

DIARY OF WHITE HOUSE LEADERSHIP
MEETINGS -- 91st CONGRESS

March 6, 1969

Since the President returned from the European trip late Sunday night, the Tuesday morning Leadership meeting was shifted to March 6 at 6:00 p.m. At that hour, five members of the Senate and four members of the House assembled with the President and several members of the White House staff in the library on the lower level of the White House. A studied effort was made to achieve informality and with some considerable success. We had a blazing fire in the fireplace. One of the attendants told me that the fireplaces had been made functional only when the White House was renovated during the Truman Administration and had been used only since the Kennedy Administration.

The President seemed supremely relaxed and confident. His method is soft, easy-spoken, no-hard-sell. He spoke briefly of his trip and personalities but repeated his public assurance that personal conversations with heads of state would not be disclosed. He invited Members of Congress to suggest subjects to be considered. One was the Electoral College reform. RMN repeated the position reflected in the Presidential Message. Ford said that although he had always favored the direct popular plan, he had issued a statement approving the President's position. He suggested the President might want to consider the political impact of making a bold public announcement embracing the direct plan unequivocally. I said that I disagreed with the Minority Leader; that the Republican Party had the right to consider the impact the particular plan chosen might have upon the future of the Republican Party as one of the principal vehicles in the two-party system; that the Republican Party's only opportunity for growth lies in the possibility of attracting the disaffected elements of the Democratic Party; that the direct popular plan with the 40% runoff provision would encourage the



growth of a third party which might hope to deny one of the principal candidates 40% in the general election and thereafter coalesce and wheel and deal, looking to the runoff election. RMN nodded and suggested that a fourth party might emerge. I replied that this was true and that if the third and fourth combined, the likelihood of denying 40% to one of the principal candidates was even greater. RMN suggested to Harlow that he ask Attorney General Mitchell to meet with McCulloch and me before he prepares his Judiciary Committee testimony scheduled to be delivered March 13.

Ford expressed the hope that Republicans could win the seat vacated by the death of Everett of Tennessee. He called attention to the pendency of a dispute concerning federal fund cutoffs in a school district in a county adjoining this Congressional District.

RMN urged that Republican Senators approve the Nuclear Non-Proliferation Treaty. Dirksen pledged support on moral grounds. Tower said that he had made a public announcement in opposition and would be obliged to vote "no." RMN assured him that he understood. Allott argued against the treaty.

The Vice President raised the question of taking a firm stand concerning campus riots. The issuance of new regulations under the amendments to the appropriation bills authorizing fund cutoffs to students involved in riots was suggested. RMN asked Taft if he would go that far. Taft said that he had voted against the amendments but that he felt this would be publicly acceptable.

It happened that Tower, Cramer and I were seated together. RMN referred to us as his "thin grey line." I suggested that he amend that to be "short grey line."

The President slapped his knees and started to rise, which all took as a signal that the conference was concluded. We left about 7:50 p.m.



February 20, 1969

Office of the White House Press Secretary

THE WHITE HOUSE

MESSAGE ON ELECTORAL REFORM

TO THE CONGRESS OF THE UNITED STATES:

One hundred and sixty-five years ago, Congress and the several states adopted the Twelfth Amendment to the United States Constitution in order to cure certain defects -- underscored by the election of 1800 -- in the electoral college method of choosing a President. Today, our presidential selection mechanism once again requires overhaul to repair defects spotlighted by the circumstances of 1968.

The reforms that I propose are basic in need and desirability. They are changes which I believe should be given the earliest attention by the Congress.

I have not abandoned my personal feeling, stated in October and November 1968, that the candidate who wins the most popular votes should become President. However, practicality demands recognition that the electoral system is deeply rooted in American history and federalism. Many citizens, especially in our smaller states and their legislatures, share the belief stated by President Johnson in 1965 that "our present system of computing and awarding electoral votes by States is an essential counterpart of our Federal system and the provisions of our Constitution which recognize and maintain our nation as a union of states." I doubt very much that any constitutional amendment proposing abolition or substantial modification of the electoral vote system could win the required approval of three-quarters of our fifty states by 1972.

For this reason, and because of the compelling specific weaknesses focused in 1968, I am urging Congress to concentrate its attention on formulating a system that can receive the requisite Congressional and State approval.

I realize that experts on constitutional law do not think alike on the subject of electoral reform. Different plans for reform have been responsibly advanced by Members of Congress and distinguished private groups and individuals. These plans have my respect and they merit serious consideration by the Congress.

I have in the past supported the proportional plan of electoral reform. Under this plan the electoral vote of a state would be distributed among the candidates for President in proportion to the popular vote cast. But I am not wedded to the details of this plan or any other specific plan. I will support any plan that moves toward the following objectives: first, the abolition of individual electors; second, allocation to Presidential candidates of the electoral vote of each State and the District of Columbia in a manner that may more closely approximate the popular vote than does the present system; third, making a 40% electoral vote plurality sufficient to choose a President.

The adoption of these reforms would correct the principal defects in the present system. I believe the events of 1968 constitute the clearest proof that priority must be accorded to electoral college reform.

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Next, I consider it necessary to make specific provision for the eventuality that no presidential slate receives 40% or more of the electoral vote in the regular election. Such a situation, I believe, is best met by providing that a run-off election between the top two candidates shall be held within a specified time after the general election, victory going to the candidate who receives the largest popular vote.

We must also resolve some other uncertainties: First, by specifying that if a presidential candidate who has received a clear electoral vote plurality dies before the electoral votes are counted, the Vice-President-elect should be chosen President. Second, by providing that in the event of the death of the Vice-President-elect, the President-elect should, upon taking office, be required to follow the procedures otherwise provided in the Twenty-Fifth Amendment for filling the unexpired term of the Vice-President. Third, by giving Congress responsibility, should both the President-elect and Vice-President-elect die or become unable to serve during this interim, to provide for the selection -- by a new election or some other means -- of persons to serve as President and Vice-President. And finally, we must clarify the situation presented by the death of a candidate for President or Vice-President prior to the November general election.

Many of these reforms are noncontroversial. All are necessary. Favorable action by Congress will constitute a vital step in modernizing our electoral process and reaffirming the flexible strength of our constitutional system.

RICHARD NIXON

THE WHITE HOUSE,

February 20, 1969.

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No Ford-Dirksen

Press Conference





CONGRESSMAN
GERALD R. FORD
HOUSE REPUBLICAN LEADER

**NEWS
RELEASE**

--FOR IMMEDIATE RELEASE--

February 21, 1969

Statement by Rep. Gerald R. Ford, Republican Leader, U. S. House of Representatives

I hope Congress will be as realistic about Electoral College Reform as President Nixon has been in his Message on the subject.

I think the President has taken exactly the right approach to the problem. It is unrealistic to expect that a Constitutional Amendment proposing direct popular election of the President will receive two-thirds approval in the Congress and approval by three-fourths of the states. Therefore the most sensible way to proceed is to draft an alternate plan which abides by the original concept of federalism and will attract the broadest possible support.

While I personally have leaned toward direct popular election of the President, I have consistently contended that inability to achieve that change should not stand in the way of improving the manner in which the American people elect a President.

I therefore heartily endorse the basic point made by President Nixon--that we should proceed to achieve a solution to the fundamental problems involved rather than get tangled in interminable controversy.

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