

# RNC RULES DISASTER

## *How the Establishment Marginalizes the Grassroots*

This portion of the OGRE Exposed website will explain why those RNC rule changes back in August were such a big deal. You will also see why these rule changes caused so many problems for Speaker John Boehner and RNC Chairman Reince Preibus. This is VERY IMPORTANT in understanding how the OGREs remain in control of the Republican Party and manage to keep the Tea Party and Constitutional Conservatives from obtaining any influence in the Republican Party. To fix the problem, you have to understand the problem.

### **Table of Contents:**

[Introduction](#)

[Background](#)

[Prior to August 2012 Convention](#)

[August 2012 Convention](#)

[Backlash & Compromise Deal](#)

[Floor of the Convention](#)

[Spring 2013 RNC Meeting](#)

[Winter 2014 RNC Meeting](#)

[Current State of Affairs](#)

### **Introduction:**

In August of 2012 the Republican Party held its National Convention, in which delegates from across the country gathered to nominate the Republican candidate for President of the United States. To learn how these delegates get to be delegates in Colorado, click [here](#).

But nomination of the Presidential candidate is not all that happens there. It is at the National Convention that the operating rules of the Republican National Committee (RNC) are adopted. The RNC rules are essentially the bylaws that govern the RNC. These rules are considered by many to be "inside baseball" and not an interesting topic for talk radio; certainly not interesting to an average Republican voter. But understanding how the RNC rules work is essential to understanding why the Republican Party is currently in shambles. Understanding what happened at the last convention in connection with the rule changes will also shed light on how OGREs rig the process to ensure Constitutional Conservatives and the Tea Party are kept out of the process.

### **Background:**

Remember that technically, whether you go to a caucus to vote in a straw poll (like Colorado) or go to a poll and vote in a primary for President (this happens in "primary states"), you are really voting for delegates to the National Convention who support a specific candidate, and not for the candidate themselves. (Similar to how the Electoral College works when it comes time for the general election.) State law will often dictate the general process for selecting precinct people

and delegates (i.e. either through an actual primary [voting at the polls] or through a caucus system [showing up at neighborhood meeting.]) But beyond that, state and federal law have very little to do with how each Party determines its Presidential candidates.

Now here is the important part: in Colorado, although state law provides that precinct leaders are chosen in caucuses, and recognizes that each Party may hold assemblies to choose primary candidates; neither state law nor federal laws provide any additional guidance as to how delegates to the National Convention should be chosen. Therefore, each Party gets to decide the rules as to how its candidate for President is chosen. Once you understand this, you understand why the rules governing how delegates are selected are so important!

### **Prior to the August 2012 National Convention:**

Prior to the rule changes that occurred in August of 2012, the process for choosing who would become delegates to the National Convention was left up to each state party. Thus, those individuals elected to the Colorado Republican Committee (CRC) were allowed to decide how Presidential delegates were elected to the National Convention. Every other state could likewise do the same. According to former RNC Rule 15:

*"Delegates at large and their alternate delegates and delegates from Congressional districts and their alternate delegates to the national convention shall be elected, selected, allocated, or bound in the following manner: (1) In accordance with any applicable Republican Party rules of a state, insofar as the same are not inconsistent with these rules..."*

Also of importance, prior to August of 2012, the RNC rules could only be changed with the approval of the delegates elected to the National Convention from across the nation. Thus, the rules could only be changed every four years once a large section of delegates from across the country could be assembled. The way the rules were written, the Republicans of each state could decide through its own process (whatever it may be) how delegates were chosen to attend the National Convention, and therefore, ultimately how the Republican Presidential candidate would be selected and who would decide on the RNC rules. For the full set of pre-2012 rules, [click here](#).

### **August 2012 National Convention**

Therefore, once the August 2012 Convention was called to session, the RNC governing rules were once again subject to change. The RNC itself had a Standing Committee on Rules to recommend rule changes to a Convention rules committee. Both rules committees met before the convention convened and the Convention Rules Committee made the final decision about RNC rule amendments. The final report would be submitted to the Convention as a whole (similar to legislative committees). The Convention Rules Committee and the floor of the full Convention itself is where the OGREs orchestrated their power grab that further alienated the Tea Party and Constitutional Conservatives from the process. Here is what happened:

### **August 23, 2012 Committee on Rules and Order of Business for the 2012 National Convention**

John Sununu, former governor of New Hampshire and Chief of Staff to President George H.W. Bush, served as the Convention Rules Committee Chairman. The following are relevant portions of the meeting of the Convention Rules Committee. All citations are to the Convention Rules Committee meeting transcripts. The full transcript is available [here](#).

