

TEXAS DELEGATE SELECTION PLAN

FOR THE 2008 DEMOCRATIC NATIONAL CONVENTION

ISSUED BY THE TEXAS DEMOCRATIC PARTY

AUGUST 2007

THE TEXAS DELEGATE SELECTION PLAN
FOR THE 2008 DEMOCRATIC NATIONAL CONVENTION

Table of Contents

I. Introduction & Description of Delegate Selection Process..... 3
 A. Introduction 3
 B. Description of Delegate Selection Process 3

II. Presidential Candidates 4

III. Selection of Delegates and Alternates 5
 A. Senatorial District-level Delegates 9
 B. Unpledged Delegates..... 11
 C. Pledged Party Leader and Elected Official (PLEO) Delegates..... 12
 D. At-Large Delegates and Alternates..... 13
 E. Replacement of Delegates and Alternates 14

IV. Convention Standing Committee Members..... 16
 A. Introduction 16
 B. Temporary Standing Committee Members..... 17
 C. Permanent Standing Committee Members 17

V. The Delegation 19

VI. General Provisions and Procedural Guarantees 20

VII. Affirmative Action and Outreach Plan 23
 A. Statement of Purpose and Organization 23
 B. Efforts to Educate on the Delegate Selection Process 26
 C. Efforts to Publicize the Delegate Selection Process 26
 D. Representation Goals..... 27
 E. Obligations of Presidential Candidates to Maximize Participation 29

VIII. Challenges 30
 A. Jurisdiction and Standing 30
 B. Challenges to the Status of the State Party and Challenges to the Plan 31
 C. Challenges to Implementation 31

IX. Summary of Plan 32
 A. Selection of Delegates and Alternates 32
 B. Selection of Standing Committee Members 33
 C. Selection of Delegation Chair and Convention Pages 33
 D. Presidential Candidate Filing Deadline 33
 E. Timetable 33

Exhibits to the Affirmative Action Plan 36

Attachments to the Delegate Selection Plan 37

SECTION I

INTRODUCTION & DESCRIPTION OF DELEGATE SELECTION PROCESS

A. INTRODUCTION

1. Texas has a total of 228 delegates and 32 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 2008 Democratic National Convention* (“Rules”), the *Call for the 2008 Democratic National Convention* (“Call”), the *Regulations of the Rules and Bylaws Committee for the 2008 Democratic National Convention* (“Regs.”), the Rules of the Texas Democratic Party (“State Party Rules”), the Texas Election Code, and this Delegate Selection Plan (Call, II.A.).
3. Following the adoption of this Delegate Selection Plan by the State Party Committee, it shall be submitted for review and approval by the DNC Rules and Bylaws Committee (“RBC”). The State Party Chair shall be empowered to make any technical revisions to this document as required by the RBC to correct any omissions and/or deficiencies as found by the RBC to ensure its full compliance with Party Rules. Such corrections shall be made by the State Party Chair and the Plan resubmitted to the RBC within 30 days of receipt of notice of the RBC’s findings (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 State Party will be submitted to and approved by the RBC before it becomes effective (Reg. 2.9).

B. DESCRIPTION OF DELEGATE SELECTION PROCESS

1. Texas will use a proportional representation system based on the results of a primary and conventions for apportioning delegates to the 2008 Democratic National Convention. This Plan allocates senatorial district level delegates and alternates through a proportional representation primary; and it allocates pledged party leader and elected official delegates and at-large delegates and alternates through a three-tier caucus convention system.
2. The “first determining step” of Texas’ delegate selection process will occur on March 4, 2008, with the Presidential Preference Primary and Precinct Conventions.
3. Voter Participation in Process
 - a. Participation in Texas’ delegate selection process is open to all voters who wish to participate as Democrats.
 - Voter registration eligibility ends 30 days prior to the Primary
 - Voters affiliate with the Democratic Party by voting in the Democratic Primary or by signing an affidavit of affiliation (Rules 2.A. & 2.C & Reg. 4.3).

Voting in the Tuesday, March 4, 2008 Democratic Primary shall be the only qualification to become a delegate at any level; attendance or delegate status at any party convention shall not be required.

- b. At no stage of Texas' 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 persons 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 (Del. Sel. Rule 2.E.).
- d. No person shall vote in more than one meeting which is the first meeting in the delegate selection process (Del. Sel. Rule 3.E. & Reg. 4.6.).

SECTION II

PRESIDENTIAL CANDIDATES

A. BALLOT ACCESS

1. A presidential candidate may obtain and file an application for a place on the presidential primary ballot at the following address: Texas Democratic Party State Chair, State Democratic Executive Committee, 505 W. 12th Street, Austin, TX 78701.

2. The application shall be in the same form as that required of a candidate for statewide office except that the oath shall read:

"I, _____ (name), of _____ (city), _____ (county/parish), _____ (state), being a candidate for the office of President of the United States, swear that I will support and defend the Constitution and laws of the United States. I further swear that I will fully support the Democratic nominee for President, whoever that shall be."

3. Applications must be received by the State Chair no earlier than December 3, 2007 (first day, filing period) and no later than 6:00 p.m. CST, January 2, 2008 (last day, filing period). (Del. Sel. Rule 11.B., Texas Election Code 172.023(a)).

4. Applications must be accompanied by:

- a. All documents, if any, required by the Affirmative Action section of this plan;
- b. The name, mailing address, and day and night phone numbers of that candidate's designated representative (such designated representative may be later changed as necessary); and
- c. A filing fee of \$2,500 (Del. Sel. Rules 14B); OR
- d. A petition signed by 5,000 registered voters (Del. Sel. Rules 14A) submitted in accordance with those provisions of the Election Code applicable to a candidate for statewide office;

however, no signature appearing on a petition for more than one presidential candidate shall be counted for any presidential candidate.

(Del. Sel. Rules 11.B., 14.A., 14.B., 14.D., 14.E., & 14.H.)

- B. Each presidential candidate shall certify in writing to the State Democratic Chair the name(s) of his or her authorized representative(s) by January 2, 2008 (Del. Sel. Rule 12.D.(1)).
- C. 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 (Del. Sel. Rule 6.I.).

SECTION III

SELECTION OF DELEGATES AND ALTERNATES

A. INTRODUCTION

Persons serving as National Delegates shall be selected through a variety of methodologies. Texas' 228 delegates and 32 alternates break down as follows: 126 Senatorial District Level Delegates and 21 Alternates; 25 Pledged Party Leader and Elected Official Delegates and 5 Alternates; 42 Pledged At-Large Delegates and 6 Alternates; and 3 Unpledged Delegates (Add-Ons) are elected through a three-tier, post-primary convention process. 32 additional Unpledged Delegates are automatically elected by virtue of their status.

B. TIER ONE: PRECINCT CONVENTIONS

Precinct Conventions shall be held on the day of the Primary, Tuesday, March 4, 2008, beginning at 7:15 p.m. These conventions elect delegates and alternates to County/Senate District Conventions. Precinct Conventions are usually held at the polling place and are open to anyone who votes in the Democratic primary. A sign shall be posted at the polling place indicating the location of the Precinct Convention.

The convention will be called to order by the Precinct Chair. If the Precinct Chair is absent, any qualified participant may call the meeting to order. The Convention is governed by Robert's Rules of Order and Art. IV, State Party Rules.

The first order of business is for every participant to sign-in and identify their presidential preference or "uncommitted" status. The State Party will provide forms for precinct chairs to use for this purpose.

Next, the convention shall elect a chair and a secretary.

Third, the chair announces the number of delegates and alternates to the County/Senate District Convention to be elected, the percent of sign-ins for each preference and the number of delegates and alternates allocated to each preference. Each precinct is allocated one delegate and one alternate for each 15 votes cast for the Democratic nominee for Governor in the 2006 General Election.

Fourth, participants favoring each presidential preference (or uncommitted status) caucus separately to elect their proportionate share of the delegates and alternates to the County/Senate District Convention, based on that preference's share of the sign-ins at the convention. Preferences not securing enough of the convention to elect one delegate may participate in the caucus of their second choice. (The threshold for electing a delegate at the precinct level is whatever percentage of participants is necessary to elect one delegate. The threshold percentage will vary from precinct to precinct depending on the number of participants and the number of delegates to be elected). **There is no 15% threshold requirement at the precinct level.**

E-Z Math
Formula to Determine Threshold

Number of People at Precinct Convention
Divided by
Number of Delegates to County/Senatorial Convention
To which the Precinct is Entitled
Equals
Threshold (Number of People Required for a Candidate Caucus)
(Always Round Up)

Example: 31 people attend a precinct convention which is entitled to 6 delegates to the county/senatorial convention. Divide 6 into 31 for an answer of 5.1. Since you always round up, the threshold for this precinct convention would be 6.

C. TIER TWO: COUNTY/SENATE DISTRICT CONVENTIONS

County/Senate District Conventions shall be held on Saturday, March 29, 2008 at a time and place set by the Democratic County Executive Committee at its statutory meeting in January 2008.

The County/Senate District Convention is called to order by the County Chair, Senate District Chair, or any qualified participant.

The first order of business is the report of the Credentials Committee.

The delegates elect a chair and secretary to the convention.

A written poll or roll call is taken of the convention to determine presidential preference (or uncommitted status), and the chair announces the results. This poll may be conducted in conjunction with the credentialing process of delegates.

Delegates caucus by precinct, or group of precincts, to elect delegates and alternates to the State Convention.

