

LIBERTY PLEDGE

NEWSLETTER

Libertarian National Committee, Inc. • 1444 Duke St. • Alexandria, VA 22314 • Phone: (202) 333-0008 • Fax: (202) 333-0072
www.LP.org February 2017

Libertarian Party wins in debates case against FEC

Judge rules for the Libertarian Party, against Presidential Debates Commission

by J. Wilson

Excerpted from *ALibertarianFuture.com*

Published on Feb. 2, 2017

The Commission on Presidential Debates has been officially put on notice. They're going to have to meet new FEC regulations that have taken into account the Libertarian Party's complaints. The commission will have to defend the rules they set for debate qualification and prove they're nonpartisan, for the first time.

With the mounting pressure, it's likely that the commission will reduce, or potentially eliminate, the one requirement that kept Gary Johnson out in 2016: the 15 percent average polling threshold. The Libertarian Party and Green Party nominees met the other arduous requirement to be on enough state ballots to have a mathematical shot at winning the presidency. Gary Johnson raised over ten million dollars for his campaign

continued on page 4

Libertarian Party gets victory in suit aimed at the partisanship of the Commission on Presidential Debates

Posted by Stephanie Slade

Excerpted from *Poli-Ticks*

Published on Feb. 2, 2017

The Libertarian Party, and fellow plaintiffs, won a victory in federal court this week in the case of *Level the Playing Field v. FEC*.

To quote from my previous reporting summing up what was at issue in the lawsuit, which while technically against the Federal Election Commission (FEC) is ultimately targeting the Commission on Presidential Debates (CPD) for locking out [alternative] third parties while pretending to be nonpartisan, the LP and its co-plaintiffs claim that:

...the CPD has always been a deliberate duopoly for the two major parties and has "been violating FECA and FEC regulations limiting debate-sponsoring organiza-

continued on page 4

Libertarians have guarded praise for Trump's deregulation goals

by Jennifer Harper

Excerpted from *Washington Times*

Published on Feb. 1, 2017

The Libertarian Party has offered some quiet applause for President Trump, citing his goal of reducing pesky federal government regulations by 75 percent, along with his canny proposal to eliminate two existing regulations whenever a new regulation is proposed. Interesting. The Libertarians have a point of contention, however. Regulations are not neat and uniform, they say, reasoning that some regulations "impose 100 times the burden that others do. So a two-for-one deal won't necessarily result in a net reduction in red tape, bureaucratic obstruction, or "needless government meddling" in people's lives.

"Progress requires that any new regu-



lation be less onerous than that which it replaces," says Nicholas Sarwark, chairman of the Libertarian National Committee. "The American economy rose to unprecedented heights and became the envy of the world before today's regulatory regime took hold. If we're going to create jobs and make America great, it must include a massive reduction in government meddling in businesses and in the lives of Americans."

And while the Libertarian Party is

not so keen on Mr. Trump's immigration policy, they are eyeing the future with intense interest. Their real focus now lies in rallying potential Libertarian candidates to run in 2018. The party made significant advances in attracting voters in 2016; presidential hopeful Gary Johnson won 3.3 percent of the national vote, over three times the number he won in his 2012 run. The party hopes to play off the gains.

"You have endless options for how you can change the world and make it a more Libertarian place," the party advises in a new outreach for potential candidates. "Decide what brings you the most satisfaction and go for it! Election Days come around on a regular basis and they sneak up on us quickly." •

Rage Against the Machines .01

by Joe Nichols

Excerpted from *New Mexico Politico*

Published on Feb. 4, 2017

New Mexico Politico Editor-in-Chief's Note: This is the inaugural piece in an anthology highlighting the experiences of first-time, third-party candidate Joe Nichols. With Libertarian Party registrations at record levels nationally, we expect to see more millennials like Joe challenge establishment incumbents in the near future.

