

CAGOP -- ~~Proxy~~-CAGOP Lists Bylaw Change Proposal – submitted by Harmeet K. Dhillon, RNC Committeewoman, San Francisco

Section 3.07 OWNERSHIP AND USE OF DONOR COMMITTEE -LISTS

- (A) The Committee develops and maintains several proprietary and confidential prospecting and mailing lists for party use in raising funds and expanding the party's base. The Committee's donor lists, which are the Committee's intellectual property, developed and maintained by the Committee, is are the main source of revenue to support the Committee. The Committee's communications lists are also critical to the Committee's operations, growth, and effectiveness. Other lists the Committee maintains may include lists obtained under certain agreements with third parties, including Republican groups and county Republican committees. To maintain the integrity and intellectual property value of this-these lists, and to ensure that any obligations to third parties in relation to these lists are maintained, the approval of the Committee or the Executive Committee is required before the list-confidential and proprietary lists controlled by the Committee may be rented to or used by, any other entity, including any other Republican entity or any candidate.
- (B) To safeguard the Committee's intellectual property, the Committee's officers and staff shall require any vendor given authorized access to the Committee's intellectual property, including the lists described above in Section 3.07 (A), to sign a confidentiality and nondisclosure agreement binding the vendor to maintain the confidentiality of the intellectual property, and to use it only for authorized Committee business. Any such agreement shall provide for legal process and remedies in the event of breach.
- (C) —Any person affiliated with the Committee who possesses or provides (with or without compensation) to any person a Committee-owned list other than the Delegate list, Board of Directors list, or convention attendee list, with the intention that such possession or use shall be for any purpose other than Committee-authorized purposes pursuant to Section 3.07 (A), shall be subject to immediate penalties, as follows: (1) any employee who breaches the obligations of this Section may be immediately terminated; (2) any officer or director of the Committee found by the Board of Directors of the Committee to be in breach of this Section shall forfeit his or her position, creating a vacancy in the position to be filled pursuant to other provisions of these Bylaws; and (3) any Delegate or Associate Delegate found by the Rules Committee to be in violation of Section 3.07 shall forfeit his or her Delegate/Associate Delegate position, in the case of Delegates creating a vacancy to be filled pursuant to other provisions of these Rules.

Commentary

The Committee's intellectual property has substantial value, both economically and for strategic reasons. Safeguarding this property is an important goal of the Committee, and any person affiliated with the Committee who misappropriates and uses the Committee's intellectual

CRP Spring 2019 Convention - Bylaw Proposal #10
Bylaw proposal submitted by Harmeet Dhillon

property for personal or other unauthorized purposes, should no longer enjoy the privilege of playing an ongoing rule with the Committee.