

UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
OFFICE OF THE CLERK OF THE BOARD

SPECIAL COUNSEL,

DOCKET NUMBER

[Hatch Act Unit]

CB-1216-16-0017-T-1

Petitioner,

V.

KEITH L. ARNOLD,

Respondent.

RESPONDENT'S MOTION FOR
SUMMARY JUDGMENT [with ADDENDUM]

I, Keith L. Arnold, respondent, make this motion for summary judgment for respondent per 5 C.F.R. §1201.55 and Federal Rules of Civil Procedure (FRCP) Rule 56.

The Amended Complaint like the Complaint is Hatch Act Unit Overreach (“HAUO”) and deception. On Amended Complaint pages 1-2 HAUO states, “ Section 7323(a)(3) of Title 5 of the United States Code and 5 C.F.R. § 734.304 prohibit federal employees from running for the nomination or as a candidate for election to a partisan political office.”

This is overreach and deception and a cover up because it leaves out the end of the sentence in 5 C.F.R. § 734.304 to fraudulently change its meaning. The end of the sentence is: “except as specified in § 734.207.” [Addendum (Add) II] which is, also, included in my Appendix to “Respondent’s Answer [with Appendix] to Amended Complaint” (“AnAp”).

HAUO has even filed a Petitioner’s Motion for Summary Adjudication which willfully and knowingly leaves out the 5 C.F.R. § 734.304 exception and fraudulently attempts to change the meaning and truthful presentation of 5 C.F.R. § 734.304. Accordingly, this RESPONDENT'S MOTION FOR SUMMARY JUDGMENT [with ADDENDUM] is, also, an objection and opposition to Petitioner’s Motion for Summary Adjudication

The truthful presentation of 5 C.F.R. § 734.304 is in Add II and AnAp II and is:

“§ 734.304

Candidacy for public office.

An employee may not run for the nomination or as a candidate for election to partisan political office, except as specified in § 734.207.

§ 734.207

Candidacy for public office.

An employee may:

- (a) Run as an independent candidate in a partisan election covered by 5 CFR part 733; and
- (b) Run as a candidate in a non-partisan election.

§ 734.101 Definitions.

For the purposes of this part:

Election includes a primary, special, runoff, or general election.

Nonpartisan election means—

- (1) An election in which none of the candidates is to be nominated or elected as representing a political party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected; or”.

Further, the US Constitution states “The House of Representatives shall be composed of Members chosen every second Year by the People of the several States”. [Add I]

HAUO Amended Complaint cites Washington State law in its charge #28, thereby agreeing Washington State law is an important part of federal election law.

Revised Code [State] of Washington (RCW) 29A.36.170 (1) states:

“ For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot” [Add III.]. Also, RCW 29A.52.112 (4) states: “Any party preferences are shown for the information of voters only and may in no way limit the options available to voters.”. [Add III]

The State of Washington Secretary of State website states:

“Washington is the first state in the country to establish a Top 2 Primary election system, rather than a party nominating system”; “ A candidate’s party preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate”; “ The two candidates who receive the most votes in the Primary advance to the

General Election, regardless of their party preference”; and “Political parties do not have a guaranteed spot on the General Election ballot. The two candidates who advance to the General Election may prefer the same party, different parties, or not state a party preference”. [Add IV]

In State of Washington Voters' Pamphlet August 19, 2008 Primary page 2, then WA Secretary of State Sam Reed statement excerpt says: “One new twist: Our new voter-approved primary no longer nominates a finalist from each major party, but rather sends the two most popular candidates forward for each office. It’s a winnowing election to narrow the field. Your candidates have listed the party they prefer, but that doesn’t mean the party endorses or affiliates with them”. [Add V]

The State of Washington Secretary of State website FAQ, “**Will there be both a Democrat and a Republican on the ballot at the General Election?**” is answered “Not necessarily. First, remember that the candidates are not appearing on the ballot representing a party; they are only representing themselves. Second, remember that the primary is for voters and candidates, not political parties. The parties do not own a spot on the General Election ballot. ”. [Add VI p. 13]

