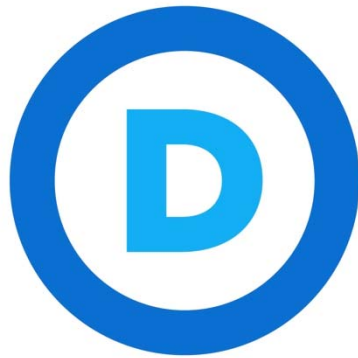


# Delegate Selection Materials

For the 2016 Democratic National Convention



**DEMOCRATS**  
DEMOCRATIC NATIONAL COMMITTEE

December 15, 2014

*Provided by the DNC Office of Party Affairs and Delegate Selection*

# Delegate Selection Documents

For the  
2016 Democratic  
National Convention

Democratic National Committee  
430 South Capitol St., SE  
Washington, DC 20003

For more information contact the  
Office of Party Affairs and  
Delegate Selection  
202-863-8046

December 15, 2014

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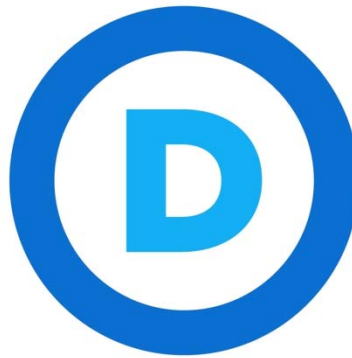
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# DELEGATE SELECTION RULES

For the 2016 Democratic National Convention



**DEMOCRATS**  
DEMOCRATIC NATIONAL COMMITTEE

*Congresswoman Debbie Wasserman Schultz*  
*Chair*

*As Adopted by the Democratic National Committee, August 23, 2014*



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# DELEGATE SELECTION RULES

## For the 2016 Democratic National Convention

### Rule 1

#### **Publication and Submission of State Party Rules**

- A. State parties shall adopt Delegate Selection Plan, Affirmative Action Plan and Inclusion Program which contain explicit rules and procedures governing all aspects of the delegate selection process. These rules shall include, but are not limited to:
1. Procedures for electing and certifying delegates and alternates at all levels;
  2. Timing of primary/ caucuses/ conventions;
  3. Procedures providing for equal division in each state's convention delegation;
  4. Procedures providing for the selection of the chair of the delegation;
  5. Particulars concerning the scheduling of delegate selection meetings including methods by which each meeting or event will be publicized;
  6. Affirmative Action Plans and Inclusion Programs in detail including affirmative action and inclusion obligations of presidential candidates;
  7. All filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by state law for delegate and alternate candidates and for presidential candidates;
  8. All filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by state party rules for delegate and alternate candidates and for presidential candidates;
  9. Procedures for ascertaining delegate/alternate preference at all stages;
  10. Procedures for presidential candidate right of approval;
  11. Method of awarding delegates and alternates to presidential candidates;
  12. Methods and timetable for the selection of standing committee members;
  13. Procedures for challenges of the delegate selection, and affirmative action and inclusion processes;
  14. Methods and timetable for the selection of convention pages; and
  15. Other appropriate provisions from these Rules, the Call, and the Regulations.
- A. The following items are to be routinely included at an appropriate place in each state plan:
1. Eligibility requirements for participation in the delegate selection process in conformance with Rule 2 [Rule 2.A.];
  2. Prohibition of cost and fees [Rule 2.D.];
  3. Prohibition of participation by those participating in another party's process [Rule 2.E.];
  4. One-meeting limitation for first-stage participants [Rule 3.E.];
  5. "Six basic elements" of an open party [Rule 4];

6. Non-discrimination principles [Rule 5];
  7. Requirement that all steps take place within calendar year of convention [Rule 11.B.];
  8. Required identification of preference of candidates for delegate and alternate [Rule 12.A.];
  9. Protection against coerced vote [Rule 12.I.];
  10. Quorum requirements [Rule 15];
  11. Proxy voting rules, if any [Rule 16];
  12. Unit rule prohibition [Rule 17.A.];
  13. Slate making limitations [Rule 17.B.]; and
  14. Succession of alternates to delegate status and filling of vacancies in delegate positions [Rule 18].
- C. Each state party shall provide for a thirty (30) day<sup>1</sup> period of public comment to solicit opinion on the State’s Delegate Selection Plan, Affirmative Action Plan and Inclusion Program prior to adoption. All written public comments submitted to the state Democratic Committee shall be submitted along with the plans to the Rules and Bylaws Committee of the Democratic National Committee (“DNC Rules and Bylaws Committee”).
- D. State Delegate Selection Plans, Affirmative Action Plans and Inclusion Programs shall be submitted to the DNC Rules and Bylaws Committee for approval on or before May 4, 2015.
- E. The DNC Rules and Bylaws Committee shall act on the proposed plans as soon as practicable, but in no case later than September 15, 2015, or four months before the respective State’s first determining step, whichever is earlier. Its decision shall be final and binding.
- F. Implementation of state Affirmative Action Plans and Inclusion Programs shall begin no later than September 15, 2015, or four months before the respective state’s first determining step, whichever is earlier.
- G. State Delegate Selection Plans shall specify the methods and timetable to be followed in selecting members of standing committees of the national convention. These procedures shall be in conformity with the rules to be contained in the Call for the 2016 Convention.
- H. The Democratic National Committee (“DNC”) and the state parties shall publish and make available at no cost their rules, the 2016 National Delegate Selection Rules, and a clear and concise explanation of how Democratic voters can participate in the delegate selection process. The DNC shall prepare and provide at no cost to state parties a clear and concise explanation of the 2016 Delegate Selection Rules. This shall be done no later than October 1 of the calendar year immediately preceding the calendar year of the national convention.
- A. Participation in the delegate selection process shall be open to all voters who wish to participate as Democrats.
1. Democratic voters shall be those persons who publicly declare their Party preference and have that preference publicly recorded.
  2. Implementation of this administrative matter shall be delegated to the DNC Rules and Bylaws Committee.

## **Rule 2 Participation**

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<sup>1</sup> Unless otherwise explicitly specified, reference in these Rules to “day” or “days” means “calendar days.” If the last day of a period falls on a Saturday, Sunday or a federally recognized holiday, the time shall be extended to the next business day.



## 2016 Delegate Selection Rules for the Democratic National Convention

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- B. Nothing in these rules shall be interpreted to encourage or permit states with party registration and enrollment, or states that limit participation to Democrats only, to amend their systems to open participation to members of other parties.
- C. State parties shall take all feasible steps to encourage non-affiliated and new voters to register or enroll, to provide simple procedures through which they may do so and to eliminate excessively long waiting periods for voters wishing to register or to change their party enrollment status. In all caucuses or conventions conducted pursuant to these rules, all Democrats who comply with Rule 2.A., 2.A.(1), and 2.A.(2) shall be allowed to participate.
- D. At no stage of the delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating in the delegate selection process. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation.
- E. No person shall participate or vote in the nominating process for a Democratic presidential candidate who also participates in the nominating processes of any other party for the corresponding elections.
- F. In accordance with Article Nine, Section 12 of the Charter of the Democratic Party of the United States, votes shall not be taken by secret ballot at any stage of the delegate selection process, including processes leading up to the selection of DNC Members or State Chairs and Vice Chairs, who serve as DNC members by virtue of their office, except that use of such voting by secret ballot may be used in a state run or state party run primary which constitutes the first determining stage of the delegate election process and in which all individual voters are eligible to participate in accordance with the provisions of this Rule 2.
- G. The casting of ballots over the Internet may be used as a method of voting in a vote only for presidential preference in a state party-run primary constituting the first determining stage in the presidential nominating process, and only if such casting of ballots over the Internet:
1. Is used in a system in which voters may cast their ballots in person on the day of such primary and by mail, and in which casting of ballots over the Internet is an alternate means of voting;
  2. Is accompanied by a comprehensive, proactive education and outreach program on the use of Internet voting that is set forth in the state's delegate selection plan and approved by the DNC Rules and Bylaws Committee;
  3. Is conducted in accordance with a plan approved by the DNC Rules and Bylaws Committee that is included in the state's delegate selection plan, and that provides adequate measures to achieve security, reliability, access to eligible voters and transparency, including contractual and other safeguards to secure exclusive ownership and control by the state party of voting data;
  4. Is accomplished through a system which provides the voter with an opportunity to verify the voter's ballot and correct any error before the voter's vote is cast; which can be permanently maintained by the voter at the voter's option in paper, electronic or other form; and which produces a paper record of the voter's vote that is preserved and maintained by the state party in the event of a manual audit, until the expiration of the time for filing an implementation challenge under these Rules.
- H. In states using government-run voting systems in the delegate selection process, State Delegate Selection Plans shall include

provable positive steps (as defined in Rule 21) taken or to be taken by the state party to:

1. Promote the acquisition, maintenance and regular replacement of accessible precinct based optical scan systems wherever possible;
2. Seek enactment of legislation, rules and policies at the state and local level to ensure that direct recording electronic systems include a voter verified paper record;
3. Seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures such as:
  - a. Automatic routine manual audits comparing paper records to electronic records following every election and prior to certification of results where possible;
  - b. Parallel testing on Election Day;
  - c. Physical and electronic security for equipment;
  - d. Banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote;
  - e. Public disclosure of software design;
  - f. Use of transparent and random selection for all auditing procedures;
  - g. Effective procedures for addressing evidence of fraud or error.

I. Each State Party shall include in its Delegate Selection Plan a description of steps taken to assess and improve participation with

respect to presidential preference and delegate selection contests and procedures.

### **Rule 3 Scheduling of Delegate Selection Meetings**

- A. All official Party meetings and events related to the national convention delegate selection process, including caucuses, conventions, committee meetings, filing dates, and Party enrollment periods, shall be scheduled for dates, times and public places which would be most likely to encourage the participation of all Democrats, and must begin and end at reasonable hours. It shall be the responsibility of the state party to select the dates, times and to provide facilities for all official party meetings and events related to the national convention delegate selection process.
- B. All such meetings or events which are the first meeting or event in the delegate selection process shall be scheduled at times and dates which are uniform throughout the state, except where it is established by the state party and approved by the DNC Rules and Bylaws Committee that such uniform times and dates would significantly reduce participation in the delegate selection process.
- C. The times, dates, places, and rules for the conduct of all caucuses, conventions, meetings and other events involved in the delegate selection process shall be effectively publicized by the Party organization, official, candidate or member calling the same.
- D. Concise statements in advance of all meetings and events concerning the relationship between the business to be conducted and the delegate selection process shall be effectively publicized by the Party organization, official, candidate or member calling the same.

- E. No person shall participate in more than one meeting which is the first meeting in the delegate selection process.

## **Rule 4** **An Open Party**

- A. The Democratic National Committee reaffirms its commitment to the 1964 resolution, and requires the national and state parties to incorporate the Six Basic Elements, as updated, into their Party rules and to take appropriate steps to secure their implementation.
- B. The 1964 Democratic National Convention adopted a resolution which conditioned the seating of delegates at future conventions on the assurances that discrimination in any state party affairs on the ground of race, color, creed or national origin did not occur. The 1968 Convention adopted the 1964 Convention resolution for inclusion in the Call for the 1972 Convention. In 1966, the Special Equal Rights Committee, which had been created in 1964, adopted six anti-discrimination standards – designated as the Six Basic Elements, which, as updated, are as follows:
1. All public meetings at all levels of the Democratic Party in each state should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status or physical disability (hereinafter collectively referred to as “status”).
  2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in any state should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on “status.”

3. The time and place for all public meetings of the Democratic Party on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons.
  4. The Democratic Party, on all levels, should support the broadest possible registration without discrimination based on “status.”
  5. The Democratic Party in each state should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of each state Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization.
  6. The Democratic Party in each state should publicize fully and in such a manner as to assure notice to all interested parties a complete description of the legal and practical qualifications of all positions as officers and representatives of the state Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each state Democratic Party will have full and adequate opportunity to compete for office.
- C. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all “status” (as defined in

Rule 4.B.(1)) members to participate in the delegate selection process.

## **Rule 5 Non-Discrimination**

- A. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action and inclusion is hereby adopted.
- B. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited.
- C. In order to continue the Democratic Party’s ongoing efforts to include groups historically under-represented in the Democratic Party’s affairs, by virtue of race, ethnicity, age, sexual orientation, gender identity or disability, each state party shall develop and submit Party outreach programs, including recruitment, education and training, in order to achieve full participation by such groups and diversity in the delegate selection process and at all levels of Party affairs.

## **Rule 6 Affirmative Action**

- A. The promises of a democratically elected government and the right to vote have not always been extended equally to all Americans. Historically, certain groups of Americans have been explicitly denied the right to vote or have been subjected to discriminatory and exclusionary practices with the intended effect of denying them voting rights. In recognition of this past history of discriminatory denial of the franchise and in order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the national and state Democratic Parties shall adopt and implement

affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women.

- 1. The goal of such affirmative action shall be to achieve participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate.
  - 2. This goal shall not be accomplished either directly or indirectly by the Party’s imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs.
  - 3. In the selection of each state’s at-large delegation, priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, if such priority of consideration is needed to fulfill the affirmative action goals outlined in the state’s Delegate Selection Plan. Such remedial action is necessary in order to overcome the effects of past discrimination. Use of the at-large delegation to fulfill the plan’s affirmative action goals does not obviate the need for the state party to conduct outreach activities such as recruitment, education and training. Priority of consideration shall also be given to other groups as described in Rule 5.(C), which are under-represented in Democratic Party affairs, in order to assist in the achievement of full participation by these groups.
- B. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a state party has adopted and implemented an approved affirmative action program, the

## 2016 Delegate Selection Rules for the Democratic National Convention

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state party shall not be subject to challenge based solely on delegation composition or primary results.

C. State Delegate Selection Plans shall provide for equal division between delegate men and delegate women and alternate men and alternate women within the state's entire convention delegation. For purposes of this rule, the entire delegation includes all pledged delegates and alternates and unpledged delegates (including unpledged party leaders and elected official delegates).

1. State Delegate Selection Plans shall, as far as mathematically practicable, also provide for equal division between district-level delegate men and delegate women and district-level alternate men and alternate women.

2. The DNC Rules and Bylaws Committee shall have continuing jurisdiction to ensure compliance with this equal division requirement. No at-large delegate or alternate from a state shall be placed on the temporary roll of the 2016 Democratic National Convention unless the Rules and Bylaws Committee has certified to the Secretary of the Democratic National Committee that such state's delegation complies with this equal division rule. It shall be the duty of the DNC Rules and Bylaws Committee to determine such compliance as soon as practicable following the certification of the state's at-large delegates and alternates.

3. Notwithstanding sub-paragraph A.(2) 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.

D. For purposes of providing adequate notice of the delegate selection process under Rule 3, the times, dates, places and rules for the

conduct of all caucuses, conventions, meetings and other events involved in the delegate selection process shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups.

E. State Democratic Parties shall ensure that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders or women.

F. Each state Affirmative Action Plan shall provide for the appointment of a representative state Affirmative Action Committee by March 2, 2015. Before the state party submits its Plan to the DNC Rules and Bylaws Committee, the Affirmative Action Committee shall review the proposed outreach program required in Rule 5.C.

G. Each State Affirmative Action Plan shall include outreach provisions to encourage the participation and representation of persons of low and moderate income, and a specific plan to help defray expenses of those delegates otherwise unable to participate in the national convention.

H. State parties in their Delegate Selection Plans shall impose reasonable specific Affirmative Action and Inclusion obligations upon presidential candidates consistent with the delegate selection system employed by the state.

1. State parties shall require presidential candidates to submit statements that specify what steps such candidates will take to encourage full participation in their delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate. Provided further that presidential candidates submit such full participation statements to the DNC Rules and

Bylaws Committee at the same time they are submitted to state parties.

2. State parties shall require presidential candidates to submit demographic information with respect to candidates for delegate and alternate pledged to them.
- I. Each state party shall certify to the Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used best efforts to ensure that their respective delegations at each level within a state's delegation shall fulfill the requirements of Rule 6 and Rule 7 established by the state's Delegate Selection Plan and that the respective delegations of each presidential candidate within the state's delegation shall be equally divided between men and women.

### **Rule 7**

## **Inclusion Programs**

The Democratic National Committee recognizes that other groups of Americans in addition to those described in Rule 6 may be under-represented in Party affairs. These groups include members of the LGBT community, people with disabilities, and youth. The National and State Parties shall adopt and implement Inclusion Programs in order to achieve the full participation of members of these and other groups in the delegate selection process and in all party affairs, as indicated by their presence in the Democratic electorate. As is already the practice in some states, State Parties should use goals to achieve these ends; however, in no event may such participation be accomplished by the use of quotas.

### **Rule 8**

## **National Convention Delegate Apportionment**

- A. Apportionment of district-level delegates within states shall be based on one of the following:

1. A formula giving equal weight to total population and to the average of the vote for the Democratic candidates in the two most recent presidential elections;
2. A formula giving equal weight to the vote for the Democratic candidates in the most recent presidential and gubernatorial elections;
3. A formula giving equal weight to the average of the vote for the Democratic candidates in the two most recent presidential elections and to Democratic Party registration or enrollment as of January 1, 2016; or
4. A formula giving one-third (1/3) weight to each of the formulas in items (1), (2), and (3).

- B. Apportionment for each body selecting delegates to state, district, and county conventions shall be based upon population and/or some measure of Democratic strength.
- C. The Call for the 2016 Convention shall state the base delegation for each delegation. Seventy-five percent (75%) of each state's base delegation shall be elected at the congressional district level or smaller. Twenty-five percent (25%) of each state's base delegation shall be elected at large. Delegates so elected shall hereafter be termed "district-level" and "at-large" delegates, respectively. Each State Democratic Chair shall certify all delegates in writing to the Secretary of the DNC.
- D. In those states with more than one congressional district, after the election of district-level delegates and prior to the selection of at-large delegates, each State Democratic Chair shall certify pledged party leader and elected official delegates equal to 15% of the state's base delegation selected pursuant to Rule 9.

E. The election of district-level and at-large delegates and alternates may take place at the same meeting, provided that district-level delegates are selected first. In states with one congressional district the election of delegates selected in accordance with Rules 8.B., 8.C., and 9.A., may be conducted simultaneously. In all cases, affirmative action, inclusion and fair reflection guidelines must be met and the Democratic Chair of each such state shall make the certifications required by subsection 8.D.

**Rule 9**  
**Unpledged and Pledged Party Leaders and Elected Official Delegates**

A. The procedure to be used for certifying unpledged party leader and elected official delegates is as follows:

Not later than March 1, 2016, the Secretary of the Democratic National Committee shall officially confirm to each State Democratic Chair the names of the following unpledged delegates who legally reside in their respective state and who shall be recognized as part of their state's delegation unless any such member has publicly expressed support for the election of, or has endorsed, a presidential candidate of another political party:

1. The individuals recognized as members of the DNC (as set forth in Article Three, Sections 2 and 3 of the Charter of the Democratic Party of the United States); and,
2. The Democratic President and the Democratic Vice President of the United States, if applicable; and,
3. All Democratic members of the United States House of Representatives and all Democratic members of the United States Senate; and,

4. The Democratic Governor, if applicable; and,
5. All former Democratic Presidents, all former Democratic Vice Presidents, all former Democratic Leaders of the U.S. Senate, all former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders, as applicable, and all former Chairs of the Democratic National Committee.

B. Following the selection of district-level delegates under 8.E., pledged party leader and elected official delegates are to be selected subject to the following procedures:

1. Persons shall be considered for pledged party leader and elected official delegates and alternates according to the following priority: big city mayors and state-wide elected officials to be given equal consideration; state legislative leaders, state legislators, and other state, county and local elected officials and party leaders.
2. These slots shall be allocated on the same basis as the state's at-large delegates.
3. If persons eligible for pledged party leader and elected official delegate positions have not made known their presidential preference under the procedures established by the state pursuant to Rule 12 for candidates for district-level and at-large delegate positions, their preferences shall be ascertained through alternative procedures established by the state party, which shall require a signed pledge of support for a presidential candidate. Such an alternative system shall have a final deadline for submitting a pledge of support after the selection of all district-level delegates has been completed and must provide an opportunity for disapproval by the

presidential candidate or the candidate's authorized representative.

C. A state's party leader and elected official delegates may be chosen by a state convention or by a committee consisting of a quorum of district-level delegates. They may also be chosen by the State Party Committee, as recognized by the Democratic National Committee, but only if the state's Delegate Selection Plan is in full compliance with these rules, and provided:

1. Membership on the State Party Committee is apportioned on the basis of population and/or some measure of Democratic strength;
2. Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection;
3. Such delegates are elected at a public meeting subsequent to the election of district-level delegates;
4. Members of the State Party Committee exercising such authority shall have been elected no earlier than the calendar year of the previous national convention; and
5. Membership of the State Party Committee complies with the equal division requirements of Article 9, Section 16 of the Charter of the Democratic Party of the United States.

D. Except as provided in 9.A. above, no person shall serve as an automatic delegate at any level of the delegate selection process by virtue of holding a public or party office.

## **Rule 10**

### **Selection of At-Large Delegates**

- A. The selection of at-large delegates shall be used, if necessary, to achieve the equal division of positions between men and women and the representation goals established in the state party's Affirmative Action Plan and Inclusion Program. Such goals apply to the state's entire delegation considered as a whole. For purposes of this rule, the entire delegation includes all unpledged as well as all pledged delegates. Delegates and alternates shall each, as a group, be equally divided and, to the extent possible, each as a group shall reflect the representation goals established in the state's Affirmative Action Plan and Inclusion Program.
- B. A state's at-large delegates and alternates shall be selected by one of the bodies, subject to the same conditions specified in Rule 9.C. above, provided, however, the State Party Committee may choose such delegates and alternates only if the state's Delegate Selection Plan is in full compliance with these rules.
- C. At-large delegates and alternates (including pledged party leader and elected official delegates, which shall include those to be allocated to uncommitted status) in primary states shall be allocated according to the state-wide primary vote or, in states holding no state-wide primary, according to the division of preferences among convention and caucus participants. In non-primary states which do not hold state conventions authorized to elect delegates, at-large delegates shall be apportioned according to the division of preferences among district-level delegates at the time of district-level selection. If a presidential candidate entitled to an allocation under this rule is no longer a candidate at the time at-large delegates are selected, his/her allocation shall be proportionately divided among the other preferences entitled to an allocation.



## **Rule 11**

### **Timing of the Delegate Selection Process**

- A. No meetings, caucuses, conventions or primaries which constitute the first determining stage in the presidential nomination process (the date of the primary in primary states, and the date of the first tier caucus in caucus states) may be held prior to the first Tuesday in March or after the second Tuesday in June in the calendar year of the national convention. Provided, however, that the Iowa precinct caucuses may be held no earlier than 29 days before the first Tuesday in March; that the New Hampshire primary may be held no earlier than 21 days before the first Tuesday in March; that the Nevada first-tier caucuses may be held no earlier than 10 days before the first Tuesday in March; and that the South Carolina primary may be held no earlier than 3 days before the first Tuesday in March. In no instance may a state which scheduled delegate selection procedures on or between the first Tuesday in March and the second Tuesday in June 1984 move out of compliance with the provisions of this rule.
- B. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention (except as otherwise provided in these rules or specifically allowed by the DNC Rules and Bylaws Committee).

## **Rule 12**

### **Presidential Preference**

- A. All candidates for delegate and alternate in caucuses, conventions, committees and on primary ballots shall be identified as to presidential preference or uncommitted status at all levels of a process which determines presidential preference. Candidates may state a preference for only one presidential candidate, including

uncommitted at any time. In no case shall a candidate for delegate or alternate indicate more than one such presidential preference at each level.

- B. All persons wishing to be elected to a district-level or at-large delegate position must file a statement of candidacy designating the presidential or uncommitted preference of the delegate candidate and a signed pledge of support for the presidential candidate (including uncommitted status) the person favors, if any, with the state party by a date certain as specified in the state's Delegate Selection Plan. Persons wishing to be elected as pledged party leader and elected official delegates shall comply with Rule 9.C.(3).
- C. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions, except that the state may allow candidates who were not chosen at the delegate level to be considered at the alternate level.
- D. Prior to the selection of national convention delegates and alternates, the state party shall convey to the presidential candidate, or that candidate's authorized representative(s), a list of all persons who have filed for delegate or alternate positions pledged to that presidential candidate. All such delegate and alternate candidates shall be considered bona fide supporters of the presidential candidate whom they have pledged to support, unless the presidential candidate, or that candidate's authorized representative(s), signifies otherwise in writing to the state party by a date certain as specified in the state's Delegate Selection Plan.
1. Presidential candidates shall certify in writing to the Democratic State Chair the name(s) of their authorized representative(s) by a date certain.

2. In states where delegates are voted upon on the ballot, the date by which the presidential candidate, or that candidate's authorized representative(s), signifies approval or disapproval of the list of delegate and alternate candidates in writing to the state party as required by Rule 12.D., must allow sufficient time to ensure that names removed from the list do not appear on the ballot.
  3. Presidential candidates or their authorized representatives shall not be required to exercise their right of candidate approval with respect to pledged party leader and elected official (PLEO) delegate candidates until such time after the district-level delegates have been elected.
  4. Presidential candidates or their authorized representatives shall not be required to exercise their right of candidate approval with respect to at-large delegate candidates until such time after the pledged party leader and elected official (PLEO) delegates have been elected.
- E. National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a delegate or alternate at that level pledged to that presidential candidate (including uncommitted status).
1. Presidential candidates may not remove any candidate for a district-level delegate or alternate position from the list of bona fide supporters unless, at a minimum, three (3) names remain for every such position to which the presidential candidate is entitled. Provided, however, that in states where individual district-level delegates and alternates are voted upon on a primary ballot, the presidential candidate, or that candidate's authorized representative(s), may approve a number of delegate candidates or alternate candidates equal to or greater than the number of delegates or alternates allocated to the district.
- F. State parties shall ensure that state Delegate Selection Plans provide fair and adequate time for persons to file for delegate or alternate positions, and for presidential candidates, or their authorized representative(s), to review the list of persons who have filed, and to remove from that list persons not confirmed by the presidential candidate or his/her representative(s) as bona fide supporters of the presidential candidate.
- G. Except in states where individual delegates and alternates are selected on the primary ballot, district-level national convention delegates and alternates pledged to a presidential candidate (including uncommitted status) shall be selected or nominated by a caucus of persons from the
2. Presidential candidates (including uncommitted status), in consultation with the state party, may remove any candidate for at-large and pledged party leader and elected official delegate or alternate position from the list of bona fide supporters as long as, at a minimum, one (1) name remains for every national convention delegate or alternate position to which the presidential candidate is entitled, except that a state may provide in its delegate selection plan, if the plan is approved by the Rules and Bylaws Committee, that presidential candidates (including uncommitted status), may remove any candidate for an at-large and party leader and elected official delegate or alternate position from the list of bona fide supporters as long as, at a minimum, two (2) names remain for every position to which the presidential candidate is entitled.

unit electing the delegates and alternates who sign statements of support for that presidential candidate. Uncommitted delegates and alternates shall be elected by the uncommitted caucus from the appropriate unit.

- H. A district-level delegate and alternate candidate may run for election only within the district in which he or she is registered to vote. For purposes of these rules, all delegates and alternates at any level of the delegate selection process must be bona fide Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith.
- I. No delegate at any level of the delegate selection process shall be mandated by law or Party rule to vote contrary to that person's presidential choice as expressed at the time the delegate is elected.
- J. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.
- K. 1. Based on the right of the Democratic Party to freely assemble and to determine the criteria for its candidates, it is determined that all candidates for the Democratic nomination for President or Vice President shall:
  - a. be registered to vote, and shall have been registered to vote in the last election for the office of President and Vice President; and
  - b. have demonstrated a commitment to the goals and objectives of the Democratic Party as determined by the National Chair and will participate in the Convention in good faith.

- 2. It is further determined that these requirements are in addition to the requirements set forth by the United States Constitution and any law of the United States.

### **Rule 13**

## **Fair Reflection of Presidential Preferences**

- A. Delegates shall be allocated in a fashion that fairly reflects the expressed presidential preference or uncommitted status of the primary voters or, if there is no binding primary, the convention and/or caucus participants.
- B. States shall allocate district-level delegates and alternates in proportion to the percentage of the primary or caucus vote won in that district by each preference, except that preferences falling below a fifteen percent (15%) threshold shall not be awarded any delegates. Subject to section F. of this rule, no state shall have a threshold above or below fifteen percent (15%). States which use a caucus/convention system, shall specify in their Delegate Selection Plans the caucus level at which such percentages shall be determined.
- C. A presidential candidate or his/her authorized representative(s) should act in good faith to slate delegate and alternate candidates, however, in any event, if a presidential candidate (including uncommitted status) has qualified to receive delegates and alternates but has failed to slate a sufficient number of delegate and alternate candidates, then additional delegates and alternates for that preference will be selected in a special post-primary procedure. The State Party will administer special post-primary procedures according to rules approved by the DNC Rules and Bylaws Committee and such procedures should be set forth in the state's delegate selection plan, where applicable.

D. District-level delegates and alternates shall be allocated according to the following procedures:

Step 1: Tabulate the percentage of the vote that each presidential preference (including uncommitted status) receives in the congressional district to three decimals.

Step 2: Retabulate the percentage of the vote to three decimals, received by each presidential preference excluding the votes of presidential preferences whose percentage in Step 1 falls below 15%.

Step 3: Multiply the number of delegates to be allocated by the percentage received by each presidential preference.

Step 4: Delegates shall be allocated to each presidential preference based on the whole numbers which result from the multiplication in Step 3.

Step 5: Remaining delegates, if any, shall be awarded in order of the highest fractional remainders in Step 3.

E. At-large and pledged party leader and elected official delegate and alternate positions shall be allocated to presidential preferences by reference to primary or convention votes or to the division of preference among district-level delegates or alternates, as the case may be, as specified in Rule 10.C., except that a preference falling below a threshold of fifteen percent (15%) shall not be awarded any delegates or alternates at this level. Such delegates and alternates in primary states shall be allocated to presidential preference (including uncommitted status) according to the statewide primary vote.

F. In all situations where no preference reaches the applicable threshold, the threshold shall be the percentage of the vote received at

each level of the delegate selection process by the front-runner minus 10%.

G. Under no circumstances shall the use of single-delegate districts be permitted.

H. For the purpose of fairly reflecting the division of preferences, the non-binding advisory presidential preference portion of primaries shall not be considered a step in the delegate selection process and is considered detrimental. State parties must take steps to educate the public that a non-binding presidential preference event is meaningless, and state parties and presidential candidates should take all steps possible not to participate.

1. In a state that uses a caucus and/or convention to determine presidential preference of voters, the plan must provide for the timely reporting of the election results to the state party.

## **Rule 14**

### **Petition Requirements and Filing Deadlines**

A. If a state requires the filing of petitions with the signatures of registered/enrolled voters as the sole method to place a presidential candidate's name on the primary ballot in connection with the Democratic presidential nominating process, such number of valid signatures shall not exceed 5,000.

B. If a state requires the payment of a fee by a presidential candidate in connection with the Democratic presidential nominating process, such fee shall not exceed \$2,500.

C. If a state requires the filing of a petition with the signatures of registered/enrolled voters in order to have a delegate/alternate candidate gain access to the primary ballot in connection with the Democratic presidential nominating process, the number of valid signatures shall not exceed either one half of one percent (.5%) of the registered/enrolled Democrats in such

district or one half of one percent (.5%) of the total votes in such district for all Democratic presidential candidates (including uncommitted) during the immediately preceding presidential nominating process, whichever is lower, but in no event shall the number of valid signatures required exceed 500.

- D. Subject to the prior sections of this rule, the number of valid signatures required of a presidential candidate to file a petition to gain access to the primary ballot, and the number of valid signatures required of a delegate/alternate candidate to gain access to the primary ballot, and the fees required to be paid to the state by a presidential candidate and by a delegate/alternate candidate to gain access to the primary ballot, in connection with the Democratic presidential nominating process, shall not exceed those in effect in the particular state as of January 1, 1994.
- E. No deadline for the filing of petitions for participation in the presidential nomination process by a presidential candidate shall be less than 30 days in advance of the primary or caucus nor more than 75 days in advance of the primary or caucus.
- F. No candidate for delegate or alternate shall be required to file a statement of candidacy or a pledge of support as required by Rule 12.B. prior to 30 days before such delegate or alternate candidate is to be selected or elected in a primary, caucus or pre-primary caucus; provided, however, that in states holding a presidential primary where individual district-level delegates or alternates are to be voted upon on the ballot, no candidate for delegate or alternate shall be required to submit or file a statement of candidacy or a pledge of support prior to 90 days before the date on which they are to be voted upon.
- G. No candidate for at-large or pledged party leader and elected official delegate or alternate shall be required to file a statement of candidacy or a pledge of support

required by Rule 12.B. prior to 30 days before the date when the delegate or alternate is to be selected or voted upon.

- H. No state's delegate selection rules may require the filing of district-level delegate or alternate candidates pledged to a presidential candidate or uncommitted status as a condition of access by a presidential candidate to the primary ballot for voting upon presidential preference.

## **Rule 15**

### **Quorum Requirements**

No less than forty percent (40%) of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of convention delegates.

## **Rule 16**

### **Proxy Voting**

To insure full participation in the delegate selection process, state party rules may, at their discretion, provide for proxy voting. Such rules shall allow an accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, to register the non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement). Unless otherwise specified, a proxy shall be deemed to be general and uninstructed. No such rule shall allow a person to hold more than three (3) proxies at a time.

## **Rule 17**

### **Unit Rule and Slate-Making**

- A. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a

majority of the body, shall not be used at any stage of the delegate selection process.

- B. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process.

### **Rule 18**

#### **Alternates and Vacancies**

- A. Alternate delegates shall be selected by primary, convention or committee processes subject to the same National Party Rules applicable to the selection of delegates, except that the provisions of Rule 9.A. shall not apply to the election of alternates. Each State Democratic Chair shall certify all alternates in writing to the Secretary of the DNC.
- B. If a given presidential preference is entitled to one or more delegate positions in a state but would not otherwise be entitled to an alternate position, that preference shall be allotted one at-large alternate position.
- C. The proportions of alternates elected at the district level, and at-large, and as pledged party leader and elected official alternates, may be the same as the proportions of delegates elected in those categories.
- D. Each state Delegate Selection Plan shall specifically provide how and under what conditions an alternate is to replace or act in lieu of (collectively referred to as “replace” or “replaces”) a delegate.
1. Delegate Selection Plans may specify one or any combination of the following alternatives for permanent and temporary replacements:

- a. The delegate chooses the alternate;
- b. The delegation chooses the alternate;
- c. The alternate who receives the highest number of votes; or
- d. Such other process as protects the interests of presidential candidates, delegates and alternates.

2. If a delegate or alternate candidate who has been elected but not yet certified to the Secretary of the DNC resigns, dies or is no longer eligible to serve, the delegate-elect or alternate-elect shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom the delegate or alternate was pledged.

3. A permanent replacement occurs when a delegate resigns, dies or is no longer eligible to serve prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention. Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. He/She shall be of the same presidential preference (including uncommitted status) and sex of the delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate; except in the case where the presidential candidate has only one alternate, in which case, that alternate shall become the certified delegate.

4. A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate’s place. Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the delegate he/she replaces, and to the extent possible shall be

of the same sex and from the same political subdivision within the state as the delegate.

- E. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same sex and, to the extent possible, from the same political subdivision as the alternate being replaced. Each replacement of a vacant alternate position shall be certified in writing to the Secretary of the DNC by the State Democratic Chair.

### **Rule 19**

## **DNC Rules and Bylaws Committee**

- A. The DNC Rules and Bylaws Committee will assist in the administration and enforce affirmative action, inclusion and delegate selection requirements for the national and state Democratic Parties.
- B. The DNC Rules and Bylaws Committee shall implement the Delegate Selection Rules in a manner consistent with these rules.
- C. The DNC Rules and Bylaws Committee will provide state parties with a model Delegate Selection Plan and an Affirmative Action Plan and Inclusion Program.
- D. The DNC Rules and Bylaws Committee shall:
1. review Affirmative Action Plans, Inclusion Programs and Delegate Selection Plans submitted by state parties and approve or recommend changes in such plans;
  2. conduct periodic evaluations and provide technical assistance to state parties on affirmative action plan, inclusion program and delegate selection implementation;

3. hear and recommend solutions to affirmative action plans and inclusion programs complaints unresolved by appropriate state party bodies.

- E. The DNC Rules and Bylaws Committee shall retain jurisdiction over the approval of amendments to state Delegate Selection Plans and state delegation compliance with equal division requirements, even after the Convention Credentials Committee assumes jurisdiction over challenges to the credentials of delegates.
- F. No later than December 15, 2014, the DNC Rules and Bylaws Committee shall send to state parties its regulations adopted pursuant to these rules and a checklist.
- G. The DNC shall allocate sufficient financial resources and staff to implement this rule.

