

THE CHARTER
&
THE BYLAWS
OF THE DEMOCRATIC PARTY
OF THE UNITED STATES

As Amended by
The Democratic National Committee
September 11, 2009

CONTENTS

CHARTER OF THE DEMOCRATIC PARTY OF THE UNITED STATES

1	PREAMBLE	
1	ARTICLE ONE	The Democratic Party of the United States of America
2	ARTICLE TWO	National Convention
3	ARTICLE THREE.....	Democratic National Committee
5	ARTICLE FOUR.....	Executive Committee
5	ARTICLE FIVE.....	National Chairperson
6	ARTICLE SIX.....	Party Conference
6	ARTICLE SEVEN	National Finance Organizations
6	ARTICLE EIGHT.....	Full Participation
7	ARTICLE NINE	General Provisions
9	ARTICLE TEN.....	Amendments, Bylaws, and Rules
9	RESOLUTION OF ADOPTION	

BYLAWS

Adopted Pursuant to the Charter of the Democratic Party of the United States

11	ARTICLE ONE	Democratic National Convention
11	ARTICLE TWO	Democratic National Committee
19	ARTICLE THREE.....	Executive Committee
21	ARTICLE FOUR.....	National Finance Organizations
21	ARTICLE FIVE.....	Amendments

CHARTER

CHARTER OF THE DEMOCRATIC PARTY OF THE UNITED STATES

PREAMBLE

We, the Democrats of the United States of America, united in common purpose, hereby rededicate ourselves to the principles which have historically sustained our Party. Recognizing that the vitality of the Nation's political institutions has been the foundation of its enduring strength, we acknowledge that a political party which wishes to lead must listen to those it would lead, a party which asks for the people's trust must prove that it trusts the people and a party which hopes to call forth the best the Nation can achieve must embody the best of the Nation's heritage and traditions.

What we seek for our Nation, we hope for all people: individual freedom in the framework of a just society, political freedom in the framework of meaningful participation by all citizens. Bound by the United States Constitution, aware that a party must be responsive to be worthy of responsibility, we pledge ourselves to open, honest endeavor and to the conduct of public affairs in a manner worthy of a society of free people.

Under God, and for these ends and upon these principles, we do establish and adopt this Charter of the Democratic Party of the United States of America.

ARTICLE ONE

The Democratic Party of the United States of America

The Democratic Party of the United States of America shall:

Section 1. Nominate and assist in the election of Democratic candidates for the offices of President and Vice President of the United States;

Section 2. Adopt and promote statements of policy;

Section 3. Assist state and local Democratic Party organizations in the election of their candidates and the education of their voters;

Section 4. Establish standards and rules of procedure to afford all members of the Democratic Party full, timely and equal opportunities to participate in decisions concerning the selection of candidates, the formulation of policy, and the conduct of other Party affairs, without prejudice on the basis of sex, race, age (if of voting age), color, creed, national origin, religion, economic status, sexual orientation, ethnic identity or physical disability, and further, to promote fair campaign practices and the fair adjudication of disputes. Accordingly, the scheduling of Democratic Party affairs at all levels shall consider the presence of any religious minorities of significant numbers of concentration whose level of participation would be affected;

Section 5. Raise and disburse monies needed for the successful operation of the Democratic Party;

Section 6. Work with Democratic public officials at all levels to achieve the objectives of the Democratic Party; and

Section 7. Encourage and support codes of political ethics that embody substantive rules of ethical guidance for public officials and employees in federal, state and local governments, to assure that public officials shall at all times conduct themselves in a manner that reflects creditably upon the office they serve, shall not use their office to gain special privileges and benefits and shall refrain from acting in their

CHARTER

official capacities when their independence of judgement would be adversely affected by personal interest or duties.

ARTICLE TWO **National Convention**

Section 1. The Democratic Party shall assemble in National Convention in each year in which an election for office of President of the United States is held.

