

## **Proceedings of the 2010 USCF Board of Delegates Meeting**

The 2010 Delegates' Meeting was held at the Hyatt Regency in Irvine, California on August 7-8, 2010. This document is an overview of the meeting and includes the official documentation of motions. More details and the discussions may be found on the sound files on the USCF website.

President Jim Berry called the meeting to order and requested a moment of silence in memory of those from the chess community who had passed on. Mike Fixel (WI), Odell Hall (OK), Bill Hook (DC), Jerry Hanken (CA), Ralph Sharper (NY), Robert Karch(WA), Robert Smeltzer (TX), Virgil McGuire (CO), Irv Wolfson (MA), Dave Gavin (MD) and Gerald (Jay) Blem (S-CA) were recognized.

USCF Assistant Executive Director and Director of National Events, Patricia Knight Smith called the roll. After the tally, Vice-President Ruth Haring announced that eighty-two delegates were present, which created a quorum. (See Attachment A)

Harold Winston introduced the first two items of business.

**DM10-001** (ADM10-01) (Harold Winston, DAL-IL) The Delegates re-elect as Delegates At Large those whose terms are expiring or have expired and are present in person at this meeting: Beatriz Marinello (NY) and Michael Nolan (NE). **Passed unanimously**

**DM10-002** (ADM10-02) (Harold Winston, DAL-IL) Move that the minutes of the 2009 Delegates meeting as distributed to the Delegates present in Irvine be accepted. **Passed**

The next motion was made by, Executive Board member, Bill Goichberg of NY.

**DM10-003** (ADM10-03) (Bill Goichberg, NY, Executive Board Member) Move that Mike Nolan be appointed parliamentarian. **Passed**

The following changes were then made to the Advance Agenda:

- a. Because the new Executive Board members are replacements, they will take office upon certification of the election results.
- b. As the result of a friendly amendment, consider ADM10-44 immediately after the disposition of ADM 10-30.
- c. Consider ADM 10-33 before ADM10-31 and ADM10-32.
- d. As last item under Old Business consider a Bylaws amendment regarding consecutive service term limit for EB members.
- e. The first item under New Business should be motions arising from the Membership Meeting.

**DM10-004** (ADM10-04) (Mike Nolan, DAL-NE) Move the Delegates accept the Advance Agenda as amended. **Passed**

Parliamentarian Nolan asked that Harold Winston be recognized to suspend the rules and consider an item out of order.

**DM10-005** (NDM10-01)(Harold Winston, DAL-IL and Bylaws Committee) Move the Delegates accept the Bylaws printed in the 2010 Delegates' Call as incorporating the changes made at the 2009 Delegates' Meeting. **Passed by 2/3 majority**

Mike Nolan introduced Harry Sabine who served as Chief Teller for the Special Executive Board election. Sabine reported the election results and moved they be accepted.

**DM10-006** (ADM10-05) (Harry Sabine, DAL-TN) Move the election results be accepted. **Passed**

Mike Nietman and Gary Walters took their place on the Executive Board.

Sandy Pahl was moved up from Alternate to fill the vacancy created by Mike Nietman in the WI delegation. She was welcomed and received her credentials.

Harold Winston introduced the next motion with a minutes correction from Bill Hall. Hall noted that motion EB10-48 was made by Randy Bauer not Randy Hough.

**DM10-007** (ADM10-06) (Harold Winston, DAL-IL) Move the Delegates ratify all actions of the Executive Board made available to the Delegates present in Irvine in the form of either Executive Board Resolutions or Executive Board Minutes since the conclusion of the 2009 Delegates' meeting. **Passed as corrected**

### **Reports of Officers and Staff**

President Jim Berry asked that his report be delayed.

Executive Director, Bill Hall paid tribute to the many contributions of Jerry Hanken. He noted that the Federation is on its way to recovery – preparing reserve funds and rebuilding infrastructure. Enhancing web services and offerings; improving support for members, clubs, affiliates and organizers; focusing on both adult and scholastic members; and emphasizing the need for a major paradigm shift which would call members to work together were points he presented.

Vice-President of Finance, Randy Bauer, commented on the strong past leadership and affiliate support which set the stage for the Federation's current progress. He noted that based on last year's performance the membership can be confident the Board has put together a viable budget which includes a surplus.

President Berry recognized Dewain Barber for 26 years of service organizing and running the Denker Tournament. Delegates gave a round of applause in appreciation.

**DM10-008** (ADM10-07) (Board) Move that the 2010-2011 budget as presented by the Vice-President of Finance be adopted. **Passed**

Director of Publications Dan Lucas reported on his department by highlighting the contributions of each member of his talented and dedicated staff.

Richard A. Conn Jr. candidate for the position of Deputy President of FIDE on the Karpov ticket addressed the Delegates on the importance and nuances of the upcoming FIDE election via an international phone call. This concluded the President's report.

Beatriz Marinello FIDE Zonal President gave a rebuttal as her report.

Harold Winston then presented the Chess Trust Report. (Attachment B)

Michael Khodarkovsky made a combined FIDE Delegate and International Affairs Committee report. He touched on the Pan American Youth, World Youth and FIDE issues impacting the World Youth Olympiad.

Election of Delegate appointed committees was the next item of business. Harold Winston gave a brief summary of the process.

**DM10-009** (NDM10-02)(Harold Winston, DAL-IL) Move that the Delegates elect Guy Hoffman (WI), Myron Lieberman (AZ), Richard Koepcke (N-CA), Allen Priest (KY), John Hillery (S-CA), John McCrary (SC), Ernie Schlich (VA), David Mehler (DC), Robert Persante (FL), Gary Kitts (MI), Ken Ballou (MA), Harold Winston (IL), Gerald Larson (AL), and Joseph Lux (NV) as the 2010-2011 Bylaws Committee. **Passed**

**DM10-010** (NDM10-03)(Mike Nolan, DAL-NE) Move that the Delegates elect Myron Lieberman (AZ), Roger Gotshall (IA), Ken Ballou, (MA), Woody Harris (VA) and alternate Ernie Schlich (VA), as the 2010-2011 Election Committee. **Passed**

**DM10-011** (NDM10-04) (Allen Priest, KY) Move that the Delegates elect Jon Haskel (FL), Allen Priest (KY) and Michael Carr (S-CA) as the 2010-2011 Audit Committee. **Passed**

**DM10-012** (NDM10-05)(Richard Buchanan, CO) Move that the Delegates elect Richard Buchanan (CO), Roger Gotschall (IA), James Gray (OK), Alan Losoff (NV), James Mennella (NJ), Ken Sloan (AL), Harold Stenzel (NY) and Andrew Thall (TX) as the 2010-2011 Ethics Committee. **Passed**

**DM10-013** (NDM10-06)(Tim Redman, DAL-TX) Move that the Delegates elect Jack Adamo (NJ), Frank Camaratta (AL), Leroy Dubeck (NJ), Steve Doyle (NJ), Beatriz Marinello (NY), Peter Dyson (FL), Allen Priest (KY), Tim Redman (TX), Fred Townsend (CT) and Chuck Unruh (OK) as the 2010-2011 LMA Committee. **Passed**

Next, Harold Winston presented the Hall of Fame report. (Attachment C)

Meeting was adjourned until 2pm.