The State of Washington Secretary of State website FAQ, “**What is the difference between a Top 2 Primary and the Primary Elections in Other States?**” is answered (last paragraph of answer), “The purpose of the Top 2 Primary is *not* to select each party’s nominees. Political parties are free to conduct their nominating procedures according to their own rules, at their own conventions, caucuses and meetings. This frees the parties to develop their own criteria for nominations, endorsements, and other public declarations of support.” [Add, VI p. 13-14]

Therefore, the US Constitution states “ People of the several States” determine how to elect the US Representatives from their state. State of Washington RCW states “For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot” [Add III.]. This means a political party is not guaranteed the 2 advancing candidates will include someone who prefers (let alone represents) them. It may be neither of the 2 advancing candidates prefers any political party. RCW 29A.52.112 (4) states: “Any party preferences are shown for the information of voters only and may in no way limit the options available to voters”.

Therefore, in Washington State, US Representative elections no longer nominate candidates as

political party representatives and none of the candidates is nominated or elected as representing a political party making US Representative elections in Washington State nonpartisan elections as defined in 5 CFR Ch. I § 734.101(1).

5 CFR Ch. I § 734.101 states Nonpartisan election means

“An election in which none of the candidates is to be nominated or elected as representing a political party”.

Washington's Top 2 primary which advances the top 2 finishers disregarding party preferences and shows party preference for informational purposes only clearly meets this CFR definition of a nonpartisan election because none of the candidates is nominated or elected as representing a political party.

HAUO states, “OSC is amending its charges because the Respondent has engaged in additional prohibited activities”. [Amended Complaint page 1]. The sole basis of HAUO's complaint is “prohibited activities”. Those activities are running for Congress. As stated in my RESPONSE, I ran for Congress in the 8th District of Washington in 2006, 2008, 2010, and 2012. I started working as a federal employee at NOAA in Washington state in March 2010. I am a candidate for Congress in Washington state in 2016.

As noted above, HAUO Amended Complaint cites Washington State law in its charge #28, thereby agreeing Washington State law is an important part of federal election law. However, as shown above, running for Congress is not prohibited in Washington state due to the “except as specified in § 734.207” exception at the end of the sentence in 5 C.F.R. § 734.304. Since 5 C.F.R. § 734.304 ends with an exception, it is a limited prohibition not a total prohibition. Of course, an exception to a prohibition means where the exception condition exists, the prohibition does not exist. This clearly states that if an elected office is a “partisan political office” and at the same time has a “Nonpartisan election”, then the Nonpartisan election condition takes priority over, overrides, and supersedes the partisan political office condition thereby allowing the partisan political office condition itself to remain but nullifying the partisan political office prohibition.

The 5 CFR Ch. I § 734.207(b) non-partisan election exception (to the 5 C.F.R. § 734.304 limited prohibition) exists in Washington state, so the 5 C.F.R. § 734.304 prohibition does not exist in Washington state. That is why HAUO left the end of 5 C.F.R. § 734.304 out of its Amended Complaint. HAUO fraudulently, intentionally, and willfully tried to omit and coverup the exception to create a false prohibition.

In conclusion, in accordance with 5 CFR Ch. I § 734.207 (which is the 5 C.F.R. § 734.304 exception HAUO fraudulently omitted from its Amended Complaint), in Washington State, “an employee may run as a candidate in a non-partisan election” such as US Representative elections.

Therefore, I, Keith Arnold, respondent, an employee, "may run as a candidate in a non-partisan election" such as U.S. Representative in Washington State in accordance with 5 C.F.R. § 734.304 and 5 CFR Ch. I § 734.207.

Accordingly, this motion's truthful presentation of 5 C.F.R. § 734.304 shows that HAUO's amended complaint like HAUO's complaint is a baseless waste of government's and respondent's time, resources, and money and should not go forward and that I never should have been contacted by HAUO or any Office of General Counsel or "Ethics" (Amended Complaint charge #7) in the first place.

Wherefore, I, respondent, request summary judgment because the activities I engaged in in Washington State were not prohibited but were approved by law. Also, respondent demands any and all appropriate compensation including but not limited to compensatory and punitive damages.

Date: September 9, 2016

by: 

Keith L. Arnold

Respondent

ADDENDUM

I. From www.archives.gov: the Constitution for the United States of America Section. 2.

The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

II. 5 CFR Ch. I

Subpart A—General Provisions

§ 734.101 Definitions.