Delegates and alternates to the State Convention shall be elected in accordance with Art. IV, State Party Rules. Each precinct is allocated one delegate for every full 180 votes cast for the Democratic nominee for governor in the 2006 General Election. (Example: 179 votes in a precinct does not qualify for a delegate and would be paired with another precinct(s), and 358 only gets one delegate). If a precinct cast too few votes to be allocated a delegate by itself, it is grouped with similar precincts according to the Rules.

The Nominations Committee of the convention uses the results of the precinct caucuses to allocate at-large delegates among presidential preferences (or uncommitted status) so that the delegation as a whole reflects the

proportionate share of sign-ins for each preference. However, preferences that do not secure 15% of the sign-ins need not be allocated any at-large delegates.

D. TIER THREE: STATE CONVENTION

The State Convention shall be held June 6 and 7, 2008, in Austin, Texas at a time and place set by the State Democratic Executive Committee.

Delegates and alternates to the National Convention shall be elected in accordance with this plan.

Any person eligible to participate in the delegate selection process may qualify as a candidate for National Convention delegate and alternate by filing a Statement of Candidacy with the Texas Democratic Party State Chair, State Democratic Executive Committee, 505 W. 12th Street, Austin, Texas 78701. Statements of Candidacy must be submitted no earlier than April 21, 2008 and no later than 6:00 p.m. on May 21, 2008 (Del. Sel. Rule 14F). Statements of Candidacy must be submitted on forms approved by the State Democratic Executive Committee and must contain the individual's name, mailing address, residence address, day and night phone numbers, email address, a pledge of support to the Democratic nominee for president, and a pledge of support to the individual's presidential preference (or uncommitted status) or an oath that the individual is currently uncommitted. To aid in meeting affirmative action and inclusion goals, the Statement of Candidacy or other application shall contain a statement to allow an individual to voluntarily indicate their status in groups historically underrepresented.

The Texas Presidential Primary is a binding primary. Accordingly, National Convention Delegates elected at the senatorial district level shall be allocated proportionate to the percentage of the primary vote won in that district by each presidential preference, except that preferences receiving less than 15% of the vote shall not be awarded any delegates.

If no presidential preference receives 15% of the votes cast in the district, the 15% threshold shall be reduced to the percent of the vote received by the front-runner in the district, minus 10 percentage points (Del. Sel. Rules 13F).

The State Chair shall deliver to each presidential candidate or that candidate's designated representative no later than May 28, 2008, a list of all persons who have filed a Statement of Candidacy and who have pledged support to that presidential candidate. Each presidential candidate or designated representative must file a list of all approved candidates with the State Chair no later than June 5, 2008, at 6:00 p.m. provided that approval must be given to at least three times the number of delegate and alternate women and to three times the number of delegate and alternate men that will be elected at the Senate District Level. Failure to timely respond shall be considered approval of all candidates submitted (Del. Sel. Rules 12E(1)). Candidates removed from the list of bona fide supporters by a presidential candidate at one level may be elected as a delegate or alternate pledged to that presidential candidate at another level (Del. Sel. Rules 12E).

The order of business for delegate selection processes at the State Convention shall be the Order of Business of the State Convention as prescribed in the State Party Rules.

1. The State Democratic Executive Committee shall meet on Wednesday, March 12, 2008, to canvass and certify the results of the presidential primary. Presidential Primary results shall be certified by senatorial district (Texas Election Code 172.120).

2. The State Democratic Executive Committee shall use these results to proportionately allocate senatorial district delegates and alternates among presidential preferences. The State Chair shall certify this allocation to the Temporary Chair of the State Convention, if different.

3. At the State Convention, each senatorial district shall hold a caucus on Friday, June 6, 2008, to elect one member to the Credentials Committee of the convention, and shall also elect a chair of the Senate District's convention delegation if the district convention or the delegation has not previously done so. Each Senate District caucus shall also elect one member to the Nominations Committee for At-Large National Delegates and any other committees set out in the State Party Rules.

4. The Temporary Chair shall certify each district's allocation of national delegates and alternates to the chair of that senatorial district's convention delegation.

5. A written poll to determine the presidential preference (or uncommitted status) of each participating delegate will be done. Poll results shall be reported on official sign-in sheets prescribed by the State Democratic Executive Committee. Each sign-in sheet shall contain, at the top, a statement attesting that each signer pledges support to the candidate whose caucus he or she joins. No delegate may sign-in more than once. These sign-in sheets shall be available for public inspection after the convention at the Texas Democratic Party, State Democratic Executive Committee, 505 W. 12th Street, Austin, Texas 78701.

6. Poll results shall be delivered to the Chair of the convention on forms prescribed by the State Democratic Executive Committee. These results shall be totaled by the Chair and shall be used by the Nominations Committee for At-Large National Delegates of the State Convention to allocate pledged party and elected official delegates and pledged at-large delegates and alternates among presidential preferences (or uncommitted status).

7. The Convention Chair shall announce the results of the sign-in for the convention as a whole by number and percent of sign-ins received by each presidential preference (or uncommitted status) and by the number of pledged party and elected official delegates and the number of at-large delegates and alternates allocated to each presidential preference (or uncommitted status).

8. After the written poll is made, those delegates in each senatorial district who signed in for a presidential preference eligible to elect a national delegate or alternate from the senatorial district shall caucus separately to elect their share of national delegates and alternates. Delegates may only participate in the caucus of the presidential preference for whom they signed in. Delegates who signed in for a presidential preference (or uncommitted status) who are not entitled to elect delegates in the Senate District, shall not participate in election of delegates. Separate elections shall be held for delegate and alternate positions in accordance with State Party Rules VII.A and VII.B. A candidate for delegate who is not elected is eligible to run for alternate delegate.

In the unlikely event that a presidential preference receives enough of the primary vote to be allocated one or more delegate positions from a senatorial district, but there are no state convention delegates for that presidential preference from that Senate District (occurring when a presidential candidate secures enough of a primary vote to qualify for a delegate but whose supporters do not attend the precinct, county/senate district conventions in sufficient number to entitle that candidate to a delegate to the State Convention), the number of national delegates to which that preference would have been entitled shall be chosen through the Committee to Nominate At-Large Delegates. In addition, when a presidential preference in a senate district is allocated a delegate and there are no Statements of Candidacy for that presidential preference in that senate district, that delegate position shall be chosen through the Committee to Nominate At-Large Delegates as well. (The

members of the Committee to Nominate At-Large Delegates supporting that presidential preference shall choose a delegate of their presidential preference from any other Senate District). The delegate must have filed a Statement of Candidacy in accordance with Article III.D. of this plan.

The Texas Delegation as a whole shall be equally divided between men and women. Delegates and alternates shall be considered separately in achieving equal division (Del. Sel. Rules 6C). District-level delegates and alternates shall be equally divided between men and women as far as mathematically practicable (Del. Sel. Rules 6C (1)).

Equal division shall be achieved at the district level in the following manner:

When a presidential candidate is allotted an even number of delegates to be elected from a senatorial district or as part of the Pledged Party and Elected Officials category, half of the positions shall be filled by men and half by women. In the case of the senate district delegates, a separate election shall be held for each gender.

When a presidential candidate is entitled to just one delegate, the position may be filled by a member of either gender. Men and women may run against each other for this position.

In the case of 2 or more presidential candidates being entitled to just one delegate each, the delegate position for the highest vote-getter in the Presidential primary may be filled by a member of either gender. Men and women may run against each other for this position. The delegate position for the second highest vote-getter in the presidential primary must be of the opposite gender of the first delegate chosen, and so on until all single delegate positions are filled, resulting in a senatorial district delegation with a difference of no greater than one between the sexes.

When a presidential candidate is entitled to an odd number of delegates from a senate district, one position shall be used if necessary to balance the senatorial district delegation by gender and the rest shall be divided equally between men and women.

Every reasonable effort shall be made by the Nominations Committee for At-Large National Delegates to achieve equal division by gender and to meet other affirmative action goals in the overall category of 25 Pledged Party Leader and Elected Official Delegates, 5 Pledged Party Leader and Elected Official Alternates and 3 Add-On Unpledged Delegates.

The entire At-Large category (i.e. the 42 Pledged At-Large Delegates and the 6 Pledged At-Large Alternates), shall be reserved for members of one gender, if necessary, to achieve equal division between the genders in the overall delegation to the National Convention; provided, however, that it must be used simultaneously to meet other affirmative action goals. Delegates and Alternates shall be considered separate groups, and the equal division requirement shall apply to each group.

The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged district-level delegates and alternates to the Democratic National Convention within three (3) days after their election (Call IV.A).

1. Senatorial District Level Delegates

At the Senate District level, 126 delegates and 21 alternates shall be apportioned by a presidential preference primary and elected through a three-tier, post-primary convention system (Del. Sel. Rules 7C). Candidates for senatorial district-level delegates and alternates may run only in the district in which they are registered to vote (Del. Sel. Rules 12H).

The 126 delegates and 21 alternates are apportioned to senatorial districts based on a formula giving equal weight to the vote cast for the Democratic nominee for president in 2004 and the Democratic nominee for governor in 2006 (Del. Sel. Rules 8A(2)).

The 21 senate districts with the highest Democratic vote will be apportioned one alternate each based on a formula giving equal weight to the votes cast for the Democratic nominee for president in 2004 and the Democratic nominee for governor in 2006. These 21 senatorial districts shall each award the alternate position to the presidential preference with the highest vote total in the senatorial district. The gender of each alternate position will be determined by the drawing of lots by the SDEC members of each of those 21 senate districts at the March 12, 2008 meeting. There shall be lots drawn for 10 alternate female positions, 10 alternate male positions and one lot drawn for either a male or female position with the choice of gender being left to the senate district which draws that lot. Pursuant to Rule 12.C., district-level alternate candidates must meet the same requirements as district-level delegate candidates.

