

# NEBRASKA DELEGATE SELECTION PLAN

FOR THE 2016 DEMOCRATIC NATIONAL  
CONVENTION

ISSUED BY THE NEBRASKA DEMOCRATIC PARTY

Amended on July 19, 2015  
V.5

The Nebraska Delegate Selection Plan  
For the 2016 Democratic National Convention

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## Section I

### Introduction & Description of Delegate Selection Process

#### A. Introduction

1. Nebraska has a total of 30 delegates and 2 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 Constitution and Bylaws of the Nebraska Democratic Party (“NDP”), the Nebraska Election Act, 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 NDP 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 NDP Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings. For purposes of this Delegate Selection Plan, “State Party Committee” shall mean the NDP State Central Committee, or if authority is delegated by the State Central Committee, the NDP State Executive Committee. (*Regs. 2.5, 2.6, & 2.7*)
4. Once this Plan has been found in Compliance by the RBC, any amendment to the Plan by the NDP will be submitted to and approved by the RBC before it becomes effective. (*Reg. 2.9*)

#### B. Description of Delegate Selection Process

1. Nebraska will use a proportional representation system based on the results of the Caucus for apportioning delegates to the 2016 Democratic National Convention.
2. The “first determining step” of Nebraska’s delegate selection process will occur on March 5, 2016, with a Caucus.
3. Voter Participation in Process
  - a. Participation in Nebraska’s delegate selection process is open to all voters who wish to participate as Democrats. “Democrats” are those persons of legal voting age or who will be of legal voting age by the 2016 General Election who are registered to vote in Nebraska as Democrats as of March 5, 2016 or who register to vote as Democrats at the Precinct Caucus. Caucus participants shall declare their choice for President via a show of hands, vocally stating their choice or in some other way that is public acknowledgement of their choice. The NDP has

taken steps to assess and improve participation by all Democrats in the delegate selection process as outlined in its Affirmative Action Plan in Section VII. (*Rules 2.A., 2.C., & 2.I. & Reg. 4.3*)

- b. At no stage of Nebraska'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. (*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*)
4. 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. It shall be the responsibility of the NDP to provide facilities for all such official meetings and events, and such meetings and events will begin and end at reasonable hours, and take into account any religious observations that could significantly affect participation. (*Rule 3.A. & Reg. 4.5*)

## Section II

### Introduction & Description of Delegate Selection Process

#### A. Ballot Access

1. A presidential candidate is eligible to participate in Nebraska's March 5, 2016 first-tier caucuses as a candidate for consideration by the caucus by filing a letter of intent to be a candidate or causing such a letter to be filed with the NDP and submitting a filing fee of \$1,000 on or before 5:00 p.m. on February 1, 2016. Letters of intent may be sent to: NDP, 421 S. 9<sup>th</sup> Street, Suite 233, Lincoln, NE 68508. No additional state laws or state party rules outside of this Delegate Selection Plan govern ballot access in Nebraska's delegate selection process. (*Rules 1.A.8, 11.B., 14.A., 14.B., 14.D., 14.E., & 14.H.*)
2. "Uncommitted" will automatically be a candidate at Nebraska's March 5, 2016 first-tier caucuses. A caucus attendee may also nominate someone to be considered as a candidate.

## **B. Other Requirements**

1. Each presidential candidate shall certify in writing to the NDP Chair, the name or names of his or her authorized representatives by February 26, 2016. *(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. Nebraska is allocated 17 district-level delegates and 2 alternates. All alternates shall be elected at the district-level. *(Rule 8.C., Call I.B & I.I, Appendix B, & Reg. 4.31)*
2. District-level delegates and alternates shall be elected by a three-stage caucus/convention system.
  - a. The First Stage is the Caucus, which will be held on March 5, 2016 between 10:00 a.m. CDT (9:00 a.m. MDT) and 8:00 p.m. CDT (7:00 p.m. MDT). County Convention Delegates and Alternates committed to presidential candidates (including “uncommitted”) will be elected at each caucus to fairly reflect the presidential preferences of the caucus participants.

The preferred method of conducting caucuses shall be at the precinct level, but if a county party encounters logistical barriers (i.e. sparse population, large number of small precincts, etc.), an alternate level of political unit for caucusing (legislative district, ward, county, etc.) may be approved by the NDP State Executive Committee at least 90 days prior to the Caucus.

Each county party shall allocate County Convention Delegates and Alternates to each precinct based upon the number of votes cast for the Democratic nominee in the immediately preceding presidential election (Obama, 2012). In the event that a county caucuses by legislative district or county, County Convention Delegates and Alternates shall be allocated in the manner provided for State Convention Delegates and Alternates (see Part A2b below). County Convention Delegates and Alternates will be elected upon a presidential preference process with a minimum viability requirement of 15%. Realignment may be required as a result of lack of viability.

