

Text of Party Charter Adopted at Democratic Conference Following Compromise

Special to The New York Times

KANSAS CITY, Mo., Dec. 8—Following is the text of the charter of the Democratic party as adopted here by the 1974 Democratic conference on party organization and policy:

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 its 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:

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

2. Adopt and promote statements of policy;

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

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), religion, economic status or ethnic origin, and further, to promote fair campaign practices and the fair adjudication of disputes;

5. Raise and disburse moneys needed for the successful operation of the Democratic party; and

6. Work with Democratic public officials at all levels to achieve the objectives of the Democratic party.

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 official capacities when their independence of judgment would be adversely affected by personal interests or duties.

ARTICLE TWO

National Convention

SECTION 1. The Democratic party shall assemble in National Convention in each year in which an election for the 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 the 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.



Terry Sanford, former Governor of North Carolina, addressing Democrats' convention as Robert S. Strauss, party chairman, leaned over to kiss Cecil Partee, right, a delegate from Chicago, after charter was passed in Kansas City, Mo.

SECTION 4. The National Convention shall be composed of delegates who are chosen through processes which (I) assure all Democratic voters full, timely and equal opportunity to participate and include affirmative action programs toward that end, (II) assure that delegations fairly reflect the division of preferences expressed by those who participate in the Presidential nominating process, (III) exclude the use of the unit rule at any level, (IV) do not deny participation for failure to pay a cost, fee or poll tax, (V) restrict participation to Democrats only, and (VI) begin within the calendar year of the convention, provided, however, that fairly apportioned and openly selected state committees, elected no earlier than January 1st of the preceding mid-term Congressional election year, from states not having state conventions authorized to elect delegates, shall not be precluded from electing not more than 25 per cent of their respective state delegations according to the standards provided in this charter and bylaws.

SECTION 5. The delegate vote allocatable to each state shall be determined as provided in the bylaws, consistent with a formula giving equal weight to population, which may be measured by electoral vote, and to the Democratic vote in elections for the office of President. The apportionment of delegates who are to be elected from units no larger than a Congressional district shall be determined by the state Democratic party in accordance with the call to the National Convention.

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: (I) issuing the call to the National Convention, (II) conducting the party's Presidential campaign, (III) filling vacancies in the nominations for the offices of President and Vice President, (IV) formulating and disseminating statements of party policy, (V) providing for the election or appointment of a chairperson, an executive vice chairperson of the opposite sex, a second executive vice chairperson, a treasurer, a secretary and other appropriate officers of the National Committee and for the filling of vacancies, and (VI) 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: (I) the chairperson and the highest-ranking officer of the opposite sex of each recognized state democratic party, (II) two hundred additional members apportioned to the states on the same basis as delegates to the National Convention are apportioned, provided that each state shall have at least two such additional members, (III) the chairperson of the Democratic Governors' Conference and two additional Governors selected by the conference, (IV) 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 appointed by the respective leaders, (V) the chairperson, two executive vice chairpersons, the chairperson of the National Finance Council, the treasurer and

the secretary of the Democratic National Committee: (VI) the chairperson of the Conference of Democratic Mayors and two additional Mayors selected by the conference; (VII) the president of the Young Democrats of America and two additional members selected by the organization biennially in convention assembled; and (VIII) additional members as provided in article eleven of this charter. No more than 25 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 11, 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 by-laws 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 by-laws. The members of the National Committee from each state be divided as equally as practicable between committeemen and committeewomen. Members of the Democratic National Committee and who serve by virtue of holding public or party office shall serve on the committee only during their terms of such office. Members of the Democratic National Committee added by the other members shall serve for the period designated at the time of their selection, but in no event beyond the day the next convention adjourns. 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 the by-laws.

SECTION 4. The by-laws may provide for removal of member so 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 nominee as a condition of continued membership thereon.

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.

SECTION 6. The Democratic National Committee shall submit to each National Convention, prior to the commencement thereof, a written report of the activities and affairs of the Democratic party since the preceding National Convention.

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 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 no fewer than one-half of the members shall be elected from regional caucuses of members of the Democratic National Committee.

