



the Greens

Green Party USA

Ecological Wisdom
Social Justice
Grassroots Democracy
Nonviolence

Decentralization
Community-based Economics
Feminism
Respect for Diversity
Personal and Global Responsibility
Future Focus

October 21, 1996

Federal Election Commission
attn: Mr. Michael Marinelli
Washington DC 20463

re: 1996-35
re: Hank Chapot Objection

Dear Mr. Marinelli,

The Greens/Green Party USA disputes many of the points raised by Mr. Chapot. He is factually wrong on many of his points.

Political parties have the right to determine how best to govern themselves. We don't want to organize ourselves in the same manner as the Democrats and Republicans. We believe in grassroots democracy and support a structure and decision making process where power flows from the bottom up by giving significant power to community level organizations in order to hold the national and state levels of the organization accountable to the grassroots membership.

The Greens initially organized in the US in the mid-1980's around local groups, since that is more reflective of our grassroots political orientation. We have only begun to create state organizations in recent years because of the needs of ballot access and election laws.

G/GPUSA is recognized throughout the US and the world as the national US representative organization of the Green Party movement. It traces its history directly from the first national Green meeting in the US in 1984. In 1991 at the fourth national gathering of the Greens at Elkins WV, delegates from all over the country made the decision to take the necessary steps to make the G/GPUSA the legally recognized national political party of the Green movement. A complaint from a former member does not change these realities.

The Green philosophy is that elections are just one of many strategies used to create social change. It is a fundamental principle of G/GPUSA that the electoral component be part of the larger Green movement. Mr. Chapot supports making the electoral component separate from the issue work: the Greens/Green Party USA, meeting in its Congress and Green National Committee, has repeatedly rejected that approach by overwhelming majorities.

In response to his specific comments:

1. The G/GPUSA requires yearly dues and does not have delegated seats on it's [sic] Congress for representation of State Green parties, thus allowing no representation for hundreds of thousand[s] of voters registered with state Green parties.

The Greens have the right to determine their own internal structure and decision making process, including the definition of membership. The courts have upheld this right. It is the intent of the structure of G/GPUSA that Green activists at the community level be the policy decision makers. The state Green parties that are affiliated and active in the G/GPUSA are made up of these

Supplement to
AOR 1996-35

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activists. The state Green Parties are represented in our Congress through delegates of their locals. Using state voter registration as the criterion for membership results in a plethora of varying requirements, as each state has different requirements for voter registration. We prefer a common standard of membership at the national level. Registered voters can become active members by paying dues or by requesting a waiver.

2. The G/GPUSA has no rules or bylaws addressing representation of State Green parties.

State Green parties are represented on the Greens National Committee as long as the active membership elects the representatives. The state parties that are affiliated and active with the G/GPUSA are represented on the GNC. The Green Party of NYS, for instance, has 2 members elected to the Greens National Committee.

3. The submitted list of affiliated parties includes a number of state organizations that have no official status as electoral parties. The clearinghouse of G/GPUSA does not have "affiliation agreements" on file for those state parties that are legal entities, nor does it have copies of these state party bylaws on file at the G/GPUSA office.

Getting ballot status is a very difficult process in most states. The state parties are at various levels of organization, are running candidates based on what is consistent with their level of organization, and are working to achieve ballot status. It should also be noted that the FEC has a different definition of political parties than individual states. For instance, the Green Party of NYS is a political party under FEC law but is not one in NYS, since it has never run a candidate for governor and obtained the 50,000 votes to qualify as a political party.

We have not made the submission of affiliation agreements or bylaws a requirement for affiliation or active participation.

4. The list does not include the largest and oldest state qualified Green parties of California, Arizona, Maine, Oregon or Hawaii. These state Green parties have specifically chosen not to and have never been affiliated with the G/GPUSA. The list of affiliated parties is also inaccurate in that some listed states have withdrawn the informal affiliations they did have.

Most state Green Parties are affiliated with the G/GPUSA. Those that are not affiliated with G/GPUSA are not affiliated with any other national organization. Hawaii has been affiliated with the G/GPUSA in the past, although currently it is not. No other state party has withdrawn its affiliation. Massachusetts formally affiliated with the Greens/Green Party USA in September 1996. Other state parties are addressing the question of affiliation over the next several months. But even in those state parties that are not formally affiliated, many of their members are individual members or members of locals that are affiliated with the G/GPUSA, and that includes California, Arizona, Maine, Oregon, and Hawaii. The state with the most members in G/GPUSA is CA. These state Green Parties, especially California, have web site links from the G/GPUSA web pages.

5. The G/GPUSA has not made contributions or other disbursements in support of local, state or federal candidates and/or state party-building efforts, voter registration, GOTV activities, voter education or campaign contributions on behalf of any of the qualified state Green parties.

G/GPUSA filed with the FEC precisely to be able to do these things. Filing for party status was also intended to enable it to make such contributions on behalf of its presidential candidate. The decision of Mr. Nader not to file as a candidate has made it unclear as to how G/GPUSA could properly support his campaign. We have been seeking guidance from the FEC on it for six months.