## **USCF Board of Delegates Meeting, Irvine, CA Saturday August 7, 2010 -Afternoon Session**

Committee reports continued when the meeting resumed at 2pm. David Kuhns of the Rules Committee was first up. He noted that last year the committee was asked to devise a method of awarding left over money from limited prizes.

**DM10-014** (NDM10-07)(David Kuhns, MN; Rules Committee and Workshop) Move that the following be added to guidelines for prize funds. Effective 1/1/2011.

Limited Prizes in General: When a player is allowed to enter a given event or section that player is eligible for the prizes in that section. However, when a player, for example an unrated, in a lower section receives the limited prize the distribution of the remaining prize is to follow the following priority list -

1. Within the event
2. Within the section in which the limit was awarded.
3. Within the prize group
4. Within the point group

See also Rule 33F pertaining to unrateds. **Passed**

David Kuhns introduced a second motion from the Rules Workshop dealing with ratable times. Discussion included comments from Steven Shutt, Bill Goichberg, Jennifer Skidmore, Sevan Muridian, Ken Sloan, Jim Berry and John Hillery.

**DM10-015** (NDM10-08) (John Hillery CA-S) Move to divide the question. **Passed**

**DM10-016** (NDM10-09)(David Kuhns, MN and Rules Workshop) Delete rule 5Fb in its entirety from the rulebook and renumber 5Fb to 5Fa. **Passed (subsequently delayed until 1/1/2012 with issue of subtracting time from clock referred to Rules and Scholastic Committees)**

The second part of the question was then considered. Jim Berry, Bill Goichberg, Ken Ballou, Tony Pabon, and Steven Shutt took part in the discussion. Larry Cohen then called the question.

**DM10-017** (NDM10-10)(Larry Cohen, IL) Move to call the question. **Passed by 2/3**

**DM10-018** (NDM10-11)(David Kuhns, MN and Rules Workshop) Move that Game 25 plus at least 5 seconds delay or increment be rated under the regular rating system. **Failed**

A Rules Workshop motion dealing with "Late Arrival for Game" was considered. Bill Goichberg, Tim Just and Mike Nolan were among those voicing pros and cons.

**DM10-019** (NDM10-12) (Allen Priest, KY) Move to call the question. **Passed**

**DM10-020** (NDM10-13)(David Kuhns, MN and Rules Workshop) Move that in rules 13D, 13E and 13F the time for forfeit be reduced from one hour to 30 minutes in all places mentioned. **Failed**

Rules Workshop motion to delete rule 28T was then brought to the floor. It was approved as a substitute for ADM10-42 by all of the makers of that motion.

**DM10-021** (NDM10-14)(substitute for ADM10-42) (David Kuhns, MN and Rules Workshop) Move to eliminate completely rule 28T. **Passed. Effective 1-1-2011**

Rules Workshop clarification: As passed and stated in the revised rules, the minimum base time control to be rated as quick chess is 5 minutes. Hence, if an event is to be rated G/mm, mm  $\geq$ 5, regardless if a delay or an increment is applied.

### **Old Business**

**Prior to passage of DM10-022, Bill Hall gave a brief report on the promotional memberships being given.**

**DM10-022** (ADM10-08) (Harold Winston DAL-IL) Pursuant to Article III, Section 10 of the Bylaws, the Delegates have reviewed the promotional memberships offered by the Executive Board in 2009-2010 and authorize their continuation. **Passed**

**Prior to voting on DM10-023, Harold Winston read to the Delegates an email from USCF attorney Carolyn Grossboll advising that such a change as DM10-023 complied with Illinois law.**

**DM10-023** (ADM10-09, DM09-19) (Harold Winston DAL-IL) Revised wording for DM09-19 should be as follows.

DM09-19 (Harold Winston II and 2009 Bylaws Committee) Effective in 2011 modify Article V, Section 5A to add to the first sentence “except that for each state, if Alternate Delegates are available to attend the Annual Board of Delegates Meeting, those Delegates who have not picked up their credentials by 9:30am of the first day of the Delegates meeting will be deemed to have resigned as Delegates and the available Alternate Delegates will become Delegates per the ordered list. If a Delegate or Alternate Delegate gives advance notice of a delay in arrival by signed fax or email or telephone call to the USCF President or Secretary, such a Delegate or Alternate is not deemed to have resigned unless their credentials are not picked up by 2pm on the first day of the Delegates meeting.

The Delegates deemed to have resigned will only be those equal in number to the available Alternate Delegates and will start with the lowest ranked Delegate on the ordered list per Article V, Section 4:

“Alternate Delegates may not move up the ranked order until a Delegate or Alternate Delegate of higher rank resigns or is deemed to have resigned.” **Passed by 2/3**

President Berry introduced the next motion regarding applying for 501(c)3 status. Executive Director Hall commented that the Illinois attorney found no additional benefit in applying as the governing body of an amateur athletic association as had been suggested at last years Delegates meeting. Discussion participants included Tim Redman, Tom Brownscombe, Donna Alarie, Allen Priest, Mike Nolan, Jennifer Skidmore and James Menella. A friendly amendment was accepted.

**DM10-024** (ADM10-10, DM09-43) (Executive Board) 501(C)3 (see below)

**RESOLUTION OF THE  
UNITED STATES OF AMERICA CHESS FEDERATION  
BOARD OF DELEGATES**

**WHEREAS**, the United States of America Chess Federation (hereinafter, “USCF”) desires to qualify as a tax-exempt entity under Internal Revenue Code Section 501 (c)(3) in order to permit donations made to USCF to be tax deductible; and

**WHEREAS**, certain amendments must be made to the Articles of Amendment and Bylaws of USCF in order for USCF to qualify as a 501 (c)(3) tax-exempt entity with the Internal Revenue Service, including and amendment to USCF’s corporate purposes; and

**WHEREAS**, the Executive Board of USCF has voted to approve the following resolutions and has delivered these resolutions to the Board of Delegates for their review and approval; and

**WHEREAS**, the Board of Delegates has determined that it would be in the best interests of USCF to so amend its Articles of Incorporation and Bylaws and to seek 501(c)(3) status.

**NOW, THEREFORE**, in order to accomplish such purposes, the Board of Delegates of USCF adopts the following Resolutions:

**RESOLVED**, that the second paragraph of the Articles of Incorporation of USCF be, and hereby is, amended such that it shall be deleted and replaced in its entirety with the following:

“2. The object for which it is formed is to promote the study and knowledge of chess by educating the public, particularly secondary and elementary age students, about the game, art, science, sport and discipline of chess. To accomplish this purpose, the corporation may sponsor instructional programs in schools; conduct, sponsor or promote chess lessons, seminars and lectures; hold chess tournaments; produce publications for its members describing the Corporation’s activities; encourage the formation of chess groups, clubs and associations; and support and promote chess-related activities throughout the United States.”