### **Rule 20**

## **Challenges**

- A. Jurisdictional Challenges. Any challenges to a state party organization in respect to its status as the body entitled to sponsor a delegation from that state must be presented to the DNC at any time up to thirty (30) days prior to the initiation of the state's delegate selection process. Such a challenge must be brought by at least fifteen (15) Democrats from the state.
- B. Submission, Non-Implementation and Violation Challenges. Failure to submit or implement an approved affirmative action program and inclusion program by the deadline specified in these rules shall constitute grounds for a challenge with the burden of proof on the challenged party.
1. At any time up to thirty (30) days prior to the initiation of the state's delegate selection process, any group of not less than fifteen (15) Democrats in that state can challenge the affirmative action plan and inclusion program on the basis of non-implementation of a specific

requirement of a state plan, which challenge shall include reasonable documentation of alleged violations. (In such challenges, the challenging party shall have the burden of proof, but the challenged party shall present its case first.)

- a. In the absence of any such challenge, the implementation of any such program shall be presumptively in compliance.
  - b. If challenged and upheld, the compliance of such implementation programs shall be conclusive but not as to compliance or non-compliance that may occur after the date of the challenge.
2. Challenges regarding alleged violation of an approved Delegate Selection Plan shall first be brought to the appropriate state Democratic Party body for a decision to be rendered within twenty-one (21) days. After due notice, any aggrieved party shall have the right to appeal to the DNC Rules and Bylaws Committee within ten (10) days following the decision of the state body according to procedures established by DNC Rules and Bylaws Committee.
  3. The DNC Rules and Bylaws Committee shall either certify compliance, certify non-compliance or require corrective action after which compliance or non-compliance shall be certified.
- C.
1. a. Violation of timing: In the event the Delegate Selection Plan of a state party provides or permits a meeting, caucus, convention or primary which constitutes the first determining stage in the presidential nominating process to be held prior to or after the dates for the state as provided in Rule 11 of these rules, or in the event a state holds such a meeting, caucus,

convention or primary prior to or after such dates, the number of pledged delegates elected in each category allocated to the state pursuant to the Call for the National Convention shall be reduced by fifty (50%) percent, and the number of alternates shall also be reduced by fifty (50%) percent. In addition, none of the members of the Democratic National Committee and no other unpledged delegate allocated pursuant to Rule 9.A. from that state shall be permitted to vote as members of the state's delegation. In determining the actual number of delegates or alternates by which the state's delegation is to be reduced, any fraction below .5 shall be rounded down to the nearest whole number, and any fraction of .5 or greater shall be rounded up to the next nearest whole number.

- b. A presidential candidate who campaigns in a state where the state party is in violation of the timing provisions of these rules, or where a primary or caucus is set by a state's government on a date that violates the timing provisions of these rules, may not receive pledged delegates or delegate votes from that state. Candidates may, however, campaign in such a state after the primary or caucus that violates these rules. "Campaigning" for purposes of this section includes, but is not limited to, purchasing print, internet, or electronic advertising that reaches a significant percentage of the voters in the aforementioned state; hiring campaign workers; opening an office; making public appearances; holding news conferences; coordinating volunteer activities; sending mail, other than fundraising requests that are also sent to potential donors in other states; using paid or volunteer



- phoners or automated calls to contact voters; sending emails or establishing a website specific to that state; holding events to which Democratic voters are invited; attending events sponsored by state or local Democratic organizations; or paying for campaign materials to be used in such a state. The Rules and Bylaws Committee will determine whether candidate activities are covered by this section.
2. Violation of proportional representation: In the event the Delegate Selection Plan of a state party provides or permits the pledged delegates or alternates to be allocated to a presidential preference (including uncommitted status) other than as provided under Rule 13 of these rules, or in the event a state party, in fact, allocates its pledged delegates or alternates to a presidential preference (including uncommitted status) other than as provided under Rule 13 of these rules, the delegation of the state shall be reduced by the same amount and as provided in section C.(1) of this rule.
  3. Violation of the threshold: In the event the Delegate Selection Plan of a state party provides or permits a threshold other than 15% as set forth in Rule 13 of these rules, or in the event a state party in fact permits the implementation of a threshold other than 15% as provided in Rule 13 of these rules, the delegation of the state shall be reduced by the same amount and as provided in section C.(1) of this rule.
  4. Upon a determination of the DNC Rules and Bylaws Committee that a state is in violation as set forth in subsections (1), (2) or (3) of section C. of this rule, the reductions required under those subsections shall become effective automatically and immediately and without further action of the DNC Rules and Bylaws Committee, the Executive Committee of the DNC, the DNC or the Credentials Committee of the Democratic National Convention.
  5. Nothing in the preceding subsections of this rule shall be construed to prevent the DNC Rules and Bylaws Committee from imposing additional sanctions, including, without limitation, those specified in subsection (6) of this section C., against a state party and against the delegation from the state which is subject to the provisions of any of subsections (1) through (3) of this section C., including, without limitation, establishing a committee to propose and implement a process which will result in the selection of a delegation from the affected state which shall (i) be broadly representative, (ii) reflect the state's division of presidential preference and uncommitted status and (iii) involve as broad participation as is practicable under the circumstances.
  6. Nothing in these rules shall prevent the DNC Rules and Bylaws Committee from imposing sanctions the Committee deems appropriate with respect to a state which the Committee determines has failed or refused to comply with these rules, where the failure or refusal of the state party is not subject to subsections (1), (2) or (3) of this section C. Possible sanctions include, but are not limited to: reduction of the state's delegation; pursuant to Rule 21.C., recommending the establishment of a committee to propose and implement a process which will result in the selection of a delegation from the affected state which shall (i) be broadly representative, (ii) reflect the state's division of presidential preference and uncommitted status and (iii) involve as broad participation as is practicable under the circumstances; reducing, in part or in whole, the number of the state's members to the Standing Committees; reducing, in part or in

whole, the number of guests, VIP and other passes/tickets to the National Convention and related functions; assignment of location of the state's delegates and alternates in the Convention hall; and assignment of the state's housing and other convention related facilities.

7. In the event a state shall become subject to subsections (1), (2) or (3) of section C. of this rule as a result of state law but the DNC Rules and Bylaws Committee, after an investigation, including hearings if necessary, determines the state party and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith to achieve legislative changes to bring the state law into compliance with the pertinent provisions of these rules and determines that the state party and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith in attempting to prevent legislative changes which resulted in state law that fails to comply with the pertinent provisions of these rules, the DNC Rules and Bylaws Committee shall determine that all or a portion of the state's delegation shall not be reduced. The state party shall have the burden of proving by clear and convincing evidence that it and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith to achieve legislative changes to bring the state law into compliance with the pertinent provisions of these rules and that it and the other relevant Democratic party leaders and elected officials took all provable, positive steps and acted in good faith in attempting to prevent the legislative changes which resulted in state law that fails to comply with the pertinent provisions of these rules.
8. A state party may provide in its Delegate Selection Plan the specific method and procedures by which it will reduce its delegation pursuant to this Rule 20 in the event the state party or delegation becomes subject to this Rule 20 by which categories of delegates must be reduced by 50%, which specific method and procedures shall be subject to the review and approval of the DNC Rules and Bylaws Committee. In the event a state's Delegate Selection Plan does not provide for the specific method and procedures referred to in the immediately preceding sentence, or in the event the state's Delegate Selection Plan is either not approved by the DNC Rules and Bylaws Committee or the specific method and procedures referred to in the first sentence of this subsection (8) are not approved by the DNC Rules and Bylaws Committee, or in the event a state's Delegate Selection Plan specifies the method and procedures which have been approved by the DNC Rules and Bylaws Committee, but the state party fails or refuses to implement those specific method and procedures, and in the event the state's delegation is required to be reduced pursuant to this Rule 20, then the DNC Rules and Bylaws Committee shall, by lottery, or other appropriate method determined by the DNC Rules and Bylaws Committee, determine which delegates and alternates shall not be a part of the state's delegation in order to achieve the reduction of the state's delegation pursuant to this Rule 20. Any reduction of delegates under this provision shall be accomplished in a manner which complies with the requirement of proportional representation as provided for in Rule 13.
9. Except as provided by subsection (7) of this section C., the fact that a state party took provable, positive steps as provided in Rule 21 of these rules shall not preclude the state's delegation from

being subject to the sanctions set forth in subsections (1), (2), (3), (4) and (5) of this section C.

- D. Unresolved Challenges and Report to the Credentials Committee. The DNC Rules and Bylaws Committee shall report its activities, together with all challenges and complaints, to the Credentials Committee of the Democratic National Convention. In cases involving unresolved challenges which are appealed to the Credentials Committee, the burden of proof shall rest with the party presenting the challenge.

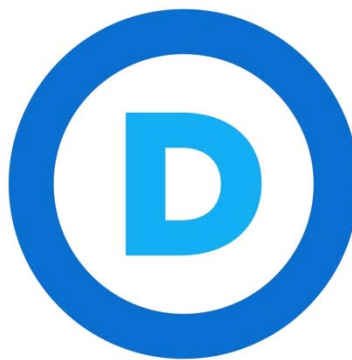
## **Rule 21** **State Legislative Changes**

- A. Subject to Rule 19.C. of these Rules, wherever any part of any section contained in these rules conflicts with existing state laws, the state party shall take provable positive steps to achieve legislative changes to bring the state law into compliance with the provisions of these rules.
- B. Provable positive steps shall be taken in a timely fashion and shall include, but not be limited to: the drafting of corrective legislation; public endorsement by the state party and the other relevant Democratic party leaders and elected officials of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the state party lobbying state legislators, other public officials, Party officials and Party members; and encouraging consideration of the legislation by the appropriate legislative committees and bodies.
- C. A state party may be required by a vote of the DNC Executive Committee upon a recommendation of the DNC Rules and Bylaws Committee to adopt and implement an alternative Party-run delegate selection system which does not conflict with these rules, regardless of any provable positive steps the state may have taken.

# CALL

For the 2016 Democratic National Convention

Issued by the Democratic Party of the United States



**DEMOCRATS**  
DEMOCRATIC NATIONAL COMMITTEE

*Congresswoman Debbie Wasserman Schultz*  
*Chair*

*As Adopted by the Democratic National Committee, August 23, 2014*



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# CALL

## For the 2016 Democratic National Convention

### To Whom It May Concern:

*By authority of the Democratic National Committee, the National Convention of the Democratic Party is hereby scheduled to convene on TBD, in TBD, at an hour to be announced, to select nominees for the offices of President and Vice President of the United States of America, to adopt and promulgate a platform and to take such other actions with respect to such other matters as the Convention may deem advisable.*

### I. Distribution of Delegate Votes

The distribution of votes, delegates and alternates to the 2016 Democratic National Convention shall be in accordance with the following:

- A. The number of Convention votes for delegates to the Convention shall be as set forth in the compilation included in this resolution and determined as provided in paragraphs B, C, D, E, F, G, and H<sup>1</sup>.
- B. A base of 3,200 delegate votes is distributed among the 50 states and the District of Columbia according to a formula giving equal weight to the sum of the vote for the Democratic candidates in the three (3) most recent presidential elections and to population by electoral vote. The formula is expressed mathematically as follows:

$$A = \frac{1}{2} \left( \frac{SDV_{2004} + SDV_{2008} + SDV_{2012}}{TDV_{2004} + TDV_{2008} + TDV_{2012}} + \frac{SEV}{538} \right)$$

A = Allocation Factor  
SDV = State Democratic Vote  
SEV = State Electoral Vote  
TDV = Total Democratic Vote

To determine the base delegation for each state and the District of Columbia, the allocation factors as determined by the above formula are multiplied by 3,200.

Fractions of .5 and above are rounded up to the next highest integer.

- C. 1. For purposes of this paragraph C, the period of time in which the first determining stage of the presidential nomination process takes place during 2016 shall be divided into Stages as follows:
  - Stage I: The earliest date specified in Rule 11 of the Delegate Selection Rules through March 31, 2016, inclusive.
  - Stage II: April 1 through April 30, 2016, inclusive.
  - Stage III: May 1 through June 14, 2016, inclusive.
- 2. A percentage of the base delegate votes determined pursuant to paragraphs B and E shall be added to the number of base pledged delegates otherwise determined pursuant to those paragraphs, for the purpose of increasing the size of the base pledged delegation, as follows:
  - a. for any state in which the meeting, caucus, convention or primary which constitutes the first determining stage in the presidential nomination process in that state occurs in 2016 on a date in Stage II, the percentage shall be 10%; and in which the meeting, caucus, convention or primary which constitutes the first determining stage in the presidential nomination

<sup>1</sup> See **Appendix B** for the allocation of delegates and alternates.



process in that state occurs in 2016 on a date in Stage III, the percentage shall be 20%.

- b. for any state in which the meeting, caucus, convention or primary which constitutes the first determining stage in the presidential nomination process in that state is held in a regional cluster, that percentage shall be an additional 15 percent added onto the base delegate vote without accounting for any adjustments made pursuant to Article I.C.2.a. States deemed to qualify as a regional cluster shall have contests that are:
  - i. held in conjunction with at least two other neighboring states holding similar contests; and
  - ii. on or after the fourth Tuesday in March.

D. Fifteen percent (15%) of the base delegate votes determined pursuant to paragraphs B and E shall be added to the number of votes allocated for the purpose of representing pledged Party and Elected Official delegates. For purposes of this paragraph, the number of base delegate votes determined pursuant to paragraph B shall be the number determined thereunder after rounding. Fractions of .5 and above resulting from the multiplication required by this paragraph are rounded up to the next highest integer.

E. American Samoa, Guam, the Northern Mariana Islands and the Virgin Islands will each receive six (6) at-large delegate votes. Democrats Abroad will receive twelve (12) at-large and one (1) pledged Party and Elected Official delegate votes. Puerto Rico will receive forty-four (44) base delegate votes.

F. Unpledged votes shall be allocated to each

delegation to accommodate the members of the Democratic National Committee from that state or territory in which they legally reside. The size of such a member's vote (i.e., whole or fractional) shall be the same size as that which he or she is allowed to cast at meetings of the Democratic National Committee. Additional unpledged delegates shall be allocated for other officers serving in three (3) positions created by the Democratic National Committee in accordance with Article 3, Section 1.e. of the Charter of the Democratic Party of the United States.

G. Unpledged votes shall be allocated to provide for the Democratic President, the Democratic Vice President, and all former Democratic Presidents, all former Democratic Vice Presidents, all former Democratic Leaders of the United States Senate, all former Democratic Speakers of the United States House of Representatives and Democratic Minority Leaders, as applicable, and all former Chairpersons of the Democratic National Committee.<sup>2</sup> Such delegates shall be seated with the state delegations from the state in which they have their voting residences.

H. Additional unpledged votes shall be added if needed to provide for the Democratic Governor<sup>3</sup> (if any) from that state or territory and for the Democratic Members of the United States House of Representatives and Democratic United States Senators from that state or territory (if any).<sup>4</sup>

I. Each state, the District of Columbia and Puerto Rico may select a number of alternates equivalent to one (1) alternate for every twelve (12) Convention votes received by it pursuant to paragraphs B, C, D, and E,

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<sup>2</sup> Former Chairpersons of the Democratic National Committee shall include National Chairs and General Chairs.

<sup>3</sup> The Mayor of the District of Columbia, if a Democrat, shall be treated as a Democratic Governor.

<sup>4</sup> The District of Columbia's Statehood Senators, if Democrats, shall be treated as Democratic United States Senators.

provided, however, that each such delegation shall have at least two (2) alternates. American Samoa, Democrats Abroad, Guam, the Northern Mariana Islands and the Virgin Islands shall each have one (1) alternate. Fractions of .5 and above are rounded up to the next highest integer. It is further provided that each state shall have the additional number of at-large alternates necessary to provide at least one alternate for each presidential candidate who is entitled to delegates from that state, if the DNC Rules and Bylaws Committee determines that the number of alternates allocated to the state is not sufficient for each presidential candidate to have at least one alternate.

- J. Members of the Democratic National Committee and delegates selected pursuant to paragraphs G and H will be ineligible to serve as delegates under any other category and may hold no more than one (1) vote. Democratic Governors, Democratic Members of the United States House of Representatives and Democratic United States Senators who are members of the Democratic National Committee shall serve as delegates by virtue of their membership on the National Committee.

## II. Qualifications of State Delegations

- A. Notice is hereby given that delegates, alternates and standing committee members to the Democratic National Convention shall be elected in accordance with the Charter and Bylaws of the Democratic Party of the United States, the Delegate Selection Rules for the 2016 Democratic National Convention, the Call for the 2016 Democratic National Convention, and the Regulations of the DNC Rules and Bylaws Committee. The DNC Rules and Bylaws Committee shall have the final authority to regulate the delegate selection process, subject to the authority of the Convention Credentials Committee and the Democratic National Convention. It shall be the duty of

the DNC Rules and Bylaws Committee to administer the delegate selection process and ensure compliance with the rules, including equal division, and report to the Secretary of the Democratic National Committee those states which are in non-compliance. Only delegates and alternates selected under a delegate selection procedure approved by the DNC Rules and Bylaws Committee shall be placed on the Temporary Roll of the 2016 Democratic National Convention. Only standing committee members and convention pages chosen pursuant to a state delegate selection procedure approved by the DNC Rules and Bylaws Committee shall be qualified to serve in their respective capacities.

- B. It is understood that a State Democratic Party, in electing and certifying delegates and alternates to the Democratic National Convention, thereby undertakes to assure all Democratic voters in the state a full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action plans and inclusion programs toward that end; that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2016 Democratic National Convention adopted by the Democratic National Committee on August 23, 2014; and that the delegates it certified will not publically support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention. Furthermore, voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention, and for electors pledged formally and in good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States.
- C. It is presumed that the delegates to the Democratic National Convention, when certified pursuant to the Call, are bona fide

Democrats who are faithful to the interests, welfare and success of the Democratic Party of the United States, who subscribe to the substance, intent and principles of the Charter and the Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith. Therefore, no additional assurances shall be required of delegates to the Democratic National Convention in the absence of a credentials contest or challenge.

### III. Delegate Selection Deadline

All state parties are required to take all steps necessary and appropriate to complete the process of selecting delegates to the 2016 Democratic National Convention no later than June 25, 2016.

### IV. Certification Requirements

- A. Pledged Delegates and Alternates: Each state's Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of his or her state's delegates and alternates to the Democratic National Convention ten (10) days after their election. For the purposes of this Call, the Chair of a committee constituted pursuant to Rule 20.C. of the Delegate Selection Rules, shall be recognized to act in place of the state's Democratic Chair.
- B. Unpledged Delegates:
1. Pursuant to Rule 9.A. of the Delegate Selection Rules, official confirmation by the Secretary of the Democratic National Committee to each State Democratic Chair shall constitute verification of the following unpledged delegates: members of the Democratic National Committee; the Democratic President, Vice President and Democratic Governor, if applicable; all Democratic members of the United States House of

Representatives and all Democratic members of the United States Senate; and all former Democratic Presidents, Vice Presidents, Democratic Leaders of the United States Senate, Speakers and Democratic Minority Leaders of the United States House of Representatives, and Chairs of the Democratic National Committee.

C. Presidential Preference:

Ten (10) days after the completion of the state's delegate selection process, each state's Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the presidential preference (including uncommitted) of the state's delegates.

D. Replacements:

1. Pledged Delegates and Alternates:

Replacement of a delegate (due to resignation or death) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee (pursuant to Rule 18 of the Delegate Selection Rules) within three (3) days after the replacement is selected. Certification of replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene.

2. Unpledged Delegates:

- a. Members of Congress and Democratic Governors shall not be entitled to name a replacement. In the event of any changes or vacancies in a state's Democratic congressional delegation following the official confirmation and prior to the commencement of the National Convention, the Secretary shall recognize only such changes as have

been officially recognized by the Democratic Caucus of the United States House of Representatives or the Democratic Conference of the United States Senate. In the event of a change or vacancy in a state's office of Governor following the official confirmation and prior to the commencement of the National Convention, the Secretary shall recognize only such changes as have been officially recognized by the Democratic Governors' Association.

- b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In cases where a state's DNC membership changes following the Secretary's official confirmation, but prior to the commencement of the 2016 Democratic National Convention, acknowledgment by the Secretary of the certification of the new DNC member shall constitute verification of the corresponding change of unpledged delegates.
- c. Delegates allocated pursuant to Articles I.F., I.G. and I.H. of this Call shall not be entitled to name a replacement, nor shall the state be entitled to a replacement.

E. Delegation Chair: Each delegation shall select one (1) person to serve as Delegation Chair. The State Chair shall certify the Delegation Chair. Such certification shall be in writing to the Secretary of the Democratic National Committee within three (3) days after the position is filled, which shall be no later than the date by which the state certifies its standing committee members.

F. Convention Pages:

- 1. A base of 151 Convention Pages shall be allocated among the 57 delegations as

follows:<sup>5</sup>

- a. Each of the 50 States, the District of Columbia and Puerto Rico shall have a minimum of two (2) pages.
  - b. One (1) additional page will be allocated to a state for every fifty (50) additional delegate votes. Fractions of .5 and above are rounded up to the next highest integer.
  - c. American Samoa, Democrats Abroad, Guam, the Northern Mariana Islands, and the Virgin Islands shall each be allocated one (1) page.
- 2. The National Chairperson of the Democratic National Committee may select not more than twenty-five (25) pages to assist him/her and the Democratic National Convention Committee in carrying out the work of the Convention.
  - 3. The State Chair shall certify the person(s) to serve as the Delegation's Convention Page(s), as allocated to the delegation by this section. Such certification shall be in writing to the Secretary of the Democratic National Committee and shall be made no later than the time the state certifies its standing committee members pursuant to Article VIII.B.3. of this Call. The National Chairperson of the Democratic National Committee shall certify the person(s) to serve as the Chair's Convention Page(s), as allocated to the National Chairperson by this section. Such certification shall be in writing to the Secretary of the Democratic National Committee and shall be made within three (3) days after these positions are filled, but in any event, no later than June 25, 2016.

G. Certification Requirements: Each

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<sup>5</sup> See **Appendix C** for the allocation of Convention Pages.

certification required herein will include full name, address and other information as required by the Secretary of the Democratic National Committee.

## **V. Management of the 2016 Democratic National Convention Operations**

- A. The Democratic National Committee has the authority to plan, arrange, manage and conduct the Democratic National Convention.
- B. In its sole discretion, the Democratic National Committee may establish and organize a 2016 Democratic National Convention Committee (“DNCC”) to exercise the authority on behalf of the Democratic National Committee and the Democratic National Convention, to enter into contracts relating to business and financial matters connected with the conduct of the 2016 Democratic National Convention, in compliance with the parameters for convention operations set forth herein.
- C. The DNC shall make every effort to exercise its authority in accordance with the following guidelines, subject to Rule 20.C. of the Delegate Selection Rules:
1. **Contractors:** The DNC shall as a policy seek to engage the services of unionized firms, including those owned by minorities, women and people with disabilities.
  2. **Housing:** The DNC shall design and implement a fair and equitable system by which hotel facilities shall be allocated to eligible state delegations and to presidential candidates.
  3. **Delegate and Alternate Seating in Convention Hall:** The DNC shall design and implement a fair and equitable system by which the location of each eligible state delegation’s seating in the

Convention Hall shall be determined. Alternates shall be afforded preferential seating, as close to delegate seating as arrangements will permit. Members of Democratic National Convention Standing Committees who are not already delegates or alternates shall be afforded guest seating for each session of the Convention proceedings.

4. **Delegates’ and Alternates’ Credentials:** The state’s delegate and alternate credentials shall be distributed to the Chair of the state delegation from the credentials office.
5. **Floor Access:** Floor access shall be given to delegates, alternates replacing delegates, the highest ranking Democratic official in each state that does not have a Democratic Governor, each State Democratic Party’s Executive Director, such number of representatives of the presidential candidates as may be deemed necessary by the DNC, and such press personnel and other personnel as may be determined by the DNC to be necessary for the proper functioning of the Convention and which does not compromise security and safety requirements.
6. **Visitor’s Seating:** Seats for members-elect of the Democratic National Committee as certified by the state’s Democratic Chair, guests and other observers shall be allocated for and shall be fairly apportioned to the states according to each state’s relative delegate strength. The Delegation Chair and the State Democratic Chair shall each be given one half of the credentials for guest seats apportioned to the state pursuant to this paragraph. Presidential preference shall be taken into account in the distribution of guest credentials.
7. **Communications:**
  - a. **Microphones:** Each state shall be

- provided one (1) floor microphone which shall be located at the position of the Chair of the state delegation. Each delegate shall have access to the microphone.
- b. Telephones: Adequate provisions shall be made for communication between the floor and the Chair of the Convention so as to advise the Chair of the identity of any delegate seeking recognition to speak and the purpose for which recognition is sought. One (1) such telephone shall be provided for each state delegation.
- c. General: The DNC may, in its discretion, promulgate guidelines or restrictions regarding the use of communications equipment on the floor of the Convention.
8. Facilities for Presidential Candidates: The National Chairperson of the Democratic National Committee and representatives of the presidential candidates shall design and implement a fair and equitable system whereby facilities in the Convention Hall and its immediate environs shall be fairly apportioned to presidential campaigns so as not to afford an undue advantage to any presidential candidate. The cost of such facilities shall be paid by the presidential campaigns.
9. Facilities for News Media and Press Seating: There shall be made available adequate facilities, as close to the Convention floor as conditions permit, for the print press, radio, on-line, and television, including a limited number of camera positions commanding a full view of the proceedings. The cost of such facilities shall not be borne by the DNC.
10. Security: Coordination for security within the Convention Hall, premises and surrounding area shall be under the

authority of the DNC.

11. Financial Reports: All financial reports relating to convention financing required by the Federal Election Campaign Act of 1971, as amended, and applicable Federal Elections Commission regulations shall be filed by the DNC or its authorized committees.

## **VI. Presidential Candidates**

The term “presidential candidate” herein shall mean any person who, as determined by the National Chairperson of the Democratic National Committee, has accrued delegates in the nominating process and plans to seek the nomination, has established substantial support for his or her nomination as the Democratic candidate for the Office of the President of the United States, is a bona fide Democrat whose record of public service, accomplishment, public writings and/or public statements affirmatively demonstrates that he or she is faithful to the interests, welfare and success of the Democratic Party of the United States, and will participate in the Convention in good faith.

## **VII. Standing Committees on Platform, Rules and Credentials of the 2016 Democratic National Convention**

The Democratic National Committee, acting under its authority to issue the Call and establish the standing committees of the National Convention, hereby creates and organizes the Standing Committees on Platform, Rules, and Credentials of the 2016 Democratic National Convention. The jurisdiction and rules of procedure of each standing committee are set forth in this Call to the 2016 Democratic National Convention. Each standing committee may, by a majority of the members voting, adopt additional rules of procedure for the conduct of its business not inconsistent with this Call. The Democratic National Committee shall publish and make available all relevant requirements and

## 2016 Call for the Democratic National Convention

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deadlines for submitting proposals for consideration by the standing committees. Such information shall be distributed to the standing committee members and made available to the public as early as practicable before the committees meet.

A. Membership: Subject to Rule 20.C. of the Delegate Selection Rules, each standing committee shall be composed of:

1. Base: A base of 162 members, casting 158.25 votes, allocated to the states and territories in accordance with the same distribution formula used to allocate delegates to the Democratic National Convention.<sup>6</sup>
2. PLEOs: 25 members, each casting one (1) vote who shall be Party Leaders and Elected Officials.
3. Delegate Status: Members of the standing committees need not be delegates or alternates to the Democratic National Convention.
4. Quorum: A majority of the total votes allocated to a standing committee shall constitute a quorum thereof for the purpose of transacting business. Such votes shall be present and represented by the standing committee members. Upon a point of order of no quorum, the Chair shall ascertain the presence or absence of a quorum by visual estimation and shall not proceed until a quorum is present, provided, however, that a roll call shall be had to determine whether a quorum exists if the Chair is in doubt or upon demand of any member of the standing committee supported by:
  - a. twenty percent (20%) of the members of the committee as evidenced by a petition submitted to the Chair indicating support of the demand by not less than twenty

percent (20%) of the members present, or

- b. by the rising in support of the demand by not less than twenty percent (20%) of the members present, except that a motion to adjourn or to recess may be offered and voted upon without a quorum present.

5. Proxies: As the standing committees are deliberative bodies of the National Convention, proxy voting by standing committee members shall not be permitted.
6. Subcommittees: Any subcommittee of the standing committees of the National Convention shall be composed only of members of standing committees, except that these subcommittees may be chaired by persons other than members of the committee.

B. Election:

1. The members of the standing committees allocated to the states and territories shall be elected by each state's National Convention delegates present at a meeting of which adequate notice of time and place shall be given and at which a quorum of the state's delegates shall be present. Such meeting shall be held in accordance with procedures approved by the DNC Rules and Bylaws Committee and consistent with this Call. Such meeting shall take place within 14 days after the final selection of a state's delegation, but no such meeting shall be held after June 25, 2016.
2. The members of the standing committees allocated as Party Leaders and Elected Officials shall be elected by the Executive Committee of the Democratic National Committee during the calendar year of the National Convention upon nomination received from the National Chairperson of the

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<sup>6</sup> See **Appendix D** for the allocation of standing committee members.

Democratic National Committee, after consultation with the State Chairs from those states from which members are contemplated to be nominated. Said members must be elected at a meeting of the Executive Committee or by mail ballot no later than 30 days prior to the date of the standing committee meeting.

3. Each state's Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee his or her state's standing committee members within three (3) days after their selection. The National Chairperson of the Democratic National Committee shall certify in writing to the Secretary of the Democratic National Committee the Party Leader and Elected Official standing committee members within three (3) days after their election. Certification of each person will include full name, address and other information as required by the Secretary of the Democratic National Committee.
4. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the election procedures specified in Article VII.B., C., D. and E., and must be certified in writing to the Secretary of the Democratic National Committee, in accordance with procedures specified in Article VII.B.3. Substitutions of standing committee members are encouraged to be made up to forty-eight (48) hours prior to the time the standing committee meets, except in the case of death.
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of this Call. The DNC Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of commencement of the Democratic

National Convention.

C. Presidential Preference:

1. The members of the standing committees allocated to the states and territories shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in that state's delegation to calculate the at-large apportionment pursuant to Rule 13.E. of the Delegate Selection Rules, provided, however, that members of the standing committees from primary states shall be allocated to presidential candidates (including uncommitted status) based on the statewide popular vote.
2. The presidential preference percentage of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to that state or territorial delegation. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference in question is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc.
3. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the



next rounding level shall be allotted an additional committee position.

4. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions.

D. Presidential Candidate Right of Approval:

1. Each presidential candidate or that candidate's representative authorized pursuant to Rule 12.D.1. of the 2016 Delegate Selection Rules shall be given adequate notice of the meeting of the state's delegation authorized to select standing committee members.
2. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status), and presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members of standing committees. Provided further, that presidential candidates (including uncommitted status) shall use their best efforts to ensure that the name or names of standing committee members submitted help achieve the affirmative action goals established by the state's Delegate Selection Plan.

E. Division Between Men and Women:

1. The membership of each of the standing committees from a state or territory shall be as equally divided among men and women as possible under the state allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and

women may not exceed one (1), and the advantaged gender must not remain constant for the three standing committees. The DNC Rules and Bylaws Committee shall have continuing jurisdiction to ensure compliance with this equal division requirement. No standing committee members from a state shall be officially recognized unless the Rules and Bylaws Committee has certified to the Secretary of the Democratic National Committee that such state's standing committee delegation complies with this equal division rule. It is the duty of the DNC Rules and Bylaws Committee to determine such compliance as soon as practicable following the certification of the state's standing committee members.

2. The Party Leader and Elected Official membership of the standing committees elected by the Executive Committee of the Democratic National Committee shall be divided among men and women so that the variance between men and women does not exceed one (1), and the advantaged gender must not remain constant for the three standing committees.

F. Chairs of Standing Committees:

1. The Chair(s) of each Standing Committee shall be elected by the Executive Committee of the Democratic National Committee upon nomination of the National Chairperson of the Democratic National Committee. Co-Chair(s) and Vice Chair(s) may also be elected in this manner.
2. Individuals who are not otherwise members of the standing committees who are elected Chair(s), Co-Chair(s) or Vice Chair(s) thereof shall not have any voting privileges on the standing committees, except that the Chair(s), may vote in the case of a tie.

3. The Chair(s) of each standing committee shall call and preside over each committee meeting, prepare an agenda to provide for orderly conduct of the committee's business, and supervise preparation of such research studies and briefing materials as are required to accomplish the committee's work.

G. Platform Committee:

1. The Platform Committee shall be responsible for drafting and recommending the Platform of the Democratic Party to the Democratic National Convention.
2. The Chair(s) of the Platform Committee, in consultation with the National Chairperson of the Democratic National Committee, shall determine the number, place and time for conducting hearing(s) and/or forum(s) and name the presiding panel, who need not be members of the Platform Committee, for each hearing and/or forum. Any person may submit a written statement concerning the Platform to the Platform Committee at any time prior to the Platform Committee meeting, and may request permission to testify at a public hearing and/or forum.
3. No later than thirty (30) days before the first meeting of the Platform Committee, written notice of the date, time, place, and the tentative agenda of such meeting shall be sent to all members of the Platform Committee. A special or emergency meeting of the Platform Committee may be held upon call of the Chair(s) of the Platform Committee with reasonable notice to the members.
4. Prior to the first meeting of the Platform Committee, the National Chairperson of the Democratic National Committee shall distribute to the members of the Platform Committee a document outlining the issues to be considered by the committee.

5. The National Chairperson of the Democratic National Committee, in consultation with the Chair(s) of the Platform Committee, shall appoint fifteen (15) persons to serve on a Platform Drafting Subcommittee and the National Chairperson of the Democratic National Committee shall appoint the Chair(s) thereof. In addition, one (1) non-voting member may be appointed by each presidential candidate to serve on the Drafting Subcommittee. The Platform Drafting Subcommittee is considered a subcommittee of the Platform Committee as defined in Article I.A.6 provided, however, that members of the Platform Drafting Subcommittee need not be members of the Platform Committee. The Drafting Subcommittee shall be responsible for the drafting of the report of the Platform Committee under the direction and with the approval of the full Platform Committee.
6. Upon the request of members representing twenty-five percent (25%) of the total votes of the Platform Committee, a minority report shall be prepared for distribution to the Convention delegates and alternates as part of the committee's report. The committee staff shall assist in the preparation of such report.
7. The report of the Platform Committee and any minority reports shall be distributed to all delegates and alternates, and to the public as soon as practicable after their adoption.

H. Rules Committee:

1. The Rules Committee shall issue a report to the Democratic National Convention recommending the Permanent Rules of the Convention, the Convention agenda, the permanent officers of the Democratic National Convention, amendments to the Charter

of the Democratic Party of the United States, and resolutions providing for the consideration of any other matter not provided for in the Permanent Rules of the Convention and not contained in the reports of other standing committees. The foregoing notwithstanding, no amendment to the Charter of the Democratic Party shall be effective unless and until it is subsequently ratified by a vote of the majority of the entire membership of the Democratic National Committee.

2. No later than thirty (30) days before the first meeting of the Rules Committee, written notice of the date, time, place, and the tentative agenda of such meeting shall be sent to all members of the Rules Committee. A special or emergency meeting of the Rules Committee may be held upon call of the Chair(s) of the Rules Committee with reasonable notice to the members.
  3. Upon the request of members representing twenty-five percent (25%) of the total votes of the Rules Committee, a minority report shall be prepared for distribution to the Convention delegates and alternates as part of the committee's report. The committee staff shall assist in the preparation of such report.
  4. The report of the Rules Committee and any minority reports shall be distributed to all delegates, alternates, and to the public as soon as practicable after their adoption.
- I. Credentials Committee and Procedures for Challenging Delegates or State Delegations:
1. The Credentials Committee shall determine and resolve questions concerning the seating of delegates and alternates to the Convention pursuant to the resolution entitled the "Relationship Between the 2016 Rules of Procedure of the Credentials Committee and the 2016

Delegate Selection Rules," which includes the "Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention" hereby approved and adopted by the Democratic National Committee, and set forth in full in the Appendix to this Call. The committee shall report to the Convention for final determination and resolution of all such questions. This committee does not have authority over the allocation and distribution of convention credentials, including passes for delegates, alternates, guests or press.

2. Challenges to the seating of any delegate or alternate shall be in accordance with the Rules of Procedure of the Credentials Committee. Any challenge to the seating of a delegate or alternate that is not made in conformity with these rules shall be deemed waived.
3. Upon the request of members representing twenty-five percent (25%) of the total votes of the Credentials Committee, a minority report shall be prepared for distribution to the Convention delegates and alternates as part of the committee's report; provided, however, that no member elected to the committee by a state delegation may join in such request as to a proposed minority report relating to a credentials challenge to any delegate or alternate from his or her state. The committee staff shall assist in the preparation of such report.
4. The report of the Credentials Committee and any minority reports shall be distributed to all delegates, alternates, and the public as soon as practicable after their adoption.

## VIII. Procedural Rules of the 2016 Democratic National Convention

The following Procedural Rules shall serve as the Temporary Rules of Procedure for the 2016 Democratic National Convention and are recommended to the Rules Committee and to the Convention as the Permanent Rules of Procedure for the conduct of the 2016 Democratic National Convention.

### A. Temporary Chair:

1. The National Chairperson of the Democratic National Committee shall call the Convention to order and shall preside until the Permanent Chair of the Convention shall be chosen in accordance with these rules.
2. The National Chairperson of the Democratic National Committee shall appoint a Temporary Secretary and such other temporary officers as may be required to assist in the conduct of the business of the Convention. These officers shall be composed equally of men and women.

