

Date: Thursday, August 9 2018 10:47 AM
Subject: Fwd: Our May conversation - more thoughts
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To: BS Stern <[REDACTED]>;

Hi all –

I spent some time mulling additional aspects of a third choice presidential run and wanted to run five specific attributes for a candidate by you as a group.

This much we know - the Fall elections are shaping up to be a referendum on the most divisive American President in memory. The battle for potential Supreme Court justice Brett Kavanaugh's nomination this fall will only amplify the polarity of the political debate that is already deeply overwrought on both sides. The rising tide of pressure on Donald Trump from the Mueller investigation shows no sign of ebbing.

Unless the underlying political dynamics are disrupted, the outcomes of these unprecedented events will still leave us with the same unsatisfactory two front battlefield of the 2016 Presidential election. Watching these unrelenting, compounding events since our discussion in May, I am guessing we are all asking the same question: now what? For the 48 percent of Americans who believe Donald Trump should not be in the White House, perhaps we too want our own “chaos” candidate in 2020?

Should Trump run again, this could be a “break glass” moment for the majority of Americans who don't support him. Do we want to break the genteel precedents of two parties running their ceremonious and seemingly illogical nominating process to select a candidate? (Why do Iowa and New Hampshire play such outsized roles? What kind of small-d democratic process relies on superdelegates?) The system failed in 2016, with both parties producing terribly flawed candidates in a race to the bottom. We need to build a back-up plan in the event the system fails again.

It's possible, of course, that we won't need a third-party candidate. Trump could decide not to run for whatever reason. The Democrats could nominate a winning 2020 candidate. I am not willing to take those bets.

The ideal candidate for a new third party is someone who is widely perceived to be that rare combination of both good *and* great. We are looking for a proven leader of men and women, someone with clear, democratic – and moral – values that reflect the best of America, not our worst. We know people like this on the national stage now.

As a thought experiment, consider the possibilities of a ticket outside the partisan lanes and imagine the chemistry of radical combinations: Biden/Romney? Bill Gates/Hogan? Bloomberg/Haley? Howard Schultz/Bob Corker? Sandberg/Kasich?

As we have discussed narrow path to electing the first president outside the two major party primary system in 168 years is more navigable than most think. Heading into 2020, converging trends in American's demands for a third party (a historic high of 61%), disapproval of Donald Trump holding steady above 50%, and the increasingly leftward drift of the Democratic Party suggest that electorate may be susceptible to merits of a new centrist party. Cynics will say that the structural impediments of ballot and presidential debate access, the overwhelming advantages of legacy parties' fundraising and voter turn-out operations preordain failure, but they're wrong; the legal and logistical hurdles are amenable to a combination of lawyering and resources. The bigger, more consequential factors come in terms of candidate quality and policy. I believe a candidate with five specific characteristics including a unique – and purposefully non-specific - policy agenda could limbo a win.

- This is what I think a successful third-party candidate looks like; a dream third party ticket would start off with enough name ID to be an instant contender. Building the name ID to run nationally is just too long and expensive of a process to accomplish in the 28 months until the next presidential election. We can't beat a celebrity without some celebrity of our own, whether from politics, sports, business, or entertainment. Instantaneous name ID is so crucial because the candidate must

start out in striking distance in any three-way poll against Trump and a fill-in-the-blank Democratic flavor-of-the day candidate. The media and political class will predetermine irrelevance otherwise.

