The Federal Power Commission shall submit its findings and recommendations to the board and the Tennessee Valley Authority Citizens Committee. If the Federal Power Commission determines that information other than that provided under this section is necessary to make its findings and recommendations contained in its request to the board for such information and the board is authorized and directed to provide such information.

Mr. MONDALE, Mr. President, the way in which we select Presidential candidates is indisputably one of the most important processes in our entire political system. It is one of the most irrational. It has evolved over nearly 200 years without design, structure or purpose into a complex maze of State laws, party regulations and unwritten traditions. No other major national decisions are performed without such a chaotic manner and the question is whether we should continue to do so.

In their only serious lack of foresight, the Founding Fathers believed that political parties would not and should not play a role in the American political system. The idea that every 4 years the States would choose electors who, being acknowledged leaders in their communities and therefore learned in such matters, would wisely select the most qualified man to be President was a step backward from the direct democracy system. It provided a process of natural political mythology. My own view is that it is often a mindless process from the candidates’ perspective, too often a self-defeating one for the parties, and frequently an ineffective one for the Nation.

I have been amazed at how little thought, discussion and analysis has been devoted to the process of running for the Presidency. It is a process, after all, at the very core of our governmental system, and yet there is an inexplicable absence of experienced and sophisticated literature on the manner in which we encourage and discourage Presidential candidates, on the burdens we impose upon them and the hurdles we erect in the path of their nomination and election, and on the relevance of these and other factors to the kind of Presidents we ultimately elect.

The Federal Power Commission shall conduct an annual review of the rate structure of the Corporation with respect to the sale and resale of surplus power to determine if any change is necessary in such structure. Such review shall include, but not be limited to, an analysis of the efficiency of load factors and the relation of residential and indutrial rates to cost of service. The Federal Power Commission shall submit its findings and recommendations to the board and the Tennessee Valley Authority Citizens Committee. If the Federal Power Commission determines that information other than that provided under this section is necessary to make its findings and recommendations contained in its request to the board for such information and the board is authorized and directed to provide such information.

The Tennessee Valley Authority Act of 1933 (16 U.S.C. 839) provides: 'A bill to establish a series of districts in the Tennessee Valley, with a State Board of Commissioners, and a Power Commission, and for the purpose of creating a suitable system of development and control of water and power resources of the Tennessee Valley, there being set up and organized for and within the several States of Alabama, Georgia, Kentucky, Tennessee, and the District of Columbia, a corporation to be known as the Tennessee Valley Authority, and for the purpose of carrying out the provisions of this Act.'

By Mr. MONDALE:

S. 2741. A bill to establish a series of six regional presidential primaries at which the public may express its preference for the nomination of an individual to be President of the United States. Referred to the Committee on Rules and Administration.

Regional Presidential Primaries Act of 1973

Mr. MONDALE, Mr. President, the way in which we select Presidential candidates is indisputably one of the most important processes in our entire political system. It is one of the most irrational. It has evolved over nearly 200 years without design, structure or purpose into a complex maze of State laws, party regulations and unwritten traditions. No other major national decisions are performed without such a chaotic manner and the question is whether we should continue to do so.

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Until November, 1974, I spent a full year actively seeking the Democratic Presidential nomination. In the process I concluded that the manner in which we nominate and elect Presidential candidates is badly in need of fundamental and comprehensive review.

There are, as I see it, essentially four basic elements in the Presidential nominating process: the State primary and convention delegate selection structure; party rules and procedures governing the selection of delegates; the financing of Presidential campaigns; and the relationships between candidates and the media. Too often, unfortunately, campaigns and delegates offer to resolve difficulties in some of these areas have resulted in creating unforeseen difficulties in others. The nominating process desperately needs a comprehensive approach, one which attempts to consider problems in all of these areas and their relationships to the others.
and which seeks to resolve them in a way that is most consistent with clearly defined and universally agreed upon goals.