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 shall be elected (I) at the first meeting of the Democratic National Committee held after the National Convention, and (II) at a meeting of the Democratic National Committee held after the succeeding Presidential election and prior to March 1 next, and (III) 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 absence of the National Chairperson, the next highest ranking officer of the National Committee present at the meeting shall preside.

SECTION 4. The National Chairperson shall serve full time and shall receive such compensation as may be determined by agreement between the chairperson and the Democratic National Committee.

ARTICLE SIX

Party Conference

The Democratic party may hold a national party conference between National Conventions. The nature, agenda, composition, time and place of the party conference shall be determined by the Democratic National Committee. At a meeting held during the first calendar year after each Presidential election, the Democratic National Committee shall vote upon the question of whether such party conference shall be held.

ARTICLE SEVEN

Judicial Council

SECTION 1. There shall be a Judicial Council of the Democratic party appointed by the Democratic National Committee, the function of which shall be to review and approve state plans for the selection of delegates to National Conventions and to decide challenges to such state plans, provided, however, that the right of the Democratic National Convention and Democratic National Committee to settle credentials disputes concerning their respective bodies shall not be abridged.

SECTION 2. The Democratic National Committee shall determine and provide necessary support for the Judicial Council.

ARTICLE EIGHT

The National Finance Council

SECTION 1. The Democratic National Committee shall establish a National Finance Council, which shall have general responsibility for the finances of the Democratic party. The National Finance Council shall raise funds to support the Democratic party and shall advise and assist state Democratic parties and candidates in securing funds for their purposes.

SECTION 2. Members of the Finance Council shall be selected and approved as provided in the by-laws and the chairman of the Finance Council shall be elected or approved by the Democratic National Committee.

ARTICLE NINE

National Education and Training Council

SECTION 1. There shall be a National Education and Training Council of the Democratic party, which shall be responsible for the creation and implementation of education and training programs for the Democratic party in furtherance of its objectives. The allocation of funds to the National Education and Training Council shall be provided by the Democratic National Committee and shall be budgeted at least one year in advance of anticipated expenditures. In order to encourage a lifetime of meaningful political participation for every Democrat, the National Education and Training Council shall attempt to reach every young citizen as they enter the electorate at 18 years of age.

Charter Highlights

KANSAS CITY, Mo., Dec. 8 (UPI)—Following are highlights of the charter adopted at the three-day midterm Democratic conference:

States must institute affirmative action programs to open party affairs to minority groups, but "mandatory" quotas are prohibited.

All convention delegations and party caucuses, if challenged, must provide the burden of proof that they opened their affairs to minority representation under affirmative action.

The Democratic National Committee will decide whether future midterm national conferences should be held.

A judicial council will settle party disputes.

Unit rule votes and winner-take-all primaries are banned in choosing delegates to national nominating conventions, in favor of proportional representation to reflect the support a candidate receives in state primaries or state nominating conventions.

All party meetings must be open to the public, and secret voting is prohibited.

SECTION 2. The National Education and Training Council shall be composed of (I) eight members elected by the executive committee and (II) the National Chairperson.

SECTION 3. The National Education and Training Council shall operate under the guidance of the executive committee.

ARTICLE TEN

Full Participation

SECTION 1. The Democratic party of the United States shall be open to all who desire to support the party and who wish to be known as Democrats.

SECTION 2. Discrimination in the conduct of Democratic party affairs on the basis of sex, race, age (if of voting age), religion, economic status or ethnic origin is prohibited, to the end that the Democratic party at all levels be an open party.

SECTION 3. In order to encourage full participation by all Democrats, with particular concern for minority groups, native Americans, women and youth, in the delegate selection process and in all party affairs, as defined in the by-laws, the national and state Democratic parties shall adopt and implement affirmative action programs.

SECTION 4. The goal of such affirmative action shall be to encourage such participation in delegate selection processes and in party organizations at all levels, as defined in the by-laws, of the aforementioned groups as indicated by their presence in the democratic electorate.

SECTION 5. The goal shall not be accomplished either directly or indirectly by the national or state democratic parties' imposition of mandatory quotas at any level of the delegate selection process or in any other party affairs, as defined in the by-laws.

SECTION 6. Performance under an approved affirmative action program and composition of the convention delegation shall be considered relevant evidence in the challenge of any state delegation.

