



—FOR PRESIDENT—

## MEMORANDUM

TO: Interested Parties  
FROM: Joel Searby, Chief Strategist  
RE: How Evan McMullin can win and why it's so important

Every election is a choice between the past and the future, between hope and fear and between love and hate. The reality of this election is that Hillary Clinton and Donald Trump have offered old, broken, divisive ideas. Both are fundamentally unfit for the office they seek, personally and ethically flawed, and unable to unify the nation. Trump and Clinton both point to a future of greater division, partisan gridlock and risks to our economic and security future.

The political parties have become nearly irrelevant to at least 42% of Americans who now consider themselves independents – there are more of them than of either Democrats or Republicans. The collapse of confidence in our political institutions has given rise to extremist forces on both ends of the political spectrum. A new generation of leaders is needed to restore a national commitment to opportunity, freedom, the pursuit of happiness, liberty and the fundamental values that we have long shared.

The great American experiment has been challenged by war, economic disruption and cultural crisis before. Each time it seemed the great American experiment was on the ropes, someone stepped up. In this moment, that someone is Evan McMullin.

This election is about more than just winning the White House. It's about what kind of country we want and deserve as Americans. It's about leadership that restores the faith and trust generations of leaders of both parties have squandered. Do we believe that honesty, integrity, compassion and kindness still matter? Do we believe that we can be a nation of widely diverse ideas and beliefs that can still manage to co-exist in all the right ways? Can we be a nation that, when the rest of the world is watching, will be a beacon of freedom, truth and goodness to all who watch?

We believe we can. We believe it so deeply that we have chosen to make great sacrifices alongside Evan as he stands up in this moment. Because it's never too late to do the right thing.



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But how can he possibly compete?

Evan McMullin enters this campaign with the means to compete in every state in America. The McMullin campaign is fighting to give voters across America the opportunity to vote for a candidate they can be proud of, and will use every tool at its disposal to ensure we run a truly national campaign with the widest ballot access possible.

There are at least 5 viable options to gain ballot access and/or compete in ways that add up to being in all 50 states, even at this late date. They include:

**1) Conventional petition signature gathering**

These petition-gathering operations are already under way, with both volunteer and paid team members working as we write this. Here's a quick snapshot of the conventional ballot access landscape:

STATE	ELECTORAL VOTES	DATE DUE	SIGNATURES REQUIRED
Utah	6	On the Ballot!	1,000
Colorado	9	On the Ballot!	Pay Fee
Iowa	6	On the Ballot!	1,500
Louisiana	8	On the Ballot!	Pay Fee
Minnesota	10	Actively gathering!	2,000
Idaho	4	Actively gathering!	1,000
Virginia	13	Actively gathering!	5,000
Wyoming	3	Actively gathering!	3,302
Oregon	7	August 30, 2016	22,046
North Dakota	3	September 5, 2016	4,000
Mississippi	6	September 9, 2016	1,000
Kentucky	8	September 9, 2016	5,000
Arizona	11	September 9, 2016	35,517



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## 2) Minor parties with presidential ballot lines

There are parties in a number of states who can nominate Evan McMullin for President; we are in contact with such parties and are aggressively pursuing more. These include parties in Minnesota, South Carolina, Oregon, Florida, New York, Hawaii, Delaware, and others.

## 3) A legal challenge in states whose deadlines have passed

We will challenge the deadlines and/or signature requirements on constitutional grounds and sue to regain access in those states. We have great confidence these legal challenges will be successful in many places, as do many of America's leading legal thinkers. A recent op-ed by legal scholars Larry Lessig and Randy Barnett outlines the importance of this legal challenge. <http://time.com/4436805/lawrence-lessig-randy-barnett/>

## 4) Write-ins

Write in candidacies, while challenging, are another option. In normal circumstances one might dismiss this. But a few key points need to be made here.

- First, it's been done successfully before on a statewide basis (see appendix below for many examples.)
- Second, it's not complicated. We actually have faith in the American people's ability to write. And given their other choices, we like our chances.

We will pursue this option with an aggressive campaign to educate and motivate voters in necessary states to write-in Evan McMullin for President.