**RESOLVED**, that the Articles of Incorporation of USCF be, and hereby are, amended such that the following Paragraph 6 and 7 shall be added to the Articles of Incorporation:

“6. The corporation, in furtherance of its corporate purposes above set forth, shall have all the powers enumerated in Section 103.10 of the General Not for Profit

Corporation Act of 1986, as amended, subject to any limitations provided in the General Not for Profit Corporation Act of 1986 or any other statute of the State of Illinois.

7. (a) Notwithstanding any other provisions of these articles, the Corporation is organized exclusively for one or more of the purposes as specified in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, (the “code) and shall not carry on any activities not permitted to be carried on by a corporation exempt from Federal income tax under Section 501(c)(3) or corresponding provisions of any subsequent Federal tax laws.

(b) No part of the net earnings of the Corporation shall inure to the benefit of any member, director, officer of the Corporation, or any private individual, and no director, officer of the Corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

(c) No substantial part of the activities of the Corporation shall be carrying on propaganda, or otherwise attempting to influence legislation except as otherwise provided by Section 501(h) of the Code, as amended, or participating in, or intervening in including the publication or distribution of statements, any political campaign on behalf of any candidates for public office.

(d) In the event of dissolution, all of the remaining assets and property of the Corporation shall, after necessary expenses thereof, be distributed to another charitable organization operated for the advancement or teaching of chess, which organization is exempt under IRC 501(c)(3), or corresponding provisions of any subsequent Federal tax laws, or to the Federal government, or state or local government for a public purpose, subject to the approval or by order of a court of the State of Illinois.

(e) In any taxable year in which the Corporation is a private foundation as described in Section 509(a) of the Code, as amended, the Corporation shall distribute its income for said period at such times and in such a manner as not to subject it to tax under Section 4942 of the Code, as amended, and the Corporation shall not (i) engage in any act of self-dealing as defined in Section 4941 (d) of the Code, as amended, (ii) retain any excess business holdings as defined in Section 4943 (c) of the Code, amended, (iii) make any investments in such manner as to subject the Corporation to tax under Section 4944 of the Code, as amended, or (iv) make any taxable expenditures as defined in Sections 4945(d) of the Code, as amended, or corresponding provisions of any subsequent Federal tax laws.”

**RESOLVED**, that subsection A of Section 2 of Article II of the USCF Bylaws shall be, and hereby is, amended such that it shall be deleted and replaced in its entirety with the following;

“A. To operate exclusively for educational purposes within the meaning of Section 501 (c)(3) of the Internal Revenue Code of 1986, as amended.”

**RESOLVED**, that the Executive Director of USCF be, and s/he hereby is, authorized and directed in the name and on behalf of USCF to execute and deliver the attached Articles of Amendment, substantially in the form attached hereto, to the Secretary of State of Illinois for filing;

**RESOLVED**, that the Executive Director of USCF be and s/he hereby is, authorized and directed in the name and on behalf of USCF to work with the accountants and/or legal counsel for USCF to prepare the documentation necessary to qualify USCF as a Section 501(c)(3) entity and to file such documentation with the Internal Revenue Service;

**RESOLVED**, that Executive Director of USCF be, and s/he hereby is, individually, authorized and directed in the name of and on behalf of the Corporation to do and perform any and all such other acts and things, to sign or make such other agreements, certificates, instruments, notices, requirements, statements and other documents and communications, and to take or omit such other actions as s/he in his/her sole discretion may deem necessary or desirable in order to perform or otherwise satisfy, in whole or in part the requirements for the Amendment to the Articles of Incorporation, amendment of the Bylaws and to apply or qualify for status as a tax-exempt entity under Section 501(c)(3) of the Code.

**ADOPTED**, by a majority vote of the Board of Delegates of USCF on August 7, 2010, at Irvine, California.

\_\_\_\_\_  
\_\_\_\_\_, Secretary

Dated: August 7, 2010

**Passed as amended**

Frank Camaratta spoke to ADM10-11. Others joining the discussion included Donna Alarie, Mike Nolan, Tim Redman, Randy Bauer, Frank Camaratta, Richard Koepke, Jennifer Skidmore and Allen Priest.

**DM10-025** (Ken Ballou, MA) Move that ADM 10-11 be postponed to 2011. **Passed** (**ADM10-11**) (Harold Winston DAL-IL) Correct wording for DM09-51 should be:



(Frank Camaratta AL) Replace the first sentence in Article IV, Section 2 by “There shall be 500 voting members apportioned among the states in proportion to their USCF membership as of May 31 of the prior year, except that each state with ten or more members shall have at least one voting member, each state with 100 or more members shall have at least two voting members, and each state with 300 or more members shall have at least three voting members. In addition, Executive Board members, Delegates at Large, and Additional Alternate Delegates shall be Voting Members. **Postponed to 2011.**

**DM10-026** (ADM 10-12) (Donna Alarie, MA, Ken Ballou, MA; Sevan Muradian, IL) US Open Location: Prior to the closing of the nominations for the election of delegates for the 2011-2012 cycle, the USCF shall make every effort to establish the location of the US Open for the years 2011 and 2012 and to publicize same. **Tabled**

Larry Cohen introduced ADM10-13 and amended it. James Menella, Mike Nolan, Mike Carr, Tony Pabon, Sunil Weeramantry and Sevan Muradian joined the discussion.

**DM10-027** (ADM10-13, DM09-71) (Larry Cohen, IL) US Open. For any US Open of 11 or more rounds the requirement of having a 1 round a day schedule is suspended. Thus any US Open of 11 or more rounds can have 2 rounds a day on a weekend as part of its longest schedule. Preference is for one game a day. **Failed**

Larry Cohen introduced his ADM10-14. Harold Winston reported the Bylaws Committee and Workshop were in favor of the motion. Discussion included James Menella, Jim Berry, Harold Winston, Mike Nolan and Tom Brownscombe.

**DM10-028** (ADM10-14, DM09-73) (Larry Cohen, IL) Amend Article VI Executive Board, Section 1 Composition by adding at the end: “All serving Executive Board members must have a current USCF membership.” **Passed**

Harold Winston, Tony Pabon and Frank Camaratta spoke to ADM10-15. Richard Buchanan reported that the Ethics Committee opposed it.

**WD-ADM10-15** (DM09-74) (Frank Camaratta, AL; Frank Guadalupe, TX and Tony Pabon, CA) 1) The Chairs of the Rules, Ethics and Scholastic Committees of the USCF be appointed as nonvoting members of the Executive Board. 2) The scope of these members is to act in an advisory capacity as oversight to the Executive Board on issues that are contrary to previous actions by the Board of Delegates or Committees or any issues that would be better served by referring to the appropriate committee for opinion or action. 3) The members so appointed will be subject to the Bylaws and same confidentiality agreements as the elected members as required by the Bylaws. 4) This Delegate Motion is to be referred to Bylaws Committee in 2009.

