

**RECEIVED**

By Office of the Commission Secretary at 3:12 pm, Oct 17, 2024

Received by OGC on Oct. 17, 2024

**From:** [Thomas Eddlem](#)  
**To:** [AQ](#)  
**Subject:** Advisory opinion requested  
**Date:** Wednesday, October 16, 2024 7:40:20 PM  
**Attachments:** [McArdle letter August2024 \(1\).pdf](#)  
[ULM bylaws 2024.doc](#)  
[LNC Request for Advisory Opinion to FEC 10.26.22.pdf](#)

---

October 16, 2024

Dear Sir or Madam:

As Treasurer of the Unified Libertarians of Massachusetts (hereafter ULM), the organization officially recognized by the Libertarian Party's national committee as the sole state affiliate in Massachusetts (see attached letters from Libertarian Party national Chair Angela McArdle), I'd like an advisory opinion designating us as a "state party committee" under FEC regulations.

I've served as Treasurer of ULM since March 2023. A copy of our by-laws is attached to this e-mail and it can also be found on our website here: <https://lpofma.org/about-us/>

I have filed "FEC FORM 1: STATEMENT OF ORGANIZATION" for our organization and received the following confirmation/designation: "ACCEPTED FEC-1771634 The Committee ID: C00876144".

The FEC also has two additional requirements for designating an organization as a "state party" of the national Libertarian Party: (1) A history of placing federal candidates on the ballot and (2) an explanation as to how the committee's bylaws and other governing documents show that ULM is responsible for the day-to-day operations of the Libertarian Party at the state level.

I think I can satisfy both questions at once. As mentioned above, I've attached a copy of our [by-laws](#) to this email.

Our view as ULM is that we are the legitimate successors to the Libertarian Association of Massachusetts (hereafter LAMA), which we continued to call ourselves until members voted to rename as ULM in March 2023, that we carry the legacy of past Libertarian Party members for state and federal office. We also are placing Libertarians on the ballot in 2024 and will continue to do so into the future. In 2024, we've placed Libertarian presidential and vice presidential candidates Chase Oliver and Mike ter Maat on the ballot, respectively. Both will

AOR001

be on the ballot this November as a result of ULM member efforts.

How this is happening requires a bit of explanation, as the Commonwealth of Massachusetts has a unique state election structure. Massachusetts requires parties with “major party” status (i.e., when a statewide candidate has obtained more than 3% of the vote in an election) create a statutory state party committee of one male and one female representative from each of the state's 40 state senate districts. But the Libertarian Party nationally and within the Commonwealth of Massachusetts has traditionally decided to remain independent of the clunky Massachusetts state committee statutory architecture, choosing instead to form a separate committee to control the party for state and for national business, while at the same time working with the Massachusetts statutory state committee. This is what has continued to happen after a slate of five Libertarian Party candidates in 2022 ran for statewide office (all of whom are current dues-paying members of ULM, as I've reported to the Mass. Office for Campaign and Political Finance) and re-established for the Libertarian Party “major party” status within the Commonwealth for the 2024 and 2026 election cycles.

That ULM is responsible for the national business of the Libertarian Party in Massachusetts is evidenced by the fact that delegates elected at our state conventions in 2022 (when we were still going by the LAMA name) and 2024 (as ULM) were received and accepted at the national conventions in Reno, Nevada and Washington, DC, respectively. At those conventions, our delegates voted for new national leadership, and for a presidential candidate at the latter.

The result of ULM delegates (and other state parties) voting at the Libertarian National Convention in Washington, DC in May was that we received the mandate to put Chase Oliver and Michael ter Maat on the ballot as President and Vice President of the United States, respectively, notice of which was mailed to the ULM address on record with the Libertarian National Committee by the Libertarian National Committee's Secretary Caryn Ann Harlos (photograph of the letter attached). The reason it was mailed to the ULM address was because it is the address on record for the Massachusetts affiliate of the Libertarian Party nationally. It's also ULM's address registered with the Commonwealth of Massachusetts and the address posted on our website.

This official notice was not mailed to the legacy LAMA organization nor to the Massachusetts statutory party, though I dutifully passed it on to ULM's dues-paying members who run the Massachusetts statutory party for use in placing Oliver/ter Maat on the ballot. And the reason ULM received this official notification on the Libertarian Party's candidates is because the national party considers ULM responsible for the day-to-day operations of the national party within Massachusetts.

