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NEW HAMPSHIRE
DEPARTMENT OF STATE

ANDY MARTIN /2016

Republican candidate for
President of the United States

"Make America Great Again"

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November 12, 2015

Hon. William Gardner
c/o Ballot Law Commission
State Capitol
Concord, NH

**COMPLAINT CHALLENGING THE LEGALITY OF BERNIE SANDERS RUNNING AS
A DEMOCRAT IN NEW HAMPSHIRE -**

**REQUEST FOR REMOVAL OF SANDERS NAME FROM PRESIDENTIAL PRIMARY
BALLOT**

Dear Secretary Gardner:

I would like to file a Complaint with the Ballot Law Commission asking that the name of Bernie Sanders be removed from the 2016 Democratic Party presidential primary ballot. Mr. Sanders is clearly ineligible to appear in New Hampshire on a Democratic Party ballot.

By filing this Complaint I mean no disrespect to Senator Sanders. I find him entertaining and provocative and I occasionally even agree with him. But he is clearly ineligible as a matter of New Hampshire law to appear on a Democratic Party primary ballot as a "Democrat."

Mr. Sanders claims that he can run as a Democrat in New Hampshire "because there is no party registration in Vermont." That claim is a complete red herring.

The reason Sanders is ineligible to run as a Democrat in New Hampshire is because he was elected as an Independent, and by his own admission is currently serving as an Independent in Vermont. Certainly in so far as candidates are concerned in New Hampshire, party affiliation is not like a flag of convenience or change of underwear (to use Mr. Sanders' own phraseology).

Parties mean something in New Hampshire.

Here is my evidence challenging Senator Sanders (see attached documentation):

1. I am attaching the 2012 "Statewide Candidate Information Publication" from Vermont. The state-issued document makes clear that "The position statement(s) in this publication are written by each candidate and **reflect the opinion of the candidate.**" The document also claims "All candidate information was prepared and submitted to us by the candidate." Sanders claims "Bernie is now the longest serving **Independent** in U. S. congressional history." The web link is:

<https://www.sec.state.vt.us/media/213562/2012%20Candidate%20Info%20Pub.final.10.22.12.pdf>

2. On the U. S. Senate web site, Sanders as of November 11th identifies himself as an "**Independent,**" not a Democrat. His senate colleague from Vermont clearly identifies himself as a Democrat. The distinction between the two senators is irrefutable. In his Senate biography Sanders again claims to be "the longest serving **independent** member of Congress in American history." The web links are:

http://www.senate.gov/senators/contact/senators_cfm.cfm?State=VT

<http://www.sanders.senate.gov/about>


Since Sanders currently identifies himself as an Independent in the Senate, there is no lawful way he can run as a Democrat in New Hampshire when he claims to be an Independent in Vermont and Washington, DC. A candidate can't switch parties from state to state, or from public office in Washington, DC to political campaign in New Hampshire.

I ask that Sanders' name be removed from the 2016 presidential primary Democratic Party ballot and that if he objects that a hearing be conducted by the Ballot Law Commission, at which time I shall appear to prosecute my Complaint.

Sanders is, of course, free to run for president in New Hampshire as an Independent even if he is disqualified as a Democrat.

I would appreciate all responses/communication/correspondence by fax or email as I am traveling on a nationwide basis in my own presidential campaign and regular mail takes time to catch up. I hope the Commission will also try to accommodate my schedule.

Respectfully submitted,



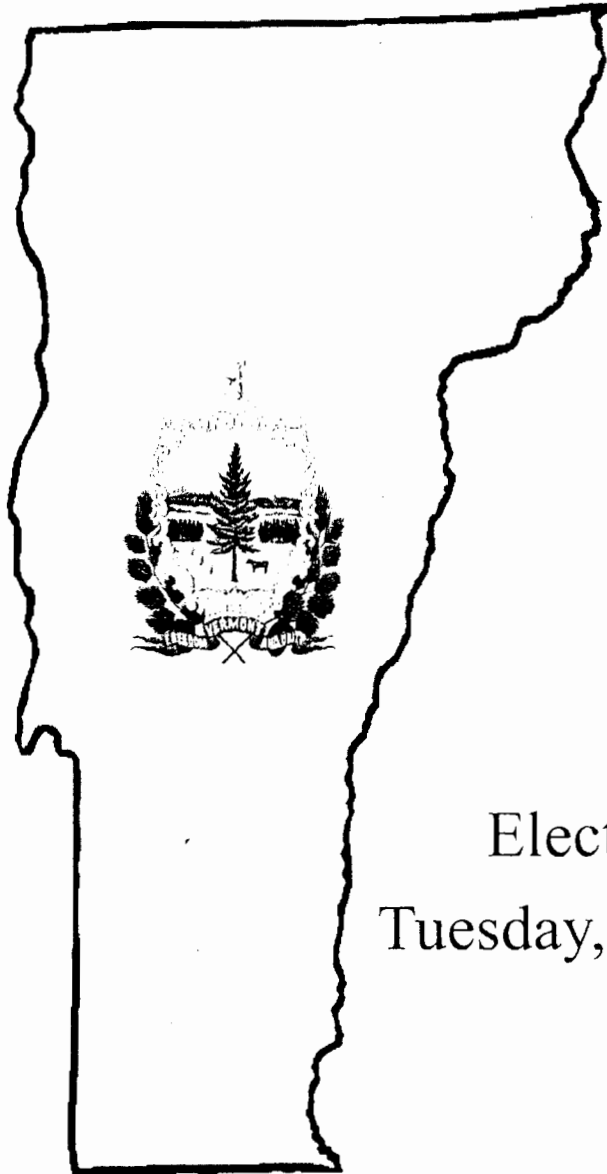
ANDY MARTIN, J. D.

