



DEMOCRATIC NATIONAL COMMITTEE

DEMOCRATIC CHANGE COMMISSION

October 24, 2009

Capital Hilton

Washington, DC

AGENDA

Call to Order & Pledge of Allegiance

Call of the Roll & Determination of a Quorum

Opening Remarks

Congressman James E. Clyburn

Co-Chair

Public Comments and Member Q&A

Public Comments on Timing

Public Comments on Super Delegates

Public Comments on Caucuses

Options for Commission Consideration

Adjournment

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Democratic National Committee

Resolution Establishing the Democratic Change Commission

(This resolution was recommended by the 2008 Convention Rules Committee at its August 23, 2008 meeting and adopted by the 2008 Democratic National Convention on August 25, 2008 in Denver, Colorado)

Section 1. Establishment of Democratic Change Commission.

BE IT RESOLVED: That no later than 60 days after the date of the next election of the National Chair of the Democratic National Committee (DNC), the National Chair shall establish a commission (the "Commission") to review the Delegate Selection Rules in light of developments during the 2008 presidential nominating cycle and to recommend changes to the Delegate Selection Rules for the 2012 Democratic National Convention, not inconsistent with these resolutions, to improve the nominating process.

RESOLVED FURTHER: That the Commission shall be known as the "Democratic Change Commission;" that it shall consist of 35 members and two co-chairs, all with the right to vote on Commission business, appointed by the National Chair of the DNC; that its membership shall be equally divided between men and women and shall be geographically and demographically diverse; that the DNC shall provide the Commission with adequate staff and resources to carry out its mandate in accordance with this Resolution; and that the Commission shall issue its report and recommendations to the Rules and Bylaws Committee of the DNC no later than January 1, 2010.

Section 2. Timing of the Primaries and Caucuses.

RESOLVED FURTHER: That the Delegate Selection Rules for the 2012 Convention shall provide that 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) shall be held prior to the first Tuesday in March of the election year, except as otherwise provided in the Delegate Selection Rules and recognizing the valuable role played by the approved pre-Window states in 2008; and provided that no such meeting, caucus, convention or primary shall in any event be held prior to February 1 of the calendar year of the National Convention; and that the Commission also shall review the sequence and scheduling of primaries and caucuses with a view towards reducing the scheduling of such events on the first allowable date that resulted in 22 primaries and caucuses being held on such date in 2008 and toward reducing frontloading within the Window period; and that the Commission shall review the rules for proper enforcement of the primary and caucus timing requirements and delegate allocation matters, particularly with respect to action by the Rules and Bylaws Committee; and that in making its recommendations, the Commission consider any revision of the Rules of the Republican Party of the United States adopted by the 2008 Republican National Convention regarding the scheduling and sequence of presidential nominating events.

Section 3. Delegates.

RESOLVED FURTHER: That the Commission shall consider and make appropriate recommendations for revisions to the Delegate Selection Rules for the 2012 Democratic National Convention to provide for a significant reduction of the number of unpledged party leader and elected official (PLEO) delegates in order to enlarge the role and influence of primary and caucus voters in the presidential nominating process. The Commission also shall review the formulas for delegate allocation to assure that delegates are fairly allocated to accurately reflect the will of the voters and that the right of the delegates to reflect the sentiments of those who elected them shall be secured to all delegates.

Section 4. Caucuses.

RESOLVED FURTHER: That the Commission shall consider and recommend appropriate revisions to the Delegate Selection Rules for the 2012 Democratic National Convention to provide that:

a. the use of a caucus/convention system for any stage of the delegate selection process by any State Democratic Party shall be approved by the DNC Rules and Bylaws Committee in accordance with any new specific criteria to be set out in the Delegate Selection Rules, and which will be designed to ensure that at each stage, any caucus or convention will be adequately planned, organized, and staffed; will take place at such times and in such locations as will meet the requirements of Rule 3 of the Delegate Selection Rules and will otherwise maximize the opportunity for full participation by Democratic voters; will be run using appropriate balloting methods and, as to tiers following the first stage caucus, will utilize accurate lists of participants; and will afford the opportunity for meaningful communication of presidential candidates with their pledged caucus participants reasonably in advance of caucuses and conventions.

b. the use of a caucus/convention system for any stage of the delegate selection process should be organized in a manner that will ensure the maximum ability of Democratic voters to feasibly participate in the first-tier caucuses, including consideration of absentee voting in caucuses to benefit those who cannot attend a scheduled caucus due to military service, work, health conditions, family obligations and other similar reasons that prevent attendance in person.