Section 2. The National Convention shall be the highest authority of the Democratic Party, subject to the provisions of this Charter. The National Convention shall recognize the state and other Parties entitled to participate in the conduct of the national affairs of the Democratic Party, including its conventions, conferences and committees. State Party rules or state laws relating to the election of delegates to the National Convention shall be observed unless in conflict with this Charter and other provisions adopted pursuant to authority of the Charter, including the resolutions or other actions of the National Convention. In the event of such conflict with state laws, state Parties shall be required to take provable positive steps to bring such laws into conformity and to carry out such other measures as may be required by the National Convention or the Democratic National Committee.

Section 3. The National Convention shall nominate a candidate for the office of President of the United States, nominate a candidate for the office of Vice President of the United States, adopt a platform and act upon such other matters as it deems appropriate.

Section 4. The National Convention shall be composed of delegates equally divided between men and women. The delegates shall be chosen through processes which:

- (a) assure all Democratic voters full, timely and equal opportunity to participate and include affirmative action programs toward that end,
- (b) assure that delegations fairly reflect the division of preferences expressed by those who participate in the Presidential nominating process,
- (c) exclude the use of the unit rule at any level,
- (d) do not deny participation for failure to pay a cost, fee or poll tax,
- (e) allow participation in good faith by all voters who are Democrats and, to the extent determined by a State Party to be in the interests of the Democratic Party in that State, by voters who are not registered or affiliated with any party; and
- (f) except with respect to persons referred to in Section 5(b) of this Article, begin within the calendar year of the Convention provided, however, that fairly apportioned and openly selected state Party Committees, elected no earlier than the date of the previous presidential election, shall not be precluded from selecting such portion of their respective state delegations, according to the standards provided in this Charter and the Bylaws and the Delegate Selection Rules, as may be specifically authorized by the Democratic National Committee in the Call to the Convention,
- (g) prohibit unpledged and uncommitted delegates, except delegates or alternates expressing an uncommitted preference shall be permitted to be elected at the district level, in which event, if such preference meets the applicable threshold and qualifies for at-large or similar delegates or alternates, such at-large or similar delegates or alternates shall be allocated to that uncommitted preference as if it were a presidential candidate,
- (h) notwithstanding any provision to the contrary in this Section:
 - (i) provide for all of the members of the Democratic National Committee to serve as unpledged delegates,
 - (ii) provide for each state, territory or commonwealth to select a number of unpledged delegates equal to one (1) such delegate for every four (4) votes on the Democratic National Committee from that state, territory or commonwealth, pursuant to Article Three, Section 2(a) and 2(b) of the Charter, and

CHARTER

(iii) permit unpledged delegates consisting of:

- 1) the President and Vice President of the United States, if Democrats,
- 2) the Democratic members of the United States Senate and the Democratic members of the House of Representatives,
- 3) the Democratic Governors,
- 4) former Democratic Presidents and Vice Presidents of the United States,
- 5) former Democratic Majority and Minority Leaders of the United States Senate,
- 6) former Democratic Speakers and Minority Leaders of the United States House of Representatives,
- 7) former Chairs of the Democratic National Committee,
- 8) such delegates shall not be permitted to have alternates and such delegates shall constitute an exception to Subsection (b) of this Section 4.

Section 5. The delegate vote allocable to each state shall be determined as provided in the Bylaws, consistent with the formula:

- (a) giving equal weight to population, which may be measured by electoral vote, and to the Democratic vote in elections for office of the President; and
- (b) giving such additional delegate votes as may be specifically designated by the Democratic National Committee in the Call to the Convention, subject to such conditions as may be set forth by the Democratic National Committee in said Call, for the purpose of providing incentives for scheduling the event constituting the first determining stage in the presidential nominating process in each state later in the year of the Convention than such event would otherwise be scheduled in the absence of such incentive; and
- (c) which shall also provide additional delegate positions to members of the Democratic National Committee; and
- (d) which may also provide additional delegate positions to Democratic elected public officials specifically designated by the Democratic National Committee in the Call to the Convention, subject to the provisions of Section 4.