Following the primary, delegate and alternate positions will be allocated to preferences based on the presidential primary vote in each district and the 21 senate districts with the highest Democratic vote receiving one alternate each based on a formula giving equal weight to the vote cast for the Democratic nominee for president in 2004 and the Democratic nominee for governor in 2006.

Pursuant to Reg. 4.19, any automatic delegates to the State Convention will not be involved in the allocation process.

The district caucus for each presidential preference shall allocate delegate and alternate positions as follows:

SENATORIAL DISTRICT DELEGATES AND ALTERNATES

DISTRICT	DELEGATES	ALTERNATES
1	4	1
2	4	1
3	4	1
4	4	1
5	4	1
6	3	0
7	3	0
8	4	1
9	3	0
10	5	1
11	4	1
12	4	1
13	7	1
14	8	1
15	4	1
16	4	1
17	5	1
18	4	1
19	4	1
20	4	1
21	4	1
22	3	0
23	6	1
24	3	0
25	6	1

26	4	1
27	3	0
28	3	0
29	3	0
30	3	0
31	2	0
TOTALS:	126	21

Pursuant to Rule 6.I., the State Chair shall certify in writing to the RBC whether a presidential candidate has used their best efforts to submit a list of senatorial district-level delegate candidates which meets the affirmative action considerations no later than June 10, 2008 (Rule 6.I.).

2. Unpledged Delegates (Automatic)

The following are automatic Unpledged Delegates:

1. Members of the Democratic National Committee from Texas elected at the June 2008 State Convention (Del. Sel. Rule 9A(1));
2. Former Democratic Speaker(s) and former Chairs of the Democratic National Committee (Del. Sel. Rule 9A(5)); and
3. All Democratic members of the United States House (Del. Sel. Rule 9A(3)).

These delegates shall be certified as follows (Del. Sel. Rule 9A):

1. Not later than March 1, 2008, the Secretary of the Democratic National Committee shall officially confirm to the State Democratic Chair the following unpledged delegates who legally reside in Texas: members of the DNC; the former DNC Chair; Democratic Members of Congress and the former Speaker of the United States House of Representatives.

2. This official confirmation by the Secretary shall constitute verification of the above categories of unpledged (automatic) delegates. In cases where Texas' DNC membership changes following the Secretary's official confirmation, but prior to the commencement of the 2008 Democratic National Convention, acknowledgment by the Secretary of the DNC of member certification shall constitute verification of the corresponding change of Unpledged delegates (Call IV.C.2.b).

No Statements of Candidacy are required from unpledged delegates (Del. Sel. Rule 9B(5)).

3. Unpledged Delegates (Add-On)

Texas is allocated 3 Unpledged Add-On Delegates (Call I.14). Persons with a widely-recognized history of long and loyal support of the Texas Democratic Party are eligible for these special honorific delegate positions. The list of potential nominees for these positions must include at least two names for each position.

Selection of the Unpledged Add-On Delegates via election by the Committee to Nominate At-Large Delegates will occur at the State Convention on Saturday, June 7, 2008 after the selection of the of senatorial district-level delegates and alternates, but prior to the election of pledged party leaders and elected official delegates (Del. Sel. Rule 9B). Nominations for Unpledged Add-on Delegates shall be presented to the convention by the Committee to Nominate At-Large Delegates of the State Convention (composed of 34 members, one member to be elected by each Senatorial District Caucus and three members to be appointed by the Permanent Convention Chair (State Party Rules IV.D.5.f)), subject to the limitations of Del. Sel. Rule 9.

Unpledged add-on delegates may be selected whether or not they previously filed a Statement of Candidacy for a delegate position or submitted a pledge of support for a presidential candidate (Del. Sel. Rules 9B(5)).

Unpledged add-on delegates shall be equally divided between men and women as far as mathematically practicable and affirmative action provisions of this National Delegate Selection Plan apply (Del. Sel. Rules 9B(2)).

Unpledged Delegates shall be certified in writing by the State Chair to the Secretary of the Democratic National Committee within three (3) days after their selection (Call IV.A).

4. Pledged Party Leader and Elected Official Delegates

Texas is allocated 25 pledged party and elected official delegates and 5 pledged party and elected official alternates.

The following shall be eligible for these positions and shall be considered in the below-listed priority (Del. Sel. Rule 9C(1)):

1. Democratic Mayors of cities having a population of at least 250,000 (even if elected at non-partisan elections) and Democratic statewide leadership to be given equal consideration;
2. State legislative leadership and Democratic state legislators; and
3. All other state, county and local Democratic elected officials and Party leaders.

The above priority list shall not be construed to mandate election of any individual (Regs. 4.16B).

These delegates and alternates shall be elected by the State Convention on Saturday, June 7, 2008 after election of senatorial district-level delegates and alternates and unpledged add-on delegates, but before election of At-Large Delegates and Alternates (Del. Sel. Rules 9B & 9C). The specific delegate and alternate nominations presented to the State Convention will be selected by the Committee to Nominate At-Large Delegates to the National Convention of the State Convention (composed of 34 members, one member to be elected by each Senate District Caucus and three members to be appointed by the Permanent Convention Chair (State Party Rules IV.D.5.f)), subject to the limitations of Del. Sel. Rule 9.

An individual may qualify as a candidate for a pledged party leader and elected official delegate or alternate by filing a Statement of Candidacy by May 21, 2008 in accordance with Art. III.D. of this Plan (Del. Sel. Rules 12B and 9C(3)).

These positions shall be allocated among presidential preferences (or uncommitted status) on the same basis as for At-Large Delegates and Alternates (Del. Sel. Rules 9C(2)).

A person eligible for a pledged party and elected official delegate position who has not filed a Statement of Candidacy under Art. III.D. of this Plan shall have one hour after the certification of the district-level delegates and alternates to file a Statement of Candidacy as a pledged party and elected official delegate or alternate. The State Chair shall deliver to each presidential candidate (or that candidate's designated representative) the list of all persons who have so filed immediately after the expiration of the one-hour extended filing period. Presidential candidates or designated representatives shall have one hour from receipt of this list to deliver to the State Chair a list of all additional approved candidates, provided that approval must be given to at least two (2) names for each PLEO position to which the presidential candidate is entitled. Failure to timely respond shall be

considered approval of all candidates submitted. A presidential candidate, or the candidate's designated representative, must be present at the meeting of the Committee to Nominate At-Large Delegates to the National Convention.

On Saturday, June 7, 2008, before the election of pledged party and elected official delegates, the State Chair shall announce the following as certified by the Secretary of the Democratic National Committee (Del. Sel. Rules 9A):

1. The Texas members of the National Committee as Unpledged delegates;
2. Any former Democratic Speaker(s) and former DNC Chairs as Unpledged delegate(s);
3. All Democratic members of the U. S. House as Unpledged delegates.

Pledged party and elected official delegates and alternates shall be apportioned among males and females in accordance with Art. III.D. of this Plan.

Pledged party and elected official delegates and alternates shall be selected before the election of At-Large delegates and alternates and after election of senatorial district-level delegates and alternates and Unpledged Add-On delegates (Del. Sel. Rules 9C).

The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's pledged Party Leader and Elected Official delegates and alternates to the Democratic National Convention within three (3) days after their election (Call IV.A).

Pursuant to Rule 6.I., the State Chair shall certify in writing to the RBC whether a presidential candidate has used their best efforts to submit a list of pledged PLEO delegate candidates which meets the affirmative action considerations within three (3) business days of receiving the list of approved delegate candidates (Rule 6.I.).

5. At-Large Delegates and Alternates

Texas is allocated 42 At-Large delegates and 6 At-Large alternates (Del. Sel. Rules 7C).

These shall be elected at the State Convention on Saturday, June 7, 2008, after the election of pledged party leader and elected official delegates and alternates (Del. Sel. Rules 7D). The specific At-Large delegate and alternate nominations presented to the state convention will be selected by the Committee to Nominate At-Large Delegates to the National Convention of the State Convention (composed of 34 members, one member to be elected by each Senatorial District Caucus and three members to be appointed by the Permanent Convention Chair (State Party Rules IV.D.5.f))subject to the limitations of Del. Sel. Rule 10.

At-large delegate positions shall be allocated according to the division of presidential preferences (or uncommitted status) among delegates participating in the state convention; however, preferences that do not achieve 15% of the state convention shall not be allocated any At-Large delegates. If no candidate attains a 15% threshold, then the threshold will be the percentage of the vote received by the front-runner, minus 10%. Division of presidential preferences (or uncommitted status) shall be determined as described in Art. III.D. of this Plan (Del Sel. Rule 13B).

At-large alternate positions will be allocated in the same manner as delegates; provided, however, that if a given preference is entitled to one or more delegates, either at the senatorial district-level or among At-Large

delegates, but is not otherwise entitled to an alternate, that preference shall be allocated one At-Large alternate position (Del. Sel. Rule 18B).

The State Chair shall deliver a list of all persons who have filed a Statement of Candidacy (and pledge of support of that candidate) for a position as National Convention Delegate to all presidential candidates or their representatives by May 28, 2008.

Presidential candidates must submit the approved list of At-Large delegate candidates within 30 minutes following the election of pledged PLEO delegates, provided that the approved list contains at least two (2) names for each At-Large position to be filled.

