounted for.

Fellow Commissioners, we have had a series of meetings over the course of a very turbulent year and I think as we look back over the course of the year, we've seen a series of challenges to our country. We've also seen regrettably, a pattern of repeated failures by the President, by Republican leaders of Congress to rise to the occasion again and again.

The ill-fated crusade to privatize Social Security, a refusal to come clean with the American people on the situation in Iraq, or to make the policy changes that that situation demands, a spreading cloud of cronyism and corruption coming to a head in the indictment of Tom DeLay with more to come in Abramoff and Rove and other sagas, the hollowing out of FEMA which had been brought to a peak of effectiveness by President Clinton - negligence, mismanagement, with frightful human consequences, families squeezed by rising gas prices and an underperforming economy, a fiscal meltdown and a President who refuses to change course or even to acknowledge the problem. That's quite a list.

When in memory has a governing Party failed so miserably on so many fronts? The American people have noticed. The American people are hungry for change.

As Democrats, our opportunity and our challenge is to press the indictment and to show the way to the change we need. The first step, electorally, is the 2006 Congressional elections, looking more hopeful every day. And the first step is this one -- our Commission, the election of the President - I expect that you like I have felt this sense of growing urgency and responsibility and hopefulness building over the course of this year as our work has progressed.

Now we're at our fourth meeting, a meeting where we begin to actually write the rules that will help us broaden participation and take our message across the breadth of this land and nominate a candidate who can excite the American public, can achieve a great victory, and can give Americans the leadership they crave and deserve. That's the important of our work. That's what it's all about.

So thank you for your efforts thus far. Thank you for being here today and let's get on with our decision process.

Co-Chair Herman: Thank you, Congressman Price, for those words. I'll add the Congressman has indicated that this is a very critical for us today and what we hope to achieve from this meeting today is at least the framing of a consensus position on the part of the Commission members so that between now and October -- December -- rather between October and December that we will be able to then formulate a final recommendation that this Commission will then vote on at its final meeting in December.

So our goal today and Congressman Price will talk us through the structure of this agenda today and how we hope to achieve this framing of our position in short order. But before moving to that we thought it would be important to step back and to review the past three meetings so that as we move forward on a consensus position we have a historical context, if you will, of where we've been, the dialogue that we've engaged in which really was summarized I

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think at the most important meeting we had in July where we brought all of the various positions before the Commission for some sense of the whole. So we're going to take the time for the next few minutes to step back to our initial meeting, bring you up to date, and then Congressman Price will tell us how we would like to organize our discussion for this meeting.

But let us step back first to the initial meeting of March 12th that was held here in Washington, D.C. At that first meeting we attempted to familiarize ourselves with the big picture issues associated with the Presidential primary and caucus schedule and we had a series of presentations, beginning with Elaine Kamarck who shared with us the history of the Party's rules and primaries and caucuses and gave us anecdotal narratives of the nominating process from 1976 to 2004.

As a part of that deliberation that day, Dr. Tom Mann and Dr. Ron Walters go the Party goals and interests in the nominating process and gave us an overview of what Presidential candidates and voters expect from a primary schedule. And, finally, at that meeting Attorney Lyn Utretch challenged us on many fronts as we looked at both the political and the legal implications.

Again, we want to express our appreciation for getting us started in March and we're very hopeful that the insight that we received at the March meeting will serve as a real foundation that will guide our discussions, that will guide our questions today, as we have to take into consideration certainly the ultimate objective as Congressman Price has already said and that is to elect a Democratic President in 2008. So we need to be mindful of that as we proceed in today's discussion with the attendant financial and legal considerations.

Congressman Price, if you could recap for us the May meeting.

Co-Chair Price: All right. Marching us onto our second meeting in Chicago in May at

this point we had lots of input, heard from a lot of individuals and organizations, began to get some sense of the various proposals on the nominating calendar that advocates were putting forward.

Specifically you may recall a presentation by the National Association of Secretaries of State with a plan for rotating regional primaries, a proposal for a common primary date for the western states made by a group known as Democrats for the West. Also in May we followed through on an idea first offered by Senator Levin and invited the State Democratic Parties to offer their thoughts and suggestions on the process. We heard testimony from representatives from D.C., Michigan, Nebraska, South Carolina, New Mexico - all those state parties.

Finally, we began discussing and deliberating in a formal way the role of the traditional early state, Iowa and New Hampshire, with presentations by representatives of both of those states.

As we left that May meeting we announced it was necessary for us to convene a special meeting in July to continue our outreach efforts among the many partners and allies the Party has the privilege of working with. So at our third meeting on July 16th, we heard presentations from our friends on Capitol Hill and representatives of the Congressional Black, Hispanic and Asian-Pacific Caucuses.

Alexis, why don't you take up the description of that May meeting.

Co-Chair Herman: At that meeting, you will recall we made the decision to ask the staff to present a series of scenarios that -- thank you for joining us.

Let the record note that the Honorable Blanche Lincoln has joined us.

At that meeting we had the staff present a series of working scenarios for the 2008 calendar. Each scenario we discussed in terms of the potential opportunities,

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challenges, and the political challenges and legal challenges to implement.

We had I think a very spirited discussion at the July meeting on those various proposals. We presented to you at that time a sheet where we asked you actually to rank those various scenarios as we discussed them in the Commission and we committed at that time that in this meeting we would provide the feedback on where we ended up in terms of those scenarios.

We also committed at that time that Congressman Price and I would reach out to additional members who were not present at the July meeting to seek their input on the various scenarios that were presented. We did the opportunity to do that, and so what I'd like to do for the next few moments is essentially to recap where we have determined the consensus position is of the Commission members as it relates to those various scenarios.

You've got a lot of paper in your folders. We're going to walk you through the various documents, but I would ask of you, open your folders and turn to a document that is entitled, what? Overview of Timing Scenarios. It looks like this. And essentially this is a recap of where Commission members ended up.

The first four proposals that were presented by the staff in July are A, B, C, and D. You have those scenarios in front of you. I won't take the time to go back through them. Again, we had exhaustive discussion on these scenarios at the July meeting but the first three of those proposals were ranked high by those Commission members who were present and it was similar in terms of the phone outreach that Congressman Price and I had. You will see that the top three scenarios, if you will, that were ranked the highest by the staff are entitled, Scenario A - Iowa Plus, Scenario B - Two Windows, and Scenario C - The Western State Groups.

Congressman Price will talk in a moment about how we're going to approach the

discussions regarding those three scenarios but suffice it to say that is where the majority of the Commission members landed in terms of the scoring and the discussions.

The discussion on locating regional primaries was endorsed last week by the Commission on Federal Election Reform headed by Former President Carter and Secretary of State James Baker. It did not rise to a level of prominence, however, as a part of our scenarios. And the last proposal in this group is a scenario that Commission member Ambassador Shumaker indicated in his July meeting that he would forward to Commission members. It is a proposal that we did have the opportunity to discuss in great detail for those Commission members who were present and we did ask Ambassador Shumaker if he would take the time to reduce that scenario to writing for us so that we would have that for the entire body. He did summarize those deliberations in that scenario. And so between the work of Terry Shumaker and Governor, Jeanne Shaheen, we have included that scenario as well.

So before we spend too much time going through the folders and actually studying the scenarios, I'm going to turn the meeting back over to Congressman Price to see if we can now proceed with how we're going to move on this discussion. But I want to recognize Mr. Art Torres to the microphone.

Mr. Torres: Thank you very much, Madam Chair, and members of this Commission, for your tremendous work and congratulations to the Fowlers as well. We're all very happy in California, also. As we speak, our executive board of the Democratic Party in California will be meeting this weekend which is why I may have to leave a little early to at least be there on Sunday. As you know, we have an election to defeat heinous initiatives by Governor Schwarzenegger against public employees, teachers, nurses, et cetera, and it has not been a very easy campaign but I believe the alliance of people working together will help defeat these initiatives and put a clear imprimatur on

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this Governor that he is out of step with California voters. I want to also associate myself with the remarks by Congresswoman Hilda Solis of California. Diversity has been a very important issue for us and the lack of that diversity in a Presidential nominating process has been very evident to those of us in California. And I appreciate the scenarios that include that kind of diversity that we see within the documents as well. But there's also a group in California of many activists who are concerned. I'm sure they'll raise their voices before the Rules Committee at the appropriate time in terms of their perspective, and that is a Resolution that we will be considering tomorrow in Los Angeles that seriously urges us to consider the American or Graduated Random System which features 10 multi-state primaries evenly spaced over 20 weeks of the approximate length of the traditional Presidential primary schedule. The first primary would take place in a randomly selected group of states whose Congressional Districts total exactly eight with succeeding primaries going progressively larger.

We feel in California that in 2004 election, over \$181 million dollars left our state never to come back, and in June -- rather in March of 2004 when our primaries were held we were almost irrelevant in a primary nominating process. And I know that each of the members here understands that in other states, New York and others, equally contributed as much and never came back to their home states. We feel that this proposal might very well be seriously considered at the Rules Committee. I know at this point it is a little late in the process to introduce something new but I think that this discussion as a heads-up from California will take place tomorrow and I'm sure there are many people who want to participate there.

But I will, of course, report on our deliberations that take place today to that body tomorrow of about 500 executive board members in Los Angeles. But I wanted to say that the California Young Democrats and the National Young Democrats meeting in San Francisco in August of this year also

embrace this proposal and I'm sure Mr. Roosevelt and others, members of the Rules Committee will be hearing from them in the future.

But thank you again for being sensitive to the issue of diversity, especially among Asian, Latino, and African-American voters and to help them become viable and real within the nominating process for the next President of the United States who I in my heart know will be a Democrat.

Co-Chair Herman: Thank you very much, Mr. Torres, and we appreciate the heads-up on the effort that is taking place in the State of California. We will be mindful of those activities as they progress tomorrow, and as I indicated, hopefully, we will be able to frame some type of consensus position today. But, obviously, we have the month of October and November leading into our final meeting in December to formalize our final position.

Mr. Torres: Thank you, Madam Chair.

Co-Chair Herman: Thank you.

Co-Chair Price: We want to discuss, to distribute at this point a document which indicates our suggested way of proceeding today with a series of questions, one of which leads to the other and which we hope will lead us through an orderly decision-making process. This is a critical meeting, as Alexis has stressed. We're going to be moving into a decision-making phase.

The leadership of the Commission's thought is that we can usefully divide our conversation today between two tracks, the first related to issue involved with the pre-window period and then the second involving inside the window. And you will see the kind of decision process we propose to deal with each of those conversation tracks.

What we hope to do today is to symmetrically narrow the Commission's options and to begin to build the

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recommendation that we will ultimately adopt in December. We hope that we can reach this point through consensus. However, if necessary, we should be prepared to take some votes on particular issues to get us where we need to be.

The way this is going to work in practice is that Alexis and I are taking turns presiding. As always, we'll ask a question, we'll open the floor for Commission members to discuss and debate that question. We'll allow ample time for discussion and debate but we also will be mindful of the need to move on.

We're going to try to strike a balance in this meeting between having full and free discussion so that everyone's heard and everything's fully considered, but at the same time understanding that it is decision time and we need to begin to narrow down our options. We also know that toward the end of the afternoon, people have planes to catch. We don't want to be in a situation of scrambling so we hope that in an orderly way we can strike that balance between full and free discussion and at the same time taking some key decisions.

On some of these questions we feel we know where the Commission's coming from. As Alexis has said, we base that on the straw vote in the last meeting and on numerous conversations. We don't want to take anything for granted so that's why the questions are made quite explicit. We think we know where the Commission's coming from on some of these. On others we're not so sure, hence the need for an orderly discussion focused on the successive developments of a final rule. As we tackle some of these questions, we may find there's no consensus emerging and in that case we'll have to, of course, take a vote.

That's the way it works. We'll work on this up until lunch which is about an hour from now. At the appropriate time we'll recess for a luncheon for Commission members only. Following the lunch we'll reconvene back here and pick up where we left off.

Now, I see the agenda include entitled, Additional Rules and Report Items of Interest. It's here that we want to discuss other items that the Commission may want to include in its report in December. One example that comes to mind is something about campaign finance reform and the collapse of the Presidential primary financing system and what to do about it. We will perhaps want to have some report language on that, some recommendations on that. Other members have suggested other things so we would like to have some time at the end of the day, maybe 45 minutes, to flag items for inclusion in the Commission's report that go beyond the specific questions in the decision tree that you have before you.

