

**DEMOCRATS ABROAD
ASIA-PACIFIC CREDENTIAL AND RULES COMMITTEE**

In the Matter of Disqualified Electors.)
) Challenge No. 2
)

ANSWER

The respondent, Kat Allikian, Permanent Regional Convention Chair for the Asia-Pacific Regional Convention, for her answer to the challenge by various disqualified electors, states the following:

Upon learning that opted-in electors had voted in their state's presidential primary, either Samantha Wong (AP Permanent Regional Convention Secretary) or I sent the attached message, tailored to the individual's voting state and Country Committee, to the individual notifying them of their disqualification. The attached message is what we sent to Gordon Gaul, the named individual in the formal challenge. Other messages to similarly-affected electors can be provided upon request.

In these messages, we have explained the relevant section of the Delegate Selection Plan pertaining to participation in other delegate selection plans: Section I.C.1.c, as referenced by the Challengers. It reads:

No person shall participate or vote in the nominating process for the Democratic presidential candidate who also participates in the nominating process of any other delegation to the 2020 Democratic National Convention or of any other political party for the corresponding presidential elections. (Rule 2.E.)

The Challengers assert that voting in a presidential primary does not constitute "participation in the nominating process of any other delegation to the 2020 Democrats National Convention". I consulted with the Chair of the Asia Pacific Credentials and Rules Committee, the EMEA Permanent Regional Convention Chair, and the International Chair of Democrats Abroad on the interpretation of this phrase in the context of elector eligibility. All agreed that voting in another state's primary constitutes "participation in the nominating process of any other delegation to the 2020 Democrats National Convention".

I cannot speak for these individuals or to the logic they applied and can speak only for myself. However, I do not agree with the Challengers that voting in another state's primary does not constitute "participation in the nominating process of any other delegation to the 2020 Democrats National Convention". The results of a state primary are directly and expressly used to determine the number of delegates a given candidate is allocated, ultimately leading to the composition of the state's delegation to the Democratic

National Convention. Determination of the delegation composition is a fundamental part of the state's delegate selection process.

On the advice of and interpretation by the aforementioned individuals (two of whom were the primary authors of the 2020 Delegate Selection Plan), all three Permanent Regional Convention Chairs included the following attestation (as referenced by the Challengers) in the elector opt-in form:

I possess the qualifications required to vote at this Regional Convention in that I will be an eligible voter on November 3, 2020 and I have not participated and will not participate in the delegate selection process (caucus, primary, or other method) of any other delegation to the 2020 Democratic National Convention or in the nominating process of any other political party for the corresponding elections.

There was nothing ambiguous about the phrasing of this attestation with respect to having voted in another state's primary. Even if an eligible elector was unaware of Section I.C.1.c of the Delegate Selection Plan, the individual still needed to attest to the statement on the opt-in form. While not the main issue of this challenge, it is concerning to me that so many individuals chose to attest in the affirmative to a statement that they knew to be demonstrably false.

On one point the Challengers and I can agree: the application of Section I.C.1.c as it has been interpreted and applied in 2020 (and 2016) to eligible electors disenfranchises leaders in Democrats Abroad who have chosen to exercise their right to vote in a presidential primary other than the Democrats Abroad Global Presidential Primary. Disqualifying electors who have voted in their home state's presidential primary from participating in the election of Democrats Abroad DNC Members and voting on our Platform is an unfortunate consequence of the rule. *My opinions or beliefs are not relevant, however.*

Whatever my personal opinions and beliefs, it has been my goal to apply the rules of the DSP equally to all participants, and I have done so to the best of my ability. Had I chosen not to disqualify electors who had voted in different presidential primaries, not only would the rules be inconsistently applied across the different Democrats Abroad conventions, I would have been operating against the advice of and interpretation by the 2020 DSP drafters, a fellow Regional Convention Chair, the relevant Credentials and Rules Committee, and the International Chair. That in and of itself could have, and likely would have, been challenged. The Delegate Selection Plan does not support a different interpretation and application from what I have applied, and I would not have been able in good faith to defend such actions.

I stand by the interpretation and application of Section I.C.1.c of the 2020 Delegate selection Plan with respect to the disqualification of electors who voted in a different state's presidential primary.

I thank the Challengers for their passion and concerns and for bringing this matter to the forefront. It is my hope that, no matter the outcome of this challenge, these experiences will be taken into serious consideration by the drafters of the 2024 Delegate Selection Plan.

Sincerely,

/s/ Kat Allikian

Asia Pacific Permanent Regional Convention Chair

Transcribed by:

Thomas L. Schmid, Chair

Asia-Pacific Credentials and Rules Committee