In addition, we plan to recruit candidates and back candidates for US Congress and the US Senate in the future, and in fact had recruited a candidate for US Senate who announced his run in March 2023 (<https://www.atholdailynews.com/Louis-Marino-declares-candidacy->

[against-Elizabeth-Warren-50224958](https://www.wittyfuneralhome.com/obituary/LouisG-Marino)) but who has unfortunately has since died (<https://www.wittyfuneralhome.com/obituary/LouisG-Marino>).

I'd be remiss if I didn't point out that the FEC has a history and precedent of recognizing the national affiliate of the Libertarian Party even if it is separate from the Massachusetts statutory state committee, as evidenced of the FEC's ruling in 2017 that LAMA was the state party, even though the statutory state committee existed separately at that time as well (the 2016 presidential run by Gary Johnson had renewed the Libertarian Party "major party" status that year as well).

Our by-laws stipulate that one of the primary goals of ULM is that of "supporting candidates for public office." And we support those candidates "as members of the Massachusetts affiliate of the national Libertarian Party," again, according to our by-laws.

Another section of our by-laws perhaps requires some explanation:

"Article VI: Candidates

"1. The responsibility for meeting the legal requirements for ballot access rests with each candidate.

"2. In the event State or Federal Law authorizes this organization to place candidates on the ballot, whether to replace candidates, fill vacant ballot lines, or for whatever other reason, in the absence of contrary legal specification or directive of the State Convention, the State Committee is authorized to act on behalf of the organization for this purpose."

The first section is a pro-forma statement acknowledging that while ULM is organized to support putting candidates on the ballot, and supporting them toward winning election after they are placed on the ballot, there is not an absolute right among any random member to demand the party itself provide all the funds and/or effort needed to get candidates on the ballot. Section two explains what we've already done with placing our presidential/vice-presidential candidates on the ballot in the 2024 election cycle.

I hope this information has been helpful, and please don't hesitate to contact me if you need additional information to assist with this designation of ULM as the Massachusetts "state party" of the Libertarian Party nationally.

Sincerely,

Thomas R. Eddlem

Treasurer, Unified Libertarians of Massachusetts (C00876144)

Email: [treasurer@lpofma.org](mailto:treasurer@lpofma.org)/[tomeddlem@gmail.com](mailto:tomeddlem@gmail.com)

Web: LPofMA.org

Attachments (4):

Copy of ULM by-laws

Photocopy of certification mailed by Caryn Ann Harlos to ULM

Letter from Libertarian National Committee Chair Angela McArdle 10-26-2022

Letter from Libertarian National Committee Chair Angela McArdle 8-12-2024

October 26, 2022

**Via Electronic Mail**

Federal Election Commission  
Tony Buckley, Office of General Counsel  
1050 First Street, NE  
Washington, DC 20463  
tbuckley@fec.gov

**Re: Massachusetts State Affiliate of the Libertarian National Party**

Dear Mr. Buckley and FEC Counsel:

I write on behalf of the Libertarian National Committee (“LNC”) and our Massachusetts state affiliate. Due to internal conflict, the Massachusetts state affiliate splintered into two organizations, only one of which is officially recognized by the LNC.

The Massachusetts state affiliate was previously known as the Libertarian Association of Massachusetts (“LAMA”). Following the conflict referenced above, the official state organization recognized by the LNC elected to change its name and is currently doing business as the Unified Libertarians of Massachusetts (“ULMA”). The prior members of the LAMA executive committee, who were voted out by the membership, still refer to themselves as LAMA and hold themselves out as the legitimate state affiliate despite not being recognized as such by the LNC. In doing so, they continue to control the assets, including the Federal Elections Commission account, that should have been rightfully transferred to the ULMA.

This letter will detail the relevant events surrounding this internal conflict and the relief requested by the current, legitimate state affiliate, which is the ULMA.

**Relevant Facts**

The LAMA executive committee was made up of 8 members, who were elected in March 2021 (“Prior Executive Committee”). Due to internal conflict, including violations of the state affiliate’s bylaws and membership rights, the membership voted on December 19, 2021 to have a special state convention (“SSC”) to recall the Prior Executive Committee. Such an event is expressly authorized by the Massachusetts’ affiliate’s constitution.

The SSC was set for February 12, 2022, and continued on February 26, 2022. At the SSC, the membership elected to recall the Prior Executive Committee, and elected a new executive committee (“New Executive Committee”) in its place in the interim. The New

Executive Committee was comprised of 9 members, one of whom was a member of the Prior Executive Committee. The New Executive Committee was chaired by Andrew Cordio.

Despite the legitimate SSC and recall, the remaining 7 members of the Prior Executive Committee refused to relinquish control of the LAMA assets, including the FEC account. The Prior Executive Committee held a state convention on April 23, 2022, with minimal attendance.