AM:sp

W/encl.

Vermont General Election 2012

Statewide Candidate Information Publication



Election Day is
Tuesday, November 6th

Published by the Office of the Vermont Secretary of State as directed by the Legislature in 17 V.S.A. § 2810.

✓
DISCLAIMER: The position statement(s) in this publication are written by each candidate and reflect the opinion of the candidate. Vermont law requires that the Office of the Secretary of State prepare this candidate information publication "without making changes in the material presented" by each candidate. (17 V.S.A. §2810(b)) The State of Vermont does not endorse or approve any statements herein.

Authorization for this Publication

This publication has been produced and distributed by the Elections Division of the Office of the Secretary of State as directed by the Legislature in 17 V.S.A. § 2810. A key element of democracy is the informed participation of potential voters. This publication will provide you with a non-partisan presentation of candidates for federal and statewide offices who submitted information to our office. (Some candidates did not submit information.)

All candidate information was prepared and submitted to us by the candidates. To ensure fairness, our office developed specifications for the presentation. Each candidate was invited by a letter to submit a photograph, a logo, a biographical sketch not to exceed 100 words, and position statements on up to five issues of the candidate's choice not to exceed a total of 550 words. The content has not been edited or changed by our office. However, we have formatted each presentation to provide uniformity of type and page layout.

We received submissions from 35 candidates; 2 candidates did not respond to the invitation to submit information. For those candidates, we have included contact information on page 38.

The statute requires that we state which candidates have accepted public financing. Under Vermont law, only candidates for governor and lieutenant governor can seek public campaign finance grants. No candidates requested public financing for the 2012 election.

Distribution of this Publication

Copies of this publication are available at the Office of the Secretary of State and on our website at vermont-elections.org. Copies of this publication have also been inserted in some daily and weekly newspapers throughout the State of Vermont between Oct. 27 and Nov. 2.

We thank the following newspapers for their kind support in distributing this publication:

Addison Independent	Saint Albans Messenger
Burlington Free Press	Rutland Herald
Caledonian Record	Times Argus
County Courier	Vermont Standard
Newport Daily Express	

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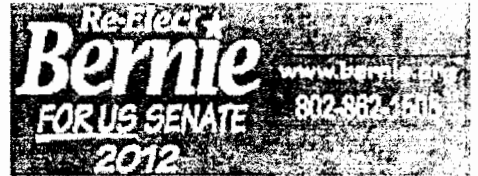
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FOR UNITED STATES SENATOR



Candidate Name: **BERNIE SANDERS**
Party Affiliation: Independent

Contact Information:
221 Van Patten Parkway www.bernie.org
Burlington, VT 05408 bernie@bernie.org
(802) 864-7061



Biographical Sketch:

Bernie Sanders is married to Dr. Jane O'Meara, is the father of 4 children and 7 grandchildren. He and his family live in Burlington.

After 16 years in the U.S. House of Representatives and one term in the Senate, Bernie is now the longest serving Independent in U.S. congressional history. Prior to his election to the House, Bernie served as Mayor of Burlington from 1981-89.

In the Senate, Senator Sanders sits on the following committees: Energy, Budget, Veterans, Health Education/ Labor/Pensions, and the Environment Committee. He is also the founder of the Senate Defending Social Security Caucus.

Position Statements:

As Vermont's senator, here are a few issues I am working on.

ECONOMY: We have come a long way in the last four years since our country stood on the verge of economic collapse as a result of the Wall Street caused recession. But, with unemployment and under-employment remaining much too high, more has to be done. We must create millions of new jobs rebuilding our crumbling infrastructure – roads, bridges, rail systems, wastewater plants, and airports. We can also create jobs and help reverse global warming by transforming our energy system away from fossil fuels and into energy efficiency and such sustainable energies as wind, solar, geo-thermal and bio-mass.

We must also re-think our disastrous trade policies which have contributed to the decline of manufacturing in America as companies have outsourced their production to China and other low-wage countries. It is time for products, once again, to be MADE IN THE USA.

Lastly, when the largest six financial institutions on Wall Street have assets over nine trillion dollars, it is time for real Wall Street reform. We need to end the speculative gambling casinos on Wall Street and demand that the big banks invest in the real, job-creating economy.