Here is a quick list of the main players in the following discussions:

**John Ryder:** Currently serves as RNC General Counsel. Here is a link to his official bio. <http://www.gop.com/members/tennessee/john-ryder/>.

**Morton Blackwell:** Is an RNC member and serves on the standing rules committee. Here is a link to his full bio: <http://www.leadershipinstitute.org/aboutus/morton.cfm>.

**Ben Ginsberg:** Served as the Romney campaign attorney and previously represented various Republicans in the past, including George W. Bush. He has recently been appointed by President Obama to his voting rights commission. For more details on Ginsberg's bio click here: <http://www.pattonboggs.com/professional/benjamin-ginsberg>.

### **Proposal to add a new Rule 12 -**

**John Ryder**-(pp.76-77) "There are a number of issues which confront this committee which are so politically sensitive that the presumptive nominee's campaign always admonishes us in the strongest possible terms not to take up these issues, which leaves us with rules which have problems that are incapable of being solved. They can be solved by an amendment to the rules, but, politically, we can't get to that amendment process. We've had this experience with our efforts to reform the primary process. There is consideration of issues relating to representation on the committee and at the convention. There are issues related to the criteria for selection of the chairman. All of these issues are difficult to address in the context of a political nominating convention. And, therefore, I propose that we have very limited opportunity, under strict controls, to consider the rules in between conventions."

[Translation: John Ryder wants to be able to change the governing rules of the RNC between conventions, instead of every four years because the presumptive presidential candidate (usually an OGRE) does not want the RNC to deal with "these issues."]

**Morton Blackwell response:** (pg. 77) "And I want to tell those of you who are not on the National Committee a central fact of the operation of the Republican National Committee, on which I have served since 1988: The chairman gets what he wants. A two-thirds vote is not a protection of a majority, because arms are twisted, trips are offered, various people can be influenced. And that is an unhealthy situation. This is not necessary. It is dangerous. It amounts to a power grab. And to centralize this party -- and we are centralized to a significant extent -- this would centralize it much more. I urge the defeat of this amendment."

[Translation: The members of the RNC usually do whatever the RNC Chairman tells them to do and therefore to allow them to be able to change the governing rules of the party without input from the grassroots would be dangerous and diminish the power of the grassroots.]

## **Proposal to add new Rule 16 (Begins on pg. 137)**

**Ginsburg in support:** (138-40). "What we are presenting is a package of rules on 20 Rule 15 -- (a), (b), and a new (e)(3). And its designed to correct what we saw as a damaging flaw in the presidential selection and election process in 2012 and wish to correct for 2016. Basically, the problem occurred when states or 139 parties held statewide votes and thousands or hundreds of thousands or even millions of voters turned out. But after the votes were counted and announced, the delegate selection process all too often overturned the will of those voters in one of two ways. Either a small or minority in conventions or caucuses would ignore the expression of the majority in the makeup of their state's delegations to this convention. This had the effect of dividing, and has divided, some state parties at a time when they should be the most unified in winning elections. Secondly, the true, most dedicated supporters of the winning candidates were often not chosen for the delegates or alternate delegates. This amendment corrects that so that the candidate who wins the actual statewide vote gets their supporters as delegates; a candidate who turns out his supporters gets his or her supporters as delegates. These amendments carefully balance the traditional role of the state party with the need to correct the problem of a process where the judgment of the voters is ignored or even reversed. The amendments to this rule say that any statewide vote which asks a presidential preference must actually be used to allocate and bind the state's delegation. States may choose whether their selection process is winner-take-all or proportional. If delegates and alternate delegates themselves appear on the ballot and are directly elected, there is no change to the current procedures of the state. Also, the rule provides great flexibility to the state parties so that each presidential candidate will effectively precertify or approve his or her delegates in whatever manner that the state party or state law prescribes. Part of the new rule also provides that a state may receive a waiver from the RNC if compliance is impossible and the Republican National Committee determines that granting such a waiver is in the best interest of the Republican Party."

[Translation: The OGREs did not like the fact that duly elected delegates did their job after being elected. A delegate is not a robot, and at times does exercise discretion, which the OGREs DO NOT LIKE. Therefore, we need the presidential nominee to pick and choose which delegates he likes. If you are a caucus state like Colorado with a nonbinding straw poll, even if the electors at a caucus choose certain delegates, those delegates may not be able to serve depending on the proportional outcome of the statewide non-binding straw poll. In other words, if you are a caucus state, the OGREs want to circumvent the grassroots process and replace it with a de facto primary process without having to go through the trouble of actually changing state law.]