### B. Temporary Roll:

1. The Secretary of the Democratic National Committee shall determine a Temporary Roll of delegates to the Convention which shall consist only of those persons selected and certified as delegates in accordance with the Rules and pursuant to this Call, unless a credentials contest shall have arisen with respect to any such person(s), in which case the Secretary shall include on the Temporary Roll the name of the credentials contestant recommended for inclusion by the Credentials Committee in its report.
2. Persons whose names are included on the Temporary Roll of delegates shall be permitted to vote on all matters before the Convention until after the adoption

of the report of the Credentials Committee; provided that no person shall be permitted to vote on his or her credentials contest.

- C. Order of Business: The order of business for the Democratic National Convention shall be as provided in these rules and in any special order of business adopted under Section D. of these rules. The Chair of the Convention may, at appropriate times, interrupt the order of business provided for in these rules for introductions, announcements, addresses, presentations, resolutions of tribute and appreciation, or remarks appropriate to the business of the Convention.

1. Report of the Committee on Credentials: The Report of the Credentials Committee shall be acted upon before the consideration of other business.

- a. The Temporary Chair shall recognize the Chair(s) of the Credentials Committee for up to thirty (30) minutes to present the committee's report unless a longer period of time shall be provided in a special order of business agreed upon by the Convention. The Chair(s) of the committee may present committee amendments, yield part of his or her time to others and may yield for the presentation and disposition of minority reports without losing the right to the floor.

- b. The Temporary Chair shall arrange for the orderly presentation of amendments and of minority reports offered at the direction of the committee. Twenty (20) minutes shall be allowed for the presentation of each committee amendment or minority report unless a longer period for any committee amendment or minority report is provided in special orders of business agreed to by the Convention. Time shall be allotted equally to proponents and

- opponents of each committee amendment or minority report. The questions shall be put on each committee amendment or minority report immediately following its presentation without intervening motion.
- c. Upon conclusion of the consideration and disposition of committee amendments and minority reports, the Temporary Chair shall put the question on the adoption of the report of the Credentials Committee with amendments previously adopted, if any, without intervening motion. A favorable majority vote of the Convention delegates eligible to vote shall constitute adoption of the report.
  - d. In the event that the committee's report shall not be adopted when the question is put, the committee shall immediately reconvene to reconsider its report and shall present a new report to the Convention as soon as possible.
2. Report of Rules Committee: The Temporary Chair(s) may then recognize the Chair(s) of the Rules Committee to present the committee's report for the Rules of the Convention and minority reports, if any, in the same manner as that provided for the presentation of the Report of the Credentials Committee. However, the Temporary Chair may, in the interest of conducting an orderly proceeding, opt to place before the Convention the election of the Permanent Chair, the Co-Chairs and the Secretary, prior to the presentation of the Rules Committee report.
  3. Convention Chair: The Convention shall proceed to elect the Permanent Convention Chair in the following manner:
    - a. In accordance with the requirements of the 1984 Democratic National Convention Resolution which calls for alternating the Convention Chair by gender, the Permanent Chair of the 2016 Democratic National Convention shall be a female.
    - b. The Chair(s) of the Rules Committee shall be recognized to offer a nomination for Convention Chair as recommended by the Committee on Rules. Nominations from the floor shall then be received.
    - c. When there are no further nominations or upon adoption of a motion to close nominations, the Temporary Chair of the Convention shall conduct a vote for Permanent Convention Chair.
    - d. A majority vote of the delegates present and voting shall be required to elect the Convention Chair. Balloting shall continue until a Chair is elected. The Permanent Chair shall then take the gavel.
  4. Convention Co-Chairs: The Convention shall proceed to elect Co-Chairs and a Secretary in the same manner in which it elected the Chair. The Co-Chairs shall be divided equally between men and women.
  5. Committee on Platform: The Permanent Chair shall recognize the Chair(s) of the Platform Committee to present the committee's report and minority reports, if any, in the same manner as that provided for the presentations of the reports of the Credentials and Rules Committees.
  6. Nomination of the Democratic Candidate for President: The Permanent Chair shall receive nominations from the floor for the Democratic candidate for the Office of President of the United States in the following manner:

- a. Requests to nominate a presidential candidate shall be in writing and shall have affixed thereto the written approval of the proposed nominee and the name of the individuals who shall be recognized to make the nominating and seconding speeches on behalf of a presidential candidate and shall be delivered to the Convention Secretary at a location as specified by the Secretary no later than 6:00 p.m. of the day preceding the day designated for the commencement of presidential nominations.
  - b. Each such request must be accompanied by a petition indicating support for the proposed nominee signed by delegates representing not less than 300 or more than 600 delegate votes, not more than 50 of which may come from one (1) delegation. A delegate may not sign more than one (1) nominating petition for president and for vice president.
  - c. The order for nominating presidential candidates shall be determined by the National Chairperson of the Democratic National Committee, the Permanent Chair of the Convention and each presidential candidate, or his or her authorized representative, who qualifies to be nominated pursuant to this section.
  - d. Each presidential candidate shall be allowed a total of twenty (20) minutes for the presentation of his or her name in nomination by nominating and seconding speeches, the time to run without interruption from the recognition of the nominator.
  - e. Delegates and alternates shall maintain order during and following nominations for the Office of President and demonstrations shall not be permitted.
7. Roll Call for Presidential Candidate:
- a. After nominations for presidential candidates have closed, the Convention shall proceed to a roll call vote by states on the selection of the presidential candidate. The roll call voting shall follow the alphabetical order of the states with the District of Columbia and Puerto Rico and the territories treated as states for the purpose of the alphabetical roll call.
  - b. A majority vote of the Convention's delegates shall be required to nominate the presidential candidate.
  - c. Delegates may vote for the candidate of their choice whether or not the name of such candidate was placed in nomination. Any vote cast other than a vote for a presidential candidate meeting the requirements of Article VI of this Call and Rule 12.K. of the 2016 Delegate Selection Rules shall be considered a vote for "Present."
  - d. Balloting will continue until a nominee is selected. Upon selection, balloting may be temporarily suspended, provided that the balloting shall continue at a time certain determined by the Convention Chair, until all states, the District of Columbia, Puerto Rico and the territories shall publically deliver their vote prior to the nominee's acceptance speech. The nominee shall become the candidate of the Democratic Party of the United States for the Office of President upon the conclusion of his or her acceptance speech.

## 2016 Call for the Democratic National Convention

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8. Acceptance Speech by Presidential Candidate: Immediately after the selection of the Democratic nominee for President, the Permanent Chair shall invite the nominee to deliver an acceptance speech to the Convention.

acceptance speech to the Convention. The nominee shall become the candidate of the Democratic Party of the United States for the office of Vice President upon completion of his or her acceptance speech to the Convention.
9. Nomination for the Democratic Candidate for Vice President: The selection of a nominee for the Office of Vice President of the United States shall be conducted in the same manner as that heretofore provided for the selection of the nominee for President of the United States except that a request to nominate must be delivered to the Convention Secretary at a location as specified by the Secretary not later than 9:00 a.m. of the day designated for the commencement of Vice Presidential nominations.
10. Roll Call Ballot for Vice Presidential Candidate:
  - a. After nominations for Vice Presidential candidates have closed, the Convention shall proceed to a roll call vote by states on the selection of the Vice Presidential candidate. The roll call voting procedure shall be conducted in the same manner as that heretofore provided for the selection of the nominee for President of the United States.
  - b. A majority vote of the Convention's delegates shall be required to select the Vice Presidential candidate. Delegates may vote for the candidate of their choice whether or not the name of such candidate was placed in nomination. Balloting will continue until a nominee is selected.
11. Acceptance Speech by Vice Presidential Candidate: Immediately after the selection of the Democratic nominee for Vice President, the Permanent Chair shall invite the nominee to deliver an acceptance speech to the Convention.
  - D. Special Orders of Business: It shall be in order at any time for the Rules Committee at the request of the Chair of the Convention, or pursuant to its rules, to report a resolution providing a special order of business for debate of any resolution, motion, committee report or minority report or for the consideration of any matter.
  - E. Powers and Duties of the Chair:
    1. It shall be the responsibility of the Chair to conduct and expedite the business of the Convention and to preserve order and decorum in its proceedings.
    2. The Chair is authorized to appoint such Convention officers as may be required to assist in the conduct of the business of the Convention, such officers to be composed equally of men and women; to appoint any delegate temporarily to perform the duties of the Chair; and to take such lawful action as may be necessary and appropriate to preserve order throughout the Convention Hall; and to take any other actions consistent with the Charter and the Bylaws of the Democratic Party of the United States and this Call.
  - F. Voting:
    1. Secret Ballot: No secret ballots shall be permitted at any stage of the Convention or its committee proceedings.
    2. Proxy Voting: Neither delegate nor alternate delegate votes may be cast by proxy.
    3. Roll Call Votes:

- a. Voting shall be by voice vote or, when prescribed by these rules, by roll call vote. The roll call voting shall follow the order as specified in Article VIII.C.7.a. A roll call vote shall also be had if the Chair is in doubt or upon demand of any delegate supported by twenty-five percent (25%) of the Convention's delegates as evidenced by one of the following methods:
- (1) A petition submitted to the Chair indicating support of the demand by not less than twenty-five percent (25%) of the Convention's delegates.
  - (2) By the rising in support of the demand by not less than twenty-five percent (25%) of the delegates present.
- b. When a roll call vote is ordered, the roll call shall be called by states, and the Chair of each delegation or his or her designee shall report the vote of his or her delegation and shall send to the Convention Secretary a tally showing the vote of each member of his or her delegation indicating whether such vote was cast in person or by an alternate. Such roll call votes may be conducted by having the Chair for each delegation report by telephone, or electronic voting mechanism, the vote of his or her delegation to the rostrum, provided that the telephone poll shall not be used in the balloting for the Presidential and Vice Presidential nominees. Business shall be permitted to proceed during the telephone roll call and votes may be conducted by electronic mechanism. After each official vote, the Delegation Chair shall record and tally votes of the delegation on official roll call tally sheets provided by the Convention Secretary. All official roll call tally sheets shall be turned in to the Convention Secretary at a specified location not more than thirty (30) minutes after the close of each voting period.
- c. All delegates to the National Convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them.
- d. In the case where a pledged delegate is not on the floor of the Convention Hall at the time a vote is taken, an alternate may be designated according to the rules to cast the vote. In no case may an alternate cast a vote for a delegate allocated under I.F., I.G., or I.H. of this Call.
- e. On a roll call vote by states, the vote cast on behalf of a delegation may be challenged by communication to the Convention Secretary by telephone or other means by any voting member of that state's delegation within ten (10) minutes after the Convention Secretary's announcement of the state's vote. The votes of that delegation shall then be recorded as polled without regard to any state law, party rule, resolution or instruction binding the delegation or any member thereof to vote for or against any candidate or proposition. The Convention Chair may send a parliamentarian to the delegation to conduct the poll. At the discretion of the Convention Chair, the roll call may continue instead of waiting for the result of the polling.
- f. On a roll call vote conducted by telephone or other electronic voting mechanism, the vote of a delegation as shown on the video projection system may be challenged by communication to the Convention



Secretary by telephone or other means by any voting member of the delegation within ten (10) minutes after the delegation's vote is shown on the screen.

- g. A demand to poll a delegation may be withdrawn at any time before the actual polling has begun.

4. Interruption of Vote: When the question has been put, the vote thereon may not be interrupted for any purpose other than a demand for a roll call vote or a point of order directed to the conduct of the vote.

5. Determination of Question: Except as otherwise provided in these rules, all questions, including the question of nominations of candidates for President and Vice President of the United States, shall be determined by a majority vote of the delegates to the Convention.

G. Filling a Vacancy on the National Ticket: In the event of death, resignation or disability of a nominee of the Party for President or Vice President after the adjournment of the National Convention, the National Chairperson of the Democratic National Committee shall confer with the Democratic leadership of the United States Congress and the Democratic Governors Association and shall report to the Democratic National Committee, which is authorized to fill the vacancy or vacancies.

H. Interpretation of the Rules: In interpreting the rules, the Chair may have recourse to the ruling of Chairs of previous Democratic Conventions, to the precedents of the United States House of Representatives and to general parliamentary law.

I. Appeals:

- 1. The Chair shall decide all questions of order subject to an appeal by any delegate which may be debated for not more than ten (10) minutes, the time to

be equally divided between the delegate appealing the ruling and a delegate in favor of sustaining the ruling of the Chair; provided that an appeal shall not be in order while another appeal is pending or from decisions on recognition or from decisions on dilatoriness of motions or during a roll call vote or on a question on which an appeal has just been decided or, when in the opinion of the Chair, such appeal is clearly dilatory.

- 2. Before the question is put on any appeal, the Chair shall be entitled to state briefly the reasons for the ruling being appealed.

J. Motion to Suspend the Rules: The Chair shall entertain a motion to suspend the rules, which shall be decided without debate and which shall require a vote of two thirds (2/3) of the delegates voting, a quorum being present.

K. Motion:

- 1. No question of privilege or any motion other than those provided under these rules shall be entertained, except the motion to recess (to a time certain or at the call of the Chair), which shall be privileged, and the motion to adjourn, which shall be the highest privilege.
- 2. Motions to adjourn or to recess shall be in order at any time except when the question has been put or a vote is in progress and shall be decided without debate. The Chair shall not entertain a motion to adjourn or recess when such motion closely follows another such motion if in the opinion of the Chair such motion is dilatory.

L. Amendments: No amendments to resolutions or motions before the Convention shall be permitted, except amendments to standing committee reports or resolutions offered at the direction of the standing committee or in a minority report

of that standing committee; provided that no motion or proposition on a subject different from that under consideration shall be admitted in the form of such an amendment.

- M. **Minority Reports:** Minority reports of committees shall not be considered unless adopted in writing by members representing at least twenty percent (20%) of the total votes of a committee. A minority report may be withdrawn at any time prior to or during the Convention. A minority report shall be deemed to be withdrawn when support for the report falls below the number of members representing twenty percent (20%) of the total votes of the standing committee as evidenced by the written withdrawal of support by proponents of the report. A committee member may withdraw his or her support for a minority report by written notice to the Secretary of the Democratic National Committee.
- N. **Responsibility:** By participating in the Democratic National Convention, each delegate assumes the responsibility for doing all within his or her power to assure that voters of his or her state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by the Convention or, should a vacancy arise, pursuant to Article VIII.G. of these rules, and expressly agrees that he or she will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention, or, should a vacancy arise, the nominee(s) selected pursuant to Article VIII.G.
- O. **Debate:** Unless otherwise provided in these rules or in a resolution providing for a special order of business, debate on any question shall be limited to a total of twenty (20) minutes and shall be equally divided between proponents and opponents unless they and the Chair agree upon an additional or lesser amount of time.
- P. **Quorum:** A majority of the delegates to the

Convention shall constitute a quorum thereof for the purpose of transacting business. Upon a point of order of no quorum being made, the Chair shall ascertain the presence or absence of a quorum by visual estimation and shall not proceed until a quorum is present; provided that a motion to adjourn may be offered and voted upon without a quorum present.

- Q. **References to the "Chair":** All references to the authority and responsibilities of the "Chair" shall pertain to the Temporary Chair, the Permanent Chair, the Co-Chair(s) and any other person assuming the duties of the Chair as appropriate during the Convention.
- R. **Equal Division:** The Charter of the Democratic Party of the United States provides that the National Convention shall be composed of delegates and alternates equally divided between men and women. This Call, in compliance with the Charter, and pursuant to Rule 6.C. of the *2016 Delegate Selection Rules*, mandates that delegates and alternates from each state and jurisdiction shall be equally divided between men and women with a variance of no more than one (1).
- S. **Non-Discrimination:** Discrimination on the basis of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status or physical disability in the conduct of Democratic Party affairs is prohibited.
- T. **Territories:** The term "territories" shall refer to American Samoa, Democrats Abroad, Guam, the Northern Mariana Islands, and the Virgin Islands in this Call.
- U. **Journal of Proceedings:**
1. A record of all actions taken each day by the Convention shall be made available to all delegates and alternates the following day by the Convention Secretary.

2. The Secretary of the Democratic National Committee will provide a journal of the full proceedings of the Convention, which shall be printed within the year following the Convention.

# Appendix A

## Relationship Between the 2016 Rules of Procedure of the Credentials Committee and the 2016 Delegate Selection Rules

Under Rule 20.B. of the *2016 Delegate Selection Rules*, the Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection Plans, Affirmative Action Plans, and Inclusion Programs. The following “Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention” describes the procedure for considering challenges once the Credentials Committee assumes responsibility for the challenge process as otherwise described in Rule 20.B.

All delegates and alternates to the 2016 Democratic National Convention shall be selected in accordance with the *2016 Delegate Selection Rules* and the *2016 Call*. Only delegates and alternates selected under a delegate selection system approved by the DNC Rules and Bylaws Committee pursuant to the *2016 Delegate Selection Rules* shall be placed on the Temporary Roll of the 2016 Democratic National Convention.

All challenges to the credentials of delegates and alternates to the 2016 Democratic National Convention shall be processed in accordance with the “Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention.”

## Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention

### 1. Jurisdiction of the Credentials Committee

The Credentials Committee shall have jurisdiction to hear and decide:

- A. Any challenge brought before the DNC Rules and Bylaws Committee and not resolved before the 56th calendar day preceding the date of commencement of the Democratic National Convention; and,
- B. Any challenge alleging:
  1. Failure to implement a final order of the DNC Rules and Bylaws Committee; or
  2. Failure to implement a plan approved by the DNC Rules and Bylaws Committee, if such challenge is initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention, except with regard to Rule 19.E. of the Delegate Selection Rules.

### 2. Parties

- A. Challenging Parties: A challenge to the credentials of any delegate or alternate to the 2016 Democratic National Convention shall be brought by at least fifteen (15) Democrats who are residents of the state and level at which delegates to the National Convention are elected in which the challenge arises, and who fulfill (1), or if there is no Democratic

Party enrollment or registration in the state, then either (2) or (3) below:

1. Registration or enrollment as Democrats in those states which employ such procedures. Persons not registered to vote or persons registered as unaffiliated voters or enrolled as members of other parties or as independents shall not have standing to bring a challenge.
2. Participation in Democratic Party affairs. Persons who have participated in the affairs of another political party during the preceding 12-month period shall not have standing to bring a challenge. Participation in a party's affairs shall include, but not be limited to, voting in the immediately preceding primary of that political party.
3. Any person who lacks standing under paragraphs (1) and (2) and who demonstrates that he or she attempted to participate in the affairs of the Democratic Party in good faith shall have standing to challenge.
4. Each challenge shall include a statement indicating that each challenger subscribes to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States. Each challenger must have been personally injured with respect to his or her participation in the delegate selection process by any violation complained of or shall be so situated that he or she clearly will be personally injured by such violation.

B. Challenged Parties:

1. Where delegates or alternates to the Convention have been selected from

the level at which delegates to the National Convention are elected in which the challenge arises, the challenged party or parties shall be a delegate or alternate or a group of delegates or alternates or the entire delegation from that level.

2. Where delegates or alternates to the Convention have not yet been selected from the level at which delegates to the National Convention are elected in which the challenge arises, the challenged party shall be the Democratic Party organization responsible for that level; provided that where any state law or state party rule, regulation, decision or other state party action or omission is challenged, the State Democratic Party shall also be named as a challenged party. If during the tendency of the challenge, any delegate(s) or alternate(s) to the Convention are selected from the level involved, such delegate(s) or alternate(s) shall be joined as challenged parties if any relief with respect to their credentials at the Convention is sought.
3. The State Democratic Party shall be joined as a challenged party if a challenged party so requests.

C. Intervening Parties:

1. A State Democratic Party may intervene as of right in any challenge proceeding for the purpose of protecting any interest it may have with respect to that proceeding.
2. A presidential candidate may intervene as of right in any challenge proceeding for the purpose of protecting any interest he or she may have with respect to that proceeding.

3. For good cause shown, any other person having standing under Section 2.A. may be permitted to be heard as an amicus curiae or, in appropriate circumstances, to intervene, for all or limited purposes, by leave of the Chair of the Credentials Committee or the Hearing Officer.

### 3. Filing, Service of Documents and Computation of Time

- A. Filing: Any challenge, answer and accompanying documents to be considered in the processing of any challenge shall be filed by hand delivery (receipt to be retained), certified mail (return receipt requested), or by an overnight delivery service (signature required) to: Chair, 2016 Convention Credentials Committee, c/o Democratic National Committee, 430 South Capitol Street, S.E., Washington, DC 20003 with a copy to the Chair of the Democratic Party of the state in which the challenge arises. The original and a copy of each document shall be filed. Filing shall be deemed complete upon receipt, or in the case of hand delivery, upon delivery.
- B. Service: Any document filed in any proceeding pursuant to these rules shall be served at the same time by the filing party upon all other parties to the proceeding, with a copy to the Chair of the Democratic Party of the state in which the challenge arises. Service shall be made by hand delivery (receipt to be obtained), certified mail (return receipt requested), or an overnight delivery service (signature required) to each party or his or her attorney, if any. Any document filed pursuant to these rules shall be accompanied by a certificate of service signed by the filing party or by his or her attorney, if any. Service shall be deemed complete, in the case of hand-

delivery, on the date of receipt by the served party or, in the case of service by certified mail or an overnight delivery service, on the first business day on which delivery is attempted.

### C. Time:

1. In computing any period of time prescribed by these rules, the day of the act or event from which the designated period of time begins to run shall not be included. Weekends and holidays shall be included.
2. The Chair(s) of the Credentials Committee shall have authority for good cause, on application or sua sponte, to enlarge or shorten any period of time prescribed by these rules. An extension of time shall be granted only when compelling need is shown.

### 4. Challenges

- A. A credentials challenge shall be commenced by the filing of a written challenge not later than:
  1. Fifteen (15) calendar days after the violation occurred, or
  2. Fifteen (15) calendar days after the selection of any delegate or alternate whose credentials to the Democratic National Convention are to be put in issue, whichever occurs first. The challenging parties shall, within the period provided by the State Democratic Party in its Delegate Selection Plan, invoke, and shall thereafter exhaust, the remedies provided by State Democratic Party procedures for the violations alleged.
- B. The challenge shall be verified by the notarized signature of each challenging party, and shall include the following:

1. The name, address and telephone number of each challenging party and allegations of fact fulfilling the requirements of Section 2.A.; and the name, address and telephone number of each challenging party's attorney or other representative authorized to receive documents on behalf of the challenger.
  2. The name, address and telephone number of each delegate or alternate whose credentials are challenged, or a statement that such information is unavailable to the challenging parties; or, where delegates or alternates have not yet been selected, the name, address and telephone number of each challenged party.
  3. An identification of the state and level at which delegates to the National Convention are elected in which the challenge arises.
  4. A plain, concise and specific statement of each violation of a state delegate selection plan approved by the DNC Rules and Bylaws Committee, or of a final order of the DNC Rules and Bylaws Committee; or a statement that the state does not have an approved delegate selection plan.
  5. A plain, concise and specific statement of how each challenging party has been injured with respect to his or her participation in the delegate selection process by each alleged violation.
  6. A plain, concise and specific statement of the remedies each challenging party has invoked with respect to each alleged violation before filing a credentials challenge with the Credentials Committee, and a statement of the expected length of time for exhaustion of the state party procedures.
  7. A plain, concise and specific statement of the relief requested and the reason therefore. If a challenging party proposes that he or she be seated in the state's delegation, the challenge shall include a plain, concise and specific statement of the reasons why that party has a right to be seated, superior to that of the delegate or alternate whose seat he or she seeks; and a plain, concise and specific statement of how the challenging party has complied with all applicable laws, rules and regulations and has participated in the delegate selection process.
- C. The challenge shall be accompanied by the following documents:
1. A plain, concise and specific statement that contains, by separately numbered paragraphs, each violation alleged and each form of relief sought.
  2. A list of the name, address and telephone number of each witness who is likely to be called to testify in support of the challenge.
  3. A list of the documents likely to be offered in support of the challenge, together with copies of those documents.
5. Answer
- A. Within ten (10) calendar days after service of a challenge, each challenged party shall file a written answer, verified by the notarized signature of each challenged party, including the

following:

1. The name, address and telephone number of each challenged party and the name, address and telephone number of his or her attorney or other representative authorized to receive documents on behalf of the challenged party.
  2. A statement as to whether the standing under Section 2.A. of the challenging parties is in dispute.
  3. A response to the challenge, separately admitting or denying each statement therein, or stating that the challenged party is without sufficient information to admit or deny. A response to a statement shall fairly meet its substance, admitting those parts that are true and denying those parts that are false.
  4. A plain, concise and specific statement of each and every affirmative defense to the alleged violations.
  5. A plain, concise and specific statement of any other reasons why the challenged party should prevail.
- B. The answer shall be accompanied by the following documents:
1. A plain, concise and specific statement that contains, by reference to each numbered paragraph of the challenging statement required by Section 4.C.1., a response to each alleged violation or request for relief. A response to a proposition shall fairly meet its substance, admitting those parts that are true and denying those parts that are false. Wherever a proposition is denied in whole or in part, the proposition supported by the challenged party on that point shall be stated.
  2. A list of the name, address and telephone number of each witness who is likely to be called in opposition to the challenge.
  3. A list of the documents likely to be offered in opposition to the challenge, together with copies of those documents.
- C. Challenged parties may consolidate their answers.
6. Dismissal and Decision on the Pleadings
- A. Dismissal:
1. The Chair of the Credentials Committee shall dismiss any challenge, or part of a challenge, which does not fall within the jurisdiction of the Credentials Committee.
  2. If a state party has adopted and implemented an approved affirmative action program, the Chair shall dismiss any challenge, or part of a challenge, which is based solely on composition of the Convention delegation, except in the case of a challenge based upon the failure to achieve equal division.
  3. The Chair shall have authority to dismiss any challenge which is brought by persons lacking standing under Section 2.A., or which otherwise fails to comply substantially with these rules, or which is otherwise manifestly insufficient.
  4. Any dismissal shall be accompanied by a written opinion by the Chair.
- B. Decision on the Pleadings: The Chair of the Credentials Committee shall have



authority to make a decision on the pleadings where it is plain from the challenge and the answer, together with the documents accompanying those pleadings, that there is no genuine issue of material fact between the parties. Any decision on the pleadings shall be accompanied by a written opinion by the Chair.

- C. Review of Dismissal or Decision on the Pleadings: Within five (5) calendar days after service of a notice of the entry of a dismissal under Section 6.A. or under Section 1.B., an aggrieved party may file a Petition for Review by the Credentials Committee stating the objections to the Chair's action, and may file a brief. Within five (5) calendar days after service of the petition, any other party may file a brief. Consideration of the challenge by the Credentials Committee shall proceed as in other cases, except that the challenge shall be given precedence on the committee's docket.

7. Decision of State Party Body

- A. The Chair(s) of the Credentials Committee may defer, for such period as is appropriate, proceedings on a challenge in order to give time for the consideration of any challenge or other related matter under State Democratic Party procedures. The deferral period shall not be so long as to interfere with the processing and consideration of the challenge by the Credentials Committee if that should prove necessary.
- B. The State Democratic Party body may take such action with respect to the challenge or other related matter as it is authorized to take under state law and state party rules.
- C. After a decision by a state party body on a challenge or other related matter, any

party to the challenge pending before the Credentials Committee may request the Committee to process the challenge and the Committee shall do so. The party making the request shall file any written decision or order made with respect to the challenge by the state party body. The decision of the state party body shall be given such weight as the Credentials Committee finds warranted in the circumstances.

- D. Records of proceedings conducted by the state party body with respect to the challenge or other related matter, and other papers relating to the state party proceedings, shall be admissible in Credentials Committee proceedings on the challenge.

8. Hearing

- A. With respect to any challenge or part of a challenge not dismissed or decided on the pleadings under Section 6., an open and public hearing shall be held on the specific factual and legal matters in dispute. An electronic or stenographic recording or clerical notes shall be made of the proceedings at any such hearing.
- B. The hearing shall be held in Washington, D.C. unless the Chair(s) of the Credentials Committee determines that in the interest of justice it should be held elsewhere.
- C. The hearing shall be conducted by a Hearing Officer appointed by the Chair(s) of the Credentials Committee. The Hearing Officer shall be a Democrat, neutral in the context of the challenge, experienced in the law, known by reputation to be fair and shall not be involved in or identified with any presidential campaign or any group promoting or opposing credentials challenges. The Chair(s) shall make a

reasonable effort to secure the agreement of the parties to the Hearing Officer.

- D. The Hearing Officer shall have all power necessary to conduct the hearing in such manner, consistent with these rules, as to secure the just, speedy and inexpensive determination of the challenge, including the right to require the parties to participate in a pre-hearing conference.
- E. Prior to the commencement of the hearing, the Hearing Officer shall announce a ruling identifying, on the basis of the papers filed in the challenge and any pre-hearing conference, the specific issues in dispute. The Hearing Officer shall have power to rule that on certain issues only documentary evidence shall be received. Any party objecting to a ruling under this paragraph may make a proffer of the evidence that would have been presented but for the ruling.
- F. The Hearing Officer shall hear the evidence, dispose of procedural requests and similar matters and, to the extent possible, obtain stipulations of the parties as to the facts of the challenge.
- G. A challenging party shall have the burden of proof by clear and convincing evidence on all factual issues necessary to the challenge, except that the burden of proof shall rest with the challenged party in the case of:
  - 1. any unresolved challenges to a state's affirmative action program filed thirty (30) days or more prior to the initiation of the state's delegate selection process other than a challenge made on the basis of non-implementation of a specific requirement of a state plan; and,
  - 2. any challenge for failure to submit and implement an approved

affirmative action program by the deadline specified in the Delegate Selection Rules.

- H. The Hearing Officer shall have authority to receive all competent evidence relevant to the specific matters in issue and to assign to it appropriate weight.
- I. The Hearing Officer shall have authority to order for good cause, on application or sua sponte, that a party produce at the hearing designated evidence in the interest of justice. Where a party fails to produce such evidence, the Hearing Officer may make findings of fact adverse to the party on all issues to which the evidence would have been material.
- J. Subject to any ruling under Section 8.E., each party shall have the right to present competent oral and documentary evidence relevant to the specific matters in issue and to conduct cross-examination.
- K. The Hearing Officer may require parties to consolidate their challenges or defenses for purposes of the hearing.
- L. The Hearing Officer shall make and file a written report to the Credentials Committee, which shall include findings of fact, conclusions of law and a recommendation for disposition of the challenge. The reports shall be served on all parties to the challenge.
- M. Any transcript or other papers in the record from any proceedings before the DNC Rules and Bylaws Committee shall be part of the record.
- 9. Consideration by the Credentials Committee
  - A. The Credentials Committee shall begin meeting at the call of the Chair(s) in Washington, D.C., or elsewhere at the

call of the Chair(s), to hear challenges.

No later than thirty (30) days before the first meeting of the Credentials

Committee, written notice of the date, time, place, and the tentative agenda of such meeting shall be sent to all members of the Credentials Committee. A special or emergency meeting of the Credentials Committee may be held upon call of the Chair(s) of the Credentials Committee with reasonable notice to the members.

B. All meetings of the Credentials Committee shall be open to the public; provided that the Chair(s) of the Committee shall exclude from the specific area where the committee is conducting its business all persons whose presence in that area is not required for the proper conduct of the business.

C. Request for hearing by Full Committee: Within two (2) days after service of the Hearing Officer's report, an aggrieved party may file a written Petition for Review by the Credentials Committee. The petition shall contain a plain, concise and specific statement of the reasons for appeal and the procedural and/or substantive errors claimed by the petitioner.

D. Briefs:

3. Within three (3) calendar days after filing the Petition for Review, the petitioner for review may file a brief.

4. Within three (3) calendar days after service of the petitioner's brief, a respondent may file a brief.

5. Any party filing a brief shall file as many copies as there are members of the committee, plus ten (10) copies for the Chair(s) and staff of the committee.

E. Argument:

1. Each side of a challenge shall be entitled to present oral argument before the Committee for a period determined by the Chair(s) of the committee, generally not to exceed fifteen (15) minutes.
2. The Chair(s) of the committee may require parties to consolidate or separate their challenges or defense for purposes of oral argument.
3. The Chair(s) of the committee shall notify the parties of the time and place of oral argument.

F. Resolutions:

1. All proposed resolutions relating to the disposition of a credentials challenge shall be in writing and signed by the proponent and at least one (1) second. Proposed resolutions relating to the seating or unseating of delegates or alternates shall be seconded in writing by at least seven (7) members, no more than two (2) of whom may be members elected by the delegation from the same state as the proponent of the resolution.
2. All proposed resolutions relating to the disposition of a credentials challenge shall be framed so as to be dispositive of the entire challenge and, to that end, shall be specific in stating the action recommended to be taken by the Convention.
3. Following the submission of all proposed resolutions to the Chair(s), the resolution having the largest number of signed seconds shall become the pending order of business. Twenty (20) minutes of

debate shall be allotted to each proposed resolution, equally divided between the proponents and the opponents. At the conclusion of the debate, the resolution shall be put to a vote. In the event the resolution is not adopted, the proposed resolution having the next largest number of signed seconds shall become the pending order of business, and so on until the challenge is disposed.

4. No amendment to any proposed resolution shall be permitted, except with the consent of the proponent, and no resolution or propositions on a subject different from that under consideration shall be admitted in the form of such an amendment.

G. Presidential Preference of Delegation: Except where the issue is the expressed presidential preference of the level at which delegates to the National Convention are elected represented by the challenged delegates, any remedy for a violation shall fairly reflect the expressed presidential preference of that level.

H. Voting: A member of the Credentials Committee elected by a state delegation shall not vote on a challenge arising in that state. All matters shall be determined by a majority vote of those present and voting, a quorum of the full Committee being present. A quorum shall consist of members present in person representing a majority of the total number of committee votes entitled to be counted in the matter.

I. Proxies: Proxy voting shall be prohibited.

#### 10. Committee Report

The Report of the Credentials Committee shall be distributed to all delegates, alternates and the public as soon as

practicable after its adoption.

#### 11. Minority Reports

Upon the request of members representing at least twenty percent (20%) of the total votes of the Credentials Committee, a minority report shall be prepared for distribution to all Convention delegates, alternates and the public as part of the Committee's report. This minority report shall be distributed at the same time the Credentials Committee Report is distributed. No member elected to the committee by a state delegation may join in such request as to a proposed minority report relating to a credentials challenge to any delegate from his or her state. The committee staff shall assist in the preparation of such report.

#### 12. Record

A. The official record of any proceedings under these rules shall be maintained in the office at the Democratic National Committee in Washington, D.C. and shall be open and available for public inspection and duplication at reasonable times.

B. All meetings of the full Credentials Committee shall be transcribed.

#### 13. Interpretation and Waiver of Rules and Provision for Special Rules

A. These rules shall be interpreted and applied in the interests of justice and fairness to all parties, speed and economy. To serve these interests, and for good cause, on application or sua sponte, the Chair(s) of the committee shall have the authority to waive any provision of these rules other than Sections 1.B. and Section 5.

B. In the case of any challenge filed on or after the 56th calendar day before the convention begins, the Chair(s) may shorten the time periods specified in

these rules for processing the challenge, including the time to file documents and conduct hearings, as the interests of justice and the orderly disposition of challenges dictate; provided, however, that in any event:

3. The challenge and accompanying papers shall be filed not later than three (3) days after the occurrence of the violation alleged.
4. The answer and accompanying papers shall be filed not later than three (3) days after service of the challenge.

