

AUSTRALIAN POLITICAL EXCHANGE COUNCIL

Individual Study Tour Report

United States Election Observer 2012

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Executive Summary

The Republican Party (GOP) in the United States is a formidable campaign machine that promotes ideals of an amalgam of conservatism, classical liberalism and free markets. The GOP holds the majority of seats in the US House, the majority of state Governorships and the majority of state legislatures. In the 2012 election, the GOP mounted literally thousands of campaigns across the United States, for races for political office from the US Senate and US House, to state legislatures, to judicial appointments, to state public service commissioners and a myriad of other offices with which Australians would never associate an electoral process. Of course, the most high profile of these was the central focus of the presidential campaign – Romney/Ryan 2012.

A robust and efficient party structure supports what is, put simply, a massive election machine. The Republican National Committee (RNC) is the central body that administers and manages the Republican Party. It is complemented by the National Republican Senatorial Committee (NRSC) and the National Republican Congressional Committee (NRCC), both of which focus on Republican Senate and House races in the US Congress, respectively, and the Republican Governors Association (RGA).

In addition to these national-level organisations, each state's Republican Party coordinates with local, state-wide and national campaigns in an effort to capitalise common messaging and consistent messaging. This is both an exercise in branding for the GOP and an integral measure in ensuring clear air is maintained for each respective candidate. De-conflicting around schedules and communications is an important part of the role played by state parties.

With North Dakota being an 'orphan state', that is, a guaranteed victory for the GOP, both presidential campaigns largely ignore the state in order to focus on the key battleground states. The state does serve a vitally important purpose, however, generating much-needed campaign funds for the GOP.

The campaign landscape within the GOP itself is immense and whilst this ensures robust and strong brand recognition and effective narratives and messages, it does place a strain on resourcing, particularly volunteer and workforce, as different parts of the GOP push to secure their optimal resourcing. In addition, objectives common across the GOP campaigns in North Dakota, such as the ground game and Get-Out-The-Vote (GOTV) strategy coupled with the need for strong, streamlined and efficient coordination have created a working need for a dedicated program for each electoral cycle – the Victory Program. The NDGOP Victory Program worked closely with the RNC, NRSC and NRCC, as well as working with the state-wide campaigns, whilst obviously focusing on the tighter races. The Victory Program, emulated across the country, is a refined and proven formula. The RNC conducts a 'Victory School' which all Victory Field Directors complete before being deployed into offices around the country.

The training materials and common approaches to campaign operations mean that the GOP have, over many years, developed a workforce that has standardised skills and can be deployed to campaign operations across the country and quickly assume responsibility for key operations and outcomes, being familiar with the systems and approaches in place.

Whilst there will always be nuances with any organisation the size of the GOP, the basic training level for Victory Field Directors provides the Republican Party with a well-trained, highly-skilled and flexible 'workforce ready' campaign staff.

On a strategic level, the Victory Program oversaw two critical elements of the campaign; the Get-Out-The-Vote previously mentioned and the Protect-The-Ballot (PTB) strategy. Both of these concepts are foreign to Australia, where compulsory voting negates the need for political parties to mobilise supporters, and likely supporters, to vote. Concurrently, the independence of the Australian Electoral Commission and the streamlined national legislative and regulatory framework governing federal polls negates the need for such a proactive legal preparation and legal response to electoral regulation issues.

Returning Officer complaints, determinations and Court of Disputed Return hearings are not uncommon in Australian polls, but the level of politicisation of these processes in the US adds an additional complexity to the US electoral system. Essentially the structures that administer election, that should be independent and free from influence, are clouded by party appointments to Election Boards, elected state officials' powers, and the localised control of election processes makes it difficult to both navigate election rules and their application and to adequately respond to emerging issues. These factors have given rise to an entire cohort of lawyers – election law specialists.

The North Dakota Century Code, which provides the legislative framework for the conduct of elections was, put simply, not drafted in the same political climate as counterpart legislation in larger states. This is largely due to the nature of elections in the state, where there had not been a close and hard-fought contest between the Republicans and Democrats for a US Senate seat for many years.