Historically, Democrats who are unable to attend their caucus (whether due to physical disability or for religious or other reasons) have been permitted to participate in the Caucus via an absentee process established in the NDP Caucus

Rules. The NDP Caucus Rules, including the details of the absentee process, will be approved by the NDP State Central Committee prior to the Caucus.

- b. The Second Stage is the election of State Convention Delegates and Alternates at the County Conventions. Each county will hold a county convention between May 19, 2016 and May 29, 2016. While it is customary for counties to seat any Democrat from the county as a delegate, only those County Convention Delegates elected at the Caucus (known as “Presidential Preference Delegates”) will elect State Convention Delegates and Alternates. The Presidential Preference Delegates will elect State Convention Delegates and Alternates, caucusing by their presidential preference to elect the number of State Convention Delegates and Alternates allocated to their preferred candidate. A minimum viability requirement of 15% will be in place, and realignment may be required as a result of lack of viability and/or candidate withdrawals.

State Convention Delegates and Alternates will be allocated in advance amongst the counties and legislative districts in accordance with the Constitution and Bylaws of the NDP. The Bylaws provide for the use of a weighted average of three criteria: 1) the number of votes cast for the Democratic nominee in the immediately preceding presidential election (Obama, 2012); 2) the number of votes cast for the Democratic nominee in the immediately preceding gubernatorial election (Hassebrook, 2014); and 3) the number of registered Democrats as of January 1 of the election year (2016). The exact number of State Convention Delegates and Alternates awarded to each county is determined by the NDP State Central Committee and will be approved prior to the Caucus.

- c. The Third Stage is the election of National Convention Delegates and Alternates at the State Convention. The State Convention Delegates from each District will caucus by their presidential preference (as reflected by the results of the Caucus) to elect their allocated number of National Delegates and Alternates. A minimum viability requirement of 15% will be in place, and realignment may be required as a result of lack of viability and/or candidate withdrawals. If no preference reaches the 15% threshold, the viability requirement will be the percentage received by the front-runner, minus 10%. Eligibility to be a District-Level Delegate, At-Large Delegate, or Alternate is restricted to those who were elected as County Convention Delegates or Alternates at their Caucus. The State Convention will be held on June 17-19, 2016 in Kearney, Nebraska. (*Rule 13.F.*)

### 3. Apportionment of District-Level Delegates and Alternates

- a. Nebraska’s district-level delegates and alternates are apportioned among the districts based on a formula giving equal weight to the vote for the Democratic candidates in the 2012 presidential (Obama, 2012) and the most recent gubernatorial (Hassebrook, 2014) elections. Due to Republican gerrymandering of Nebraska’s congressional district boundaries following the 2010 Census, this method is the fairest way to apportion delegates based off of Democratic strength of the current district boundaries. All alternates shall be elected at the district-level. (*Rule 8.A., Regs. 4.10 & 4.11, & Appendix A*)

- b. Nebraska’s total number of district-level delegates will be equally divided between men and women (*Rule 6.C.1 & Reg. 4.8*)
- c. The district-level delegates and alternates are apportioned to districts as indicated in the following table (See Exhibit B for detailed calculations):

District	Delegates			Alternates		
	Males	Females	Total	Males	Females	Total
#1	3	3	6	1	0	1
#2	3	3	6	0	1	1
#3	2	3	5	0	0	0
Total	8	9	17	1	1	2

Since the third district has an odd number of delegates, a higher number of delegates were allocated to the gender with the highest percentage of the Democratic electorate – 56.3% of registered Democrats in the district were female in VAN as of March 14, 2015. To allocate the district-level alternates between the first and second districts, the female alternate was allocated to the district with the highest percentage of females in the Democratic electorate – 59.1% of registered Democrats in the second district were female in VAN as of March 14, 2015, compared to 57.4% in the first district. To balance the alternates by gender, the first district was allocated a male alternate.