# Appendix B

## 2016 DEMOCRATIC NATIONAL CONVENTION DELEGATE / ALTERNATE ALLOCATION

As of August 23, 2014

Page 1

(As prepared for the Democratic National Committee meeting on August 23, 2014)

State	Allocation Factor <i>(AF = 3,200 = # of Base Delegates)</i>	Pledged Delegate Votes				Total Pledged Dels	Unpledged Delegate Votes				Total Unpledged Delegate Votes	Total Delegate Votes	Total # of Delegates	Total # of Alternates (+)	Total Delegates & Alternates
		Allocated Base Delegates			Party Ldrs & Elected Officials <i>(15% add on)</i>		Dem. Nat'l Comm. Members <i>(a)</i>	Dem. Members of Congress <i>(b)</i>	Dem. Governors <i>(c)</i>	Distinguished Party Leaders <i>(d)</i>					
		Total Base Delegates	District Level (+) <i>(75% of Base)</i>	At-Large (+) <i>(25% of Base)</i>											
AL	0.01429	45	34	11	7	52	5	1		6	58	58	4	62	
AK	0.00371	12	9	3	2	14	4	1		5	19	19	2	21	
American Samoa	0.00000	6	0	6	0	6	4	1		5	11	11	1	12	
AZ	0.01690	55	41	14	8	63	7	5		12	75	75	5	80	
AR	0.00889	28	21	7	4	32	6	1	1	8	40	40	3	43	
CA	0.11000	352	264	88	53	405	31	38	1	70	475	475	34	509	
CO	0.01767	56	42	14	8	64	8	5	1	14	78	78	5	83	
CT	0.01361	44	33	11	7	51	5	7	1	14	65	65	4	69	
DE	0.00459	15	11	4	2	17	6	3	1	11	28	28	2	30	
Dems. Abroad	0.00000	12	0	12	1	13	4			4 <sup>(a)</sup>	17	21	1	22	
DC	0.00463	15	11	4	2	17	17	1		18	35	35	2	37	
FL	0.05625	180	135	45	27	207	20	10	1	31	238	238	17	255	
GA	0.02677	85	64	21	13	98	9	5	1	15	113	113	8	121	
Guam	0.00000	6	0	6	0	6	4	1		5	11	11	1	12	
HI	0.00594	19	14	5	3	22	5	3	1	9	31	31	2	33	
ID	0.00534	17	13	4	3	20	4			4	24	24	2	26	
IL	0.04354	139	104	35	21	160	16	12	1	30	190	190	13	203	
IN	0.01922	61	46	15	9	70	6	3		9	79	79	6	85	

# Appendix B

## 2016 DEMOCRATIC NATIONAL CONVENTION DELEGATE / ALTERNATE ALLOCATION

As of August 23, 2014  
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(As prepared for the Democratic National Committee meeting on August 23, 2014)

State	Allocation Factor <i>(AF = 3,200 = # of Base Delegates)</i>	Pledged Delegate Votes				Total Pledged Dels	Unpledged Delegate Votes				Total Unpledged Delegate Votes	Total Delegate Votes	Total # of Delegates	Total # of Alternates (+)	Total Delegates & Alternates
		Allocated Base Delegates			Party Ldrs & Elected Officials <i>(15% add on)</i>		Dem. Nat'l Comm. Members <i>(a)</i>	Dem. Members of Congress <i>(b)</i>	Dem. Governors <i>(c)</i>	Distinguished Party Leaders <i>(d)</i>					
		Total Base Delegates	District Level (+) <i>(75% of Base)</i>	At-Large (+) <i>(25% of Base)</i>											
IA	0.01267	40	30	10	6	46	7	3		10	56	56	4	60	
KS	0.00916	29	22	7	4	33	4			4	37	37	3	40	
KY	0.01295	41	31	10	6	47	4	1	1	6	53	53	4	57	
LA	0.01457	47	35	12	7	54	6	2		8	62	62	4	66	
ME	0.00686	22	17	5	3	25	4	2		6	31	31	2	33	
MD	0.02124	68	51	17	10	78	16	9	1	1	27	105	105	7	112
MA	0.02564	83	62	21	12	95	13	11	1	3	28	123	123	8	131
MI	0.03618	116	87	29	17	133	13	6		19	152	152	11	163	
MN	0.02104	68	51	17	10	78	7	7	1	1	16	94	94	6	100
MS	0.00963	31	23	8	5	36	4	1		5	41	41	3	44	
MO	0.02033	65	49	16	10	75	8	3	1	1	13	88	88	6	94
MT	0.00435	13	10	3	2	15	4	2	1		7	22	22	2	24
NE	0.00694	23	17	6	3	26	4			4	30	30	2	32	
NV	0.00841	27	20	7	4	31	7	2		9	40	40	3	43	
NH	0.00654	21	16	5	3	24	6	3		9 (a)	33	34	2	36	
NJ	0.03003	96	72	24	14	110	9	7		16	126	126	9	135	
NM	0.00789	25	19	6	4	29	4	4		1	9	38	38	2	40
NY	0.06330	203	152	51	30	233	22	22	1	2	47	280	280	19	299

# Appendix B

## 2016 DEMOCRATIC NATIONAL CONVENTION DELEGATE / ALTERNATE ALLOCATION

As of August 23, 2014

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(As prepared for the Democratic National Committee meeting on August 23, 2014)

State	Allocation Factor <i>(AF = 3,200 = # of Base Delegates)</i>	Pledged Delegate Votes				Total Pledged Dels	Unpledged Delegate Votes				Total Unpledged Delegate Votes	Total Delegate Votes	Total # of Delegates	Total # of Alternates (+)	Total Delegates & Alternates
		Allocated Base Delegates			Party Ldrs & Elected Officials <i>(15% add on)</i>		Dem. Nat'l Comm. Members <i>(a)</i>	Dem. Members of Congress <i>(b)</i>	Dem. Governors <i>(c)</i>	Distinguished Party Leaders <i>(d)</i>					
		Total Base Delegates	District Level (+) <i>(75% of Base)</i>	At-Large (+) <i>(25% of Base)</i>											
NC	0.02899	93	70	23	14	107	11	4		15	122	122	9	131	
ND	0.00376	12	9	3	2	14	4	1		5	19	19	2	21	
N. Mariana	0.00000	6	0	6	0	6	4	1		5	11	11	1	12	
OH	0.04047	129	97	32	19	148	11	5	1	17	165	165	12	177	
OK	0.01024	33	25	8	5	38	4			4	42	42	3	45	
OR	0.01410	45	34	11	7	52	6	6	1	13	65	65	4	69	
PA	0.04321	139	104	35	21	160	13	6	1	20	180	180	13	193	
PR	0.00000	44	33	11	7	51	5	1	1	7	58	58	4	62	
RI	0.00587	19	14	5	3	22	4	4	1	9	31	31	2	33	
SC	0.01359	44	33	11	7	51	5	1		6	57	57	4	61	
SD	0.00399	13	10	3	2	15	4	1	1	6	21	21	2	23	
TN	0.01816	59	44	15	9	68	6	2	1	9	77	77	6	83	
TX	0.05649	181	136	45	27	208	19	12	2	33	241	241	17	258	
UT	0.00676	21	16	5	3	24	4	1		5	29	29	2	31	
VT	0.00434	13	10	3	2	15	5	2	1	8	23	23	2	25	
Virgin Islands	0.00000	6	0	6	0	6	4	1	1	6	12	12	1	13	
VA	0.02595	83	62	21	12	95	11	4	2	17	112	112	8	120	
WA	0.02314	75	56	19	11	86	7	8	1	17	103	103	7	110	



# Appendix B

## 2016 DEMOCRATIC NATIONAL CONVENTION DELEGATE / ALTERNATE ALLOCATION

As of August 23, 2014

Page 4

(As prepared for the Democratic National Committee meeting on August 23, 2014)

State	Allocation Factor (AF = 3,200 = # of Base Delegates)	Pledged Delegate Votes				Total Pledged Dels	Unpledged Delegate Votes				Total Unpledged Delegate Votes	Total Delegate Votes	Total # of Delegates	Total # of Alternates (+)	Total Delegates & Alternates
		Allocated Base Delegates			Party Ldrs & Elected Officials (15% add on)		Dem. Nat'l Comm. Members (a)	Dem. Members of Congress (b)	Dem. Governors (c)	Distinguished Party Leaders (d)					
		Total Base Delegates	District Level (+) (75% of Base)	At-Large (+) (25% of Base)											
WV	0.00688	23	17	6	3	26	6	3	1		10	36	36	2	38
WI	0.02162	69	52	17	10	79	6	4			10	89	89	7	96
WY	0.00336	11	8	3	2	13	4				4	17	17	2	19
<b>TOTAL</b>		3,283	2,436	847	486	3,769	446	249	19	25	739	4,508	4,513	319	4,832

### Footnotes:

- (a) Each member of the Democratic National Committee, as duly certified to the Party Secretary, is a delegate from the state or territory in which he or she legally resides at the time of the 2016 Democratic National Convention. This allocation reflects the current legal residence of all such members, including the officers and those who, pursuant to the Charter of the Democratic Party of the United States, are members by virtue of their status as Party leaders in the U.S. Congress or by virtue of their status as representatives or designees of such Party leaders or of other associations and organizations specified in the Charter. Because such members are subject to change, delegate distribution at the Convention may differ from that set forth above. In addition, the DNC member allocation set forth above reflects the number of votes (not the number of delegates) added to the delegation from each state or territory to take into account such members. Because of fractional votes, the number of such delegates in some states and territories may differ from the number of delegate votes allocated to such states or territories.
- (b) Members of Congress include all Democratic members of the U.S. Senate and the U.S. House of Representatives, except those Democratic members who are reflected as delegates in other categories pursuant to the rules. Democratic Members of Congress are allocated to the states based upon the residence of those members. The exact number of those delegates is subject to change due to possible deaths, resignations, elections or special elections between now and the time of the 2016 Democratic National Convention, and possible changes in the membership of the Democratic National Committee.
- (c) The allocation for Democratic Governors does not include those Democratic Governors who are members of the Democratic National Committee and serve as delegates in that capacity. This allocation for Democratic Governors is subject to change due to possible deaths, resignations, elections or special elections between now and the time of the 2016 Democratic National Convention, and possible changes in the membership of the Democratic National Committee. Except as otherwise provided herein, Democratic Governors are those individuals as recognized by the Democratic Governors Association.
- (d) Pursuant to Article I.G. of the Call for the 2016 Democratic National Convention, this category includes the Democratic U.S. President and Vice President, former Democratic U.S. Presidents and Vice Presidents, former Democratic Leaders of the U.S. Senate, former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders, as applicable, and former Chairs of the Democratic National Committee. This allocation for Distinguished Party Leaders is subject to change due to possible deaths, resignations, elections or special elections between now and the time of the 2016 Democratic National Convention.
- + Bonus delegates are awarded pursuant to Article I.C. of the Call for the 2016 Democratic National Convention and will be indicated next to (and in addition to) a state's allocation for District Level and At-Large delegates and included in the Total Pledged Delegates Votes for the state and the Grand Total. Bonus alternates will be indicated and included in the Delegation Size for the state and Grand Total.

# Appendix C

As of August 16, 2014

## 2016 DEMOCRATIC NATIONAL CONVENTION ALLOCATION OF CONVENTION PAGES TO STATES & TERRITORIES

(As prepared for the Democratic National Committee meeting on August 23, 2014)

State/Territory	Pages	State/Territory	Pages
ALABAMA	2	NEW HAMPSHIRE	2
ALASKA	2	NEW JERSEY	4
AMERICAN SAMOA	1	NEW MEXICO	2
ARIZONA	3	NEW YORK	7
ARKANSAS	2	NORTH CAROLINA	3
CALIFORNIA	11	NORTH DAKOTA	2
COLORADO	3	NORTHERN MARIANA ISLANDS	1
CONNECTICUT	2	OHIO	4
DELAWARE	2	OKLAHOMA	2
DEMOCRATS ABROAD	1	OREGON	2
DISTRICT OF COLUMBIA	2	PENNSYLVANIA	5
FLORIDA	6	PUERTO RICO	2
GEORGIA	3	RHODE ISLAND	2
GUAM	1	SOUTH CAROLINA	2
HAWAII	2	SOUTH DAKOTA	2
IDAHO	2	TENNESSEE	3
ILLINOIS	5	TEXAS	6
INDIANA	3	UTAH	2
IOWA	2	VERMONT	2
KANSAS	2	VIRGIN ISLANDS	1
KENTUCKY	2	VIRGINIA	3
LOUISIANA	2	WASHINGTON	3
MAINE	2	WEST VIRGINIA	2
MARYLAND	3	WISCONSIN	3
MASSACHUSETTS	3	WYOMING	2
MICHIGAN	4	<b>TOTAL</b>	<b>156</b>
MINNESOTA	3		
MISSISSIPPI	2		
MISSOURI	3		
MONTANA	2		
NEBRASKA	2		
NEVADA	2		

# Appendix D

As of August 16, 2014

## 2016 DEMOCRATIC NATIONAL CONVENTION ALLOCATION OF STANDING COMMITTEE MEMBERS

(As prepared for the Democratic National Committee meeting on August 23, 2014)

State/Territory	Members	Votes	State/Territory	Members	Votes
ALABAMA	2	2	NEW HAMPSHIRE	1	1
ALASKA	1	1	NEW JERSEY	5	5
AMERICAN SAMOA	1	0.25	NEW MEXICO	1	1
ARIZONA	2	2	NEW YORK	10	10
ARKANSAS	1	1	NORTH CAROLINA	4	4
CALIFORNIA	17	17	NORTH DAKOTA	1	1
COLORADO	3	3	NORTHERN MARIANA ISLANDS	1	0.25
CONNECTICUT	2	2	OHIO	6	6
DELAWARE	1	1	OKLAHOMA	2	2
DEMOCRATS ABROAD	1	0.25	OREGON	2	2
DISTRICT OF COLUMBIA	1	1	PENNSYLVANIA	7	7
FLORIDA	9	9	PUERTO RICO	2	2
GEORGIA	4	4	RHODE ISLAND	1	1
GUAM	1	0.25	SOUTH CAROLINA	2	2
HAWAII	1	1	SOUTH DAKOTA	1	1
IDAHO	1	1	TENNESSEE	3	3
ILLINOIS	7	7	TEXAS	9	9
INDIANA	3	3	UTAH	1	1
IOWA	2	2	VERMONT	1	1
KANSAS	1	1	VIRGIN ISLANDS	1	0.25
KENTUCKY	2	2	VIRGINIA	4	4
LOUISIANA	2	2	WASHINGTON	3	3
MAINE	1	1	WEST VIRGINIA	1	1
MARYLAND	3	3	WISCONSIN	3	3
MASSACHUSETTS	4	4	WYOMING	1	1
MICHIGAN	6	6	<b>TOTAL</b>	<b>162</b>	<b>158.25</b>
MINNESOTA	3	3			
MISSISSIPPI	1	1			
MISSOURI	3	3			
MONTANA	1	1			
NEBRASKA	1	1			
NEVADA	1	1			

# **REGULATIONS**

## **Of the Rules and Bylaws Committee**

For the 2016 Democratic National Convention



**DEMOCRATS**  
DEMOCRATIC NATIONAL COMMITTEE

*As adopted by the Rules and Bylaws Committee of the Democratic National Committee  
November 7, 2014*



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# REGULATIONS OF THE RULES AND BYLAWS COMMITTEE

## 2016 Democratic National Convention

### **REGULATION 1** **Rules of Procedure**

#### **Reg. 1.1 Terms**

Throughout these Regulations the following terms shall have the following meaning when capitalized:

- A. "DNC" means the Democratic National Committee;
- B. "RBC" means Rules and Bylaws Committee;
- C. "Staff" means staff in the DNC Office of Party Affairs and Delegate Selection;
- D. "Rule(s)" mean the *Delegate Selection Rules for the 2016 Democratic National Convention* as adopted by the DNC on August 23, 2014, as they may be amended, or any rule therein;
- E. "Call" refers to the *Call for the 2016 Democratic National Convention* as adopted by the DNC on August 23, 2014, as it may be amended;
- F. "Regulations" means these Regulations as they may be amended from time to time;
- G. "Co-Chair(s)" means Co-Chair(s) of the RBC;
- H. "Plan" refers to the state's Affirmative Action Plan, Inclusion Program and Delegate Selection Plan;
- I. "State Party" or "State Party Committee" means a body recognized by the DNC as the State's Democratic Party organization;
- J. "State" includes each geographical entity represented on the DNC, including the District of Columbia, territories, commonwealths and Democrats Abroad;
- K. "Majority" means more than fifty percent (50%) of the RBC members voting in person or by proxy;
- L. "Member" means a member of the RBC;
- M. "State Democratic Chair" means the Chair of each geographical entity represented on the DNC, including the District of Columbia, territories, commonwealths and Democrats Abroad, or, the Chair of a committee constituted pursuant to Rule 19.C. of the *Delegate Selection Rules* who is recognized to act in place of a state's Democratic Chair;
- N. "Secretary" means the Secretary of the Democratic National Committee;
- O. "Days" means calendar days. Weekends and federal holidays shall be included. In computing any period of time prescribed by these Regulations, the day of the act or event from which the designated period of time begins to run shall not be included.

#### **Reg. 1.2 Quorum**

Except as provided in Regulation 3.4.P, a quorum of the RBC exists when 40% of the then existing membership of the RBC is present in person or by proxy.



### **Reg. 1.3 Proxies**

Any member may, in writing and with notice to the Co-Chairs, issue a proxy to another member. Proxies may be either general or limited and either instructed or uninstructed. All proxies shall be in writing and transferable if so specified. If instructed, the nature of the instruction shall be expressly indicated on the proxy. Unless otherwise specified, a proxy shall be deemed general, uninstructed and nontransferable. No member may hold more than one (1) proxy. A proxy may be counted for purposes of determining the presence of a quorum, and shall be considered a vote for all purposes within the scope of the proxy.

### **Reg. 1.4 Voting**

The RBC shall take action on all substantive matters by a majority vote.

### **Reg. 1.5 Co-Chairs**

Should both Co-Chairs be absent from any meeting, the Co-Chairs shall designate a member of the RBC to preside at said meeting.

### **Reg. 1.6 Meetings**

Meetings of the RBC shall be held as determined by vote of the RBC, the call of the Co-Chairs or upon written application of seven members. The Co-Chairs shall determine those instances in which a telephonic meeting may be held in lieu of a meeting in person, provided, however, that upon application of seven or more members, an in-person meeting shall be held. The staff shall maintain a written transcript of all meetings.

### **Reg. 1.7 Notice**

Unless the Co-Chairs declare an emergency and set forth in writing the reasons therefore,

no meeting of the RBC may be held without at least seven days written notice to all members and appropriate notification to the DNC's Press Office, which shall provide notice to national news media. The notice shall prescribe the time, place and agenda of the meeting. No matter may be considered which is not on the agenda unless a majority concurs. Official meetings of the RBC shall be open to the public.

### **Reg. 1.8 Robert's Rules**

Except as otherwise provided in these Regulations, Robert's Rules of Order, Newly Revised, shall be the rules of procedure in the RBC, provided that debate on any question may be limited or closed by a majority, a quorum being present.

### **Reg. 1.9 Amendment**

These Regulations may be amended only upon a majority vote of the RBC, provided that seven days written notice of any proposed amendment has been given to the RBC members.

### **Reg. 1.10 Suspension**

These Regulations may be suspended only upon the affirmative vote of at least 2/3 of those members voting in person or by proxy.

### **Reg. 1.11 Vacancies**

A member may resign from the RBC by notice in writing to the Chairperson of the DNC. Upon receipt of such notice, the Chairperson may appoint a replacement in accordance with the Charter and Bylaws of the Democratic Party of the United States. In the case of a vacancy on the RBC as a result of a DNC membership change, the DNC Chair may appoint a replacement in accordance with the Charter and Bylaws.

## **REGULATION 2**

### **Submission and Review of Plans**

#### **Reg. 2.1 Deadline**

Each State Party Committee must submit its Delegate Selection and Affirmative Action Plans and Inclusion Programs to the RBC for receipt by no later than 5:00 p.m., on May 2, 2011 May 4, 2015. Plans should be sent by certified mail (return receipt requested), by an overnight delivery service (signature required), by electronic mail (with confirmation of delivery to partyaffairs@dnc.org), by hand delivery (receipt to be retained), or by a combination of the foregoing to: RBC Co-Chairs, c/o the Democratic National Committee, 430 South Capitol Street, S.E., Washington, D.C. 20003.

#### **Reg. 2.2 Formal Submission**

Each State Party Committee shall include the following documentation with the submission of its Plan to the RBC:

- A. a summary of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, along with related deadlines;
- B. a timetable reflecting all significant dates in the state's delegate selection process;
- C. a statement from the State Democratic Chair certifying that the Plan as submitted to the RBC was approved by the State Party Committee;
- D. a copy of a press release distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan;

- E. a statement from the State Democratic Chair certifying that the proposed Plan including all attachments and appendices was placed on the State Party website during the 30-day public comment period;
- F. a statement from the State Democratic Chair certifying compliance with Rule 1.C. which requires a 30 day public comment period prior to the adoption of the Plan by the State Party Committee, provided that the State Party has published specific guidance for the submission of public comments;
- G. a copy of all written public and online comments submitted through the process provided above on the Plan including an identification of every person and/or organization making comments and, where appropriate, a description of the person or group so represented, if such information has been provided or is available to the State Party;
- H. a blank copy of all forms to be filed with the state or State Party by delegate, alternate, and standing committee candidates;
- I. a statement from the Chair of the State Party Affirmative Action Committee certifying compliance with Rule 6.F. which requires that the Affirmative Action Committee has reviewed and approved the proposed Affirmative Action and Inclusion outreach plan, including any numerical goals established;
- J. a statement from State Democratic Chair outlining the reliable data and source(s) used for numerical goals established under Rules 5.C., 6.A., and 7;
- K. a statement from the State Democratic Chair certifying that the State Affirmative Action Committee

composition complies with Rules 5.C, 6.A., and 7 and that the names, demographic data and contact information of members was submitted to the RBC no later than 15 days after their appointment.

- L. a copy of all state statutes and other relevant legal authority reasonably related to the delegate selection process; and
- M. a copy of any qualifying forms to be filed with the state or the State Party by presidential candidates.

### **Reg. 2.3 Informal Submission and Request for Technical Assistance**

- A. Any time prior to formal submission of a Plan, a State Party may make a request to the Co-Chairs for technical assistance in drafting the Plan or may submit the proposed Plan to the Co-Chairs for preliminary evaluation. The absence of an informal submission by a State Party or the failure of the State Party to take action on any suggestion made pursuant to an informal submission or request for technical assistance shall not be admissible as evidence in the event of a challenge before the RBC.
- B. Plans may be submitted for preliminary evaluation between January 5, 2015 and April 1, 2015. Any recommendations from staff based on the preliminary evaluation of a Plan do not constitute approval of a Plan, nor are the Co-Chairs, RBC, or staff restricted in comments raised during the formal review of the Plan.

### **Reg. 2.4 Extension of Time**

Upon the written request of a State Democratic Chair, the Co-Chairs or their

designee may extend the time for submission or re-submission of a Plan which, in the absence of extraordinary circumstances, shall not exceed 30 days. In the event a State Party requires an extension for a longer period of time, the State Party Chair shall submit a written request to the RBC, in which case the extension may be approved only by the Co-Chairs personally.

### **Reg. 2.5 Processing**

- A. Upon formal submission of a Plan, the Co-Chairs shall notify the members of the receipt of the Plan and shall forward to each member a summary of the Plan. A complete copy of any Plan shall be promptly forwarded to any member who so requests.
- B. The staff shall review each Plan and prepare a written memorandum stating its recommended findings. The memorandum shall set forth the staff's recommendations as to whether the Plan is: (i) in Compliance; (ii) in Conditional Compliance; or (iii) in Non-Compliance with the requirements of the *Rules*, the *Call* and/or these Regulations. The staff shall promptly provide copies of the memorandum to the members.

### **Reg. 2.6 Terms**

- A. "Compliance" means a Plan complies with the requirements of the *Rules*, the *Call* and these Regulations.
- B. "Conditional Compliance" means a Plan complies with the spirit and generally with the substance of the *Rules*, the *Call* and these Regulations but has certain minor deficiencies or omissions.
- C. "Non-Compliance" means a Plan is deficient in some material respect and therefore does not meet the requirements of the *Rules*, the *Call* and/or these Regulations.

## **Reg. 2.7 Rules and Bylaws Committee Action**

- A. No later than September 15, 2015, the RBC shall act upon each Plan that has been timely submitted.
- B. A finding that a Plan is in Conditional Compliance must include a specific list of recommendations required to correct the omissions and/or deficiencies. Within 30 days of receipt of notice of the RBC's finding of Conditional Compliance, the State Party shall correct and resubmit its Plan to the RBC. Upon receipt by the RBC of evidence of appropriate corrective action in response to each of the items of omission and/or deficiency, such a Plan shall automatically be found in Compliance.
- C. Any finding of Non-Compliance must include a statement identifying the deficiencies in the Plan. The State Party shall correct and resubmit a Plan found in Non-Compliance within 30 days of its receipt of the RBC's finding of Non-Compliance. The RBC shall process each submitted Plan pursuant to Regs. 2.4, 2.5 and 2.7.
- D. In the event that the RBC requires a second or subsequent resubmission of a Plan found to be in Conditional Compliance or in Non-Compliance, the RBC shall establish a reasonable period within which the corrected Plan must be reviewed.

## **Reg. 2.8 Evaluation of Implementation**

Any State Party may make a written request of the Co-Chairs for an informal evaluation of the implementation of its Plan. Upon receipt of the request, the Co-Chairs shall designate a member of the RBC or staff to informally assist the State Democratic Chair. The failure of a State Democratic Chair to follow any suggestion of the designee of the

Co-Chairs shall not be admissible as evidence in the event of any challenge to the implementation of the Plan before the RBC.

## **Reg. 2.9 Amendments to Plans**

- A. Once a State Party's Plan has been found in Compliance by the RBC, any amendments to that Plan must be submitted to and approved by the RBC.
- B. Technical amendments to a State's Plan may be approved by the Co-Chairs of the RBC. RBC members will be advised of any technical amendments that are approved and will be afforded an opportunity pursuant to Reg. 1.6 to have the amendment considered by the full committee. Substantive amendments to the State's Plan will be referred by the Co-Chairs to the full RBC for consideration.
  - i. Technical amendments are those changes that do not substantively change the delegate selection process and do not impede participation in the process.
  - ii. Substantive amendments are those that substantially alter the process or may result in the inability of any affected party to fully comply with and participate in the process by reason of insufficient notice of such amendments. Amendments affecting timing of the first step, application of proportional representation, and use of the threshold are among those changes that will be considered substantive in nature.
- C. No amendment to a State Plan shall be effective unless the substance of the amendment is: (i) approved by all relevant national, state and State Party entities and the RBC at least 35 days, and (ii) conforms to all applicable state

election procedures at least 30 days, prior to the time the amendment would be implemented. Rule 21 of the 2016 *Delegate Selection Rules* is applicable to this regulation.

## **REGULATION 3**

### **General Terms of Challenges**

#### **Reg. 3.1 Jurisdiction of the RBC**

- A. Pursuant to the *2016 Delegate Selection Rules*, the *Call to the 2016 Democratic National Convention* and these Regulations, the RBC shall have jurisdiction to hear and decide any challenge (provided that it is initiated before the 56th calendar day preceding the date of the commencement of the 2016 Democratic National Convention):
- i. to a State Party organization with respect to its status as the body entitled to sponsor a delegation from that state;
  - ii. alleging failure to submit or implement either an approved Affirmative Action Plan or Inclusion Program in a timely manner;
  - iii. alleging failure to submit or implement a specific requirement of a State Plan;
  - iv. appealing a decision of a State Party relative to a challenge to a Plan; or
  - v. alleging failure of a State Party to implement a final order of the RBC.
- B. This jurisdiction is in addition to that conferred upon the RBC pursuant to the Charter and Bylaws of the Democratic Party.

- C. The foregoing shall not preclude the RBC from providing advice, assistance or interpretations of the Rules at any stage of the delegate selection process.
- D. Any request for advice, assistance or interpretations of the Rules pursuant to Reg. 3.1.C. shall be made in writing and shall be submitted to the Co-Chairs, together with the names, addresses and telephone numbers of all affected parties. The RBC shall notify all affected parties of the request and shall provide all such parties with an opportunity to comment on and be heard on the request, under such procedures as the Co-Chairs deem appropriate under the circumstances.
- E. Any challenge or appeal excluded from the jurisdiction of the RBC by Reg. 3.1.A., and any challenge pending before but not decided by the RBC on or before the 56th calendar day preceding the date of commencement of the Democratic National Convention, shall fall within the jurisdiction of the Credentials Committee.

#### **Reg. 3.2 Parties**

##### **A. Challenging Parties:**

- i. A challenge to a Plan or the implementation of a Plan, including the Affirmative Action and Inclusion portions of such Plan, shall be brought by at least 15 Democrats who are residents of the state or level at which delegates to the National Convention are elected in which the challenge arises, and who fulfill (a) below, or if there is not Democratic Party enrollment or registration in the state, then either (b) or (c) below:
  - (a) Registered or enrolled as Democrats in those states that employ such procedures.

- Persons not registered to vote or persons registered as unaffiliated voters or enrolled as members of other parties or as independents shall not have standing to bring a challenge.
- (b) Participated in Democratic Party Affairs. Persons who have participated in the affairs of another political party during the preceding 12 month period shall not have standing to bring a challenge. Participation in a party's affairs shall include, but not be limited to, voting in the immediately preceding primary of that political party.
  - (c) Any person who lacks standing under paragraphs (a) and (b) and who demonstrates, as determined by the Co-Chairs, that he or she attempted to participate in the affairs of the Democratic Party in good faith shall have standing to challenge.
- ii. Each challenge shall include a statement indicating that each challenger subscribes to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States. With respect to implementation challenges, each challenger must have been personally injured or must be a member of a class injured by the alleged violation.

**B. Challenged Parties:**

- i. With respect to a jurisdictional challenge, the challenged party shall be the Democratic Party organization sponsoring a delegation from that state.
- ii. With respect to an implementation challenge where delegates to the Democratic National Convention have not yet been selected from the level at which the challenge arises, the challenged party shall be the Democratic Party organization responsible for that level; provided that where any state law or State Party rule, regulation, decision or other State Party action or omission is challenged, the State Party Committee shall also be named as a challenged party. If, while the challenge is pending, any delegate(s) or alternate(s) to the Convention are selected from the level involved, such delegate(s) or alternate(s) shall be joined as challenged parties if any relief with respect to their credentials at the Convention is sought.
- iii. Where delegates or alternates to the Convention have been selected from the level in which the challenge arises, the challenged party or parties shall be a delegate or alternate, or group of delegates or alternates, or the entire delegation from that level.
- iv. The State Party Committee shall be joined as a challenged party if a challenged party so requests.

**C. Intervening Parties:**

- i. A State Party Committee may intervene as a matter of right in any challenge proceeding for the purpose of protecting any interest the State Party may have with respect to the proceeding.
- ii. A presidential candidate may intervene as a matter of right in any challenge proceeding for the purpose of protecting any interest the candidate may have with respect to the proceeding.

- iii. For good cause shown, any other person having standing under Reg. 3.2 may be permitted to be heard as an amicus curiae or, in appropriate circumstances, to intervene, for all or limited purposes, by leave of the Co-Chairs or the Hearing Officer.

### **Reg. 3.3 Filing, Service of Documents and Computation of Time**

- A. **Filing:** All documents to be considered in the processing of any challenge shall be filed by an overnight delivery service (signature required), certified mail (return receipt requested), electronic mail (with delivery of confirmation), or by hand delivery (receipt to be retained) during business hours, to: RBC Co-Chairs, c/o Democratic National Committee, 430 South Capitol Street, SE, Washington, DC 20003, with a copy to the State Democratic Chair of the state in which the challenge arises. The original and a copy of each document shall be filed with the RBC, unless a different number is required by the Rules or these Regulations. By written request, the RBC may require additional copies of any relevant document. Filing shall be deemed complete upon receipt, or in the case of hand delivery, upon delivery.
- B. **Service:** Any documents filed in any proceeding pursuant to these Regulations shall be served at the same time by the filing party upon all other parties to the proceeding, with a copy to the State Democratic Chair of the state in which the challenge arises. Service shall be made by an overnight delivery service (signature required), certified mail (return receipt requested), electronic mail (with delivery confirmation), or hand delivery (receipt to be retained) to each party or his or her attorney, if any, or

other representative authorized to receive documents on his or her behalf (“agent of record”). Any document filed pursuant to these rules shall be accompanied by a certificate of service signed by the filing party or by his or her attorney, if any, or agent of record. Service shall be deemed complete, in the case of hand delivery, on the date of receipt by the served party or, in the case of service by an overnight delivery service or certified mail, on the first business day on which delivery is attempted.

- C. **Time:**

- i. In computing any period of time prescribed by these Regulations, the day of the act or event from which the designated period of time begins to run shall not be included. Weekends and federal holidays shall be included.
- ii. The Co-Chairs shall have authority for good cause to enlarge or shorten any period of time prescribed by these Regulations. An extension of time shall be granted only when compelling need is shown.

### **Reg. 3.4 Challenges**

- A. **Jurisdictional Challenges:** A jurisdictional challenge shall be commenced by the filing of a written challenge with the RBC by no less than 15 persons having standing under Reg. 3.2, no later than 30 calendar days prior to the initiation of a state’s delegate selection process.
- B. **Challenges to the Plan:** A challenge to the Plan shall be commenced by the filing of a written challenge by no less than 15 persons having standing under Reg. 3.2, no later than 15 calendar days after the adoption of such Plan by the

State Party. The challenging parties shall, within the period provided by the State Party Committee in its Delegate Selection Plan, invoke, and shall thereafter exhaust, the remedies provided by State Party Committee procedures for the violations alleged.

**C. Implementation Challenges:** A challenge asserting that a specific requirement of a Plan has not been implemented shall be commenced by the filing of a written challenge by no less than 15 persons having standing under Reg. 3.2, no later than 15 calendar days after the alleged violation occurred, or in the case of a challenge to an Affirmative Action or Inclusion program, at any time up to 30 days prior to the initiation of the State's delegate selection process.

- i. The challenge shall first be considered by the State Party Committee. The State Party Committee shall have 21 days, or such longer period as the Co-Chairs deem appropriate, in which to render its decision.
- ii. The State Party Committee may take such action with respect to the challenge as it is authorized to take under state law and its State Party Delegate Selection Plan.

**D. Contents of Challenges:**

- i. The challenge shall be verified by the notarized signature of each challenging party and shall include the following:
  - (a) The name, address, email address and telephone number of each challenging party and allegations of fact fulfilling the requirements of Reg. 3.2; and the name, address and telephone number of each challenging party's attorney, if any, or agent of record.

(b) The name, address, email address and telephone number of each delegate or alternate whose credentials are challenged, or a statement that such information is unavailable to the challenging parties; or, where delegates or alternates have not yet been selected, the name, address and telephone number of each challenged party.

(c) An identification of the state and level at which delegates to the National Convention are elected in which the challenge arises.

(d) A plain, concise and specific statement, in separately numbered paragraphs, of each alleged violation of a state Delegate Selection Plan approved by the RBC, or of a final order of the RBC; or a statement that the state does not have an approved Delegate Selection Plan.

(e) A plain, concise and specific statement, in separately numbered paragraphs, of how each challenging party has been injured with respect to his or her participation in the delegate selection process by each alleged violation.

(f) A plain, concise and specific statement of the remedies each challenging party has invoked with respect to each alleged violation before filing a credentials challenge with the RBC, and a statement of the expected length of time for exhaustion of the State Party procedures.

(g) A plain, concise and specific statement, in separately



- numbered paragraphs, of the relief requested and the reason therefore. If a challenging party proposes that he or she be seated in the state's delegation, the challenge shall include a plain, concise and specific statement of the reasons why that party has a right to be seated, superior to that of the delegate or alternate whose seat he or she seeks; and a plain, concise and specific statement of how the challenging party has complied with all applicable laws, rules and regulations and has participated in the delegate selection process.
- iii. The challenge shall be accompanied by the following documents:
- (a) A plain, concise and specific statement that contains, by separately numbered paragraphs, each violation alleged and each form of relief sought.
  - (b) A list of the name, address, email address and telephone number of each witness who is likely to be called to testify in support of the challenge.
  - (c) A list of the documents likely to be offered in support of the challenge, together with copies of those documents.
- E. Answer:**
- i. Within ten calendar days after service of a challenge, each challenged party shall file a written answer, verified by the notarized signature of each challenged party, including the following:
    - (a) The name, address, email address and telephone number of each challenged party and the name, address and telephone number of his or her attorney, if any, or agent of record;
    - (b) A statement as to whether the standing under Reg. 3.2 of the challenging parties is in dispute;
    - (c) A response to the challenge, in separately numbered paragraphs admitting or denying each statement therein, or stating that the challenged party is without sufficient information to admit or deny. A response to a statement shall fairly meet its substance, admitting those parts that are true and denying those parts that are false.
    - (d) A plain, concise and specific statement, in separately numbered paragraphs, of each and every affirmative defense to the alleged violations, including the reasons that the State Party believes that the challenged provisions of the Plan are in compliance with the *Call*, the *Rules* and/or these Regulations;
    - (e) A plain, concise and specific statement of any other reasons why the challenged party should prevail.
  - ii. The answer shall be accompanied by the following documents:
    - (a) A plain, concise and specific statement that contains, by reference to each numbered paragraph of the challenging statement required by Reg. 3.4.D., a response to each alleged violation or request for relief. A response to a proposition shall fairly meet its substance, admitting those parts that are true and denying those parts that

- are false. Wherever a proposition is denied in whole or part, the proposition supported by the challenged party on that point shall be stated.
- (b) A list of the name, address, email address and telephone number of each witness who is likely to be called to testify in opposition to the challenge.
  - (c) A list of the documents likely to be offered in opposition to the challenge, together with copies of those documents.
- iii. Challenged parties may consolidate their answers.
  - iv. If the State Party considers that a challenge is so vague as to preclude a responsive answer, the State Party may so state in the form of a motion filed with the RBC and served on the challengers' attorney, if any, or agent of record. Such motion shall delay the time for filing an Answer until (a) the Co-Chairs determine the motion is without merit or (b) the challengers file an amended challenge upon request of the Co-Chairs.
- F. **Review:** Upon receipt of the Challenge and the Answer, the Co-Chairs shall forward the challenge and the answer to the staff for review. Within two (2) weeks after receipt of such Challenge and Answer, the staff shall provide the Co-Chairs with a summary of the challenge and any recommendations for actions by the RBC, including alternatives for amicable resolution of the challenge and answer or the need for additional investigation or inquiry.
- G. **Dismissal and Decision on the Pleadings:**
- i. *Dismissal:*
    - (a) The Co-Chairs shall dismiss any challenge, or part of a challenge, in the event that:
      - 1. it does not fall within the jurisdiction of the RBC;
      - 2. it is brought by persons lacking standing under Reg. 3.2;
      - 3. it fails to state a valid challenge;
      - 4. the same challenge has been previously resolved;
      - 5. there is no evidence in support of the challenge;
      - 6. there is adequate remedy pursuant to state law or State Party available to the challengers which has not been exhausted; or
      - 7. the challenge is frivolous.
    - (b) If a State Party has adopted and implemented an approved affirmative action and inclusion program, the Co-Chairs shall dismiss any challenge, or part of a challenge, which is based solely on composition of the Convention delegation, except in the case of a challenge based upon the failure to achieve equal division.
    - (c) Any dismissal shall be accompanied by a written opinion of the Co-Chairs.

ii. *Decision on the Pleadings:* The Co-Chairs shall have authority to make a decision on the pleadings where it is plain from the challenge and the answer, together with documents accompanying those pleadings, that there is no genuine issue of material fact between the parties. Any decision on the pleadings shall be accompanied by a written opinion by the Co-Chairs.

iii. *Review of Dismissal or Decision on the Pleadings:* Within five calendar days after service of a notice of the entry of a dismissal under Reg. 3.4.G.(i) or decision on the pleadings under 3.4.G.(ii), an aggrieved party may file a Petition for Review with the RBC, stating the objections to the Co-Chairs' action, and may file a brief. Within five calendar days after service of the petition, any other party may file a brief. The RBC shall also have authority to make a decision on the pleadings where it is plain from the challenge and the answer, together with documents accompanying those pleadings, that there is no genuine issue of material fact between the parties. Consideration of the challenge by the RBC shall proceed as in other cases, except that the challenge shall be given precedence on the committee's docket.