Let me just add a few other words on context before we begin the first conversation track. Now, since the windows inception the Party has provided from time to time specific exceptions for a small number of states to begin their respective contests before the opening of the window. Beginning with the rules for the matching 84 process produced by the Hunt Commission, the Party recognized the historic placement and the traditional role of Iowa's caucuses and New Hampshire's primary and made in the rules specific exceptions for both states to go before the opening of the window.

Some of you may recall that Maine received an exception to hold its first tier caucuses the Sunday before the window opened for 1984 through 2000.

Additionally, the 1984 and '88 rules allowed Wyoming to hold its caucuses a few days before the window began so there have been some examples of exceptions being written into the rules.

In each nominating cycle some state has sought a waiver from the rules to allow it to hold its contest outside the window. Those waivers have been granted very, very rarely. In granting the exception for Iowa and New Hampshire each cycle, the DNC has acknowledged that the relatively small size

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of both states does allow Presidential candidates to promote their candidacy among individual voters and in small groups through retail politics, a valued exercise.

Additional, the DNC has acknowledged that Iowa and New Hampshire voters take this role very seriously. They possess a certain historical perspective. So there are positive traits. I think we all acknowledge that.

Retail politics, voter engagement. But there are also arguments that have been put forth each cycle with regard to the role of these states as we all know. In fact, it's not a secret that the reason we're sitting here is in part for years because for years concerns have been raised regarding the calendar that some believe gives a disproportionate influence to these two early states.

The Commission has heard these concerns, has heard expressed that the voters in neither state represent the full and true diversity of the Democratic Party. I'm sure you're familiar with that debate.

The Commission's heard a fair amount about the Republican rules and the window in relation to our window and we can get more specific information on this later if we need it. But just for purposes of our discussion today, we need to understand that the Republican window, no matter what we do, is going to open the first Tuesday of February in 2008 as it did in 2004, a matter that's already been determined by the Republican National Convention.

The Republican rules provide no exceptions for Iowa and New Hampshire. They are not named in Republican rules to hold their contest before the opening of the Republican window. The Republican rules contain some sanctions if a state violates the Republican rule on timing but we also need to understand that those rules haven't amounted to much. In 2004 no one triggered the sanctions and New Hampshire and Iowa held their contests early outside the Republican window without any

kind of consequence and it's a fair assumption that the RNC will again allow this exception in 2008.

Now, having given this -- I'm out of context. Let's begin our discussion of issues associated with the pre-window period. As I said and Alexis stressed the Commission Leadership and staff have made some assumptions concerning which way to start our discussions and that's based on where we assume most of you are coming from on this based on comments over these last meetings, the informal working session, and so forth.

Our first conclusion is that members do value the importance of the pre-window period but most members seem to want to see more than two contests in that pre-window period. So it occurs to us that what we want to focus on for this conversation are issues concerning the number of additional pre-window contests, whether those contests are primaries and/or caucuses, how they should be sequenced, the criteria that should govern the Party's selection of those states, assuming we don't name them today and we do assume that we won't name them today, the types of states that would serve the Party's interests the best, what the relation should be to the Iowa and New Hampshire contests and so forth.

You see in the decision tree the kind of sequence of questions that we assume here. Some of these questions have yes or no answers. We don't want to, as I said; assume the answers but we would like to move along where there is consensus to some of the other questions which are a little more thorny, they don't necessarily have yes or no answers, and they're going to require some discussion and some narrowing down before we see where we're going to come out.

So does everyone have the list of questions? The pre-window period and inside the window period. I turn to Alexis here to begin with the initial questions and, as I said, let's strike a balance between

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having full and open and free discussion and understanding that we do need to at some point move along and make what may be some hard decisions for us.

Co-Chair Herman: Are there any questions before we really have an open discussion on the comments that Congressman Price has raised just on how we are feeling - Commissioner Conlin.

Ms. Conlin: So sorry. I'm not technologically gifted. Do we have available to us the results of the questionnaire?

Co-Chair Herman: Yes, staff has that.

Ms. Conlin: All right. I think it might be helpful for the Commissioners to see what the results were from our last informal voting process.

Co-Chair Herman: Okay. We'll ask the staff to -- it's not in a format.

Mr. McNamara: It is not -- you don't have it in a written format but I can verbally say it. At the July meeting, again, we had asked members to kind of rank order those proposals that - I don't want to say top vote getter because that makes it sound -- the highest, the one that they want to discuss the most was a proposal at the time called "Scenario E". The second one was a proposal called Two Windows. The third was Western States. The fourth was a proposal that called for expanding time between New Hampshire and the window.

Then there was one on Window, No Exceptions, continuing on down the line to a proposal on moving back, continuing then to a proposal called Five Closest States. Then to a proposal on New Hampshire Plus, than to Rotating Region Primaries.

Finally, kind of the thing that no one wanted to discuss was Status Quo so those were kind of the order. Just keeping the status quo.

Co-Chair Herman: Maria Echaveste.

Ms. Echaveste: I want to commend the work that's gone in on planning this discussion today and I'm trying to work through the issues and figure out how to answer the questions that have been so artfully posed. I find for myself that I really see the challenge of two questions. One is whether Iowa/New Hampshire but not representing sort of the full diversity of the Party, whether other dates should be added so that they're at the early part to better reflect our diversity.

At the same time, be mindful that if you answer the question yes we have the concerns about front-loading and the consequences that flow. And you've divided in the pre-window period and the inside the window period and I think it's so important that we keep in mind both of those questions because if you start answering the questions posed in the pre-window period you might, in fact, have settled the question about front-loading if you answer how many states and people decide three, four.

All of a sudden you've moved everything -- you've now made the debate in the pre-window and so I just think at least for me and I thought it might be helpful for others to constantly be thinking those two issues, how to better use our primary process and our nominating selection process so that a greater number of people engaged within the Party who care about who the nominee is are able to have real influence as to who that nominee is, but at the same time respect the incredible value that the retail politics have brought to the selection process that truly cannot be done in too many other states.

So I think those three, the importance of the retail politics, the importance of having a process that reflects the diversity of both our Party and our nation, but also to reduce the front-loading that makes a campaign all about money and all about media and less about the issues and the capacity of both the nominee and the campaign to win an election. Thank you.

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Co-Chair Herman: Thank you for framing the issues that way because that's precisely what I would like to ask the Commission members to take into consideration as we really try to get some closure on the question. It's clear; I feel it's just re-articulated where Commission members are I think on the first point. There is a sense that we do want to open up the window, the pre-window. That is what Iowa Plus means.

So we have moved past the notion of Status Quo which, of course, limited that window to the two contests. So really the discussion is to affirm that that is where we are as a body and to determine is it one, two, in terms of what it means to have additional contests, three, what's the right number, taking into consideration this whole notion of front-loading. There are legal considerations. There are financial considerations. But we need to have a sense of what we think is a representative number that this Commission would like to see move forward in terms of the number of states.

You have in your packet the green calendar and I'm going to ask Phil if he would comment on the organization of the calendar so that we have a sense of front-loading, what's going on presently as states have made decisions in their state legislatures that we know about. So you have before you the best map that we can articulate that would thus far govern the 2008 schedule. Phil. Don Fowler first and then I'll go to Phil.

Mr. Fowler: I want to introduce the notion that you heard many times before but we do not write on a clean slate here. When we talk about changing the calendar that existed in 2004 there are both legal and significant political barriers in doing that.

And as we make these decisions I hope we would consider how the decisions that we make will affect the political and the legal consequences of our decisions. It is not simply a matter of deciding what we would like in an ideal world. It is a matter of what can, in fact, be done given the legal considerations in Iowa and New Hampshire

and in other states as well as the political decisions that candidates have to make after they are the nominee.

Co-Chair Herman: Thank you for that reminder. Phil.

Mr. McNamara: Thank you, Madam Co-Chair. I just want to make a comment about the green calendar and I guess the easiest way to do that is to ask if you could just flip to February because February is a whole lot easier to explain than January. The way this calendar is arranged is that staff has attempted to anticipate what 2008 primary and caucus dates are. And the way we've begun to anticipate that is to figure out if, you know, if it's holding a primary, if it's holding a caucus. For a primary state it's really easy. And the reason I say it's easy is because we can just go to state statute and we can see that the Virginia state statute says that a Presidential primary will be held on the second Tuesday of February. So you can go to the calendar and see the second Tuesday of February is February 12th. So we know that that's when the Virginia primary would be. For states that hold a Party sponsored event, be it a caucus, be it a Party run primary, what we have done is we've indicated their equivalent 2004 date so that, you know, if you were to look on this date, if you were to look on February 16th, that was the second Saturday in February and in the second Saturday of February 2004, D. C. and Nevada both held Party run events. We can't pick up a crystal ball right now and tell you if D. C. and Nevada would hold Party run events on that second of February. All I've indicated to you is when they held them in '04.

This calendar also tracks the states that have this past kind of legislative cycle moved so you'll see that this calendar, you know, when you go to June you'll see the California primary's now in June. It's no longer in March. So we track whether a state has officially moved through a state statute. I will draw attention to a document in your folder held horizontally called the Presidential Primary Timing Comparison Table. This just kind of gives you a little

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bit of sense of other states that may have had, you know, legislation pending this past cycle and, you know, as a result most state legislatures are out of session now. But this gives you a sense of where states were trying to move so if you wanted to cross-reference, you could cross-reference with that but the green tracks as much as staff know at this time. Thank you.

I'm sorry. I wanted to -- I started with February. I feel we have to go back to January now. On January what we have done is you'll see the dates for the 21st and 29th, all we have done is we've extrapolated the timing sequence based on the current 2004 rules. So the current 2004 rules allowed Iowa to go 15 days earlier, allowed New Hampshire to go 7 days earlier, so I've simply just tracked what the '04 rules provided. Obviously, we're here to talk about that very question today but I wanted to give members a sense of what the '04 rules tracked. Thank you.

Co-Chair Herman: Any questions on the calendar? Ed.

Mr. Turlington: Madam Chair, I don't have questions. I'm ready to begin discussing the questions whenever you and Congressman Price are ready.

Co-Chair Price: We're ready. It's called calling the question.

Mr. Turlington: For the record, it's not a motion. Let me pick up on a couple of other points that have already been raised this morning by Chairman Torres and by Maria and by our co-chairs. We, of course, are working today in context and what we're doing could influence a lot of people outside this room. I'm reminded this week about why it matters who the president is, of the impact of storms on families like Donna and Alexis. I'm reminded of Senator Levin's leadership this week in committee. If you didn't see his eloquent questioning and testimony, a Democrat speaking up about how to solve the problems in Iraq. A minority Party leader coming forward with

ideas about how to solve their problems I'm glad to learn about Professor Overton's book about how hard it is for some people to have their votes counted, and Stealing Democracy, Amazon.com, Professor, check. Is that correct?

Yes.

I'm also reminded and reminded when I saw the news this morning, isn't it telling that our former cabinet secretaries like Alexis Herman are voices of positive change instead of taking us back to negative places that some former cabinet secretaries in the other Party would take us. I'm proud of our past leaders like Alexis and it's a real contrast.

Picking up on what David just said, as you remember, the document that created us gave us a couple of specific points of guidance. First of all, as I understand it, our work is on the 2008 process. All of us care about this going forward.

As I understand it, we've focused on the 2008 process. Second of all, as I understand it from reading that document, our goal is to do whatever we can to maximize the ability of the Democrats to win back the White House, as Chairman Torres reminded us so early here in our discussion.

So given that context, let me suggest a couple of specific things as it relates to this first question, and our co-chairs, I'll try to stick to the first question but I'm going to throw a couple of ideas that may be relevant to other questions. I advocate for answering the first question yes to add a couple of other states to an early window of whatever you want to call it. The criteria that I would suggest to guide us or at least two or three. In preparation for this meeting I did some very basic research on the U. S. Census website and what that website showed me was that there are 10 states according to 2000 numbers to have populations of about 5 million or less, which I think is not a bad test for what defines a retail state, and has either Hispanic/Latino or African-American population of 15 percent and above.

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Consider since we're about electing a President are what are the percentages of votes our nominees have gotten in the past two cycles, such as maybe some number like 45 percent or above as we think about these early states.