For the purposes of this part:

Election includes a primary, special, runoff, or general election.

Nonpartisan election means—

(1) An election in which none of the candidates is to be nominated or elected as representing a political party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected; or

Partisan when used as an adjective means related to a political party.

Partisan political office means any office for which any candidate is nominated or elected as representing a party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected, but does not include any office or position within a political party or affiliated organization.

§ 734.207

Candidacy for public office.

An employee may:

- (a) Run as an independent candidate in a partisan election covered by 5 CFR part 733; and
- (b) Run as a candidate in a non-partisan election.

§ 734.304

Candidacy for public office.

An employee may not run for the nomination or as a candidate for election to partisan political office, except as specified in § 734.207.

III. From Revised Code of Washington (RCW)

RCW 29A.36.170

Top two candidates qualified for general election—Exception (as amended by 2013 c 11).

(1) For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot; the name of the candidate who received the greatest number of votes will appear first and the candidate who received the next greatest number of votes will appear second. No candidate's name may be printed on the subsequent general election ballot unless he or she receives at least one percent of the total votes cast for that office at the preceding primary, if a primary was conducted. On the ballot at the general election for an office for which no primary was held, the names of the candidates shall be listed in the order determined under RCW (~~(29A.36.130)~~) 29A.36.131.

(2) For the office of justice of the supreme court, judge of the court of appeals, judge of the superior court, judge of the district court, or state superintendent of public instruction, if a candidate in a contested primary receives a majority of all the votes cast for that office or position, only the name of that candidate may be printed for that position on the ballot at the general election.

[2013 c 11 § 45. Prior: 2005 c 2 § 6 (Initiative Measure No. 872, approved November 2, 2004); (2004 c 271 § 193

repealed by the legislature); 2003 c 111 § 917; prior: 1992 c 181 § 2; 1990 c 59 § 95. Formerly RCW 29.30.085.]

RCW 29A.36.170

Top two candidates qualified for general election (as amended by 2013 c 143).

~~((1))~~ For any office for which a primary was held, only the names of the top two candidates will appear on the general election ballot; the name of the candidate who received the greatest number of votes will appear first and the candidate who received the next greatest number of votes will appear second. No candidate's name may be printed on the subsequent general election ballot unless he or she receives at least one percent of the total votes cast for that office at the preceding primary, if a primary was conducted. On the ballot at the general election for an office for which no primary was held, the names of the candidates shall be listed in the order determined ~~((under))~~ pursuant to RCW ((29A.36.130)) 29A.36.131.

~~((2) For the office of justice of the supreme court, judge of the court of appeals, judge of the superior court, or state superintendent of public instruction, if a candidate in a contested primary receives a majority of all the votes cast for that office or position, only the name of that candidate may be printed for that position on the ballot at the general election.))~~
[2013 c 143 § 1. Prior: 2005 c 2 § 6 (Initiative Measure No. 872, approved November 2, 2004); (2004 c 271 § 193 repealed by the legislature); 2003 c 111 § 917; prior: 1992 c

181 § 2; 1990 c 59 § 95. Formerly RCW 29.30.085.]

NOTES:

Reviser's note: RCW 29A.36.170 was amended twice during the 2013 legislative session, each without reference to the other. For rule of construction concerning sections amended more than once during the same legislative session, see RCW 1.12.025.

Short title—Intent—Contingent effective date—2005 c 2 (Initiative Measure No. 872): See notes following RCW 29A.52.112.

Effective date—1992 c 181: See note following RCW 29A.36.180.

Intent—Effective date—1990 c 59: See notes following RCW 29A.04.007.

RCW 29A.52.112

Top two candidates—Single county partisan office—Party or independent preference.

(1) A primary is a first stage in the public process by which voters elect candidates to public office.

(2) Whenever candidates for a partisan office are to be elected, the general election must be preceded by a primary conducted under this chapter. Based upon votes cast at the primary, the top two candidates will be certified as qualified to appear on the general election ballot, unless only one candidate qualifies as provided in *RCW 29A.36.170.

(3) No primary may be held for any single county partisan office to fill an unexpired term if, after the last day allowed for candidates to withdraw, only one candidate has filed for the position.