**H. Decision of State Party Committee:**

i. Non-implementation and implementation challenges shall first be brought to the appropriate State Party Committee for a decision to be rendered within 21 days.

ii. The State Party Committee may take such action with respect to the challenge or other related matter as it

is authorized to take under state law and State Party rules.

iii. Any party shall have the right to appeal to the RBC within ten days following the notice of the decision of the state body, or after passage of the 21<sup>st</sup> day following filing of the challenge with the State Party Committee, whichever shall come first in which case the challenge shall be reviewed under (D), (E), (F) and (G). The challenger shall file any written decision or order made with respect to the challenge by the State Party Committee. The decision of the State Party Committee shall be given such weight as the RBC finds warranted in the circumstances.

iv. Records of proceedings conducted by the State Party Committee with respect to the challenge or other related matters, and other papers relating to the State Party proceedings, shall be admissible in RBC proceedings on the challenge.

I. **Pre-Hearing Conference:** Prior to any hearing, the Co-Chairs or a Hearing Officer designated by the Co-Chairs may call for a pre-hearing conference of the parties. At such conference, the Co-Chairs or Hearing Officer will: (i) make every reasonable effort to facilitate settlement of the challenge; and (ii) discuss the procedures to be followed at the hearing and may request: (a) a final list of witnesses; (b) a final list of documents; and (c) a stipulation of the parties to any issue not in dispute.

J. **Hearing:**

i. With respect to any challenge or part of a challenge not dismissed or decided on the pleadings under Reg. 3.4.G., an open and public hearing shall be held on the specific factual

and legal matters in dispute. An electronic or stenographic recording or clerical notes shall be made of the proceedings at any such hearing.

- ii. The hearing shall be held in Washington, D.C., unless the Co-Chairs determine that in the interest of justice it should be held elsewhere.
- iii. The hearing shall be conducted by a Hearing Officer appointed by the Co-Chairs. The Hearing Officer shall be a Democrat, neutral in the context of the challenge, experienced in the law, known by reputation to be fair and shall not be involved in or identified with any presidential campaign or any group promoting or opposing credentials challenges. The Co-Chairs shall make a reasonable effort to secure the agreement of the parties to the Hearing Officer.
- iv. The Hearing Officer shall have all power necessary to conduct the hearing in such manner, consistent with these Regulations, as to secure the just, speedy and inexpensive determination of the challenge, including the right to require the parties to participate in a pre-hearing conference.
- v. Prior to the commencement of the hearing, the Hearing Officer shall announce a ruling identifying, on the basis of the papers filed in the challenge and any pre-hearing conference, the specific issues in dispute. The Hearing Officer shall have power to rule that on certain issues only documentary evidence shall be received. Any party objecting to a ruling under this paragraph may make a proffer of the evidence that would have been presented but for the ruling.

- vi. The Hearing Officer shall hear the evidence, dispose of procedural requests and similar matters and, to the extent possible, obtain stipulations of the parties as to the facts of the challenge.
  - vii. The Hearing Officer shall have authority to receive all competent evidence relevant to the specific matters in issue and to assign to it appropriate weight.
  - viii. The Hearing Officer shall have authority to order for good cause, that a party produce at the hearing designated evidence in the interest of justice. Where a party fails to produce such evidence, the Hearing Officer may make findings of fact adverse to the party on all issues to which the evidence would have been material.
  - ix. Subject to any ruling under Reg. 3.4.J.(v), each party shall have the right to present competent oral and documentary evidence relevant to the specific matters at issue and to conduct cross-examination.
  - x. The Hearing Officer may require parties to consolidate their challenges or defenses for purposes of the hearing.
  - xi. The Hearing Officer shall make and file a written report to the RBC, which shall include findings of fact, conclusions of law and a recommendation for disposition of the challenge. The report shall be served on all parties to the challenge.
- K. Consideration by the Rules and Bylaws Committee:**
- i. The RBC shall begin meetings at the call of the Co-Chairs in Washington,

D.C., or elsewhere at the call of the Co-Chairs, to hear challenges.

- ii. All meetings of the RBC shall be open to the public; provided that the Co-Chairs shall exclude from the specific area where the committee is conducting its business all persons whose presence in that area is not required for the proper conduct of the business.

**L. Request for Hearing by Full Committee:**

Within two days after service of the Hearing Officer's report, an aggrieved party may file a written Petition for Review with the RBC. The petition shall contain a plain, concise and specific statement of the reasons for appeal and the procedural and/or substantive errors claimed by the petitioner.

**M. Briefs:**

- i. Within three calendar days after filing the Petition for Review, the petitioner for review may file a brief.
- ii. Within three calendar days after service of the petitioner's brief, a respondent may file a brief.
- iii. Any party filing a brief shall file as many copies as there are members of the RBC, plus ten copies for the Co-Chairs and staff of the committee.

**N. Argument:**

- i. Each side to a challenge shall be entitled to present oral argument before the RBC for a period determined by the Co-Chairs, generally not to exceed 15 minutes.
- ii. The Co-Chairs may require parties to consolidate or separate their challenges or defense for purposes of oral argument.

- iii. The Co-Chairs shall notify the parties of the time and place of oral argument.

**O. Burden of Proof:**

- i. A timely claim alleging failure to submit or to implement at all, either an approved Affirmative Action Plan or Inclusion Program shall constitute grounds for a challenge with the burden of proof (by clear and convincing evidence) on the challenged party.
- ii. A timely claim alleging failure to implement one or more specific requirements of either an approved Affirmative Action Plan or Inclusion Program shall constitute grounds for a challenge with the challenging party bearing the burden of proof (by clear and convincing evidence), but with the challenged party presenting its case first.
- iii. In all other challenges, the challenging party shall bear the burden of proof (by clear and convincing evidence).

- P. Voting:** A member of the RBC shall not vote on a challenge arising in his or her own state. All matters shall be determined by a majority vote of those voting in person or by proxy. A quorum shall consist of 40% of the total number of committee votes entitled to be counted in the matter.

**REGULATION 4**  
**Regulations**  
**Implementing the**  
***Delegate Selection Rules***  
***for the 2016 Democratic***  
***National Convention***

**Reg. 4.1      General**  
**Definitions**

- A. "Delegate selection process" as used throughout the Rules means the process directly related to the selection of delegates to the 2016 Democratic National Convention.
- B. "The first meeting in the delegate selection process" as used throughout the Rules includes pre-primary caucuses and first tier caucuses in caucus states.

**Reg. 4.2      Rule 1.G.**

The selection of members of the Standing Committees to the National Convention (Credentials, Platform and Rules) shall be done in conformity with Article VII of the *Call to the 2016 Democratic National Convention*, as adopted August 23, 2014, by the Democratic National Committee.

**Reg. 4.3      Rule 2.A.**

- A. A state Plan shall indicate how voters participating in the delegate selection process will publicly declare their Party preference and have that preference publicly recorded.
- B. In states with Party registration, the Plan shall indicate whether voters who are not registered or enrolled as Democrats are able to participate in the process.
- C. In order to encourage participation by youth in the delegate selection process, any individual who will have turned 18

by the date of the general election should be allowed to participate in any party run step of the delegate selection process.

**Reg. 4.4      Rule 2.D.**

"Person" as used in Rule 2.D. shall mean:

- A. A caucus or primary voter;
- B. A candidate for delegate;
- C. A delegate;
- D. An alternate; or
- E. A standing committee member.

**Reg. 4.5      Rule 3.A.**

- A. "End at reasonable hours" as used in Rule 3.A. does not preclude a meeting from continuing when it would be more unreasonable to adjourn the meeting to another time.
- B. Scheduling of meetings related to the delegate selection process shall consider any religious observations that could significantly affect participation (See Charter, Article I.4).

**Reg. 4.6      Rule 3.E.**

"Participate in more than one meeting" as used in Rule 3.E. means to register a preference at more than one meeting.

**Reg. 4.7      Rules 5.C., 6.A. & 7**

- A. Several rules govern and seek to ensure diversity and the full participation of historically under-represented groups in the Party's delegate selection process. Specifically, Rule 5.C. mandates development of outreach plans; Rule 6.A. requires goals and timetables for certain

identified under-represented groups; and Rule 7 directs state parties to develop programs that will achieve full participation of other under-represented groups. Together, these three rules address non-discrimination, affirmative action, and inclusion programs.

B. Rule 7 requires State Parties to develop a detailed plan intended to secure the full participation in the delegate selection process of LGBT Americans, people with disabilities, youth, and other groups the State Party may deem necessary, commensurate with each group's participation in the state's Democratic electorate. Consistent with this rule, State Parties must take reasonable steps to determine the participation of these groups in the state's Democratic electorate.

C. The State Plan shall include a section on Affirmative Action, Outreach and Inclusion (hereinafter referred to as the "Affirmative Action section"), which sets out in detail how the state party will satisfy the diversity and full participation requirements imposed by Rules 5.C., 6.A. and 7. The Affirmative Action section must include:

- i. Provisions for adequate outreach programs as required under Rule 5.C for groups that are historically under-represented in Democratic Party affairs. The term "race/ethnicity" as used in Rule 5.C. refers to African Americans, Asian Americans and Pacific Islanders, Hispanics, and Native Americans.
- ii. Specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women, including methodology, as required under Rule 6.A.

- iii. A program to achieve full participation by additional under-represented groups as required under Rule 7, provided, however, that a state plan should establish goals, with methodology, and timetables for the under-represented groups identified in Rule 7 (LGBT Americans, people with disabilities, and youth), as well as other groups the State Party determines to be under-represented. If a State Party fails to establish goals, they shall provide an explanation as to why they are unable to do so.

D. The purpose of the priority of consideration for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women in the first sentence of Rule 6.A.(3) is to address the affirmative action goals outlined in the state's Delegate Selection Plan. The purpose of priority of consideration in the last sentence of Rule 6.A.(3) for the other groups as described in Rule 5.C. and Rule 7 is to assist in the achievement of full participation by those groups in the state's delegation.

### **Reg. 4.8      Rule 6.C.**

- A. The phrase, "as far as mathematically practicable," as used in Rule 6.C.(1), means if the number of delegates or alternates to be allocated is even, the division between men and women must be equal, and if the number is odd, the variance between men and women may not exceed one.
- B. State Plans must specifically provide for equal division of district-level delegate men and delegate women and district-level alternate men and alternate women within each district, as far as mathematically practicable; and the total number of district-level delegates and

district-level alternates must be equally divided, as far as mathematically practicable.

**Reg. 4.9      Rule 6.I.**

- A. For purposes of this Rule, “respective delegations” shall include standing committee members selected by the state, pursuant to Article VII of the *Call*.
- B. Presidential candidates shall use their best efforts to submit lists that contain delegate, alternates and standing committee member candidates, as the case may be, who will promote meeting the goals of Rule 6.I.
- C. The certification required by Rule 6.I. shall be submitted to the Rules and Bylaws Committee by the State Party with respect to each level of delegate and alternate positions, within three (3) business days of the date on which, pursuant to Rule 12.D., the presidential candidates or their authorized representatives are required to submit to the State Party their lists of persons approved or not approved as candidates for those delegate or alternate positions.

**Reg. 4.10      Rule 8**

Where data is based upon historical district boundaries which have changed in the interim, every reasonable attempt shall be made to estimate the vote in the area encompassed by the district to be used for the 2016 process.

*[See Appendix A for examples illustrating the formulas for apportioning district level delegates within states as provided in Rule 8.A.]*

**Reg. 4.11      Rule 8.A.**

“Population” as used in Rule 8.A. means the population as determined by the 2010

Federal Census or the most recent estimate available from the Federal Census Bureau.

**Reg. 4.12      Rule 8.E.**

States electing district-level, pledged party leader and elected official, and at-large delegates and alternates at the same meeting shall provide presidential candidates sufficient opportunity to review the list of delegate and alternate candidates for each category pledged to that presidential candidate prior to each election.

**Reg. 4.13      Rule 9.A.**

- A. For the purposes of Rule 9.A., the State Democratic Chair and the next highest ranking officer of the opposite sex holding office on the day that the 2016 National Convention convenes shall be included in the state’s delegation.
- B. For purposes of Rule 9.A., the “individuals recognized as members of the DNC” includes each voting member of the Democratic National Committee who is registered to vote and legally resides (“legal residence”) in the respective state and holds such office on the day the 2016 Convention convenes, regardless of the manner of his or her selection.
- C. For the purposes of Rule 9.A.(1), the state’s delegation shall include those members of the Democratic National Committee apportioned to the state by the Charter, and certified to the Secretary by the State Democratic Chair, and whose terms commenced on the day after the 2012 National Convention adjourned. In the event a member has died, resigned or otherwise been replaced, the person who has been selected to serve the remainder of the member’s term shall be included. Nothing in this Regulation shall be interpreted to permit any person to be



included in a state's delegation, pursuant to Rule 9.A.(1), who has not been selected in accordance with the requirements of the Charter and Bylaws of the Democratic Party.

- D. For the purposes of Rule 9.A.(5), the term "former Chairpersons of the Democratic National Committee" includes National Chairpersons and General Chairpersons.

**Reg. 4.14 Rule 9.B.**

A person eligible as a delegate under Rule 9.B. may seek election as a district-level delegate and/or an at-large delegate as provided in the Rules.

**Reg. 4.15 Rule 9.B.(1)**

- A. "Big city mayors" as used in Rule 9.B.(1) is defined as the mayor of a city or the person holding the elective office of executive of a county over 250,000 in population or, in states having fewer than two cities or counties that large, the mayors or persons holding elective office of county executive of the two largest cities and/or counties in the state.
- B. Even though persons eligible for Party and Elected Official delegates are considered in priority order, these Rules do not mandate the choice of any specific individual.

**Reg. 4.16 Rule 9.B.(3)**

- A. Each state's Delegate Selection Plan shall provide for procedures by which candidates for pledged Party Leader and Elected Official delegate positions file for election. Included in the Plan must be instructions on how to file, the deadline for filing, and the procedure by which a Presidential candidate may register his or her approval or disapproval.

- B. State Plans that, pursuant to Rule 9.B.(3), provide an alternate filing process for pledged Party Leader and Elected Official delegate candidates held after the selection of district-level delegates, must include the instructions, deadlines and procedures as specified above.

**Reg. 4.17 Rule 9.C.**

A state Plan that provides for the election of any of its pledged Party Leader and Elected Official delegates, or at-large delegates by the State Party Committee must include:

- A. An explanation of the State Party Committee membership and how the members are apportioned pursuant to Rule 9.C(1);
- B. A description of how and when members of the State Party Committee are elected and how that process complies with the basic procedural guarantees utilized for delegate selection;
- C. Information as to how the membership of the State Party Committee complies with Article 9, Section 16 of the Charter.

**Reg. 4.18 Rule 9.D.**

Except as provided by Rule 9.A., no person participating in the allocation of delegates by presidential preference at any level of the process, including a state convention, shall automatically serve by virtue of holding a public or party office.

**Reg. 4.19 Rule 10.A.**

- A. In order to implement this provision, the entire at-large delegation elected pursuant to Rule 9 may be reserved, if necessary, for members of one (1) sex.
- B. Selection of at-large delegates shall also be used to assure the full participation of groups specified in Rule 7.

**Reg. 4.20 Rule 11.A.**

A pre-primary candidate caucus for the purpose of establishing slates of delegate candidates shall not be deemed the “first determining stage” in the presidential nominating process.

**Reg. 4.21 Rule 12.A.**

Each state’s Delegate Selection Plan shall provide for delegate and alternate candidates to designate his or her singular presidential or uncommitted preference and his or her signed pledge of support for that preference at each level. Any candidate is able to modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline for that delegate category.

**Reg. 4.22 Rule 12.B.**

Each state’s Delegate Selection Plan shall specify the date and time by which a person wishing to be elected to a district level or at-large delegate or alternate position must file a statement of candidacy designating his or her presidential or uncommitted preference and his or her signed pledge of support for that preference.

**Reg. 4.23 Rule 12.D.**

- A. A state Plan may not provide that a presidential candidate’s authorized representative be a legal resident of that state.
- B. Each state’s Delegate Selection Plan shall specify the date and time by which presidential candidates or their authorized representatives must advise the State Party if persons pledged to them who have filed for delegate or alternate positions are not bona fide supporters.

- C. Prior to the slating of delegates and alternates at a pre-primary caucus, a state party must convey to the presidential candidate, or that candidate’s authorized representative(s), a list of all persons who have filed for delegate or alternate positions pledged to that presidential candidate.
- D. Each state’s Delegate Selection Plan shall specify the date by which presidential candidates, or their authorized representative(s), must signify approval or disapproval of the list of at-large delegate and alternate candidates, which must be after the selection of the district level and party leader and elected official delegates.

**Reg. 4.24 Rule 12.E.**

- A. For purposes of these rules, “three names for every such position to which the presidential candidate is entitled” means three separate individuals for each position (e.g. nine names for three slots). Furthermore, each presidential candidate shall use his or her best effort at the district level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the requirements of Rule 6.I. This same principle also applies to any provision requiring one or two names for delegate or alternate positions.
- B. Delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate do not automatically become uncommitted delegate or alternate candidates.
- C. Delegate or alternate candidates removed by a presidential candidate from the list of bona fide supporters at one level may file to run at another level pledged to that candidate, another candidate, or uncommitted.

D. In states where presidential candidates may leave only one name for every at-large and pledged party leader and elected official delegate and alternate position to which the presidential candidate is entitled, the presidential candidates may specify the specific individuals for the delegate and alternate positions.

**Reg. 4.25 Rule 12.H.**

Provisions in this rule requiring all delegates and alternates to be bona fide Democrats also applies to all standing committee members.

**Reg. 4.26 Rule 13**

- A. For purposes of these rules, “threshold” is defined as the percentage of votes a preference must receive in order to be allocated delegates.
- B. The methods of allocating delegates pursuant to Rule 13 shall be as provided for in Appendix B of these Regulations.
- C. Under these rules, “uncommitted” is treated as any other presidential candidate status for the purpose of allocating delegates and alternates, but this requirement does not imply that states are required to place “uncommitted” on the presidential ballot.

**Reg. 4.27 Rule 13.H.**

“Non-binding presidential preference event” includes beauty contest primaries and straw polls.

**Reg. 4.28 Rule 14**

- A. If not otherwise prohibited by a state’s Delegate Selection Plan, a delegate or alternate candidate may submit a statement of candidacy and pledge of

support for more than one delegate/alternate category.

- B. A State Plan may provide that upon a delegate’s or alternate’s selection at one level, any statement of candidacy by that individual for another level is nullified and that individual is ineligible to be considered for election at another level.
- C. For purposes of these rules, in states that do not otherwise provide an opportunity to file for more than one delegate category at the same time, the filing deadline for at-large delegates and alternates shall be at the same time or after the selection of pledged party leader and elected official delegates.

**Reg. 4.29 Rule 16**

“Register the nontransferable proxy” as used in Rule 16 means to deliver a signed proxy to the person designated therein to exercise it. The proxy must be signed by the person making it.

**Reg. 4.30 Rule 18.B.**

A Presidential candidate receiving one or more delegates at the district level in a state, but not entitled to an alternate because of threshold requirements, will be allocated one of the at-large alternates apportioned to that state. The state will allocate the first at-large alternate to this candidate in accordance with the equal division provisions as specified in the Plan before allocating the other at-large alternates as set out in Rule 10.C.

**Reg. 4.31 Rule 18.C.**

Alternates are to be allocated pursuant to one of the following options:

- A. Split between District-Level and At-Large

- i. District-Level Alternates: 75% of the state's alternates shall be allocated at the district-level.
  - ii. At-large and Pledged Party and Elected Official Delegates: 25%-of the state's alternates shall be allocated to these delegates.
- B. District-Level Allocation: All alternates apportioned pursuant to Rule 8 shall be elected at the district-level.
- C. At-Large Allocation: All alternates apportioned pursuant to Rule 8 shall be elected pursuant to Rule 10.

**Reg. 4.32 Rule 18.D.**

A delegate may be permanently replaced by an alternate, provided that the replacement has been certified to, and acknowledged by, the Secretary no later than 72 hours before the first official session of the Convention is scheduled to convene.

**Reg. 4.33 Rule 18.D.(2)**

If a presidential candidate has only one alternate and that alternate permanently replaces a delegate of the opposite sex – thereby causing the delegation to no longer be equally divided – that delegation shall not be considered in violation of Rule 6.C. Notwithstanding Rule 18.D.(2), in such a case, the delegation must use any subsequent permanent replacement as an opportunity to replace a delegate with a person of the opposite sex, in order to return the delegation to equal division.

**Reg. 4.34 Rule 18.E.**

No alternates are to be allocated to unpledged delegates selected pursuant to Rule 9.A. These delegates are not entitled to name either a temporary or permanent replacement nor is the State Party entitled to name a temporary or permanent replacement

except in the case of death, as provided by the *Call*, Article IV.C.2.

**Reg. 4.35 Rule 20.A.**

“Initiation of the state’s delegate selection process” as used in Rule 20.A. means the primary date in states with post-primary caucuses or two-part primaries, or in states with pre-primary caucuses, the date of the pre-primary caucus; or in non-primary states, the first official meeting in the process.

**Reg. 4.36 Rule 20.B.**

- A. With respect to a challenge based upon non-submission or non-implementation of an approved Affirmative Action and Inclusion program, the burden of proof is upon the challenged party if the challenge alleges that the challenged party failed to submit or implement at all an approved Affirmative Action Plan and Inclusion Program. In all other challenges, the burden of proof is upon the challenging party. (See also Reg. 3.4.O.)
- B. An aggrieved party may appeal the decision of the State Party within ten days after being notified of the decision or after the 21st day following the date on which the challenge was filed, whichever comes first. (See also Reg. 3.4.H.)

**Reg. 4.37 Rule 20.C.(1)**

- A. DNC members who shall be removed from a delegation pursuant to the imposition of the automatic reduction requirement provided for by this Rule shall include DNC members who are part of the delegation pursuant to Article I.E. of the *Call* and DNC members who are part of the delegation as a result of their election as a delegate in any other category.

- B. DNC members, including those subject to the automatic reduction sanction of this Rule, are ineligible to run for any delegate and alternate position.
- C. For purposes of Rule 20.C.(1)(b), internet advertising shall not constitute “campaigning” in a state unless such advertising takes the form of paid advertising on the website of a publication or media outlet based in that state or on a website or web page targeted to persons in that state, or is paid or unpaid internet communication specifically targeted or limited to that state.

**Reg. 4.38 Rule 20.C.(2)**

A state delegation is subject to sanctions under this provision if its Plan provides or permits the pledged delegates or alternates to be allocated to presidential preference (including uncommitted status) other than as provided for in Rule 13.

**Reg. 4.39 Rule 20.C.(3)**

In states employing a multi-tier caucus system, the threshold shall be applied at the tier at which delegates to the National Convention are selected. Sanctions provided for herein shall not be applied for not applying the threshold at an earlier caucus stage.

**Reg. 4.40 Rule 21.C.**

A State Plan as approved by the Rules and Bylaws Committee may provide for a Party-run delegate selection process that complies with the 2012 2016 Delegate Selection Rules even if state law provides for a different process.

**REGULATION 5  
Regulations  
Supplementing the *Call  
for the 2016 Democratic  
National Convention***

**Reg. 5.1 Article I.C.2.b.**

- A. Given that New Hampshire is authorized to hold its primary prior to the opening of the nominating calendar window and that Maine thus cannot neighbor any other states in the window, for the purposes of Article I.C.2.b.i of the *Call*, Maine shall be considered to be neighboring each of the New England states of Vermont and Massachusetts.
- B. Given that Alaska and Hawaii are separated from the continental United States and thus cannot neighbor any other states, for the purposes of Article I.C.2.b.i of the *Call*, Alaska and Hawaii shall be considered to be neighboring each of the Pacific Northwest states of Washington and Oregon.
- C. Given that the Territories of American Samoa, Guam, the Northern Mariana Islands, the Commonwealth of Puerto Rico and the U.S. Virgin Islands and Democrats Abroad are separated from the continental United States and thus cannot neighbor any states and given that these entities share common interests of the United States, for the purposes of Article I.C.2.b.i of the *Call*, the Territories and Democrats Abroad shall be considered to be neighboring each other.

**Reg. 5.2 Article II.A.**

- A. Delegates and alternates selected pursuant to a Plan found in non-compliance by the RBC shall not be included on the list of delegates and

alternates reported to the Secretary by the RBC for inclusion on the Temporary Roll of the 2016 Democratic National Convention.

- B. Delegates and alternates shall not be placed on the Temporary Roll until after the period during which a challenge may be brought pursuant to the Rules and Reg. 3.4 has expired and until no challenges to a Plan are pending.
- C. Pursuant to Rule 6.C.(2), a state's at-large delegates and alternates may not be included on the Temporary Roll until the RBC has determined that the state's delegation complies with the equal division requirements of the Rules.

### **Reg. 5.3 Article IV**

For the purposes of certifying convention participants pursuant to Article IV, the following guidelines should be used:

- A. Youth should be defined as any participant 36 years old and younger;
- B. Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.

### **Reg. 5.4 Article IV.A.**

- A. Delegates and alternates certified to the Secretary pursuant to this Article shall be certified within ten days of the step of the process in which they were selected, not the conclusion of the state's entire delegate selection process.
- B. If a state's law provides that its delegates cannot be named until the Secretary of State (or Board of Elections) certifies the election results, the state's Delegate Selection Plan should so indicate and should provide a time frame in which the results are expected to be certified.

- C. If a state is subject to the certification process referred to in Reg. 5.3.B., its delegates and alternates must be certified to the Secretary within ten days of the certification process required by state law.

### **Reg. 5.5 Article IV.B.**

- C. Delegates and alternates selected pursuant to Article IV.B shall be certified to the Secretary of the Democratic National Committee 10 days after the last determining step in a state's normal delegate selection process.
- D. The 10 day reporting deadline shall not be superseded by the June 25, 2016 delegate selection deadline.

### **Reg. 5.6 Article IV.D.1.**

If a delegate dies or resigns within 72 hours of the time the first official session of the Convention is scheduled to convene, and is replaced by an alternate, which leaves the respective presidential candidate (or uncommitted status) without another alternate, the state delegation shall select an alternate to fill the vacancy. That replacement shall not be certified to the Secretary. However, in the event that the alternate subsequently replaces a delegate for a roll call vote, the replacement shall be reflected by the Delegation Chair on the official tally sheets.

### **Reg. 5.7 Article IV.F.3.**

- A. Convention pages allocated to the states shall be selected by the State Democratic Chair (or by the Chair of a committee constituted pursuant to Rule 19.C.) in consultation with the members of the Democratic National Committee from the state, except those DNC members who are not recognized as delegates, pursuant to Rule 19.C. These pages shall be as evenly divided between men and

women as possible, and shall reflect as much as possible the Affirmative Action and Inclusion guidelines in the state's Delegate Selection Plan.

- B. Each state Plan shall include the date on which Convention Pages shall be selected, provided that the Pages shall be certified within three days of their selection and no later than the date by which the state certifies its standing committee members.

**Reg. 5.8      Article VII.B.3.**

Standing committee members selected pursuant to a Plan found in non-compliance by the RBC shall not be included on the membership roster by the DNC Secretary,

nor shall those individuals be allowed to participate as members at the standing committee meeting, nor shall they be afforded guest seating during the Convention as provided in Article V.C.(3) of the *Call*.

**Reg. 5.9      Article VII.C.1.**

Pursuant to Rule 10.C., if a presidential candidate entitled to an allocation of standing committee members under this rule is no longer a candidate at the time the at-large delegates are selected, his or her allocation of standing committee members shall be proportionately divided among the other preferences entitled to an allocation.

## Appendix A How to Apportion District Level Delegates

The following examples illustrate the application of the four formulas provided in Rule 8.A. for apportioning District-Level delegates within the state or territory. (See also Reg. 4.11)

<p>Assume the following applies to the state:</p> <ol style="list-style-type: none"> <li>1. Total Congressional Districts (CD's) ..... 10</li> <li>2. District-Level Delegates to Apportion ..... 50</li> <li>3. Total Population             <ol style="list-style-type: none"> <li>a. Statewide ..... 5,000,000</li> <li>b. In CD #1 ..... 500,000</li> </ol> </li> <li>4. Registered Democrats as of January 1, 2016             <ol style="list-style-type: none"> <li>a. Statewide ..... 1,850,000</li> <li>b. In CD #1 ..... 120,000</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>5. 2012 Democratic Presidential Vote             <ol style="list-style-type: none"> <li>a. Statewide..... 800,000</li> <li>b. In CD #1 ..... 97,000</li> </ol> </li> <li>6. 2012 Democratic Gubernatorial Vote             <ol style="list-style-type: none"> <li>a. Statewide..... 1,000,000</li> <li>b. In CD #1 ..... 100,000</li> </ol> </li> <li>7. 2008 Democratic Presidential Vote             <ol style="list-style-type: none"> <li>a. Statewide..... 740,000</li> <li>b. In CD #1 ..... 175,000</li> </ol> </li> <li>8. The Ave. Dem. Presidential Vote for 2012 and 2008             <ol style="list-style-type: none"> <li>a. Statewide..... 770,000</li> <li>b. In CD #1 ..... 136,000</li> </ol> </li> </ol>
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**FORMULA #1 Gives equal weight to the total population and to the average of the vote for the Democratic candidates in the two most recent presidential elections.**

The allocation fraction is: 
$$X = \frac{1}{2} \left( \frac{ACDV_{12/08}}{ASDV_{12/08}} + \frac{TCDP}{TSP} \right)$$

X.....Allocation Factor for CD#1  
 TCDP.....Total Population for CD#1  
 ACDV....Ave. CD Dem. Vote for 2012 and 2008  
 TSP.....Total State Population  
 ASDV.....Ave. State Dem. Vote for 2012 and 2008

or, in this example, the allocation formula looks like this: 
$$X = \frac{1}{2} \left( \frac{136,000}{770,000} + \frac{500,000}{5,000,000} \right)$$

which calculates as X = 1/2 x (.177 + .100); = 1/2 x (.277); = .139. The resulting Allocation Factor for CD #1 is then multiplied by the total number of district level delegates to determine how many delegates will be allocated to CD #1 (.139 x 50 = 6.95). This result is rounded up to 7. Thus, CD #1 is allocated 7 district level delegates.

**FORMULA #2 Gives equal weight to the vote for the Democratic candidates in the most recent presidential and gubernatorial elections.**

The allocation fraction is: 
$$Y = \frac{1}{2} \left( \frac{CDPV_{12}}{SDPV_{12}} + \frac{CDGV_{12}}{SDGV_{12}} \right)$$

Y.....Allocation Factor for CD#1  
 CDPV.....CD Dem. Presidential Vote for 2012  
 CDGV.....CD Dem. Governor Vote for 2012  
 SDPV.....State Dem. Presidential Vote for 2012  
 ASDV.....State Dem. Governor Vote for 2012



or, in this example, the allocation formula looks like this:  $Y = \frac{1}{2} \left( \frac{97,000}{800,000} + \frac{100,000}{1,000,000} \right)$

which calculates as  $Y = \frac{1}{2} \times (.121 + .100); = \frac{1}{2} \times (.221); = .111$ . The resulting Allocation Factor for CD #1 is then multiplied by the total number of district level delegates to determine how many delegates will be allocated to CD #1 ( $.111 \times 50 = 5.55$ ). This result is rounded up to 6. Thus, CD #1 is allocated 6 district level delegates.

**FORMULA #3 Gives equal weight to the average of the vote for the Democratic candidates in the two most recent presidential elections and to Democratic Party registration or enrollment as of January 1, 2016.**

The allocation fraction is:  $Z = \frac{1}{2} \left( \frac{ACDV \text{ 12 / 08}}{ASDV \text{ 12 / 08}} + \frac{CDRD}{SRD} \right)$

Z.....Allocation Factor for CD#1	ASDV.....State Dem. Pres. Vote for 2012 and 2008
ACDV.....CD Dem. Pres. Vote for 2012 and 2008	SRD.....Statewide Registered Democrats
CDRD.....CD Registered Democrats	

or, in this example, the allocation formula looks like this:  $Z = \frac{1}{2} \left( \frac{136,000}{770,000} + \frac{120,000}{1,850,000} \right)$

which calculates as  $Z = \frac{1}{2} \times (.177 + .065); = \frac{1}{2} \times (.242); = .121$ . The resulting Allocation Factor for CD #1 is then multiplied by the total number of district level delegates to determine how many delegates will be allocated to CD #1 ( $.121 \times 50 = 6.05$ ). This result is rounded to 6. Thus, CD #1 is allocated 6 district level delegates.

**FORMULA #4 Gives a weight to each of the formulas above (numbers 1, 2 and 3).**

The allocation fraction is:  $\frac{1}{3} (X + Y + Z)$

The allocation for CD #1 calculates as:  $a \times (.139 + .111 + .121); = a \times (.371); = .124$ . The resulting Allocation Factor for CD #1 is then multiplied by the total number of district level delegates to determine how many delegates will be allocated to CD #1 ( $.124 \times 50 = 6.20$ ). This result is rounded to 6. Thus, CD #1 is allocated 6 district level delegates.

## Appendix B                      Method of Allocating Delegates by Proportional Representation

The following example shows how to calculate the allocation of district-level delegates by presidential preference, as required by Rule 13 (See Reg. 4.26).

The Congressional District (CD) used in this illustration has five delegates to be allocated. There were four presidential candidates in the election, and a total of 100 votes were cast. Keep the following point in mind:

A presidential candidate whose vote in a district does not attain the 15% threshold of the total vote cast for all candidates in the district shall not be entitled to be awarded any delegates. (Rule 13.B.) If no presidential candidate attains the 15% threshold, the threshold shall be the percentage of the vote received (at each level of the process) by the front-runner, minus 10%. (See Rule 13.F.)

In both primary and caucus states, delegates and alternates shall be awarded to those presidential preferences that meet or exceed the threshold percentage as follows:

**Step 1.**                      Calculate to three decimals the percentage of vote that each Presidential preference received.

*Example:*

<u>Candidate</u>	<u>Votes Rec'd</u>	<u>% of Vote</u>
A	46	.460
B	29	.290
C	21	.210
D	4	.040

**Step 2.**                      Identify those preferences who met the 15% threshold and total their sums. This will be the new base vote. Then recalculate to three decimals the percentage of the vote that each Presidential preference received against the new base vote.

*Example:*                      *In Step 1 above, Candidate D did not meet the threshold, so the total vote of candidates exceeding the threshold is 96. The recalculated percentages for the remaining candidates are:*

<u>Candidate</u>	<u>Base Votes Rec'd</u>	<u>New % of Vote</u>
A	46	.479
B	29	.302
C	21	.219

**Regulations of the Rules and Bylaws Committee**

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**Step 3.** Multiply the percentage for each preference in Step 2 by the number of delegates to be awarded in the CD. Calculate the figure to three decimals.

*Example:*

<u>Candidate</u>	<u>Votes x Delegates</u>	<u>Delegate Allocation</u>
A	.479 x 5	2.395
B	.302 x 5	1.510
C	.219 x 5	1.095

**Step 4.** Each preference shall be entitled to the whole number of delegates assigned in Step 3.

*Example:*

<u>Candidate</u>	<u>Number of Delegates</u>
A	2
B	1
C	1
To be allocated	1

**Step 5.** Any remaining delegate are awarded in the order of the highest fractional remainders for the final tally.

*Example:* (As determined in Step 3 above, Candidate B had the highest fractional remainder with .510)

<u>Candidate</u>	<u>Number of Delegates</u>
A	2
B	2
C	1

**Step 6.** Allocate the delegate between men and women in accordance with the equal divisions provisions of the state Delegate Selection Plan.

