

107TH CONGRESS
1ST SESSION

H. CON. RES. 263

Expressing the sense of Congress that any Presidential candidate should be permitted to participate in debates among candidates if at least 5 percent of respondents in national public opinion polls of all eligible voters support the candidate's election for President or if a majority of respondents in such polls support the candidate's participation in such debates.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 6, 2001

Mr. JACKSON of Illinois submitted the following concurrent resolution; which was referred to the Committee on House Administration

CONCURRENT RESOLUTION

Expressing the sense of Congress that any Presidential candidate should be permitted to participate in debates among candidates if at least 5 percent of respondents in national public opinion polls of all eligible voters support the candidate's election for President or if a majority of respondents in such polls support the candidate's participation in such debates.

Whereas there is increasing public concern over the rising dominance of private wealth and corporate soft money in our elections and the corresponding decline in the quantity and quality of political participation by citizens;

Whereas the private Commission on Presidential Debates (CPD) will require presidential candidates to post a level of support of at least 15 percent in national public opinion polls before they may join the debates, a requirement which is deeply problematic;

Whereas the CPD places the cart before the horse by basing the exclusion of outsider candidates on the preferences of a public who has not yet seen or heard from these candidates in a debate, while at the same time many voters will still be uncommitted to a single candidate at the time of the debates;

Whereas the 15 percent rule is both arbitrary and too high, and there is no basis in law for the 15 percent threshold;

Whereas the American people do not agree with the CPD, as revealed in a poll which said that a majority of Americans believe that the CPD's 15 percent threshold is inappropriate;

Whereas polls often underestimate the role of independents because polling firms regularly base their opinion surveys on "likely voters" as determined by past voting practice, and such determinations ignore the possibility that the debates may, in fact, create new likely voters;

Whereas general election debates serve a greater purpose for voters than merely contrasting the two candidates who stand the best chance of winning the presidency;

Whereas general election debates also can provide meaningful political discourse, advance and crystallize the ideas and issues which are important to the American public, and force the candidates to address the issues about which Americans care most deeply;

Whereas the debates should be an opportunity for voters to see a serious discussion among the candidates from whom they wish to hear and about issues they care to hear discussed, not just among the candidates they may choose to vote for;

Whereas voters should have an opportunity to hear candidates before they decide whom they will support;

Whereas the public will get the benefit of a candidate's views which are important to the political dialogue even if that candidate does not have enough support to win the presidency;

Whereas a 5 percent level of support is based in Federal election law, mirroring the 5 percent level of support required for eligibility for Federal campaign funding;

Whereas while past electoral performance should not be the sole criteria for guaranteeing debate participation, deference is due to the only national legislative standard regarding candidate seriousness; and

Whereas the criteria which should be used to determine participation in debates should be those which respect the opinion of the entire electorate, and a criterion based on the opinions of all eligible voters (not just those deemed by a pollster to be likely to vote) will allow for voices representing all potential voters to be heard and will recognize the possibility that the debates can have an important impact on who chooses to go to the polls in November: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That it is the sense of Congress that any

1 Presidential candidate should be permitted to participate
2 in debates among candidates if—

3 (1) at least 5 percent of respondents in national
4 public opinion polls of all eligible voters support the
5 candidate's election for President; or

6 (2) if a majority of respondents in such polls
7 support the candidate's participation in such de-
8 bates.

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