



# Republican National Committee

Counsel's Office

## MEMORANDUM

**TO:** Jeff Kaufmann  
Chairman, Republican Party of Iowa

**FROM:** John Ryder  
RNC General Counsel

**DATE:** January 8, 2015

**RE:** Presidential Straw Poll

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You have asked for an opinion on whether a presidential “straw poll” conducted as part of a Republican Party of Iowa fundraiser and gathering of Republican activists and their families from across Iowa in August 2015 would be implicated by Rule 16(a)(1) of *The Rules of the Republican Party*.

Serious concerns have been raised about the straw poll, but based on the representations made by the Iowa Republican Party and on research into the nature of the straw poll, it is my opinion that Rule 16(a)(1) would not apply to such a straw poll because the straw poll would not occur “in a primary, caucuses, or state convention.”

Specifically, in rendering this opinion, I have relied upon the representations of the Republican Party of Iowa that the straw poll: 1) Is an unscientific poll that cannot be reliably used as a measure of candidate strength and 2) Is often presented as an event of consequence in the Republican delegate allocation process when in reality it has no official connection to that process.

Other issues we have discussed with respect to the straw poll include concerns that it: 1) Disadvantages lesser known, lesser funded candidates who may not have the resources to compete effectively; 2) Is a media-driven event that places too much influence over the Republican primary campaign in the hands of a largely hostile media; and 3) Is also, in part, a consultant-driven event that allows professional political operatives to charge substantial fees to help candidates win what is substantially a media “beauty pageant.”

While the gathering at which the straw poll traditionally has occurred has been a vibrant event attracting thousands of Republican families and much media attention, such attendance and hoopla do not convert the event into a primary, caucuses, or state convention. As long as the Iowa Republican Party refrains from promoting the straw poll as any kind of official event with implications for the delegate selection process, it is hard to see a basis for finding that the “straw poll” is implicated by *The Rules of the Republican Party*. In fact, many attendees do not even vote

in the straw poll. Likewise, candidates may choose to attend the event without participating in the straw poll or to not attend at all.

In short, the straw poll has absolutely no bearing on the official presidential nomination process. Indeed, it is exactly the nature of the Iowa straw poll as simply a fundraising mechanism at an entertainment event for Republican activists and their families, with absolutely no connection to any primary, caucuses or state convention, that protects the straw poll from the requirements of Rule 16(a)(1).

Note that this opinion is merely advisory and in no way binding on the 2016 Republican National Convention or the Convention Committee on Credentials. Thus, if the Republican Party of Iowa decides to conduct a straw poll at its gathering in August, it is recommended that you continue to make clear to candidates, activists, and the public that the straw poll is unofficial and unscientific. Such assurances will help make certain that candidates do not feel obligated to compete; that the media, candidates and public do not bestow unwarranted significance on the results; and that the Credentials Committee does not have reason to determine that *The Rules of the Republican Party* have been violated and refuse to seat the Iowa delegation to the 2016 Republican National Convention. Please let me know if I can be of further assistance.