## 5) The collapse of Donald Trump

The complete collapse of Donald Trump could force the Republican Party either in specific states or in its entirety to replace him through legal means as their candidate. At that time, their legal team will have to sort that out and a strong McMullin candidacy would be a logical choice.



## The McMullin Campaign Plan

The fight for ballot access is just one part of Evan's national political strategy. We're executing a political, policy, earned media and digital plan to bring Evan to America and give voters a real choice in this campaign.

### **1) Raise Evan's profile.**

Two weeks ago Evan McMullin was anything but a household name. After the most aggressive earned media rollout in memory, coverage on television, radio, online, print and social media has turned him into a political and media sensation. We can't book him fast enough on the major cable networks, talk radio and with national political reporters.

Already, Evan has been covered in hundreds television stories, and over 70 million Americans have seen news coverage of Evan. Our website has been inundated with **millions** of hits producing over **100,000** supporters who have volunteered, donated, reposted or shared Evan's messages. In the first two weeks of the campaign, Evan went from 128 Twitter followers to over **40,000** highly engaged, vocal and active supporters. Google executives inform us their search volume and velocity for Evan is sky-high and **growing**; as of today, Evan has 1.2 million Google search results.

### **2) Positively impact down-ballot races**

Donald Trump is locked in a murder-suicide pact with the Republican Party. He is forcing candidates from local office to U.S. Senate to carry the burdens of his divisive, racist attacks on Mexicans, Muslims and other minorities and to embrace his poisonous brand of politics. He has wrecked the GOP's reputation, image, future recruiting prospects, fund-raising and morale. More pointedly, there are dozens of great men and women down the ballot locked in fights for their political lives because of Donald Trump.

We're positioned to give voters a safe haven in the era of Trump, to rescue conservatism from the wreckage of Trumpism, and to give **Republican donors, candidates and activists a moral and smart political choice**. Every person in the political process will be judged after this election and for the foreseeable future based where they stood with Donald Trump. As Brit Hume says, "Evan is a respectable alternative to those who cannot stomach Trump or Clinton."



### 3) Give Americans a real alternative

Evan is more than a typical third-party candidate. With all due respect, Gary Johnson and Jill Stein are narrow-gauge candidates of limited national appeal. Whether it's Stein's warmed-over magical-thinking socialism and weirdness or Gary Johnson's astonishingly weak and dangerous positions on foreign affairs and religious liberty, no other third-party or independent candidate has the background, experience, intelligence and policy strengths Evan McMullin brings to the national debate.

### 4) Heart. Hope. Decency. Respect.

Every day, our campaign receives hundreds of emails, calls and messages thanking Evan for something we never expected to hear; they're drawn to Evan's smart, calm, steady demeanor, his rock-solid personal integrity and his willingness to talk to Americans like adults. Every day, we see how desperate Americans of all parties have become for a leader and a campaign of which they can be proud.

### 5) Build a campaign

The McMullin campaign has scaled rapidly, building out campaign operations, communications, political, field, policy, data and digital assets in key states. We have been inundated with resumes by top political talent from both parties asking to be a part of this effort, and we have a volunteer base at the grassroots that frankly surprised even us. Some of the brightest and most innovative conservative policy thinkers in America have volunteered their time, brainpower and energy to help Evan develop a truly robust policy operation. People of all backgrounds are coming to us wanting to help.

With the right resources, we can wage a campaign that builds out to include broad national operations and targeted media in key states.



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## **So what's the end game?**

### **1) Win.**

Donald Trump cannot win. So the goal must be to keep Hillary Clinton from reaching 270 electoral votes and send the election to the House of Representatives. Once in the house, against the backdrop of Trump and Clinton's deeply divisive positions and after a strong electoral college showing, we believe Evan's unifying message will prevail.

### **2) Win electoral votes.**

It's been 48 years since anyone other than the major party candidates won a state's electoral votes. It will be a signal that a new generation of American leadership has come.

### **3) Build for the future.**

American politics cannot and will not continue on this path. That much is clear. The networks and assets built over the next 3 months will be positioned to lead what's next. Anyone who has been a part of it will be positioned for influencing the future of American politics in ways seldom seen in modern times.