**Withdrawn**

**DM10-029** (NDM10-15) (Harold Winston DAL-IL; Bylaws Committee and Workshop) Move to modify Article VI, Section 7 of the Bylaws to change “eight consecutive years on the Executive Board” to “nine consecutive years on the Executive Board”. **Passed by 2/3**

### **New Business**

Don Schultz introduced a motion from the Membership Meeting regarding the arbitration and FIDE election. Ken Ballou offered a substitution to rescind the Power of Attorney. Gerald

Larson, Tim Redman, USCF Council Louis O'Neill of White & Case, Ken Ballou, Gary Walters, Harold Winston, Randy Bauer, Tom Brownscombe, Donna Alarie, Tony Pabon, Mike Mulford, Allen Priest, Jennifer Skidmore, and Beatriz Marinello participated in the discussion.

The substitute motion failed.

**DM10-030** (NDM10-16)(Don Shultz, DAL-FL, and Membership Meeting) The Delegates fully endorse the actions of the Executive Board in supporting the arbitration and supporting the election of Karpov. **Passed**

Harold Winston introduced the next motion regarding Delegate Actions of Continuing Interest. He briefly covered items, which have become redundant or obsolete. DACI 4 dealt with informing Delegates in advance of agenda items, DACI 8 with Executive Board minutes, DACI 21 with supplemental Delegate motions, DACI 31 with Executive Board transcripts and minutes, DACI 43 with Executive Board newsletters, and DACI 49 with state chapter elections of Delegates. A friendly amendment was incorporated.

**DM10-031** (ADM10-16)(John McCrary, DAL-SC; Harold Winston, DAL-IL, Mike Nolan DAL-NE; and Bylaws Committee) The Delegates repeal the Delegate Actions of Continuing Interest that are numbered as follows on pp. 48-53 in 2009 Delegates' Call 4,8,21,31,43,49 and renumber the remaining. **Passed as amended**

**DM10-032** (ADM10-17)(Bill Goichberg, NY Executive Board Member; Harold Winston, DAL-IL) Replace DACI 11 with DM91-27 except that the words "the first five items are mandatory" should be replaced by "the first four items are mandatory" and item 5 relating SASP should be eliminated as that program is obsolete and new items 6-10 should be renumbered items 5-9. The text is found in Policy Board Newsletter 1991-1992 page 9. (see below)

COMMENT: The current DACI refers to recommendations going back to 1980-81 which were superseded by the Delegates resolution that passed in 1991 except the DACI was not updated.

DM91-27 (H. Hinshaw/Regions and States Workshop) *Purpose:* These **Duties and Responsibilities** are designed to offer criteria for the evaluation of how well a State Chapter is carrying out its responsibilities. The first five items are mandatory and of special significance. Each State Chapter should:

1. pay its affiliate membership when due and payable;
2. certify in writing to the USCF Secretary by the authorized date (November 1<sup>st</sup>) the state voting member(s) and alternate(s), who shall be USCF members, and report how they were selected (i.e., appointed, elected);
3. directly sponsor and hold (or arrange for) an annual USCF rated State Championship;
4. have a formal organizational structure as laid out in bylaws or articles of association which includes but is not limited specifying the governing authority and their selection, meeting schedule and purpose of the State Chapter, and provide opportunities for membership and participation by all USCF members residing in the State;
5. directly sponsor and hold (or arrange for) annual USCF rated Scholastic State High School, Junior High or Middle School and Elementary School Championships;
6. directly sponsor and hold (or arrange for) other chess tournaments throughout the State and be involved in tournament coordination within the State and with the USCF Tournament Clearinghouse Representative. State Chapters are to support chess throughout the state and exhibit geographical representation in its tournament sponsorship. Examples include but are not

limited to statewide or geographically rotating; Rated Beginner Open tournaments, weekend Swisses, tornados, quads as well as: participation in National Chess Day Activities, Regional and/or National Championships;

7. disseminate a periodical that serves as a State chess journal preserving a record of chess activities, promotion events, identifying state officers and, in general, providing a regular mechanism for communicating with its membership. Examples include but are not limited to: State Bulletins, Newsletters or Magazines;

8. promote and publicize chess activities through various media, including but not limited to newspaper articles, television and radio coverage, flyers or notices at libraries, schools and veteran hospitals. Examples include but are not limited to: chess exhibitions and simultaneous, tournaments, chess lectures, chess lessons, chess columns and articles in local and statewide newspapers, chess clubs and meeting lists and announcements; and

9. responsibly act in the best interests of its entire State Chapter membership, encouraging and promoting chess activity statewide. The State Chapter affirms its intention to comply with the duties and responsibilities of credentialed State Chapters.”

**Passed**

**WD-ADM10-17A** (Executive Board) Move to refer ADM10-17A to the States Committee for comment which incorporates the following into DM91-27 Duties and Responsibilities of State Chapter Affiliates. Replace #5 with the following:

“Use the USCF rating system for all rated state championship activity and encourage its use for all other rated chess activity in the state”. **Withdrawn**

**DM10-033** (ADM 10-18) (Harold Winston DAL-IL; John McCrary, SC; Bylaws Committee) Delete DACI 24. (DACI 24 dealt with distribution of committee reports.) **Passed**

**DM10-034** (ADM10-19) (Mike Nietman, WI) Revise Delegate Actions of Continuing Interest #30 to read “30 U.S. Open Round Schedule. No rounds of the U.S. Open may be scheduled to conflict with the Delegates Meeting.” **Passed**

**DM10-035** (ADM10-20) (Larry Cohen, IL) State Affiliate Duties

1.) AMEND for “an annual USCF rated State Championship” to read as follows: State Affiliate shall run, organize, and/or sponsor an annual USCF rated state championship and an annual USCF rated state scholastic championship.

2.) AMEND to include: The State Affiliate shall have included in its Bylaws and/or Charter [i.e. Constitution] that one of the (many) purposes of the State organization is to promote chess to the general public. The State Affiliate should try to spell out some, if not all, of the means that it does/will use to achieve these ends. Should the State Affiliate fail to follow its own ‘ways and means’ in its Bylaws, Charter, and/or general statements (of actions and intentions); then sanctions can be imposed by the USCF upon the State Affiliate.

2A. ADD: Sanctions can include any or all of the following; A written reprimand by the USCF, a flat fine [\$20-\$100] to be paid to the USCF, suspension of State Affiliate privileges [i.e. Such as the 1 free mailing list per year] received from/by the USCF, suspension of recognition as the State Affiliate, removal of status of being the USCF recognized State Affiliate. Any imposed sanction can be appealed by the State Affiliate to the USCF Executive Board for reduction or elimination. This list is not inclusive of all possible sanctions that can be imposed. It is suggested that there be a limit of 3 written reprimands within a 10 year period, and that after the 3 written reprimands [maximum] that fines be imposed.

3.) ADD: Recognition and detailed rights of non-resident members.