Section 5. Status of Resolutions

RESOLVED FURTHER: That the Commission may address other matters related to the presidential nominating process and Delegate Selection Rules as may be identified by the National Chair of the Democratic National Committee, and that for the purposes of Article Ten, Section 2 of the Charter of the Democratic Party of the United States, these resolutions shall be deemed to be "otherwise designated."



Democratic National Committee

DEMOCRATIC CHANGE COMMISSION

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State Statutes and Legislation Regarding Timing in Pre-March Primary and Caucus States

State	2008 Date	Est. 2012 Date	Governing Law	Governor	Senate	House
Alabama	5-Feb	7-Feb	(a) Primary elections for the purpose of determining the preferred candidates for President of the United States shall be held the first Tuesday in February each year in which a President is to be elected beginning in the year 2008. [Sec. 17-13-100]	R	D (19/13)	D (62/43)
Arizona	5-Feb	24-Feb	A. A presidential preference election shall be held on the fourth Tuesday in February of each year in which the president of the United States is elected to give qualified electors the opportunity to express their preference for the presidential candidate of the political party indicated as their preference by the record of their registration. No other election may appear on the same ballot as the presidential preference election. B. Notwithstanding subsection A of this section, the governor may issue a proclamation that the presidential preference election is to be held on a date earlier than the fourth Tuesday in February. The proclamation shall be issued no later than one hundred fifty days before the date of the election as set forth in the proclamation. The governor shall transmit a copy of the election proclamation to the clerk of the county boards of supervisors. [AZ Revised Statutes 16-241]	R	R (12/18)	R (25/35)
Arkansas	5-Feb	29-May	3 weeks prior to the 2nd Tuesday in June [AR Code 7-7-203]	D	D (27/18)	D (71/28/1)
California	5-Feb	7-Feb	(c) Conducting the California presidential primary election on the first Tuesday in February will encourage presidential candidates to campaign in California, and to debate and discuss issues and policies important to the people of California. [Sec. 1000c.1202]	R	D (26/14)	D (114/37)
Colorado	5-Feb	7-Feb	House Bill 1376 allows political parties to move caucuses from the third Tuesday in March to the first Tuesday in February during presidential election years. [CO HB1376]	D	D (21/14)	D (38/27)
Connecticut	5-Feb	7-Feb	Primary date. On the first Tuesday in March of each year in which the President of the United States is to be elected, each party shall conduct a primary in each town if the names of two or more candidates are to be placed on such party's ballot. [Sec. 9-464.]	R	D (24/12)	D (114/37)

State Statutes and Legislation Regarding Timing in Pre-March Primary and Caucus States