DEFICIT REDUCTION: Congress must address the very serious problem of our sixteen trillion dollar national debt and one trillion dollar deficit, but we must do it in a way that is fair. To a significant degree this deficit has been caused by George W. Bush and Congress going into two wars which were unpaid for; huge tax breaks for the wealthy that were unpaid for; and the decline in revenue from the recession.

At a time when the wealthiest people in this country are doing phenomenally well, while their effective tax rates are extremely low, millionaires and billionaires must be asked to pay their fair share of taxes. At a time when one-fourth of profitable corporations pay nothing in taxes and we lost about \$100 billion a year in revenue from corporations stashing their money in tax havens in the Cayman Islands, and elsewhere, we must create a fairer tax system. We must also take a hard look at wasteful spending in the military.

What we must not do, as many in Congress are proposing, is to balance the budget on the backs of the elderly, the sick, veterans, the children and the most vulnerable people in our country. Social Security is independently funded by the payroll tax and has not contributed one penny to the deficit. Social Security must not be cut. Medicare and Medicaid must not be privatized or converted into voucher programs.

HEALTH CARE: Working with communities throughout Vermont, I have helped to dramatically increase the number of community health centers providing high quality primary health and dental care. I am also proud that we have been able to significantly expand and improve veterans' health care in Vermont by opening and expanding Community Based Outreach Clinics (CBOCs). Our goal must be to establish a Medicare for All, Single-Payer system which provides quality care for all as a right.

ENDING DISCRIMINATION: Congress must put an end to the draconian attacks on women's rights that we are seeing all across the country. We must also fight hard to end discrimination of all kinds based on race, gender or sexual orientation.

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Senators of the 114th Congress

Choose a State ▾ Choose a Senator ▾ Choose a Class ▾

[What is a class?](#)

Leahy, Patrick J. - (D - VT)
437 Russell Senate Office Building Washington DC 20510
(202) 224-4242
Contact: www.leahy.senate.gov/contact/

Sanders, Bernard - (I - VT)
332 Dirksen Senate Office Building Washington DC 20510
(202) 224-5141
Contact: www.sanders.senate.gov/contact/

Find Your Senator ▾

Search

Biographical Directory

The [Directory](#) provides information about former and current senators.

Class III

Statistical Information

The [Senators page](#) on Statistics & Lists is a great resource for information about current and former Senators. Statistics are available on a variety of topics, including biographical characteristics and Senate service records.

Class I

Senators Phone List

This list of [senators' suite and phone numbers](#) in pdf format is updated every couple of weeks at the beginning of a new Congress.

Organizational Chart

This [chart](#) shows the relationships among Senate leaders and officers who manage the flow of legislative and administrative business in the Senate.

Contact Your Senator

Can't find your senator's name in the list of Senators? Perhaps he or she is a member of the [U.S. House of Representatives](#), or a Senator in your [State Legislature](#).

About



Bernie Sanders is serving his second term in the U.S. Senate after winning re-election in 2012 with 71 percent of the vote. His previous 16 years in the House of Representatives make him the longest serving independent member of Congress in American history. Born in 1941 in Brooklyn, Sanders attended James Madison High School, Brooklyn College and the University of Chicago. After graduating in 1964, he moved to Vermont. In 1981, he was elected (by 10 votes) to the first of four terms as mayor of Burlington. Sanders lectured at the John F. Kennedy School of Government at Harvard and at Hamilton College in upstate New York before his 1990 election as Vermont's at-large member in Congress. The Almanac of American Politics calls Sanders a "practical and successful legislator." Throughout his career he has focused on the shrinking American middle class and the growing income and wealth gaps in the United States. As chairman of the Senate Committee on Veterans' Affairs, Sanders in 2014 passed legislation reforming the VA health care system. Congressional Quarterly said he was able "to bridge Washington's toxic partisan divide and cut one of the most significant deals in years." Today, Sanders remains on the veterans committee and was tapped by Senate leadership to be the ranking member of the Senate Budget Committee. He also serves on the Environment and Public Works Committee, where he has focused on global warming and rebuilding our nation's crumbling infrastructure. He is a member of the Energy and Natural Resources Committee, where he has championed efforts to transform our energy system from fossil fuels to renewable power sources like solar and wind. He also sits on the Health, Education, Labor and Pensions Committee, where he has fought for greater access to affordable health care and improved education programs from pre-K to college. To watch Sen. Sanders, click [here](#). To listen to Sanders discuss his career with Ed Schultz, click [here](#).

Fast Facts



Married: Jane O'Meara Sanders

Children: Levi, Heather, Carina, and David

Seven grandchildren

The Sanders family resides in



James Madison High School, Brooklyn N.Y.

University of Chicago, B.A. 1964



Mayor of Burlington, 1981-1989

U.S. House of Representatives, 1991-2007

U.S. Senate, 2007-present

Bernie's Priorities

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- [Veterans »](#)
- [Women's Rights »](#)

Official Headshot