The US Senate vacancy caused by the retirement of veteran Democratic Senator Kent Conrad and hotly contested by North Dakota's Republican US Congressman Rick Berg and former state Attorney General and Democrat Heidi Heitkamp, saw experienced political operatives sent in to North Dakota to run a tough campaign; and while the state authorities and Secretary of State were well prepared, the local county auditors and officials struggled with little-known provisions of the Century Code and there was an absence of consistency in decision-making and the application of both electoral laws and determinations.

Since its inception as a state, North Dakota has banned electioneering and campaigning on election day; this previously required all yard signs (the American equivalent of corflutes) and all other promotional material to be taken down the night before the poll and meant it was unlawful to engage in political advertising that advocated for an individual or Party that sought to encourage a voter as to how they should cast their ballot. The decision in *Gary Emineth v North Dakota* forever changed the political landscape, with the US Federal District Court holding the State's Election Day campaign ban as unconstitutional.

The results in North Dakota delivered the Republicans a convincing victory, notwithstanding a disappointing defeat in their race to secure the Senate seat vacated by sitting Democratic Senator Kent Conrad.

Campaign Organisation and the Victory Program

The NDGOP campaign was the overall responsibility of the state Republican Party, the NDGOP, and its Executive Director, Anthony Reedy. However, the state Party itself has very little operational control over each of the respective campaigns, a significant difference from the Australian model and political system. Individual candidates across each of the plethora of races essentially retain overwhelming control of their own campaigns.

The absence of centralised control of each of the respective campaigns gives rise to the need for dedicated coordination approach to ensure each of the races work effectively and efficiently in both the ground game, and to ensure appropriate rapid response capabilities are in place and readily available to the candidates. These key functions were the responsibility of the Victory Program.

The NDGOP Victory Program worked closely with the RNC, NRSC and NRCC, receiving guidance and direction from national strategists and campaign consultants focused on key races.

The Victory Program was headed by Iowa state legislator and Republican Party Whip, Erik Helland. As the Victory Director, Mr Helland oversaw the four Victory field offices and a full field campaign staff. He was supported by a Deputy Victory Director, Michael Thom, and a number of Field Directors.

The delineation of day-to-day operational responsibility was, in practical terms, the Party's Executive Director overseeing state races, financing and support and the Victory Director overseeing the ground campaign and liaising daily with the national campaigns and key Republican strategists in Washington.

Whilst North Dakota is by no means a large state, it only has a population of approximately 685,000, it is a traditionally a Republican stronghold, with 71 of the 94 State House Members and 33 of 47 State Senators. Moreover, the Republicans won every state-wide office, from Governor and Lieutenant Governor to Public Service Commissioner, State Treasurer, State Auditor and Superintendent for Public Instruction.

The fact that the population is so sparsely spread across the state, with only a limited number of regional city-sized population centres, added to logistical challenges associated with the ground campaign.

The Ground Game and Get-Out-The-Vote (GOTV) Strategy

Without compulsory voting, the Get-Out-The-Vote strategy is paramount to any successful campaign. Coupled with the broader game, the activation and mobilisation of supporters and likely Republican voters, is the most important part of the campaign operation.

In North Dakota, the ground game was both multifaceted and fast moving. A highly targeted campaign of voter registration across the oil fields, together with postal ballot applications, resulted in over 3,200 new electors registering in north-western counties. These ballots, promulgated by voters identified by the GOP as highly likely Republican voters, became a focal point for ballot protection efforts, discussed later.

In addition, a concerted door-knocking campaign was undertaken throughout the state. This was one key area in which coordination across local, state and national campaigns was used to maximise coverage.

Political parties in the US face similar challenges to those here in Australia with respect to the size and operational capabilities of their volunteer supporters. Whilst in Australia, this has placed greater demand on the party machines, in the US, third-party campaign contractors have emerged as an effective solution.

Whilst political consultancies have a long history in the United States, with candidates and campaigns relying on them for strategic communications and planning, research, targeting and strategy advice, advertising buys, legal counsel and more recently social and online media and communication, the operation on companies dedicated to campaign activities, a hybrid of political consultancies and marketing agencies, has been a new addition to the US political landscape.

Campaign companies such as one of those operating in North Dakota, Silver Bullet, can effectively undertake the full spectrum of ground campaign operations on behalf of the contracting candidate. This can take the form of doorknocking, letterboxing (or 'literature drops'), campaign messaging through phone calls or related activities.

