
DNC Pre-Kapp: Summer Meeting 2022

Michael Kapp, DNC Member <michael@michaelkapp.com>
To: Michael Kapp <mdkapp@gmail.com>

Thu, Sep 1, 2022 at 6:20 PM



Michael --

The Democratic National Committee will meet for its 2022 Summer Meeting from September 8-10 at the Gaylord National Resort and Convention Center in National Harbor, Maryland.

[Here is the tentative schedule for the DNC meeting.](#)

At this meeting, the DNC will conduct party business including consideration of the 2024 Call to Convention, the 2024 Delegate Selection Rules, and proposed amendments to the Charter & Bylaws.

The Call to the Convention sets out the structure and format for the 2024 National Convention. [Here is the proposed Call to Convention.](#) (Please note that this includes placeholder language for the early voting primary states. [That decision was pushed](#) until after the November midterms.)

The Delegate Selection Rules sets out how delegates are to be selected, along with related requirements for State Parties. [Here are the proposed Delegate Selection Rules.](#)

Finally, the DNC's Rules and Bylaws Committee developed 33 amendments to the DNC's Charter and Bylaws as part of its responsibility to regularly review and propose changes to these documents. [Here are the 33 proposed amendments.](#)

The Co-Chairs of the DNC's Rules and Bylaws Committee wrote [this letter](#) that provides an overview of the process and the proposed changes.

Amendment 16

ARTICLE TEN

Amendments, Bylaws, and Rules

16. *Following the process set forth in Section 1 for Charter amendments adopted by the National Convention to be ratified by the National Committee, this amendment requires any resolution adopted by the National Convention that amends the Bylaws to be ratified by the National Committee before it becomes effective.*

Section 1. This Charter may be amended by a vote of a majority of all of the delegates to the National Convention, provided that no such amendment shall be effective unless and until it is subsequently ratified by a vote of the majority of the entire membership of the Democratic National Committee....

Section 2. Bylaws of the Democratic Party shall be adopted to provide for the governance of the affairs of the Democratic Party in matters not provided for in this Charter. Bylaws may be adopted or amended by a majority vote of:

- (a) the National Convention; or
- (b) the Democratic National Committee provided that thirty days written notice of any proposed Bylaw or amendment has been given to all members of the National Committee.

Unless adopted in the form of an amendment to this Charter or otherwise designated, any resolution adopted by the National Convention relating to the governance of the Party shall be considered a Bylaw, provided that no such Bylaw or amendment shall be effective unless and until it is subsequently ratified by a vote of the majority of the entire membership of the Democratic National Committee.

I have deep concerns about the above amendment, which [may be found here at the top of page 6](#).

Some background: according to the DNC's Charter (if you're interested, it's Article 2, Section 2), the National Convention and its delegates are the highest authority in the Democratic Party. That means National Convention delegates are more powerful than the DNC and DNC Members. It's not up to the DNC to dictate actions to the Convention, it's the other way around.

Currently, if the National Convention passes something that relates to "the governance of the Party," it becomes a Bylaw and is immediately enforced upon the DNC. That's how things stand now.

Amendment 16, however, would require that **anything passed by the National Convention that relates to the governance of the Party is a Bylaw *that is ineffective unless and until it's ratified by the DNC***. Essentially, if the National Convention passes something that relates to the governance of the Party, the amendment says that DNC must ratify it before it becomes effective. Alternatively, the DNC can simply ignore it and it remains ineffective.

Here's why this is a problem. You may recall that the National Convention in 2016 ordered the creation of the Unity Reform Commission. You may also remember that the National Convention in 2020 passed a resolution affirming changes to

superdelegates and ordering the DNC to keep or strengthen these reforms. Both the Unity Reform Commission and the 2020 resolution were enforced upon the DNC under Section 2 above because they were related to "the governance of the Party."

But if this amendment had already been in effect, the DNC could have ignored or voted down the direction to create the Unity Reform Commission in 2016. And the DNC could have ignored or voted down the 2020 resolution on superdelegate reform.

Simply put, if this amendment passes next week, **I believe it would allow the DNC to nullify or ignore direction by the National Convention.** This amendment opens the door to flipping the hierarchy of power in the national party from the National Convention delegates to the DNC.

I've spoken to some people who drafted this amendment who said that it was never their intent to enable the DNC to nullify National Convention on direction related to party governance. They asked me how I would fix this amendment to address my concerns; I told them that I didn't believe it was possible to fix it. I told them that the amendment must be withdrawn, or voted down. I'm waiting to hear back.

I will continue to work on this until the DNC votes on Saturday, September 10. And unless this loophole is closed, **I will vote no on any package of amendments that include #16** as it stands today -- because the voice of National Convention delegates must lead the Democratic Party, and they must not be overridden by party elites at the DNC.

If you'd like to help, [please contact our DNC Membership](#) and ask them to vote no on Amendment #16.

If you have any questions or just want to talk about the DNC, you can always reach me by [email](#), [Facebook](#), [Twitter](#), or text/call me at (510) 717-8260.

Thank you for the opportunity to serve you and the California Democratic Party.
Your ally in activism,

A handwritten signature in black ink, appearing to read "Michael Kapp". The signature is stylized with a large, sweeping "M" and a cursive "Kapp".

Michael Kapp
Member, Democratic National Committee
Vice Chair, DNC Western States Regional Caucus

<http://www.michaelkapp.com/>