(4) For partisan office, if a candidate has expressed a party preference on the declaration of candidacy, then that preference will be shown after the name of the candidate on the primary and general election ballots as set forth in rules of the secretary of state. A candidate may choose to express no party preference. Any party preferences are shown for the information of voters only and may in no way limit the options available to voters.

[2014 c 7 § 1; 2013 c 11 § 50; 2005 c 2 § 7 (Initiative Measure No. 872, approved November 2, 2004).]

NOTES:

*Reviser's note: RCW 29A.36.170 was amended by 2013 c 143 § 1, removing the one candidate exception.

Short title—2005 c 2 (Initiative Measure No. 872): "This act may be known and cited as the People's Choice Initiative of 2004." [2005 c 2 § 1 (Initiative Measure No. 872, approved November 2, 2004).]

Intent—2005 c 2 (Initiative Measure No. 872): "The Washington Constitution and laws protect each voter's right to vote for any candidate for any office. The Washington State Supreme Court has upheld the blanket primary as protecting compelling state interests "allowing each voter to keep party identification, if any, secret; allowing the broadest possible participation in the primary election; and giving each voter a free choice among all candidates in the primary." *Heavey v.*

Chapman, 93 Wn.2d 700, 705, 611 P.2d 1256 (1980). The Ninth Circuit Court of Appeals has threatened this system through a decision, that, if not overturned by the United States Supreme Court, may require change. In the event of a final court judgment invalidating the blanket primary, this People's Choice Initiative will become effective to implement a system that best protects the rights of voters to make such choices, increases voter participation, and advances compelling interests of the state of Washington." [2005 c 2 § 2 (Initiative Measure No. 872, approved November 2, 2004).]

Contingent effective date—2005 c 2 (Initiative Measure No. 872): "This act takes effect only if the Ninth Circuit Court of Appeals' decision in *Democratic Party of Washington State v. Reed*, 343 F.3d 1198 (9th Cir. 2003) holding the blanket primary election system in Washington state invalid becomes final and a Final Judgment is entered to that effect." [2005 c 2 § 18 (Initiative Measure No. 872, approved November 2, 2004).]

Reviser's note: On February 28, 2004, the United States Supreme Court refused to take the case on appeal; therefore the Ninth Circuit's decision stands.

IV. From State of Washington Secretary of State website link https://wei.sos.wa.gov/agency/osos/en/voters/Pages/top_2_primary.aspx

{text followed by website screenshot}

Top 2 Primary

Washington is the first state in the country to establish a Top 2 Primary election system, rather than a party nominating system. A Top 2 Primary narrows the number of candidates to two. The two candidates who receive the most votes in the Primary advance to the General Election, regardless of their party preference.

Candidates

Each candidate for partisan office may state a political party that he or she prefers. A candidate's party preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

Voters

In each race, you may vote for any candidate listed on the ballot. The two candidates who receive the most votes in the Primary advance to the General Election, regardless of their party preference. Washington voters do not declare party affiliation as part of voter registration.

Political parties

Political parties do not have a guaranteed spot on the General

Election ballot. The two candidates who advance to the General Election may prefer the same party, different parties, or not state a party preference. Parties are free to conduct their nominating procedures according to their own rules, at their own conventions, caucuses or meetings. This frees parties to develop their own criteria for nominations, endorsements, and other public declarations of support.

For more information see History of Washington State Primary Systems and Top 2 Litigation.

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For more information see [History of Washington State Primary Systems and Top 2 Litigation](#).




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[Privacy Policy](#)

V. From State of Washington Voters' Pamphlet August 19, 2008 Primary page 2, by then WA Secretary of State Sam Reed

http://www.sos.wa.gov/_assets/elections/Voters' Pamphlet 2008 Primary.pdf

{page 2 text followed by pamphlet entire page 2 statement screenshot}

Introduction to the 2008 Primary Voters' Pamphlet

It's your choice ... it's your voice.

Congratulations on exercising your privilege and responsibility to take part in Washington's elections – never more important than in this watershed 2008 election year. Our new Top 2 Primary on August 19 will give you maximum choice, allowing you the independence and freedom to “vote for the person, not the party.”