Artesia — During the early part of last year, I was becoming frustrated with what I had seen in the developing primaries from both of the major parties, and I was looking for something different. I'd heard of the Libertarian Party in the past, and I even considered myself small "I" libertarian on most issues, but I'd never taken the leap in joining a political party. I researched the Libertarian Party more, and even found the Libertarian Party of New Mexico's (LPNM) website. I read the party platform thoroughly and it was generally agreeable. There wasn't much about the Libertarian Party that I didn't like, except it wasn't active in Eddy County!

There wasn't much about the Libertarian Party that I didn't like, except it wasn't active in Eddy County! I decided I was going to change that.

At that point, I decided I was going to change that. I e-mailed LPNM Chairman Marty Swinney asking for more information on organizing a county affiliate. I paid my dues to join LPNM and the national Libertarian Party. The next day, I went to the county clerk's office and changed my voter registration from "decline to state" to "Libertarian."

For the first time in my life, I belonged to a political party, and I wanted to find others who belonged to our little, principled party. I started running posts in the buy, sell, trade groups on Facebook, looking for more Eddy County libertarians, and much to my delight, I found some! We met up and organized a loose committee to start promoting liberty, and decided we would attend the state convention in April. We also made plans to have a booth at the Eddy County fair, to run an "Operation: Politically Homeless" booth to see if we could recruit any new Libertarians during the dumpster fire of the 2016 election.

About this same time, I started looking into state and local elections, and I noticed my state house district was uncontested, so I did a little more digging and found that District 54 hadn't been contested in a general election for at least ten years. I talked with other members of our Libertarian group in Eddy County, and we decided someone needed to run. I contacted Albuquerque Libertarian activist Mike Blessing to find out what we needed to do to run a candidate, since he had run before.

Going into the LPNM convention, I still wasn't sure that I wanted to run for office. I was nervous about presenting a Libertarian platform in deep, Republican red, southeast New Mexico. I knew many people, especially young people, would respond well to the message of "live and let live," but there were other aspects of libertarianism that I wasn't sure would go over so well. But I knew that someone needed to pres-

New and renewing Liberty Pledgers

Judith B. Abel	Jacqueline McManus
Douglas S. Adams	James McNeal
Nicholas Allen	Peter A. Meister
David S. Anderson	John Mekjian
Scott Baker	Robert Merzi
Jason Bell	David W. Moore
Thomas Bolt	Colin J. O'Kane
Stuart M. Boreen	Travis Pearson
Frank J. Bowman	Nicole Peel
Nathan D. Brady	Jesse Phillips
Keith Briggs	Jeff D. Pizanti
Nicole Burbank	Charles Pullen
Brandon Christensen	David Quinlan
H. A. Cole	Brett Recen
Christian Dahlstrom	Joe E. Retford
Colin Dean	Frankie Rohrer
Benjamin Dryke	Tate Satterfield
Jamie Dunning	Kevin Shannon
Steven Edwards	Anthony N. Sileo
Thomas Eller	Mark L. Simonson
Garrett Foster	Janice Slocum
Kevin J. Gilhooly	Louis St. John
Erick Gutierrez Prado	Timothy Stage
Benjamin Held	Rick Starsick
Sarah Hindman	Michael L. Stevenson
David R. Jeffries	Robert K. Stock
Zaem A. Khan	Emily Stoll
Eric J. Klinker	Patricia Stone
David LaRue	Joshua Sundheim
William J. Lawson	Robert Taylor
Andrew P. LeCureaux	James T. Thomas
Robert E. Lempke	Kevin Wolf
Ann S. Livingston	Edwin F. Zimmerman
Alfred Lopez	Phillip Zochol
John McKeon	

ent our message of maximum freedom and limited government to a constituency that deserved to have a choice in the voting booth. Again, I had just been moved to engage the political process for the first time and I wasn't sure that I was the best person to do it. The time for nominations at the state convention soon came and from the side of the room, I heard Mike announce, "I nominate Joe Nichols to run for state representative in whatever district he lives in." Thanks for pushing me, Mike; then and there I knew it was going to happen, and since it was happening, I was going to give it everything I could....