The election of At-Large delegates shall be used, if necessary, to achieve equal division of positions between men and women and the representation in the Affirmative Action section of this Plan (Article VIII). Such goals apply to the state's delegation as a whole, including party leader and elected official delegates and alternates. Delegates and alternates shall be considered separate groups. Such goals are established in the Affirmative Action section (Article VIII) of this Plan (Del. Sel. Rule 10A). In the selection of the At-Large delegation, priority consideration shall be given to African-Americans, Hispanics, Native Americans, Asian/Pacific Americans and women. In order to continue the Democratic Party's ongoing efforts to include groups historically underrepresented in the Democratic Party's affairs, priority consideration shall be given other groups by virtue of race, ethnicity, age, sexual orientation, gender identity or expression and disability. The use of the At-Large delegation to meet the affirmative action goals does not obviate the need for outreach activities by the State Party.

An individual may qualify as a candidate for an At-Large delegate or alternate position by filing a Statement of Candidacy by May 21, 2008 in accordance with Art. III.D. of this Plan. An individual who files a Statement of Candidacy for a pledged delegate position but is unsuccessful may be considered for a pledged alternate position, unless the Statement of Candidacy specifies otherwise (Del. Sel. Rules 12C, 12D). The Committee to Nominate At-Large delegates will consider all eligible individuals for these positions (i.e. those who voted in the Primary, filed a Statement of Candidacy and who have met any other necessary requirements).

If a presidential candidate withdraws prior to the election of at-large delegates and alternates, the positions allocated to that candidate shall be proportionately allocated among the remaining preferences entitled to an allocation.

The State Democratic Chair shall certify in writing to the Secretary of the Democratic National Committee the election of the state's At-Large delegates and alternates to the Democratic National Convention within three (3) days after their election (Call IV.A).

Pursuant to Rule 6.I., the State Chair shall certify in writing to the RBC whether a presidential candidate has used their best efforts to submit a list of At-Large delegate candidates which meets the affirmative action considerations within three (3) business days of receiving the list of approved delegate candidates (Rule 6.I.).

6. 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: (Del. Sel. Rule 18.D.(2))

- (1) A permanent replacement occurs when a delegate resigns or dies prior to or during the National Convention and the alternate replaces the delegate for the remainder of the National Convention.
 - (2) Any alternate permanently replacing a delegate shall be of the same presidential preference (including uncommitted status) and sex of the delegate he/she replaces, and to the extent possible shall be from the same political subdivision within the state as the delegate.
 - (a) In the case where the presidential candidate has only one alternate, that alternate shall become the certified delegate.
 - (b) If a presidential candidate has only one alternate, and that alternate permanently replaces a delegate of the opposite sex, thereby causing the delegation to no longer be equally divided, the delegation shall not be considered in violation of Rule 6.C. In such a case, notwithstanding Rule 18.D.(2), the State Party Committee shall, at the time of a subsequent permanent replacement, replace a delegate with a person of the opposite sex, in order to return the delegation to equal division of men and women (Reg. 4.32).
- b. Temporary Replacement of a Delegate: (Del. Sel. 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/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: (Del. Sel. Rule 18.D.(1))
- (1) A delegate who is to be absent or who resigns may select from among the Alternates elected by the State Convention from which the Delegate was elected an Alternate of the same presidential preference who shall assume Delegate status (State Party Rules IV.A.16.b).
 - (2) In the event a Delegate is unable to, or fails to, select the Alternate to assume Delegate status, the Texas delegation shall select an Alternate of the same presidential preference as the Delegate being replaced, and such Alternate shall thereby assume Delegate status.
- 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 State Democratic Chair (Del. Sel. Rule 18.D.2.).
 - (2) Permanent replacement of a delegate (as specified above) by an alternate and replacement of a vacant alternate position shall be certified in writing by the State

Democratic Chair to the Secretary of the Democratic National Committee within three (3) days after the replacement is selected (Call, IV.C.1.).

- (3) Certification of permanent replacements will be accepted by the Secretary up to 48 hours before the first official session of the Convention is scheduled to convene (Call, IV.C.1. & Reg. 4.32.).
 - (4) In the case where a pledged delegate is permanently replaced after 48 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. 5.4.).
 - e. A vacant alternate position shall be filled by the Texas 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 (Del. Sel. Rule 18.F.).
4. Unpledged delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except under the following circumstances: (Del. Sel. 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.C.2.a.).
 - b. Members of the Democratic National Committee and unpledged Add-On delegates shall not be entitled to a replacement, nor shall the state be entitled to a replacement, except in the case of the 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 2008 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.C.2.b.).
 - c. Unpledged distinguished Party Leader delegates allocated to the state pursuant to Rule 9.A.(5), shall not be entitled to name a replacement, nor shall the state be entitled to name a replacement (Call, IV.C.2.c.).
 - d. In no case may an alternate cast a vote for an unpledged delegate (Call, VIII.F.3.d.).

SECTION IV

CONVENTION STANDING COMMITTEE MEMBERS

A. INTRODUCTION

1. Texas has been allocated nine (9) members on each of the three standing committees for the 2008 Democratic National Convention (Credentials, Platform and Rules) for a total of 27 members (Call, VII.A. & Appendix D.).

2. Members of the Convention Standing Committees need not be delegates or alternates to the 2008 Democratic National Convention (Call, VII.A.3.).
3. These members will be selected in accordance with the procedures indicated below (Del. Sel. Rule 1.G.).

B. TEMPORARY STANDING COMMITTEE MEMBERS

1. The 27 temporary members for the Convention Standing Committees will be selected without regard to presidential preference by the State Democratic Executive Committee at its statutory meeting on March 12, 2008 (Call VII.G.2 and Regs. 5.8). The meeting shall be open and well-publicized. Temporary members serve only in the event that the respective committee is called to meet prior to completion of the Texas delegate selection process, and no temporary member shall continue to serve after the selection of the permanent standing committee members unless he or she is elected as a permanent member (Call VII.G.(2) and Reg. 5.8.).
2. Any Democrat may apply for a position as a temporary member by filing with the Texas Democratic Party State Democratic Executive Committee, 505 W. 12th Street, Austin, Texas 78701. Applications will be supplied by the Texas Democratic Party and must include senatorial district, gender, age, disability, ethnicity, sexual orientation, gender identity or expression, presidential or uncommitted preference and the committee(s) for which they wish to be considered. Applications must be received no later than March 7, 2008.
3. A separate election shall be conducted for membership on each of the standing committees. The membership of the standing committees shall be as equally divided as possible under the state allocation: if the number is even, the membership shall be equally divided between men and women and if the number is odd, the variance between men and women may not exceed one (1), and the advantaged gender must not remain constant for the three standing committees (Call VII.E.(1)).
4. Temporary members serve only in the event that the respective standing committee is called to meet prior to completion of Texas' delegate selection process (and subsequent selection of permanent standing committee members), and no temporary member may continue to serve after the selection of the permanent standing committee members unless he or she is elected as a permanent member (Call VII.G.(3)).
5. The State Chair shall certify the temporary standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their election. Substitutions in the list of temporary members may only be made up to ten (10) days prior to the time the standing committee meets and must be chosen by the State Democratic Executive Committee under the same provisions listed above (Call VII.B.3 and G.3).

C. PERMANENT STANDING COMMITTEE MEMBERS

1. Selection Meeting
 - a. The permanent members of the standing committees shall be elected by all of Texas' National Convention delegates, at a meeting to be held on June 7, 2008 and will be allocated on the same basis as the At-Large delegates. A quorum shall consist of a majority of the state's delegates to the National Convention. All members of the

delegation shall be informed upon their election of the time and place of the meeting to select the permanent standing committee members (Call VII.B.1).

- b. All members of the delegation shall receive adequate notice of the time, date and location 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 Texas 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. 5.7.).
- 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 Texas. If the result of such multiplication does not equal 0.455 or above, the presidential preference in question is not entitled to representation on the standing committee. If the result of such multiplication is 0.455 but less than 1.455, the presidential preference is entitled to one (1) position. Those preferences securing more than 1.455 but less than 2.455 are entitled to two (2) positions, etc. (Call, VII.C.2.).
- c. Where the application of this formula results in the total allocation exceeding the total number of committee positions, the presidential candidate whose original figure of representation is farthest from its eventual rounded-off total shall be denied that one (1) additional position. Where the application of this formula results in the total allocation falling short of the total number of committee positions, the presidential candidate whose original figure of representation is closest to the next rounding level shall be allotted an additional committee position (Call, VII.C.3.).
- 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. After the entire delegation has been selected, each presidential candidate, or the candidate's authorized representative(s), must submit to the State Democratic Chair, by June 7, 2008, the name of at least one (1) person for each slot awarded to that candidate for permanent members of each committee. The delegation shall select the standing committee members submitted by the presidential candidates (including uncommitted status). Presidential candidates shall not be required to submit the name of more than one person for each slot awarded to such candidate for members of standing committees (Call VII.D.2).

4. Selection Procedure to Achieve Equal Division

- a. The membership of the standing committees shall be as equally divided as possible under the state allocation: the variance between men and women may not exceed one (1) and the advantaged gender must not remain constant for the three standing committees (Call VII.E.1).
- b. Presidential candidates (including uncommitted status) shall use their best efforts to ensure that their respective delegation of standing committee members achieve Texas' affirmative action goals and that their respective members are equally divided between men and women (Del. Sel. Rule 6.I. & Reg. 4.9.).
- c. Each position on the standing committees shall be assigned by gender. The first position on the Credentials Committee of the presidential candidate with the most standing committee positions shall be designated for a female, the second position for a male, and the remaining positions shall be designated in like fashion, alternating between female and male. Positions for presidential candidates on each committee shall be ranked according to the total number of standing positions allocated to each such candidate. After positions on the Credentials Committee are designated by sex, the designation shall continue with the Platform Committee, then the Rules Committee.