When the courts threw out our cherished “blanket primary,” we immediately proposed a Top 2 system as a way to protect the freedom of citizens to vote for their favorite in each office. This new system was backed by the Legislature and strongly approved by the state voters in 2004 as the People's Choice Initiative, and we are pleased that the U.S. Supreme Court has upheld your rights.

We think you will like this easy, clear way of voting for your favorite candidate. It's as simple as this: You get to choose your favorite candidate for each office on the ballot, without regard to political preference. You are no longer restricted by the old “pick-a-party” system.

The Top 2 vote-getters for each office will advance to the November general election.

One new twist: Our new voter-approved primary no longer nominates a finalist from each major party, but rather sends the two most popular candidates forward for each office. It's a winnowing election to narrow the field. Your candidates have listed the party they prefer, but that doesn't mean the party endorses or affiliates with them. Some candidates prefer major parties, some prefer minor parties and some express no party preference. All have a chance to advance to the November ballot.

We believe you will enjoy this new way of voting. It's simple, easy and follows the longtime Washington tradition of wide-open voting. We invite you to visit www.vote.wa.gov for more information on your Top 2 Primary.

Sincerely,



A handwritten signature in cursive script that reads "Sam Reed".

SAM REED
Secretary of State

Congratulations to 4th grader Gabriella Spring of Covington whose artwork is displayed on the cover of this Voters' Pamphlet.

***Secretary of State Voter Information Hotline (800)
448-4881***

TDD/TTY Hotline for the hearing or speech impaired (800) 422-8683

Visit our online voters' guide at www.vote.wa.gov

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We believe you will enjoy this new way of voting. It's simple, easy and follows the longtime Washington tradition of wide-open voting. We invite you to visit www.vote.wa.gov for more information on your Top 2 Primary.

Sincerely,



A handwritten signature in cursive script that reads "Sam Reed".

SAM REED
Secretary of State

VI. From State of Washington Secretary of State website link <https://www.sos.wa.gov/elections/Top2PrimaryFAQ.aspx>

Top 2 Primary: FAQs for Voters

What is a Top 2 Primary?

A Top 2 Primary allows voters to vote for any candidate running in each race.

The two candidates who receive the most votes in the Primary Election qualify for the General Election. A candidate must also receive at least 1% of the votes cast in that race to advance to the General Election.

Candidates for partisan office may state a preference for a political party, which is listed on ballots and in voters' pamphlets. For example:

John Smith (Prefers Democratic Party)	Jane Doe (Prefers Republican Party)
--	--

Or candidates can choose to not state a party preference. For example:

John Smith
(States No Party Preference)

Regardless, the party preference information has no bearing on how the election is conducted or who is allowed to advance from the Primary to the General. Instead, which candidates are allowed to advance is based solely on how many votes they receive in the Primary.

What is a “party preference?”

Each candidate for partisan office may state a political party that he or she prefers. A candidate's preference does not imply that the candidate is nominated or endorsed by the party, or that the party approves of or associates with that candidate.

The party preference has no impact on how the election is conducted or which candidates are allowed to stay in the race to the General Election. The two candidates who receive the most votes in the Primary, and who receive at least 1% of the votes, advance to the General.

The candidate has up to 16 characters to describe the party that he or she prefers. This gives the candidate great freedom. Some candidates state a preference for an established major party, such as the Democratic Party or the Republican Party, while others state a preference for novel parties, such as the No New Taxes Party. Candidates are not restricted to stating a preference to an established major or minor party.

What offices are affected?

The Top 2 Primary applies to partisan office. In Washington, this includes the United States Senate and House of Representatives, the State Legislature, statewide partisan office such as Governor, and county partisan office such as County Commissioner.

The Top 2 Primary does **not** apply to elections for:

- President and Vice President; or
- Political Party Precinct Committee Officer (PCO).

While there are some slight variations, elections for *nonpartisan* office, such as city council or judge, are conducted in a similar manner to the Top 2 Primary. Generally, the two candidates in a nonpartisan race who receive the most votes in the Primary are the only candidates allowed to advance to the General Election.

If only 1 or 2 candidates file for an office, do they still have a Primary?

Yes. For partisan office, there is still a Primary even if only one or two candidates file. For nonpartisan office, there is no Primary and the candidates only appear in the General Election.

