



To: Members of the RCRC Executive Committee
From: Arthur Wylene, General Counsel
Mary-Ann Warmerdam, Senior Vice President Governmental Affairs
Date: October 5, 2021
Re: RCRC Bylaws Amendment Regarding Supporting Federal Presidential Nominees – **ACTION**

Summary

This memo outlines a proposed amendment to the RCRC Bylaws that will align the processes for supporting state and federal nominees for public office, requiring a two-thirds of the full RCRC Executive Committee membership in both cases.

Background

Until two years ago, RCRC historically did not take formal action to support (or oppose) confirmation of political appointees at the state or federal level. In March 2019, the RCRC Board of Directors amended the RCRC Bylaws to establish explicit conditions for supporting state Gubernatorial appointees – specifically providing that the RCRC Executive Committee may “approve, upon presentation by the Chair and a two-thirds vote of the full membership, a ‘support’ position for State Senate confirmation of a Gubernatorial appointee.”

The RCRC Bylaws do not contain any similar criteria or requirements for supporting federal Presidential nominees. In July 2021, the RCRC Executive Committee authorized support for one federal nominee, Jenny Lester Moffitt, USDA Under Secretary for Marketing and Regulatory Programs, and further directed staff to place an item on a future agenda for consideration of a Bylaws amendment to align the processes for supporting state and federal nominees – i.e., require a two-thirds of the full RCRC Executive Committee membership in both cases. That proposed amendment is attached.

Staff Recommendation

RCRC staff recommends the RCRC Executive Committee recommend approval of the proposed Bylaws amendment to the full RCRC Board of Directors.

The RCRC Bylaws presently allow the RCRC Executive Committee to authorize support for federal Presidential nominees by simple majority vote. However, the same concerns and sensitivities underlying the Bylaws provisions addressing state Gubernatorial nominees are present in this context as well. Staff therefore recommends that RCRC align these two processes, and engage in the federal confirmation process only if such

action is supported by at least two-thirds of the full membership of the RCRC Executive Committee.

Attachment

- Proposed Bylaws Amendment