### **4) Standing up for what is right.**

We believe that history will demand an accounting of those with voices and resources – asking who stood up and who stood on the sidelines in this historic election.



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## APPENDIX: A History of Write-ins

Source: Wikipedia (fact-checked by McMullin Campaign Researchers)  
[https://en.wikipedia.org/wiki/Write-in\\_candidate](https://en.wikipedia.org/wiki/Write-in_candidate)

Below are examples of successful write-in campaigns throughout U.S. history from presidential down to state legislative.

### Presidential

- In 1928, [Herbert Hoover](#) won the Republican Massachusetts presidential primary on write-ins, polling 100,279.
- In 1940, [Franklin D. Roosevelt](#) won the Democratic New Jersey presidential primary with 34,278 write-ins.
- In 1944, [Thomas Dewey](#) won the Republican Pennsylvania presidential primary with 146,706 write-ins.
- In 1948, [Harold Stassen](#) won the Republican Pennsylvania presidential primary with 81,242 write-ins.
- In 1952, [Robert A. Taft](#) won the Republican Nebraska presidential primary with 79,357 write-ins.
- Also in 1952, [Estes Kefauver](#) won the Democratic Pennsylvania presidential primary with 93,160 write-ins.
- Also in 1952, [Dwight Eisenhower](#) won the Republican Massachusetts presidential primary with 254,898 write-ins.
- In 1956, Dwight Eisenhower won the Republican Massachusetts presidential primary with 51,951 write-ins.
- In 1960, [Richard Nixon](#) won the Republican Massachusetts presidential primary with 53,164 write-ins.



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- Also in 1960, [John F. Kennedy](#) won the Democratic Pennsylvania presidential primary with 183,073 write-ins, and he won the Democratic Massachusetts presidential primary with 91,607 write-ins.
- In 1964, a write-in campaign organized by supporters of former U.S. Senator and vice presidential nominee [Henry Cabot Lodge, Jr.](#) won Republican primaries for President in [New Hampshire](#), [New Jersey](#), and [Massachusetts](#), defeating declared candidates [Barry Goldwater](#), [Nelson Rockefeller](#), and [Margaret Chase Smith](#).
- In 1968 in the Democratic presidential primary in New Hampshire, incumbent President [Lyndon Johnson](#) did not file, but received write-ins totaling 50% of all Democratic votes cast. Senator [Eugene McCarthy](#), who campaigned actively against Johnson's Vietnam war policies, was on the ballot. He received an impressive 41% of the vote and gained more delegates than the President. Johnson was so stunned that he did not run for reelection.<sup>[2]</sup>

## US Senate

- Democrat [Strom Thurmond](#) was [elected in 1954](#) to the [United States Senate](#) in [South Carolina](#) as a write-in candidate, after state Democratic leaders had blocked him from receiving the party's nomination.<sup>[3]</sup>
- In [2010](#) incumbent [Alaska Senator Lisa Murkowski](#) lost the Republican primary to [Joe Miller](#).<sup>[4]</sup> Following her defeat she ran in the general election as a write-in candidate. Murkowski had filed, and won, a lawsuit requiring election officials to have the list of names of write-in candidates distributed at the polls,<sup>[5]</sup> and subsequently won the election with a wide enough margin over both Miller, and [Democratic Party](#) candidate [Scott T. McAdams](#), to make moot [the write-in ballots that had been challenged by Miller](#).<sup>[6]</sup>