- d. Between the First Stage and the Second Stage, County Convention Delegates and Alternates shall be allocated to each precinct based upon the number of votes cast for the Democratic nominee in the immediately preceding presidential election (Obama, 2012). In the event that an alternate level of political unit for caucusing is approved in a county, County Convention Delegates and Alternates shall be allocated either as above or in accordance with the Bylaws of the NDP. (see Part A.2.b above)

Between the Second Stage and the Third Stage, allocation of delegates and alternates to the State Convention amongst the counties will be in accordance with the Bylaws of the NDP. (see Part A.2.b above) (*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. An individual can qualify as a candidate for district-level delegate or alternate to the 2016 Democratic National Convention by attending his or her caucus and being elected a delegate or alternate to a county convention, 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 NDP. Delegate and alternate statements of candidacy will be available from the NDP office on March 1, 2016. Statements must be returned and filed with the NDP at 421 S. 9<sup>th</sup> Street, Suite 233, Lincoln, NE 68508, or via e-mail at [caucus@nebraskademocrats.org](mailto:caucus@nebraskademocrats.org) by 5:00 p.m. on June 1, 2016. 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. (*Rules 12.B. & 14.F., & Reg. 4.21*)

- c. All candidates considered for district-level alternate positions must meet the same requirements as candidates for district-level delegate positions. (*Rule 12.C.*)

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

- a. The NDP Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than June 6, 2016 at 5:00 p.m., a list of all persons who have filed for delegate or alternate pledged to that presidential candidate. (*Rules 12.D. & 12.F.*)
- b. Each presidential candidate, or that candidate's authorized representative(s), must then file with the NDP Chair by June 15, 2016, 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*)
- 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 NDP Chair not later than June 15, 2016 at 5:00 p.m.
- 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 delegate or alternate at that level pledged to that presidential candidate (including uncommitted status). (*Rule 12.E. & Reg. 4.24*)
- e. The NDP 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. Caucus/Convention Proportional Representation Plan (*Rules 13.A., 13.B., & 13.D.*)

Nebraska 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. Percentages of presidential preference shall be determined on the Precinct Level. (*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. The Nebraska presidential caucus is a binding caucus. This means that the presidential preferences rendered at the caucus must be observed throughout. Hence delegate and alternate positions at succeeding levels (county, district, and state) must reflect the preference results of that caucus. Persons selected to any of those delegate and alternate positions may be required to sign statements of support for their presidential preference. However, should a preference fall below the 15% threshold at any level, then those in that preference group may realign to join another preference, including "uncommitted". (*Rule 12.G.*)

## 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*)
  - b. The gender of the first delegate position to be filled shall be pre-determined by coin toss by the District Chair with the call to be made by the designated representative of the winning presidential candidate. 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.
  - c. After the delegates are selected, the alternates will be awarded, using the same process described above.
8. The NDP 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*)

## **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:
  - (1) Members of the Democratic National Committee who legally reside in the state; (*Rule 9.A.1, Call I.F & 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 & I.J*)
  - (4) The Democratic Governor (if applicable); (*Rule 9.A.4, Call I.H & I.J*)
  - (5) "Distinguished Party Leader" delegates who legally reside in the state (if applicable); (*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 NDP Chair the names of the unpledged delegates who legally reside in Nebraska. (*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 NDP 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. (*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. Nebraska is allotted three (3) pledged Party Leader and Elected Official (PLEO) delegates. (*Call I.D & I.E & Appendix B*)
2. Pledged PLEO Delegate Filing Requirements

- a. Individuals shall be eligible for the pledged PLEO 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 attending his or her caucus and 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 NDP. Pledged PLEO delegate statements of candidacy will be available from the NDP office on March 1, 2016. Statements must be returned and filed with the NDP at 421 S. 9<sup>th</sup> Street, Suite 233, Lincoln, NE 68508, or via e-mail at [caucus@nebraskademocrats.org](mailto:caucus@nebraskademocrats.org) by 5:00 p.m. on June 1, 2016. Any candidate is able to modify his or her singular presidential preference by submitting an updated pledge of support no later than June 1, 2016. (*Rules 9.B.3, 12.A. & 14.G., & Regs. 4.16 & 4.21*)
- c. If persons eligible for pledged PLEO delegate positions have not already made known their singular 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: the NDP will require a signed pledge of support for a singular presidential candidate pursuant to state and federal party guidelines. The deadline for submitting a pledge of support shall be 15 minutes after the selection of all district-level delegates has been completed. (*Rule 9.B.3 & Reg. 4.16*)

