



FROM: *Biden for President and Friends of Bernie Sanders*
TO: Democratic State Parties
DATE: April 30, 2020
SUBJECT: Allocation and Election of At-Large and PLEO Delegates and Standing Committee Members

The Democratic National Committee adopted the Delegate Selection Rules of the 2020 Democratic National Convention (“Rules”) before the start of the 2020 Democratic nomination process to ensure a fair and transparent process. Rule 11.C states that if a presidential candidate entitled to At-Large and Pledged Party Leader and Elected Official (“PLEO”) Delegates (collectively, “statewide delegates”) is no longer a candidate at the time statewide delegates are selected, those delegates are divided among the remaining candidates [1]. Likewise, under Regulation 5.9 of the Regulations of the Rules and Bylaws Committee for the 2020 Democratic National Convention, the candidate is no longer eligible to be awarded standing committee members..

While Senator Sanders is no longer actively seeking the nomination, the Biden campaign feels strongly that it is in the best interest of the party and the effort to defeat Donald Trump in November to come to an agreement regarding these issues that will ensure representation of Sanders supporters and delegate candidates, both on the floor and in committees. We must defeat Donald Trump this fall, and we believe that this agreement will help bring the party together to get Trump out of the White House and not only rebuild America, but transform it.

Accordingly, the Biden and Sanders campaigns, in consultation with the Democratic National Committee (“DNC”), have agreed to and are requesting that every state party implement the following.

- Statewide delegates:
 - To comply with the Rules, state parties should implement Rule 11.C such that for the official certification of At-Large and PLEO Delegates pursuant to Section IV-A of the 2020 Call to the Convention, all such delegates are allocated to Vice President Biden.
 - The campaigns agree, however, that those At-Large and PLEO Delegate slots will be filled by supporters of the Biden and Sanders campaigns based on the candidates’ respective statewide results (regardless of the status of Senator Sanders’s campaign). Rule 11.C notwithstanding, these statewide delegates shall be pledged to their respective candidates and shall in all good conscience reflect the sentiments of those who elected them.
 - To facilitate this agreement, state parties should allow candidates for At-Large or PLEO Delegates supporting either candidate to qualify and be elected as prescribed by each state party’s approved delegate selection plan (“DSP”), including by: filing as a supporter of either candidate, subject to the campaigns’ respective rights of review (described below), and being selected according to the selection process set forth in each DSP for At-Large and PLEO Delegates.
 - To streamline the delegate selection process, state parties should permit a presidential right of review process that allows the Biden and Sanders campaigns, in consultation with state parties, to remove any candidate for At Large or PLEO Delegate from the list of bona fide supporters as long as, at a minimum, one name remains for every pledged delegate or alternate position to which the presidential candidate is entitled.
- Standing Committees:
 - The campaigns agree that Standing Committee slots will be filled by supporters of the Biden and Sanders campaigns based on the candidates’ respective statewide results (regardless of the status of Senator Sanders’s campaign). Rule 11.C notwithstanding, these standing committee members shall be pledged to their respective candidates and shall in all good conscience reflect the sentiments of those who elected them.

In addition, the campaigns are aware of the New York Board of Elections decision not to hold a presidential preference primary, and if the state remains eligible for delegates, the campaigns are committed to working together to ensure representation for Senator Sanders in the New York delegation.

Our campaigns are grateful for the unity and spirit of collaboration within the Democratic Party as we look to defeat Donald Trump and establish a government by and for the American people. We look forward to working with the state parties to implement this approach, as we elect delegates who reflect and represent the diversity that is the unique strength of our great nation.

^[1] “Allocation of Pledged Delegates to Presidential Candidates Who are No Longer Seeking the Nomination,” Taylor, P. (March 2, 2020) (“If a presidential candidate who met the threshold and qualified to receive at-large and PLEO delegates is no longer a candidate before at-large and PLEO delegates and alternates are selected, their share of these delegates and alternates is proportionately divided among the remaining candidates who have also met the statewide threshold.”).

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