# Model Delegate Selection Plan For the 2016 Democratic National Convention

## Information about the Model Plan

This **Model Delegate Selection Plan** is furnished to each State Democratic Party (including the District of Columbia, Puerto Rico, American Samoa, Guam, the Virgin Islands, the Northern Mariana Islands, and Democrats Abroad) to assist with the preparation of its respective Plan for the 2016 delegate selection process. State Parties are welcome, but not required, to follow this “model” format.

Provisions applicable for a “typical” primary or caucus state are included in this Model Plan. A State Party will need to adapt this document to reflect and describe its own unique primary or caucus process. Throughout the Model Plan, ***bold and italicized*** text is used to highlight where system specific dates or information is to be inserted, or to provide additional information to assist with completing the Plan.

On the next page, information can be entered into the highlighted fields to automatically fill in certain information throughout the Plan.

Once a State Party has drafted its Delegate Selection Plan, it is recommended that the draft be reviewed using the “Checklist for State Delegate Selection Plans.” This companion document is provided also with the Model Plan to assist State Parties with the drafting process.

State Delegate Selection Plans must be submitted to the Rules and Bylaws Committee by **May 4, 2015**. Before submitting the Plan, it must be approved by the State Party following a 30-day public comment period.

The Model Plan is also available to State Parties electronically from the Office of Party Affairs and Delegate Selection at the Democratic National Committee. For more information or to request an electronic copy of the Model Plan, please contact the Office of Party Affairs and Delegate Selection at 202-863-8055 or via email at [partyaffairs@dnc.org](mailto:partyaffairs@dnc.org).

# MODEL DELEGATE SELECTION PLAN FOR THE 2016 DEMOCRATIC NATIONAL CONVENTION

## AUTO-FILL INSTRUCTIONS

The highlighted fields below may be used to automatically fill in certain information throughout the Delegate Selection Plan. To use the auto-fill field, double click on the shaded area and enter or select the appropriate response. Once a field has been completed, use a mouse or the tab key to move to the next field.

The fields below represent just basic information in the Plan. More detailed or specific information must still be provided in certain portions of the document. In addition, please be sure to insert the state's name in the header of the Plan.

A State Party is not required to use these auto-fill fields when using this Model Plan to draft its State Delegate Selection Plan. The highlighted information may be completed manually. However, if the auto-fill option is used, this page must be retained with the electronic version of the Plan, since it contains important reference data.

Enter name of state: State

Enter total number of Delegates: ##

Enter total number of Alternates: ##

Select type of System: (Select One)

Enter number of District-Level Delegates:  
##

Date of selection of District-Level  
Delegates: 1/1/16

Enter number of District-Level Alternates:  
##

Date of selection of District-Level  
Alternates: 1/1/16

Enter number of Pledged PLEO

Delegates: ##

Date of Selection of Pledged PLEO  
Delegates: 1/1/16

Enter number of At-Large Delegates: ##

Date of Selection of At-Large Delegates:  
1/1/16

Enter number of At-Large Alternates: ##

Date of Selection of At-Large Alternates:  
1/1/16

Enter total number of Standing Committee  
Members: ##

Enter total number of Convention Pages: ##

# **STATE DELEGATE SELECTION PLAN**

FOR THE 2016 DEMOCRATIC NATIONAL  
CONVENTION

ISSUED BY THE  
STATE  
DEMOCRATIC PARTY

(AS OF WEDNESDAY, DECEMBER 10, 2014)

**The State Delegate Selection Plan  
For the 2016 Democratic National Convention**

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# State Delegate Selection Plan For the 2016 Democratic National Convention

## Section I Introduction & Description of Delegate Selection Process

### A. Introduction

1. State has a total of ## delegates and ## alternates. (*Call I & Appendix B*)
2. The delegate selection process is governed by the *Charter and Bylaws of the Democratic Party of the United States*, the *Delegate Selection Rules for the 2016 Democratic National Convention* (“Rules”), the *Call for the 2016 Democratic National Convention* (“Call”), the *Regulations of the Rules and Bylaws Committee for the 2016 Democratic National Convention* (“Regs.”), the rules of the Democratic Party of State, the State election code, and this Delegate Selection Plan. (*Call II.A*)
3. Following the adoption of this Delegate Selection Plan by the State Party Committee, it shall be submitted for review and approval by the DNC Rules and Bylaws Committee (“RBC”). The State Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the State Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings. (*Reg. 2.5, Reg. 2.6 & Reg. 2.7*)
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the State Party will be submitted to and approved by the RBC before it becomes effective. (*Reg. 2.9*)

### B. Description of Delegate Selection Process

1. State will use a proportional representation system based on the results of the (Select One) for apportioning delegates to the 2016 Democratic National Convention.
2. The “first determining step” of State’s delegate selection process will occur on date, with a (Select One). [***If the first determining step is held in conjunction with any other election(s), include a brief description of the other election(s).***]



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3. Voter Participation in Process
- a. Participation in State's delegate selection process is open to all voters who wish to participate as Democrats.

***[The following information must be specified:***

- ***The state's voter registration or enrollment procedures, including the deadline to register to vote.***
  - ***The process by which voters will publicly declare their Party preference and that preference will be publicly recorded. (Rule 2.A Rule 2.C & Reg. 4.3)***
  - ***The steps taken to assess and improve participation with respect to presidential preference and delegate selection contests and procedures. (Rule 2.I)***
- b. At no stage of State's delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating. Voluntary contributions to the Party may be made, but under no circumstances shall a contribution be mandatory for participation. ***[Briefly explain any fees or contributions associated with the state's delegate selection process.]*** (Rule 2.D & Reg. 4.4)
- c. No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other party for the corresponding elections. (Rule 2.E)
- d. No person shall vote in more than one (1) meeting, which is the first meeting in the delegate selection process. (Rule 3.E & Reg. 4.6)

***[NOTE: The section below is only required for those states using state government-run presidential primaries.]***

4. State is participating in the state government-run presidential preference primary that will utilize government-run voting systems. The State Party (***has taken or will take***) provable positive steps to:
- a. Promote the acquisition, maintenance and regular replacement of accessible precinct based optical scan systems, wherever possible. (Rule 2.H.1)
- b. Seek enactment of legislation, rules, and policies at the state and local level to ensure that direct recording electronic systems include a voter verified paper trail. (Rule 2.H.2)

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- c. Seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine manual audits comparing paper records to electronic records following every election and prior to certification or results where possible; parallel testing on election day; physical and electronic security for equipment; banning use of wireless components and connections except where required to provide a voter with a disability a secure and approved means to access voting materials and exercise the right to vote; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error. (*Rule 2.H.3*)
5. These provable positive steps have included: ***[Provable positive steps include: the drafting of corrective legislation; public endorsement by the state party of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the state party lobbying state legislators, other public officials, Party officials and Party members; and encouraging consideration of the legislation by the appropriate legislative committees and bodies.]***
6. Scheduling of Delegate Selection Meetings  
The dates, times and places for all official Party meetings and events related to the state's delegate selection process have been scheduled to encourage the participation of all Democrats. Such meetings will begin and end at reasonable hours. ***[The state party is responsible for selecting the dates and times and providing facilities for all official meetings and events related to this process. In addition, the scheduling of meetings shall consider any religious observations that could significantly affect participation.]*** (*Rule 3.A & Reg. 4.5*)

## Section II Presidential Candidates

### A. Ballot Access

A presidential candidate gains access to the State presidential preference primary ballot, or is eligible to participate in the State's first-tier caucuses, by ***[The plan must:***

***(1) Specify all filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by state law; (Rule 1.A.7) and***

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**(2) Specify all filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by state party rules.]**  
(Rule 1.A.8)

**[Note the following provisions concerning presidential candidate filing requirements:**

- **The number of signatures or petitions filed by a presidential candidate may not exceed 5,000, if the filing of petitions is the sole method to place the candidate's name on the ballot.**
- **No fee for presidential candidates in connection with the presidential nominating process shall exceed \$2,500.**
- **Any signature requirements or fees cannot exceed those in effect as of January 1, 1994.**
- **Any filing deadline must be no less than 30 and no more than 75 days before the date of the primary or caucus, and all filing deadlines must be in 2016.]**

**[The Plan should indicate whether "uncommitted" automatically appears on the ballot and if write-ins are allowed.]** (Rule 11.B, Rule 14.A, Rule 14.B, Rule 14.D, Rule 14.E, & Rule 14.H)

### **B. Other Requirements**

1. Each presidential candidate shall certify in writing to the State Democratic Chair, the name(s) of his or her authorized representative(s) by **(date)**. (Rule 12.D.1)
2. Each presidential candidate (including uncommitted status) shall use his or her best efforts to ensure that his or her respective delegation within the state delegation achieves the affirmative action goals established by this Plan and is equally divided between men and women. (Rule 6.I)

## **Section III Selection of Delegates and Alternates**

### **A. District-Level Delegates and Alternates**

1. State is allocated ## district-level delegates and ## district-level alternates. (Rule 8.C, Call I.B, I.I, Appendix B & Reg. 4.31)
2. District-level delegates and alternates shall be elected by a **[Choose one:]**

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- a. Caucus (or convention) system ***[indicate the number of levels and summarize the function of each].***
- b. Pre-primary caucus to slate delegates followed by a presidential preference primary.
- c. Presidential preference primary followed by a post-primary caucus.
- d. Two-part primary- a presidential preference primary that includes the election of delegates.

***[The Plan must provide specific details about the process utilized for selecting the district-level delegates. For example, in primary states, specify the date of the primary and describe how the delegates are to be elected. (If applicable, include the date and description of the pre-primary or post-primary caucus.) In caucus states, include the date of each caucus tier and its function.]***

3. Apportionment of District-Level Delegates and Alternates  
***[Pursuant to Reg. 4.31, the allocation of Alternates may be split between District-Level and At-Large, allocated all at the District-Level, or allocated all at the At-Large level. Depending on the method used by the state party, the section below and At-Large section (and other provisions) may need to be revised accordingly.]***
- a. State's district-level delegates and alternates are apportioned among the districts based on a formula giving ***[Choose one:]*** (*Rule 8.A, Reg. 4.10, Reg. 4.11 & Appendix A*)
  - (1) Equal weight to total population and to the average vote for the Democratic candidates in the 2008 and 2012 presidential elections.
  - (2) Equal weight to the vote for the Democratic candidates in the 2012 presidential and the most recent gubernatorial elections.
  - (3) Equal weight to the average of the vote for the Democratic candidates in the 2008 and 2012 presidential elections and to Democratic Party registration or enrollment as of January 1, 2016.
  - (4) One-third (1/3) weight to each of the formulas in items 1, 2, and 3.

***[Plan should indicate why this method was used and how it ensures this is the most inclusive method for allocating delegates.]***
- b. The state's total number of district-level delegates will be equally divided between men and women. ***[For states with an odd total number of***

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***district-level delegates, the overall variance between men and women cannot exceed one.] (Rule 6.C.1 & Reg. 4.8)***

- c. The district-level delegates and alternates are apportioned to districts as indicated in the following table: ***[Provide the allocation for each CD in the table below. Expand or contract the size of the table, as necessary.]***

District	Delegates			Alternates		
	Males	Females	Total	Males	Females	Total
#1						
#2						
#3						
#4						
Total						

- d. ***[In a caucus/convention system, the apportionment of delegates to be elected from each tier to the next tier (e.g. precincts, counties, etc.) shall be based upon population and/or some measure of Democratic strength. Provide a brief description explaining how the state complies with this requirement.] (Rule 8.B)***

4. District-Level Delegate and Alternate Filing Requirements

- a. A district-level delegate and alternate candidate may run for election only within the district in which he or she is registered to vote. *(Rule 12.H)*
- b. ***[Choose one of the options below:]***
  - (1) An individual can qualify as a candidate for district-level delegate or alternate to the 2016 Democratic National Convention by filing a statement of candidacy designating his or her singular presidential (or uncommitted) preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party by ***[Specify the date, which must be no more than 30 days before the date on which the delegates or alternates will be selected.]*** A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline. *(Rule 12.B, Rule 14.F & Reg. 4.21)*

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- (2) ***[For states holding a presidential primary where individual district-level delegates and alternates are voted upon on the ballot:]*** An individual can qualify as a candidate for district-level delegate or alternate to the 2016 Democratic National Convention by filing a statement of candidacy designating his or her singular presidential or uncommitted preference and a signed pledge of support for the presidential candidate (including uncommitted status) with the State Party by ***[Specify the date -- which must be no more than 90 days before the date on which they are to be voted upon.]*** A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (Rule 12.B, Rule 14.F & Reg. 4.21)
- [Plan must include a description of specific filing and petition requirements (e.g. petitions, a statement of candidacy, a signed pledge of support, etc.) -- including filing fees, if applicable, and corresponding deadlines prescribed by state law and by party rule, along with the respective the filing address.]*** (Rule 1.A.7, Rule 1.A.8 & Reg. 4.22)
- c. ***[If petition requirements are a prerequisite for participation in the process, then the Plan must specify how it complies with the rules as described below:]***
- (1) ***[The number of signatures required in the applicable district may not exceed one half of one percent (.5%) of the registered/enrolled Democrats in the district or one half of one percent (.5%) of the total votes in such district for all Democratic presidential candidates (including uncommitted) cast during the 2012 presidential nominating process, whichever is lower, but in no event shall the number of valid signatures required exceed 500.]*** (Rule 14.C)
- (2) ***[The number of valid signatures required of a delegate or alternate candidate to gain access to the primary ballot, and the fees required to be paid by a delegate or alternate candidate to gain access to the primary ballot, in connection with the Democratic presidential nominating process, shall not exceed those in effect in the particular state as of January 1, 1994.]*** (Rule 14.D)
- d. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions ***[except that the state may allow candidates who were not chosen at the delegate level to be considered at the alternate level]***. (Rule 12.C)

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5. Presidential Candidate Right of Review for District-Level Delegates and Alternates
- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than **(date and time)**, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. *(Rule 12.D & Rule 12.F)*
- [In states that use a pre-primary caucus to slate delegates, a State Party must convey to the presidential candidates, a list of all persons who have filed for delegate or alternate pledged to the respective presidential candidate.] (Reg. 4.23)***
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair by **(date and time)**, a list of all such candidates he or she has approved, provided that approval be given to at least three (3) times the number of candidates for delegate men and three (3) times the number of candidates for delegate women, and three (3) times the number of candidates for alternate men and three (3) times the number of alternate women to be selected. *(Rule 12.E.1 & Reg. 4.24)*
- [In states where individual delegates and alternates are voted upon on the ballot, substitute the following language for the appropriate language in section above:]*** The presidential candidate, or that candidate's authorized representative(s), may approve a number of delegate candidates or alternate candidates equal to or greater than the number of delegates or alternates allocated to the district. *(Rule 12.E.1)*
- [In states where delegates are voted upon on the ballot, the date by which the presidential candidate, or authorized representative(s), signifies approval or disapproval of the list of delegate and alternate candidates in writing to the State Party, must allow sufficient time to ensure that names removed from the list do not appear on the ballot.] (Rule 12.D.2)***
- c. Failure to respond will be deemed approval of all delegate and alternate candidates submitted to the presidential candidate unless the presidential candidate, or the authorized representative(s), signifies otherwise in writing to the State Democratic Chair not later than **(date and time)**.
- d. National convention delegate and alternate candidates removed from the list of bona fide supporters by a presidential candidate, or that candidate's authorized representative(s), may not be elected as a

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delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (*Rule 12.E & Reg. 4.24*)

- e. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective district-level delegate candidates and district-level alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved district-level delegate candidates and district-level alternate candidates as indicated in Section III.A.5.b of this Plan.
6. Fair Reflection of Presidential Preference
- a. ***[Choose the applicable option below:]***
    - (1) Presidential Primary - Proportional Representation Plan (*Rule 13.A, Rule 13.B & Rule 13.D*)

The State presidential primary election is a “binding” primary. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential (or uncommitted) preference of the primary voters in each district. The National Convention delegates and alternates selected at the district level shall be allocated in proportion to the percentage of the primary vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates.
    - (2) Caucus/Convention Proportional Representation Plan (*Rule 13.A, Rule 13.B & Rule 13.D*)

State is a caucus/convention state. Accordingly, delegate and alternate positions shall be allocated so as to fairly reflect the expressed presidential preference or uncommitted status of the caucus participants in each district. Therefore, the national convention delegates elected at the district level shall be allocated in proportion to the percentage of the caucus vote won in that district by each preference, except that preferences falling below a 15% threshold shall not be awarded any delegates or alternates.  
***[Specify the caucus level at which such percentages shall be determined.]*** (*Rule 13.B*)
  - b. Within a district, if no presidential preference reaches a 15% threshold, the threshold shall be the percentage of the vote received in that district by the front-runner minus 10%. (*Rule 13.F*)



- c. ***[In states where delegates and alternates are not elected on the ballot, the Plan should indicate how the state ensures that district-level delegates and alternates pledged to a presidential candidate (including uncommitted status) are selected or nominated by a caucus of persons from the unit electing the delegate or alternate who sign statements of support for that presidential candidate. The Plan should also include the following information: the date and time of the meeting; the procedural requirements and timetable related to filing and participation; the number of delegates to be selected (if applicable); and the nomination and voting procedures. If more than one tier is used, provide details applicable and specific to each.] (Rule 12.G)***
- d. ***[In pre-primary and two-part primary states where a presidential candidate (including uncommitted status) could qualify to receive delegates and alternates but fail to slate a sufficient number of delegate and alternate candidates, the Plan must describe the process that would be used to select additional delegates and alternates in a post-primary procedure. This description should indicate the type of meeting, who will vote, how such a procedure would be publicized, the filing deadlines, the presidential candidate review deadlines, and specific procedural rules.] (Rule 13.C)***
7. Equal Division of District-Level Delegates and Alternates
- a. In order to ensure the district-level delegates are equally divided between men and women, delegate positions within each district will be designated by presidential preference beginning with the highest vote-getting presidential preference. This assignment of delegate positions, alternating by sex as mathematically practicable, will continue with the next highest vote-getting preferences in descending order until the gender of each position has been assigned. *(Rule 6.C.1 & Reg. 4.8)*
- [States must specify a method for allocating district-level positions among presidential preferences in such a way as to ensure the district delegates and alternates are equally divided among men and women and within each respective presidential candidate's delegation. Here are a few suggestions:***
- ***In states where delegates are pre-slated, the highest-vote getting delegate candidate for the district's winning presidential preference will be the first delegate assigned. Following that determination, the state will then designate the remaining positions for that presidential preference and any subsequent preferences alternating by gender, as mathematically practicable.***

- ***In states where delegates are selected in caucuses or post-primary caucuses, the delegate positions shall be pre-designated so that the gender of the first position to be filled by the winning presidential candidate is pre-determined. Once the allocation of district delegates among presidential preference(s) has been calculated, the remaining delegate positions can be assigned to the presidential preference(s), in order of vote won, alternating by gender.***
  - ***In states where delegates are voted upon the ballot, there is a dual system. In districts with an odd number of delegates, the first delegate selected for the winning presidential preference must be of the same sex as the advantaged gender in that district. Following that determination, the allocation would continue alternating by gender for the winning presidential preference and any subsequent preferences. In districts with an even number of delegates, the highest-vote getting delegate candidate for the district's winning presidential preference will be the first delegate assigned. Following that determination, the state will then designate the remaining positions for that presidential preference and any subsequent preferences alternating by gender, as mathematically practicable.***
- b. After the delegates are selected, the alternates will be awarded, using the same process described above.
8. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee (DNC) the election of the state's district-level delegates and alternates to the Democratic National Convention within 10 days after their election. *(Rule 8.C & Call IV.A)*

***[If a state cannot certify its delegates until the state government certifies the election results, it should indicate this in the Plan and provide a time frame in which the results are expected to be certified. In such case, the State Chair must certify the delegates and alternates to the DNC Secretary within three (3) days after the election results are certified.]***  
*(Reg. 5.4.B & Reg. 5.4.C)*

## **B. Unpledged Delegates**

1. Unpledged Party Leaders and Elected Officials
  - a. The following categories (if applicable) shall constitute the Unpledged Party Leaders and Elected Official delegate positions:

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- (1) Members of the Democratic National Committee who legally reside in the state; (*Rule 9.A.1, Call I.F, Call I.J, & Reg. 4.13*)
  - (2) Democratic President and Democratic Vice President (if applicable); (*Rule 9.A.2 & Call I.G*)
  - (3) All of State's Democratic Members of the U.S. House of Representatives and the U.S. Senate; (*Rule 9.A.3, Call I.H & Call I.J*)
  - (4) The Democratic Governor (if applicable); (*Rule 9.A.4, Call I.H & Call I.J*)
  - (5) "Distinguished Party Leader" delegates who legally reside in the state (if applicable); [**Persons who qualify as "Distinguished Party Leader" delegates are: all former Democratic Presidents or Vice Presidents, all former Democratic Leaders of the U.S. Senate, all former Democratic Speakers of the U.S. House of Representatives and Democratic Minority Leaders, as applicable, and all former Chairs of the Democratic National Committee.**] (*Rule 9.A.5, Call I.G & Reg. 4.13*)
- b. The certification process for the Unpledged Party Leader and Elected Official delegates is as follows:
- (1) Not later than March 1, 2016, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the names of the unpledged delegates who legally reside in State. (*Rule 9.A*)
  - (2) Official confirmation by the Secretary shall constitute verification of the unpledged delegates from the categories indicated above. (*Call IV.B.1*)
  - (3) The State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of state's unpledged delegates 10 days after the completion of the State's Delegate Selection Process. (*Call IV.C*)
2. For purposes of achieving equal division between delegate men and delegate women within the state's entire convention delegation, the entire delegation includes all pledged and unpledged delegates. (*Rule 6.C*)

### C. Pledged Party Leader and Elected Official (PLEO) Delegates

1. State is allotted ## pledged Party Leader and Elected Official (PLEO) delegates. (*Call I.D, E & Appendix B*)

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### 2. Pledged PLEO Delegate Filing Requirements

- a. Individuals shall be eligible for the pledged Party Leader and Elected Official delegate positions according to the following priority: big city mayors and state-wide elected officials (to be given equal consideration); state legislative leaders, state legislators, and other state, county and local elected officials and party leaders. (*Rule 9.B.1 & Reg. 4.15*)
- b. An individual can qualify as a candidate for a position as a pledged PLEO delegate by ***[Indicate the filing requirements: e.g. a petition and a statement of candidacy must be filed by (date and time) with the State Party Committee office located at (address). The filing deadline must be no more than 30 days before the selection].*** (*Rule 9.B.3, Rule 14.G, Reg.4.16 & Reg. 4.21*)
- c. ***[If the PLEO filing deadline is prior to the selection of district-level delegates, then an alternative filing process must also be provided.]*** If persons eligible for pledged PLEO delegate positions have not already made known their presidential preference (or uncommitted status) as candidates for district-level or at-large delegate positions, their preference shall be ascertained through the following alternative procedure: ***[Specify an alternative procedure which allows persons eligible for PLEO positions to file a signed pledge of support for a presidential candidate (including uncommitted status). (See \* below.)]*** (*Rule 9.B.3 & Reg. 4.16*)

### 3. Presidential Candidate Right of Review

- a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than ***(date and time)***, a list of all persons who have filed for a party and elected official delegate pledged to that presidential candidate. (*Rule 9.B.3 & Rule 12.D*)
- b. Each presidential candidate, or that candidate's authorized representative(s), must file with the State Democratic Chair, by ***(date and time)***, a list of all such candidates he or she has approved, as long as approval is given to at least ***[one (1) name or two (2) names]*** for every position to which the presidential candidate is entitled. (*Rule 12.E.2 & Reg. 4.24*)

***[The deadline by which a presidential candidate is required to exercise their right of review for PLEO delegate candidates must be after the election of district-level delegates. Furthermore, a Plan may provide that presidential candidates (including uncommitted***

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*status) may remove any candidate for a PLEO delegate position from the list of bona fide supporters as long as, at a minimum two (2) names remain for every position to which the presidential candidate is entitled. (Whichever minimum number the state chooses to use, that same minimum must also apply to its list of at-large delegates and alternates.)]* (Rule 12.D.3, Rule 12.E.2 & Reg. 4.24)

- \* ***[If an alternative procedure as described above is used to ascertain the presidential preference of persons eligible for PLEO delegate positions it must also provide an opportunity for disapproval by the presidential candidate or the candidate's authorized representative(s).]*** (Rule 9.B.3)
  - c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than ***(date and time)***.
  - d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective pledged PLEO delegate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved pledged PLEO candidates as indicated in Section III.C.3.b of this Plan.
4. Selection of Pledged Party Leader and Elected Official Delegates
- a. The pledged PLEO slots shall be allocated among presidential preferences on the same basis as the at-large delegates. *(Rule 9.B.2, Rule 10.C, Rule 13.E & Rule F)*
  - b. Selection of the pledged PLEO delegates will occur at (time) on (date) at (location), which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates and alternates. ***[Provide details about the meeting, including the election procedures for selecting the PLEO delegates.]*** (Rule 9.B)
  - c. These delegates will be selected by: ***[Choose one of the options below:]*** (Rule 9.C)
    - (1) the state convention.
    - (2) a committee consisting of a quorum of the district-level delegates.

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- (3) the State Party Committee, provided that:
- (a) Membership on the State Party Committee is apportioned on the basis of population and/or some measure of Democratic strength. ***[Provide an explanation of the State Party Committee membership and how the members are apportioned on the basis of population and/or some measure of Democratic strength.]*** (Rule 9.C.1 & Reg. 4.17.A)
  - (b) Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection. ***[Provide a description of how and when members of the State Party Committee are elected and how that process complies with the basic procedural guarantees.]*** (Rule 9.C.2 & Reg. 4.17.B)
  - (c) Such delegates are elected at a public meeting subsequent to the election of district-level delegates. ***[Provide specific information to indicate compliance with this rule.]*** (Rule 9.C.3)
  - (d) Members of the State Party Committee shall have been elected no earlier than the calendar year of the previous national convention. ***[Provide specific information to indicate compliance with this rule.]*** (Rule 9.C.4)
  - (e) Membership of the State Party Committee complies with the equal division requirements of Article 9, Section 16 of the Charter of the Democratic Party of the United States. ***[Provide specific information as to how the membership complies with the equal division requirement.]*** (Rule 9.C.5 & Reg. 4.17.C)
- d. Alternates are not selected at the pledged Party Leader and Elected Official level. These alternates are combined with the at-large alternates and selected as one unit. (Reg. 4.31)
5. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates to the Democratic National Convention within 10 days after their election. (Rule 8.D & Call IV.A)

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### D. At-Large Delegates and Alternates

1. The state of State is allotted ## at-large delegates and ## at-large alternates. *(Rule 8.C, Call I.B, II, Appendix B & Reg. 4.31)*
  
2. At-Large Delegate and Alternate Filing Requirements
  - a. Persons desiring to seek at-large delegate or alternate positions may file a statement of candidacy designating their singular presidential or uncommitted preference and a signed pledge of support for the presidential candidates (including uncommitted status) with the State Party by ***[specify the date, which must be no more than 30 days before the date the at-large delegates and alternates are to be selected and is at the same time or after the selection of the pledged PLEOs]*** A delegate or alternate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline. *(Rule 12.B, Rule 14.G, Reg. 4.22, Reg. 4.28 & Reg. 4.31)*
  
  - b. The statement of candidacy for at-large delegates and for at-large alternates will be the same. After the at-large delegates are elected by ***[indicate the body that will select the at-large delegates]***, those persons not chosen will then be considered candidates for at-large alternate positions unless they specify otherwise when filing. ***[optional]*** *(Rule 18.A)*
  
3. Presidential Candidate Right of Review
  - a. The State Democratic Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than ***(date and time)***, a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. *(Rule 12.D) [Note: This deadline must be after the selection of the district-level and PLEO delegates.]* *(Reg. 4.23 & Reg. 4.28)*
  
  - b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the State Democratic Chair, by ***(date and time)***, a list of all such candidates he or she has approved, provided that, at a minimum, ***[one (1) name or two (2) names]*** remain(s) for every national convention delegate or alternate position to which the presidential candidate is entitled. ***[The deadline by which a presidential candidate is required to exercise their right of review for at-large delegate candidates must be after the election of PLEO delegates. Furthermore, per Rule 12.E.2, a state Plan may provide that two (2) names remain for each position to which the presidential candidate is entitled, as long as that minimum also***

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## State 2016 Delegate Selection Plan

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***applies to pledged PLEO delegates.] (Rule 12.D.4, Rule 12.E.2 & Reg. 4.24)***

- c. Failure to respond will be deemed approval of all delegate candidates submitted to the presidential candidate unless the presidential candidate or the authorized representative(s) signifies otherwise in writing to the State Democratic Chair not later than ***(date and time)***.
  - d. The State Democratic Chair shall certify in writing to the Co-Chairs of the DNC Rules and Bylaws Committee whether each presidential candidate (including uncommitted status) has used their best efforts to ensure that their respective at-large delegate candidates and at-large alternate candidates meet the affirmative action and inclusion considerations and goals detailed in the Affirmative Action section of this Plan within three (3) business days of returning the list of approved at-large delegate candidates and at-large alternate candidates as indicated in Section III.D.3.b of this Plan.
4. Fair Reflection of Presidential Preference
- a. At-large delegate and alternate positions shall be allocated among presidential preferences according to ***[Choose one:] (Rule 10.C)***
    - (1) ***[Primary States:]*** the state-wide primary vote.
    - (2) ***[Convention/Caucus States:]***
      - (a) the division of preferences among convention participants, provided that no person participating shall automatically serve by virtue of holding a public or Party office. *(Rule 9.D & Reg. 4.18)*
      - (b) ***[in non-primary states that do not hold state conventions authorized to elect delegates]*** the division of preferences among district-level delegates at the time of district-level selection.
  - b. Preferences which have not attained a 15% threshold on a state-wide basis shall not be entitled to any at-large delegates. *(Rule 13.E)*
  - c. If no presidential preference reaches a 15% threshold, the threshold shall be the percentage of the statewide vote received by the front-runner, minus 10%. *(Rule 13.F)*
  - d. If a presidential candidate is no longer a candidate at the time of selection of the at-large delegates, then those at-large slots that would have been allocated to the candidate will be proportionally divided among the remaining preferences entitled to an allocation. *(Rule 10.C)*



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## State 2016 Delegate Selection Plan

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- e. If a given presidential preference is entitled to one (1) or more delegate positions but would not otherwise be entitled to an alternate position, that preference shall be allotted one (1) at-large alternate position. (*Rule 18.B, Call I.I & Reg. 4.31 & Reg. 4.34*)
5. Selection of At-Large Delegates and Alternates
- a. The selection of the at-large delegates and alternates will occur at **(time)** on **(date)** at **(location)**, which is after all pledged Party Leader and Elected Official delegates have been selected. ***[Provide details of the meeting, including the election procedures for selecting the at-large delegates and alternates. Note: This selection must occur not later than June 25, 2016.]*** (*Rule 8.D & Call III*)
  - b. ***[In states with one congressional district, the Plan may provide for the election of district-level and at-large delegates and alternates to take place at the same meeting, provided that affirmative action and fair reflection guidelines are met, the Democratic Chair makes the certifications required by Rule 8.D., and the presidential candidates have sufficient time to review the respective lists of their delegate and alternate candidates.]*** (*Rule 8.E & Reg. 4.12*)
  - c. These delegates and alternates will be selected by: ***[Choose one:]*** (*Rule 8.E & Rule 10.B*)
    - (1) the state convention.
    - (2) a committee consisting of a quorum of the district-level delegates.
    - (3) the State Party Committee, provided that: ***[If the State Party Committee selects these delegates, provide specific information to explain compliance with each provision below. If the State Party Committee also selects the PLEO's and the specific information related to the subsections below is already provided under the PLEO section, then the Plan only needs to refer to the appropriate section e.g., (see III.C.4.C.3 above) and does not need to repeat subsections (a)-(e) below.]***
      - (a) Membership on the State Party Committee is apportioned on the basis of population and/or some measure of Democratic strength. ***[Provide an explanation of the State Party Committee membership and how the members are apportioned on the basis of population and/or some measure of Democratic strength.]*** (*Rule 9.C.1 & Reg. 4.17.A*)

## State 2016 Delegate Selection Plan

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- (b) Members of the State Party Committee have been elected through open processes in conformity with the basic procedural guarantees utilized for delegate selection. ***[Provide a description of how and when members of the State Party Committee are elected and how that process complies with the basic procedural guarantees.]*** (Rule 9.C.2 & Reg. 4.17.B)
  - (c) Such delegates are elected at a public meeting subsequent to the election of district-level delegates. (Rule 9.C.3)
  - (d) Members of the State Party Committee shall have been elected no earlier than the calendar year of the previous national convention. (Rule 9.C.4)
  - (e) Membership of the State Party Committee complies with the equal division requirements of Article 9, Section 16 of the Charter of the Democratic Party of the United States. ***[Provide specific information as to how the membership complies with the equal division requirement.]*** (Rule 9.C.5 & Reg. 4.17.C)
- d. Priority of Consideration
- (1) In the selection of the at-large delegation priority of consideration shall be given to African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. (Rule 6.A.)
  - (2) In order to continue the Democratic Party's ongoing efforts to include groups historically under-represented in the Democratic Party's affairs and to assist in the achievement of full participation by these groups, priority of consideration shall be given other groups by virtue of race/ethnicity, age, sexual orientation, gender identity or disability. (Rule 5.C, Rule 6.A.3 & Reg. 4.7)
  - (3) The election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of positions between men and women, and may be used to achieve the representation goals established in the Affirmative Action section of this Plan. (Rule 6.A & Rule 6.C)
  - (4) Delegates and alternates are to be considered separate groups for this purpose. (Rule 6.A.3, Rule 10.A, Reg. 4.8 & Reg. 4.19)
6. The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at-large delegates

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## State 2016 Delegate Selection Plan

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and alternates to the Democratic National Convention within 10 days after their election. (*Rule 8.C & Call IV.A*)

### E. Replacement of Delegates and Alternates

1. A pledged delegate or alternate may be replaced according to the following guidelines:
  - a. Permanent Replacement of a Delegate: (*Rule 18.D.3*)
    - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the national convention and the alternate replaces the delegate for the remainder of the National Convention.
    - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and sex of the delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate.
      - (a) In the case where the presidential candidate has only one (1) alternate, that alternate shall become the certified delegate.
      - (b) If a presidential candidate has only one (1) alternate, and that alternate permanently replaces a delegate of the opposite sex, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 18.D.2, the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women. (*Reg. 4.33*)
    - (3) If a delegate or alternate candidate who has been elected but not certified to the DNC Secretary resigns, dies or is no longer eligible to serve, he or she shall be replaced, after consultation with the State Party, by the authorized representative of the presidential candidate to whom he or she is pledged. (*Rule 18.D.2*)
  - a. Temporary Replacement of a Delegate: (*Rule 18.D.3*)
    - (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate temporarily acts in the delegate's place.
    - (2) Any alternate who temporarily replaces a delegate must be of the same presidential preference (including uncommitted status) as the

## State 2016 Delegate Selection Plan

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delegate he/she replaces, and to the extent possible shall be of the same sex and from the same political subdivision within the state as the delegate.