5. Certification and Substitution

- a. The State Democratic Chair shall certify the standing committee members in writing to the Secretary of the Democratic National Committee within three (3) days after their selection (Call, VII.B.3.).
- b. No substitutions will be permitted in the case of standing committee members, except in the case of resignation or death. Substitutions must be made in accordance with the rules and the election procedures specified in this section and must be certified in writing to the Secretary of the Democratic National Committee within three (3) days after the substitute member is selected (Call, VII.B.4.).

SECTION V

THE DELEGATION

A. Texas will select one (1) person to serve as Delegation Chair and six (6) individuals to serve as Convention Pages (Call, IV.D., E.1. & Appendix C.).

B. DELEGATION CHAIR

1. Selection Meeting

- a. The Delegation Chair shall be selected by all of Texas' National Convention Delegates at a meeting to be held on June 7, 2008. The meeting will be open and well-publicized (Call, IV.D.).
- b. All members of the delegation shall receive timely notice of the time, date and location of the meeting to select the Delegation Chair (Rule 3.C.).

2. The State Democratic Chair shall certify the Delegation Chair in writing to the Secretary of the Democratic National Committee within three (3) days after his or her selection (Call, IV.D.).

C. CONVENTION PAGES

1. Six (6) individuals will be selected to serve as Texas' Convention Pages by the State Democratic Chair, in consultation with the Texas Democratic National Committee members. This selection will take place no later than June 7, 2008 (Call, IV.E.3. & Reg. 5.5.).
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. 5.5.A.).
3. The State Chair shall certify the individuals to serve as Texas' Convention Pages in writing to the Secretary of the Democratic National Convention within three (3) days after the selection (Call, IV.E.3. & Reg. 5.5.B.).

SECTION VI

GENERAL PROVISIONS AND PROCEDURAL GUARANTEES

- A. Participation in the delegate selection process is open to all voters who affiliate (Texas Election Code 162.001) with the Texas Democratic Party by voting in the 2008 Democratic presidential Primary and who do not participate in a primary or convention of another party during the same year (Del. Sel. Rules 2.A. & 2.E.). The presidential primary is a closed primary at which voters publicly declare their affiliation with the Texas Democratic Party, and the lists of who votes in the primary are public record. People who vote in the Democratic primary are prohibited from voting in the Republican primary and vice versa, by state law.
- B. No person may participate in more than one (1) Precinct Convention (Del. Sel. Rule 3.E.).
- C. At no stage of the delegate selection process shall any person be required, directly or indirectly, to pay a cost or fee as a condition for participating in the delegate selection process. Voluntary contributions to the Texas Democratic Party may be made, but under no circumstances shall a contribution be mandatory for participation (Del. Sel. Rule 2.D.).
- D. The Texas Democratic Party reaffirms its commitment to an open party by incorporating the “Six Basic Elements” as listed below. These provisions demonstrate the intention of the Democratic Party to ensure a full opportunity for all status members to participate in the delegate selection process (Del. Sel. Rules 4.A. & C.).
 1. All public meetings at all levels of the Democratic Party in Texas 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 or expression, economic status or physical disability (hereinafter collectively referred to as “status”) (Del. Sel. Rule 4.B.(1)).
 2. No test for membership in, nor any oaths of loyalty to, the Democratic Party of Texas 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 (Del. Sel. Rule 4.B.(2)).
 3. The time and place for all public meetings of the Democratic Party in Texas 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 (Del. Sel. Rule 4.B.(3)).

4. The Democratic Party in Texas, on all levels, should support the broadest possible registration without discrimination based on status (Del. Sel. Rule 4.B.(4)).
5. The Democratic Party in Texas should publicize fully and in such a manner as to assure notice to all interested parties a full description of the legal and practical procedures for selection of Democratic Party officers and representatives on all levels. Publication of these procedures should be done in such fashion that all prospective and current members of the Texas Democratic Party will be fully and adequately informed of the pertinent procedures in time to participate in each selection procedure at all levels of the Democratic Party organization (Del. Sel. Rule 4.B.(5)).
6. The Democratic Party in Texas 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 Texas Democratic Party. Such publication should be done in timely fashion so that all prospective candidates or applicants for any elected or appointed position within the Texas Democratic Party will have full and adequate opportunity to compete for office (Del. Sel. Rule 4.B.(6)).

These actions demonstrate the intention of the Texas Democratic Party to ensure a full opportunity for all Democratic members to participate in the delegate selection process.

- E. Discrimination on the basis of status in the conduct of Democratic Party affairs is prohibited (Del. Sel. Rule 5.B.).
- F. Texas' 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 (Del. Sel. Rule 6.C.).
- G. All delegate and alternate candidates must be identified as to presidential preference or uncommitted status at all levels which determine presidential preference (Del. Sel. Rule 12.A.).
- H. 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 (Del. Sel. Rule 12.I.).
- I. Delegates elected to the National Convention pledged to a presidential candidate shall in all good conscience reflect the sentiments of those who elected them (Del. Sel. Rule 12.J.).
- J. 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 (Del. Sel. Rule 12.H. & Reg. 4.23.).
- K. No less than 40% of the members of any Party body above the first level of the delegate selection process shall constitute a quorum for any business pertaining to the selection of National Convention delegates, alternates, standing committee members and other official Convention participants (Del. Sel. Rule 15).

- L. Proxy voting shall be allowed at the state convention, subject to Art. IV.A.3, State Party Rules. No proxies from a county shall be recognized if any delegate or alternate is present from the county. The proxy shall be non-transferable and no person shall hold or vote more than one proxy (Del. Sel. Rule 16).
- M. 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 (Del. Sel. Rule 17.A.).
- N. 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 (Del. Sel. Rule 17.B.).
- O. All steps in the delegate selection process, including the filings 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 (Del. Sel. Rules 1.F & 11.B).
- P. In electing and certifying delegates and alternates to the 2008 Democratic National Convention, Texas hereby undertakes to assure all Democratic voters in the state: full, timely and equal opportunity to participate in the delegate selection process and in all Party affairs, and to implement affirmative action programs to that end; that the delegates and alternates to the Convention shall be selected in accordance with the Delegate Selection Rules for the 2008 Democratic National Convention; that the voters in the state will have the opportunity to cast their election ballots for the Presidential and Vice-Presidential nominees selected by said Convention and for electors pledged formally and in good conscience to the election of these Presidential and Vice-Presidential nominees, under the label and designation of the Democratic Party of the United States; and that the delegates certified will not publicly support or campaign for any candidate for President or Vice-President other than the nominees for the Democratic National Convention (Call, II.B.).
- Q. Texas is participating in the state government-run Presidential preference Primary that will utilize government-run voting systems. The Texas Democratic Party has taken provable positive steps (including, but not limited to, the drafting of corrective legislation; public endorsement by the State Party of such legislation; efforts to educate the public on the need for such legislation; active support for the legislation by the State Party through its legislative advocacy of state legislators, other public officials, Party officials and Party members; and encouraging consideration of the legislation by the appropriate legislative committees and bodies) to:
 - a. Promote the acquisition of accessible precinct-based optical scan systems wherever possible (Del. Sel. Rule 2.H.(1));
 - b. Seek enactment of legislation, rules and policies at the state and local level to ensure that direct recording electronic systems include a voter-verified paper trail (Del. Sel. Rule 2.H.(2));
 - c. Seek enactment of legislation, rules and policies at the state and local level to ensure that both optical scan and direct recording electronic systems include recognized security measures. These measures include automatic routine annual audits comparing paper records to electronic records following every election and prior to certification or results, where possible; parallel testing on Election Day; physical and electronic security for equipment; banning use of wireless components and connections; public disclosure of software design; use of transparent and random selection for all auditing procedures; and effective procedures for addressing evidence of fraud or error (Del. Sel. Rule 2.H.(3)).

- d. These provable positive steps have included:
- i. Collaborating with the Texas Secretary of State in order to fashion guidelines and protocols for the use of direct recording electronic voting machines (“DRE’s) in Texas.
 - ii. Partnering with State Senators and State Representatives in the crafting of legislation intended to enhance voter protection, increase polling place accessibility and facilitate ease of voter registration.
 - iii. Lobbying in support of bills introduced in the Texas Senate and House in the 79th Legislative Session and the Texas House of Representatives during the 80th Legislative Session requiring “paper trails” with the use of DRE’s. Bills introduced in the 79th Legislative Session relating to DRE paper trails included S.B. 94 and H.B.’s 1289, 2259 and 3083. Bills introduced in the 80th Legislative Session relating to DRE paper trails included H.B.’s 65, 123 and 527. The TDP intends to continue to work over the interim with State Executive and Legislative officials to find ways to address the deficiencies of the current DRE machines and voting security generally.
 - iv. Testifying in favor of H.B.’s 384 and 1364 in the 80th Legislative Session before the Texas House Committee on Elections relating to the accuracy, security and reliability of certain electronic voting machines.
 - v. Joining efforts with local community organizations and activists to educate legislators and the public on harmful voter suppression legislation; testifying against such legislation before State House and Senate Committees.
 - vi. Participating in a broad-based coalition (“Texas Coalition for Election Reform”) charged with reviewing the implementation of HAVA in Texas.
 - vii. Initiating a lawsuit in February 2007 averring DRE malfunctioning in the computation of Democratic straight ticket votes from the November 2006 state elections.

SECTION VII

AFFIRMATIVE ACTION, OUTREACH AND INCLUSION PLAN

A. STATEMENT OF PURPOSE AND ORGANIZATION

1. Purpose and Objectives
 - a. In order that the Democratic Party at all levels be an open Party which includes rather than excludes people from participation, a program of effective affirmative action is hereby adopted by Texas (Del. Sel. Rule 5.A.).
 - b. Discrimination on the basis of status (defined in Section VII.A.1(c)) in the conduct of Democratic Party affairs is prohibited (Del. Sel. Rule 5.B.).
 - c. All public meetings at all levels of the Democratic Party in Texas 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 or expression,

economic status or physical disability (hereinafter collectively referred to as “status”) (Del. Sel. Rule 4.B.(1)).