Let me just tell you the ten states that meet the criteria I just outlined on population and race. They are New Mexico, Nevada, Colorado, Arizona, Delaware, Arkansas, Mississippi, South Carolina, Alabama, and Louisiana. Now let me be clear, picking up on Maria's point. I am not advocating for adding 10 states to the early window. I think our whole process would tip over. I'm not advocating for that. I do believe however it could maximize our chance to elect a Democratic President, if we have not only that racial and ethnic diversity, but that geographic diversity. In my experience in Presidential Politics, that when you go early to states, and those people see our candidates, and they meet our men and women running for President, you have a lot better chance to carry that state in November.

Senator Lincoln, I know you spoke on this, the experience you had in your state in 2004. So, on these specific points I would advocate yes, on that first question. I would also leap ahead just a moment to say, picking up on David's point, we're not operating in a vacuum. The Republican's have already set their rules, we know what their window is, I personally believe that will give [inaudible] when New Hampshire exceptions. And as I think about 2008, I don't want to make us more vulnerable in Iowa and New Hampshire, by whacking our friends in the face there, by loading up their days with other contests. I believe our opponents would use that against us. And it could tip those states against us as we go for 270 electoral votes.

So those are my beginning comments.

Co-Chair Price: Well just to get on the same page here. Let me pose to the group that our perception is, that our answer to the two leading questions is yes. Should the party

continue allowing any states to hold contest before the window opens, and if so should the party allow states in addition to New Hampshire and Iowa to hold contests before the window opens. Without objection I will assume that the Commission answers both of those questions in the affirmative, and we're ready to move on then to more detailed discussion. Senator Levin.

Senator Levin: I do not think that we should make the assumption that Iowa and New Hampshire are always going to be in the groups that go ahead of the window. If that second question assumes that, I would not want to assume that. I think there is some argument that at least in 2008 if we add sufficient states in order to assure diversity of all kinds including the ones that I've just mentioned that probably Iowa and New Hampshire should be in the group that goes ahead of window at least the next time. But I would not want to assume that they are always part of that group.

It runs against the diversity argument, number one. Number two there are other states that are perfectly capable of doing the same kind of retail politics which is of great value. And number three, this party of ours is not just a party of diversity, which we are. And that's really what I think our major goal is here. Is to show that we reflect the diversity of this nation, and that we're willing to change the status quo.

This Administration is in trouble for a lot of reasons. One of them is, they've been identified. David you did a beautiful opening in terms of the reasons. But the public wants change. This party has always been willing to be a party of change. We're not locked into the status quo. We deeply believe in diversity. And we want to promote it. And we believe that if this party can reflect it in our primaries and caucuses that we will make an important point to the communities, the diverse communities in this country. We believe in all that.

But I want to add one other point which has been one of the drivers here. We're an anti privilege party. We do not believe that

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anybody should be proportionally privileged over anybody else. That has been one of the drivers here for Debbie Dingell and me, is that we do not believe any state should have a perpetual disproportionate impact on a nominating process. So diversity yes, but anti privilege is also part of the goal here. And I would just hope in answering number two, the second question yes. That I think most of us want to add states to the pre window. If we're going to have a pre window, but I would like to keep open the question as to whether or not it's in addition to New Hampshire and Iowa, but rather to decide how many states should we have in advance to the window, in order to avoid the question of front loading. How many states, how many should be the caucuses where we can control much better, how many primaries which we don't have as much control over obviously.

And we'll decide at the end whether or not New Hampshire and Iowa, should at least in 2008 be in that group of four, or six or whatever the number is going to be in the pre window period.

I'd like to leave that window for the end. And I must tell you I am open in 2008 to have them as part of that group, providing the group is large enough so that we can achieve the diversity goal. But I don't think we ought to decide that up front at this point.

Co-Chair Price: If I may suggest a way, maybe to get us into the discussion you want to have. You notice that we have included for later discussion, whether or not Iowa and New Hampshire would be specifically named in the rules. So yes, there's a certain assumption perhaps revealed in the way we've worded this here. But I think the way you should read that second question is that should the party allow more than two states to hold contests before the window opens. And then - and we're naming New Hampshire and Iowa as two of the likely states. But that is reserved. The final determination of that is reserved for our later discussion and certainly that would be in order. But if we can assume that the answer to the first two

question is yes, then perhaps we can move on to a series of questions which are not necessarily yes or no questions and it's a little more complicated. We tried to decompose it here, as logically as we can. But obviously we need to now talk about how many states there should be, what kind of mix of caucuses and primaries we envision, and then we think they should be scheduled. Alexis. Oh I'm sorry, Harold Ickes.

Mr. Ickes: First of all I want to applaud Senator Levin and Debbie Dingell for their tenacity. Without them we would not be here today. Some people might not applaud that. But we are and I think it's an issue that certainly is well worth raising.

I also am very mindful of Don Fowler's injunctions about the practicalities, both legally and politically, but I want to say that while I do think we need to make some changes here, if you're really - if we are really serious about trying to better our chances at winning general elections, any tampering with Iowa, New Hampshire, and any tampering with the window. This system is completely out of kilter. We now have the [inaudible] of virtually if not fact irrelevant. Last year, over 75 percent of the delegates were selected by the middle of March, by March 16th. We have a seven and one half month general election. By no account, by no account can anybody think that that's a system that serves the public interest, that serves Republicans, or serves Democrats well.

And why I'm - you know I'm all for tinkling around the edges which is basically what we're doing. I don't think it's going to make a tinkers damn in terms of electability, how we jigger this, what we're talking about today. I'm all in favor of what Senator Levin wants to do and I applaud his remarks and I applaud his sentiment, and impulses. And I agree with virtually every damn one of them.

But we are really going to address how the system ought to work. It seems to me we have to start thinking seriously about how to

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reduce front loading and how to move the whole system back so we can really substantially reduce the general election.

The argument last year was, and I was part of that argument. Well we wanted to shut down the system and get our nominee out early. Because that would give us a big old long general election. Well if ever there was a foundering ship that was it. The longer we went on, the lower we went down the poles. If we had had a year, hell he'd been done [inaudible].

So all I'm saying is that we got to muscle through what we're going to muscle through here. We have the jurisdiction but not the appetite to go along the lines that I'm talking about. But I think we have to - and this comes up later, I guess, think about taking 50 percent of the delegates and start using those - keeping those in our back pocket and start using them as incentives to make states move. The rest of this ladies and gentlemen is really tinkering.

Co-Chair Herman: Could I follow on, before going to Jerry Crawford, and Jim you have a comment to Governor Shaheen and start a list. Does that mean Mr. Ickes that your tinkering would include some movement, in terms of an additional state or states, assuming Iowa and New Hampshire, for the moment in the pre window? Because I think we still want to make sure that we have a sense of the whole on that question as we move forward.

Mr. Ickes: Well again Alexis. I don't think it -

Co-Chair Herman: I know you think it doesn't matter, and you agnostic on the question.

Mr. Ickes: I'm agnostic. Whether we shove them back inside the window, or whether we move some states where they are, but one of the other.

Co-Chair Herman: Okay.

Mr. Ickes: But I'm agnostic on that.

Co-Chair Herman: Let me go to, Joe Crawford, Jim Roosevelt, and Governor Shaheen I believe, in that order.

Mr. Crawford: Thank you Madam Co-Chair, before engaging in a moment of personal privilege to read a very short letter from Senator Tom Harkin. I would just point out the DNC materials which we've been given today, show us that we have visited this territory very recently. The materials say that in 2000, DNC and RNC used different windows, and the result was that media attention focused solely on the Bush-McCain primary fight with no attention to Gore Bradley. None of us can pre-judge who are candidate, our group of candidates will be in 2008, but I'm sure that we could 40 yes votes for the proposition that we do not want that history to repeat itself.

On the slight chance that Senator Levin would say something today that Senator Harkin would disagree with, he did want me to make two points for you by this letter:

Dear Calendar Commission Members, I deeply appreciate your willingness to hear my views as you conduct your important work. Please be sure today to consider the damage that would result from adopting a calendar that begins differently than that of the Republicans. It is clear that the Republican process will begin in Iowa and New Hampshire; I believe that if we don't compete in those same states, on those same dates our candidates will lose enormous national exposure by diverting and confusing press attention.

Worse we could be seating the electoral votes to Republicans in those two key states, if we demote them in importance. Surely we all want to make the road to the White House easier for our candidates, not more difficult.

Second, please be careful of unintended negative consequences. We all understand the damage from a calendar that is too compressed. Moving additional states into the pre-window calendar will increase that compression. Worse additional states

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placed before the window will mean the candidates have to have much greater sums of money to launch a campaign.

Surely we do not want to move in that direction. Best wishes in finding a winning path for our candidates in 2008.

Madam Chair, I just want to finish by saying, we all believe in diversity, we wouldn't be here if we didn't believe in diversity. Certainly all of us are willing to role up our sleeves and go to work and find a way to make it a meaningful part of this process. But I promise you, that the Republicans are licking their chops today as we sit here hoping that we stumble and give them the first good news they've had in months.

We need to celebrate our party's diversity, and make winning more likely, not less likely. Thank you.

Co-Chair Herman: Thank you very much for those comments. I think I should also point out though. Again taking us back to March and May meetings, we've had a lot of discussion around the diversity issue from a representation standpoint of years it relates to the party. But some of the conversations were also very much grounded in geographic issues. I just want to make sure that we're using the term diversity in the broadest sense of the context here from an inclusion area perspective.

Mr. Roosevelt: I'd like to compliment the staff and the co-chairs on the way they've organized this discussion which will lead us in a reasonable time to some pretty good consideration of alternatives. And it's also a pleasure to be here with all of you at the most important event I think that's happening in the United States today outside of Fenway Park.

[Laughter].

But I wanted to point out, that there's - while I think the organization is the right way to get to an answer. The two parts are very closely related. And whether we add additional states early outside the window,

or whether we add weighting as Harold seems to suggest for states that go later in the window. Or whether we try to shorten the window.

Three possibilities: shortening the window is the one thing we can't do by ourselves because of the way the Republican process works. We have tried for several cycles to achieve cooperation with the Republicans on a shorter national campaign; they independently lengthened the window, both two and three cycles ago. They created the situation that's described in the staff - in the staff materials. This was not unintentional. They came right up to a proposal to shorten the window. It was approved by their rules committee and was vetoed by Karl Rove two days before the Republican National Convention. So it's important to keep that process in mind as we consider our alternatives here.

Co-Chair Price: If you don't mind before we turn to Governor Shaheen, let me just amplify what Jim is saying. We're well aware, the co-chairs and the staff are well aware that there is powerful sentiment on this commission and in the party for having this whole thing go later than it does.

Don Fowler has spoken to that very eloquently, Harold again today. And there is just no question that we would like to see that. We have concluded that given the set Republican rules, and given the amount of activity in state legislatures assuming those rules. That moving the entire process a month or six weeks later is not something that is within our power for '08. If people want to challenge that and suggest some way to do that that's obviously something that we can entertain. But that assumption is reflected as you can well see in the way we have structured this meeting. It may be that when we come to the end of the day and want to talk about report language in terms of perspective activity. It may be that we want to urge very strongly on the DNC a pre-convention consultation with the Republicans that might achieve a later season in the 12, in 2012. But it's a hard hill to climb for '08.

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Governor Shaheen: I certainly think we can try and encourage consultation with the Republican Party about future contests that would be a very good point. Because I totally agree with what Harold had to say that what we recall need to - and with what Don Fowler had said that what we really need to do, is to move this process back. Having gotten into politics in 1976 when we did have a longer primary season, and remembering the fact that that contest was still in doubt.

The focus of the country was still on the Democrat candidates, I think that's - and there was an opportunity to air, issues facing the country, that that is something that benefits not just our candidates, but it benefits the country.

I think it is important however for us as we look at our charge, to recognize that as much as we would like to look at outlying contests that we do have to focus on the upcoming contest in '08. And that as much as we all support diversity and certainly we do, Senator Levin in New Hampshire even though historically we have not had a lot of diversity because of where we're located and because of where we're located and because of what our history is, the more states we put into a window, whatever period we want to define as the window, the more it's going to contribute to the front loading problem. I mean we just can't separate the two and so while we certainly need to provide some more diversity, we need to think very carefully about how we do that so that we don't exacerbate the front loading question, rather than make it better.

Ms. Herman: Thank you for those comments Governor Shaheen. I think it still leads us right now to making the call right now in terms of the commission members. We want to affirm or hear clear objections if this is not where we are as a commission that we want to add, I go back to saying again one or two states. Because at least in my verbal conversations with commission members and as we reflect on this whole question of front loading three's not an appetite here to move quote that many

states forward. I really think it comes down to a question of one or two. And I think we need to get clear on that issue.