G/GPUSA has served as a national clearinghouse for all Greens, providing technical assistance

where appropriate on issues and skills building. G/GPUSA for many years has conducted national voter education efforts on the Green party and program. For example, the G/GPUSA has a web site, <http://www.greens.org>, that has information about the Greens and Green Parties. It has copies of Green Party Platforms, a brief history, and links to the web sites of all state and local Greens or Green Parties, including Mr. Chapot's campaign web page.

6. The G/GPUSA has not directed or provided material support for any of the successful state ballot qualification drives of state Green parties.

Members of the G/GPUSA have been very active in state ballot drives. The Green Party is its members, not a separate entity.

7. The list of Green candidates on the AOR includes numerous candidates who are expressly not affiliated with G/GPUSA, including Linda Martin(HI), John Rensenbrink(ME), Krista Paradise(CO), Hank Chapot(CA), Charles Laws(MA), Annie Goeke(PA), Craig Coffin(CA), Keiko Bonk(HI), Barbara Blong(CA), Mindy Lorenz(CA), Jonathan Carter(ME), and numerous others. Most Green candidates are solely affiliated with their respective state Green parties.

Linda Martin ran as a candidate in HI at the time that HI was affiliated with G/GPUSA. John Rensenbrink has effectively been removed from the list, as he is running as an independent. Krista Paradise, Charles Laws, Annie Goeke are all members of G/GPUSA. Hank Chapot was a member when he ran in 1994. His membership lapsed 7/4/95. Mindy Lorenz was a member of G/GPUSA and an elected member of the Coordinating Committee, the committee that was responsible for the day to day operations of the organization between GNC meetings. The other candidates that he mentions are not members of the G/GPUSA or a formally affiliated state party. These candidates never informed G/GPUSA that they did not want to be listed in our national publications as Green Party candidates. We would have been criticized if we had failed to list them.

8. The G/GPUSA has provided no material support for any of the listed candidates beyond occasional mentions in the newsletter or by press release.

See response to 9.

9. The G/GPUSA has not endorsed or nominated any candidates for local, state or federal in the past and none of the listed candidacies are projects of the G/GPUSA.

Candidates have been repeatedly nominated and materially supported by local, regional, and state affiliates of G/GPUSA. The only appropriate candidate to be endorsed at the national level would be a presidential candidate. We nominated Ralph Nader in August 1996 at our Congress. G/GPUSA has also repeatedly provided training to candidates and potential candidates on various issues and skills at its national Gatherings. Our web site includes links to Green candidates, including a link to Hank Chapot's web site for his current campaign.

10. The G/GPUSA's paid membership comprise[s] a very small minority within any given state party.

The majority of Green activists in every state belong to the G/GPUSA. Almost all Greens recognize G/GPUSA as the national organization of the Greens.

11. The office in Blodgett Mills N.Y is not a "national party office," rather it is a clearinghouse for it's[sic] paid membership and only refers calls to state green parties as a matter of courtesy. Nor is it the "focal point of Green activity in the USA."

The G/GPUSA is the focal point of Green activity at the national level. The point is that we do serve all Greens, members or not, and all state parties, affiliated or not. There is no other national office doing this work.

12. The G/GPUSA is not directly involved with the Ralph Nader for President campaign and at the time of the submission of AOR 1996-35, 8/2/96, the G/GPUSA has not endorsed or nominated Ralph Nader for President. The Nader campaign is being run on a state by state basis and the national campaign is being managed by the Draft Nader Clearinghouse in Washington DC, 1616 P Street, NW, Washington DC 20036, 1-888-NADER96.

Many of the people working on the Nader campaign are G/GPUSA members. The national organization endorsed Nader at its Congress in August after the member organizations had endorsed Nader and were committed to the campaign. The campaign is being run on a community by community and state by state basis with a great deal of sharing of information and ideas. The sharing goes across state boundaries but is instigated at the local level. The G/GPUSA has a national campaign committee, with members from several states, that sends out press releases at the national level and offers ideas and opportunities and materials for localities to use if they so choose. As noted above, the involvement of G/GPUSA in the Nader campaign has been restricted by the decision of Nader not to file as a candidate.

Many of those serving as state coordinators of Draft Nader Committees (DNC) are G/GPUSA members who became active with the DNC effort because they believed this was the best way to recruit Nader as our presidential candidate; we did not view the DNC as a new national Green organization but rather as a temporary committee to comply with Ralph's desire not to raise or spend money. Many DNC leaders at the state level remain active with G/GPUSA. The Draft Nader Committee is not coordinating the national Nader campaign. There is no national management of the campaign. Nader is not coordinating his campaign with anyone, including the DNC. The DNC has also improperly told many local and state Green parties that they are not able to directly support Nader.

In the past few months the clearinghouse of the G/GPUSA has handled hundreds of requests for information, has sent out information packets, and has given referrals to the nearest Green group. This may be a local or a state party contact. The G/GPUSA clearinghouse and members of the G/GPUSA campaign committee have handled hundreds of requests from the press and media for information about Ralph Nader and the Green Party.