ARTICLE THREE

Democratic National Committee

Section 1. The Democratic National Committee shall have general responsibility for the affairs of the Democratic Party between National Conventions, subject to the provisions of this Charter and to the resolutions or other actions of the National Convention. This responsibility shall include:

- (a) issuing the Call to the National Convention;
- (b) conducting the Party's Presidential campaign;
- (c) filling vacancies in the nominations for the office of President and Vice President;
- (d) formulating and disseminating statements of Party policy;
- (e) providing for the election or appointment of a Chairperson, five Vice Chairpersons, three of whom shall be of the opposite sex of the Chairperson, one of whom shall be the President of the Association of State Democratic Chairs and one of whom shall be the Vice Chairperson for Voter Registration and Participation, a Treasurer, a Secretary, a National Finance Chair and other appropriate officers of the National Committee and for the filling of vacancies; and
- (f) all other actions necessary or appropriate in order to carry out the provisions of this Charter and the objectives of the Democratic Party.

Section 2. The Democratic National Committee shall be composed of:

- (a) the Chairperson and the highest ranking officer of the opposite sex of each recognized state Democratic Party and of the Democratic Parties of Guam, the Virgin Islands and American Samoa;
- (b) two hundred additional members apportioned to the states on the basis set forth in Article Two, Section 5(a) of the Charter, consistent with the full participation goals of Sections 3 and 4 of Article Eight of the Charter; provided that each state shall have at least two such additional members;

CHARTER

- (c) two additional members, consisting of one national committeeman and one national committeewoman, from each of Guam, the Virgin Islands and American Samoa;
- (d) the Chairperson of the Democratic Governors' Association and two additional governors, of whom, at least one shall be of the opposite sex of the Chairperson, as selected by the Association;
- (e) the Democratic Leader in the United States Senate and the Democratic Leader in the United States House of Representatives and one additional member of each body, who shall be of the opposite sex of, and appointed by, the respective leaders;
- (f) the Chairperson, the five Vice Chairpersons, the National Finance Chair, the Treasurer, and the Secretary of the DNC;
- (g) the Chairperson of the National Conference of Democratic Mayors and two additional mayors, at least one of whom shall be of the opposite sex of the Chairperson, as selected by the Conference;
- (h) the President of the Young Democrats of America and two additional members, at least one of whom shall be of the opposite sex as the President, as selected by the organization biennially in convention assembled;
- (i) the Chairperson of the Democratic County Officials and two additional county officials, at least one of whom shall be of the opposite sex as the Chairperson, as selected by the organization;
- (j) the Chairperson of the Democratic Legislative Campaign Committee and two additional state legislators, at least one of whom shall be of the opposite sex as the Chairperson, as selected by the Committee;
- (k) the Chairperson of the National Democratic Municipal Officials Conference and two additional municipal officials, at least one of whom shall be of the opposite sex as the Chairperson, as selected by the Conference;
- (l) the President of the National Federation of Democratic Women and two additional members selected by the Federation;
- (m) the President of the College Democrats of America and the Vice President, who shall be of the opposite sex, as elected by the organization annually;
- (n) the Chairperson of the National Association of Democratic State Treasurers and the Vice Chair who shall be of the opposite sex, as selected by the Association;
- (o) the Chairperson of the National Association of Democratic Lieutenant Governors and the Vice Chair who shall be of the opposite sex, as selected by the Association;
- (p) the Chairperson of the Democratic Association of Secretaries of State and the Vice Chair who shall be of the opposite sex, as selected by the Association;
- (q) the Chairperson of the Democratic Attorneys General Association and one additional attorney general who shall be of the opposite sex of the Chairperson, as selected by the Association;
- (r) the Chairperson of the National Democratic Ethnic Coordinating Committee, who is not otherwise a member of the Democratic National Committee and one additional member, who shall be of the opposite sex, as selected by the Coordinating Committee;
- (s) the Chairperson of the National Democratic Seniors Coordinating Council, who is not otherwise a member of the Democratic National Committee and one additional member, who shall be of the opposite sex, as selected by the Coordinating Council;
- (t) additional members as provided in Article Nine of this Charter. No more than seventy-five additional members of the Democratic National Committee may be added by the foregoing members.