### 3. Presidential Candidate Right of Review

- a. The NDP Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than 15 minutes after the selection of district-level delegates on June 18, 2016, a list of all persons who have filed for PLEO delegate pledged to that presidential candidate. (*Rules 9.B.3 & 12.D*)
- b. Within 15 minutes after receiving the list of persons filed for PLEO delegate pledged to that presidential candidate, each presidential candidate, or that candidate's authorized representative(s), must file with the NDP Chair a list of all such candidates he or she has approved, as long as approval is given to at least two (2) names for every position to which the presidential candidate is entitled. (*Rules 12.D.3 & 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 NDP Chair not later than the time dictated by the actions in 3a and 3b above.
- d. The NDP 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. (*Rules 9.B.2, 10.C., 13.E. & 13.F.*)
  - b. Selection of the pledged PLEO delegates will occur at approximately 3:00 p.m. on June 18, 2016 at the State Convention, which is after the election of district-level delegates and alternates and prior to the selection of at-large delegates. If more than three (3) accepted candidates are available, the Convention will vote via Roll Call vote (each delegation chair will poll their delegates and report from the floor) from the list of accepted candidates. The top three (3) candidates receiving votes will be considered elected. If only three (3) accepted candidates exist, the convention may elect via a voice vote. (*Rule 9.B.*)
  - c. These delegates will be selected by the State Convention. (*Rule 9.C.*)
  - d. Alternates are not selected at the pledged PLEO level. (*Reg. 4.31*)
5. The NDP Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged PLEO delegates to the Democratic National Convention within ten (10) days after their election. (*Rule 8.D. & Call IV.A*)

#### **D. At-Large Delegates**

1. The State of Nebraska is allotted five (5) at-large delegates. (*Rule 8.C., Call I.B & II, Appendix B, & Reg. 4.31*)
2. At-Large Delegate Filing Requirements

An individual can qualify as a candidate for at-large delegate to the 2016 Democratic National Convention by attending his or her caucus and being elected a delegate or alternate to a county convention, 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 NDP. Delegate statements of candidacy will be available from the NDP office on March 1, 2016. Statements must be returned and filed with the NDP at 421 S. 9<sup>th</sup> Street, Suite 233, Lincoln, NE 68508, or via e-mail at [caucus@nebraskademocrats.org](mailto:caucus@nebraskademocrats.org) by 5:00 p.m. on June 1, 2016. A delegate candidate may modify his or her singular presidential preference by submitting an updated pledge of support no later than the filing deadline. (*Rules 12.B. & 14.G. & Regs. 4.22, 4.28, & 4.31*)

3. Presidential Candidate Right of Review

- a. The NDP Chair shall convey to the presidential candidate, or that candidate's authorized representative(s), not later than June 6, 2016 at 5:00 p.m., a list of all persons who have filed for at-large delegate pledged to that presidential candidate. (*Regs. 4.23 & 4.28*)
  - b. Within 15 minutes after the election of pledged PLEO delegates, each presidential candidate, or that candidate's authorized representative(s), must file with the NDP Chair a list of all such candidates he or she has approved, provided that, at a minimum, two (2) names remain for every national convention delegate position to which the presidential candidate is entitled. (*Rules 12.D.4 & 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 NDP Chair not later than the time dictated by the actions in 3a and 3b above.
  - d. The NDP 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 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 as indicated in Section III.D.3.b of this Plan.
4. Fair Reflection of Presidential Preference
- a. At-large delegate positions shall be allocated among presidential preferences according to the division of preferences in the statewide caucus results, provided that no person participating shall automatically serve by virtue of holding a public or Party office. (*Rules 9.D. & 10.C. & Reg. 4.18*)
  - b. Preferences which have not attained a 15% threshold on a statewide 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.*)
5. Selection of At-Large Delegates

- a. The selection of the at-large delegates will begin within 45 minutes after the selection of the PLEO delegates on June 18, 2016 at the State Convention. If more accepted candidates are available than at-large delegate positions allowed, the Convention will vote via Roll Call vote (each delegation chair will poll their delegates and report from the floor) from the list of accepted candidates. Up to the number of allowed delegate positions receiving votes will be considered elected. If the accepted candidates do not exceed the number of allowed positions for at-large delegates, then the convention may elect via a voice vote. *(Rule 8.D. & Call III)*
- b. These delegates will be selected by the State Convention. *(Rules 8.E. & 10.B.)*
- c. 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. *(Rules 5.C. & 6.A.3 & Reg. 4.7)*
  - (3) The election of at-large delegates 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. *(Rules 6.A. & 6.C.)*
- 6. The NDP Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's at large delegates to the Democratic National Convention within ten (10) days after their election. *(Rule 8.C. & Call IV.A)*
- 7. Delegates and alternates shall be considered separate groups for the purposes of equal division and full participation. *(Rule 6.C. & Reg. 4.8)*

