

**DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND ETHICS**

In Re Black Watch Party

Administrative Hearing
No. 10-009

Re: Application for Approval of
the Name of a Political Party

MEMORANDUM OPINION AND ORDER

Introduction

This matter came before the Board of Elections and Ethics (“Board”) pursuant to D.C. CODE § 1-1001.05(a) (14) on Wednesday, September 8, 2010, and involved an Application for the Approval of the Name of a Political Party in the District of Columbia. The Chairman of the proposed party, Montgomery Blair Sibley, represented the political party before the Board. Chairman Togo D. West, Jr. and Board member Charles R. Lowery, Jr. presided over the hearing.

Statement of the Case

Pursuant to 3 DCMR § 1605.3, Mr. Sibley filed an Application for Approval of the Name of a Political Party in the District of Columbia on July 14, 2010. The proposed designated name of the new party is “Black Watch Party.” On August 16, 2010, Mr. Sibley filed a Statement of Organization with the Director of Campaign Finance, pursuant to D.C. Code § 1-1102.04(a). The Board’s Office of the General Counsel reviewed the District’s current list of political parties authorized in the District of Columbia and represented to the Board that there were no names identical or similar to the proposed party name.

Analysis

In the District of Columbia, pursuant to D.C. Code § 1-1102.04(a) and 3 DCMR §§ 1605.2¹ and 1605.3,² each proposed political party must comply with established procedural requirements for approval of its name. The Board finds that all of the procedural requirements were met in the instant case. The proposed party submitted an application with all the requisite information on the prescribed form, and the proposed party filed a Statement of Organization with the Director of the Office of Campaign Finance.

Once the Board determines that a proposed political party has fulfilled all of the procedural filing requirements, the Board then considers whether the proposed name for the political party would tend to confuse or mislead the public. Pursuant to 3 DCMR § 1605.4, “[t]he Board may reject any application for approval of a name that, in the judgment of the Board, tends to confuse or mislead the public.”

The Board finds that the designated name, “Black Watch Party” is sufficiently distinguishable from every other political party in the District of Columbia and does not tend to confuse or mislead the public. Accordingly, the Board approves the name “Black Watch Party” as a authorized political party in the District of Columbia³ pursuant to D.C. Code §1-1001.05(a)(14).

¹ 3 DCMR § 1605.2 states: “Application for approval of the name of a political party shall be made on a form prescribed by the Board.”

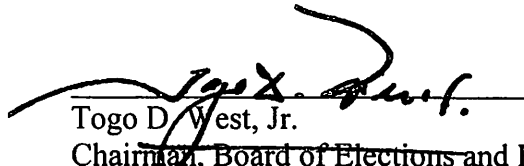
² 3 DCMR § 1605.3 states: “The application for party approval shall include the name, address, telephone number, and voter registration number of the chairperson, treasurer, other principal officers ad each member of the duly authorized local committee of such party in the District.”

³ Political parties in the District of Columbia must comply with the full disclosure and complete reporting of financial receipts and expenditures requirements of the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, as amended, D.C. Code §1-1401 et. seq. Information on the specific requirements can be obtained by contacting the Office of Campaign Finance at (202) 671-0547.

For the foregoing reasons, it is hereby:

ORDERED that the Black Watch Party's Application for Approval of the Name of a Political Party in the District of Columbia is **APPROVED**.

September 17, 2010
Date



Togo D. West, Jr.
Chairman, Board of Elections and Ethics

Charles R. Lowery, Jr.
Member, Board of Elections and Ethics