This process could be greatly assisted if President Ford, the first occupant of the White House whose Presidency has not been the product of an existing nominating process, would take the lead. I would like to see him appoint, in consultation with the leadership of both parties, a broadly-based commission consisting of scholars, political figures and ordinary citizens to undertake an indepth and comprehensive review of the entire aspect of the nominating process, to evaluate different alternatives, to explore the possibilities of widespread agreement on them, and to report back soon after the 1976 election. Without this kind of comprehensive national approach, I am convinced we will never achieve a national and effective system. Nothing may come of such a commission, but I doubt it. Even if it proves impossible to agree on a new system, it is bound to produce a body of knowledge and experience which will tell us much about how and why we might improve it. In any event, it is worth the effort, in my judgment, because the piecemeal, patchwork attempts at reform to date have not corrected the system's most serious shortcomings. I can think of no more worthy or appropriate undertaking in our Nation's 200th year as we celebrate the blessings of our democratic system than to begin a serious effort to improve one of the most important elements of that system, which is the interest of contributing to a national debate on this subject that I am today offering a proposal—which I realize cannot possibly be enacted for use in 1976—dealing with the structure of our Presidential primaries. Presidential candidates are confronted really with 55 different structures, each reflecting local biases and traditions and each unrelated to any comprehensive overall purpose or design. There is no rational basis for the schedule of primaries; their timetables, their time-relation of one to another, nor for the different statutory rules governing them. To complicate matters even more, the system is in a permanent state of flux.

There is also the question of how representative primaries are as they now exist. Is New Hampshire really a social, economic and political microcosm of the Nation? No one very seriously argues that it is, and yet New Hampshire casts an inordinate influence on the nominating process every 4 years simply because it holds the first primary. To a lesser degree the same point can be made about Florida and a number of other States. Every 4 years, it seems, several States engage in a frantic and unseemly competition to be first, only to be resolved by the New Hampshire Legislature meeting in emergency session to protect its favored position. New Hampshire is a wonderful State and I always enjoyed campaigning there, but I believe a better representative of the rest of the Nation to warrant its playing such a large and disproportionate role in the nomination process. The basic question is whether State boosterism and other equally irrelevant factors should continue to determine primary schedules, or whether there might not be a more rational national approach to the problem. One of the most apparent weaknesses of the current process is the dramatic growth in the number of primaries, there are still many States which permit the selection of national delegates through individual participation in a combination of primary, caucus and convention systems. This is the system we have had in Minnesota for many years and which has, all things considered, worked very well. It is one of the healthiest elements in our entire political process because it permits greater and more direct individual participation than any other system. If the current trend toward primaries continues, however, it may become an endangered political species.

Unfortunately, both the number and complexity of the rules imposed on these States by the Democratic Party are staggering. They are often also unfathomable. These rules largely accomplished their stated purpose of bringing greater openness and fairness to State delegate selection processes that badly needed both, but they have also regrettably prompted many States to opt for the relative simplicity of primaries and thereby hastened that unfortunate trend. As a result, the traditional blend of primary and convention States is becoming seriously out of balance.

It is much easier to criticize the present nominating system than it is to come up with alternatives which correct its many faults. Because of the Constitutional nature of our political system and because every reform we attempt invariably brings with it unintended effects, it is impossible to devise a perfect system. It may even be impossible to devise a good system. But it should be possible to come up with a system that is far superior to the one we have at present.

Before looking at alternatives, however, it is necessary to consider what we want to achieve in a nominating process. Here are some of the things I would like to see it contain:

- It should retain as its cornerstone the national nominating convention which has served effectively as a vehicle for national intra-party conciliation and for giving the parties whatever degree of national unity and identity will be possible. It should offer the broadest possible range of candidates, and it should encourage or at least make possible the serious consideration of candidates who have neither the wealth nor the name recognition to be taken seriously at the outset.

- It should encourage the broadest and most direct possible participation by those persons who seek to affect their parties' candidates and policies, but it should limit participation to those who can demonstrate a way that recognizes the candidates' judgment, appeal to different sections of the country, and even his stamina and ability to perform under pressure.

- It should above all be a national decision by which a single State or region can cast an undue influence on the outcome and which focuses the candidates' and the country's attention on national concerns.

The acceptance of these criteria would obviously preclude adoption of a national primary system, which some people believe is the answer to the problem. A national primary would seriously if not completely undermine the value of the national conventions. It would also, I fear, give an inordinate advantage to those candidates who are already well known and who have greater access to campaign funds; it would virtually preclude consideration of lesser known candidates. Too much would depend on a single roll of the dice, if you will, which presents a number of obvious dangers.