## **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 or she replaces, and to the extent possible shall be from the same political subdivision within the state as a 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 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 NDP, by the authorized representative of the presidential candidate to whom he or she is pledged. (*Rule 18.D.2*)
- b. 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 delegate he or 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.
- c. The following system will be used to select permanent and temporary replacements of delegates: (*Rule 18.D.1*)
- (1) The delegate chooses the alternate, or if the delegate is absent or declines to choose an alternate;
  - (2) The delegation chooses the alternate, with the alternate who receives the highest number of votes becoming the delegate.
- d. Certification of Replacements
- (1) Any alternate who permanently replaces a delegate shall be certified in writing to the Secretary of the DNC by the NDP 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 NDP 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 & VIII.F.3.b & Reg. 5.6*)
- 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. (*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. Members of Congress 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. (*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. 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. Nebraska has been allocated one (1) member on each of the three (3) standing committees for the 2016 Democratic National Convention (Credentials, Platform, and Rules), for a total of three (3) 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*)
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 Nebraska's National Convention delegates, at a meeting to be held on June 19, 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 Nebraska 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 Nebraska. If the result of such multiplication is 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 allocated an additional committee position. (*Call VII.C.3*)

- d. 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. (*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 NDP Chair, by 9:00 a.m. on June 19, 2016, a minimum of one (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 Nebraska's affirmative action goals and that their respective members are equally divided between men and women. (*Rule 6.I. & Reg. 4.9*)
- b. The members of the standing committees shall be assigned by gender. The selection of the members shall assure that since the number of members is odd (3 total members), the variance between men and women may not exceed one (1). A separate election shall be conducted for membership on each standing committee, starting with the Credentials Committee, followed by the Platform Committee and Rules Committee, in that order. The winner of each election shall be the candidate receiving the most votes, hence the gender of the Credentials Committee and Platform Committee members may determine the gender of the Rules Committee member. (*Call VII.B.4*)

### 5. Certification and Substitution

- a. The NDP 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. Delegation Chair

1. Nebraska will select one (1) person to serve as Delegation Chair. (*Call IV.E*)
2. 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 June 19, 2016. (*Call IV.E*)
  - 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.*)
3. The NDP 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*)

### B. Convention Pages

1. Two (2) individuals will be selected to serve as Nebraska's Convention Pages by the NDP Chair in consultation with the members of the Democratic National Committee from the state. This selection will take place on June 19, 2016. (*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 NDP Chair shall certify the individuals to serve as Nebraska's Convention Pages in writing to the Secretary of the Democratic National Committee within three (3) days after the selection. (*Call IV.F.3 & Reg. 5.7.B*)

## Section VI General Provisions and Procedural Guarantees

- A. The NDP 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. (*Rules 4.A. & 4.C*)
1. All public meetings at all levels of the NDP 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 NDP 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*)
  3. The time and place for all public meetings of the NDP 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 NDP, on all levels, should support the broadest possible registration without discrimination based on “status”. (*Rule 4.B.4*)
  5. The NDP should publicize fully and in such 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 the NDP 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*)
  6. The NDP 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 NDP. Such publications should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within the NDP 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. Nebraska’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.)*
- 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. 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 National Convention delegates, alternates, standing committee members, and other official Convention participants. *(Rule 15)*
- I. Article VIII of the NDP Constitution specifically disallows the use of proxy voting at "any level of party organization". Hence, no proxy voting is to be used in any of the selection of delegates, alternates, or standing committee members to the Democratic National Convention. *(Rule 16 & Reg. 4.28)*
- J. Article VIII of the NDP Constitution specifically disallows the use of the unit rule at "any level of party organization", and Nebraska Revised Statute §32-719 prohibits the use of the unit rule at county and state conventions. Hence, 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. *(Rules 1.F. & 11.B.)*

- M. In electing and certifying delegates and alternates to the Democratic National Convention, Nebraska 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 Democratic National Convention, and that 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 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

### A. **Statement of Purpose and Organization**

#### 1. Purpose and Objectives

- a. In order that the NDP 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 the NDP. *(Rule 5.A.)*
- b. All public meetings at all levels of the NDP 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)*
- c. Discrimination on the basis of “status” in the conduct of Democratic Party affairs is prohibited. *(Rule 5.B.)*
- 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, Nebraska has established goals for these groups. *(Rule 5.C. & Reg. 4.7)*
- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the NDP 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 NDP has established goals and timetables for other under-represented groups, including LGBT Americans, people with disabilities, and youth. *(Rules 6.A. & 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) Such programs shall include recruitment, education, and training in order to achieve full participation by such groups in the delegate selection process and at all levels of party affairs for 2016 and beyond.
- (3) As part of these programs, outreach will be directed at all Democratic constituencies, including groups such as racial and ethnic minorities; youth; lesbian, gay, bisexual, and transgendered persons; persons with disabilities; veterans; members of rural counties and legislative districts; working families; persons with a high school education or less; and persons of low or moderate income.
- (4) For the delegate selection process, “youth” is defined as any participant 36 years old and younger.
- (5) For the delegate selection process, individuals identifying as Native Americans should provide their tribal affiliation and indicate if they are enrolled in a tribe.
- (6) The 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 Committee on Inclusion shall be appointed by the NDP Chair on March 2, 2015. *(Rule 6.F.)*
- b. The NDP Chair shall certify in writing to the Rules and Bylaws Committee of the Democratic National Committee the compliance of Nebraska’s Committee on Inclusion with Rules 5.C, 6.A, and 7, and submit the names, demographic data, and contact information for each member no later than 15 days after their appointment. *(Reg. 2.2.K)*
- c. The Committee on Inclusion shall consist of members from each constituency caucus representing the Democratic constituency groups set forth in the Introduction to the Affirmative Action Plan (See Exhibit A)
- d. The Committee on Inclusion shall be responsible for:
  - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the NDP Chair.

