

The following resolution was passed by the Rules and Bylaws Committee at its meeting on April 13, 2022

Resolution on the Principles and Framework of a Transparent and Fair Review of the Presidential Nominating Calendar

Role of the Rules & Bylaws Committee

WHEREAS, the Democratic National Committee’s Rules and Bylaws Committee (RBC) is entrusted with the crucial role of drafting the rules for the Party’s presidential nominating contest and ensuring that the process by which the Party nominates its candidate for President of the United States reflects its most sacred principles and values; and

WHEREAS, as such, the RBC’s goal in every presidential election cycle is to construct a nominating process that reflects the diversity of the party; gives candidates of all types the opportunity and incentive to meet voters of all types; exemplifies our passionate belief in American democracy; and ultimately produces the strongest possible Democratic nominee for president; and

WHEREAS, each presidential election cycle, the RBC writes Delegate Selection Rules to govern the Delegate Selection Process (the selection, in each state, of the delegates to the National Convention), and requires each State Party to develop a written Delegate Selection Plan for submission to the RBC, which reviews it for compliance with the Delegate Selection Rules, including a rule that dictates the timing of presidential primaries and caucuses; and

WHEREAS, the timing and scheduling of presidential primaries and caucuses is a critical component in the Delegate Selection Process; and

WHEREAS since 1980, the DNC’s Delegate Selection Rules have permitted each State Party to determine when to hold its primary or caucus as long as the date of those contests falls within the “window,” which is the period of time in a presidential election year when states can hold Democratic presidential primaries or caucuses; and

WHEREAS, in the 2020 Delegate Selection Rules, the provision regarding the “window,” Rule 12, stated that “no meetings, caucuses, conventions or primaries which constitute the first determining stage in the presidential nomination process (the date of the primary in primary states, and the date of the first tier caucus in caucus states) may be held prior to the first Tuesday in March or after the second Tuesday in June in the calendar year of the national convention. Provided, however, that the Iowa precinct caucuses may be held no earlier than 29 days before the first Tuesday in March; that the New Hampshire primary may be held no earlier than 21 days before the first Tuesday in March; that the Nevada first-tier

caucuses may be held no earlier than 10 days before the first Tuesday in March; and that the South Carolina primary may be held no earlier than 3 days before the first Tuesday in March;” and

Historical Review of the Democratic Party’s Presidential Nominating Process

WHEREAS, the Democratic Party’s current approach to the presidential nominating process has its roots in the reforms of the McGovern-Fraser Commission, which was formed as a response to widespread calls for more transparency in the delegate selection process following the 1968 Democratic Convention; and

WHEREAS, in the 50 years since the McGovern-Fraser Commission’s reforms first went into effect in the 1972 election cycle, the RBC and multiple commissions have engaged in reviews of the Party’s nominating process when necessary; and

WHEREAS in 1980, the Democratic National Committee adopted a “window” rule in its Delegate Selection Rules dictating the period during which presidential primaries and caucuses must be scheduled; and

WHEREAS, over the next decade and a half, the RBC approved Delegate Selection Rules that exempted Iowa and New Hampshire from the window rule but kept it in place for all other states; and

WHEREAS, in 2004, the DNC made clear that it was concerned about the diversity and structure of the pre-window period when it passed a resolution at its convention calling for the study of the presidential nominating calendar, noting that “for years, objections have been raised to a calendar that some believe gives a disproportionate influence to a few early states;” and

WHEREAS, the 2004 convention resolution led to the creation of the Price-Herman Commission, which was charged with the responsibility of “studying the timing of presidential primaries and caucuses and developing appropriate recommendations to the Democratic National Committee for the nominating process beginning in 2008;” and

WHEREAS, the Price-Herman Commission held a series of public hearings and panel discussions throughout 2005, leading to the issuance of its report, which recommended the addition of two states to the pre-window period, and dispatched the RBC to run a process to select those states; and

WHEREAS, the RBC engaged in a robust process of applications and ultimately selected Nevada and South Carolina as two additional states to receive exemptions from the window rule; and

WHEREAS, following the 2016 nominating process, the Democratic National Convention passed a resolution creating the Unity Reform Commission to address issues related to inclusiveness and transparency in the nominating process, leading to the issuance of recommendations; and

WHEREAS, following 2016, the Unity Reform Commission's work led to historic reforms aimed at increasing inclusiveness and participation that reduced the number of caucuses in the nominating process, revised the role of automatic delegates and made for a more transparent and open process; and

Review of RBC Meetings in Early 2022

WHEREAS, over the course of multiple meetings, it has become clear that there is support for a robust review of the nominating process calendar as part of the RBC's construction and approval of the 2024 Delegate Selection Process; and

WHEREAS, one of the RBC's key responsibilities is to review the rules each campaign cycle and adjust them as needed over time; and