My own strong preference is for a series of regional primaries which would be modest in its approach and simple in its design. The bill I am introducing today would divide the States and territories of the United States into six regions, each of which would hold its Presidential primaries on one of six designated Tuesdays between late March and mid-June of Presidential election years. The six election dates, which are separated from one another by 2-week intervals, would be assigned by lot to the six regions by the Federal Election Commission 5 months before the first primary, that is, in late October of the preceding year.

It would be up to the States to determine whether or not to hold Presidential primaries, but if a State elected to hold one it must be held on the date assigned to that State by the FEC. States would retain the right to determine the particular type of primary they wish to have, how candidates qualify for inclusion on the ballot, whether the delegates elected would be legally bound to vote for a particular candidate and other matters traditionally left to the States, except that: First, voters in State Presidential primaries would be allowed to participate in the party of their registered affiliation, and second, States would be prohibited from listing the names of delegate candidates on the primary ballot without indicating which party the candidate was registered with if any, or she is pledged to support.

Finally, each candidate for himself or her own Presidential nomination who has qualified for and intends to receive Federal matching funds must agree to have his or her name entered on the ballot of all the State primaries in each of the six regions.

That is the bill in its entirety. Unlike
other regional and national Presidential primary proposals, the imposition on traditional State prerogatives is minimal. States have been left to devise their own primaries except for: First, their timing, second, limiting participation in them to party adherents and third, requiring the appearance of Presidential candidates' names on the ballot. The bill is an attempt to blend traditional State procedures with those requirements which are essential if some degree of order, fairness and rationality are to be brought to the overall process.

There were three criteria used in assigning States to one region or another: population, even distribution of primaries among regions, and community of interest. Each of the regions has approximately the same number of electoral votes, ranging from 84 to 95. Each region contains at least four States currently offering Presidential primaries and no region contains more than six such States. Community of interest is more difficult to delineate, but here too an effort has been made to achieve balance. It is hoped that a better division of States and territories could be devised using these criteria, and if so I would be pleased to adapt my plan accordingly.

There are several advantages that would result from the adoption of this proposal, in my judgment. It would eliminate the disproportionate and unfair advantage which a few States now hold in the Presidential nominating process by virtue of their being held either very early or very late in the process, and it would also eliminate the unseemly race every 4 years to determine which State will hold that year's first-in-the-Nation primary. However representative of the Nation a particular State may be and however virtuous and knowledgeable it may be, no single State deserves to exercise such extraordinary and continuing influence on the nominating process out of all proportion to its size as has been the case in recent years.

There is no proposal, of course, which can be guaranteed to give each State a degree of influence exactly proportionate to its size. The best that can be done is to eliminate the inequities as far as possible and leave the rest up to chance. That is why I propose that the Federal Election Commission draw lots to determine the order of the regional primaries, because there is absolutely no other fair way to do so; each region is just as important as the others and therefore the drawing of lots seems the only equitable way of determining order.

And the shortened time period together with the regional breakdown will also allow the candidates to concentrate their own time and funds more economically within each region. Although this benefit could be exaggerated, it will be welcomed by candidates and their traveling parties who all too often must spend inordinate amounts of time on transcontinental flights in order to campaign in primaries thousands of miles apart. For example, on June 8, 1976, there will be primaries in four important States—Arkansas, California, New Jersey, and Ohio—in four separate regions of the country. Since there are four other scattered primaries, this combination is not responsible for any candidate to campaign effectively for more than one or two of the June 8 primaries.

This proposal will also offer a greater opportunity for public attention to be focused on the particular concerns of each region. For at least 2 weeks each region will have the media's and the Nation's undivided attention. Whether the issue is the use of water in the West, farm prices in the Midwest, or unemployment in the Northeast, the candidates' positions will be brought to the overall process. The bill is an attempt to blend traditional State prerogatives with those requirements which are essential if some degree of order, fairness and rationality are to be brought to the overall process.

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avoided making a national decision on the question of how to select our Presidents in one sentence. I do not think of any process more important to the Nation, and therefore I am at a loss to understand how we can continue to leave it in a continually changing state of chaos, disorder, and irrationality. I cannot guarantee that this Act, which I hope will result in better Presidents being elected, but I believe it is worth the effort. If order, fairness, and rationality are qualities we strive to bring to other elements of our national life, then why not to this one as well? If we do, I believe we will do no worse than we have done up till now and hopefully do much better.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

S. 2741

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the “Regional Presidential Primaries Act of 1975.”