**Blackwell in response:** (140-42) "This amendment, which was proposed to us by Ben Ginsberg, is going to have, in my judgment, a damaging effect on our presidential candidate, Mitt Romney. There are very large numbers of people who supported other candidates, and particularly Ron Paul, who will see this as an attack on them for their behavior. We do not want these people to stay home. We do not want these people to vote for the Libertarian Party candidate. We want them to vote for our candidate. Yes, there were disputes at the state level. But, ladies and gentlemen, those disputes have been resolved in the normal course of business with the Committee on Contests, the Republican National Committee, Committee on Credentials, which, as far as we know, is still meeting next-door. Large numbers of people who are seriously considering participating in our party will see this as an attack on them, newcomers. And I think

the current system works. And this system will appear to them to be designed to restrict their activities in future election cycles. And Mr. Ginsberg's proposal is going to lose votes which should've gone to our Republican candidate this November.

***Motion passes 56-40. (170-71)***

As passed by the Convention Rules Committee: the new language of Rule 16 (former Rule 15) stated:

"(a) Binding and Allocation. (1) *Any statewide presidential preference vote that permits a choice among candidates for the Republican nomination for President of the United States in a primary, caucuses, or a state convention must be used to allocate and bind the state's delegation to the national convention in either a proportional or winner-take-all manner, except for delegates and alternate delegates who appear on a ballot in a statewide election and are elected directly by primary voters.* [Emphasis Added]

(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.*" [Emphasis added]

These emphasized rule changes in the above Rules forced state parties to change the way delegates are selected.

Secondly, it gave the presidential candidate the ability to say "I don't like that delegate who has pledged to vote for me" and essentially gave the presidential candidate a veto power to remove duly elected delegates.

In both instances, the freedom and ability of grassroots Republicans to choose their own delegates was limited by the RNC establishment. The reason is because pre-determined or handpicked Establishment candidates will almost always be well funded and have an early advantage over other candidates seeking a nomination. These candidates can afford to purchase advertisements and will often receive more media attention early on in the campaign season. Thus, candidates who may not be as well-known or well-funded who need momentum in the early stages to gain traction are shut down at the beginning of the campaign season.

Allowing a Presidential candidate to void the determination of the grassroots Republicans was an even more obvious and outrageous power grab. These rule changes garnered national media attention and outrage across the nation from Republicans. Something had to be done to avoid complete embarrassment by the Party elites.

**Backlash and Compromise Deal:**

The OGREs scrambled to come up with a compromise to avoid any disagreement on the floor of the convention when the rule changes would be submitted to the Convention of the whole.

Remember, for the OGRE types who run the National Convention, the purpose of the National Convention should be to put on a show for the candidate that they believe has already been selected. The Convention is recorded and televised on national television.

The deal supposedly struck between Ginsberg, Team Romney, RNC officers, and the GOP elite was that the new Rule 16(a)(2) was changed to eliminate the provision allowing the presidential candidate to disavow delegates. Instead, language was included that required delegates who had pledged to a candidate (i.e they previously declared that if they were elected to attend the Convention they would vote for a specific candidate) to vote for the candidate for whom they pledged. If they did not, their vote would simply not count. Rule 16(a)(1) was left unchanged. The last vote of the Convention Rules Committee, which took place at the beginning of the Convention itself, was conducted in a very strained and stressed environment with not all members present. Some members were diverted in their transport buses and missed the vote, including Morton Blackwell. The final vote was 78-14, with a Minority Report circulated regarding Rule 16.

### **Floor of the Convention:**

So then it was time for the Convention of the whole to vote on whether to adopt the RNC rules as amended by the Rules Committee, including the compromise deal. For an article from the Houston Chronicle at the time explaining the controversy in more detail, [click here](#).

There were a number of other controversies at the Convention, particularly with regard to whether certain duly-elected delegates from Maine were allowed to be seated. The controversies do not relate directly to the rule changes, but demonstrates the tension between the OGREs and the grassroots Republicans.

When it came time to vote on both the seating of the delegates and the rule changes described above, the Convention floor was brought to the point of chaos by both RNC Chairman Reince Priebus and John Boehner (presiding over the Convention). When it came time to vote to seat the delegates and then adopt the amended RNC rules, the "ordered chaos" ensued.

Here is the video showing delegates yelling "seat them now" referring to the Maine delegates with opposition attempting to shout over them with chants of "USA". Towards the second half of the video you will see John Boehner ruling that the "ayes" won on a motion to approve the amended RNC rules, when clearly the "nays" were just as loud. What should have happened was a roll call vote (an official recording of votes) to ensure that the majority of the delegates approved the motion to adopt the rules. Instead, Boehner simply ignored the chorus of "nays" and moved on when clearly there was no way to tell who won the vote. Here is the video: <http://www.youtube.com/watch?v=LKA7pC8wno4>.