Each State Affiliate shall have established a membership category for non-resident members for their organization. The rights and privileges of this membership category shall be clearly spelled out. Any proposed changes to the rights and privileges of this membership category shall require a 6-month notification prior to any vote taken on changing these rights and privileges. Each State Affiliate may set the rights and privileges of the “non-resident” membership as they see fit, up to and including the exact same rights and privileges of resident members

**RATIONALE:** Just as the USCF is not only an adult or only a scholastic organization, so too should the USCF State Affiliates not be solely focused on only 1 area or level of chess within a state. Being USCF recognized State Affiliate should mean that the State Affiliate will run at least 1 statewide tournament at both the adult and scholastic level that is USCF rated. As the State Affiliate is in some ways an extension of the USCF at the state level they should reflect some of the values that the USCF stands for; and so it seems reasonable to expect and insist that the State Affiliate include among their state goals the USCF mission of bringing chess to the general public. Currently there is no list of what measures the USCF can and/or will take against a State Affiliate in violation of USCF rulings. Such a list needs to be developed. Finally, recognizing that there has been occasion in the past over the issue of non-resident State Affiliate members (and memberships) it is felt that it would be a good idea for State Affiliates to have a class of membership specifically for non-resident members. **Referred to States Committee**

**DM10-036** (ADM10-22) (Executive Board) Change Article III, Section 1 of the Bylaws. Adult Membership: replace ...”upon payment online of \$34 for one year, \$52 for two years or \$74 for three years”...

With

...”upon payment online of \$34 for one year, \$63 for two years and \$91 for three years”....

**Passed** Effective 1-1-2011.

**WD-ADM10-23** (Donna Alarie, MA) Closed Meetings of the Executive Board. Article VI, Section 3 insert Section 3. Meetings: The Executive Board shall meet in closed session solely for the discussion of personnel matters, pending contract negotiations, Ethics Committee and Rules Committee appeals and deliberations, Tournament Director Certification Committee decisions, and litigation issues. All other meetings shall take place in open session.

Whenever a quorum of Executive Board members meets to discuss any USCF business, it shall be considered to be a meeting and bylaws applying to meetings shall be deemed applicable.

**Withdrawn**

**WD-ADM10-24** (Donna Alarie, MA) Article IX Sundry Bylaws insert Section 19 Contracts: Any contract, award for services, or employment opportunity which exceeds a potential monetary value of \$30,000 to the recipient shall first be advertised on the USCF website as well as in at least one issue of Chess Life. There shall be a formal request for proposals with a minimum of ten days for responses to be provided to USCF. (This process shall not include tournament hotel contracts.)

The decision as to who shall be selected for these contracts shall be made by the Executive Director for the USCF with the approval of the Executive Board. Contracts pertaining to this article must be co-signed by both the Executive Director and the President of USCF.

**Withdrawn**

**WD-ADM 10-25** (Donna Alarie, MA) Governance Restructuring

Article IX: Sundry Bylaws, Section 9. Encumbrance.

Insert:

- C. The USCF rating system, Chess Life Magazine, and/or rights to the Books and Equipment Business contract of USCF may not be sold without approval of the Board of Delegates.
- D. No major reorganization of the governance structure of USCF may take place without approval by the Board of Delegates. This would include any plan which would divide the organization into two or more entities.

**Withdrawn**

**WD-ADM 10-26** (Donna Alarie, MA) Executive Board as Directors Bylaws Amendment (changes in italics and the text following in each section will remain intact). To take effect beginning with the annual meeting in 2011. Current Executive Board members shall be considered as already seated as part of the body of fourteen members during the initial transition phase.

Article VI: Executive Board

Section 1. Composition.

The Executive Board shall consist of **fourteen** members elected as *specified in Section 7 of this article. This board shall be the Board of Directors and is responsible for the management of USCF.*

RATIONALE: The legal ramifications of a Board of Directors which consists of over 125 directors who meet only once per year are inconsistent with USCF's best interests. It is virtually impossible to keep this large a body informed on all issues facing USCF's management on a regular basis. The fact is that the 125 delegates change throughout the year so that any attempts to discuss major issues are relegated to short sound bites in workshops once a year instead of comprehensive planning and discussion.

It is also not rational to expect Executive Board members to make decisions throughout the year based upon hours of discussion and hope that the delegates will understand all the issues involved in order to ratify those actions based upon the synopsis provided in workshops over a few days once a year.

The delegates need to become more of an oversight committee and allow the Executive Board to make the types of decisions that the Board of Directors would make in most other non-profit organizations. **Withdrawn**

**WD-ADM 10-27** (Donna Alarie, MA) Delegate Appointed Committees Bylaws Amendment

Article VII: Other Officers, Appointees, and Committees

Section 3. Committees

**A. The Board of Delegates shall appoint the following Standing Committees**

- 2) Bylaws Committee. The Board of Delegates shall appoint the Bylaws Committee chair.
- 4) Ethic Committee. The Board of Delegates shall appoint the Ethics Committee chair.
- 5) Life Member Assets Management Committee (LMAC). The Board of Delegates shall appoint the Life Member Assets Management Committee chair.
- 6) Finance Committee. The Board of Delegates shall appoint the Finance Committee chair. The annual budget for USCF shall be created by the Finance Committee with information provided by USCF's accounting department and the Executive Director of USCF as needed.

Upon completion and vote of the committee to approve the budget, it shall be forwarded to the Executive Board for input, review, and approval. The delegates shall be presented with the final product for input, review, and approval at the annual meeting.

7) International Affairs Committee. The Board of Delegates shall appoint the International Affairs Committee chair.

8) Ratings Committee. The Board of Delegates shall appoint the Ratings Committee chair.

9) Scholastics Committee. The Board of Delegates shall appoint the Scholastics Committee chair. **Withdrawn**

**WD-ADM 10-28** (Donna Alarie, MA) Executive Board Member Elections Bylaws Amendment (additional text in italics)

Article VI. Section 5. Regular Elections.

A. Regular Elections

The Executive Board members shall be elected *via a two-step process*.

*The Voting Members shall vote to nominate Executive Board members through the election schedule described in Section 7 of this article.*

Each voting member may vote for as many persons as there are Executive Board positions to be filled. The persons receiving the largest vote totals shall be *nominated* to fill the available Executive Board positions.

*At the annual meeting after receiving the results of nominations, the delegates shall elect the Executive Board members with preferential consideration given to those nominated by the general membership. However, the delegates shall not be required to elect only those nominated in the general membership election.* **Withdrawn**

**WD-ADM 10-29** (Donna Alarie, MA) Additional Executive Board Members Bylaws Amendment (additional text)

Article VI. Section 7. Terms of Office

In addition to the above listed Executive Board members, each year, the members who are seated as chairs of the following committees, shall become Executive Board members effective as the conclusion of the Board of Delegates annual meeting:

Bylaws Committee

Ethics Committee

Finance Committee

International Affairs Committee

Life Assets Management Committee

Ratings Committee

Scholastics Committee

**Withdrawn**

**WD-ADM 10-30** (Donna Alarie, MA) Removal of Executive Board Members Bylaws Amendment

Delete Article VI, Section 11. Recalls

Insert Article VI, Section 11. Removal of Executive Board Members

A. Executive Board members may be removed with or without cause.

B. An Executive Board member may be removed by the affirmative vote of two-thirds of the votes present and voted in a meeting of delegates entitled to vote.