- (2) Directing the implementation of all requirements of the Affirmative Action section of this Plan.
- (3) Implementing a financial assistance program for delegates and alternates. In carrying out this responsibility, the Committee on Inclusion shall: (*Rule 6.G.*)
  - (a) Encourage the participation and representation of persons of low and moderate income;
  - (b) Advise prospective delegates and alternates in a timely manner of the role and mandate of the Committee on Inclusion;
  - (c) Receive requests for financial assistance from delegates and alternates otherwise unable to participate in the 2016 Democratic National Convention;
  - (d) Prepare specific information for all delegates and alternates as to how and where to seek financial assistance to defray expenses to the 2016 Democratic National Convention, including, but not limited to lists of groups or organizations willing to provide assistance and fundraising ideas;
  - (e) Advise the NDP and county parties on how to plan and conduct the fundraising events or solicitations necessary to supplement other efforts;
- (4) 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 Committee on Inclusion shall be provided by the State Party Committee, including, but not limited to, making available on a priority basis, the NDP staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.

3. Implementation of the Affirmative Action Plan shall begin on September 15, 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 Nebraska’s three congressional 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. (*Rules 3.A., 3.C., & 3.D.*)

2. A speakers bureau of volunteers from the Committee on Inclusion and other party officials who are fully familiar with the process, will be organized to appear before groups and at parades and other events as needed, to provide information concerning the process.
3. The NDP'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 NDP 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 NDP shall also make available copies of the NDP Constitution and Bylaws, the Delegate Selection Plan (and its attachments), the Affirmative Action Plan, and relevant state statutes at no cost. Copies of documents related to Nebraska's delegate selection process will be prepared and the Committee on Inclusion will distribute them in the various delegate districts not later than December 1, 2015. (*Rule 1.H.*)
5. The NDP 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 NDP communications and on the NDP 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. (*Rules 3.C. & 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 NDP Chair, members of the Committee on Inclusion, and NDP staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage. (See Exhibit A) (*Rules 4.B.3. & 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, 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 NDP shall be responsible for the implementation of this publicity effort. For purposes of providing adequate notice of the delegate selection process, the times, date, places, and rules for the conduct of caucuses, conventions, meetings, etc. shall be effectively publicized to encourage the participation of minority groups. Bilingual publication of information about the delegate selection process will be provided as needed. (*Rule 6.D.*)
4. Not later than September 16, 2015, 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 Nebraska'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.

#### **D. Representation Goals**

1. The NDP has determined the demographic composition of African Americans, Hispanics, Native Americans, and Asian Americans and Pacific Islanders in the state's Democratic electorate. Because exit polls are rarely conducted in Nebraska, the composition of the Democratic electorate and corresponding representation goals for ethnic and racial minority groups were calculated using 2010 Census data and voter registration totals in VAN as of March 14, 2015. These calculations also utilize 2012 national Gallup polling which shows that many ethnic and minority groups are registered as Democrats at a higher percentage than the overall electorate. (See <http://www.gallup.com/poll/160373/democrats-racially-diverse-republicans-mostly-white.aspx>, Exhibit B for explanation and calculation.) These constituency percentages shall be established as goals for representation in the state's convention delegation. (*Rule 6.A.*)

- The NDP has determined the demographic composition of members of the LGBT community, persons with disabilities, and youth in the state’s Democratic electorate and furthermore, the NDP has chosen to establish these percentages as goals for representation in Nebraska’s convention delegation. Because exit polls are rarely conducted in Nebraska, the composition of the Democratic electorate and corresponding representation goal for Persons with Disabilities is calculated using 2010 Census data and voter registration totals in VAN as of March 14, 2015, and the composition of the Democratic electorate and corresponding representation goal for Youth is based off the percentage of registered Democrats between the ages of 18 and 36 in VAN as of March 14, 2015. Because of the lack of reliable data on LGBT status, the composition of the Democratic electorate and corresponding representation goal for LGBT Americans is based on a response to Nebraska’s 2008 Delegate Selection Plan from the DNC LGBT caucus, which estimated that the LGBT community represents between 5% and 6% of Nebraska Democrats. The high end of the estimate was utilized.