And secondly I think it's also important in getting that clarity, that even though I know we're going to hold the question on Iowa and New Hampshire as Congressman Price has indicated, there is an implicit assumption at least for '08. As Senator Levin has indicated, as you think about what we're doing here that's the mixture that we're playing with presently. So we need to get clear that we're moving forward that we're not maintaining the status quo and the notion of front-loading in terms of the numbers, how commission members feel about that, is what we need to spend some time talking about. Because there is not a consensus in this body as to what that looks like.

And some members have said, if we move one up and give little attention to perhaps some of the criteria that Ed talked about if we look at geographic balance that that helps us [inaudible] indicated at least two. And I think we need to at least frame it. We don't have to say this is it, but we need to be clear that there's no more than two in that process. You're much quieter today, than you were in July. Senator Levin.

Senator Levin: I just don't see how we achieve the goal of diversity geographic, and the other forms of diversity. Madam Co-chair I agree with your definition of diversity as including geographic as well racial, ethnic diversity, very much so. There's no way we can achieve that, with one and probably cannot achieve it with two. I believe we have to particularly if Iowa and New Hampshire are going to continue for 2008. It just is too small a addition to achieve those goals. So I would hope that that decision would be somewhere between two and four, because I think that's what essential if you really want to achieve it. And that we avoid the front loading. Or try to deal with the front loading by how we work inside of the window. And through other means which the staff and you all have proposed in order to push back the decision making further

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into the window. There are ways of doing that have been outlined in these proposals, so that we can try to diminish the additional front-loading which would result from two to four being added. But at least allowing two to four, so that we can accomplish the diversity goal and we also, as I continue to believe that we give other states a chance at retail politics. That we give other states a chance to have varied views and their particular needs heard by candidates. Those who have been through these New Hampshire, and Iowa caucuses and primaries, understand the huge advance that is produced for states to get their issues heard by candidates.

As a politician we like to be able to understand issues and respond to people's needs. And that is what goes through candidates minds. That's why they make commitments when to Iowa and New Hampshire, that they'll preserve their dominant position. They ask that, it's the first question they're asked before they're asked what you think about ethanol. Or whatever the New Hampshire issue is. Will you preserve our position here. We all know that. It means something. Diversity is so critically important, but it's also the geographic diversity, which leads right into this issue. And other states should have an opportunity to participate in having that kind of an impact, and it should not always be in the hands of two states, to have that kind of attention paid to their issue. So I would hope that we could address this front loading issue in the other ways which were suggested.

And that we at least keep open the possibility it will be two to four added in this pre-window period to give the diversity the attention it deserves, but also to give other states the opportunity to have their issues heard by Presidential candidates.

[Laughter].

Co-Chair Price: Senator before we move onto the next comment. I wonder if I could just ask you, you make very clear the number on contests you're talking about.

And some of this criteria that's governing the selection. Would you care to add whether you have caucuses or primaries, in mind and anything you want to say about when they would fall?

Senator Levin: First of all I think it's very valuable evidence, that [inaudible] right down the name of all the states, and he went a little too fast for me, I think their worth repeating. But in any event, that evidence is very valuable. My own belief is that since - as you can see it has some impact over costs. [Inaudible], if you will ever decide on the face of primaries that there are at least three caucuses. Prior to the window, and that their be up to three primaries, prior to the window, but that would be dependant on whether or not state parties, could apply to the DNC to have their primary in advance of the window with some kind of an understanding, or some kind of a reasonable [inaudible] legislatures would change the bid. You're not going to put the states through saying, okay you can go ahead of the window up here if you're a primary state. The legislature is not going to respond.

So, I would say that there should be three caucuses, because then you can get some diversity, you can - [inaudible] that there be three caucuses ahead of the window, and that there be up to three, there may end up only being one. New Hampshire which of course will pass legislature to do whatever it takes to keep us down in position. You know damn well in advance with New Hampshire Legislature, but you can't control those other legislatures. What's up to the DNC is to what states, are the states that are selected for the caucuses. I would include New Hampshire by the way in that list. I would not do that automatically, but I would understand if they had three caucuses. Excuse me, that Iowa, Iowa would be one of the three caucuses.

Co-Chair Herman: Let me recognize the following in this order. Michael Stratton, Roxanne Conlin, Ed Turlington, Senator Lincoln, Spencer Overton. Okay. Michael.

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Mr. Stratton: I think the only way we're going to get consensus here is if we have the following [inaudible] and entry onboard with some decision today, or over the course of the term of our commission. And I think Mr. Ickes, and Chairman Fowler spoke to the realities and practicalities of all of that. So I would be very supportive of what the Senator just had to say, by adding let's get Iowa and New Hampshire in here specified. And that as you know, I've been an advocate for this whole western concept for quite a while, and fairly tenaciously, and sometimes hopefully humorously.

And if we could Congressman and Madam Secretary, put in the language that we go forward here, some of the concepts that Ed threw out. Not only ethnic - but geographic diversity. And some criteria that would let the rules committee come to a situation that you don't just have one state in the northeast and one state in the Midwest, that there is an opportunity for an Arkansas, or a Nevada, or an Arizona to come forward - where we have good Democratic potential. Where we have diversity, where we have growing Hispanic populations et cetera, et cetera, I think that concept could be the concept of consensus here Madam Chair.

Co-Chair Herman: If I could repeat the three basic points for consensus. You are recommending additional states in the pre-window, you would encourage that the commission consider the rest as a part of the additional states. And thirdly, that the states of Iowa and New Hampshire should be affirmed up front in that process.

Mr. Stratton: And I believe to achieve that we need to be in the 2 - 4 state kind of addition, as Senator Levin suggested. Okay. Okay. Harold. I'm going to add Harold to the list, okay Steve. Okay. But Roxanne was next.

Ms. Conlin: Thank you. In our consideration we need to be mindful of the fact that Iowa's law requires that Iowa's process be eight days before any other process. The Republicans control the Iowa house, we have a unique situation where

our senate is 25 - 25. And it was really unique. And that's what the makeup of the legislature will be when this matter, when this matter is taken up, is likely to be. So when you talk about adding other states to the pre-window as I look at the calendar there just aren't enough days before the window opens on the 5th to do that consistent with various laws unless we put them after New Hampshire. And I don't - I think that might be a solution. I also wanted to address the - how - perhaps ask a question about how we would coordinate adding states to the pre-window with the Republicans or have we perhaps unintentionally decided that that's not important.

And another comment if I may about front loading. I think there is a consensus that we don't want to do that. And I think the consensus is based on two unarguable facts. One is we need for our candidates to be a part of the public national media debate. We don't want any of our - any of the decisions we make to decrease the possibility that our candidates, and our issues will be the focus of National media attention.

Another thing that I think we all agree on, is we do not want money to be the factor that determines who is a Democratic nominee for President. The more states that add to the front. And that's why we don't want to do this. The more states we add to the front, the more likely it is that the candidate with the most money is going to be the candidate we select. And I don't think we want to do that. And if I may respond to Senator Levin's suggestion that the first question that candidate's are asked when they arrive in Iowa is whether or not they support our process, Senator you are simply not correct about that. With respect. The first question that candidates are asked is usually where do you stand on the war. Or what do you think we should do about poverty. Or how are we going to assure a quality of women and minorities in our society. We usually get to the question of whether or not they'll preserve our First in

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the Nation status at some point along the way, but not first.

Senator Levin: Mike Stratton. I want to make sure we heard what you were saying. You of course want the rest to receive full consideration for those early contests. You're not suggesting specific states be named in the rules. You are suggesting that criteria be put in the rules that address geographic and ethnic diversity, is that a correct understanding?

Mr. Stratton: Senator, I guess what I'm suggesting is, that there be language in the report, or some definition of criteria that gets at what we've been saying for a long time here. Is that we've got to be more representative. And you know, Mr. Sweeney talked about the labor issue, and the western states people talked about geography and others like Congresswomen Solis have talked about you know the Hispanic population. And you know a population that is so critical to us and it is really up for grabs as demonstrated. So that's what I'm saying sir.

Co-Chair Price: But it also applies to things we might want to say later about - within the number itself. This is a comment, that maybe I'm taking my chances, because the staff could correct me if I'm wrong. I think in relation to Roxanne's comments if you look at the calendar just for a minute that was put in your folder, the implication I think of having no other contest for eight days after Iowa, which is what it would take to abide by Iowa's present rules. And then having no other contest, at least no other primary contest after New Hampshire for seven days. Then what we're left with is simply having those two contests and opening the window, which is what we do now. So if we're talking about adding early contests, then there is going to have to be some bending somewhere in terms of that two week period. Am I right about that Phil, or is there anything further that should be said.

Co-Chair Herman: We'll want to move to Ed for comments, but Roxanne I'm trying to also to see where members are just on the

number. So, I take it that you would be in the 1-2 if you were going to do something different here.

Ms. Conlin: I would be in the 0.

Co-Chair Herman: 0, okay, I want to be clear in removing.

Ms. Conlin: Okay.

Co-Chair Herman: Is that clear?

Ms. Conlin: That is very clear.

Co-Chair Herman: So the scale is, at this point 0-4 in terms of the discussion that we're having. I see Senator Levin might -

Senator Levin: I've already spoken twice, this may not be right, but I don't think any state can legally control the date of a party caucus. We ought to get a legal opinion on that because otherwise, we'll have another state, such as ours, say we will have a caucus going eight days before any other caucus. Primaries are determined by State Law. And my understanding is we better get a legal opinion on this. Caucuses' are Party decisions, Parties are not controlled by State Law. We protect Parties from that control and that you cannot have a State Law determine when a caucus is otherwise - we're wasting our time here.

Co-Chair Herman: Yes.

Joe Sandler: That is correct, no State Law can dictate to a Political Party when a caucus is held. The results are which are then recognized for purposes of selecting Delegates in a National Convention. We're a State to try to enforce its Law and force the Democratic National Committee not to accept the results of a Primary that complied with our rules, the DNC rules. But not with State Law, they would absolutely lose that case and the law's are very clear on that.

Co-Chair Herman: To this point and then I want to stay with list of speakers whose hands were up.

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Joe Sandler: The State can't force the DNC to recognize the results of the Primary that doesn't comply either. The caucus, is when you popped out of the State's Primary, then you taking on the burden of running a Primary. That's the difference.

Co-Chair Herman: I want to go back to the list so that we are clear on the order of speakers. And I would like to recognize Ed Turlington next, but next but Linda, Spencer, Harold, and Steve.

Co-Chair Herman: Actually, Senator you were behind.

Mr. Turlington: Thank you, Alexis. Let me try to go into discussion a slightly different way. Let's project ahead to February 3rd. The feeling I would hope we would have on that morning, is that we have had an early process that recognizes the real politics, in my opinion, that I was going to be the first caucus and New Hampshire is going to be the first Primary. If, for no other reason, the Republican's would like us to fall into a trap of '08, trying to muck with those processes so they can use that against in the November Election.

The second thing I would like us to feel on that morning, is that we have added a couple of States, 2 in my mind is a good number, choosing off of the criteria I described early, geographic and racial diversity, that have taken our candidates to all parts of the country to campaign.

For example, if we had one of those 4 States in the Western United States with at least 15 percent Hispanic or Latino population, but were retail states or the other States, 5 in the South plus Delaware that it was at least 15 percent African American and 5 million in other. To address Senator Levin's great point about the issues that candidates must address, think about our men and women campaigning in the West.

In Nevada it might be Nuclear Waste, immigration is a National issue, but especially in the West, water is a huge issue and the South, storm rebuilding is going to

remain a big issue, public education, other issues, trade has hit David, and my State so hard. So that is the vision I would want to have on February 3rd.

I would also argue that we could produce a process that could be good for our candidates in the sense that we'd get press coverage, the same day as Iowa and New Hampshire. But if we have a couple of caucuses, maybe one in the West, one in the South before the February 3rd window, we might learn the lesson from the Republicans in 2000, where Bush and McCain had 5 weeks of publicity, for a - you can argue if Al Gore was hurt, not having that publicity in the 5 week period, but there was a blackout on the Democratic side for 5 weeks in 2000. You could argue a scenario would develop with this Western or the Southern caucus in that period we could dominate coverage regardless of what the Republicans do.