Sec. 2. The Congress finds that—

(1) the conventions held by States for the expression of a preference for the nomination of individuals for election to the office of the President of the United States are conducted without any semblance of order,

(2) the conventions held by national political parties for the purpose of nominating candidates for the office of President and the Vice President are vital to the process of selecting such candidates for national office, and

(3) in order to preserve the effectiveness of the presidential election process and to provide for the public welfare of the Nation, Congress must regulate certain parts of the process for selecting candidates to the office of President.

Sec. 3. (a) No State shall conduct a presidential primary except in accordance with the provisions of this Act.

(b) Six regional presidential primaries shall be held during each presidential election year. The first regional primary shall be held on the first Tuesday in March. The remaining five regional primaries shall be held on the second and fourth Tuesdays in April and May, and on the second Tuesday in June, respectively. On the last Tuesday in October in each year immediately preceding a presidential election year, the Commission shall determine by lot the date on which each regional presidential primary is to be held. A State may not hold a presidential primary on a date other than the date assigned by the Commission to the region in which the State is located.

(c) A State which conducts a presidential primary shall conduct that primary in accordance with laws of the State with the following exceptions:

(1) Each voter shall be eligible to vote only for a candidate for nomination by the party of that voter’s registered affiliation, or if a State conducts a presidential primary for an independent, a voter registered as an independent may vote only for one candidate for nomination by a party with which such voter is not affiliated if the laws of any State makes no provision for the registration of voters by party affiliation, voters in that State shall register their party affiliation in accordance with procedures prescribed by the Attorney General in consultation with the Federal Elections Commission.

(2) Each ballot in an election for the selection of delegates to a national nominating convention of a national political party shall indicate the candidate of such party, if any, for whom each individual seeking the position of delegate is committed to vote at such convention. If an individual seeking the position of delegate is not committed to vote for any candidate, the ballot shall indicate that such individual is uncommitted.

(d) Whenever the Attorney General has reason to believe that a State is holding a presidential primary in violation of the provisions of this section, he may bring a civil action in any appropriate United States district court for such relief as may be appropriate.

Sec. 4. In order to be eligible to receive any payments under section 9307 of the Internal Revenue Code of 1954, a candidate of a political party in a presidential primary shall, in writing—

(1) agree to have his name entered on the ballot of at least one State primary in each of the six regions established by this Act; and

(2) notify the Commission, not later than the last presidential primary filing date within a particular region, which primary he intends to enter in that region.

Sec. 5. For purposes of this Act, the term—

(1) “candidate” means an individual who seeks nomination for election to be President of the United States;

(2) “Commission” means the Federal Election Commission;

(3) “presidential primary” means an election for the expression of a preference for the nomination of individuals for election to the office of President of the United States for the selection of delegates to a national nominating convention of a political party;

(4) “region” means any of the following six regions:

(A) Region 1 comprises Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont.

(B) Region 2 comprises Delaware, District of Columbia, Indiana, Maryland, Ohio, Pennsylvania, and West Virginia.

(C) Region 3 comprises Alabama, Canal Zone, Florida, Georgia, Kentucky, Puerto Rico, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and Virgin Islands.

(D) Region 4 comprises Iowa, Illinois, Michigan, Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

(E) Region 5 comprises Arkansas, Colorado, Kansas, Louisiana, Missouri, Nebraska, New Mexico, Oklahoma, and Texas.


(5) “State” means the 50 States of the United States and the District of Columbia and the territories of the Canal Zone, Guam, Puerto Rico, and the Virgin Islands.

Sec. 6. There are authorized to be appropriated such sums as may be necessary to carry into effect the provisions of this Act.

By Mr. EAGLETON (for himself, Mr. MAGNUSON, and Mr. JACKSON of Minnesota),

Mr. EAGLETON. A bill to dedicate the Chesapeake and Ohio Canal National Historical Park to Associate Justice William O. Douglas in grateful recognition of his contributions to the people of the United States. Referred to the Committee on Interior and Insular Affairs.

Mr. EAGLETON. Mr. President, Senators MAGNUSON, JACKSON and I today introduce a bill to dedicate the Chesapeake and Ohio Canal National Historica...