Even more egregious was Boehner's deliberate refusal to acknowledge members of the Texas delegation, at the microphone, calling for "division." The parliamentary rules of the RNC Convention are the Rules of the U.S. House of Representatives. When a voice vote is in question (too close to call), any duly elected delegate may call for "division of the house" and invoke a counted vote.

*"Rule XX - Voting And Quorum Calls 1. (a) The House shall divide after the Speaker has put a question to a vote by voice as provided in clause 6 of rule I if the Speaker is in doubt or division is demanded. Those in favor of the question shall first rise from their seats to be counted, and then those opposed."* <http://clerk.house.gov/legislative/house-rules.pdf>.

John Boehner is not only a terrible Speaker of the House, but he is a terrible (and disingenuous) Convention Chairman. Following the vote, a grassroots, Tea Party activist was asked her opinion on what happened with the RNC rule changes. She explains the frustration well: <http://www.youtube.com/watch?v=5ibZlw9P3pc>.

### **Spring 2013 RNC Meeting:**

Fast forward to April 2013, when the RNC held its first meeting since the disastrous election when Barack Obama won reelection against the Establishment's pick for Presidential nominee, Mitt Romney.

Several RNC members, including Morton Blackwell, attempted to use the new Rule 12 (remember the one allowing the RNC to change the rules wherever they want) to restore the rules as they were prior to the Republican National Convention. Several other amendments were attempted in order to scale back the impact of the rule changes.

Naturally, the RNC voted to not have a roll call or their votes recorded at the meeting, so it is difficult to tell who voted for what without looking at video recordings to determine who raised their hands and who did not with regard to particular amendments. (All meetings are recorded and transcribed, but you have to be an RNC member to request them. Requests go through RNC Counsel and are often denied. ) But from videos that were taken and reports received, we do have a decent idea of what transpired. The following is a summary of what happened at the Spring RNC meeting according to the Carolina Liberty Pac:

<http://carolinalibertypac.com/2013/04/final-rules-outcome-of-the-rnc-spring-meeting/>.

### **Winter 2014 RNC Meeting:**

At the Winter 2014 meeting, the RNC met to amend the RNC rules again. (Remember the only reason they can even do this is because the Romney backed Establishment improperly and in violation of proper parliamentary procedures, pushed through a rule change at the last Convention that gave them the power to do this.) This time the Establishment sought to shorten the presidential primary season and move the Republican National Convention up to a date in June or July instead of August. The National Convention had previously been held in August almost exclusively since 1952, during which time five Republicans were elected president.

Nevertheless, Chairman Reince Priebus unilaterally declared that because the GOP primary candidates were spending too much time “slicing and dicing” each other prior to the Convention, the primary season should be compressed to allow for the Convention to take place in June or July. There was no empirical data supporting this assertion or what he meant by “slicing and dicing”.

On January 24, 2014, at the request and aggressive push of Chairman Priebus, the RNC voted to approve a package of rules changes that effectively shortened the primary season and severely punishes states that do not comply by significantly reducing the number of delegates they can send to the Convention. Remember the only way the RNC can do this is to force each state Republican Party to comply with the threat of severe sanctions.

The shortening of the primary season will irreparably harm the ability of liberty Republicans and Tea Party favored candidates to compete for the presidential nomination. This of course was the real intention behind the rule changes in the first place, at least for Establishment Republicans. For more information, please read <http://ogreexposed.org/rnc-passes-rule-changes-harming-grassroots-republicans/>.

### **Current State of Affairs:**

Due to the OGRE power grab through rule changes at the Republican National Convention, and again at the Winter 2014 RNC meeting, the ability of liberty Republicans to effectively compete against the well funded, media supported Establishment Republicans in presidential primaries is severely damaged. The RNC has also managed to convert the State of Colorado to a primary state without explicitly doing so. What was specifically not allowed in the Colorado State GOP bylaws (assignment of delegates based on results of a straw poll) is now mandatory according to the RNC Rules. Rules passed by local Colorado Republicans have now been overturned at the behest of Mitt Romney's attorney and current Obama appointee to the Voting Rights Commission: Ben Ginsberg. This state of affairs will give the advantage to well-funded, establishment candidates at the expense of liberty Republicans and Tea Party candidates who do not typically have access to the type of fundraising the Establishment candidates do at the outset of Presidential campaigns. The system has been rigged to favor certain favored types of candidates that run for the Republican Presidential nomination.

How do we fix this mess? Elect principled, constitutional conservatives to Republican Party offices and take back control of the Party. This begins at the grassroots level and will work its way up.