The New Executive Committee held a state convention on April 24, 2022, where the New Executive Committee was formally elected by membership for the 2022-2023 term. Also at the New Executive Committee's convention, delegates were selected to represent the Massachusetts affiliate at the upcoming LNC convention in Reno, Nevada.

On April 25, 2022, Region 8 of the LNC was formed including Massachusetts, recognizing the New Executive Committee. (There are eight representative regions within the Libertarian Party, and each region elects a representative to join the LNC.)

On May 5, 2022, the LNC's Credentials Committee for the national convention found that there was a legitimate dispute in Massachusetts between the two competing affiliates, but formally recognized the New Executive Committee. The LNC's Judicial Committee also found that the constitution of the Massachusetts state affiliate (formally known as LAMA) allowed for members to hold a special convention and elect new executive committee members. As such, it reasoned that there was no reason for the LNC not to recognize the New Executive Committee as legitimate.

On May 19, 2022, the New Executive Committee voted to change the state affiliate's name to dba ULMA in order to separate itself from the LAMA, which was still wrongfully holding itself out to be the legitimate affiliate in Massachusetts. The Minutes from the May 19<sup>th</sup> meeting are attached hereto as "Appendix A" for reference.

Following the national convention held from May 24 – 26, 2022 in Reno, NV, the LNC held a special meeting on June 5, 2022, where they voted on and passed a resolution recognizing ULMA as the legitimate state affiliate of the LNC. A copy of the Minutes reflecting this decision and the text of the resolution is attached hereto as "Appendix B."<sup>1</sup>

### **Requested Relief**

The Prior Executive Committee, which still refers to itself by the LAMA name, continues to hold itself out as the legitimate state affiliate despite not being recognized as such by the LNC. Because of this, LAMA continues to have access to the Federal Election Commission account that rightfully belongs to the organization now doing business as the ULMA, headed by the New Executive Committee. In April 2022, the LAMA account had approximately \$18,000 in it. The illegitimate organization currently holding itself out as LAMA has since wrongfully drained the account of approximately \$17,000. It is likely that this \$17,000 expenditure is an illegal

---

<sup>1</sup> Note, the documents attached to the LNC Meeting Minutes include references to the "Cordio Group," which is referred to as the New Executive Committee in this letter. The references to the "Graham Group" are to the individuals referred to as the Prior Executive Committee in this letter.

misappropriation of funds (membership dues) but we are waiting for a formal legal opinion on the matter.

As such, we request that the Commission hereby transfer control of the LAMA assets to the ULMA. If this is not possible, we request that the Commission allow the ULMA to create a new designation as the sole state affiliate of the LNP.

Please reach out to us with your opinion and any other actions that are necessary for either the LNC or ULMA to take on our end. We are eager to put this conflict behind us and move forward so that the rightful affiliate can have the correct designation with the FEC.

Very truly yours,

Angela McArdle, Chair

Libertarian National Committee

August 12, 2024

Federal Election Commission  
Office of General Counsel  
1050 First Street, NE  
Washington, DC 20463

**Re: Massachusetts Affiliate ULMA**

Dear FEC:

I'm writing on behalf of the Libertarian National Committee (LNC). The LNC recognizes the Unified Libertarians of Massachusetts (ULMA) as the official state party affiliate of the LNC, and not the Libertarian Association of Massachusetts (which is what the FEC currently considers the LNC's "state party" affiliate). We have recognized ULMA as our affiliate since 2022, in a letter I previously sent to Tony Buckley in your Office of General Counsel (attached). ULMA previously claimed the acronym/name of LAMA, so perhaps there was some confusion with the name. If you could please update your records to reflect ULMA as our affiliate, we would appreciate it.

Please let me know if you need additional details. Thank you.

Very truly yours,



Angela McArdle,

Libertarian National Committee Chair



# **Bylaws of the Unified Libertarians of Massachusetts**

(as adopted by the state convention in Waltham, March 16, 2024)

## **Preamble and Name**

We, libertarians of Massachusetts, as members of the Massachusetts affiliate of the national Libertarian Party, re-establish this group, formerly known as the Libertarian Association of Massachusetts, hereafter to be known as the Unified Libertarians of Massachusetts. In this document, the group will be alternately referred to as “the Party.”

## **Purpose**

We are formed to serve these ends:

Functioning as a libertarian political entity separate and distinct from all other political parties or movements.

In order to work against any government or organization that initiates aggression against individual sovereignty.

In order to work to roll back the power of government in society and in private life.

In order to build a society strong enough that the state can be recognized as irrelevant to human flourishing.