- b. The following system will be used to select permanent and temporary replacements of delegates: **[Choose one, or any combination of the following alternatives:]** (Rule 18.D.1)
  - (1) The delegate chooses the alternate.
  - (2) The delegation chooses the alternate.
  - (3) The alternate who receives the highest number of votes becomes the delegate.
  - (4) Another such process for selecting the replacement that protects the interests of presidential candidates, delegates and alternates **[indicate the specific process]**.
- c. Certification of Replacements
  - (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the State Democratic Chair. (Rule 18.D.3)
  - (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State's Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected. (Call IV.D.1)
  - (3) Certification of permanent replacements will be accepted by the Secretary up to 72 hours before the first official session of the Convention is scheduled to convene. (Call IV.D.1 & Reg. 4.32)
  - (4) In the case where a pledged delegate is permanently replaced after 72 hours before the time the first session is scheduled to convene or, in the case where a pledged delegate is not on the floor of the Convention Hall at the time a roll call vote is taken, an alternate may be designated (as specified above) to cast the delegate's vote. In such case, the Delegation Chair shall indicate the name of the alternate casting the respective delegate's vote on the delegation tally sheet. (Call VIII.F.3.d, Call VIII.F.3.b & Reg. 5.6)
- d. A vacant alternate position shall be filled by the delegation. The replacement shall be of the same presidential preference (or uncommitted status), of the same sex and, to the extent possible, from

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## State 2016 Delegate Selection Plan

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the same political subdivision as the alternate being replaced. *(Rule 18.E)*

2. Unpledged delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: *(Rule 18.E & Reg. 4.33)*
  - a. **[As applicable]** Members of Congress and the Democratic Governor shall not be entitled to name a replacement. In the event of changes or vacancies in the state's Congressional Delegation, following the official confirmation and prior to the commencement of the National Convention, the DNC Secretary shall recognize only such changes as have been officially recognized by the Democratic Caucus of the U.S. House of Representatives or the Democratic Conference of the U.S. Senate. In the event of a change or vacancy in the state's office of Governor, the DNC shall recognize only such changes as have been officially recognized by the Democratic Governors' Association. *(Call IV.D.2.a)*
  - b. Members of the Democratic National Committee shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of death of such delegates. In the case where the state's DNC membership changes following the DNC Secretary's official confirmation, but prior to the commencement of the 2016 Democratic National Convention, acknowledgment by the Secretary of the new DNC member certification shall constitute verification of the corresponding change of unpledged delegates. *(Call, IV.D.2.b)*
  - c. **[If applicable]** Unpledged distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement. *(Call IV.D.2.c)*
  - d. In no case may an alternate cast a vote for an unpledged delegate. *(Call VIII.F.3.d)*

## Section IV Convention Standing Committee Members

### A. Introduction

1. State has been allocated **(#)** member(s) on each of the three (3) standing committees for the 2016 Democratic National Convention (Credentials, Platform and Rules), for a total of **##** members. *(Call VII.A & Appendix D)*
2. Members of the Convention Standing Committees need not be delegates or alternates to the 2016 Democratic National Convention. *(Call VII.A.3)*

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3. These members will be selected in accordance with the procedures indicated below. (*Rule 1.G*)

### B. Standing Committee Members

1. Selection Meeting
  - a. The members of the standing committees shall be elected by a quorum of State's National Convention delegates, at a meeting to be held on **(date)**. [***This date must be no more than 14 days after the at-large delegates are selected, and not later than June 25, 2016.***] (*Call VII.B.1*)
  - b. All members of the delegation shall receive adequate notice of the time, date and place of the meeting to select the standing committee members. (*Call VII.B.1*)
2. Allocation of Members
  - a. The members of the standing committees allocated to State shall proportionately represent the presidential preference of all candidates (including uncommitted status) receiving the threshold percentage used in the state's delegation to calculate the at-large apportionment pursuant to Rule 13.E. of the Delegate Selection Rules. (*Call VII.C.1 & Reg. 5.8*)
  - b. The presidential preference of each candidate receiving the applicable percentage or more within the delegation shall be multiplied by the total number of standing committee positions allocated to State. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. (*Call VII.C.2*)
  - c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position. (*Call VII.C.3*)

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- d. Standing committee positions allocated to a presidential candidate shall be proportionately allocated, to the extent practicable, to each of the three (3) standing committees. When such allocation results in an unequal distribution of standing committee positions by candidate preference, a drawing shall be conducted to distribute the additional positions. *(Call VII.C.4)*
3. Presidential Candidate Right of Review
    - a. Each presidential candidate, or that candidate's authorized representative(s), shall be given adequate notice of the date, time and location of the meeting of the state's delegation authorized to elect standing committee members. *(Call VII.D.1)*
    - b. Each presidential candidate, or that candidate's authorized representative(s), must submit to the State Democratic Chair, by ***(date and time)***, a minimum of (1) name for each slot awarded to that candidate for members of each committee. The delegation shall select the standing committee members from among names submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one (1) person for each slot awarded to such candidate for members of standing committees. *(Call VII.D.2)*
  4. Selection Procedure to Achieve Equal Division
    - a. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members shall achieve State's affirmative action goals and that their respective members are equally divided between men and women. *(Rule 6.1 & Reg. 4.9)*
    - b. ***[Include the specific provisions the state will use to achieve equal division of its standing committee members. The following is an example:]***

Each position on each standing committee shall be assigned by gender. For example, the first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a ***[male]***, the second position for a ***[female]***, and the remaining positions shall be designated in like fashion, alternating between males and females. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by sex, the designation shall continue with the Platform Committee, then the Rules Committee.

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- (1) A separate election shall be conducted for membership on each standing committee.
  - (2) The membership of the standing committees shall be as equally divided as possible under the state allocation; if the number is even, the membership shall be equally divided between men and women; if the number is odd, the variance between men and women may not exceed one (1), and the advantaged gender must not remain constant for the three (3) standing committees. *(Call VII.E.1)*
  - (3) The positions allocated to each presidential candidate on each committee shall be voted on separately, and the winners shall be the highest vote-getter(s) of the appropriate sex.
5. Certification and Substitution
- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection. *(Call VII.B.3)*
  - b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section, and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected but not later than 48 hours before the respective standing committee meets. *(Call VII.B.4)*

## Section V The Delegation

A. State will select one (1) person to serve as Delegation Chair and ## to serve as Convention Pages. *(Call IV.E, Call IV.F.1 & Appendix C)*

### B. Delegation Chair

1. Selection Meeting
  - a. The Delegation Chair shall be selected by a quorum of the state's National Convention Delegates, at a meeting to be held on ***(date)***. ***[Selection of the Delegation Chair should be made at the same time the standing committee members are chosen, or no later than seven (7) days after the at-large delegates have been selected.]*** *(Call IV.E)*



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- b. All members of the delegation shall receive timely notice of the time, date and place of the meeting to select the Delegation Chair. *(Rule 3.C)*
2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after his or her selection. *(Call IV.E)*

### C. Convention Pages

1. ## individuals will be selected to serve as State's Convention Pages by the State Democratic Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place ***[indicate a date that is not later than the date by which the state selects its standing committee members]***. *(Call IV.F.3, Appendix C & Reg. 5.7)*
2. The Convention Pages shall be as evenly divided between men and women as possible under the state allocation and shall reflect as much as possible, the Affirmative Action guidelines in the Affirmative Action Plan. *(Reg. 5.7.A)*
3. The State Democratic Chair shall certify the individuals to serve as State's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. ***[This certification shall be made not later than the time the state certifies its standing committee members.]*** *(Call IV.F.3 & Reg. 5.7.B)*

## Section VI General Provisions and Procedural Guarantees

- A. The State Democratic Party reaffirms its commitment to an open party by incorporating the "six basic elements" as listed below. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all minority group members to participate in the delegate selection process. *(Rule 4.A. & Rule C)*
  1. All public meetings at all levels of the Democratic Party in State should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status or physical disability (hereinafter collectively referred to as "status"). *(Rule 4.B.1)*
  2. No test for membership in, nor any oaths of loyalty to, the Democratic Party in State should be required or used which has the effect of requiring prospective or current members of the Democratic Party to acquiesce in, condone or support discrimination based on "status." *(Rule 4.B.2)*

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3. The time and place for all public meetings of the Democratic Party in State on all levels should be publicized fully and in such manner as to assure timely notice to all interested persons. Such meetings must be held in places accessible to all Party members and large enough to accommodate all interested persons. *(Rule 4.B.3)*
  4. The Democratic Party in State, on all levels, should support the broadest possible registration without discrimination based on "status." *(Rule 4.B.4)*
  5. The Democratic Party in State should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of each State Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization. *(Rule 4.B.5)*
  5. The Democratic Party in State should publicize fully and in such a manner as to assure notice to all interested parties, a complete description of the legal and practical qualifications of all positions as officers and representatives of the State Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within each State Democratic Party will have full and adequate opportunity to compete for office. *(Rule 4.B.6)*
- B. Discrimination on the basis of "status" in the conduct of Democratic Party affairs is prohibited. *(Rule 5.B)*
- C. State's delegation shall be equally divided between delegate men and delegate women, and alternate men and alternate women. Such goal applies to the entire delegation, which includes all pledged delegates and alternates and all unpledged delegates. Delegates and alternates shall be considered separate groups for purposes of achieving equal division. *(Rule 6.C)*
- D. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference. *(Rule 12.A)*
- E. No delegate at any level of the delegate selection process shall be mandated by law or Party rules to vote contrary to that person's presidential choice as expressed at the time the delegate is elected. *(Rule 12.I)*
- F. Delegates elected to the national convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them. *(Rule 12.J)*

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- G. All delegates, alternates and standing committee members must be bona fide Democrats who have the interests, welfare and success of the Democratic Party of the United States at heart, who subscribe to the substance, intent and principles of the Charter and Bylaws of the Democratic Party of the United States, and who will participate in the Convention in good faith. (*Rule 12.H & Reg. 4.25*)
- H. **[Specify an amount no less than 40%]** of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members, and other official Convention participants. (*Rule 15*)
- I. An accredited participant in a caucus, convention or committee meeting, after having appeared at such meeting and having established credentials, may register a non-transferable proxy with another duly accredited participant at that meeting (except where an accredited alternate is present and eligible to serve as a replacement), provided that no individual may hold more than three (3) proxies at one (1) time. **[This provision for proxy voting is discretionary. Alternatively, a Plan may prohibit proxy voting.]** (*Rule 16 & Reg. 4.29*)
- J. The unit rule, or any rule or practice whereby all members of a Party unit or delegation may be required to cast their votes in accordance with the will of a majority of the body, shall not be used at any stage of the delegate selection process. (*Rule 17.A*)
- K. Any individual or group of Democrats may sponsor or endorse a slate of candidates for convention delegates. But no slate may, by virtue of such endorsement, receive a preferential place on a delegate selection ballot or be publicly identified on the ballot as the official Democratic Party organization slate, and all slates must meet identical qualifying requirements for appearing on a ballot at all levels of the delegate selection process. (*Rule 17.B*)
- L. All steps in the delegate selection process, including the filing of presidential candidates, must take place within the calendar year of the Democratic National Convention, except with respect to the implementation of the Affirmative Action Plan. (*Rule 1.F & Rule 11.B*)
- M. In electing and certifying delegates and alternates to the 2016 Democratic National Convention, State thereby undertakes to assure all Democratic voters in the state a full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs and to implement affirmative action programs toward that end: that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2016 Democratic National Convention: and that the delegates certified will not publicly support or campaign for any candidate for President or Vice President other than the nominees of the Democratic National Convention. Furthermore, voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice Presidential nominees selected by said Convention, and for electors pledged formally and in

good conscience to the election of these Presidential and Vice Presidential nominees, under the label and designation of the Democratic Party of the United States. (Call II.B)

## Section VII Affirmative Action, Outreach and Inclusion Plan

***[NOTE: This Affirmative Action, Outreach and Inclusion Plan (hereinafter referred to as the “Affirmative Action Plan”) is provided for illustrative purposes only. Each state is unique and its own circumstances should dictate the approach that needs to be taken to conduct outreach to all Democratic voters in the state, to encourage their full participation in the delegate selection process, and to achieve broad representation by all of the Party’s constituencies within the delegation. While compliance with certain specific Rules must be reflected in the state’s Affirmative Action Plan (see citations), these rules can also provide a general framework around which the state may develop its own outreach program. State Party Affirmative Action Committees should be involved in the design of an Affirmative Action Plan targeted to the state.]***

### A. Statement of Purpose and Organization

#### 1. Purpose and Objectives

- a. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by State. (Rule 5.A)
- b. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. (Rule 5.B)
- c. All public meetings at all levels of the Democratic Party in State should be open to all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status or physical disability (hereinafter collectively referred to as “status”). (Rule 4.B.1)
- d. Consistent with the Democratic Party’s commitment to including groups historically under-represented in the Democratic Party’s affairs, by virtue of race/ethnicity, age, sexual orientation, gender identity or disability, State has established goals for these groups. (Rule 5.C & Reg. 4.7)

***[States should design these programs to pro-actively reach out to the state’s various Democratic constituencies including groups such as African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders, women, LGBT, people with disabilities, youth, seniors, ethnics, and labor, to heighten the***

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***awareness of these groups and the Democratic Party's desire to have them fully participate.]***

- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the State Democratic Party has adopted and will implement programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. To further encourage full participation in the process, the State Party has established goals and timetables for other underrepresented groups, including LGBT Americans, people with disabilities and youth. *(Rule 6.A & Rule 7)*
  - (1) The goal of the programs shall be to encourage participation in the delegate selection process and in Party organizations at all levels by the aforementioned groups as indicated by their presence in the Democratic electorate. *(Rule 6.A. 1)*
  - (2) For the delegate selection process, "Youth" is defined as any participant 36 years old and younger.
  - (3) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.
  - (4) These goals shall not be accomplished either directly or indirectly by the Party's imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs. *(Rule 6.A.2)*
- 2. Organizational Structure
  - a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on ***[Specify a date that is not later than March 2, 2015.]*** *(Rule 6.F)*
  - b. The State Democratic Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of the State's Affirmative Action Committee with Rules 5.C, 6.A and 7, and submit the names, demographic data and contact information no later than 15 days after their appointment. *(Reg. 2.2.K)*
  - c. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan. ***[Attach "Exhibit #1"- listing the members of the Affirmative Action Committee and identifying each member's relevant demographic ("status") information.]***

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- d. The Affirmative Action Committee shall be responsible for:
    - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Chair.
    - (2) Reviewing the proposed Inclusion Programs and making recommendations to the State Democratic Chair.
    - (3) Directing the implementation of all requirements of the Affirmative Action section of this Plan.
    - (4) Implementing a financial assistance program for delegates and alternates. *(Rule 6.G)*
    - (5) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders and women. *(Rule 6.E)*
  - e. Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to, making available on a priority basis, the State Party staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.
3. Implementation of the Affirmative Action Plan shall begin on ***[specify a date that is not later than September 16, 2015]***, with the distribution of the press kits, and will continue through the end of the delegate selection process. *(Rule 1.F)*

### **B. Efforts to Educate on the Delegate Selection Process**

- 1. Well-publicized educational workshops will be conducted in each of the delegate districts beginning in September 2015. These workshops will be designed to encourage participation in the delegate selection process, including apprising potential delegate candidates of the availability of financial assistance. These workshops will be held in places that are easily accessible to persons with physical disabilities. The times, dates, places and rules for the conduct of all education workshops, meetings and other events involved in the delegate selection process shall be effectively publicized by the party organization and include mailings to various organizations representative of the Democratic voting populace. *(Rule 3.A, Rule 3.C & Rule 3.D)*
- 2. A speakers bureau of volunteers from the Affirmative Action Committee comprised of individuals who are fully familiar with the process, will be

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organized to appear before groups, as needed, to provide information concerning the process.

3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's constituencies and making sure that information about the delegate selection process is available to Democratic clubs and Party caucuses representing specific constituencies.
4. The State Party will publish and make available at no cost: a clear and concise explanation of how Democratic voters can participate in the delegate selection process; an explanation of how, where and when persons can register to vote; and delegate district maps. As well, the State Party shall also make available copies of the State Party Rules, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan, and relevant state statutes at no cost. Copies of documents related to the state's delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than ***[Specify a date which is at least 90 days prior to the first step in the process.]*** (Rule 1.H)
5. The State Party shall take all feasible steps to encourage persons to register and to vote as Democrats and will seek to ensure simple and easy registration procedures. (Rule 2.C)

### C. Efforts to Publicize the Delegate Selection Process

1. Special attention shall be directed at publicizing the delegate selection process in the state. Such publicity shall include information on eligibility to vote and how to become a candidate for delegate, the time and location of each stage of the delegate selection process and where to get additional information. The foregoing information will also be published in the State Party communications and on the State Party's website. The Party organization, official, candidate, or member calling a meeting or scheduling an event, shall effectively publicize the role that such meeting or event plays in the selection of delegates and alternates to the Democratic National Convention. (Rule 3.C & Rule 3.D)
2. Newspapers, radio and television will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a delegate candidate. Special effort shall be directed to the major daily newspapers, radio and television stations by the State Democratic Chair, Affirmative Action Committee members and staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage. ***[Attach "Exhibit #2"- a listing of the media outlets to receive this information, either as a whole or as part "A" ("Major Daily Newspapers, Radio and Television***

## State 2016 Delegate Selection Plan

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**Stations”) and part “B”- (“Other ‘Non-Minority’ Media Outlets.”)] (Rule 4.B.3 & Rule 6.D)**

3. A priority effort shall be directed at publicity among the Democratic Party’s constituencies.
  - a. Information about the delegate selection process will be provided to minority newspapers and radio stations, ethnic press, Native American, Asian Americans and Pacific Islanders, Spanish-speaking and other non-English press, radio stations and publications, and women’s organizations, student newspapers, LGBT press, disability press, and any other specialty media in the state that is likely to reach the Democratic constituency groups set forth in the Introduction of this Affirmative Action Plan.
  - b. The State Party shall be responsible for the implementation of this publicity effort. **[Attach the list of “Constituency and Specialty Media Outlets and Targeted Groups” as part “C” of “Exhibit #2”]** For purposes of providing adequate notice of the delegate selection process, the times, dates, places and rules for the conduct of **[specify type(s) of event(s) involved in the delegate selection process, i.e. caucuses, conventions, meetings, etc.]** shall be effectively publicized, multilingually where necessary, to encourage the participation of minority groups. (Rule 6.D)
4. Not later than **[specify a date consistent with the date for implementation of this Plan, as specified in section VII.A.3. above]**, a press kit shall be made and provided to each daily and weekly newspaper as well as to the electronic media. The press kit will include:
  - a. a summary of all pertinent rules related to the state’s delegate selection process;
  - b. a map of delegate districts and how many delegates will be elected within each district;
  - c. a summary explaining the operation and importance of the 2016 Convention; and
  - d. materials designed to encourage participation by prospective delegate candidates.



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**D. Representation Goals**

1. The State Party has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state’s Democratic electorate. These constituency percentages shall be established as goals for representation in the state’s convention delegation. *(Rule 6.A)*
  
2. The State Party has determined the demographic composition of members of the LGBT community, people with disabilities, and youth in the state’s Democratic electorate and furthermore, the State Party has chosen to establish these percentages as goals for representation in the state’s convention delegation.

***[Indicate the method used for conducting the study of the demographic composition of the state’s Democratic electorate. List the results of the study showing the constituency percentages and specify the numeric goals for each constituency’s representation in the convention delegation.]***

***[If a state has failed to determine percentages and goals for members of the LBG T community, people with disabilities, and youth, contract the size of the table below.]***

	African Americans	Hispanics	Native Americans	Asian Americans and Pacific Islanders	LGBT Americans	People with Disabilities	Youth
Percent in Democratic Electorate							
Numeric Goals for Delegation							

3. When selecting the at-large portion of the delegation, the demographic composition of the other delegates (district-level, pledged PLEO, and unpledged) shall be compared with the State Party’s goals in order to achieve an at-large selection process that helps to bring about a representative balance.
  
4. Use of the at-large delegation to achieve the affirmative action goals established by this Plan does not obviate the need for the State Party to conduct outreach activities such as recruitment, education and training. *(Rule 6.A.3)*

**E. Obligations of Presidential Candidates to Maximize Participation**

1. Presidential candidates shall assist the State Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan. ***[State parties may impose reasonable specific affirmative action obligations on presidential candidates consistent with the delegate selection system employed by the state.] (Rule 6.H)***
2. Each presidential candidate must submit a written statement to the State Democratic Chair by **(date)** which indicates the specific steps he or she will take to encourage full participation in State's delegate selection process, including, but not limited to, procedures by which persons may file as candidates for delegate or alternate. *(Rule 6.H.1)*
3. Each presidential candidate must submit demographic information with respect to all candidates for delegate and alternate pledged to them. Such information shall be submitted in conjunction with the list of names approved for consideration as delegate and alternate candidates pledged to the presidential candidate. *(Rule 6.H.2)*
4. Presidential candidates (including uncommitted status) shall use their best effort to ensure that their respective delegations within the state's delegate, alternate and standing committee delegations shall achieve the affirmative action goals reflected in the Affirmative Action Plan and that the respective delegations of each presidential candidate shall be equally divided between men and women. Furthermore, presidential candidates shall use their best efforts at the district level to approve delegate and alternate candidates who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective delegations. *(Rule 6.I & Reg. 4.9)*

**F. Inclusion Programs**

***[NOTE: While states should establish goals for the groups as provided in Rule 7 as part of Section D (Representation Goals) above, alternatively, a State Party may implement "Inclusion Programs" to achieve full participation by the other groups under-represented in Party affairs.***

***Rule 7 requires a State Party to develop a detailed plan intended to secure the full participation in the delegate selection process of LGBT Americans, people with disabilities, youth, and other groups the State Party may choose, commensurate with each group's participation in the state's Democratic electorate. This section is included for informational purposes and should be adapted as needed by a State Party that chooses to utilize Inclusion Programs in lieu of establishing specific representation goals.]***

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## State 2016 Delegate Selection Plan

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1. In order to achieve full participation of other groups that may be under-represented in Party affairs, including members of the LGBT community, people with disabilities and youth, the State Democratic Party has adopted and will implement Inclusion Programs.
2. The State Party has taken reasonable steps to determine the composition of members of the LGBT community, people with disabilities, and youth in the state's Democratic electorate. ***[If a State Party fails to establish goals with methodology and timetables for the under-represented groups identified in Rule 7 (LGBT Americans, people with disabilities, and youth -- as well as other groups the State Party determines to be under-represented), then the state shall provide an explanation as to why they are unable to do so.]*** (Reg. 4.7.C.iii)
3. In securing this level of full participation, the State Party will conduct the education and publicity outreach efforts outlined in Sections B and C of this Section respectively.
4. The State Party will make accommodations to facilitate greater participation by people with disabilities. ***[Section should specify what those accommodations would include.]***

## Section VIII Challenges

### A. Jurisdiction & Standing

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2016 Democratic National Convention (Reg. Sec. 3)*, and the "Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention." (*Call Appendix A*)
2. Under Rule 20.B. of the *2016 Delegate Selection Rules*, the DNC Rules and Bylaws Committee has jurisdiction over challenges pertaining to the submission, non-implementation and violation of state Delegate Selection and Affirmative Action Plans. (*Rule 20.B & Call Appendix A*)
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge provided it is initiated before the 56th day preceding the date of the commencement of the 2016 Democratic National Convention. (*Call Appendix A & Reg. 3.1*)
4. Challenges to the credentials of delegates and alternates to the 2016 Democratic National Convention initiated on or after the 56th day preceding the date of commencement of the Democratic National Convention shall be

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## State 2016 Delegate Selection Plan

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- processed in accordance with the “Rules of Procedure of the Credentials Committee of the 2016 Democratic National Convention.” (*Call Appendix A*)
5. Any challenge to the credentials of a standing committee member shall be considered and resolved by the affected standing committee in accordance with Appendix A of the *Call for the 2016 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention. (*Call VII.B.5*)
  6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2016 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (*Appendix A*), shall be made available by the State Party upon reasonable request.
  7. Any group of 15 Democrats with standing to challenge as defined in Reg. 3.2 or the Call (*Appendix A, Sec. 2.A*), may bring a challenge to this Plan or to the implementation of this Plan, including its Affirmative Action provisions.

### **B. Challenges to the Status of the State Party and Challenges to the Plan**

1. A challenge to the status of the State Party Committee as the body entitled to sponsor a delegation from that state shall be filed with the Rules and Bylaws Committee not later than 30 calendar days prior to the initiation of the state’s delegate selection process. (*Rule 20.A & Reg. 3.4.A*)
2. A challenge to the state’s Delegate Selection Plan shall be filed with the Chair of the State Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within 15 calendar days after the adoption of the Plan by the State Party. (*Reg. 3.4.B*)
3. A challenge to a Plan must be brought in conformity with the Rules and the Regs., which should be consulted for a detailed explanation of challenge procedures.

### **C. Challenges to Implementation**

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process. (*Reg. 3.1.C*)
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party

## State 2016 Delegate Selection Plan

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- Committee and with the Rules and Bylaws Committee not later than 15 days after the alleged violation occurred. The State Party has 21 days to render a decision. Within 10 days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within 10 days after expiration of the above 21-day period. *(Reg. 3.4.C, Reg. E & Reg. H)*
3. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results. *(Rule 6.B)* The procedures are the same for challenges alleging failure to properly implement the Affirmative Action section of a Plan, except that such challenges must be filed not later than 30 days prior to the initiation of the state's delegate selection process. *(Reg. 3.4.C)*
  4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

## Section IX Summary of Plan

### A. Selection of Delegates and Alternates

State will use a proportional representation system based on the results of the (Select One) apportioning its delegates to the 2016 Democratic National Convention.

The “first determining step” of State’s delegate selection process will occur on **(date)**, with a (Select One).

Delegates and alternates will be selected as summarized on the following chart:

Type	Delegates	Alternates	Date of Selection	Selecting Body
				Filing Requirements and Deadlines
District-Level Delegates District-Level Alternates	##	##	1/1/16 1/1/16	Selecting Body: <i>[Specify the selecting body]</i> <i>[Summarize the basic filing requirements and deadlines]</i>
Unpledged Party Leader and Elected Official Delegates*	##	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 8.A. of the 2012 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	##	**	1/1/16	Selecting Body: <i>[Specify the selecting body]</i> <i>[Summarize the basic filing requirements and deadlines]</i>
At-Large Delegates At-Large Alternates	##	##	1/1/16 1/1/16	Selecting Body: <i>[Specify the selecting body]</i> <i>[Summarize the basic filing requirements and deadlines]</i>
TOTAL Delegates and Alternates	##	##		

\* Unpledged Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic members of the U.S. House of Representatives and the U.S. Senate, the Democratic Governor, and any other Distinguished Party Leader as specified in Rule 9.A. of the *2016 Delegate Selection Rules*. The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

\*\* Pledged Party Leader and Elected Official (PLEO) alternates are selected with the At-Large alternates. ***[Applicable to most states.]***

## State 2016 Delegate Selection Plan

### B. Selection of Standing Committee Members (For the Credentials, Platform and Rules Committees)

Standing committee members will be selected by the state's National Convention delegates as summarized below:

Members Per Committee	Total Members	Selection Date	Filing Requirements and Deadlines
##	##	(date)	<i>[Summarize the basic filing requirements and deadlines]</i>

### C. Selection of Delegation Chair and Convention Pages

The Delegation Chair will be selected by the National Convention Delegates on **(date)**.

## Convention Pages will be selected by the State Democratic Chair on **(date)**.

### D. Presidential Candidate Filing Deadline

***[Specify the deadline, if any, by which presidential candidates must file in order to participate in the primary or caucus, and with whom the candidate must file. Note: Filing deadline must be within the calendar year of the convention.] (Rule 11.B & 14.E)***

Presidential candidates must certify the name of their authorized representative(s) to the State Democratic Chair by **(date)**.

### E. Timetable

***[The following example is for provided ILLUSTRATIVE PURPOSES ONLY, and should be adjusted and expanded to reflect each specific step in the state's process.] (Reg. 2.2.B)***

Date	Activity
<b>2015</b>	
February 2	Delegate Selection Affirmative Action Committee members are appointed by the State Chair. <b><i>[Note: This appointment is required to be made by March 2, 2015.]</i></b>
February 14	Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.
February 17	Delegate Selection Affirmative Action Committee members must be submitted to the Rules and Bylaws Committee including names, contact information and demographic data.
February 28	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Party Committee.
March 2	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period.
April 1	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee.

## State 2016 Delegate Selection Plan

Date	Activity
April 11	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
April 28	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
September 16	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media. <b>[Note: This is the deadline by which implementation of the affirmative action program must begin.]</b>
October 1	Deadline for each announced presidential candidate to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process. (Individuals who announce their candidacy after this date must provide this full participation statement to the State Party not later than 30 days after their announcement.)
December 3	Presidential candidate petition forms are available from the State Party Committee Headquarters.
<b>2016</b>	
January 5	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms and filing instructions from State Party Committee Headquarters, in person, by mail, or from State Party's web site at <a href="http://www.democrats.org">[www.democrats.org]</a> .
January 8	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
January 14	Presidential candidate deadline for filing the petition of candidacy with the Secretary of State and a copy to the State Party.
February 3	District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with State Party.
February 10	State Party provides list of district-level delegate and alternate candidates to the respective Presidential candidates.
February 16	Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.
February 20	Pre-primary congressional district caucuses slate district-level delegate and alternate candidates.
March 15	<b>Presidential preference primary.</b>
April 15	Secretary of State certifies results of primary; pre-slated district-level delegates and alternates are allocated according to presidential preference.
April 23	State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.
May 2	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the statement of candidacy and pledge of support forms with State Party.
May 5	State Party provides list of PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.
May 10	Presidential candidates provide approved list of pledged PLEO delegate candidates to State Party.
May 28	State Convention convenes. Pledged PLEO delegates selected. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate and alternate candidates to State Party. State Convention selects at-large delegates and alternates. Presidential candidates submit lists of candidates for standing committee members to State Party.
May 28	National Convention delegation meeting. Delegates select National Convention Standing Committee Members and Delegation Chair. State Chair names convention pages.
May 29	State Party certifies remainder of elected delegates and alternates (PLEOs and at-large), along with standing committee members, delegation chair, and convention pages.
May 31	State Chair certifies in writing to the Secretary of the DNC the State's Delegation Chair, Convention Pages and Standing Committee Members.
June 8	State Party certifies in writing to the Secretary of the DNC the presidential preference of Pledged PLEOs and At-Large Delegates and Alternates.



## State 2016 Delegate Selection Plan

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Date	Activity
June 8	State Party certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Unpledged Delegates.

## Exhibits to the Affirmative Action Plan

### A. Members of the Affirmative Action Committee

***[List each member of the Affirmative Action Committee and indicate relevant demographic data about each member (i.e. African American, Hispanic, Native American, Asian Americans and Pacific Islanders , gender, LGBT, youth, people with disabilities, seniors, ethnics, labor, and any other applicable Democratic constituency group as set forth in the Introduction to the Affirmative Action Plan).]***

### B. Media Outlets to be Contacted Regarding the Delegate Selection Process

1. Major Daily Newspapers, Radio and Television Stations

***[List the other non-minority media sources, weekly newspapers, and wire services that will receive regular releases during the delegate selection process as part of the State Party's outreach efforts.]***

2. Other "Non-Minority" Media Outlets

***[List the other non-minority media sources, weekly newspapers, and wire services that will receive regular releases during the delegate selection process as part of the State Party's outreach efforts.]***

3. Constituency and Specialty Media Outlets and Targeted Groups

***[List minority newspapers and radio stations, ethnic press, Native American, Asian Americans and Pacific Islanders, Spanish-speaking and other non-English press, radio stations and publications, women's organizations, student newspapers, LGBT press, disability press, and any other specialty media and community organizations in the state that is likely to reach the Democratic constituencies set forth in the Introduction to the Affirmative Action Plan. This list should also specify the constituencies these media outlets will target as a priority effort to effectively publicize (bilingually where necessary) information about the delegate selection process.]***

## ATTACHMENTS TO THE DELEGATE SELECTION PLAN

***[As specified in Reg. 2.2, the following documentation must accompany the state's Delegate Selection Plan at the time it is formally submitted to the Rules and Bylaws Committee.]***

1. **A summary** of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, along with related deadlines. ***[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section IX. of the Model Plan.]*** (Reg. 2.2.A)
2. **A timetable** reflecting all significant dates in the state's delegate selection process. ***[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section I. of the Model Plan.]*** (Reg. 2.2.B)
3. **A statement from the State Democratic Chair certifying the Plan** as submitted to the RBC was approved by the State Party Committee. (Reg. 2.2.C)
4. **A copy of the press release** distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan. (Reg. 2.2.D)
5. **A statement from the State Democratic Chair certifying that the proposed Plan**, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period. (Reg. 2.2.E)
6. **A statement from the State Democratic Chair certifying compliance with Rule 1.C.** which requires a 30-day public comment period prior to the adoption of the Plan by the State Party Committee, provided that the State Party has published specific guidance for the submission of public comments. (Reg. 2.2.F)
7. **A copy of all written public and online comments** submitted through the process provided above on the Plan. ***[Include information identifying each person and/or organization making the comment and where appropriate, a description of the person or group so represented, if such information has been provided or is available to the State Party.]*** (Reg. 2.2.G)
8. **A blank copy of forms to be filed with the state and the State Party by delegate, alternate, and standing committee candidates.** (Rule 1.A.7, Rule 1.A.8 & Reg. 2.2.H)
9. **A statement from the Chair of the Affirmative Action Committee certifying compliance with Rule 6.F.,** which requires that the Affirmative Action Committee

## State 2016 Delegate Selection Plan

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has reviewed the proposed Affirmative Action outreach plan, including any numerical goals established. (Reg. 2.2.I)

10. **A statement from State Democratic Chair outlining the reliable data and source(s) used for numerical goals established under Rules 5.C., 6.A., and 7. (Reg. 2.2.J)**
11. **A statement from the State Democratic Chair certifying that the State Affirmative Action Committee composition complies with Rules 5.C, 6.A., and 7 and that the names, demographic data and contact information of members was submitted to the RBC 15 days after their appointment. (Reg. 2.2.K)**
12. **Copies of all state statutes and other relevant legal authority reasonably related to the Delegate Selection Process [For example, include any and all state statutory requirements related to: ballot access for presidential candidates; filing requirements for delegate and alternate candidates; timing of the presidential primary, caucuses, and/or the state convention; participation in the state's presidential primary or caucuses, including Party registration or enrollment provisions; and any other stipulations made by the state regarding the selection process or the role of National Convention delegates.] (Reg. 2.2.L)**
13. **A copy of all qualifying forms to be filed with the state and the State Party by presidential candidates. (Reg. 2.2.M)**



# Checklist for State Delegate Selection Plans

(12.10.14)

STATE: \_\_\_\_\_ DATE: \_\_\_\_\_

(Check if complete and include page number for reference)

## I. INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

### A. Introduction

- 1. Is the total number of delegates and alternates to be selected indicated and are the totals correct?
- 2. Does the Plan indicate that the delegate selection process is governed by National Party rules, State Party rules, state laws and the Delegate Selection Plan? (Call II.A)

### B. Description of Delegate Selection Process

- 1. What is the first determining step and when will it be held? \_\_\_\_\_
- 2. Is the first determining step scheduled on or after March 1, 2016, and not later than June 14, 2016? (Rule 11.A)
- 3. Voter Participation (Rule 2.A, Rule 2.C & Reg. 4.3)
  - a. Does the Plan specify the state's voter registration or enrollment procedures, including the deadline to register? \_\_\_\_\_
  - b. Does the Plan describe who can participate in the delegate selection process and how individuals are identified as Democrats? \_\_\_\_\_
  - c. Does the Plan include a description of steps taken to assess and improve participation with respect to presidential preference and delegate selection contests and procedure? (Rule 2.I)
- 4. Prohibition of fees? (Rule 2.D)
- 5. Prohibition of crossover participation? (Rule 2.E)
- 6. Prohibition of double voting in the first tier? (Rule 3.E)
- 7. For states using state government-run primaries, does the Plan specify the provable positive steps a State Party has taken (or will take) to promote the acquisition, maintenance and regular replacement of precinct based optical scan systems and ensure that direct recording electronic systems include a voter verified paper trail and other recognized security measures? (Rule 2.H)
- 8. Does the Plan provide that the dates, times and places for all official delegate selection meetings have been scheduled to encourage participation by Democrats? Is the state party responsible for selecting the dates, times and providing the facilities? Does the Plan indicate that the state party will consider any religious observations that could significantly affect participation? (Rule 3.A & Reg. 4.5)

## II. PRESIDENTIAL CANDIDATES

- 1. What is the presidential candidate filing deadline? Is it within the calendar year of the convention? If not, has the state party requested a waiver? (Rule 11.B) \_\_\_\_\_
- 2. Does the Plan specify all presidential candidate filing and petition requirements, including filing fees, if applicable, and corresponding deadlines prescribed by:
  - State law? \_\_\_\_\_

- State Party rules? \_\_\_\_\_
- a. If a petition is required, is it the sole method of ballot access? If so, how many signatures are required, and is the requirement less than 5,000? (*Rule 14.A*) \_\_\_\_\_
- b. If a fee is required for ballot access, is it \$2,500 or less? (*Rule 14.B*) \_\_\_\_\_
- c. If petition signatures and/or a fee is required for ballot access, is it less than or equal to the requirement in effect on 1/1/94? (*Rule 14.D*) \_\_\_\_\_
- d. In primary states, is the filing deadline for presidential candidates between 30 and 75 days before the primary? How many days? (*Rule 14.E*) \_\_\_\_\_
- 3. Is the date indicated by which the presidential candidate must certify his/her authorized representative in writing to the State Chair? (*Rule 12.D.1*) \_\_\_\_\_
- 4. Does the Plan require presidential candidates to use their best efforts to ensure their respective delegation achieves the state's affirmative action goals and equal division?

**III. SELECTION OF DELEGATES AND ALTERNATES**

**A. District-Level Delegates and Alternates**

- 1. Does the Plan indicate how many district-level delegates and alternates will be elected? \_\_\_\_\_/\_\_\_\_\_
- 2. Election of District-Level Delegates and Alternates**
  - a. What is the method the state uses to elect its district-level delegates and alternates and are specific details and dates included for the process?  
\_\_\_\_\_
  - b. If the state uses a caucus system, are the first-tier caucuses scheduled for the same time and date throughout the state? (*Rule 3.B*) \_\_\_\_\_
  - c. Are the dates, times and locations for each tier of caucuses indicated in the Plan? (*Rule 3.A*) \_\_\_\_\_
  - d. Are rules of procedure set forth for each level of the delegate selection process? (Do the rules of procedure address such issues as: Where a delegate elected at one level is unable to attend the next-level caucus, is the delegate allowed to run for the next level? Can the delegate appoint an alternate and can that alternate be "temporary"?) \_\_\_\_\_
- 3. Apportionment of District-Level Delegates and Alternates**
  - a. Which Reg. 4.31 option did the state party select for allocating its alternates? \_\_\_\_\_
  - b. Does the Plan indicate which one of the four formulas was used to apportion delegates among districts? (*Rule 8.A*)
    - (1) Equal weight to total population and to the average vote for the Democratic candidates in the 2008 and 2012 presidential elections;
    - (2) Equal weight to the vote for the Democratic candidates in the 2012 presidential and the most recent gubernatorial elections;
    - (3) Equal weight to the average of the vote for the Democratic candidates in the 2008 and 2012 presidential elections and to the Democratic Party registration or enrollment as of January 1, 2016;
    - (4) One-third (1/3) weight to each of the above formulas.
    - (5) Does the Plan indicate why the particular formula was selected and why it is the most inclusive method?