The evolution of third party companies being contracted to undertake political campaigning is not only a mainstream practice, but has enabled the industry to specialise skills and products and to be able to tailor services and outcomes to specific candidates and campaigns.

Without compulsory voting, the critical task of mobilising Republican supporters and winning the ground game largely falls within the responsibilities of the Victory Program.

This already difficult task was made even more challenging due to the absence of voter Party registration in North Dakota. In addition, recorded messages cannot be played over telephone systems in the state unless a human introduces the recorded message.

Literally hundreds of thousands of phone calls were made by the GOP North Dakota Victory centres.

The Voice Over Internet Protocol (VOIP) phone systems and software interface provided real-time, up-to-date voter information and data. Volunteers and field staff not only used VOIP to Get-Out-The-Vote, but also effectively used it to campaign to targeted voter groups using customised scripts for the voter's demographic, locality and issue interests.

Legal Preparedness and Protect-The-Ballot (PTB) Strategy

Across the United States, the administration of national elections is the responsibility of the states, and in turn, the counties. This effectively means that the Australian equivalent of a municipal local authority, would be responsible for managing the conduct of the poll itself, with state governments administering the rules applicable within the jurisdiction and mandating the processes and

procedures. Essentially, Secretaries of State, the equivalent to a State Minister here in Australia, act as the principal returning officer at a state level for the conduct of national elections.

The complexity of local administration of national polls, coupled with the fact each state has its own election laws and mandates different systems and voting methods has seen the rise of an entire legal specialisation – election law. Party employed and party engaged lawyers play an important role in planning campaigns, particularly in advising on the legality and applicability of different strategies in different geographic locations.

With North Dakota being the second highest oil producing state in the continental United States, the GOP strategy saw considerable activity in activating oil workers who were living and working on the oil fields in the north-west of the states. Mobile operatives visited worker camps and distributed ballot registration forms to literally thousands of oil workers.

This, in turn, drove up pre-poll votes, or early ballot, numbers in a number of counties, which was no doubt encouraging to local state legislators. This was a promising development also for the state-wide and national polls. However, with this increase in voter numbers came the potential danger of a Democratic challenge to voter eligibility. Whilst the oil workers were clearly eligible to vote pursuant to the provisions of the US Constitution and the North Dakota Century Code, there was a clear disparity of the understanding of the eligibility provisions by County Auditors, who would ultimately be the initial arbiters of eligibility.

A phone call from the NDGOP campaign headquarters to each county auditor revealed over half of those auditors responsible for counties encompassing, or adjacent to, the oil fields, provided inaccurate or incorrect information, or was not sufficiently aware of the requirements stipulated by state law.

Whilst it would no doubt be difficult for these officials, who were not used to hotly contested elections as in other states, to be intimately familiar with the laws, it did raise issues about consistency in the understanding and application of electoral laws and regulations. After these concerns were raised by the GOP they were quickly addressed by the state's Secretary of State.

Nonetheless, preparations were made by Party counsel to prepare for the potential challenge to ballots on voter eligibility grounds by other parties. These briefs formed a basis for the training that was delivered to the Republican poll checkers, who could act as advocates, in polling places.

Emineth v North Dakota has forever changed election law in the state. The case was brought by a former Republican Party Chairman who sought to challenge the archaic principle that prohibited campaigning for candidates on Election Day. The US District Court decision struck down the law on the basis it was unconstitutional and sought to inhibit free and open political communication.

Whilst the decision has far-reaching potential, including parties being able to continue phone call operations to promote candidates whilst concurrently mobilising voters, the Republican campaign made the strategic decision to not depart from their proven and well planned 'final 24 hour' plan on

this occasion generally, with some exceptions. It appeared the Democrats adopted a similar view and there was no significantly evident campaigning activity on Election Day.

The Races

The NDGOP worked closely with a large number of candidates, from the US Senate and US House campaigns, to state-wide candidates and to the large number of State House and State Senate candidates. The NDGOP coordinated and managed the State Legislative races and the Victory program worked under the direction of the NDGOP's ED to coordinate key campaign strategy outcomes with each of the respective campaigns.