- d. Consistent with the Democratic Party’s commitment to including historically underrepresented individuals in the Democratic Party’s affairs (underrepresented by virtue of their race, ethnicity, age, sexual orientation, gender identity or expression, or disability), Texas has developed Party outreach programs. Such programs include recruitment, education and training in order to achieve full participation by such groups and diversity in the delegate selection process – and at all levels of Party affairs – in 2008 (Del. Sel. Rule 5.C & Reg. 4.7.). Programs will be designed to proactively reach out to Texas’ various Democratic constituencies (including African-Americans, women, youth, persons over 65 years of age, individuals within the LGBT community, persons with disabilities, etc.), in order to heighten awareness of these groups and the Democratic Party’s desire to have them fully participate.
- e. In order to encourage full participation by all Democrats in the delegate selection process and in all Party affairs, the Texas Democratic Party has adopted and will implement programs with specific goals and timetables for African-Americans, Hispanics, Native Americans, Asian/Pacific Americans and women (Del. Sel. Rule 6.A.).
 - (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 (Del. Sel. Rule 6.A.(1)).
 - (2) This goal shall not be accomplished either directly or indirectly by the Party’s imposition of mandatory quotas at any level of the delegate selection process or in any other Party affairs (Rule 6.A.(2)).
- f. In order to achieve full participation of other groups that may be underrepresented in Party affairs, including members of the LGBT community and persons with disabilities, the Texas Democratic Party has adopted and will implement Inclusion Programs (Del. Sel. Rule 7).

2. Organizational Structure

- a. An Affirmative Action Committee shall be appointed by the State Democratic Chair on March 1, 2007 (Del. Sel. Rule 6.F.).
- b. The Committee shall consist of members from each delegate district representing the Democratic constituency groups set forth in the “Statement and Purpose Section” of the Affirmative Action, Outreach and Inclusion Plan. (*Exhibit #1, “Affirmative Action Committee Membership Roster” attached*).
- c. The Affirmative Action Committee shall be responsible for:
 - (1) Reviewing the proposed Delegate Selection and Affirmative Action Plans and making recommendations to the State Democratic Chair;
 - (2) Reviewing the proposed Inclusion Programs and making recommendations to the State Democratic Chair;
 - (3) Directing the implementation of all requirements of the Affirmative Action section of this Plan;

- (4) Implementing a financial assistance program for delegates and alternates to encourage participation and representation of those of low to moderate incomes (Del. Sel. Rule 6.G.);
 - (5) Ensuring, on behalf of the State Party Committee, that district lines used in the delegate selection process are not gerrymandered to discriminate against African-Americans, Hispanics, Native Americans, Asian/Pacific Americans and women (Del. Sel. Rule 6.E.).
- d. Financial and staff support for the Affirmative Action Committee shall be provided by the State Party Committee to the greatest extent feasible, including, but not limited to making available on a priority basis the State Party staff and volunteers and covering all reasonable costs incurred in carrying out this Plan.

3. Timetable for Implementation

- a. The Texas Democratic Party shall assume the expenses necessary to accomplish all the activities described in the following Timetable:

DATE	ACTION
2007	
<u>SEPTEMBER 16</u>	THE STATE PARTY AND STATE DEMOCRATIC EXECUTIVE COMMITTEE MUST BEGIN IMPLEMENTATION OF ITS AFFIRMATIVE ACTION PLAN. IMMEDIATELY ON CERTIFICATION OF THE RBC APPROVING TEXAS' DELEGATE SELECTION PLAN, A PRESS RELEASE WILL BE DISTRIBUTED TO THE STATEWIDE PRESS CORPS ANNOUNCING THE PLAN'S APPROVAL AND DESCRIBING ITS KEY ELEMENTS.
<u>OCTOBER 12</u>	LOCATIONS AND DATES FOR A SERIES OF WORKSHOPS WILL BE DECIDED AND ANNOUNCED. NO LESS THAN ONE WORKSHOP WILL BE HELD FOR EACH OF TEXAS' 31 SENATE DISTRICTS. SPECIAL EMPHASIS SHALL BE PLACED ON MINORITIES AND TRADITIONALLY UNDERREPRESENTED GROUPS. WORKSHOPS WILL BEGIN AS SOON AS PARTY RULES ARE AVAILABLE. THESE WORKSHOPS WILL BE DESIGNED TO ENSURE ALL PARTY OFFICIALS AND ALL INTERESTED DEMOCRATS UNDERSTAND THE DELEGATE SELECTION PROCESS.
<u>OCTOBER 12</u>	A BROCHURE SUMMARIZING THE DELEGATE SELECTION PROCESS WILL BE READY FOR MASS DISTRIBUTION THROUGH MAILING TO STATE AND LOCAL PARTY OFFICERS; DISTRIBUTION AT PARTY MEETINGS AND WORKSHOPS; AND AT MEETINGS OF CONSTITUENT INTEREST GROUPS.
2008	
<u>JANUARY 7</u>	A PRESS RELEASE WILL BE DISTRIBUTED TO THE STATEWIDE NEWS MEDIA EMPHASIZING THE IMPORTANCE OF THE MARCH 4, 2008 PRECINCT CONVENTIONS; THE TIME AND LOCATIONS OF THESE CONVENTIONS; AND THEIR RELATIONSHIP – AND THE RELATIONSHIP OF THE POPULAR VOTE – TO THE DELEGATE SELECTION PROCESS.
	DEADLINE FOR PRESS KIT TO BE DISTRIBUTED TO PRINT AND ELECTRONIC MEDIA OUTLETS.

**ADDITIONAL PRESS RELEASE AND PUBLIC SERVICE ANNOUNCEMENTS
SUITABLE FOR USE AS RADIO AND TELEVISION SPOTS – WILL BE
DISTRIBUTED TO STATEWIDE NEWS MEDIA TO ENCOURAGE
ATTENDANCE AT THE MARCH 4, 2008, PRECINCT CONVENTIONS.
ANNOUNCEMENTS IN SPANISH SHALL BE PREPARED AND
DISTRIBUTED WHERE APPROPRIATE.**

4. Implementation of the Affirmative Action Plan shall begin on September 16, 2007, with the distribution of the press release and will continue through the end of the delegate selection process (Del. Sel. Rule 1.F.).

B. EFFORTS TO EDUCATE ON THE DELEGATE SELECTION PROCESS

1. Well-publicized educational workshops will be conducted in each of the delegate districts beginning in October 2007. 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 which are easily accessible to persons with physical disabilities. The times, dates, locations 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 and will include mailings to various organizations representative of the Democratic voting populace (Del. Sel. Rules 3.A. & 3.C.).
2. A volunteer Speakers Bureau comprised of Affirmative Action Committee members who are fully familiar with the process will be organized to appear before groups as needed, to provide information on the delegate selection process.
3. The State Party's education efforts will include outreach to community leaders within the Democratic Party's various constituencies and ensuring that information about the delegate selection process is available to Democratic clubs and Party caucuses representing these specific constituencies.
4. The Texas Democratic Party will publish and make available, at no cost, a clear and concise explanation of how Democratic voters can participate in the delegate selection process; an explanation of how, where and when persons can register to vote; and delegate district maps. Additionally, the State Party shall also make available copies of the State Party Rules, the Texas Delegate Selection Plan (and its attachments), the Affirmative Action Plan and relevant state statutes at no cost. Copies of documents related to Texas' delegate selection process will be prepared and the Affirmative Action Committee will distribute them in the various delegate districts not later than June 15, 2007 (Del. Sel. Rule 1.H.).
5. The State Party shall take all feasible steps to encourage persons to register and to vote as Democrats and will seek to ensure simple and easy registration procedures (Del. Sel. 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; 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 by the State Party in

its print or online communications medium. 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 (Del. Sel. Rules 3.C. and 3.D.).

2. Newspapers, radio and television will be utilized to inform the general public how, when and where to participate in the delegate selection process. Specifically, this information should provide details as to how to qualify to run as a delegate candidate. Special effort shall be directed to the major daily newspapers, radio and television stations by the State Democratic Chair, Affirmative Action Committee members and Party staff. Regular releases during the delegate selection process to all other media sources, weekly newspapers, and wire services should complete timely coverage (*Exhibit # 2A, "Recipient Media Outlets," attached*) (Del. Sel. 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/Pacific American, Spanish-speaking and other non-English press, radio stations and publications; women's organizations; student newspapers; gay and lesbian press; press directed toward persons with disabilities; and any other specialty media in the state likely to reach the Democratic constituency groups set forth in the "Statement and Purpose Section" of the Affirmative Action, Outreach and Inclusion Plan.
 - b. The Texas Democratic Party shall be responsible for the implementation of this publicity effort (*Exhibit #2B, "Constituency and Specialty Media Outlet Recipients," attached*). For purposes of providing adequate notice of the delegate selection process, the times, dates, locations and rules for the conduct of precinct conventions; county and senate district conventions; the Texas State Convention; deadlines to file for temporary and permanent national committee seats and as a National Convention delegate; and senate district executive committee meetings times shall be effectively publicized – bilingually where necessary – to encourage the participation of minority groups (Del. Sel. Rule 6.D.).
4. Not later than Jan 7, 2008, a press kit shall be created and provided to each daily and weekly newspaper, as well as to the electronic media outlets. The press kit will include:
 - a. a summary of all pertinent rules related to Texas' delegate selection process;
 - b. a map of delegate districts and the number of delegates to be elected within each district;
 - c. a summary explaining the operation and importance of the 2008 Convention; and
 - d. materials designed to encourage participation by prospective delegate candidates.