13. The national nominating convention held August 19, 1996 in Los Angeles for the purposes of nominating Ralph Nader as the Green presidential candidate was hosted by the Green Party of California and included all state parties and state green organizations running Ralph Nader for President. The Congress of the G/GPUSA was ancillary to the main convention and G/GPUSA did not officially participate in the nominating convention.

See response to 14.

14. The Albuquerque Gathering in August 1995 was hosted by the Green Party of New Mexico and the G/GPUSA Congress was ancillary to that event.

The national Green Gathering is, and has been since 1984, a function of the Greens/Green Party USA (under its current or former names) and has been hosted or co-sponsored by various locals or state parties. The Congress of the G/GPUSA is an integral part of the Gathering and the only delegated decision making body at the Gathering. The "nominating convention" was a media event, not a meeting of elected delegates. It was one event during our Green Gathering. Many G/GPUSA members participated in and were involved in organizing the entire Gathering, including the "convention".

15. Many of the officers described in the G/GPUSA incorporation documents have departed the organization.

The copy of the incorporation document presented was that originally submitted to the MO Secretary of State. The G/GPUSA has filed annual updates that identify the current officers and board of directors, all of whom are members of the organization.

16. The G/GPUSA has a serious debt problem that the qualified State Green parties are not responsible for.

The debt of the G/GPUSA is currently about \$27,000, primarily attributable to losses from the 1992 national Gathering. The debt has been by about one third in the past two years and is manageable. Many political parties incur debt at different points in their history. G/GPUSA has not asked the state parties to take on this debt.

17. I have been a candidate for the California State Legislature twice, 1994 and 1996, and I am a three time elected member of the Alameda County - County Council(Central Committee) in the California Green Party state primary. I did not give permission for G/GPUSA to include me in their list of candidates nor did this organization participate in my campaigns.

It is acceptable to us that you not consider Mr. Chapot's candidacy as part of our list of Green candidates.

18. Since 1991, there has been an ongoing effort to create an "Association of State Green parties" to eventually found a "National Green Party". The G/GPUSA is not directly involved in this effort.

The Green Politics Network a 40 member, by-invitation-only, closed organization, made this proposal in early 1992. The Association of State Green Parties is still a proposal, not a current or active organization.

19. There are other membership based Green organizations in the USA, comparable to the G/GPUSA, e.g: The GreenLeft Network [sic] and Green Politics Network, neither of which participate in the G/GPUSA organization nor claim to be the "National party." Many state parties are recognized as "political parties" by the U.S.Postal service for purposes of bulk mailings.

The Left Green Network and the Green Politics Network are relatively small affinity groups, or caucuses, for people with particular views and, Mr. Chapot is correct, they do not claim to be the national party. There are members of LGN and GPN who are also members of G/GPUSA, and both of these groups have held meetings at G/GPUSA Gatherings. The Left Green Network recognizes and supports the G/GPUSA.

20. Though some active members of state parties first learned about the Greens through an organization that preceded G/GPUSA, called "Committees of Correspondence Greens" (COC), most current party activists were motivated by their own state's Green Party efforts and more recently, by the Nader campaign.

This is a subjective argument that would be difficult to prove or disprove. The Committees of Correspondence was the original name of the organization that was renamed the Green Committees of Correspondence in 1989 which then renamed again the Greens/Green Party USA in 1991.

21. The G/GPUSA has acted in bad faith by not revealing the fact that this AOR had been submitted August 2nd, 1996 during informal negotiations over these issues at the Green

[G]athering in L.A. August 15-18, 1996.

The most recent decision to file with the FEC was made at the GNC meeting in St Louis in March 1996 and was reported in the administrative *Green Bulletin* that is sent to all active locals and to members who hold a subscription. The decision made in St. Louis was consistent with the widely known decision made in Elkins in 1991 to establish the proper legal status for the national Green Party. The AOR was mentioned at the Green Congress in LA and discussed at the GNC meeting that followed the Congress. Both meetings were open. Mr. Chapot is acting in bad faith to claim that we have not revealed this fact to our membership when it came from our membership. He is no longer a member of the organization, and his expectation that the organization contact him is unreasonable.

22. The so-called "Green National Committee" of G/GPUSA does not have "day to day responsibility for the operations of the party," only for G/GPUSA projects.

I firmly believe that we have all the elements of a national Green Party in place, the problem is that we have not agreed on a national structure, office or leadership body. I am working on this problem, and we hope to have it completed soon.

We agree with Mr. Chapot that we have all the elements of a national Green Party in place. We differ in that Mr. Chapot does not recognize that the structure, office, and leadership body that has evolved over the past twelve years does, in fact, exist. If, instead, he is referring to the Association of State Green Parties proposal, it was seen by most Greens at the time of its introduction by the GPN as divisive and still is today. Mr. Chapot's arguments are not those supported by the vast majority of Greens. It would be a shame for a splinter group, or a single individual (since Mr. Chapot does not claim to speak for others), to keep the Greens from getting the status it deserves.

We believe that we have met the criteria for recognition as a political party, and we request that you consider our request for advisory opinion as soon as possible.

Sincerely,



Betty Wood, Clearinghouse Coordinator