Will there be both a Democrat and a Republican on the ballot at the General Election?

Not necessarily. First, remember that the candidates are not appearing on the ballot representing a party; they are only representing themselves.

Second, remember that the primary is for voters and candidates, not political parties. The parties do not own a spot on the General Election ballot. Instead, the two candidates who appear on the ballot at the General Election are the two who received the most votes in the Primary. These candidates might prefer the same party, different parties, or not state a preference. In some races, all candidates who file declare a party preference for the same party.

Do Minor Party Candidates ever make it to the General Election?

Yes. Each year are candidates who prefer minor political parties, prefer parties created by the candidate, or who stated no party preference.

What is the difference between a Top 2 Primary and the Primary Elections in Other States?

Almost all other states in the country conduct *nominating* Primary Elections. In these states, the primary is for the political parties, because the purpose of the primary is to select each political party's nominee who will represent the party in the General Election.

For example, if five Republican candidates and 4 Democratic candidates file for the office of Governor, the purpose of a nominating primary is to select the one Republican candidate and one Democratic candidate who will advance to the General Election and represent their respective parties in the General Election, and are frequently required to be a registered member of the party in order to file as a candidate. In this type of election, the candidates are representing their political party when they appear on the ballot. If the state has party registration, the candidate usually must be a registered member of the party in order to file as a candidate of the party. Also, the voters are required to affiliate with a party in order to vote in the Primary and are restricted to voting only for candidates of that party.

In a Top 2 Primary, the primary is for the voters and candidates because the purpose is simply to winnow the number of candidates down to two. The candidates are not representing any political party when they appear on the ballot; they are only representing themselves. Candidates have great freedom to describe the party that they prefer. For example, a candidate might prefer the Pro-Life Republican Party, or the Labor Democratic Party. The party preference information for each candidate is informational only; it has no relevance to the election itself. Also, the voters do not have to affiliate with a party.

The purpose of the Top 2 Primary is *not* to select each party's nominees. Political parties are free to conduct their nominating procedures according to their own rules, at their own conventions, caucuses

and meetings. This frees the parties to develop their own criteria for nominations, endorsements, and other public declarations of support.

What is the difference between Washington's Top 2 Primary and California's new Primary?

California just passed Proposition 14. This ballot measure creates a primary system that is similar to a Top 2 Primary, though there are some significant differences. California has very established political parties, and party registration as part of voter registration.

As California implements the Top Two Primary, the state will have to address whether candidates are limited in their party preference options to the established political parties, such as the Republican or Democratic Party, or are free to describe their party preference in their own words, such as the No New Taxes Party.

How did the Top 2 Primary become law?

The Top 2 Primary was passed by the people in 2004 as an initiative. Initiative 872 passed by almost 60%.

In 2005, before the new law was implemented, the Washington state Democratic, Republican and Libertarian Parties sued in federal court. The lower courts imposed an injunction prohibiting the state from implementing the new Primary, but in March 2008 the U.S. Supreme Court upheld the new law.

The new Primary was used for the first time in the 2008 Primary and General. It was used for select partisan races in 2009, and now in the 2010 Primary and General.

Does Washington have Party Registration?

No. Washington does not have party registration as part of voter registration. Voters do not have to declare a party affiliation either when they register or vote.

Can a voter still write in a candidate?

Yes. Each race on the ballot will still have a write in line for a voter to write in the name of a candidate.

Contact Us

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UNITED STATES OF AMERICA
MERIT SYSTEMS PROTECTION BOARD
OFFICE OF THE CLERK OF THE BOARD

SPECIAL COUNSEL,

[Hatch Act Unit]

Petitioner,

V.

KEITH L. ARNOLD,

Respondent.

DOCKET NUMBER

CB-1216-16-0017-T-1

CERTIFICATE OF SERVICE

I certify that this RESPONDENT'S MOTION FOR SUMMARY JUDGMENT [with ADDENDUM] was sent by electronic mail on September 9, 2016 to:

Martorana, Carolyn cmartorana@osc.gov

Carolyn S Martorana, Office of Special Counsel, Hatch Act Unit, 1730 M Street, N.W., Suite 218,
Washington, Dc 20036

Date: September 9, 2016

by: 

Keith L. Arnold

Respondent