C. Written notice of at least 60 days prior to such meeting must be delivered to all delegates. Such notice shall state that a purpose of the meeting is vote upon the removal of one or more directors named in the notice. Only the named director or directors may be removed at such a meeting.

**D.** If the vote to remove is successful, it shall take effect immediately and a vacancy shall exist on the Executive Board. **Withdrawn**

The meeting was adjourned until 9am Sunday.

### **USCF Board of Delegates Meeting Sunday, August 8, 2010 – Irvine CA**

President Jim Berry called the meeting to order.

Donna Alarie introduced her ADM10-44. Discussion participants included Harold Winston, Donna Alarie, Myron Lieberman, Mike Nolan, James Mennella, Ken Ballou, Bill Goichberg, Gerald Larsen, Mike Mulford, Allen Priest, and Bill Hall.

**DM10-037** (ADM10-44)(Donna Alarie, MA) Delegate Acknowledgements.

Article V: Board of Delegates Insert:

Section 4. Selection of Delegates and Alternate Delegates:

All delegates and alternate delegates appointed by state affiliates shall submit a written statement to USCF acknowledging their acceptance of said appointment upon notification of same by the state affiliate. (Email statements shall be construed to be a written statement for this purpose.)

Delegates and alternate delegates will not be deemed to be officially appointed as such until USCF receives said statement. **Passed**

Mike Atkins was recognized and asked to suspend the rules and delay implementation of a rule passed yesterday.

**DM10-038** (NDM10-17) (Mike Atkins, VA, Executive Board Member) Move to suspend the rules. **Passed by 2/3**

Ken Sloan, Mike Nolan, David Kuhns, Jennifer Skidmore, Polly Wright, John Hillery, Bill Goichberg, Steve Shutt, Randy Bauer, Ken Ballou, James Mennella and Tony Pabon spoke to the Rule 5Fa removal.

**DM10-039** (NDM10-18) (Mike Atkins, VA, Executive Board Member; David Kuhns, MN; Mike Nolan DAL-NE) Modify motion to remove rule (5Fa) to remove subtracting time from clock from rulebook to suspend implementation until 1/1/12 and refer issue to Rules and Scholastics. **Passed and referred to Rules and Scholastics Committees**

Allen Priest introduced ADM 10-33, which came from the Governance Task Force. Harold Winston reported that the Bylaws Committee and Workshop favored the motion. Steve Shutt offered an amendment. Tony Pabon, Mike Mulford, Mike Nolan, Don Shultz, James Mennella, Richard Koepcke, Randy Bauer, Harry Sabine, Bill Goichberg, John Farrell, Gerald Larson, Robert Tanner, Tim Just and Thomas Priest spoke to the question.

**DM10-040** (ADM10-33)(Steve Shutt, PA) Move to amend ADM10-33 Section 2, Item C to: Members who voted in the 2009 or 2010 Executive Board election or members 16-18 years of age. **Failed**

Mike Mulford offered then withdrew an amendment. Tony Pabon, James Mennella, Tom Brownscombe, Randy Bauer participated in the discussion. James Mennella then offered an amendment. Donna Alarie, Gerald Larson, Randy Bauer, Harold Winston, Jennifer Skidmore, Harry Sabine, Steve Shutt, Tony Pabon, Gerald Larson, Mike Nolan, John Hillery took part in the resulting discussion.

**DM10-041** (ADM10-33) (James Mennella, NJ) Move to modify Section 2 to remove A,B,C &D. Replace with “All Delegates and Alternate Delegates are voting members. USCF members are entitled to register as voting members provided that any voting member must be age 16 or over as of June 30 of the election year.” In section 3 change the word “elected” to “selected”. (Changes made by the amendment are included in DM10-042) **Passed as amended**

**DM10-042** (ADM10-33) (Governance Task Force, Joe Lux, NJ, Chair) Resolved that the following replace Article IV of the Bylaws:  
Article IV: Voting Members

Section 1. Responsibility: The Voting Members are responsible for electing the Executive Board. Information regarding nominees and voting instructions shall appear in an appropriate issue of *Chess Life* and on the USCF website.

Section 2. Definition: Any USCF member is entitled to register as a voting member provided that any voting member must be age 16 or over as of June 30 of the election year. For the 2011 elections only, all delegates credentialed for the 2009 or 2010 annual meeting are voting members. All delegates and alternate delegates are voting members.

Section 3. Registration: Eligible members who are not already registered as Voting Members must register with the USCF office by March 31 to be eligible to vote in that year’s regular election, except that all members who are selected as USCF Delegates, Alternate Delegates, or Executive Board members are automatically registered as Voting Members. There is no registration fee. Once registered, a member’s status as a Voting Member continues as long as he or she is a member. When a membership lapses, Voting Member status ceases and the member must, after rejoining, again register by March 31 to be eligible to vote in that year’s regular election.

Section 4. Membership Requirement: In order to vote in a regular election, registered Voting Members must be USCF members on May 5<sup>th</sup> of the election year, for the entire day Central Time.

Section 5. Special Elections:



1. The eligibility dates for voting in the election shall be part of the call for the special election and should use cutoff dates equivalent to the above based on when the ballots are expected to be received by the voting members.

2. The registration deadline for those not already registered shall be the same as the deadline for the submission of nominating petitions.

Section 6. Electronic Voting: Should the USCF implement an electronic voting system as an alternate to using paper ballots, voting members who do not receive *Chess Life* by mail every month will only be entitled to vote using the electronic voting system unless they request a paper ballot by writing to the USCF office prior to May 1<sup>st</sup> for a regular election or the equivalent cutoff date for a special election. **PASSED as amended**

Allen Priest then introduced ADM10-31 noting that it had been addressed in both Governance and Bylaws workshops and some changes had been made. He explained those changes. Harold Winston reported on the Bylaws Committee and Workshop votes adding an additional amendment. Randy Bauer, Allen Priest, Steve Shutt, Larry Cohen, Harold Winston, Robert Tanner, Murlin Varner, Tim Just, and John Hillery participated in the discussion.

**DM10-043** (NDM10-19)(Tim Just, IL) Move to call the question on the amendments. **Passed**

**DM10-044** (ADM 10-31) (Governance Task Force, Joe Lux, NJ, Chair)

Resolved that the following section be substituted in the Bylaws, Article VI: Section 4 Nomination. Any USCF member not a current employee of the USCF is nominated for election to the Executive Board upon submission to the Election Committee of the following by December 31 of the year before an election year:

1. A valid nominating petition containing the signatures of 50 or more Voting Members, of whom at least 15 shall be Delegates. The 15 Delegates must represent at least 5 different states. A nominating petition listing more than one candidate is not valid.

Nominating petitions shall contain the date of each signature. Petitions for regular elections shall only be signed between July 1 and December 31 of the year preceding the election.