- A Democrat-leaning candidate would *have* to top the ideal third-party ticket. We need someone with a shot at snaking a plurality of the vote in the blue states Hillary Clinton won (227 electoral votes), but moderate enough to win a plurality in some combination of Trump states like Florida, Pennsylvania, Wisconsin and Michigan (another 119 votes). The right candidate may even to put North Carolina, Ohio, Indiana in play for a centrist bi-partisan ticket as well (totaling an electoral sweep of 464 elector votes). A right leaning candidate would meet the same fate as a primary challenger to Trump – for all intents and purposes we need to assume that 36% of voters won't be cleaved from Trump under any circumstances and run to win around them. The deep red states would be off the table entirely.
- With the Trump reality show airing daily, voters are now expecting to take their politics with a side of entertainment. Heretofore, ratings will matter no matter how dry the policy topic. Surely Stephen Colbert would gladly sacrifice his executive producer Chris Licht to produce a daily comedic segment of this dream candidate interviewing Americans in truck stops and McDonald's across the country. A few of the "Saturday Night Live" script writers could certainly be enticed to disguise serious debates as informative amusement. Any candidate must be committed to a near daily cadence of high quality, compelling video production. It will be especially crucial to keep the voters' attention during what will be a raucous Democratic primary season. Rules governing access to the general election debate stage dictate that a candidate enjoy support of at least 15% of voters in the months leading up to the general election.
- This dream candidate would pledge to serve only four years and address all of the U.S.'s ticking time bombs like Social Security, Medicare, health care reform, climate change, money in politics, gerrymandering, and infrastructure investment in a single term. This one-and-done term decouples our candidate from the usual politics and gives them the power of promise and deliver decisive action. A four-year term pledge ensures governance independent of campaign finance concerns and

narrow special interests inherent to winning re-election. This “fix-it” ticket would promise to force decisions on all the underlying structural policy matters damaging America’s long-term prospects and distorting our democracy. No more kicking the can down the road.

- This candidate should also pledge to push for laws passed that reflect the will of simple majorities in Congress. Congress now only allows bills to move forward when a “majority of a majority” supports the policy and on many levels seems fundamentally broken. This third-party president could force votes based on a transparent reading of where the votes lie via coalition building. The Senate filibuster power will present a high hurdle, but a third-party candidate would be a de facto disruptor of the two-party system. Party discipline could well break down, and moderates in both parties could form a powerful, decisive block willing to work with the new President. The policies passed into law may not be ideal for either Democrats or Republicans, but for the major agenda items that must be addressed for America’s long-term health, an imperfect fix that corrects course is better than those that now have us hurtling toward national bankruptcy.

And if no candidate secures 270 electoral votes in 2020? The House of Representatives would choose the next president. In 2016, reports suggested Michael Bloomberg declined to run on a third-party ticket for fear of splitting support from Hillary Clinton and throwing the election to a GOP-controlled House of Representatives who would then vote to select the president. The fear was the GOP controlled House would have just elected Trump.

Would Democratic control of the House mean that the House would pick an alternative to Trump as president? Each state delegation has a single vote in selecting a president and it is the incoming Congress - the class elected in 2020 that would decide the election. But no matter which party has the speaker’s chair, the GOP would almost certainly have the upper hand in the majority of state delegations controlled. Would the state delegations pick a president based on party majority control of the delegation, the winner of the popular vote in each state or their own calculations as to who is best for America? Precedent suggests that delegations use secret ballots, which means individual lawmakers may vote their consciences.

If we recruit this ideal candidate; threading the needle of name ID, a center-left bent, a TV-savvy campaign team and a pledge to serve only four years with an apartisan agenda, money and campaign expertise would certainly follow. And 50 state ballot access is a function of time (starting in the fall of 2019 would be prudent) and hard work as we have discussed and many of you have exhaustively war-gamed.

Part and parcel of this effort would be motivating the often politically lackadaisical middle to vote. The raft of new technologies in data targeting and biometric mobile voting technology could transform the electorate in the next few, amping voter participation and injecting the voices of moderates (both in political views and level of political interest) into the process. And any third-party effort must incorporate advocacy for accelerated adaption of these all but inevitable voter verification tools. I believe Silicon Valley could be game-changing allies in this effort.

I am sure none of us doubt that chaos could potentially be unleashed by jamming three viable candidates into a two-party system. An election that ends up in the House of Representatives is an uncontrollable, murky and ancient process. But might that be a less scary prospect than relying on the Democrats to nominate a candidate who can beat Trump in 2020?

I look forward to talking more about all of our ideas on this hopeful project in coming weeks. Please feel free to call me to discuss. Thank you for taking time to review this note.

Sincerely,

please note

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