Two other points. I'm very mindful of what Senator Levin and others have said about this front loading and I hear my friend Roxanne, I don't want to be a part of tipping over the process, so I'm advocate for later in the day, discussing ways between February 3rd and beyond, whether we try to guide States in some way by saying no more than 4-5-6 a week, I don't want to sound naive about it but thinking creatively about that. David, finally as to your point of bending, given the Republican window being February 3rd and option, I know we're all going to win at this, but an option would be moving Iowa and New Hampshire up a week earlier, giving us an extra week in there to have a Western and Southern contest and still having a week-as I remember the calendar fill, before February 3rd opens.

So my positions are, 2 States yes, before February 3rd, I am an advocate for Iowa being the 1st caucus, New Hampshire being the first Primary and the win/win being to add a couple of other contests that are geographically and racially diverse.

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Co-Chair Herman: And you would achieve that by moving Iowa and New Hampshire up one week?

Mr. Turlington: That's one way to think about it. I'm still cogitating on that one.

Co-Chair Herman: Okay. We will put a place holder there and come back to that. Senator Lincoln?

Senator Lincoln: Thank you Madam Chairwoman and I'm certainly honored to be here and a part of this discussion. I think Senator Levin and I probably more than anything-well maybe not-there are certainly other members who, in dealing with the current Administration definitely want to stay focused and as I know, the whole commission does and that is the universal objective we have and that is to create something that is going to allow us to win. And there is just no doubt that there has been somewhat of a seat change among our constituency. They are anxious for a change, they want a change, not just in the process but in the leadership and if we don't seize the opportunity as Democrats to really move that change forward in the Leadership of this Nation through the Administration and through a new President, we will have missed an enormous opportunity.

But the other thing we also know is the change their looking for, they're confused about. They may not like what they see but they don't feel any more confident in what we have to offer. I think that makes the job that we have here to do, enormously important.

I do feel strongly that the front loading can be dangerous and I think that what we should do as we look through this process is think of it in one step at a time, perhaps phases.

We're not going to be able to do everything that we need to do to improve this process by 2008. My hope would be that we would look at what we can do in expanding the diversity of our Primaries and Caucus's across this country. Iowa and New

Hampshire have done a tremendous job in their retail politics.

But I can say personally, as a candidate in Arkansas, retail politics are critical. We're still a State where if you don't show up at the Pie Supper and you don't show up at the Coon Supper, you don't show up and eat everything that flies or walks or whatever, you're not going to get elected. So I know we have much to learn from you all on how to orchestrate that on the Presidential level, but it is absolutely critical for us, as smaller States, as Southern States to certainly be able to engage from that prospective on the Presidential level.

And our hope is that the States that have done a tremendous job, in developing that ability of retail politics, would want in the overall picture of success, to share that opportunity with those of us that depend on it as well. And we are encouraged by that.

So I would say that as we look towards Phase 1, I agree with Ed that being able to expand some of that, I would be reluctant to move up those primaries because I think it defeats the purpose of what we need to do in Phase 2, which is to not front load but to push this whole process back as Mr. Ickes mentioned. Because the longer we make this process, the more detriment it brings to us and to our Party and our candidates particularly.

So I would advocate that we look at it in Phases. Recognizing that we're going to be able to achieve part of what we want in the 1st Phase in expanding our exposure of our candidates across this Nation, where we're going to depend more and more if we look at the last several elections. And again, most of the people in this room know more about elections and what have you, than I do in all of my experience. But I do have a tremendous connection at this juncture with the electorates.

And I think that is important that we have to recognize they want inclusiveness, they want demonstrated by the Democratic Parties, who it is we are and what it is we

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want to represent and what type of leadership we can offer. I think the decisions this Commission makes, should not be underestimated in what message that sends to the electorates in terms of who we are and what kind of leadership we will provide, should we be fortunate enough to win their faith and confidence in doing that.

I would also like to recommend, that is as we look at the criteria for the States that might join our fellow States, our sister States in those early times, that we look at the population size, which usually is directly related to the need for Retail Politics, the diversity without a doubt is critically important. I would also the geography, I was the only one-only Democrat reelected in the South this go around. I just say that it is so important in terms of our geographic diversity that we recognize that we're not going to win this Presidential Election on just a few States; it's going to take the entire Nation.

The other thing that I would also say that we look at is those States that have worked hard and the percentages from the last election are also included in some of that criterion. States that have made monumental advances in the recent years in terms of the development of their Democratic Party and their Democratic Leadership and Elected Officials, to the extent that those are places we can win if we've got that leadership.

So I hope that we'll expand those criteria for those States that would join there, that we would really focus ourselves in Phases so that we take it one step at a time, accomplish what we can early on, but with the long term goals of what we want to do, which is pushing a good bit of that back. It's going to take - in order to reach the gains that, I think, this Commission wants to reach. Again, that's success and it's winning. There's going to be some pain for all of us. But if there is anything I know, it is that pain is way, way overcome by the confidence that we all feel, will be there when Democratic Leadership in leading this country, because I think we all feel very,

very strongly that the Leadership that we've had thus far, is not getting this Nation where it needs to be or where the American people want go.

I thank you for all of your patience, the co-Chairs that have done an incredible job there and I would certainly use those four criteria's. I would recommend a little bit larger inclusiveness than Ed, probably in that early part of those additional States. Because I think we can always pair that back in Phase two if we need to. But early on, providing the ability for States to engage in this 2008 Election, I think is an important role we can play in making States understand who we are as a Democratic Party. Thank you.

Co-Chair Herman: Thank you Senator. If I could do one follow-up on your comment back to Ed, so you're suggesting that you would not necessarily favor moving the window back, but that the number two is too small, am I interpreting that correct?

Senator Lincoln: I don't have a problem with moving the window back. I have a problem with - I think if I understood you correctly, you were saying moving Iowa and New Hampshire forward in order to be able to include more. I would think that-kind of-moving us in the wrong direction if what we ultimately want to do is not front load, but move this whole process back a little bit, that it kind of, gets us out there and something that we are then going to have to reverse gears and move back from.

Co-Chair Herman: I meant the pre-window.

Senator Lincoln: Okay.

Co-Chair Herman: I meant the pre-window, I think Ed was suggesting that Iowa go back to the 14th, if I'm looking at the calendar correctly, to free up a week and is that what you were affirming or saying don't do that?

Senator Lincoln: Moving the window back?

Co-Chair Herman: The pre-window. If you look at the calendar, Ed would say move

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Iowa to January 14th, move New Hampshire too possibly, January 21st and thereby freeing up the week of the 28th. Is that my understanding?

Senator Lincoln: Because I think it gets us further away from where we ultimately want to be, which is moving everything back down.

Co-Chair Herman: Okay.

Senator Lincoln: Can I also just add one comment and I didn't mention this, but it certainly played a tremendous role in my election as well as I think-predominately, a great deal in some of our Southern races, and that is, without a doubt, making sure our candidates get there early and that they meet with the right groups.

But when you talk about diversity, we talk about size, we talk about ethnic groups, we talk about geography and we talk about other elections. But I don't think we can deny the fact that in - particularly in the South, but in other places as well, much of the publicity that is placed early on, comes through the Faith Community. And addressing that is going to be a critical role if Democrats don't face it, it's going to be a problem.

The Faith Community is very strong in different places, in geographic regions of our Nation. And unless, we as Democrats recognize that some of that has got to play a role in the diversity of how our candidates are perceived, we'll miss an opportunity.

Co-Chair Herman: And Senator, could you comment for us as well, on the scales, which is zero to four right now, in terms your sense of what the expansion should look like. You are affirming that we need it do, but in terms of the number, do you have a sense of where you would be on that?

Senator Lincoln: We're fading, which I am assuming we are, that we could learn a great deal from - if we are assuming that Iowa and New Hampshire, at least for now and then per say, you should - we should

use their experience and their ability should be included in those first - very first category as I am thinking, because I think that is important.

But I would say that - I would say four. I'd say at least four. I think that those inner categories of diversity are really important on -

Co-Chair Herman: For a total or for a new?

Senator Lincoln: For a new.

Co-Chair Herman: Okay. Thank you. I want to recognize and acknowledge Congressman Meek has joined us. Welcome, good to have you with us. Let me go now to Spencer Overton, Harold Ickes, Steve and then Vida.

Mr. Overton: Thank you Madam Chair. I just wanted to quickly provide some insight. I sat on both Commissions, this Commission, of course, and then also the Carter-Baker Commission. As you all know, we've spent four meetings, we've heard from several witnesses on this one issue.

With the Carter-Baker Commission, as you all may know, the Carter-Baker Commission recommended the NASS - the National Association of Secretary's of State Proposal. That calls for Iowa and New Hampshire being first and then followed four Regional Primaries. With the Carter-Baker Commission, this was one of 87 recommendations. Many other recommendations dealt with voting machines, voter I.D., et cetera. We had three meetings to deal with these various issues - 87 issues, we didn't have any witnesses with regard to Presidential primaries here. We essentially talked about this issue for about 15-20 minutes.

President Carter was certainly in favor of New Hampshire and Iowa remaining up front. And we also had two Secretaries of State from different parties on our Commission and they felt very strongly about the NASS Proposal. There was a dissent by one Commission member and

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she basically, felt that there concerns about diversity in terms of New Hampshire and Iowa.

For the record, I did not vote. I abstained on this particular issue because we have not heard all the evidence and we haven't made our decision in this body. I think that if there was a consensus here, the true consensus was that the status quo is inadequate and there needs to be a change. And this proposal here in terms of NASS is maybe one way to move toward changing the status quo here.

And then I just wanted to make one other point, unrelated. So I wanted to provide that insight in terms of Carter-Baker and that proposal. But I also just wanted to talk about the number of Delegates that are allocated. And we talked about the concept of maybe making later States more important by distributing some Delegates to those later States and I think that's valuable. I think that strategy shouldn't be off the table with regard to the early States that are put up in front in terms of the window.

If, for example, New Hampshire and Iowa remain first, but we want some real diversity up front, if we were to put Delaware up front, they'd only have 15 Delegates, there's an argument that no one would really care. No one would really pay attention. But if you provided Delaware maybe, some more Delegates, maybe they would have more of a voice and their diversity really would be reflected and they wouldn't be silent.

So my point is simply, I think in terms of the Delegate allocation, we shouldn't take off the table, this strategy of perhaps, providing a few more delegates to States in front of the window if there a few that are added.

Mr. Ickes: I don't want the practical to interfere with the theoretical but given the fact that we have much more ability to move or try to move caucuses than we do primaries, I just wanted to make sure that I understood what the caucuses - caucus states are. My reading of them - I think there are 18 caucus jurisdictions. Iowa and

I'm reading this list in the context of the numerous factors of diversity that have been talked about here, geographic, working people that John Sweeney talks so eloquently about, the Faith Community that Senator Lincoln talks about, geographic as well as racial and ethnic. So we have Iowa, North Dakota Democrats abroad. I'm slowing down Sandra because I know you don't write real fast. Washington, Maine, Nevada, Hawaii, Idaho, Minnesota, America Samoa, Kansas, Alaska, Wyoming, Colorado, North Carolina, Virgin Islands, Guam and Puerto Rico.

Mr. McNamara: I just want to clarify, seeing as how you're reading from the '04 calendar, where North Carolina held the caucus. That was unique to North Carolina in 2004. North Carolina has traditionally always become a priority State. North Carolina ran into some glitches legislatively, as well as court case that forced the North Carolina State Party to abandon [inaudible] and as a result had a [inaudible].

Mr. Murphy: I believe South Carolina can also choose. You have several states in that category. And secondly Senator you refer to the Michigan event as a caucus. I would predict that the New Hampshire Secretary of State, would call it a primary based on their state law or similar such even and that if we were going to be consistent with New Hampshire state law, we would have to have veritable caucuses only before the New Hampshire primary. I think you'd know that over the course of these four meetings Senator.

Alexis, David I would propose that we operate based on three principles here. Number one doing nothing to help the Republicans win the Presidential election in 2008. And having caucuses on the same day as Iowa, or before Iowa, and having primaries on the same day, or the before New Hampshire would in my view contribute to the Republicans winning in 2008. We're talking about 11 electoral votes in a country that is very closely divided, where Bush supposedly won a landside by winning by 16 or 18 electoral votes in 2004.