We shall do this by publicizing the principles and goals of libertarianism, supporting candidates for public office, and taking actions that the State Convention or the State Committee deem will further the aims of liberty.

## **Article I: Membership**

Members are all dues-paying members residing in Massachusetts who understand the aims of the Party outlined in the Purposes section.

## **Article II: Organization**

The party structure shall be made up of Convention/Membership, Affiliates, the Officers, and the State Committee.

## **Article III: State Convention**

A regular State Convention shall be held in March every calendar year, and shall be organized by the State Committee. The quorum for a regular or special Convention called with notice is 20 members. In

addition, the State Committee may, by a 2/3 vote of its entire membership, call a special Convention.

If 10% or 80 (whichever is less) of the current dues paying membership signs a petition requesting a special State Convention, and mails or presents the petition papers to the State Committee, the convention is called by the members and the State Committee is required to organize a State Convention to be held between 30 and 60 days of the date of delivery of the petition to the State Committee. In a single calendar year, a state party member may not sign more than one petition requesting a special State Convention.

a: The petition shall specify the agenda of the special State Convention, and the State Committee may, by majority vote, append items to the end of that agenda, but may not otherwise change the agenda. The petition shall be valid if signed by 10% or 80 (whichever is less) of the current dues paying membership of the party. If one or more dues paying state party members mail or present to the State Committee a written request to assemble a petition requesting a special State Convention, then, within 60 days, the State Committee must inform the dues paying members of this request, and the names and contact information for the party members who made the request. Other relevant information may also be included. State party members must be informed about the petition by placing the information via whatever forms of communication seem best to reach all members.

b: If the State Committee fails to organize a State Convention when these bylaws call for one, any member of the State Committee may undertake to do so, and it shall be a proper convention. If no members of the State Committee undertake to organize a State Convention when these bylaws call for one, any local affiliate may undertake to do so, and it shall be a proper convention; the first local affiliate to vote to organize such a convention shall be responsible for organizing the State Convention.

At least thirty days before a State Convention is held, the State Committee shall notify all members whose dues are current, of the date, location, and time of the State Convention. This notification may be sent by whatever forms of communication seem best to reach all members.

All persons voting at State Conventions must be members of the Unified Libertarians of Massachusetts, and must have been members by at least 30 days prior to the start of that Convention. Persons whose membership has expired within the last 90 days, or who are Sustaining Members of the national Libertarian Party, may rejoin the State Party by paying their dues at the Convention. They may then vote on all matters before the floor. In order to vote on any given matter, the member must be present on the floor at the time the vote is taken. Each member present shall have one vote per matter under consideration.

The State Convention may endorse candidates for office or it may explicitly endorse running no candidate for an office. If it does so, the organization shall support endorsed candidates within the limits of State and Federal law and other demands on its resources, and shall not support any competing candidates for the same office. In the absence of a State Convention endorsement, either for a candidate or for no candidate, the State Committee may support a candidate for that office, again within the limits of law and competition for resources.

The State Convention shall have the authority to adopt or amend a platform. If the party does not adopt a platform at its State Convention, then the State Committee shall have the authority to adopt a platform.

Delegates to the Libertarian Party national convention shall be chosen at the State Convention held

immediately prior to that national convention. To be eligible to be elected as a Massachusetts delegate to the national convention, a person must, at the time of the national convention, be:

A legal resident of Massachusetts, and

A member in good standing of the organization.

The delegation nominated at the State Convention may by  $\frac{3}{4}$  vote add delegates to empty seats for the national convention.

#### Article IV: Affiliates

The party may recognize local organizations that vote to join as affiliates of the Unified Libertarians of Massachusetts. The party may at any convention accept a Massachusetts group as an affiliate by majority vote. The State Committee may accept a Massachusetts group as an affiliate by  $\frac{2}{3}$  vote.

Any affiliate may withdraw from the party at any time. The party may disaffiliate any group by  $\frac{2}{3}$  vote at State Convention. The State Committee may not disaffiliate a group, though it may by  $\frac{2}{3}$  vote revoke the charter of an affiliate that is defunct or that has identified itself as uninterested in continued affiliation, after announcing the intent to revoke charter with at least two weeks' notice.

#### Article V: State Committee

The State Committee shall hold its meetings at times and places specified by the State Committee. The meetings may be held either remotely or in person. Meetings may be called by the State Committee itself, by the chairperson, or by the vice-chair, with at least thirty-six hours' notice to members of the State Committee.