State	2008 Date	Est. 2012 Date	Governing Law	Governor	Senate	House
Delaware	5-Feb	7-Feb	(a) Except as provided in subsection (b) of this section, a presidential primary election for major political parties shall be conducted on the first Tuesday in February in the calendar year of a presidential election. <i>[Delaware Code, Title 15, Chapter 31, § 3181 (1)]</i>	D	D (16/5)	D (24/17)
District of Columbia	12-Feb	10-Jan	(2007--)...moves presidential preference primary election from the 2nd Tuesday in January of each presidential election year to the 2nd Tuesday in February of each presidential election year; <i>[D.C. Official Code Division I, Title 1 Chapter 10, Elections. Subchapter I, Regulation of Elections. 1-1001.01(4)]</i>	D (Mayor)	D (11/0/2) (City Council)	
Florida	29-Jan	31-Jan	(2008--) Last Tuesday in January in each year which is a multiple of 4 <i>[FL Statutes 103.101]</i>	R	R (14/26)	R (44/76)
Georgia	5-Feb	7-Feb	A presidential preference primary shall be held in 2008 and every four years thereafter for each political party or body which has cast for its candidates for President and Vice President in the last presidential election more than 20 percent of the total vote cast for President and Vice President in the state ... Such primary shall be held on February 5, 2008, and on the first Tuesday in February every four years thereafter. <i>[Official Code of GA 21-2-191]</i>	R	R (22/34)	R (75/105)
Illinois	5-Feb	7-Feb	(2007--) In even-numbered years ... an election to be known as the general primary election shall be held on the first Tuesday in February <i>[IL Compiled Statutes 10-5/2A-1.1(a)]</i>	D	D (37/22)	D (70/48)
Iowa	3-Jan	5-Jan	Delegates to county conventions of political parties and party committee members shall be elected at precinct caucuses held not later than the fourth Monday in February of each even-numbered year. The date shall be at least eight days earlier than the scheduled date for any meeting, caucus or primary which constitutes the first determining stage of the presidential nominating process in any other state, territory or any other group which has the authority to select delegates in the presidential nomination. The state central committees of the political parties shall set the date for their caucuses. <i>[Iowa State Code 43.3]</i>	D	D (32/18)	D (56/44)

State Statutes and Legislation Regarding Timing in Pre-March Primary and Caucus States

State	2008 Date	Est. 2012 Date	Governing Law	Governor	Senate	House
Kansas	5-Feb	7-Feb	This bill would allow the Secretary of State to select a Presidential Primary date "on which at least three other states will hold a presidential preference primary election ... or a caucus ... on or before the first Tuesday in April of the next following year, on which the presidential preference primary election shall be held. [2007 Kansas SB 320]	D	R (9/13)	R (48/77)
Louisiana	9-Feb	11-Feb	The state's presidential preference primary has moved from the second Tuesday in March (11 March 2008) to the second Saturday in February (9 February 2008). If Mardi Gras falls on the second Tuesday of February, then the primary is held on the third Saturday in February. [RS 18:1280.21 A.]	R	D (22/15)	D (52/50)
Maryland	12-Feb	7-Feb	SB1025 moves presidential primary from the first Tuesday in March to the second Tuesday in February. [SB1025]	D	D (33/14)	D (104/36)
Massachusetts	5-Feb	7-Feb	SB 2414 Moves Massachusetts primary from March 4, 2008 to February 5, 2008. [SB 2414]	D	D (35/5)	D (143/16)
Michigan	15-Jan	17-Jan	2007 Senate Bill 624 - Set January 15 as the date for the 2008 presidential primary; also established date ranges for future presidential primaries between the second Tuesday in January and the fourth Tuesday in February and establishes procedures by which Democratic and Republican state party chairs would determine the date. Does not require either party to hold a primary. [2007 Senate Bill 624]	D	R (17/21)	D (67/43)
Minnesota	5-Feb	7-Feb	SF893 moves date for presidential caucuses from March 4 to Feb. 12, 2008. [SF893]	R	D (46/21)	D (87/47)
Missouri	5-Feb	7-Feb	A statewide presidential preference primary shall be held on the first Tuesday after the first Monday in February of each presidential election year. [MO Revised Statutes 115.755]	D	R (11/23)	R (74/89)
Nebraska	9-Feb	11-Feb	LB460 replaced the state's Presidential Primary with a caucus to be held the second Saturday in February. [LB460]	R	49* * Unicameral and nonpartisan	
New Hampshire	8-Jan	7-Feb	The presidential primary election shall be held on the second Tuesday in March or on a date selected by the secretary of state which is 7 days or more immediately preceding the date on which any other state shall hold a similar election, whichever is earlier, of each year when a president of the United States is to be elected or the year previous. [RSA 653:9]	Secretary of State sets date		

State Statutes and Legislation Regarding Timing in Pre-March Primary and Caucus States