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Second that we do nothing to create calendar mayhem. First of all I believe the Rules Commission would reject. I mean assuming the DNC and the Rules Committee would reject such a proposal. But if we're proposing to have events on the same day as Iowa, or caucuses, or anything else, or primaries on the same day as New Hampshire. Both of those states practically are going to move up. I mean they are absolutely, and then you're going to move the process back to the beginning of January, even possibly into the previous year, into 2007.

And finally, that we do nothing that exacerbates the problem that most of us feel we have with [inaudible]. I believe that you if you have six events, and [inaudible] delegates in several of these states, that we would in fact be increasing the front loading problem as opposed to decreasing the front loading problem.

Finally I would like to address one aspect of Ed's proposal. I personally do not believe it's a good idea – we wouldn't be furthering the goal of diversity, if we had Iowa, and then New Hampshire, followed by a couple of other states outside of the window, for the window that would contribute to diversity. In that situation you would essentially be having the states that have less diversity first, followed by the states that have more diversity. I don't think we as Democrats want to adopt a system like that.

Senator Levin: Just to clarify the implication of that Steve, you're saying that additional contests then would come between Iowa and New Hampshire?

Mr. Murphy: Yes. Practically speaking. [inaudible], or because of Republican [inaudible] or whatever. Moves up to eight days before those caucuses, I don't think makes much practical difference.

Co-Chairman Herman: Vida, and then Josh, and then Terry.

Ms. Benavides: I'm just trying to come to a decision myself in terms of the recommendations to the pre window. I'm trying to summarize this, that has been suggested between at least three caucus states. And maybe one primary, between Iowa and New Hampshire assuming those dates are solid. [Inaudible] with Ed's suggestion that the criteria's are geographic, including economic diversity, I want to point that out. As well as population. I did some data gathering from Harold's what you're suggesting the 10 states are. If you're saying - these are the western states that have been suggested. I know we're not going to talk state specific, but I want to start narrowing my decision tree here. Arizona, is the primary state which goes 55 delegates.

That is a [inaudible] state of 24, and New Mexico is a [inaudible] state of 26 delegates, Colorado is a state of 53. That's just the west with a diverse of criteria that you laid out. And with the south you have Louisiana as a primary state with 60 delegates, Arkansas primary state with 55 delegates, Alabama primary with 54 delegates, Mississippi with primary state with 33, South Carolina, state run primary 45 delegates. And northeast is Delaware with 15 which is a primary state. So, and if California and my state chooses to be a caucus state therefore we are in the caucus category.

So I'm just trying to narrow, help at least in my mind what states that we're really talking about with respect to all the issues, the diversity, nomination process, legal constraints, and the political role, and the capacity of these states assuming that we're going to try to focus on the criteria's. I think that's been agreed upon in terms of the values that we've put forward.

Definitely the party is for a change, or I wouldn't be here today if it wasn't. And I thank you for being part of this commission but as the day goes along, I just wanted to see where we're at also, are we going to come to a certain vote any time soon in terms [inaudible] number. But to answer all the questions you laid forward in this pre-window, because I know we have longer

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debate also on how that - the longer window. And then incentives that we can build in, in terms of recommendations. So that's my question and just the information gathering.

Co-Chair Herman: And the answer is yes to your question Vida. My question back to you, are you affirming your affirming the expansion, in terms of opening up and you are simply trying to focus in on what types of states that meet the criteria. Do you have a sense of where you are in the numbers?

Ms. Benavides: Just to be fair, because front loading is definitely an issue. You cannot include that issue. But I'm a proponent for diversity first. So therefore yes, is the answer to that. I'm into looking at two to four. Probably at least, and I'm talking about Regions too. Western Region, South Region.

Ms. Herman: Thank you. I'm going to go Josh and Terry, and then we're going to break and go to lunch. And continue our deliberations there.

Mr. Wachs: Thanks. Thanks Madam Secretary. After listening to this discussion, I would be inclined to be supportive of two additional states outside of the window. I think any less than two and you're unable to really have any sort of the diversity goals that we want to have. I think when you start to talk about much greater than two, obviously there's a front loading problem. And there's also the problem of spacing. Looking at this calendar. And I think that you know, there's something to be said for having some amount of time in between these events that's important, so that the race doesn't become just a race dictated by momentum.

I also you know do think it is important that Iowa and New Hampshire do play an important role in this process, you know as I think noted previously. New Hampshire was the only state last cycle to turn from red to blue. And that's pretty important. And when you take a look at the 10 states that Ed has laid out. I think Delaware was the only one

of those 10 states to do Democratic. And I do think Steve's premise of doing nothing to help the Republicans, and thus also looking for ways in which we expand into red territories, is very important.

Co-Chair Herman: Thank you, and lastly, Terry. Or Art, I'm sorry. Terry, Art, and then we're end with Art. Mr. Torres: I just want to be very quick. I think that what we have said so far is very important. The Faith based issue in California and many of our red areas are very important, as Senator Lincoln and I have discussed. Even the random plan, the California Plan, which I talked about earlier leaves California until almost the end, given Harold's concerns as well. But I think that if you're going to have true diversity. Maybe the best way to go, and I'm favor, and I've come to this conclusion to make sure that Iowa and New Hampshire maintain their stability and principality of the process, and maybe I would go to a process of three primaries. One in the south, one in the west and Michigan. If they're a caucus state.

[Laughter].

Co-Chair Herman: Okay. Thank you, Terry.

Mr. Shumaker: Thank you Madam Chairman, and thank you for distributing our scenario which is Scenario E, in which we have tried combine both the issues that we've been grappling with all day. The pre-window period and the period after the window. We believe that we can spread out the period after the window, the Wisconsin experience in 2004. That will go a long way to alleviating what I believe is a perception that the start off states have more influence than they actually do, in fact the last two Presidents did not win the New Hampshire primary. So I don't believe we do have disproportionate impact. And if we dealt with front loading that would be dealt with. I would also like to address what Steve Murphy said with regard to how I believe New Hampshire law would be interpreted vis a vis the way the Michigan contest has been run in the past. And finally I would like to mention something I think is important with

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regard to the Chair's question with regard to the number of states that might be added outside the window. We support more diversity early in the process. Our scenario says that in writing.

However I would also like to mention another factor which I believe is extremely important and that is, New Hampshire along with Iowa keeps alive the American dream, and we are the party of the American dream ladies and gentlemen that anybody born in this country, can grow up to be President, and I believe that if we add too many states early, it will raise barriers that are insurmountable to the lesser known, lesser financed candidates. And I would ask us all to be mindful of that, as we move forward in this discussion. Many of the witnesses that have come before us, have mentioned that it is important. In our party you don't have to be born into a family that had President, in order to run for President. And I think it's important we keep it that way. Thank you.

Co-Chair Herman: We were going to close with Terry Shumaker, but I'm going to differ and give the last comment to Senator Lincoln before we break for lunch.

Senator Lincoln: I just want to make one comment, I don't disagree, and it is so important for every young man or woman to think that they could actually be President. It is critically important, that as long as we are not in charge, it's going to be difficult, because they continue to change the rules. There is a rule change to the campaign finance laws that's now been offered on transportation approps, and has been offered in other places which would eliminate the limits on what leadership dollars can go to parties. So you know, essentially, Republican Leadership packs could give up to millions of dollars which again if it gets stuck into one of these little things. So I would just say that what we're doing here is critically important to bringing forward that, and it certainly has a lot to do with the diversity that we just demonstrate that democrats are very, very dedicated to

diversity. Just keep that in mind that there are a lot of rules changes and other places that are also going to have an effect on the amount of monies that are going to be going into campaigns and to different states.

Co-Chair Herman: Thank you very much Senator, with that we will take a break for lunch. We will reconvene here at 2:15. We will have an executive session with Commission members only for lunch. And I would ask Phil would you please direct us to the hearing for lunch.

[Lunch]

Co-Chair Herman: We will use the balance of the time that we have left on the agenda to move to a dialogue on questions around the schedule inside the window and specifically the question of front-loading.

But before turning our attention to the question of front-loading, I see we have some Commission members at the back of the room and I would ask that we quickly take our seats so that we can bring to a conclusion all of our discussions on our options thus far on pre-window discussions. And I would like to put before the body three recommendations to summarize what I believe is now the position of the Commission for a vote so that we're clear on where we are, critical questions thus far regarding the pre-window scheduling issue.

Vida, I'm going to proceed even though I know that you are still in the back of the room. The first recommendation before the Commission, and I would like that you would please respond with a show of hands as we put forward these recommendations to summarize our discussions, that the Commission is recommending that we expand the pre-window calendar to include additional states taking into account the discussion that we have had over the past month that in principle we would want to add to the calendar additional states besides those that are presently designated and those states being Iowa and New Hampshire. We would have additional states that we would add to the pre-window.

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I'd like to have a quick show of hands if there is agreement in the Commission on that. I think we can just take a quick sense. I'll call for position of the house.

Those opposed?

Those abstaining?

Very good. Thank you.

The second question before the Commission is there is agreement that with regards to the number of states that we would include in the pre-window with Iowa and New Hampshire would be a part of those states in the pre-window for 2008 named in the rules specifically. Iowa and New Hampshire would be named in the rules for 2008 as a part of the expanded group. Again, a show of hands:

All those in favor.

Those opposed?

I believe that is unanimous.

Question three. We've had discussions regarding how many states should be included in the expanded pre-window. The range that has been discussed in this Commission include the range from two to four states in addition to Iowa and New Hampshire. Two to four states in addition to Iowa and New Hampshire. We are recommending that between now and the December meeting that this Commission would undertake a process to explore exactly what number should be included in the pre-window in the range of two to four.

All those in favor of this recommendation, please signify by raising your hand. Two to four in the range.

Those opposed?

Those abstaining?

Thank you very much.

I think that concludes our work thus far on the pre-window discussion. We have agreement that we will expand the pre-window. We have agreement that New Hampshire and Iowa will be included in that expansion specifically named in the rules for 2008. And that the range will be two to four that we will seek a consensus on a precise number by the December meeting.

I'll now turn it over to you for discussion of the calendar and the window and front loading.

Co-Chair Price: Thank you. I think we've made some good progress which we then can finalize in the December meeting on this pre-window question. We are not going to have as much time today to get into the window period in detail as we would like. On the other hand, there aren't quite as many detailed questions there to deal with and so what I think -- I'll say just a word about the context of this, but what I think we should do in the time we have remaining, and we really want to adjourn very soon after 4:00 o'clock. You have the decision tree questions before you on the inside the window period and rather than trying to have a strict sequence here of discussing these things I think probably our best use of time will be to hear from members about what they give priority to, what their views are on this, and we'll see how we do in testing the consensus on some of these matters.

Some of these things, of course, are controversial and all of them are difficult. All of them are difficult. The influencing of the scheduling contest within the window, dealing with the so-called front-loading problem is something that has vexed the Party for a long time. We, of course, want to see what we can do about it. We need a few minutes at the very end of the meeting to telegraph certain items that we may want to include in the final report that fall outside of our decision process today.

Okay. Inside the window. Since the window's inception, the DNC has not mandated when a state must hold its primary or caucus. Each state Party has

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been free to determine the best time to schedule its primary or caucus just so long as it's within the window. Some have called this a laissez-faire approach and as a consequence over the last two decades individual states have moved their contests earlier and earlier in the calendar year creating a front-loaded calendar, a concentration of contests early in the calendar. To continue the economic analogy it's as though the free enterprise of individual states has created a collective outcome that no one particularly wanted or anticipated.

And yet regulating this is no simple matter. There are plenty of critics of front-loading; plenty of critics over this outcome of the decisions of individual states all looking for their place in the sun. Critics contend that with more and more states moving earlier, going on the same day, that for one thing increases the significance of Iowa and New Hampshire and that kind of momentum a candidate has coming out of there. Others contend that it might lock up the nomination prematurely, constitute a kind of rush decision, rush to judgment and losing the paced character of the nomination process that give candidates a chance to make up for mistakes or to come on strong later and so forth. It risks a decision very early in the process that then is locked in for months.

To give you some perspective on this, in 2000, 16 states and one territory hold contests on the first voting day after New Hampshire. Now, this day of voting came five weeks after the New Hampshire primary but it was still drastically front-loaded. It became what some called a de facto national primary and, in fact, California and New York, which used to anchor the process late in the season, both voted on that day.