At its regular State Convention each year, and at special State Conventions called for the purpose of holding special elections, the state convention shall hold elections, and shall elect a chairperson, a vice chair, a secretary, and a treasurer, who shall be the officers of the party, and who shall be members at-large of the State Committee. In addition, the State Convention will elect up to six additional at-large members.

In the event of a vacancy in the officers of the party or at-large members, the State Committee shall fill the vacancy from the current membership.

All members of the State Committee shall hold office until adjournment of the next State Convention at which their successors are chosen.

To be elected or serve as a member or officer of the State Committee, a person must be a member of the organization residing in Massachusetts and whose dues are current. No person who is employed or contracted by the Libertarian National Committee may serve as an officer or at-large member of the State Committee.

The State Committee and its appointed or Party-mandated committees may transact business by electronic communications, as specified by special rules of order.

Every member of the State Committee must make available their name, their office in the organization if any, and a working way to contact them, in the organization's newsletter and on the organization's web site. This may be a physical mailing address, e-mail address, telephone number, or some

combination of these.

The State Committee may, by a vote of two-thirds of its entire membership expel a person from the State Committee, for cause. Any disciplinary action against any person on the State Committee must follow general principles of due process, and the person subject to the disciplinary action has the right to insist upon the hearing being held either privately or publicly. Expiration of membership in the organization is cause, but payment of membership dues to renew membership, prior to the vote, constitutes an absolute defense. Expulsion from the State Committee does not remove the person from membership in the party.

The State Committee shall have control and management of all the affairs, properties, and funds of the Party consistent with these bylaws, except when a vote by the State Convention specifically prevents them.

#### Article VI: Candidates

The responsibility for meeting the legal requirements for ballot access rests with each candidate.

In the event State or Federal Law authorizes this organization to place candidates on the ballot, whether to replace candidates, fill vacant ballot lines, or for whatever other reason, in the absence of contrary legal specification or directive of the State Convention, the State Committee is authorized to act on behalf of the organization for this purpose.

#### Article VII: Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Party in all cases to which they are applicable and in which they are not inconsistent with these Bylaws and any special rules of order the Party may adopt.

#### Article VIII: Amendments

These bylaws may be amended by a two-thirds vote, provided that a copy of the proposed amendment has been sent to members of the organization whose dues are current at least two weeks prior to the date of the State Convention at which the amendment is to be considered. This notification may be sent by whatever forms of communication seem best to reach all members.

[Published on the web at: <https://lpofma.org/about-us/> ]





# Certificate of Nomination

TO THE: Secretary of State or Board of Elections  
OF THE: Commonwealth of Massachusetts

We do hereby certify that at a National Convention of Delegates representing the Libertarian Party of the United State, duly held and convened in the District of Columbia on the 24th through the 26th days of May, 2024, the following persons were placed in nomination for offices to be elected at the ensuing general election, November 5, 2024, and that each candidate is legally qualified to serve under the provisions of the United States Constitution.

<i>Title of Office to be Filled</i>	<i>Name of Candidate</i>	<i>Name of Party</i>	<i>Place of Residence of Candidate</i>
President of the United States	Chase Oliver	Libertarian	2400 Henderson Mill Court NE Atlanta, GA 30345
Vice-President of the United States	Mike ter Maat	Libertarian	700 Skip Jack Road Kinsale, VA 22488

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27 day of May, 2024.  
1444 Duke Street, Alexandria, VA 22314  
Contact Address

Angela McArdle  
Angela McArdle, Chair of the Libertarian Party

Angela McArdle, being duly sworn that she was the presiding chair of the convention of delegates mentioned and described in the foregoing certificate and that the said Caryn Ann Harlos was secretary of such convention, and that said certificate and statements therein contained are true to the best of her information and belief.

Subscribed and sworn to before me this 27<sup>th</sup> day of May 2024.

Shokhjakhon Boy Nazarov  
Notary Public

SHOKHJAKHON BOYNAZAROV  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires November 30, 2027

IN TESTIMONY WHEREOF, I have hereunto set my hand this 27 day of May, 2024.  
1444 Duke Street, Alexandria, VA 22314  
Contact Address

Caryn Ann Harlos  
Caryn Ann Harlos, Secretary of the Libertarian Party

Caryn Ann Harlos being duly sworn that she was the secretary of the convention of delegates mentioned and described in the foregoing certificate and that the said Angela McArdle was the chair of such convention, and that said certificate and statements therein contained are true to the best of her information and belief.

Subscribed and sworn to before me this 27<sup>th</sup> day of May 2024.

Shokhjakhon Boy Nazarov  
Notary Public

SHOKHJAKHON BOYNAZAROV  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires November 30, 2027