D. REPRESENTATION GOALS

1. The State Party has determined the demographic composition of African-Americans, Hispanics, Native Americans, and Asian/Pacific Americans in the state's Democratic

electorate. These constituency percentages shall be established as goals for representation in Texas' convention delegation (Del. Sel. Rule 6.A.).

2. The State Party has determined the demographic composition of members of the LGBT community, persons with disabilities, and youth in the state's Democratic electorate. The State Party has chosen to establish these percentages as goals for representation in Texas' convention delegation as well.
3. Prior to determining the representation goals for Texas, the Affirmative Action Committee unanimously agreed that no constituency group would drop below the approved representation goals of the 2004 Affirmative Action Plan.
4. The State Party has worked diligently to determine the demographic composition of African-Americans and Hispanics in the Democratic electorate in the state. The representation goal for African-Americans is 54 delegates (23.5% of the Democratic electorate). Because there is no good marker for African-American voters in data sets, a combination of actual numbers of those we are aware are African-American, plus an estimation of participation, was used. The delegate number of African-Americans is generously higher than those numbers would show, giving their goal a higher percentage than even the estimate suggests. The representation goal for Asian-Americans is 9 delegates (4.2% of the Democratic electorate). Because the marker for Asian voters is not completely accurate, a combination of actual numbers of those we are aware are Asian, plus an estimation of the participation, was used. The representation goal for LGBT constituencies is 14-18 delegates (6%-8% of the electorate). Since the last presidential primary, the participation by Native Americans in the Texas Democratic Party has continued to grow, although they remain at under 1% of the Democratic electorate. Therefore, the representation goal for Native Americans is one (1) delegate. The representation goal for Hispanics is 70 delegates (30.8% of the Democratic electorate). However, since the Affirmative Action Committee ruled that no constituency group would be reduced below the approved goals of the 2004 National Convention, the representation goal for Hispanics will remain at 72 delegates (31% of the Democratic electorate). Because the marker for Hispanic voters is not completely accurate, a combination of actual numbers of those we are aware are Hispanic, plus an estimation of the participation, was used. The representation goal for youth (i.e. voters 18-35 years of age) is 39 delegates (17.1% of the electorate). Youth strength was determined by actual count of youth voters in the voter file. The representation goal for disabled voters is 21-27 delegates (9%-12%).
5. In calculating the representation goals for the specified group members, raw numbers of identified <African-Americans/Hispanics/Asian-Americans/Native Americans> were drawn from the Texas Democratic Party's (TDP's) voter file. Such individuals were identified for each group using the accepted methodology of matching traditional last names – a so-called “ethnic match” (e.g. Ramirez for Hispanic voter). These raw numbers were further supported by census, ethnicity and neighborhood-matching data. In order to more accurately approximate the number of actual voters in a particular group, however, a “Correction for the Quality of Ethnic Match” was utilized within the Affirmative Action Delegate formula. Such correction was based on data supplied by the vendors TDP utilized to determine the ethnic matches, in order to give the State Party a numerical figure more representative of the target populations and to ensure each figure compensated for the expected percentage of ethnic voters that each ethnic match might miss. (Importantly, the TDP's voter file vendor has acquired over a decade of experience with the Texas voter file, including working with other vendors on improving the quality of TDP's ethnicity match). This corrected figure was then multiplied by the percentage

of <African-Americans/Hispanics/Asian-Americans/ Native Americans> likely to vote Democratic and then divided by the number of Democratic votes for President and Governor (in 2004 and 2006, respectively) in order to determine the percentage of Democratic Electorate for these groups. **The total number of National Delegates ascribed to Texas was then divided by this percentage of Democratic Electorate – giving us the final numerical representation goal for each constituency noted in the Affirmative Action plan.**** For the LGBT constituency, the State Party utilized an estimate of the Democratic Electorate (6-8%) supplied to them by the Stonewall Democrats, a group allied with the LGBT community. The percentage of Democratic Electorate for persons with disabilities was derived by utilizing a 1998 study/report from a Texas advocacy group for persons with disabilities which indicated that voters with disabilities were 20% points less likely to vote than their non-disabled counterparts. As 56.6% of Texas voters voted in the 2004 General Election, deducting the 20 percentage points results in 36.6% of voters with disabilities that voted in the 2004 General. Of this 36.6%, 46% of persons with disabilities voted Democratic (Source: 2004 Harris Interactive Survey), resulting in a maximum 12% Democratic Electorate. The representation goal for persons with disabilities was stipulated as a range of 9-12% of the Democratic Electorate, or 21-27 Delegates representing persons with disabilities. The percentage of Democratic Electorate for the youth constituency was derived from the actual raw number of youth indicated in the Texas Democratic Party’s voter file, resulting in the assignment of 39 Delegates to represent the Youth at the National Convention. ** Note: Due to the Affirmative Action Committee’s determination that no constituency group would drop below the number of representation they had at the 2004 Convention, the representation goal for Hispanics remains at 72 Delegates for the 2008 Convention.

Summary of Representation Goals:

African-American	54 delegates
Asian-American	9 delegates
Disabled	21-27 delegates
LGBT	14-18 delegates
Native American	1 delegate
Hispanic	72 delegates
Youth	39 delegates

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

E. OBLIGATIONS OF PRESIDENTIAL CANDIDATES TO MAXIMIZE PARTICIPATION

1. Presidential candidates shall assist the Texas Democratic Party in meeting the demographic representation goals reflected in the Affirmative Action Plan (Del. Sel. Rule 6.H.).

2. Each presidential candidate must submit a written statement to the State Democratic Chair by January 2, 2008 which indicates the specific steps he or she will take to encourage full participation in Texas' delegate selection process, including, but not limited to, procedures by which individuals may file as a candidate for convention delegate or alternate (Del. Sel. 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 (Del. Sel. Rule 6.H.(2)).
4. Presidential candidates (including uncommitted status) shall use their best effort to ensure that their respective delegations within Texas' 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 (Del. Sel. Rule 6.I. & Reg. 4.9.).

SECTION VIII

CHALLENGES

A. JURISDICTION & STANDING

1. Challenges related to the delegate selection process are governed by the *Regulations of the DNC Rules and Bylaws Committee for the 2008 Democratic National Convention* (Regs., Sec. 3.), and the "Rules of Procedure of the Credentials Committee of the 2008 Democratic National Convention." (Call, Appendix A.)
2. Under Rule 20.B. of the *2008 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 (Del. Sel. Rule 20.B., Call, Appendix A).
3. The Rules and Bylaws Committee has jurisdiction to hear and decide any challenge, provided it is initiated before the 56th day preceding the date of the commencement of the 2008 Democratic National Convention (Call, Appendix A. & Reg., 3.1.).
4. 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 2008 Democratic National Convention*. The Rules and Bylaws Committee shall have jurisdiction over challenges brought before the 56th day preceding the date of the commencement of the Democratic National Convention (Call, VII.B.5.).
5. Challenges to the credentials of delegates and alternates to the 2008 Democratic National Convention initiated on or after the 56th 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 2008 Democratic National Convention." (Call, Appendix A, Reg. 3.1.E.).

6. Copies of the Regulations of the Rules and Bylaws Committee and/or the Call for the 2008 Democratic National Convention, including the Rules of Procedure of the Credentials Committee (Appendix A), shall be made available by the State Party upon reasonable request.
7. Any group of 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 that state shall be filed with the Rules and Bylaws Committee not later than thirty (30) calendar days prior to the initiation of Texas' delegate selection process (Rule 20.A. & Reg. 3.4.A.).
2. A challenge to the state's Delegate Selection Plan shall be filed with the Chair of the Texas Democratic Party and the Co-Chairs of the Rules and Bylaws Committee within fifteen (15) calendar days after the adoption of the Plan by the State Party (Reg. 3.4.B.).
3. A challenge to a Plan must be brought in conformity with the Rules and the Regs., which should be consulted for a detailed explanation of challenge procedures.

C. CHALLENGES TO IMPLEMENTATION

1. A challenge may be brought alleging that a specific requirement of an approved Plan has not been properly implemented. Jurisdiction over all challenges initiated in a timely fashion shall reside with either the Rules and Bylaws Committee or the Credentials Committee of the National Convention (See Section VIII.A. above). However, the Rules and Bylaws Committee may provide advice, assistance or interpretations of the Delegate Selection Rules at any stage of the delegate selection process (Reg. 3.1.C.).
2. An implementation challenge brought before the Rules and Bylaws Committee is initiated by filing a written challenge with the State Party Committee and with the Rules and Bylaws Committee not later than fifteen (15) days after the alleged violation occurred. The State Party 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. However, if the State Party renders no decision, any party to the challenge may request the Rules and Bylaws Committee to process it. The request must be made within ten (10) days after expiration of the above twenty-one (21) day period (Regs. 3.4.C., E., & H.).
3. Performance under an approved Affirmative Action Plan and composition of the convention delegation shall be considered relevant evidence in the challenge to any state delegation. If a State Party has adopted and implemented an approved affirmative action program, the State Party shall not be subject to challenge based solely on delegation composition or primary results (Del. Sel. 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 Texas' delegate selection process (Reg. 3.4.C.).
4. Depending on the appropriate jurisdiction (see Section VIII.A. above), implementation challenges must be brought in conformity with the Regulations of the Rules and Bylaws

Committee or the Rules of Procedure of the Credentials Committee, which should be consulted for a detailed explanation of challenge procedures.