It was interesting to watch how so many Republican campaigns, essentially all being conducted in loosely autonomous environments, can be coordinated to ensure key messages and strategies are implemented and to also ensure that critical elements, such as the ground game, the GOTV strategy and broader logistics and legal preparations can be achieved and readily assist each of the respective candidates.

Romney/Ryan Presidential Ticket

The Romney/Ryan campaign existed as a shell only in North Dakota, undertaking fundraising operations in the state, but given that North Dakota is considered an "orphan state" (meaning it is not considered a swing state and does not have considerable Electoral College votes), it is not seen as a priority for Presidential campaigns. Campaigning for the Romney/Ryan ticket was primarily done as a 'dual branding' exercise by some campaigns and candidates.

Rick Berg for US Senate

The Berg for US Senate race was a key focus for the Victory Program, in trying to capture a Democrat-held Senate seat. Such a victory in North Dakota was critical to any attempt to gain control of the US Senate.

The Berg campaign provided the best insight into how a well-resourced, well-organised and nationally significant campaign is planned and managed. The Victory Program worked in tandem with the Berg campaign on a range of issues and strategies and the GOTV strategy predominantly and overwhelmingly focused on the Berg Senate race, which was inevitably going to be close. Similarly, issues management and protecting the ballot strategies were primarily focused around the needs and requirements of the Berg campaign.

The number of television ads run by each of the respective Senate races, both by the respective campaigns and their national Senate committees, and also by PACs was staggering. Concurrently there was a significant online campaign strategy and online advertisements.

Kevin Cramer for US House

The Cramer campaign was the equivalent of a safe-seat campaign in Australia. It predominantly operated autonomously of the NDGOP campaign machine but coordinated with other campaigns.

Interestingly, Cramer did not contest the Republican nomination for the US House seat, but went straight to the primary, which he won against the endorsed Republican.

Whilst the only time I spent with the Cramer campaign was during a GOP bus campaign tour of the state, I did spend some time with Campaign Manager, Matt Becker, discussing volunteer engagement strategies.

Dalrymple for Governor

The Dalrymple Governor's race was one the Republicans were always going to win, both on historical trends and opinion polls. The race largely focused on assisting in raising down-ticket candidate profiles and promoting key state issues, including the Governor's achievements while in office. The campaign was able to focus heavily on its policies and plans for the next term, particularly given the Democratic ticket seemed under resourced. There was no negative ad blitz in the Governor's race on the part of either ticket and the hugely popular Governor and Lieutenant Governor were able to provide significant support to down-ticket candidates.

State Officials

Unlike many states in the US, in North Dakota most state-wide officials are not appointed by the Governor, but rather, elected by the people at a general election. This generally means that the down-ticket Republican candidates rely not only on their own campaign, but also on the Governor's ticket to assist them.

Not all state-wide officials were up for election at the 2012 poll; all but two of those who were facing elections were incumbents.

The GOP was confident its incumbents would be returned, including the State Treasurer and State Auditor, and focused more attention on non-incumbents Randy Christman (seeking election as Public Service Commissioner) and Kristen Baesler (running for Superintendent of the Department of Public Instruction). Christman and Baesler were both successful in their bid for election and have now assumed office.

These two races were identified as the toughest of the state-wide ticket, particularly Baesler's campaign, where the Party name doesn't appear next to a candidate as it has traditionally been a post removed from Party politics.

These two campaigns primarily focused on narrow-casting issues and policy messaging and undeniably benefited from the broader whole-of-ticket GOP campaign which, in reality, did more to drive up their vote than the respective narrowcast campaign. The more localised flavour of these campaigns was an interesting parallel to the larger and more resourced 'top of the ticket' campaigns.

State House and State Senate

The State Legislature campaign was a phenomenal success; the Republicans built on their already strong numbers in the State House and State Senate and secured 'super majorities' in each, with the GOP holding 71 of the 94 seats in the State House Members and 33 of 47 State Senators.

The State Legislature campaigns were primarily based on a ground game; door-knocking, literature drops and street walks mirror parallel campaign strategies in Australia. Local county and town

parades are an additional feature of campaigns in the US, with incumbents and candidates participating.