2. A filing fee of \$250 made payable to the USCF

3. A signed statement that they are running for the Executive Board and that they will serve if elected.

An employee of the USCF may not be nominated for election to the Executive Board. Currently paid contractors/consultants working as *Chess Life* Editor, Events Coordinator, or Computer Consultant may not be a candidate for the USCF Executive Board.

The Election Committee shall have advertised a call for nomination in the issue of *Chess Life* published no later than November 20 of the year prior to an election year and shall publish a list of all duly-submitted nominations in the issue published not later than April 10 of an election year.

Once a candidate is certified, the candidate may purchase labels of Voting Members at the same rate as affiliates. These labels may only be used for campaign purposes. **Passed as amended**

Allen Priest then introduced ADM10-32 for the Governance Task Force. Harold Winston reported on the response of the Bylaws Committee and Bylaws Workshop.

**DM10-045** (ADM10-32) (Governance Task Force, Joe Lux, NJ, Chair) Move that the following replace Article VI, Section 11 in the Bylaws:

#### Section 11. Recalls

A) The Delegates may initiate a recall of an elected Executive Board member by a 2/3 majority vote of a motion on the advance agenda of an Annual or Special Delegates Meeting, by a 3/4 majority vote of a motion not on the advance agenda of an Annual Delegates Meeting, or by petitions signed by 2/3 of the Delegates in lieu of a meeting of the Board of Delegates. Each signature on a recall petition must be dated and no signature can be dated more than five months before the date that the petitions are submitted to the USCF Secretary for validation.

B) Recall of an elected Executive Board member may be initiated by petitions signed by 10% of the registered voters based on the number of registered voters at the end of the most recent fiscal year, i.e., May 31. The USCF Secretary shall have one week from the date the petition is received by the USCF Office to determine if a recall petition is valid. A recall may not be initiated on a Board Member during the last six months of that member's term of office. Once a recall motion has been passed or a recall petition certified as valid, a recalled Executive Board shall be given 15 days to decide whether to resign or to be the subject of a recall election. If the recalled Executive Board member resigns, the recall motion or petition becomes moot upon the resignation of the board member.

C) The recall motion must give the reasons for the recall in a total, motion plus reason, of no more than 500 words. The motion and reasons, together with an optional statement of no more than 500 words by the board member being recalled, shall be mailed by USCF to all registered voters along with the recall ballot.

D) To be affirmed, the recall shall require a 2/3 majority vote of the registered voters participating in a recall election, such election to be held under conditions similar to those for regular or special Executive Board elections. Only voters who vote for or against the recall are considered to be participating. At least 500 Voting Members must participate in the recall election in order for the results to be valid. If the Board member being recalled is serving as the USCF Secretary, the Executive Board shall appoint another Board member to serve as the Secretary for the purposes of conducting the recall election.

E) If the motion or petition recalling the Board member does not specify a date for the recall election voting to begin, the Executive Board shall schedule such an election to commence no more than 60 days after the recall motion is passed by the Delegates or the recall petitions are certified. The date for counting the votes in the recall election shall be no more than 35 days after the day that voting is expected to begin. Until the votes in the recall election are counted, the recalled Executive Board member retains all rights and privileges of a Board member. Once the recall votes are counted, if the recall is affirmed the Board member is immediately removed from the Executive Board and a vacancy exists on the Executive Board. **Passed**

**WD-ADM10-34** (Executive Board) The USCF bylaws shall be modified in accordance with the recommendation of our Illinois attorney regarding the composition of the Board of Directors.  
**Withdrawn**

Vice President of Finance, Randy Bauer read a statement by Timothy Redman withdrawing motion ADM10-35.

**WD-ADM10-35** (Leroy Dubeck, NJ-DAL; E. Stephen Doyle, NJ-DAL; Beatriz Marinello, NY-DAL; Timothy Redman, TX-DAL) **BALANCED BUDGET REQUIREMENT**

Commencing with the 2010-2011 fiscal year (June 1, 2010-May 31, 2011) the USCF Executive Board is mandated by the Delegates each fiscal year to have Revenues exceed Expenses by at least \$100,000 as reported in the annual audit. The annual audit shall be completed and available to all Delegates no later than the July 31 following the conclusion of the preceding fiscal year on May 31.

Failure to provide the audit by the July 31 date, or the failure of Revenues to exceed expenses by at least \$100,000 as reported in the annual audit, will be deemed to have resulted in the immediate resignation of both the President and the Vice President of Finances from the Executive Board. The two vacancies shall then be filled by a secret ballot vote of the Board of Delegates at its annual meeting in August of that year.

If those two officers have completed their terms on the Executive Board, this provision is moot. If however they have completed their terms and have been reelected to the Executive Board they shall be deemed to have resigned and the Board of Delegates will immediately elect two people to replace them. If one person has been reelected one person will be elected by the Delegates. If new Executive Board officers are scheduled to be chosen that year, they shall be elected by the Board.

Justification for this ADM:

The USCF has been loosing money year after year. The magnitude of the loss has been in part hidden from the delegates because each year there is included in Revenues about \$100,000 for "Life Member dues recognition." Only this money was spent long ago and no longer exists. Rather than argue that this should not be included in Revenue it is more straightforward to allow this misleading practice to continue since it is approved by GAAP (Generally accepted accounting principles) but correct for it by demanding that Revenue as calculated using GAAP exceed Expenses by \$100,000 each year.

States and local governments must operate a balanced budget even in hard times. USCF must do the same or we will go bankrupt. In 1997 we had nearly \$1.7 million dollars in Life Member Assets. Now it is down to about \$400,000 unencumbered cash. USCF is in debt to banks and lawyers for more than the remaining cash in the Life Member Assets. We must force the Executive Board to focus on balancing the budget or we will go bankrupt. Thus this ADM has real teeth in it by removing any President and Vice President for Finance who cannot achieve a balanced budget. **Withdrawn**

Donna Alarie presented ADM10-36 with its rationale.

**DM10-046** (ADM10-36) (Joe Lux, NJ, Donna Alarie, MA) Resolved that the Board of Delegates has no confidence in the Executive Board. **Postponed indefinitely**

With Delegate approval, Tom Brownscombe introduced Dewain Barber and asked him to speak to ADM10-37. He was given a standing ovation.

**DM10-047** (ADM10-37) (Harold Winston, IL-DAL; Tom Brownscombe, KS; Beatriz Marinello NY-DAL) The Delegates congratulate the Arnold Denker Tournament of High School

Champions on 25 years of success and recognize that the tournament is now a Heritage Event.

**Passed**

Mike Nietman then brought ADM10-38 to the floor. Mike Nolan, Donna Alarie, Bill Goichberg, Harry Sabine, Tim Redman, Ken Ballou, and Don Shultz participated in the discussion.