## House of Representatives

- In 1918, [Peter F. Tague](#) was elected to the U.S. House as a write-in independent Democrat, defeating the Democratic nominee, [John F. Fitzgerald](#).
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- In 1930 Republican [Charles F. Curry, Jr.](#) was elected to the House as a write-in from Sacramento, California. His father, [Congressman Charles F. Curry](#) Sr., would have been listed on the ballot unopposed but, due to his untimely death, his name was removed and no candidate's name was listed on the ballot.
- In 1958, Democrat [Dale Alford](#) was elected as a write-in candidate to the [United States House of Representatives](#) in Arkansas. As member of the [Little Rock school board](#), Alford launched his write-in campaign a week before the election because the incumbent, [Brooks Hays](#), was involved in the incident in which [president Eisenhower](#) sent federal troops to enforce [racial integration](#) at [Little Rock Central High School](#). Racial integration was unpopular at the time, and Alford won by approximately 1,200 votes, a 2% margin.<sup>[7]</sup>
- In November 1980, Republican [Joe Skeen](#) was elected to Congress in New Mexico as a write-in candidate, because of a [spoiler candidate](#) who also happened to be a write-in. No Republican had filed to run against the incumbent Democrat, [Harold L. Runnels](#), before the close of filing.
- [Ron Packard](#) of California finished in second place in the 18-candidate Republican primary to replace the retiring [Clair Burgener](#). Packard lost the primary by 92 votes in 1982, and then mounted a write-in campaign as an independent. He won the election with a 37% [plurality](#) against both a Republican and a Democratic candidate. Following the elections, he re-aligned himself as a Republican.<sup>[7]</sup>
- Democrat [Charlie Wilson](#) was the endorsed candidate of the Democratic Party for [Ohio's 6th congressional district](#) in Ohio to replace [Ted Strickland](#) in 2006. Strickland was running for Governor, and had to give up his congressional seat. Wilson, though, did not qualify for the ballot because only 46 of the 96 signatures on his candidacy petition were deemed valid, while 50 valid signatures were required for ballot placement. The Democratic Party continued to support Wilson, and an expensive primary campaign ensued – over \$1 million was spent by both parties. Wilson overwhelmingly won the Democratic primary as a write-in candidate on May 2, 2006 against two Democratic candidates whose names were on the ballot, with Wilson collecting 44,367 votes, 67% of the Democratic votes cast.<sup>[8]</sup> Wilson faced [Republican](#) Chuck Blasdel in the general election on November 7, 2006, and won, receiving 61% of the votes.



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- Democrat [Dave Loebsack](#) entered the 2006 Democratic primary in Iowa's second congressional district as a write-in candidate after failing to get the required number of signatures. He won the primary and in the general election he defeated 15-term incumbent [Jim Leach](#) by a 51% to 49% margin.
- [Peter Welch](#), a Democrat representing [Vermont](#)'s sole congressional district, became both the Democratic and Republican nominee for the House when he ran for re-election in 2008. Because the Republicans did not field any candidate on the primary ballot, Welch won enough write-in votes to win the Republican nomination.<sup>[10]</sup>

## State legislatures

- [Carl Hawkinson](#) of [Galesburg, Illinois](#) won the Republican primary for the [Illinois Senate](#) from Illinois's 47th District in 1986 as a write-in candidate. He went on to be elected in the general election and served until 2003. Hawkinson defeated another write-in, David Leitch, in the primary.
- Arizona state senator [Don Shooter](#) won the 2010 primary as a write-in and went on to win the general election.
- After failing to receive the Republican Party's 1990 [Wilson Pakula](#) nomination, incumbent and registered [Conservative](#) New York State Senator [Serphin Maltese](#) won the party's nomination as a write-in candidate.<sup>[11]</sup>
- [Charlotte Burks](#) won as a Democratic write-in candidate for the [Tennessee Senate](#) seat left vacant when the incumbent, her husband [Tommy](#), was assassinated by his opponent, [Byron Looper](#), two weeks before the elections of November 2, 1998. The assassin was the only name on the ballot, so Charlotte ran as a write-in candidate.



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- Winnie Brinks was elected to the Michigan House of Representatives in 2012 after a series of unusual events. In May of that year, State Representative Roy Schmidt - who had previously filed to run for re-election as a Democrat - withdrew from the Democratic primary and re-filed as a Republican. A friend of Schmidt's nephew filed to run as a Democrat, but withdrew two days later amid anger among local Democrats. This left Democrats without a candidate. Brinks ran as a write-in to be the Democratic nominee. She won the primary and was listed on the ballot in the general election, which she also won. Coincidentally, the general election also saw a write-in candidate, Bing Goei, receive significant support.<sup>[12]</sup>
- Scott Wagner was elected as an anti-establishment Republican write-in candidate to the Pennsylvania Senate in a March 2014 special election over endorsed Republican nominee Ron Miller and Democrat Linda Small.<sup>[13]</sup>