Section 3. Members of the Democratic National Committee apportioned to the states and those provided for in Article Nine who are not otherwise members by virtue of Party office, shall be selected by each state Democratic Party in accordance with standards as to participation established in the Bylaws of the Democratic Party for terms commencing on the day the National Convention adjourns and terminating on the day the next Convention adjourns. Such members shall be selected during the calendar year in which a National Convention is held, through processes which assure full, timely and equal opportunity to participate. Vacancies shall be filled by the state party as provided in the Bylaws. The members of the National Committee from each state shall be divided as equally as practicable between committeemen and committeewomen. Members of the Democratic National Committee who serve by virtue of holding public or Party office shall serve on the Committee only during their terms in such office. Members of the

CHARTER

Democratic National Committee added by the other members shall serve a term that runs coterminously with the Chairperson of the Democratic National Committee, through the election of the new Chairperson, and until their successors are chosen; members in this category shall have the right to vote for the new Chairperson. Members of the Democratic National Committee who serve by virtue of holding state Party office shall be selected by such parties in accordance with standards as to participation established in Bylaws.

Section 4. The Bylaws may provide for removal of members of the Democratic National Committee for cause by a two-thirds vote of the National Committee and may also require continued residence in the jurisdiction represented by the member and affirmative support for the Democratic Presidential and Vice Presidential nominees as a condition of continued membership thereon. The Bylaws may further provide for a minimum level of attendance at National Committee meetings for Democratic National Committee members. The Bylaws may establish that any member of the Democratic National Committee who misses three consecutive meetings of the Democratic National Committee has failed to meet the minimum level of attendance and is deemed to have resigned from the Democratic National Committee.

Section 5. The Democratic National Committee shall meet at least once each year. Meetings shall be called by the Chairperson, by the Executive Committee of the Democratic National Committee, or by written request of no fewer than one-fourth of the members of the Democratic National Committee.

ARTICLE FOUR **Executive Committee**

Section 1. There shall be an Executive Committee of the Democratic National Committee, which shall be responsible for the conduct of the affairs of the Democratic Party subject to this Charter, the National Convention and the Democratic National Committee.

Section 2. The Executive Committee shall be elected by and serve at the pleasure of the members of the Democratic National Committee. The size, composition and term of office shall be determined by the Democratic National Committee, provided that, the number of members elected by the regional caucuses of members of the Democratic National Committee shall be no fewer than twenty-four less than the number selected by other means.

Section 3. The Executive Committee shall meet at least four times each year. Meetings shall be called by the Chairperson or by written request of no fewer than one-fourth of its members. The Executive Committee shall keep a record of its proceedings which shall be available to the public.

ARTICLE FIVE **National Chairperson**

Section 1. The National Chairperson of the Democratic Party shall carry out the programs and policies of the National Convention and the Democratic National Committee.

Section 2. The National Chairperson, the five Vice Chairpersons, the National Finance Chair, the Treasurer, and the Secretary, shall be elected:

- (a) at a meeting of the Democratic National Committee held after the succeeding presidential election and prior to March 1 next, and,
- (b) whenever a vacancy occurs. The National Chairperson shall be elected and may be removed by a majority vote of the Democratic National Committee, and each term shall expire upon the election for the following term.

Section 3. The National Chairperson shall preside over meetings of the Democratic National Committee and of the Executive Committee. In the event of a vacancy in the office of the National