	African Americans	Hispanics	Native Americans	Asian Americans & Pacific Islanders	LGBT Americans	Persons with Disabilities	Youth
<b>% in Democratic Electorate</b>	<b>9.51%</b>	<b>9.56%</b>	<b>0.86%</b>	<b>2.14%</b>	<b>6%</b>	<b>12.6%</b>	<b>26.82%</b>
<b>Numeric Goals for Delegation</b>	<b>3</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>9</b>

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

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

- Presidential candidates shall assist the NDP in meeting the demographic representation goals reflected in the Affirmative Action Plan. *(Rule 6.H.)*
- Each presidential candidate must submit a written statement to the NDP Chair by March 1, 2016 which indicated the specific steps he or she will take to encourage full participation in Nebraska’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)*

## Section VIII Challenges

### A. Jurisdiction and 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 56<sup>th</sup> 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 56<sup>th</sup> day preceding the date of commencement of the Democratic National Convention shall be 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 56<sup>th</sup> 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 NDP upon reasonable request.
7. Any group of fifteen (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 Nebraska shall be filed with the DNC Rules and Bylaws Committee not later than thirty (30) calendar days prior to the initiation of Nebraska's delegate selection process. (*Rule 20.A. & Reg. 3.4.A*)
2. A challenge to Nebraska's Delegate Selection Plan shall be filed with the NDP Chair and the Co-Chairs of the DNC Rules and Bylaws Committee within fifteen (15) calendar days after the adoption of the Plan by the NDP. (*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 DNC 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 DNC Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than fifteen (15) days after the alleged violation occurred. The NDP has twenty-one (21) days to render a decision. Within ten (10) days of the decision, any party to the challenge may appeal it to the Rules and Bylaws Committee. If in fact, the NDP renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within ten (10) days after expiration of the above 21-day period. (*Regs. 3.4.C, 3.4.E, & 3.4.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 the NDP has adopted and implemented an approved affirmative action program, the NDP 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 thirty (30) days prior to the initiation of Nebraska'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 DNC 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

Nebraska will use a proportional representation system based on the results of the Caucus apportioning its delegates to the 2016 Democratic National Convention.

The “first determining step” of Nebraska’s delegate selection process will occur on March 5, 2016, with a Caucus.

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	17	2	6/18/2016 6/18/2016	Selecting Body: District Caucuses at State Convention
				Statements of Candidacy will be available from the offices of the NDP on March 1, 2016. The deadline for submission to the NDP will be June 1, 2016. (for details see the Plan)
Unpledged Party Leader and Elected Official Delegates*	5	n/a	n/a	Automatic by virtue of respective public or Party office as provided in Rule 8.A. of the 2016 Delegate Selection Rules.
Pledged Party Leaders and Elected Officials (PLEOs)	3	n/a	6/18/2016	Selecting Body: State Convention
				Statements of Candidacy will be available from the offices of the NDP on March 1, 2016. The deadline for submission to the NDP will be June 1, 2016, or 15 minutes after selection of District-Level Delegates. (for details see the Plan)
At-Large Delegates	5	0	6/18/2016	Selecting Body: State Convention
				Statements of Candidacy will be available from the offices of the NDP on March 1, 2016. The deadline for submission to the NDP will be June 1, 2016, or 15 minutes after selection of Pledged Party Leaders and Elected Officials (PLEOs). (for details see the Plan)
TOTAL Delegates and Alternates	30	2		

- Unpledged Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in Nebraska: the Democratic National Committee Members, the Democratic President, the Democratic Vice President, all Democratic member 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.

**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
1	3	6/19/2016	Presidential candidates must submit at least one name for each committee by 9:00 am, June 19, 2016. The delegates select the members from this list.

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

The Delegation Chair will be selected by the National Convention Delegates on June 19, 2016.

Two (2) Convention Pages will be selected by the NDP Chair on June 19, 2016

**D. Presidential Candidate Filing Deadline**

Presidential candidates must file their letter of intent with the NDP on or before 5:00 p.m. on February 1, 2016. (*Rules 11.B. & 14.E.*)

Presidential candidates must certify the name of their authorized representative(s) to the NDP Chair by February 26, 2016.

