

Rules Committee Report from the Texas Members of the RNC Convention Rules Committee

By Melinda Fredricks and Butch Davis

Here are the main changes passed by the Rules Committee:

1. Initially, a rule was passed that made it possible for national delegates who are elected by the states to be disavowed (removed) by the presidential candidate they were bound to. (See original language below.¹) We fought very hard against this measure and signed a minority report to remove it. We sent a letter to our fellow rules committee members stating that unless this part of the rule was removed, we would fight it on the floor. (See copy of letter below.²)
Several committee members worked to find an acceptable solution, and came back to us with an amendment that completely removed any interference with our state's election of delegates. We then removed our names from the minority report.
We are very proud of the Texas delegation because we made a huge difference. (Rule 16- page 19 of the rules.³)
2. Any statewide presidential preference vote must be used to allocate delegates in a proportional or winner takes all manner unless the delegates themselves are on the ballot. Delegates cannot go to the convention and vote differently than the Primary voters have voted.
3. The proportionality requirement is removed and made optional.
4. There was a motion to increase the number necessary to have a minority report from 25% to 40% of the committee but that was deemed so bad the maker withdrew the motion.
5. The number of states required to suspend the temporary rules was raised from 5 to 7.
6. The number of states needed to nominate a President or Vice-President was raised from a plurality in 5 states to a majority in 8 states.
7. The RNC approved a rule which punishes a state for holding a primary before the allowed time by reducing their delegation to 9 delegates. A motion before our rules committee to remove that punishment was strongly defeated.
8. The Republican National Committee can change certain rules (Rules 1-11 and 13-24) between national conventions but only if it passes by a majority vote of the RNC Rules Committee and then by a 3/4ths vote of the full RNC. The original motion was for a 2/3rds vote of the full RNC but Melinda got them to raise it to 3/4ths vote. (Rule 12 – page 15 of the rules.³)

Discussion on Rule 16:

A lot of misinformation about Rule #16 has been circulated that has made people think we didn't win this fight. We want to be very clear: Texas signed the minority report because we disagreed with part 16(a)(2), which is the part that allowed a candidate to "disavow" national delegates. Other items were included in the minority report, but we made it clear the only item Texas disagreed with was (a)(2). An amendment was agreed upon that removed language that infringed on our right to freely choose our delegates, and so Texas withdrew its opposition.

Other states, including Virginia, are unhappy because they also wanted language removed that bound their delegates to their primary vote. In our opinion, delegates should be required to vote according to the primary voters' decision, at least on the first ballot. If we don't, then why have a primary if primary voters' (grassroots) wishes are not adhered to? Why would a person want our delegates' votes to be unbound from the primary vote? The only reason we can think of is that they want to vote for someone other than the one the Primary voters selected. The delegates are elected to represent the grassroots' decision on the presidential nominee as reflected in the Primary vote.

To recap, Texas scored a huge victory, which we should be very happy about. The Rules report is almost never changed once it comes out of the Rules Committee. Yet, Texas stood her ground, made it clear we would accept nothing less than complete removal of infringement on our right to freely choose our delegates, and the Rules Committee blinked.

Rule 12 – Disaster or Opportunity?

Rule 12 was never on a minority report. Virginia, South Carolina, and Louisiana were very involved in creating the minority report from the temporary committee, yet, they did not add Rule 12 to the minority report.

The Texas delegation had mixed feelings about Rule 12. Some were concerned that it allowed the RNC to overrule the will of the convention. We understand their concern. Others believed that the RNC needed some slight flexibility with the rules during the four years between conventions. Regardless if you think Rule 12 is good or bad, we believe this rule could provide an opportunity to increase the power of the grassroots rather than diminish their power.

From our experience on the Rules Committee (Melinda was also on the 2008 Rules Committee), we realized that at the convention the grassroots have almost no opportunity to affect the rules. Rule 12 may in fact provide an opportunity for the grassroots to effect the rules.

Some things to consider:

- The grassroots influence on the **convention rules committee** is very limited.
 - The national rules committee is run very differently than the Texas convention rules committee
 - Only Rules Committee members are allowed to speak to the Rules Committee. No testimony is allowed.
 - Only persons who have an admittance pass even are allowed in the rules committee room.
 - Proposed amendments are introduced and passed very quickly.
 - Committee members have virtually no opportunity to inform anyone of the rules they are voting on and in many cases, don't even have time to discuss it among themselves.
 - The terrible original Rule 16(a)(2) is an example of how rules are sprung on us quickly.
- The only impact the grassroots have on the rules is to vote for it or against it on the convention floor. You can't amend it on the floor unless you have a minority report.
 - The National Convention operates under Congressional House rules and not under Robert's Rules.
- **Under Rule 12, the grassroots have greater opportunity to impact the rules.**
 - Any proposed amendment must be submitted at least ten days in advance,
 - Our RNC members will have time to discuss the proposed rule, and even let us know about it.
 - RNC members will have time to discuss the rules, and build allies
 - Grassroots will have time to mount a campaign "for" or "against" a proposed rule
 - Our RNC members can propose changes.
- There are protective parameters.
 - 3/4 of the full body must vote in favor.
 - Rule expires in two years and is not renewable unless the 2016 Rules Committee chooses to pass another one.

- Rules must be submitted in writing at least ten days before the RNC meeting where they will be considered.
- The rule must be voted out of the RNC Rules Committee by majority vote.
- Any newly passed rules will take effect 30 days after passing.
- The rule (Rule 12) requiring 3/4ths vote is exempted from change.

Appendices:

¹**Original Rule 16(a)(2) that was removed:**

“(2) For any manner of binding or allocating delegates permitted by these rules, no delegate or alternate delegate who is bound or allocated to a particular presidential candidate may be certified under Rule No. 20 if the presidential candidate to whom the delegate or alternate delegate is bound or allocated has, in consultation with the state party, disavowed the delegate or alternate delegate.”

²**Our letter to the Rules Committee members regarding Rule 16(a)(2):**

Dear Fellow Rules Committee members,

We greatly appreciated working with all of you on the Rules Committee last week. We believe you are all honorable people, and we thoroughly enjoyed meeting you.

After meeting with our delegation today and with Party leadership this evening, our report to you is that the Texas delegation considers the new Rule 16(a)2 an unacceptable infringement on our rights to freely choose our delegates to a National Convention. Just as we anticipated, our delegates are in shock that such an amendment even would be presented before the Rules Committee much less passed into rule.

We realize that not every state selects its delegates in the same manner as we do, and perhaps you find it hard to understand what has us so worked up. Frankly, we find it hard to understand how your delegations would be willing to give away their rights.

The Texas delegation does not want a floor fight. We have united behind Gov. Romney and stand ready to work hard for his election. **But please know from the Texas delegation standpoint that the only way a floor fight can be avoided is for this rule to be stricken.**

Sincerely,

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Texas Rules Committee Member

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Parliamentarian, Republican Party of Texas
Texas Rules Committee Member

³**Link to final RNC 2012 Rules**

<http://www.mcrcp.org/documents/Final2012RNCRules.pdf>