**DM10-048** (ADM 10-38) (Mike Nietman, WI; Stephen Shutt, PA; Elizabeth Shaughnessy, CA; Beatriz Marinello, NY-DAL) Motion National Scholastic Championships:

Replace DACI 56 with:

“The following USCF Scholastic Championships shall not be outsourced, sold or part of any contractual agreement to organize the tournament with any third parties or any other organization without the prior review of the Scholastic Council and approval of the USCF Board of Delegates.”

National Scholastic K-12 Grade Championship

National Elementary Grade Championship

National Junior High-Middle School Championship

National High School Championship

SuperNationals

**Passed as amended**

**WD-ADM10-39** (Ken Ballou, MA) The USCF office will acknowledge all applications for TD certification examinations within 10 (ten) days of receipt and will return a decision to the applicant within thirty (30) days of receipt of the application.

Rationale: Tournament directors perform a vital role in the USCF’s mission by enabling rated tournament play. Often TDs are volunteers.

While the office staff is very busy and has many demands on their time, it is important to extend to applicants the courtesy of a prompt reply. **Withdrawn**

**WD-ADM10-40** (Ken Ballou, MA) Rating supplements will be available to tournament directors and affiliates at least seven (7) days before the ratings therein become official. **Withdrawn**

Allen Priest moved to reconsider ADM10-39 and correct a wording error. It was accepted as a friendly amendment.

**DM10-049** (DM10-048, ADM10-39) (Allen Priest) Amend ADM10-39 and correct the wording to “...with any third parties **or** other organization...”. **Passed**

Tim Just introduced ADM10-41 making a small correction to wording. David Kuhns reported that the Rules Workshop supported the motion with an overwhelming majority. John Hillery, Carl Haessler, Tim Just, spoke to the motion.

**DM10-050** (NDM10-20)(John Hillery, S-CA) Move to strike 14H6 from ADM10-41. **Failed**

Larry Kaufman and John Hillery then addressed the motion.

**DM10-051**(ADM 10-41) (Tim Just, IL; Steve Immitt, NY) Motion: 14H reinstatement Moved that effective 1/1/11, rule 14H, plus its TD Tips, as they appear in the 5<sup>th</sup> edition of the rule book and as amended as of 8/7/09 shall replace the current rule 14H and include amendment **Variation 14H6: No Claim of insufficient losing chances in sudden death.** No claim of

insufficient losing chances in sudden death will be allowed. This variation does not need to be announced in advance publicity.

Discussion: By replacing the current rule 14H, passed by the Delegates on 8/9/09 and reinstating the old rule 14H which includes the new variation 14H6, the process of applying a “no losing chances” claim becomes more flexible for both the TD and the player. **Passed**

**WD-ADM10-42** (Michael Atkins, VA, Executive Board Member; Tim Just, IL, TDCC Chair; David Kuhns, MN, Rules Chair) The current rule 28T is to be replaced by the following revision:

**28T: FIDE title and rating tournament.** When tournaments where FIDE norms or titles can be earned all FIDE **PAIRING** rules and regulations should be observed.

**TD TIP:** *Making minor variations to pairings and rules for the sake of gaining FIDE titles and ratings norms is not advised.* **Withdrawn replaced by DM10-021.**

**WD-ADM10-43** (Michael Atkins, VA, Executive Board Member)

Several years ago, the practice of directors playing in National events was prohibited. The problem of Directors playing in their own events continues to be an issue with both the appearance and fact of impropriety having happened. To avoid any appearance of impropriety in pairings, rulings and judgments in other games affecting a playing TD’s status, and with the reality that the more money that is involved the more potential problems.

It is moved that Directors of Grand Prix events cannot play in their own event.

Friendly amendment. If the about ADM fails then:

It is moved that Directors of Grand Prix events of more than 10 points cannot play in their own event. **Withdrawn**

Tim Just introduced a motion from the TDCC Workshop.

**DM10-052** (NDM10-21)(Tim Just, IL; TDCC Workshop) The Delegates reaffirm that Club TDs after passing their first club exam can renew as Club TDs after three years without taking an exam by having directed three tournaments in that three year period. **Passed**

Mike Nietman introduced the next motion. David Kuhns offered a friendly amendment, which was accepted. Bill Hall, Jim Berry and Mike Nietman spoke to the motion.

**DM10-053** (NDM10-22) Mike Nietman, WI, Executive Board Member; Tom Brownscombe, KS; Beatriz Marinello, DAL-NY) Move to create the “Barber Tournament of Elementary State Champions” and “Tournament of Junior High Champions” that will be held at the U.S. Open in 2011. **Refer to Scholastic Council, U.S. Open Committee, and Denker Committee with implementation by the Executive Board/Executive Director. Passed as amended**

The next item was introduced by Bill Goichberg who gave its rationale. Karl Haessler, Bill Hall, Jim Berry, Richard Koepcke, Tony Pabon, Don Schultz, Randy Bauer, Steve Shutt, and Bill Goichberg were among those participating in the discussion.

**DM10-054** (NDM10-23) (Bill Goichberg, NY, Executive Board Member) Move that in addition to GMs, IMs, WGMs and WIMs, FIDE Masters be eligible for Professional Players Health and Benefits assistance. **Passed**

David Kuhns brought the next two items to the floor. Discussion included Bill Goichberg, David Kuhns, and Larry Kaufman.

**DM10-055** (NDM10-24) (David Kuhns, MN) Move that the USCF adopt Appendix F of the *FIDE Laws of Chess* for Chess 960 and Fischer 960 and put the link on the “Changes in Rules since the 5<sup>th</sup> Edition” web page. Refer to Rules for implementation. **Passed**

**DM10-056** (NDM10-25) (David Kuhns, MN) Move to replace the chapter on FIDE laws with a link to the FIDE site. **Passed**

Richard Koepcke presented the next motion.

**DM10-057** (NDM10-26) (Richard Koepcke N-CA) Move the Delegates repeal Delegates Action of Continuing Interest that is numbers seven on page 38 of the *2010 Delegates' Call*. (DACI 7 discussed adjournments at U.S. Opens) **Passed**

**DM10-058** (NDM10-27)(Frank Camaratta, AL; Tony Pabon, N-CA; Franc Guadalupe, TX) The Executive Board can and does pass motions relating to Ethics, Scholastics, Rules and Ratings. The Delegates have directed the Executive Board to seek input from the chairs of those committees on substantive matters affecting their respective areas.

Be it resolved that in those cases where the Executive Board acts in contradiction to the recommendations from one of the named committees, the issue and the Executive Board's reasoning, shall be published in the *Delegates' Call*. Refer to Bylaws Committee. **Referred to the Bylaws Committee.**

**DM10-059** (NDM10-28)(Harold Winston, DAL-IL) The Delegates give a vote of thanks to the following: Jim Berry for chairing the Delegates' Meeting; Mike Nolan for serving as Parliamentarian; Steve Shutt for serving as Master of Ceremonies for the Awards Luncheon; Pat Smith for organizing the U.S. Open; Francisco Guadalupe for serving as Chief Tournament Director of the U.S. Open; Harry Sabine for serving as Chief Teller of the election; and Joan DuBois for her assistance with the meetings. **Passed**

Meeting was adjourned.