**E. Timetable**

Date	Activity
2014/2015	
December 13, 2014	State Central Committee approves creation of a Special Committee to draft proposed Delegate Selection Plan and Affirmative Action Plan.
January 17, 2015	NDP Chair appoints Delegate Selection Plan Special Committee members.

Date	Activity
February 21, 2015	Delegate Selection Plan Special Committee meets to review first draft of proposed Delegate Selection Plan and Affirmative Action Plan.
March 2, 2015	NDP Chair appoints members of the Committee on Inclusion.
March 6, 2015	NDP submits names, contact information, and demographic data for members of the Committee on Inclusion to DNC Rules and Bylaws Committee.
March 7, 2015	State Central Committee authorizes State Executive Committee to schedule public comment period, approve Delegate Selection Plan and Affirmative Action Plan.
March 21, 2015	Delegate Selection Plan Special Committee meets to review second draft of proposed Delegate Selection Plan and Affirmative Action Plan
March 22, 2015	Delegate Selection Plan Special Committee submits second draft of proposed Delegate Selection Plan and Affirmative Action plan to the Committee on Inclusion for review and comment.
March 28, 2015	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Executive Committee.
March 31, 2015	Public comments are solicited on the proposed Delegate Selection Plan and Affirmative Action Plan. Press releases are mailed announcing the public comment period.
April 29, 2015	Period for public comment on state Plan is concluded. Responses are compiled by NDP staff for review by the Delegate Selection Plan Special Committee and Committee on Inclusion.
April 30 - May 1, 2015	Delegate Selection Plan Special Committee and Committee on Inclusion review public comments, formulate recommendations, and prepare report for the State Executive Committee and State Central Committee.
May 2, 2015	State Executive Committee adopts revised Delegate Selection Plan and Affirmative Action Plan for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
May 4, 2015	Delegate Selection Plan and Affirmative Action Plan are forwarded to the DNC Rules and Bylaws Committee.
September 15, 2015	State Party begins implementation of the Affirmative Action Plan. Press kits, as described in the Affirmative Action Plan, are sent to all state media.
December 1, 2015	Copies of documents related to Nebraska's delegate selection process made available and distributed in each congressional district.

Date	Activity
2016	
February 1	Presidential candidate deadline for filing a letter of intent to be a candidate with the NDP.
February 26	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the NDP.
March 1	Presidential candidate deadline to submit a statement specifying steps the candidate will take to encourage full participation in the delegate selection process.
March 1	Democratic National Committee confirms the names of the unpledged delegates who legally reside in Nebraska to the NDP Chair.
March 1	Delegate and alternate candidates may obtain the statement of candidacy and pledge of support forms from the NDP in person, by mail, or from the NDP website, <a href="http://www.nebraskademocrats.org">www.nebraskademocrats.org</a> .
March 5	Presidential Preference Caucus
May 19 – 29	County conventions occur. Delegates and alternates to State Convention elected based on results of the caucus.
June 1	District-level delegate and alternate deadline for filing the statement of candidacy and pledge of support forms with the NDP.
June 1	Pledged PLEO delegate candidate deadline for filing the statement of candidacy form with the NDP.
June 1	At-large delegate candidate deadline for filing the statement of candidacy and pledge of support forms with the NDP.
June 6	NDP provides list of district-level delegate and alternate candidates to the respective Presidential candidates.
June 6	NDP provides list of at-large delegate candidates to the respective Presidential candidates.
June 15	Presidential candidates provide list of approved district-level delegate and alternate candidate to the NDP.

Date	Activity
June 17	State Convention convenes.
June 18	State Convention. District caucuses elect district-level delegates and alternates. Following election of district-level delegates, the NDP provides list of pledged PLEO delegate candidates to the respective Presidential candidates, and presidential candidates provide approved list of pledged PLEO delegate candidates to the NDP.
June 18	State Convention selects pledged PLEO delegates. Following selection of PLEO delegates, presidential candidates provide approved list of at-large delegate candidates to the NDP.
June 18	State Convention selects at-large delegates.
June 19	Presidential candidates submit lists of candidates for standing committee members to the NDP.
June 19	National Convention delegation meeting at State Convention. Delegates select National Convention Standing Committee Members and Delegate Chair. NDP Chair names convention pages.
June 22	NDP certifies in writing to the Secretary of the DNC Nebraska's Delegation Chair, Convention Pages, and Standing Committee Members.
June 24	NDP certifies elected district-level delegates and alternates, PLEO delegates, and at-large delegates to the Secretary of the DNC.
June 24	NDP certifies in writing to the Secretary of the DNC the presidential preference (including uncommitted) of the state's Unpledged Delegates.