State	2008 Date	Est. 2012 Date	Governing Law	Governor	Senate	House
New Jersey	5-Feb	7-Feb	S2193 changes date of presidential primary from last Tuesday in February to first Tuesday after the first Monday in February. [S2193]	D**	D (23/17)**	D (48/32)**
New Mexico	5-Feb		Party-run Event	**2009 Elections D	D (27/15)	D (45/25)
New York	5-Feb	7-Feb	In each year in which electors of president and vice president of the United States are to be elected, an additional primary election, to be known as the winter primary, shall be held on the first Tuesday in February unless otherwise changed by an act of the legislature, for the purpose of electing delegates to the national convention. [CHAPTER SEVENTEEN OF THE CONSOLIDATED LAWS, ELECTION LAW, Article 8, Title 1, Section 8-100. 1. (a)]	D	D (32/30)	D (109/41)
North Dakota	5-Feb	7-Feb	Political parties are allowed to conduct presidential preference caucuses to take place on one specific day, following the presidential nominating contests in Iowa and New Hampshire and prior to the first Wednesday in March in every presidential election year. [Section 16.1-11-30]	R	R (21/26)	R (36/58)
Oklahoma	5-Feb	7-Feb	A. A Presidential Preferential Primary for recognized political parties shall be held on the first Tuesday in February in each of the years in which the President and Vice President of the United States are to be elected. B. If one or more states having a mutual boundary with this state establish a single date for a regional primary, the State Election Board is authorized to change the date of the Oklahoma primary to the date established for the regional primary. [OK Statutes 26-20-101]	D	R (22/16)	D (40/61)
South Carolina	26-Jan	28-Jan	A certified political party wishing to hold a presidential primary election may do so in accordance with the provisions of this title and party rules. However, notwithstanding any other provision of this title, the state committee of the party shall set the date and the hours that the polls will be open for the presidential primary election and the filing requirements. If a party holds a presidential primary election on a Saturday, an absentee ballot must be provided to a person who signs an affirmation stating that for religious reasons he does not wish to take part in the electoral process on a Saturday. [South Carolina Code of Laws Section 7-11-20]	R	R (19/27)	R (53/71)

State Statutes and Legislation Regarding Timing in Pre-March Primary and Caucus States

State	2008 Date	Est. 2012 Date	Governing Law	Governor	Senate	House
Tennessee	5-Feb	7-Feb	On the first Tuesday in February before presidential electors are elected, a presidential preference primary shall be held for each statewide political party. If no candidate will appear on the presidential preference primary ballot of a political party under § 2-5-205, no presidential preference primary shall be held for that political party. <i>[TN Code 2-13-205]</i>	D	R (14/19)	R (49/50)
Utah	5-Feb	7-Feb	Friday next after 1st Monday in March of Presidential Election years. <i>[UT Code 20A-9-802(1)(a)]</i> • There is established a Western States Presidential Primary election to be held on the first Tuesday in February in the year in which a presidential election will be held. <i>[UT Code 20A-9-802(1)(a)]</i>	R	R (8/21)	R (22/53)
Virginia	12-Feb	14-Feb	Primaries for the nomination of candidates for offices to be voted on at the general election date in November shall be held on the second Tuesday in June next preceding such election, except that beginning with the year 2004 and in presidential election years thereafter, primaries for the nomination of candidates for offices to be voted on at the general election date in May shall be held as described below in Article 7 of this chapter on the second Tuesday in February. <i>[Code of Virginia § 24.2-515]</i>	D**	D (21/19)**	R (45/53)**
Wisconsin	19-Feb	21-Feb	" ... held on the 3rd Tuesday in February ... to express preferences for the person to be the presidential candidate for each party in a year in which electors for president and vice president are to be elected. <i>[WI Statutes 5.02(22)]</i>	**2009 Elections D	D (18/15)	D (52/46)

* Unicameral and nonpartisan

** 2009 Elections

February 2008 Primary & Caucus Calendar

SUN	MON	TUES	WED	THUR	FRI	SAT
					1	2
3	4	5 AL, AZ, AR, CA, CO, CT, DE, GA, IL, KS, MA, MN, MO, NJ, NM, NY, ND, OK, TN, UT	6	7	8	9 LA NE
10	11	12 DC MD VA	13	14	15	16
17	18	19 WI	20	21	22	23
24	25	26	27	28	29	