If a state party has adopted and implemented and approved and monitored affirmative action program, the party shall not be subject to challenge based solely on delegation composition or solely on primary results.

SECTION 7. Notwithstanding Section 5 above, equal division at any level of delegate or committee positions between delegate men and delegate women or committeemen and committeewomen shall not constitute a violation of any provision thereof.

ARTICLE ELEVEN

General Provisions

SECTION 1. Democratic party means the Democratic party of the United States of America.

SECTION 2. The by-laws shall provide for states in which the Democratic nominee for President or electors committee to the nominee did not appear on the ballot in elections used for apportionment formulae.

SECTION 3. For the purposes of the charter, the District of Columbia shall be treated as a state containing the appropriate number of Congressional districts.

SECTION 4. For the purposes of this charter, Puerto Rico shall be treated as a state containing the appropriate number of Congressional districts.

SECTION 5. Recognized Democratic party organizations in areas not entitled to vote in Presidential elections may elect such voting delegates to National Conventions as the Democratic National Committee provides in the call to the convention.

SECTION 6. The Canal Zone, Guam and the Virgin Islands shall each have one vote on the Democratic National Committee, which vote shall be divided

between two members when both are present, except as may otherwise be provided by the bylaws.

SECTION 7. The by-laws shall provide for regional organizations of the party.

SECTION 8. To assure that the Democratic nominee for the office of President of the United States is selected by a fair and equitable process, the Democratic National Committee may adopt such statements of policy as it deems appropriate with respect to the timing of Presidential primaries and shall work with state parties to accomplish the objectives of such statements, provided, however, that such statements of policy shall not be deemed to be binding upon any states in which the state laws are in conflict with such statements.

SECTION 9. The Democratic National Committee shall adopt and publish a code of fair campaign practices, which shall be recommended for observance by all candidates campaigning as Democrats.

SECTION 10. The Democratic party shall not require a delegate to a party convention or caucus to cast a vote contrary to his or her expressed preference.

SECTION 11. Voting by proxy shall not be permitted at the National Convention. Voting by proxy shall otherwise be permitted in Democratic party affairs only as provided in the by-laws of the Democratic party.

SECTION 12. All meetings of the Democratic National Committee, the executive committee, and all other official party committees, commissions and bodies shall be open to the public, and votes shall not be taken by secret ballot.

SECTION 13. The Democratic National Committee shall prepare and make available to the public an annual report concerning the financial affairs of the Democratic party.

SECTION 14. In the absence of other provisions, "Robert's Rules of Order" (as most recently revised) shall govern the conduct of all Democratic party meetings.

SECTION 15. There shall be authentic texts of this charter published in French and Spanish, as well as English, which shall be approved by the Democratic National Committee and may also publish the charter in other languages.

SECTION 16. The Democratic party nominees to the offices of President and Vice President of the United States shall, within 15 days of receiving such nomination, make a full public disclosure of all personal assets and liabilities as well as all sources and amounts of income for a period of five years preceding the nomination.

ARTICLE TWELVE

Amendments, Bylaws and Rules

SECTION 1. This charter may be amended by a vote of a majority of all of the delegates to the National Convention. This charter may also be amended by a vote of two-thirds of the entire membership of the Democratic National Committee provided that at least thirty days' written notice of the meeting and any proposed amendment has been given to all members of the National Committee and has been released to the national news media. This charter may also be amended by a vote of two-thirds of the entire membership of any Democratic party conference called under the authority of this charter for such purpose.

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 majority vote of (I) the National Convention or (II) the Democratic National Committee provided that 30 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.

SECTION 3. Each official body of the Democratic party created under the authority of the charter shall adopt and conduct its affairs in accordance with written rules, which rules shall be consistent with this charter, the bylaws and other provisions adopted pursuant to authority of the charter, including resolutions or other actions of the National Convention. The Democratic National Committee shall maintain copies of all such rules and shall make them available upon request.

SECTION 4. Each recognized state Democratic party shall adopt and conduct its affairs in accordance with written rules. Copies of such rules and of any changes or amendments thereto shall be filed with the Democratic National Committee within 30 days following adoption.