Communications

Political communications, namely campaign communications, in the US have a distinct difference to that in Australia – the sheer level of finance and resource available. This has effectively seen US campaigns engage in a considerable television ad war, with nightly commercial segments across television dominated by political adverts. It is unquestionable that television is a highly effective form of message and issue saturation. Moreover, considerable research has been undertaken that also shows negative ads are critically effective in message penetration and recall. This in turn sees campaigns spend more on negative than positive ads.

Press operations

Whilst state legislative candidates and down-ticket state-wide candidates coordinated their media through the NDGOP and its Communications Director, Anna Nix, the US Senate, US House and Governor's campaign all managed their press operations independently. Whilst this enabled a quick response to emerging issues and media inquiries, it also resulted in an absence of common GOP campaigns messaging and themes that we are used to in Australia.

An interesting facet of US politics is also that press secretaries and communications directors, as well as party officials, act as official spokespeople, holding press conferences, conducting doorstep interviews and appearing as TV and radio interview talent.

Advertising

Television, radio and online were the predominant advertising mediums.

Television advertising formed the cornerstone of the public face of the GOP campaigns across the state. Television ads were run for the US Senate and US House races, by each of the respective GOP campaigns. Targeted and negative ads were also run by the NRSC against the Democratic candidate and a number of PACs also ran a suite of negative ads. The Governor's race also ran a number of television ads.

Radio advertising was predominantly used by state legislature candidates and by state-wide candidates, including for those contesting election for Public Service Commissioner and Superintendent of Public Instruction.

Targeted online advertising also proved an effective medium, particularly for narrowcasting of key campaign messages and issues. Considerable lessons can be drawn from the online advertising strategy and approach employed by the NDGOP.

Social Media

Social media forms a key and integrated component of campaign operations. Websites, Facebook, Twitter, Flickr, YouTube and Google+ are used to engage with the community, promote messages and ads, promote events and seek donations.

I observed the social media campaign of two races closely and spent time with the Berg for Senate Social Media Director, being given an insight into the strategy Republican Senators and Senate candidates around the country were using. The discussions, information and insights I was provided in relation to social media were possible only on condition that they were not publicly disclosed.

Rapid Response and Issues Management

Issues management and rapid response is important in any campaign and the Victory Team, under the direction of Victory Director, Erik Helland and under the ultimate control of Executive Director Anthony Reedy, oversaw the general and day-to-day issues management associated with the various down-ticket races, whilst each of the larger campaigns worked with the NDGOP to coordinate rapid response and issues management across the broader Republican team.

I was fortunate to be able to observe a number of discussions and planning sessions relating to issues management, but my access to those was on the basis that the information and discussions not be publicly disclosed.

Fundraising

The North Dakota GOP ran a comprehensive fundraising operation, spearheaded by the Party's Executive Director, Anthony Reedy. The operation included issues-based campaigns, online fundraising, traditional Party-member driven fundraising and a range of fundraising events, including small functions to larger and more traditional political fundraising events.

Each of the respective campaigns undertook their own fundraising operations, making the role of the NDGOP ED critical in ensuring coordination across Republican campaigns to ensure groups and individuals are not continually asked to donate by different campaigns.

Whilst there was still some fundraising during my time in North Dakota, most of the bulk fundraising had obviously occurred prior to my arrival and whilst I was privy to some events and final stage fundraising, I was unfortunately not able to observe in detail the strategic planning that underpinned the fundraising operation.

The simple fact that campaigns across the US rely so heavily on mass-marketing mediums means that the nature, scale and size of fundraising operations is considerable.

Policy Research and Development

By the time I arrived in the US, the policy research and development phase of the campaigns was well and truly completed, with campaigns having, predominantly, announced all of their policies. What was clear is that considerable policy research and proposals are developed in collaboration with think tanks, enabling expert policy minds to consider intricate and complex issues in an environment delineated from day-to-day politics.

During my time in New York I was fortunate to spend time with key staff members at the Manhattan Institute, a leading conservative and free market think tank. Here I spent time discussing policy development at a city, state and federal level and emerging policy challenges, particularly in the areas of energy, labour, law and order and welfare.

The Institute is well-regarded by Republican policy strategists for its work and understanding of policy in a context of contemporary politics.

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