* Calendar reflects actual dates of Presidential Nomination Contests



Democratic National Committee

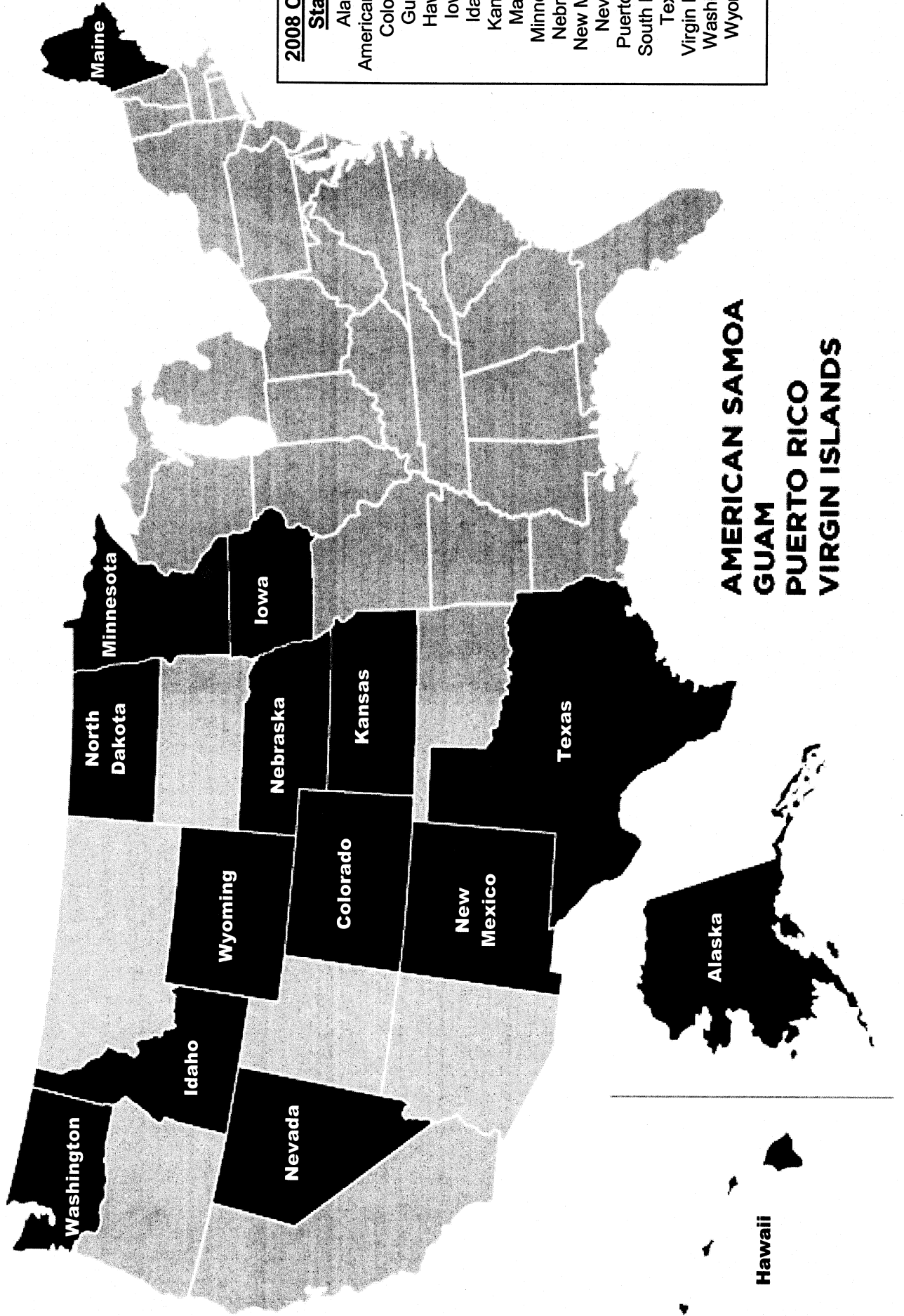
2008 Bonus Delegates

STATE	# OF BASE DELEGATES	# OF BONUS DELEGATES	2008 EVENT	2004 EVENT	
Pennsylvania	131	7	4/22	4/27	Stayed in same month
Guam	3	1	5/3	4/24	Moved from April to May
Indiana	57	6	5/6	5/4	Stayed in same month
North Carolina	79	24	5/6	4/17	Moved from April to May
West Virginia	23	2	5/13	5/11	Stayed in same month
Kentucky	47	4	5/20	5/18	Stayed in same month
Oregon	42	4	5/20	5/18	Stayed in same month
Puerto Rico	44	4	6/1	6/6	Stayed in same month
Montana	13	1	6/3	6/8	Stayed in same month
South Dakota	12	1	6/3	6/1	Stayed in same month
	512	54			

2008 Stages and Bonuses

Stage 1	Pre-Window through March 31	No Bonus
Stage 2	April 1 through April 30	5% bonus for staying in Stage 2 15% bonus for moving into Stage 2
Stage 3	May 1 through June 10	10% bonus for staying in Stage 3 30% bonus for moving into Stage 3

2008 Caucus States



2008 Caucus States

States

Alaska
American Samoa
Colorado
Guam
Hawaii
Iowa
Idaho
Kansas
Maine
Minnesota
Nebraska
New Mexico
Nevada
Puerto Rico
South Dakota
Texas
Virgin Islands
Washington
Wyoming

AMERICAN SAMOA
GUAM
PUERTO RICO
VIRGIN ISLANDS

Change Commission

Options on the Timing of Presidential Primaries & Caucuses

The Convention resolution mandates the following:

- For 2012, the opening of window – or the first date when states may begin to hold primaries or caucuses – *must move* from the first Tuesday in February to the first Tuesday in March.
- For 2012, the pre-window events (i.e. Iowa, New Hampshire, Nevada, South Carolina) *must occur no earlier than* February 1, 2012.
- Commission is to examine the front-loading of states on the opening date of the window.
- Commission is to examine the enforcement rules on timing, particularly with respect to action taken by the DNC Rules and Bylaws Committee.
- Commission is to consider any revisions to the nominating rules taken by the Republican National Convention with respect to the scheduling and sequence of presidential nominating events.

Below please find some potential options for achieving this mandate.

Option #1 – Move the Opening Date of the Window Back & Encourage the Regional Clustering of Contests