The situation improved for 2004. The opening of the window featured primaries and contests in seven states, Arizona, Delaware, Missouri, New Mexico, North Dakota, Oklahoma, and South Carolina. Now, as we sit here today we know that just based on state statutes Arizona, Arkansas,

Delaware, Missouri, and Oklahoma will hold state administered and financed Presidential primaries on the first Tuesday of February in 2008. The decision we have just made about moving some contests into the pre-window period may alleviate this, may spread the contests out bit, but there's no real assurance of that.

So we have gotten comments over the entire life of this Commission that the Commissioners were concerned about this, they wanted to consider fully what range of actions were open to us, and so that's the discussion we'd like to have now in admittedly limited time. You do have before you the suggested decision tree although it's, again, not in this case sequential decisions which may suggest to you certain specific aspects of this you might want to address so that we can focus this discussion as much as possible and narrow what we may be considering in the December meeting.

Co-Chair Herman: I would invite Mr. Ickes if he might specifically to the notion of incentivizing states as one aspect of this discussion, Congressman Price, to help us with the front-loading question.

Mr. Ickes: I accept your invitation. Not as I have much choice. So I spoke to this a little earlier. I think that these are very, very thorny issues and it seems to me that as I said this morning that the whole system is way too early. The conventions no longer perform the function that they used to perform. They used to really broker and make a decision by the delegates -- the delegates made a decision about who was going to be the nominee. Sometimes it was done in the back room but since the so-called rules revolution that started in 1972, the back rooms are gone and whether that's good, bad, or indifferent, we have what we have. And the -- I think it's fair to say, certainly in the Democratic side at least and probably on the Republican side, that the decisions are made in the caucuses and the primaries in full sunshine and that perhaps is where the decisions ought to be made. The conventions by in large have

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lost the function, the decision-making function, who's going to be the nominee.

Last year there was a big debate under Chairman McAuliffe about whether or not to start the process earlier. Terry took a lot of heat over deciding to start the process earlier. It was his decision but based on an awful lot of advice by Gray and other hairs that he -- that it would be better if we could come to a conclusion as early as possible in '04 that who our nominee was going to be so there could be a full-throated campaign, yada, yada, yada. There was. We came to the conclusion. It was no later than the end of March, it was probably a little earlier than the end of March, John Kerry became the standard-bearer and then he -- there was a seven and a half month general election campaign. It was interrupted by a lot of ups and downs. It was interrupted by two conventions but the conventions meant nothing in terms of a decision process.

It seems to me that under any reasonable standard, and you can quibble over what's a reasonable standard, that a seven and a half month general election campaign is goofy. It's just plain goofy. It doesn't serve the country well. It doesn't serve the Democratic Party well. I don't think it serves the Republican Party well. It is very difficult to make these adjustments because everybody is always jockeying and the Presidential candidates weigh in very much behind the scenes. So that's point one.

Point two is -- so that's sort of an opening premise with people who disagree with it. Point two is it is very hard and we've seen some of this in the discussion over the past several months in this Commission to tell states you're going to do it here, you're going to do it there. It's almost impossible with respect to primary states. We don't control -- in fact, it is impossible. We don't control the law. We, the Party. We can run firehouse primaries but that has an enormous political cost. You can encourage the states to move voluntarily. On caucuses we have a little more latitude, but even so, I don't think we as a national Party want to get into the business of telling states when

they should go. And I suspect -- I don't know how many members on this Commission, I suspect for every member there would be a different view about what the calendar should look like.

So I think we ought to look very hard at incentives. And one obvious incentive -- there's a lot of different incentives but I think one obvious one is to take -- hold a bunch of delegates in our back pocket. When I say -- I assume the Rules and Bylaws Committee or the chairman or whoever is going to allocate delegates, and rather than allocating all the delegates under the mathematical formulas that we have come to love and not even know what they mean we should hold back a bunch of delegates and give more delegates given to states that make a real attempt to move -- not only a real attempt but, in fact, move so that they start pushing the calendar later and later. All this is experimental. Nobody will know if it works. But I'll tell you one thing, the system we have does not make a lot of sense. I do not think we ought to be in the business of telling states when to move. There may be some exceptions to that but by in large I would not be in favor of that. I think it's fraught with difficulties, political and otherwise.

We now have a delegate body of some 4000 delegates, not including the alternates. You can hardly find a barn big enough to put them all in. So I would be against putting more delegates on top of the 4000 or so. I would hold 50 percent. We can quibble over the number but I would hold 50 percent and start distributing those to states that move much later in the calendar. So that's sort of my proposal. I'm going to put that in the form of a motion. I don't know how you want to handle this, Madam Chairman, but I think we have got to start somewhere to try to move this process down. We are always bound -- we always look and wring our hands about, well, here's what the Republicans do. They do award bonus delegates is my understanding. Joe, you probably know more about this than I do but my understanding is that they do award bonus delegate to try to induce states to do

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certain things that they think is beneficial to their system and I think we ought to do the same thing. It may not work but we ought to try it.

Co-Chair Herman: It think what we would propose is some discussion on the issue that Mr. Ickes has raised and then if it's a sense of the body based on that discussion then perhaps we might entertain a formal motion through the bylaw committee of the DNC. But why don't we open up the floor for discussion on what Mr. Ickes has proposed. Carol.

Ms. Fowler: I just have a question. Would you reward states with these bonus delegates for moving back or would you reward states for staying back? I mean, if a state's always been in June, would you give them more delegates or only states that now are early and -

Mr. Ickes: I can't give a hard, fast answer to that Carol. I think it would be a combination. I think if a state is going to stay back, and likes the staying back, and does need some delegates to incentivize it. I probably wouldn't give them some additional delegates. But, I think once - if we adopt this, I think everybody's going to be rushing to the trough. So, I think going - you know it's going to be a balancing act.

Mr. Crawford: Thank you, Madam Chair. I think that a couple of points in support of Mr. Ickes proposal. Sometimes we look at this for the perspective of a party. Hey, this will help us out. We don't want to be a target for a long period of time, or we want a process to come up with a better candidate.

But, I think also looking at it from the perspective of American voters. The fact that the national media is focused on the problems of Wisconsin for a day. And Wisconsin doesn't have to share the spotlight with 10 other states on a particular day.

I think this is something that really advances democracy in terms of spreading out these contests, and really gives everyone in the

country more voice. Because, they can really have national audience on a particular day. So, I think it's something that helps democracy.

And I think another aspect of this is that we just include more prospectus here. And even, let's say if we went to some Saturday contests. So, in addition to our Tuesday contests, we had some Saturday contests, with states by themselves. That would add some value. So, lengthening the period, and then also ensuring that there is discussion within our party throughout the week. Right. Not, just on Monday, Tuesday, and Wednesday.

Co-Chair Herman: Mr. Roosevelt.

Mr. Roosevelt: The purpose of - the purpose of awarding bonus delegates is to have the later contest have meaning. It's not just to provide the incentive to states to move later. So, I would say that it doesn't really matter whether it's to stay late or to move late. You want those contests to have meaning in the overall process. So, we could do it either way.

Co-Chair Herman: Other comments? Governor Shaheen?

Governor Shaheen: One of the provisions of the proposal that we submitted from New Hampshire would address the other half of this, which Harold's alluded to. Which - and you list in the first point under - inside the window. And that is thinking about how we could limit the number of delegates who are allocated on any one day, as well. So, it seems to me that if we're doing to this we ought to think about a system that does both. That both tries to limit the number of delegates on a given day, as well as provide bonus delegates, so that we have both a carrot and a stick. As part of what our proposal is going forward.

Co-Chair Herman: Other comments? Mr. Roosevelt?

Mr. Roosevelt: This isn't a matter of advocacy. But, just a piece of information.

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With regard to move in the last cycle to intentionally wrap this up early. The purpose for that, we need to remember was not just to make it simple and over with. It was to provide time for our candidate to raise sufficient money for the general election. Now that turned out not to be a problem this past time. But, I don't think that in considering what incentives we're providing, we need to think about that issue.

Co-Chair Herman: Mr. Ickes?

Mr. Ickes: If there's no more discussion, I'll make a motion. I love making motions?

Co-Chair Herman: We know.

[Laughter]

Mr. Ickes: I assume that - I'm always a bit - in between about what this Commission is doing. But, I assume our - our actions are going to be recommendations to the Chairman, et cetera. So, I make this motion in the form of a recommendation.

My motion is: That this Commission recommends to the Chairman - to the Democratic National Committee, that he instruct the Rules and Bylaws Committee of the DNC to take a very hard look at, and come up with a system that awards bonus delegates to states to induce certain behavior that the Rules and Bylaws Committee thinks would be beneficial to, and end up with a stronger party and a stronger nominee.

Co-Chair Herman: Okay. Governor Shaheen been seconded. Discussion?

Ms. Conlin: I would support that motion. And I guess I have a question for us as a group. And that is whether we should be more specific in thinking about what we recommend. Whether between now and the time we meet in December, we might want to put a few more bones on that motion. So, that we give the Rules and Bylaws Committee some guidance in terms of how we would suggest they proceed.

Co-Chair Herman: And what would the bones look like, with meat on the bone?

Ms. Conlin: I can go with meat too. I could do meat. So, what I guess I'm suggesting is that perhaps we might want to designate some sub-group of this Commission, or ask that the Chairs work with some sub-group in trying to flush out this motion a little bit. In terms of what we would recommend.

Mr. Ickes: I accept it.

Co-Chair Herman: Thank you. Mr. Stratton.

Mr. Stratton: My comments would be that this is a very good idea. I think that this also could tie into some of the things we've tried to talk about achieving. Which is the diversity issue. And I think there's a way, you know you could tie regional issues, diversity issues into this incentive plan. And so, I would just reinforce what the Governor and Mr. Ickes have said.

Co-Chair Herman: Very perceptive. Mr. Ambassador?

Mr. Torres: Madam Chairman, as I understood the conversation between Harold and Governor Shaheen. What is number 1 on the decision list that you've given us today, authorizing the Rules and Bylaws Committee working with the state to limit the number of contests. Authorize no more than X per week. Which is also in our scenario E, that that would be part of this work in progress? Is that - am I understanding that right?

Co-Chair Herman: That is not specifically, as I understood it was Mr. Ickes address. I think he was - as I heard the motion, speaking specifically to an incentive strategy. But, I would defer to Mr. Ickes.

Mr. Ickes: Well I read - I read - I ready number 1 as, I guess working with states. I read that sort of as ordering states rather than kind to appeal to there self interests. So, look I think that - I think there's broad sentiment in this Commission to try to restructure. And it will be a work in

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progress, and it will be over time. It's not going to happen in one cycle. To restructure our nominating system to try to achieve several ends.

One, is to reduce front loading. Two, is to spread it out. Three, is to get more diversity, however defined within the system. So, there's real diversity and reflective in the process. So, I think my motion would include number 1. I certainly wouldn't exclude. It would include it. I think that anything that will give states incentive to try to change there ways to make it a stronger system and stronger nominees is within my motion.

Co-Chair Herman: Thank you for the clarification. And with that clarification, Ms. Brazile.

Ms. Brazile: Thank you, Madam Chairwoman. I only have one concern, and maybe Harold you've taken into consideration. As you well know that one of the things that we look at in our whole deliberation in the rules is whether or not states are maintaining their affirmative action goals, as well as paying attention to equal division. I would hope that as part of this incentive that we insure that those principles are still met.

Mr. Ickes: In terms of incentives, I wouldn't exclude anything. I wouldn't exclude any factor that will make it a stronger party, a better party, and a stronger nominee. And that certainly would be included, Donna.

Co-Chair Herman: Okay. Hearing no more discussion, are we ready for the question? All those in favor of the motion as stated, and the friendly amendment as excepted, please signify by raising your hand.

Those opposed?

The motion carries.

Just a part of information Mr. Ickes, although this commission believes it to be at times all powerful and all knowing, you are in fact correct. The work of this commission will be

referred in its totality to the Chairman of DNC. And more appropriately to the Rules and Bylaws Commission to sort through the issues on behalf of the Chairman.
Congressman Price.

[Laughter].

Co-Chair Price: We're ready to move onto the last discussion unless there's further discussion on this window period. Roxanne.

Ms. Conlin: Okay, good. I'm not sure where my concerns sit, but before we leave here I would like for us to address three roman numeral II, the relaxing of proportional representation. May I address that now?

Co-Chair Price: Sure.

Ms. Conlin: I recognize that in an effort to put everything on the table. We've put everything on the table. I would like to that right off. I think that as a person who was part of the struggle to receive proportional representation, I don't think that's something that we would want as a party or as a Nation to revisit.