SECTION IX

SUMMARY OF PLAN

A. SELECTION OF DELEGATES AND ALTERNATES

Texas will use a proportional representation system based on the results of both the State-run Primary and caucuses in apportioning its delegates to the 2008 Democratic National Convention.

The “first determining step” of Texas’ delegate selection process will occur on March 4, 2008 with a State-run Primary.

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	126	21	6/6/08	Senatorial Caucuses
District-Level Alternates			6/6/08	File delegate application (“Statement of Candidacy”) by May 21, 2008
Unpledged Party Leader and Elected Official Delegates*	32	N/A	N/A	Automatic by virtue of respective public or Party office as provided in Rule 9.A. of the 2008 Delegate Selection Rules.
Unpledged Add-on Delegates**	3	N/A	6/7/08	State Convention
				N/A
Pledged Party Leaders and Elected Officials (PLEOs)	25	5	6/7/08	State Convention
				File delegate application (“Statement of Candidacy”) by May 21, 2008
At-Large Delegates	42	6	6/7/08	State Convention
At-Large Alternates			6/7/08	File delegate application (“Statement of Candidacy”) by May 21, 2008
TOTAL Delegates and Alternates	228	32		

A person eligible for a pledged party and elected official delegate position who has not filed a Statement of Candidacy under Article II.C. of the Plan shall have one (1) hour after the election of the district-level delegates and alternates to file a Statement of Candidacy.

* Unpledged Party Leader and Elected Official (PLEO) delegates includes the following categories, if applicable, who legally reside in the state: the Democratic National Committee Members; the Democratic President; the Democratic Vice-President; all Democratic Members of Congress; the

Democratic Governor; and any other Distinguished Party Leader as specified in Rule 9.A. of the *2008 Delegate Selection Rules*. The exact number of Unpledged PLEO Delegates is subject to change due to possible deaths, resignations, elections or special elections.

** Unpledged Add-on delegates refers to those delegates chosen according to Rule 9.B. of the *2008 Delegate Selection Rules*.

B. SELECTION OF STANDING COMMITTEE MEMBERS (FOR THE CREDENTIALS, PLATFORM AND RULES COMMITTEES)

Twenty-seven (27) standing Committee Members (nine on each of the three standing committees) will be selected by the National Convention Delegates on June 7, 2008, based on nominations received from the presidential candidates by that date.

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
9	27	June 7, 2008	Elected by National Delegates

C. SELECTION OF DELEGATION CHAIR AND CONVENTION PAGES

The Delegation Chair will be selected by the National Convention Delegates on June 7, 2008.

Six (6) Convention Pages will be selected by the State Democratic Chair on June 7, 2008.

D. PRESIDENTIAL CANDIDATE FILING DEADLINE

Presidential candidates must file with the Texas Democratic Party Chairman by January 2, 2008 to participate in the 2008 Texas Democratic Primary (Del. Sel. Rule 14.E.). Presidential Candidates must certify their authorized representative(s) to the State Party no later than January 2, 2008.

E. TIMETABLE

Date	Activity
2007	
March 1	Delegate Selection Affirmative Action Committee members are appointed by the State Chair.
March 21	Affirmative Action Committee meets to draft proposed Delegate Selection and Affirmative Action Plans.
March 29	Proposed Delegate Selection and Affirmative Action Plans are tentatively approved for public comment by State Party Committee.
March 29	Public comments are solicited on the proposed Delegate Selection and Affirmative Action Plans. Press releases are mailed announcing the public comment period.

Date	Activity
April 28	Period for public comment on state Plan is concluded. Responses are compiled for review by the State Party Committee.
April 28	State Party Committee reviews public comments and adopts revised Delegate Selection and Affirmative Action Plans for submission to DNC Rules and Bylaws Committee. Press releases are mailed announcing the approval of the Plan.
May 1	Delegate Selection and Affirmative Action Plans are forwarded to the DNC Rules and Bylaws Committee.
September 16	State Party begins implementation of the Affirmative Action Plan. Press release, as described in the Affirmative Action Plan, is sent to all state media.
October 12	Location and dates for a series of workshops on how to become a delegate to the National Convention to be announced.
October 12	A brochure summarizing the process by which to become a National Delegate will be ready for mass distribution.
2008	
January 2	Deadline for presidential candidates to submit a full participation statement.
January 2	Presidential candidate deadline for certifying the name(s) of their authorized representative(s) to the State Party.
January 7	Press release to be distributed to the Statewide news media emphasizing the importance of the Primary Precinct Conventions; the time and locations of these conventions; and their relationship to the delegate selection process.
February 16	Press release and public service announcements (PSA's) to be distributed to the Statewide news media to encourage attendance at the Primary Precinct Conventions. Announcements in Spanish to be prepared and distributed where appropriate.
March 4	Presidential preference Primary.
March 12	State Party certifies results of Primary; pre-slated district-level delegates and alternates are allocated according to presidential preference.
April 21 – May 21	Pledged PLEO and at-large delegate or alternate candidate deadline for filing the Statement of Candidacy and pledge of support forms with State Party.
April 21 – May 21	Delegate and alternate candidates may obtain the Statement of Candidacy and pledge of support forms and filing instructions from the State Party Committee Headquarters in person, by mail or from the Texas Democratic Party's website at: www.txdemocrats.org .
May 21	National-level delegate and alternate deadline for filing Statement of Candidacy and pledge of support forms with State Party.
May 28	<p>State Party provides list of district-level delegate and alternate candidates to the respective Presidential candidates.</p> <p>State Party provides list of PLEO and at-large delegate and alternate candidates to the respective Presidential candidates.</p>
June 5	Presidential candidates provide list of approved district-level delegate and alternate candidates to State Party.
June 6	State Convention convenes. District-level delegates and alternates selected by senate district caucuses at the State Convention.

Date	Activity
June 7	<p>Presidential candidates provide approved list of pledged PLEO delegate candidates to State Chair one hour after certification of district-level delegates.</p> <p>Unpledged add-on and pledged PLEO delegates selected.</p> <p>Following selection of PLEO delegates, presidential candidates provide approved list of At-Large delegate and alternate candidates to State Chair. State Convention selects At-Large delegates and alternates.</p> <p>After the entire delegation is selected, presidential candidates submit lists of candidates for standing committee members to State Chair. (The deadline for filing the list of presidential candidate-approved At-Large delegates is after the selection of the Pledged Party and Elected Official Delegates).</p> <p>National Convention delegation meeting takes place. Delegation selects the National Convention standing committee members and delegation chair. State Chair names convention pages.</p> <p>State Chair certifies remainder of elected delegates and alternates (i.e. unpledged Add-On, PLEO, and At-Large) along with standing committee members, Delegation Chair, and convention pages.</p>
June 10	<p>State Party certifies elected district-level delegates and alternates to the Secretary of the Democratic National Committee.</p>

EXHIBITS TO THE AFFIRMATIVE ACTION PLAN

A. MEMBERS OF THE AFFIRMATIVE ACTION COMMITTEE

Please see attached Exhibit #1, "Affirmative Action Committee Membership Roster."

B. MEDIA OUTLETS TO BE CONTACTED REGARDING THE DELEGATE SELECTION PROCESS

1. Major Daily Newspapers, Radio and Television Stations and Other Non-Minority Media Outlets

- *Please see attached Exhibit # 2A, "Recipient Media Outlets."*

2. Constituency and Specialty Media Outlets and Targeted Groups

- *Please see attached Exhibit #2B, "Constituency and Specialty Media Outlet Recipients."*

ATTACHMENTS TO THE DELEGATE SELECTION PLAN

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

1. **A summary** of the process for selecting delegates, alternates, standing committee members, the delegation chair and convention pages, along with related deadlines. *[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section IX. of the Model Plan.]* (Reg. 2.2.A.)
2. **A timetable** reflecting all significant dates in the state's delegate selection process. *[It is recommended that this information be incorporated as part of the state's Delegate Selection Plan - see Section I. of the Model Plan.]* (Reg. 2.2.B.)
3. **A statement from the State Democratic Chair certifying the Plan** as submitted to the RBC was approved by the State Party Committee. (Reg. 2.2.C.)
4. **A copy of the press release** distributed by the State Party Committee announcing its adoption of the Plan and summarizing the major components of the Plan. (Reg. 2.2.D.)
5. **A statement from the State Democratic Chair certifying compliance with Rule 1.C.** which requires a 30 day public comment period prior to the adoption of the Plan by the State Party. (Reg. 2.2.E.)
6. **Copies of all written public comments on the Plan** *[Include information identifying each person and/or organization making the comment and where appropriate, a description of the person or group so represented, if such information has been provided or is available to the State Party.]* (Reg. 2.2.F.)
7. **A blank copy of forms to be filed with the state or the State Party by delegate candidates.** (Reg. 2.2.G.)
8. **A statement from the Chair of the Affirmative Action Committee certifying compliance with Rule 6.F.,** which requires that the Affirmative Action Committee has reviewed the proposed Affirmative Action outreach plan (Reg. 2.2.H.)
9. **Copies of all state statutes reasonably related to the Delegate Selection Process** *[For example, include any and all state statutory requirements related to: ballot access for presidential candidates; filing requirements for delegate and alternate candidates; timing of the presidential primary, caucuses, and/or the state convention; participation in the state's presidential primary or caucuses, including Party registration or enrollment provisions; and any other stipulations made by the state regarding the selection process or the role of National Convention delegates.]* (Reg. 2.2.I.)
10. **A copy of all qualifying forms to be filed with the state or the State Party by presidential candidates.** (Reg. 2.2.J.)