- As an attempt to prevent frontloading, the Commission would encourage states to regionally cluster their contest. This would not be a mandatory obligation upon the state parties. The first set of regional events would be held the first Tuesday in March and the others would follow, with two weeks between regional events. The DNC would coordinate with state parties, state legislatures and Governors to move the date of their contests into regional clusters. Several Mid-Atlantic and Western states did this in 2008, and the South has done this in the past.
- The Party and State Parties (and the Republican Party) would need to work toward a consensus on the regional ordering of states for the 2012 cycle. One approach would be to let the regions at the back of the pre-window period have the first regional events within the window. In this case, the South would go first. The regional ordering could be modified for future election cycles. The Commission could direct the RBC to determine the order of the clusters.

- This approach could be encouraged by awarding bonus delegates to those states which opt to participate in these regional clusters.
- Adopting this approach during the 2012 election cycle would allow the party to use this special opportunity of 1) a relatively rare cycle of no apparent Democratic presidential nomination challenge, and 2) an RNC empowered for the first time by the Republican National Convention to recommend nominating rules changes between national conventions, to attempt real reform of the nominating process.

Option #2 – Move the Opening Date of the Window Back

- Under this option, the Commission would mandate that the opening of the window be the first Tuesday in March and would allow states to set the dates of their events as they have done in the past.
- A bonus delegate system awarding extra delegates to those states moving or keeping their events later in the process could be used to discourage frontloading.

Change Commission

Options on Reducing Super Delegates

The Convention resolution mandates the following:

- The Commission is to recommend changes to provide for a “significant reduction” in the number of unpledged delegates (aka “super delegates”).

Below please find some potential options for achieving this mandate.