WHEREAS, through three meetings devoted to the topic of the pre-window calendar, a substantial number of Committee members have either expressed support for a process to review the lineup of pre-window states or voiced concern about the implications of not doing so; and

WHEREAS, among the most commonly repeated concerns among RBC members is the representation of diverse communities in the pre-window schedule; and

WHEREAS, RBC members have also raised concerns about the general election competitiveness of pre-window states, given the massive organizing investments made across the Democratic ecosystem in those states leading up to their nominating contest; and

WHEREAS, there has been frequent discussion about the importance of a smooth and transparent electoral process throughout the nominating contest, continuing concern about the role that caucuses play in our nominating process and support for continuing the paths of reform initiated by the Unity Reform Commission; and

WHEREAS, numerous RBC members have also spoken about the importance of establishing a fair, transparent and clear process for any review of the presidential nominating process, and have spoken in support of a series of listening sessions that would provide the public and key stakeholders with a forum to speak about reform;

WHEREAS, the RBC has heard from multiple members of the Price-Herman Commission and the 2006 RBC who report that the RBC’s application process worked well and could serve as a model for such a process in 2022;

WHEREAS, on March 21, 2022, the co-chairs provided RBC members with an initial discussion draft of this resolution in advance of a Committee meeting on the topic seven days later; and

WHEREAS, on March 28, 2022, RBC members discussed the draft resolution during a virtual meeting dedicated to the topic, and a substantial number of attending members either expressed support for a pre-window review process or for the resolution specifically.

***Principles and Framework for
Review of the 2024 Presidential Nominating Calendar***

THEREFORE, BE IT RESOLVED, that the RBC of the Democratic National Committee (DNC) will fulfill its regular duty to draft a Call to the Convention, set Delegate Selection Rules and approve State Parties’ Delegate Selection Plans for the 2024 cycle; and

BE IT FURTHER RESOLVED, that members of the RBC have expressed their support for exercising the RBC’s authority to ensure that the 2024 nominating process, including the schedule of nominating contests, adheres to the principles and values of our party; and

BE IT FURTHER RESOLVED, that to accomplish these goals the RBC will utilize a transparent, open and inclusive process built on the following principles and framework:

1. The RBC seeks to review and approve a 2024 presidential nominating calendar that (1) reflects the principle that our party’s diversity is its strength; (2) puts Democrats in the best position to win across the ballot in November 2024; and (3) contributes to a fair and sound electoral process.
2. In accordance with historic practice, the RBC will prohibit states from holding the first determining stage in their presidential nominating process prior to the first Tuesday in March or after the second Tuesday in June (the “Window”), unless the RBC explicitly grants a state an exception to this requirement in the Delegate Selection Rules, and every state seeking such an exception must apply to the RBC, regardless of whether they have previously held pre-window contests.
3. The RBC will evaluate applications and select **no more than five states** to be allowed to hold the first determining stage in their presidential nominating process outside of the Window.

4. Consistent with the mission outlined in subparagraph (1) of this clause, the RBC will approve a pre-window schedule of contests that satisfies the highest standards on the following pillars
 - a. **DIVERSITY; as required by Article 8 Section 3 of the Charter:** including, but not limited to, racial and ethnic diversity, geographic diversity (including a mix of rural and urban voters, and including but not limited to one state from each region of the four regions as defined by the DNC), union representation, economic diversity; and
 - b. **COMPETITIVENESS:** contributes to the party's ability to win in the general election; and
 - c. **FEASIBILITY:** comprised of three components: (1) the feasibility of scheduling a pre-window contest; (2) the ability to run a fair, transparent and inclusive nominating process; and (3) the cost and logistical requirements of campaigning in-state; and

BE IT FURTHER RESOLVED, that the RBC will execute the mission outlined in the previous clause by following a process consistent with these general rules, guidelines and principles:

1. The RBC will execute this process in the most transparent, open and fair manner feasible and commits to providing adequate, clear and timely notice on major milestones and requirements.
2. After this resolution is adopted, the RBC Co-Chairs will send a notification to State Parties within seven (7) days outlining the process to apply to hold their contest outside of the Window.
3. As part of the notification to State Parties, the RBC Co-Chairs will set a deadline for applications that provides State Parties with no less than four weeks (28 days) to complete and submit applications.
4. Between the passage of this resolution and the deadline for application submissions, the **RBC will hold at least four (4) virtual public hearings** in which Party stakeholders are given the opportunity to voice their views on the pre-window schedule.
5. As part of the notification to State Parties, the RBC Co-Chairs will set a date to announce the results of its evaluation that is **no later than six weeks after the deadline** for application submissions.
6. Between the application deadline and the date of the RBC's announcement of results, the RBC will invite a subset of State Parties that applied for exemptions from the normal Window requirements, as determined in the sole discretion of the RBC, to publicly present their case to the RBC and answer questions.