And so it would be my motion that we remove from consideration any idea that as a part of an incentive or and in any other way that we permit states to relax the requirements of proportional representation.

Co-Chair Price: Do we have second.
Second.

[Laughter]

Mr. Ickes: I haven't read the rules recently on proportionately representation but there are exceptions in our rules to strict PR, so Roxanne I - if you are talking about not relaxing PR as we understand that term and as it's embedded in our rules, I think I might go along with you. If you're really aiming at strict PR across the board and not including the exceptions that we have created over the years then I would have to probably not support you.

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Ms. Conlin: And that would break my heart. So I would like to see personally, strict proportional representation across the board, no exceptions, no messing around. I accept however that that is probably not possible. And therefore my motion is addressed at this time, subject to perhaps revisiting it at some time and another place, that we do not relax proportional representation as we now understand it, and as it is embedded in our rules.

Mr. Ickes: I hate to sound so naive, but differ to counsel.

Joe Sandler: I think the exception that Harold is referring to, is Delegates both at the district and the at large, that will have to be allocated based on the proportion of the vote, the caucus vote, or convention vote won by each Presidential candidate subject to a 15 percent threshold. In the case of a Primary, or refers to caucus. But we do allow, it's called direct election, where people can vote on individual relatives which in effect results in a possibility of a winner take all in a Congressional district.

Co-Chair Price: Any other comments or questions? All right the vote occurs on the motion to - and I'll try to restate this Roxanne so we're certain what we're dealing with. That in implementing the Ickes motion, that altering the present rules regarding proportional representation should not be considered. All in favor say Aye.

[A chorus of Ayes].

Opposed, no.

[No response]

All right. The motion is carried. Any other proposals with regard to inside the window? Yes, Jim.

Mr. Roosevelt: With regard to number one, and number two that while in principle they can be debated either way, in fact anything as detailed as number one, or number two it

would be very difficult to accomplish with regard to primaries under State Law. Just so that we realize that going forward.

Co-Chair Price: Thank you. If I might add, in including number one especially, we were trying to respond to what we had heard from some commission members about the desire to - if not crack the whip and absolutely enforce a limited number contests per week. Certainly to try to enter into negotiations with the states in the hope of influencing the scheduling of contests. That - we realize full well the difficulty of that, the question is should there be any kind of language in the rule, or the report that encourages the Rule Committee to do that. What's your disposition on that, a number of commission members did come to us expressing the desire to - if not to absolutely enforce a limited number per week at least to try to move in that direction.

Mr. Shumaker: Yeah, we have been throughout, impressed with the comments that the Wisconsin Chair, Linda Honold has made about the Wisconsin experience. And if you look at the inside the window calendar that we've been provided, there are - in 2004, there were states with a weeks virtually of no contests. Wisconsin was in one of those weeks and had a very popular experience. But what we were envisioning was not just six, but a collaboration saying, you know you're currently scheduled to go in this week. But gees, if you want it a week before, or a week after, you'd be one of only three or four contests and that kind of dialogue Jim we think at least is worth exploring.

Mr. Roosevelt: I completely agree. As a matter of dialogue and advice and suggestion, the strength of each of these. I'm just saying as a matter of enforcement. It's very, very difficult.

Co-Chair Price: Anyone wish to comment on what the ideal maximum per week would be? Any thoughts on that? If we were to exhort the committee to undertake this. All right. All right. Any other comments? Okay. To our last agenda item here.

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Additional Rules, and report items of interest. So far we've been attempting today to build a consensus on recommendations that can ultimately be part of our rules for the 2008 Convention and on some items where there wasn't perfect consensus to get a sense of the meeting. We've heard though as we've carried out our work, ever since we first met in March of other issues and proposals that may not be appropriately addressed by party rules, but as we do in Congress there's always report language, there's always the attempt to - the possibility of making recommendations for the party to consider. Things that this group by virtue of our collective experience, might usefully pass along. Let me just mention one thing, which I think has frequently been mentioned and in fact it was mentioned so much, that we included some testimony on it in our second meeting. And that is the issue of campaign finance reform and the collapse of the Presidential Primary Financing System. We've heard, at all three meetings, that this system is collapsed, that it needs to be overhauled and reformed, it needs to be attention paid to spending limits and lots of other things.

Now, we know we are not the U.S. Congress and we know we're not the FEC, however, this is an item that we do know something about. It is an item that is Norm Ornstein and other Commentators have observed is closely tied to what we are trying to achieve here.

In fact, it's arguably equally important with the kinds of rules changes we're talking about. So, this is something we may want to weigh in on. I don't know how much today, we want to get into detail, as to what exactly, we want to say. I think we have some sense of what we might say. Not overly detailed, but certainly calling attention to this issue and the need for Congress, in particular, to address it. So that's one possibility and actually, I will just assume if there are no objection, that we will try to put some language together for your approval at the last meeting, concerning this one item. We don't want to assume this is the only item

however and we'd be happy to open the floor for discussion for any other items for this report language category. Don Fowler?

Mr. Fowler: At the Chicago meeting, there was some discussion about using the Presidential Nominating Process as a general tool in building the new Democratic Party. The Presidential Nominating Process is the single period of time in the quadrennium that we go through to elect Presidents. It's the single period where we recruit more people to the Democratic Party than in any other similar period throughout the four years. It is made to recruit more people and we, in the Democratic Party, need to clone and refine our efforts to recruit new adherence in people who will support Democratic Candidates. We are the minority party in the United States now. And not by wide margins, but we are. That places more pressure on us to broaden our base and recruit additional people. I think one of the ways we can use a Presidential nominating process to do this is by selecting key not among the early states that have caucuses and primaries, but key states in other regions of the country, where perhaps theirs a key Governor or a key race in the United State Senate or several races for the United States House of Representatives or a combination of those. And if the Party under the Chairman and the Political Director, organize panels of our announced candidates. And we go to three or four or five of those key states prior to the initial caucus and primary, where ever they might be and that we have a forum that there be a program for a day or two days in conjunction or cooperation with the State Parties in those states and Michael Stratton mentioned specifically some of those Western States where there has been real promising growth of the Democratic Party, might be key states in which we could have these meetings and have forums where these candidates could go together, it would be organized by the DNC, sponsored by the DNC in conjunction with those key states.

And do a solid round of Party building as it relates to State Party Affairs, Congressional Affairs, Senatorial Affairs, as well as the

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election of Governors. And I think that's one way that we could maximize the potential to recruit new people and build a stronger Democratic Party particularly, at the basis of some of these key states.

Co-Chair Price: Mike, go ahead.

Mr. Stratton: Well I certainly appreciate Chairman Fowler's comments and we in the West are hungry for attention and believe that with that attention, we can grow in the vineyard. And as you know and many participated, I think Steve was there, Albuquerque hosted the first Presidential Debate in the 2004 cycle and it was by everybody's estimation, I believe, a broad success. And New Mexico followed up as you know, with the VNA February 5th state, which was well attended and put New Mexico very much in the mix. So I think anything that we could do to bring attention to the West and other regions as well, not just the West. I think that people in the West, in particular, where you have these several states that are now in play and that could have made a difference in 2004. People are hungry for their issues to be part of the National Debate and if we get those issues into the National Debate, we can cultivate voters and win western states and win general elections.

Co-chair Herman: Ms. Brazile?

Ms. Brazile: Thank you, Mike. Important steps to improve our electoral process, the Carter-Baker Commission came up with a number of good ideas and some bad ones in there too, but came up with a number of good ideas, I believe, that will also improve our electoral process. And I would hope in going forward and making recommendations that this Committee will make recommendations along those same lines in light of our experiences in both 2000 and 2004.

The second thing is three key provisions in the Voting Rights Act are expect to expire in 2007, before the 2008 Presidential Election, we need to see how that impacts our deliberations going into the future. Some of

the provisions, of course, impact minorities in general, language requirements, pre-clearance by the Federal government, that should be part of recommendation in terms of how we move forward, given the problems that we know we will face. And I guess since everybody else has put their own states and other issues, let me just speak of the three gulf states. And while they have not voted blue in the last couple of cycles, they are very important regions of our country and I would hope that we give some consideration on how we rebuild those regions, not just the economic way and of course, in terms of the people, but the politics.

I mean, I care very deeply what happens to the people of Louisiana, we have a Democratic Governor and we want to keep that Democratic Governor. But of course we need to repopulate our great city in order to do that. Perhaps we can get some consideration in the future of how we rebuild not just the gulf but the South and build our tentacles back on the south. I would like to see the Democratic Party competitive and want to get into the deep South.

[Applause].

Co-Chair Herman: Mr. Roosevelt?

Mr. Roosevelt: Nothing that we've talked about here all day today, including the important things in the last few minutes, means anything if the votes aren't counted. I would urge that we include language which is in the Carter-Baker Commission reports, to require verify ability of voting, commonly referred to as a paper trail.

It's important that we bring that point up at an early stage in the process, such as these recommendations because the - what we hear from Secretary of the State - Secretaries of the State, such as in Ohio, is that by the time it gets into party rules or something like that, even though party rules can't actually require things as regarding most of the mechanics to State primaries. Unless we raise the issue early, we hear, "Oh, it's too late to order the

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equipment", and that sort of thing. So I think we have to stay on that point.

Co-Chair Herman: We're taking additional suggestions. These are all very helpful and very important.

Mr. Stratton: Quick point on Jim Roosevelt's comment about voting machinery, I spoke to Professor Overton about this in the hallway, North Carolina has just passed a new state law mandating the State Board of Elections can choose from only a menu of three types of voting procedures. One being paper ballot, which hopefully no counties will use, second of all, adoptable scan, which is a paper product you mark and feed into the machine and then any electronic machines must have a paper trail. So those of you who are looking at State Laws, we're proud of our State Law which our Governor has just signed.

A quick point, I would address to the Co-Chairs and you can tell me if this in or out of order. One of the things that has impressed me about our process this year is that a variety of creative thinking we've seen. I include things like the Secretary of States Proposal, which the Carter-Baker Commission considered. I ask you and I guess, Mr. Sandler also, would it be appropriate for us to have a sentence or two in this advisory part of our report where we recommend to the Chair, that he consider ways that discussions can be held with the Republicans prior to their National Convention in '08, so they do not lock themselves in to things that either can't be changed or somehow formalize our thinking that's important for those discussions to be held?

Co-Chair Herman: I think that's certainly a good point that we can include in the report.

Senator Levin: Let me add, that's what I was going to mention and I'd like to just ask that and others if we could put a little finer point on that maybe? We've been frustrated by our inability to move the season later and to - in various ways, the limited leverage we have because of the Republican decision

process which has been lead to various State Legislatures visions and so forth. How would you feel about a more explicit encouragement to the National Chairmen and our party to confer with the Republican Party prior to the 2008 Convention too specifically, regarding the possibility of moving the entire nominating process to some weeks later? Is that all right? All right, we'll have language like that in the report and then you can finalize your approval in December.

Co-Chair Herman: Mr. Figueroa, and Governor Shaheen, did you have a question for Congressman Price? And Mr. Figueroa, and then I think we'll draw this portion to a conclusion.

Mr. Figueroa: I just wanted to say a quick comment. And a thank you to the Co-chairs for I think some really healthy discussion. And a day like this makes me proud to be a Democrat. You know sitting in that room was a good experience. But I think I'd be remiss. I'm here from the American Federation of State Country Municipal Employees Union. When we had a discussion about diversity, the whole issue of union density wasn't mentioned. And I'd like to put that on the table. You don't know how frustrating it is for people from organized labor when it comes to this whole Presidential process.

The issues of the rights to collectively bargain. The privatization of public services, job training programs, and protection of pensions. I don't know how many times did that come up during this last election cycle. How many of those issues. Not very often I can tell you that. So if we're going to talk about diversity, I sure would like to make the point that union density and the plight of union workers and organized labor is something that should be on the table. Thank you.

Co-Chair Herman: Thank you very much for that reminder again Mr. Figueroa, actually Mr. Ickes did also comment on that as well I think in his expressions of when we talked this notion of inclusion. That we certainly

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are looking at those kind of worker protection issues as well.

We are now at the bewitching hour of 4:00 o'clock so I believe it is time for us to sum up, and wrap up the meeting.

I want to thank all of the Commission members. I want to thank the DNC staff for their hard work in helping us to get to a very productive end.

[Applause].

Thank you.

[Whereupon the meeting ended at 4:00 p.m.]