Look for "Rage Against the Machines .02" next Friday, exclusively here at the *NMPolitico.com*. •

Victory for alternative-party ballot access in Georgia

Excerpted from *Before It's News*
Published on Feb. 2, 2017

Third parties have a reason to rejoice, at least in Georgia. The 11th U.S. Circuit Court of Appeals yesterday upheld a ruling that a portion of the Georgia ballot access law violated the U.S. Constitution. The *Atlanta Journal-Constitution* reports that a three-judge panel unanimously sided with U.S. District Judge Richard Story, who had previously lowered the number of signatures required for [alternative]-party candidates to get on the ballot from tens of thousands to 7,500.

Back in 2012, the Georgia Constitution Party and the Georgia Green Party sued the state, claiming that the requirement to obtain one percent of registered voters' signatures was artificially high. The year they sued, the parties would have needed at least 50,334 signatures to gain ballot access. Thanks to Story, that number was greatly reduced last year.

State officials decided to appeal his decision, arguing that

parties must show a "modicum of support" or risk resulting in voter confusion and a crowded presidential ballot. But the panel of judges sided with the parties.

Laughlin McDonald, the director-emeritus of the American Civil Liberties Union's Voting Rights Project, praised the court's ruling. "I think it's a great decision," McDonald told the *AJC*. "The state put up no evidence whatsoever as to voter confusion or ballot overcrowding."

A spokesperson for Georgia Secretary of State Brian Kemp, who oversees elections, stated that he and his team are reviewing their options. According to the *AJC*, if the state does appeal, it will likely ask all 11 members of the 11th Circuit Court to review the decision.

[Alternative] parties have been gaining more mainstream pull lately, in part due to last year's presidential election that saw two of the most disliked candidates of all time pitted against each other. •

LP Oklahoma welcomes two new local affiliates

Excerpted from the *Tahlequah Daily Press*
Published on Feb. 4, 2017

Recently, at a regular meeting, the Libertarian Party of Oklahoma officially recognized two new umbrella organizations: the Cherokee County Libertarians and the Central Region Libertarians. These two groups are the first to complete the necessary chartering requirements and pave the way for the numerous others across the state looking to do the same.

"Recognizing these two groups is a milestone in the party's history, signifying that we are here to stay. I wholeheartedly welcome the enthusiasm and talent their members bring

to the table," said state party chair Tina Kelly. "Every day more and more Oklahomans are realizing that the two establishment parties are incapable of stepping up to the plate and protecting the rights of all citizens when it matters most."

Those interested in more information about the Libertarian Party of Oklahoma can visit OKLP.org.

"External competition is necessary to challenge the concentration of power which has taken place within the current system, much to the detriment of our country," Kelly said. "Recent national events continue to serve as a call to action for people of good conscience to raise their voices in the arena of civic involvement." •

I would like to make a one-time donation to the LP:

- \$5,000
- \$1,000
- \$500
- \$250
- \$100
- \$50
- \$25
- _____ Other

I would like to increase my monthly pledge to this level:

- \$2,500
- \$1,000
- \$500
- \$250
- \$100
- \$50
- \$30
- _____ Other (minimum \$10)

(Please make checks payable to **Libertarian Party**.)

Please bill my Visa MasterCard AmEx Discover

Card number: _____ Exp.: _____

Name on card: _____

Signature: _____

Name: _____

Address: _____

City, State, ZIP: _____

Occupation*: _____

Employer*: _____

Home Phone: _____

Work: _____ Cell: _____

E-mail: _____

* Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and name of employer of individuals whose contributions exceed \$200 in a calendar year. Political contributions are not tax-deductible.