- c. Does the Plan provide for equal division of the district-level delegates and alternates? (*Rule 6.C.1*)
- d. Does the Plan specify how many delegates and alternates are allocated to each district?
  - (1) Is the math correct for the number of delegates and alternates to be allocated?
  - (2) Are all districts smaller than a Congressional district? (*Rule 8.C*)
  - (3) Are all districts large enough to have at least two (2) district-level delegates? (*Rule 13.G*)
- e. If applicable, does the Plan specify how the apportionment of delegates to be elected from each tier to the next tier in a caucus/convention system (e.g. precincts and counties) is based upon population and/or some measure of Democratic strength? (*Rule 8.B*) \_\_\_\_\_

#### 4. District-Level Delegate and Alternate Filing Requirements

- a. Does the Plan specify that district-level delegate and alternate candidates may run for election only within the district in which they are registered to vote? (*Rule 12.H*)
- b. Does the Plan specify exactly how an individual files to run for district-level delegate or alternate? (*Rule 12.B*) \_\_\_\_\_
- c. Does the Plan require a statement of candidacy and signed pledge of support to be filed? (*Rule 12.B*)
  - (1) Does Plan clarify that the statement of candidacy designates a singular presidential preference? Is it also clear that the preference may be modified by submitting an updated pledge before the deadline? (*Rule 12.A & Reg. 4.21*)
  - (2) Does Plan describe specific filing and petition requirements, including filing fees (if applicable) and corresponding deadlines prescribed by state law and by party rule, along with specific filing details? (*Rule 1.A.7, Rule 1.A.8 & Reg. 4.22*)
  - (3) If petitions are used, does the Plan comply with the rule that limits the number of signatures required to one half of one percent (.5%) of the registered/enrolled Democrats in the district, or one half of one percent (.5%) of the total votes in the district for all Democratic presidential candidates cast during the 2012 presidential nominating process, whichever is lower, but in no event exceeds 500 valid signatures? (*Rule 14.C*)
  - (4) If petitions are used, and if fees are required to be paid by a delegate/alternate candidate in order to get on the ballot, does the Plan indicate that the signature requirements and the fees do not exceed those in effect as of 1/1/94? (*Rule 14.D*)
- d. Is the deadline for a person to file to run for district-level delegate no more than 30 days before the date district-level delegates are to be selected? (*Rule 12.B & Rule 14.F*)
- e. In states holding a presidential primary where individual district-level delegates or alternates are voted upon on the ballot, is the deadline by which delegate and alternate candidates file a statement of candidacy or a pledge of support no more than 90 days before the primary? (*Rule 12.B & Rule 14.F*) \_\_\_\_\_
- f. Does the Plan provide that district-level alternate candidates meet the same requirements as district-level delegate candidates? (*Rule 12.C*)
- g. Does the state allow candidates not chosen at the delegate level to be considered at the alternate level (optional)? (*Rule 12.C*)

#### 5. Presidential Candidate Right of Approval for District-Level Delegates and Alternates

- a. When does the state give the list of delegate and alternate candidates to the presidential candidate? (*Rule 12.D & Rule 12.F*) \_\_\_\_\_

- b. In states using pre-primary caucuses to slate delegates, does the Plan allow the presidential candidates to review the list of their respective delegate and alternate candidates before the caucuses? (*Reg. 4.23.C*)
- c. When does the presidential candidate have to return a list of approved delegate and alternate candidates to the State Chair? \_\_\_\_\_
- d. Does the Plan specify that the presidential candidate must approve at least three (3) times the number of names for each delegate man and delegate woman and each alternate man and alternate woman to be elected? (*Rule 12.D & Rule 12.E.1*)
- e. In states where individual delegates and alternates are voted upon on the ballot, does the Plan indicate that presidential candidates may approve a number of delegate and alternate candidates equal to or greater than the number of delegates and alternates to be elected? (*Rule 12.D.2 & Rule 12.E.1*)
- f. Does the Plan state that district-level delegate and alternate candidates removed from the list of bona fide supporters by the presidential candidate may not be elected at that level as a delegate or alternate pledged to that presidential candidate? (*Rule 12.E*)
- g. Does the Plan specify that the state party must certify to the RBC whether a presidential candidate has used their best efforts to submit a list of delegate candidates who meet the affirmative action considerations within three (3) days of receiving the list of approved delegate candidates? (*Rule 6.I & Reg.4.9*)

#### 6. Fair Reflection of Presidential Preference

- a. Does the Plan specify the method for allocating district-level delegate positions proportionately among presidential preferences? (*Rule 13.A & Rule 13.D*)
- b. If the state uses a caucus system, at which level are the presidential preference percentages determined? (*Rule 13.B*) \_\_\_\_\_
- c. Does the Plan specifically indicate that a threshold of 15% will be used? (*Rule 13.B*)
- d. Does the Plan indicate that if no preference reaches the 15% threshold, the threshold will be the percentage received by the front-runner, minus 10%. (*Rule 13.F*)
- e. If delegates and alternates are not elected on the ballot:
  - (1) Does the Plan indicate how the delegates and alternates will be selected or nominated by a caucus of persons from the unit who sign statements of support for that presidential candidate? (*Rule 12.G*)
  - (2) Does the Plan specify the date and time of the meeting to elect the district-level delegates and alternates and the procedural requirements for the election? If more than one tier is used, are details about each of the tiers provided? \_\_\_\_\_
- f. In a state where a presidential candidate could qualify to receive more delegates/alternates than he/she slated (applicable to pre-primary and two-part primary systems):
  - (1) Does the Plan describe how additional delegates will be selected in a post-primary procedure? (*Rule 13.C*)
  - (2) Does the procedure include a description of the type of meeting, the delegate candidate filing deadline, the presidential review deadline and other procedural rules? (*Rule 13.C*)

#### 7. Equal Division of District-Level Delegates and Alternates

- a. Does the Plan clearly specify how equal division between men and women will be achieved for district-level delegates and alternates? (*Rule 6.C.1*)
- b. Does the Plan explain how district-level delegates and alternates will be allotted to presidential candidates in such a way as to ensure equal division of the respective candidates' delegation? (*Rule 6.C & Reg. 4.8*)



8. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the district-level delegates and alternates within 10 days of their election? (*Rule 8.C & Call IV.A*) \_\_\_\_\_
9. If the primary results need to be certified by the state, does the Plan indicate when the results will be official and when the delegates and alternates will be certified? (*Reg.5.4.B & Reg. 5.4.C*)

## B. Unpledged Delegates

### 1. Unpledged Party Leaders and Elected Official Delegates

- a. Does the Plan indicate that the DNC Members, the Democratic President and Vice President (if applicable), Democratic Members of Congress, the Democratic Governor (if any), and the Distinguished Party Leaders (if any) who legally reside in the state will be recognized to serve as unpledged delegates to the National Convention? (*Rule 9.A*)
- b. Does the Plan indicate that the DNC Secretary will confirm the names of these delegates who legally reside in the state to the State Chair by March 1, 2016? (*Rule 9.A*)
- c. Does the plan state that the State Democratic Chair shall certify in writing to the Secretary of the DNC the presidential preference of the State's Unpledged Delegates 10 days after the completion of the State's Delegate Selection Process? (*Rule 9.A, Call IV.C & Reg.5.5*)
2. Does plan note that for purposes of equal division, the state's delegation includes all pledged and unpledged delegates? (*Rule 6.C*)

## C. Pledged Party Leader and Elected Official Delegates (PLEOs)

1. Is the number of pledged PLEO delegates to be selected specified in the Plan? \_\_\_\_\_

### 2. Pledged PLEO Filing Requirements

- a. Does the Plan indicate who is eligible to be selected as pledged PLEO delegates and the priority of consideration? (*Rule 9.B.1*)
- b. Are the filing deadline and the requirements specified for persons who want to be considered for these positions?

Do these requirements indicate:

- (1) The specific requirements for filing a statement of candidacy and a pledge of support for a presidential or uncommitted preference? (*Rule 9.B.3*)
- (2) Is the filing deadline within 30 days of the date of the selection? (*Rule 9.B.3 & Reg. 4.16*)
- (3) Is the filing deadline after the selection of district-level delegates?

If not, then does the Plan:

- (i) provide an alternative filing procedure with a deadline after the selection of the district-level delegates? (*Rule 9.B.3*)
- (ii) provide an opportunity for disapproval of the delegate candidates by the presidential candidates? (*Rule 9.B.3*)

### 3. Presidential Candidate Right of Review

- a. Does the Plan specify the date by which the state must give the list of delegate candidates to the presidential candidate to whom they have filed a pledge of support? (*Rule 12.D & Rule 12.F*)
- \_\_\_\_\_

- b. Does the Plan indicate the date by which the presidential candidate must return his/her list of approved delegate candidates to the State Chair? \_\_\_\_\_ Is the date after the election of the district-level delegates? (*Rule 12.D.3, Rule 12.E.2 & Reg. 4.23*)
- c.  Does the Plan specify that the presidential candidate must approve at least one name for each delegate position to which the presidential candidate is entitled? (*Rule 12.E.2*)
- OR-**
- Does the Plan provide that a presidential candidate must approve at least two names for each position to which he or she is entitled?
- d. Does the Plan specify that the state party must certify to the RBC whether a presidential candidate has used their best efforts to submit a list of delegate candidates who meet the affirmative action considerations within three (3) days of receiving the list of approved delegate candidates? (*Rule 6.I & Reg. 4.9*)

**4. Selection of Pledged PLEOs**

- a. Is the method for allocating delegate positions to presidential preferences described and is it the same basis used for allocating the at-large delegates? (*Rule 9.B.2, Rule 13.E & 13.F*) \_\_\_\_\_
- b. Does the Plan indicate the date on which the PLEO delegates will be selected, and is it after the election of the district-level delegates and prior to the at-large? (*Rule 9.C*) \_\_\_\_\_
- c. Are the time, date, place, election procedures and other details of the selecting meeting specified?
- d. Is the body selecting the PLEO delegates indicated as the (*Rule 9.C*):
  - State convention?
  - Committee of a quorum of district level delegates?
  - State committee? If the state committee will select the PLEOs, is there a description of how the committee complies with the following criteria? (*Rule 9.C*)
    - (i) An explanation of how membership on the Committee is apportioned on the basis of population and/or some measure of Democratic voting strength. (*Rule 9.C.1 & Reg. 4.17.A*)
    - (ii) A description of how and when State Party Committee members are elected and how that process complies with the basic procedural guarantees utilized for delegate selection. (*Rule 9.C.2 & Reg. 4.17.B*)
    - (iii) Specific information as to how such delegates will be elected at a public meeting subsequent to the election of district level delegates. (*Rule 9.C.3*)
    - (iv) Members of the State Party Committee shall have been elected no earlier than the calendar year of the previous national convention. (*Rule 9.C.4*)
    - (v) Specific information as to how membership of the State Party Committee complies with the equal division requirements of the Charter. (*Rule 9.C.5 & Reg. 7.17.C*)
- e. Does the Plan provide for alternates at this level to be selected with the at-large alternates?
- 5. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the pledged PLEO delegates within 10 days of their selection? (*Rule 8.D and Call IV.A*)

**D. At-Large Delegates and Alternates**

- 1. Is the number of at-large delegates and alternates to be selected specified in the Plan? \_\_\_\_\_ / \_\_\_\_\_
- 2. At-Large Delegate and Alternate Filing Requirements**
- a. Does the Plan explain exactly how an individual files to run for an at-large delegate or alternate position?  
\_\_\_\_\_

- b. Do the filing requirements include a statement of candidacy and signed pledge of support? (*Rule 12.B*)
  - (1) Does the Plan clarify that the statement of candidacy designates a singular presidential preference? (*Rule 12.A & Reg. 4.21*)
  - (2) Is it clear that the preference may be modified by submitting an updated pledge before the deadline? (*Rule 12.A & Reg. 4.21*)
- c. Is the filing deadline specified and is it no earlier than 30 days before the date of the selecting meeting and at the same time or after the selection of the PLEOs? (*Rule 14.G and Reg. 4.28*)

### 3. Presidential Candidate Right of Approval

- a. Does the Plan specify the date by which the State Chair must submit the list of at-large delegate and alternate candidates to the presidential candidate? (*Rule 12.D*) \_\_\_\_\_
- b. Does the Plan specify the date by which the presidential candidate must file the list of approved at-large delegate and alternate candidates with the State Chair? \_\_\_\_\_ Is the deadline after the selection of the PLEOs? (*Rule 12.D and Reg.4.23*)
  - c. Does the Plan specify that a presidential candidate must approve at least one name for each delegate position to which the presidential candidate is entitled? (*Rule 12.E.2*)
  - OR-
  - Does the Plan provide that a presidential candidate must approve at least two names for each position to which he or she is entitled?
  - (Check to make sure the same minimum requirement is reflected for PLEO delegates.) (*Rule 12.E.2*)
- d. Does the Plan specify that the state party must certify to the RBC whether a presidential candidate has used their best efforts to submit a list of delegate candidates who meet the affirmative action considerations within three (3) days of receiving the list of approved delegate candidates? (*Rule 6.I & Reg. 4.9*)

### 4. Fair Reflection of Presidential Preference

- a. Does the Plan specify the method that will be used to determine how delegate and alternate positions will be allocated among presidential preferences? (*Rule 10.C*)
 

Is the method used:

  - (1) according to the state-wide primary vote? (For primary states.)
  - (2) according to the division of preferences among district-level delegates at the time of district-level selection? (For non-primary states which do not hold state conventions authorized to elect delegates.)
  - (3) according to the division of preferences among convention participants? (For convention and caucus states.)
  - If a state convention is used, is there assurance that automatic delegates are not involved in the allocation process? (*Rule 9.D & Reg. 4.18*)
- b. Does the Plan specify that in order to receive delegates, preferences must have a 15% threshold on a statewide basis. (*Rule 13.E*)
- c. Does the Plan specify that if no candidate attains a 15% threshold, then the threshold will be the percentage of the vote received by the front-runner minus 10%. (*Rule 13.F*)
- d. Does the Plan provide that if a presidential candidate is no longer a candidate at the time at-large delegates are selected, his/her allocation will be proportionately divided among the other preferences entitled to an allocation? (*Rule 10.C*)

- e. Does the Plan provide that, if a presidential preference is entitled to at least one delegate position but would not be entitled to an alternate position, that preference will be allotted one at-large alternate position? (*Rule 18.B, Call I.I & Reg.4.30*)

**5. Selection of At-Large Delegates and Alternates**

- a. Does the Plan specify the date on which the at-large delegates and alternates will be selected and is it after the PLEOs have been selected? (*Rule 8.D*)
  - b. Is the delegate selection process completed no later than June 25, 2016? (*Call III*)
  - c. In states with one Congressional District, does the Plan provide for the selection of all delegates at the same meeting? If so, does the Plan ensure that the affirmative action guidelines will be met, the state chair makes the certifications required by Rule 8.D., and the presidential candidates have sufficient time to review their respective lists of delegate and alternate candidates? (*Rule 8.E & Reg. 4.12*)
    - d. What body selects the at-large delegates and alternates? (*Rule 10.C & Rule 10.B*)
      - State convention;
      - Committee of a quorum of district level delegates; or,
      - State committee? If this is the same body that selects the PLEOs, and the Plan described how the committee complies with the following requirements in that section, it does not need to be repeated below.
        - (i) An explanation of how membership on the Committee is apportioned on the basis of population and/or some measure of Democratic voting strength. (*Rule 9.C.1 & Reg. 4.17.A*)
        - (ii) A description of how and when State Party Committee members are elected and how that process complies with the basic procedural guarantees utilized for delegate selection. (*Rule 9.C.2 & Reg. 4.17.B*)
        - (iii) Specific information as to how such delegates will be elected at a public meeting subsequent to the election of district level delegates. (*Rule 9.C.3*)
        - (iv) Members of the State Party Committee shall have been elected no earlier than the calendar year of the previous national convention. (*Rule 9.C.4*)
        - (v) Specific information as to how membership of the State Party Committee complies with the equal division requirements of the Charter. (*Rule 9.C.5 & Reg. 7.17.C*)
  - e. Does the Plan include the rules of procedure for the selection of the at-large delegates and alternates?

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  - f. Does the Plan indicate that in the election of at-large delegates and alternates priority of consideration shall be given to the groups specified in Rule 6.A?
  - g. Does the Plan specify that in the election of at-large delegates and alternates priority shall be given to other groups as specified in Rule 5.C?
  - h. Does the Plan specify that the election of at-large delegates and alternates shall be used, if necessary, to achieve the equal division of males and females, and to achieve the representation goals set by the Affirmative Action and Inclusion Programs specified in the Plan? (*Rule 6.C & Reg. 4.8*)
  - i. Does the Plan indicate that delegates and alternates are to be considered separate groups for the purposes of equal division and full participation? (*Rule 6.C & Reg. 4.8*)
- 6. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the at-large delegates and alternates within 10 days of their selection? (*Rule 8.C & Call IV.A*)

**E. Replacement of Delegates and Alternates****1. Pledged Delegates and Alternates**

- a. Permanent replacement of a delegate. Does the Plan include the following provisions related to the permanent replacement of a delegate? (*Rule 18.D.1*)
  - (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the convention and an alternate replaces the delegate for the remainder of the convention.
  - (2) Any alternate permanently replacing a delegate shall be:
    - (i) of the same presidential preference (including uncommitted status);
    - (ii) of the same sex; and
    - (iii) to the extent possible from the same political subdivision within the state as the delegate being replaced; except
    - (iv) when there's only one alternate, that alternate shall become the delegate.
  - (3) If, as the result of a permanent replacement of a delegate, the delegation is no longer equally divided between men and women, then the state shall use a subsequent permanent replacement to bring the delegation back into equal division. (*Reg.4.33*)
  - (4) Does the Plan provide that if a delegate or alternate candidate who has been elected but not yet certified to the DNC Secretary resigns, dies or is no longer eligible to serve, then the presidential candidate's authorized representative names the replacement after consultation with the state party? (*Rule 18.D.2*)
- b. Temporary Replacement of a Delegate. Does the Plan include provisions for the temporary replacement of a delegate? (*Rule 18.D.3*)
  - (1) A temporary replacement occurs when a delegate is to be absent for a limited period of time during the convention and an alternate acts in the delegate's place.
  - (2) Any alternate temporarily replacing a delegate:
    - (i) must be of the same presidential preference (including uncommitted status) as the delegate; and
    - (ii) to the extent possible, shall be of the same sex as the delegate; and
    - (iii) to the extent possible, shall be from the same political subdivision within the state as the delegate being replaced.
- c. Does the Plan indicate the system that will be used to select an alternate to replace a delegate on a temporary and permanent basis? (*Rule 18.D.1*)
  - (1) The delegate chooses the alternate.
  - (2) The delegation chooses the alternate.
  - (3) The alternate who receives the highest number of votes replaces the delegate.
  - (4) Such other process that protects the interests of presidential candidates, delegates and alternates – specifically: \_\_\_\_\_

- d. Certification of Replacements
- (1) Does the Plan indicate that alternates permanently replacing a delegate and individuals selected to fill vacant alternate positions shall be certified within three (3) days by the State Chair? (*Rule 18.D.2 & Call IV.D.1*)
  - (2) Does the Plan also indicate that certification will be accepted up to 72 hours before the beginning of the convention? (*Call IV.D.1*)
  - (3) Does the Plan indicate that if a replacement occurs after 72 hours before the beginning of the convention, the Delegation Chair will indicate the name of the alternate casting the respective delegate's vote on the tally sheet? (*Call VIII.F.3.b & 3.d*)
- e. Does the Plan indicate how vacant alternate positions will be filled and does it specify that the replacement must be:
- (1) of the same presidential preference;
  - (2) of the same sex; and
  - (3) of the same political subdivision (to the extent possible) as the alternate being replaced? (*Rule 18.E.*)
2. **Unpledged Delegates**
- a. As applicable, does the Plan specify that Members of Congress and Democratic Governors are not entitled to name a replacement? (The Plan may indicate that changes or vacancies in such offices will be those officially recognized by the respective Democratic organization.) (*Call IV.D.2.a*)
  - b. Does the Plan specify that DNC Members shall not be entitled to a replacement and the state shall not be entitled to a replacement, except in the case of death? (The Plan may indicate that DNC membership changes and corresponding delegate changes will be as acknowledged by the DNC Secretary.) (*Call IV.D.2.b*)
  - c. If applicable, does the Plan specify that Distinguished Party Leaders shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement? (*Call IV.D.2.c*)
  - d. Does the Plan specify that in no case may an alternate cast a vote for an unpledged delegate? (*Call VIII.F.3.d*)

#### IV. SELECTION OF STANDING COMMITTEE MEMBERS

##### A. Introduction

- 1. Is the number of members to be selected for the three (3) standing committees indicated? \_\_\_\_\_
- 2. Does the Plan indicate that standing committee members need not be delegates or alternates to the 2016 Convention? (*Call VII.A.3*)

##### B. Standing Committee Members

1. Selection Meeting
- a. Is the process for selecting the standing committee members fully described? (*Call VII.B.1*)
  - b. Is the date of the selection meeting specified, is it within 14 days of the final selection of delegates, and is it not later than June 25, 2016? (*Call VII.B.1*) \_\_\_\_\_
  - c. Is there provision for adequate notice of time and place for the selection meeting? (*Call, VII.B.1*)

## 2. Allocation of Members

- a. Does the Plan provide that standing committee members will be allocated on the same basis as the at-large delegates? (*Call VII.C.1*)
- b. Is the formula for allocating the standing committee members to the presidential candidates described? (*Call VII.C.2*)
- c. Is the method for rounding the formula results described? (*Call VII.C.2*)
- d. Does the Plan indicate that committee positions will be allocated to presidential candidates proportionately, to the extent practicable, among each committee? (*Call VII.C.4*)

## 3. Presidential Candidate Right of Approval

- a. Does the Plan indicate that presidential candidates will receive adequate notice of the date, time and place of the selection meeting? (*Call VII.D.1*)
- b. Does the Plan require the presidential candidates to submit the name of one (1) individual for each position the candidate is to receive? (*Call VII.D.2*)
- c. Is the deadline for making the submission specified? \_\_\_\_\_
- d. Does the Plan specify that the delegation shall select the standing committee members from among the names submitted by the presidential candidates? (*Call VII.D.2*)

## 4. Selection Procedure to Achieve Equal Division

- a. Does the Plan specify a process for ensuring equal division of standing committee member positions among men and women for each committee? (*Call VII.E.1*)
- b. Are presidential candidates required to use their best efforts to ensure their respective delegations are equally divided between men and women, and that the names they submit will help achieve the affirmative action goals established in the Delegate Selection Plan? (*Rule 6.1 & Reg. 4.9*)

## 5. Certification and Substitution

- a. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the standing committee members within three (3) days of their selection? (*Call VII.B.3*)
- b. Does the Plan indicate that substitution of standing committee members is not permitted except in the case of resignation or death? Does it indicate that substitute members must be selected in accordance with the Plan and certified to the DNC Secretary not later than 48 hours before the respective committee meets? (*Call VII.B.4*)

**V. THE DELEGATION****A. Introduction**

- Does the Plan indicate that the state will select one Delegation Chair and its allocation of Convention Pages? \_\_\_\_\_

**B. Delegation Chair**

## 1. Selection Meeting

- a. Is the date for selecting the Delegation Chair indicated and is it within 14 days of the final selection of the state's delegates? (*Call IV.E.*)
- b. Does it provide for the Chair to be selected at an open and well-publicized meeting of the state's National Convention delegation? (*Rule 3.C*)

- 2. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the Delegation Chair within three days of his or her selection? (*Call IV.E*)

**C. Convention Pages**

- 1. Is the number of Convention Pages to be selected indicated? \_\_\_\_\_
- 2. Will the selection take place no later than when the standing committee members are selected? (*Call IV.F.3*)
- 3. Does the Plan indicate that the State Chair will select the Pages, in consultation with the state's DNC members? (*Reg. 5.7.A*)
- 4. Does the Plan require that the Pages be equally divided between men and women and, as much as possible, reflect the Affirmative Action guidelines in the Delegate Selection Plan? (*Reg. 5.7.A*)
- 5. Does the Plan provide that the State Chair certifies, in writing to the DNC Secretary, the Convention Pages within three (3) days of their selection and no later than the time the standing committee members are certified? (*Call IV.F.3 and Reg. 5.7.B*)

**VI. GENERAL PROVISIONS**

Does the Plan include the following points:

- 1. The "Six (6) basic elements" reaffirming the Party's commitment to an open party? Is "status" specified as "all members of the Democratic Party regardless of race, sex, age, color, creed, national origin, religion, ethnic identity, sexual orientation, gender identity, economic status, or physical disability"? (*Rule 4*)
- 2. The prohibition of discrimination on the basis of "status"? (*Rule 5.B*)
- 3. The equal division of delegates (including all pledged and unpledged delegates) and alternates? (*Rule 6.C*)
- 4. That all candidates for delegate and alternate will be identified as to presidential preference or uncommitted status? (*Rule 12.A*)
- 5. That no delegate shall be mandated to vote contrary to his/her presidential preference? (*Rule 12.I*)
- 6. That delegates shall, in all good conscience, reflect the sentiments of those who elected them? (*Rule 12.J*)
- 7. That all delegates, alternates and standing committee members must be *bona fide* Democrats? (*Rule 12.H & Reg. 4.25*)
- 8. Specified quorum requirements of no less than 40%? (*Rule 15*)
- 9. A provision about proxy procedures, if proxy voting is permitted? (*Rule 16*)
- 10. The prohibition of the "unit rule"? (*Rule 17.A*)
- 11. A provision about slate-making limitations? (*Rule 17.B*)
- 12. A confirmation that all steps of the delegate selection process take place during 2016, except those related to the implementation of the Affirmative Action Plan? (*Rule 1.F & Rule 11.B*)
- 13. The reiteration of assurances on behalf of the State Party pursuant to the provisions of the Call? (*Call II.B*)

**VII. AFFIRMATIVE ACTION****A. Statement of Purpose & Organization**

Does the Plan:

- 1. Indicate that the Party has developed outreach programs that include recruitment, education and training? (*Rule 5.C*)



- 2. State that the Party has adopted and will implement affirmative action programs with specific goals and timetables for African Americans, Hispanics, Native Americans, Asian Americans and Pacific Islanders, and women? *(Rule 6.A)*
  - a. State that the goal of the affirmative action programs is to encourage participation in the process by the targeted groups? *(Rule 6.A.1)*
  - b. Prohibit the use of quotas? *(Rule 6.A.2)*
- 3. State that the Party has established specific goals and timetables for LGBT Americans, people with disabilities, youth, and other groups identified by the state party - OR - has adopted and will implement inclusion programs specified in detail later in this section to secure their full participation? *(Rule 7 & Reg. 4.7)*
  - a. Clarify that “youth” is defined as any participant 36 years old or younger? *(Reg. 5.3.A)*
  - b. Indicate that Native Americans should be asked to provide their tribal affiliation and enrollment? *(Reg. 5.3.B)*
- 4. Provide for the appointment and operation of a representative Affirmative Action Committee not later than March 2, 2015? *(Rule 6.F)*
  - a. Provide for the State Chair to submit the names of Affirmative Action Committee members to the Rules and Bylaws Committee no later than 15 days after their appointment? *(Reg. 2.2.K)*
  - b. Provide a specific program for making financial assistance available to delegates otherwise unable to attend the convention? *(Rule 6.G)*
  - c. Ensure that district lines will not discriminate against minorities and women? *(Rule 6.E)*
- 5. Indicate the date implementation of the Affirmative Action Plan will begin, which must be no later than September 15, 2015? *(Rule 1.F)* \_\_\_\_\_

**B. Efforts to Educate on and Publicize the Delegate Selection Process**

- 1. Does the Plan provide for effectively explaining and publicizing events in the delegate selection process through media and through specific meetings and workshops? *(Rule 3.C & Rule 3.D)*
- 2. Does the Plan provide for multilingual publication, where necessary, to encourage the participation of minority groups? *(Rule 6.D)*

**C. Representation Goals**

- 1. Has a demographic study been conducted and goals established for representation of constituencies in the state’s convention delegation? What are the specific percentages and numeric goals? *(Rule 6.A)*
- 2. Is the methodology used for creating percentages and goals provided? *(Reg.4.7.C)*

	African Americans	Hispanics	Native Americans	Asian Americas & Pacific Islanders	LGBT Americans	People with Disabilities	Youth	
% in Democratic Electorate								
Numeric Goals for Delegation								

- 3. Does the Plan state that the use of the at-large delegation to meet the affirmative action goals does not obviate the need for outreach activities by the State Party? *(Rule 6.A.3)*

**D. Obligations of Presidential Candidates to Maximize Participation**

- 1. Does the Plan require presidential candidates to assist the state in meeting its demographic representation goals? *(Rule 6.H.1)*
- 2. Do presidential candidates have to submit a written statement indicating steps and procedures to encourage full participation? Does the Plan specify a date? *(Rule 6.H.1)* \_\_\_\_\_
- 3. Do presidential candidates have to submit demographic information on all delegate and alternate candidates pledged to them? *(Rule 6.H.2)*
- 4. Are presidential candidates required to use their best efforts to ensure their respective delegations of delegates, alternates and standing committee members are equally divided and reflect the state’s affirmative action goals? And, are presidential candidates required to use their best efforts to approve delegate and alternate candidates at the district level who meet applicable equal division and affirmative action considerations in order to achieve the affirmative action goals and equal division for their respective delegations? *(Rule 6.I & Reg. 4.9)*

**E. Inclusion Programs**

- 1. If the state party failed to determine goals and percentages for other groups such as LGBT, people with disabilities and youth, does the Plan specify that “Inclusion Programs” will be implemented to achieve the full participation of these groups? *(Rule 7 & Reg. 4.7)*
- 2. In lieu of establishing specific representation goals, has the state party developed a detailed plan for “Inclusion Programs”? *(Rule 7 & Reg. 4.7)*
- 3. Does the Plan provide an explanation as to why the state party was unable to establish goals, methodology and a timetable for these groups? *(Rule 7 & Reg. 4.7)*

**VIII. CHALLENGES**

- Does the Plan track the provisions on challenges from the Model Plan (check the Model Plan)? *(Call Appendix A)*

**IX. SUMMARY OF PLAN**

**A. Selection of Delegates and Alternates**

- 1. Does the summary indicate the system the state uses for allocating delegates to presidential candidates?  
System Type: \_\_\_\_\_ Date of 1st Step: \_\_\_\_\_
- 2. Does the summary briefly describe the number of delegates and alternates to be selected, the selecting body and the filing requirements?

Type	Delegates	Alternates	Selection Date	Selecting Body & Filing Requirements
District-Level Delegates & Alternates				
Unpledged Delegates				
Pledged PLEOs				

Type	Delegates	Alternates	Selection Date	Selecting Body & Filing Requirements
At-Large Delegates & Alternates				
TOTAL <i>(check 2016 allocation chart)</i>				

**B. Selection of Standing Committee Members**

- Does the summary indicate how many standing committee members will be selected and does it include a brief description of the filing requirements and deadlines?

Members per Committee <i>(check 2016 allocation chart)</i>	Total Members <i>(Members per Committee x 3)</i>	Selection Date <i>(After selection of all delegates)</i>	Filing Requirements & Deadlines

**C. Selection of Delegation Chair and Convention Pages**

- Does the summary indicate how and when the Delegation Chair and Convention Pages are selected?

Type	Number	Selection Date	Selecting Body
Delegation Chair	1		<input type="checkbox"/> Delegation
Convention Pages			<input type="checkbox"/> State Chair

**D. Presidential Candidate Filing Deadline**

- 1. If applicable, does the Plan summarize the state's presidential candidate filing requirements and deadline (after 1/1/2016)? \_\_\_\_\_
- 2. Is the date specified by which a presidential candidate must certify his/her authorized representative(s) to the State Chair? \_\_\_\_\_

**E. Timetable**

Are the dates indicated for the following steps in the delegate selection process:

- 1. Date on which the Affirmative Action Committee was appointed (on or before 3/2/2015)? \_\_\_\_\_
- 2. Beginning and end of period for soliciting public comment on the proposed Delegate Selection and Affirmative Action Plans (min. of 30 days)? \_\_\_\_\_
- 3. Date on which State Party adopted the Delegate Selection and Affirmative Action Plans (after comment period)? \_\_\_\_\_
- 4. Date the Affirmative Action Plan goes into effect (by 9/15/15)? \_\_\_\_\_

- 5. All deadlines, including the following steps:
  - a. Presidential candidate filing, if applicable? \_\_\_\_\_
  - b. Presidential candidate certification of authorized representative(s)? \_\_\_\_\_
  - c. Presidential candidate full participation statement? \_\_\_\_\_
  - d. Filing deadlines for delegate and alternate candidates:

	Level / Filing Deadline	Statement of candidacy and pledge of support	State Party transmits lists to Presidential Candidates	Presidential Candidates file approved Lists of delegate and alternate candidates
<input type="checkbox"/>	District-Level			
<input type="checkbox"/>	PLEOs	<i>(after the election of the district-level delegates)</i>		
<input type="checkbox"/>	At-Large	<i>(same as or after the selection of the PLEOs)</i>		<i>(after the selection of the district-level and PLEO delegates)</i>

- e. ALL dates related to the selection of delegates and alternates (including the primary date in primary states or the date for each tier in caucus states) for each level (as noted below):

<input type="checkbox"/>	Date of <b>Primary</b> (and any pre- or post-primary caucus meetings) - OR - Date and description of each <b>Caucus</b> tier.	
<input type="checkbox"/>	District-level delegates & alternates When selected and by whom?	
<input type="checkbox"/>	PLEOs delegates When selected and by whom?	
<input type="checkbox"/>	At-large delegates & alternates When selected and by whom?	

- f. Standing committee members:
  - (1) Date by which presidential candidates must provide list of approved candidates? \_\_\_\_\_
  - (2) Date on which standing committee members are selected? \_\_\_\_\_
- g. Date for selecting the Delegation Chair and the Convention Pages? \_\_\_\_\_

**EXHIBITS – To the Affirmative Action Plan**

Are the following exhibits attached for the Affirmative Action Plan:

- 1. Exhibit 1: A list of the members of the Affirmative Action Committee and demographic information on each member?
- 2. Exhibit 2: A list of media outlets to receive information on the delegate selection process and events? Does the list indicate major media outlets, non-minority media outlets and minority media outlets?

**ATTACHMENTS**

Is the following documentation included with the Plan: (Reg. 2.2)

- 1. A summary of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, along with related deadlines? (It is recommended that this information be incorporated as part of the Plan – see Section I. and Section A.)
- 2. A timetable reflecting all significant dates in the state's delegate selection process? (It is recommended that this information be incorporated as part of the Plan – see Section I. and Section B.)
- 3. A statement from the State Chair certifying the adoption of the Plan by the State Party?
- 4. A copy of the press release distributed by the State Party announcing the adoption of the Plan and summarizing the major components of the Plan?
- 5. A statement from the State Democratic Chair certifying that the proposed Plan, including all attachments and appendices, was placed on the State Party website during the 30-day public comment period?
- 6. A statement from the State Chair certifying compliance with Rule 1.C? (e.g. a copy of the press release announcing the availability of the proposed Delegate Selection and Affirmative Action Plans for public comment for 30 days)? (Rule 1.C & Reg. 2.2.F)
- 7. Copies of all written public and online comments on the Plan as submitted to the State Party through the process provided above on the plan? Is each person and/or organization making comments identified and, where appropriate, is the person or group so represented described, if such information was provided or is available to the State Party? (Rule 1.C & Reg. 2.2.G)
- 8. A blank copy of all filing forms for delegate, alternate, and standing committee candidates? (Rule 1.A.7, Rule 1.A.8 & Reg. 2.2.H)
- 9. A statement from the Chair of the Affirmative Action Committee certifying compliance with Rule 6.F?
- 10. A statement from the State Democratic Chair outlining the reliable data and source used for numerical goals established under Rules 5.C, 6.A & 7.F?
- 11. A statement from the State Democratic Chair certifying that the State Affirmative Action Committee composition complies with Rules 5.C, 6.A & 7 and that the names, demographic data and contact information of members was submitted to the RBC 15 days after their appointment. (Section K.)
- 12. Copies of all state statutes and all other relevant legal authority reasonably related to the delegate selection process? (Does this include state provisions regarding ballot access for presidential candidates, filing requirements for delegates/alternates, timing requirements for primaries, caucuses or conventions, party registration or enrollment provisions, etc.?) (Reg. 2.2.I)
- 13. A blank copy of all qualifying forms for presidential candidates to be filed with the state and the state party? (Reg. 2.2.M.)