Option #1 – Turn All Unpledged Delegates into Non-Voting Delegates

- This option would: (1) eliminate unpledged add-on delegates; and (2) turn all the present categories of super delegates as automatic delegates into non-voting delegates.
- The Commission would recommend that super delegates be afforded the same floor credentials and hotel assignments and be allowed to participate at the National convention as if they were delegates, except for the vote on the presidential nominations.
- The Commission would rename the super delegates to reflect their new special status (*i.e.*, honored delegation member).

Option #2 – Eliminate Unpledged Add-ons and Reduce the Number of DNC Members & Members of Congress to 40 - 50% of Their Total Size

- This option would: (1) eliminate unpledged add-on delegates; and (2) would reduce the number of DNC Members and Members of House and Senate serving as super delegates.
- The Commission would recommend a significant percentage reduction (*i.e.*, 40 - 50%) of the DNC Members & Members of Congress.
- The Commission would direct the RBC to address how the remaining DNC and congressional super delegates would be selected (likely at a DNC meeting and a Senate and House Democratic caucus).
- Under this scenario, the relatively small number of Democratic Governors and Distinguished Former Party Leaders would remain as super delegates.
- In addition to eliminating the unpledged add-ons, there would be a reduction of, at the very least; approximately 400 super delegate slots, producing a net decrease of approximately 50% of the total number of super delegates. This percentage decrease in the number of super delegates would be different if the Commission decides on a larger or smaller percentage reduction in the number of DNC and congressional super delegates.

Option #3 – Increase the Pledged PLEO Category to Accommodate A Portion of the DNC Members & Members of Congress

- In addition to eliminating the unpledged add-on delegates, this option would eliminate DNC members & Members of Congress as super delegates and attempt to accommodate them as “pledged” delegates by expanding current pledged PLEO delegate category.
- The Commission would have to determine how many additional pledged PLEO slots would be given to the states, with the range increase starting at little increase up to an increase equal to the number of reduced super delegate positions in the state.
- The Commission would give priority to the Members of Congress and DNC members when the pledged PLEO delegates are selected.
- This would result in a small number of super delegates remaining. Under this scenario, only Democratic Governors and Distinguished Former Party Leaders would remain as super delegates, which equals roughly 50 slots.

Option #4 – Turn Unpledged Delegates into Automatic Pledged Delegates

- In addition to eliminating the unpledged add-on delegates, this option would turn all remaining super delegates into automatic pledged delegates.
- The Commission could recommend a new category of pledged delegates be created to accommodate this change.
- Under this scenario, DNC Members, Members of Congress, Democratic Governors and Distinguished Former Party Leaders would remain automatic voting delegates but would be pledged.
- The Commission could direct the RBC to determine the method of how these delegates would be pledged.

Change Commission

Options on Caucuses

The Convention Resolution mandates the following:

- The Commission is to consider and make appropriate recommendations for new criteria that will ensure that caucuses are adequately planned, organized and staffed; take place at times and locations to allow for full participation; use appropriate balloting measures; and provide candidates with lists of elected delegates for the upper tiers of the caucuses and an opportunity to communicate with those delegates before upcoming caucus tiers.
- The Commission is to consider ways that caucuses can be organized to encourage the maximum ability of Democratic caucus-goers to participate, including in particular making absentee participation available in caucuses.
- Each of these areas reflects real difficulties encountered during the 2008 caucuses that need to be improved to allow for a more participatory voting process.

Below please find some potential options for achieving this mandate.

Description of Option #1 - Develop a "Best Practices" Guide for Caucuses

- The Commission could develop a set of "Best Practices" that provides guidelines to states. This could be especially helpful for those states that have recently adopted a caucus system.
- The Best Practices should reflect some sensitivity to the limited resources held by some state parties for their caucuses to avoid the state parties viewing the "Best Practices" as an unfunded mandate from the DNC.
- The Best Practices should recognize the diversity of caucuses held across the country and allow for flexibility for each state.

Description of Option #2 - Develop a "Best Practices" Guide for Caucuses & Direct RBC to Implement

- The Commission could establish a set of "Best Practices" and then direct the RBC to develop implementation guidelines which would measure caucus state adherence to these "Best Practices." One possibility may be to require additional submissions by caucus states to ensure they are developing a professional caucus process.