Ohio to Libertarian Party: You can't qualify for the ballot by winning votes, since we won't let you on the ballot

One dissenting justice on Ohio Supreme Court says that the group of people who got Johnson on the ballot deserve ballot status even if their candidate appeared as an "independent."

by **Brian Doherty**

Excerpted from *Reason Magazine's "Hit & Run Blog"*

Published on Jan. 23, 2017

Because of Ohio's long fight, using highly questionable tactics, [against easy ballot access for alternative parties], Gary Johnson, the Libertarian Party's presidential candidate in 2016, appeared on the Ohio ballot as an "independent" rather than with his proper Party identification.

Johnson got 3.17 percent of the Ohio vote, which would normally, in Ohio law, qualify the party who got it for ballot access, and the ability to have a ballot primary, next time around.

However, according to an opinion from the Ohio Supreme Court last week, Johnson's vote total doesn't count for the LP's future ballot access since the state wouldn't let him on the ballot with his proper Party identification.

From the infuriating decision:

...statutes make clear that a political group cannot obtain recognized political-party status based on votes obtained by independent candidates. As Husted [Ohio's secretary of state] notes, the 3 percent vote required for a group to "remain[]" a political party must be received by the "po-

litical party's candidate," as specified in R.C. 3501.01(F) (2)(a). Fockler's [who sued on behalf of the LP] candidates could not be the "political party's candidate[s]" because they were nominated and appeared on the ballot as independent candidates, unaffiliated with any political party.... As Husted aptly states, only already-recognized political parties are eligible to "remain[]" a political party.

One Supreme Court justice, William O'Neill, dissented and thought the LP should have won their ballot access because:

Husted[] opposes [the LP's] request based on the fact that [its] candidates did not run under the Libertarian Party banner in 2016. That is, at best, circular reasoning. It would not have been possible for Gary Johnson and Bill Weld to run as the candidates of the Libertarian Party as there was no such party recognized by the state of Ohio. That is what this lawsuit is all about....

Regardless, those suing should be able to get the party name of their choice on the ballot next time, because of Johnson's vote totals. Alas, the majority of the Ohio Supreme Court disagreed. •

Judge rules for the LP

continued from page 1

and was qualified for Secret Service protection (though it was never offered to him). With regular appearances on national television, and polling in the

double digits, there was little separating Johnson from the other two candidates until the CPD ruled that he could not participate in their debates.

It would have been a very different election if Gary Johnson had been allowed into the presidential debates.

Hopefully this ruling will lead the FEC and the CPD to change. If the 2020 Libertarian Party presidential nominee can muster the same support as Gary Johnson, they deserve the opportunity to debate just as much as the Republican and Democrat nominees do. •

LP gets victory against CPD's partisanship

continued from page 1

tions' ability to use corporate funds to finance their activities" since its efforts are not truly "nonpartisan."

The suit accuses the FEC of "refus[ing] to enforce the law and ignored virtually all of this evidence in conclusorily dismissing the complaints even though there is plainly reason to believe that the CPD is violating FECA...."...

"The Court should...direct the FEC to do its job, which is to enforce the law and put an end to the CPD's biased, anti-democratic, and fundamentally corrupt and exclusionary polling rule."

Judge Tayna Chutkan in U.S. District Court for D.C. agreed with the LP and others that the FEC was derelict in its duties when it blithely refused to act on the those complaints about the CPD.

[She] agrees that the FEC did a shoddy and careless job in actually considering and reacting to the arguments and evidence the LP and others presented about the potential partisanship of CPD.

Judge Chutkan is thus demanding the FEC do a better job grappling with those arguments. This does not mean that the CPD is on the ropes or will somehow instantly be required to either give up its firewall against [alternative] parties or stop taking in the corporate bucks.

But it does mean the FEC is going to have to come up with convincing reasons why the CPD isn't bipartisan rather than nonpartisan, and why the CPD's debate inclusion criteria are fair and objective, not partisan. It will be interesting to see what they come up with. •



#LetGaryDebate